

0 168

BOX:

418

FOLDER:

3861

DESCRIPTION:

O'Brien, John

DATE:

11/26/90



3861

0169

243

Witnesses :

Counsel,

Filed

26

day of

Nov 1890

Pleads,

Not guilty 28

THE PEOPLE

18 Name
23 John O'Brien
John O'Brien

Burglary in the THIRD DEGREE
and carrying 2nd degree Pleas
(Section 498, 500, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000)

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Foreman.

J. J. McGuire

Part III Dec 1st 1900

Pleads guilty

Elmer R. Burg 32 dep

Police Court— 3 District.

City and County } ss.:
of New York,

of No. 264 Division Street, aged 39 years,

occupation Clothes being duly sworn

deposes and says, that the premises No 264 Division Street, 13th Ward

in the City and County aforesaid the said being a three story building

the store floor of which

and which was occupied by deponent as a Clothing store

and in which there was at the time ^{no} human being, by name

were BURGLARIOUSLY entered by means of forcibly opening a

door leading to deponent's store,

from the hallway

on the 22 day of Nov 1888 in the day time, and the

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

Six Overcoats of the

Value of

Forty eight 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, stolen and carried away by

John O'Brien (nowhere) and two

others, not arrested, who acted in concert

for the reasons following, to wit: Deponent says, - at about 9³⁰

A.M. of said date he left said store securely

locking the doors leading there, and

when he returned at about 11³⁰ A.M. of

said day he saw defendant on Division

Street with said overcoats in his possession

and accompanied by two others not arrested.

Deponent further says - when he re-

cognized said overcoats, he seized defendant

and held him until the approach of officer John
Ringo of the 12th Precinct, the two others
dreadamping, and said officer arrested de-
fendant with said property in his possession,
which deponent identified as being his
property.

Deponent further says - when he returned
to said store after said arrest in order to
make an examination, he found that
a lock had been forcibly broken from
the door leading to said store as aforesaid
and on entering said store deponent
observed that said over coats found
in the possession of defendant were missing.

Wherefore deponent charges defendant
with burglariously entering said premises
and taking & stealing and carrying away
said property from deponent's possession.

Subscribed before me this 23rd day of May 1899

James Zuber
Police Justice.

Dated 1888 Police Justice.

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

Dated 1888 Police Justice.

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

Dated 1888 Police Justice.

of the City of New York, until he give such bail.

Hundred Dollars and be committed to the Warden and Keeper of the City Prison

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

Police Court, District, Office - BURGLARY.

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

0172

3

Sec. 198-200.

District Police Court

CITY AND COUNTY OF NEW YORK, ss.

John 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. *John O'Brien*

Question. How old are you?

Answer. *19 years*

Question. Where were you born?

Answer. *United States*

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

Answer. *33 Monmouth St 3 mos*

Question. What is your business or profession?

Answer. *Button maker*

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

Answer. *I am not guilty.*

John O'Brien.

Taken before me this *2-3*

day of *February*

John O'Brien
Police Justice

Dated.....18.....Police Justice.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

John O'Brien

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

John O'Brien

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

The said

John O'Brien

late of the *Thirteenth* Ward of the City of New York, in the County of New York
aforesaid, on the *twenty-second* day of *November* in the year of our Lord one
thousand eight hundred and eighty *ninety*, with force and arms, in the
day — time of the same day, at the Ward, City and County aforesaid, the
~~dwelling house of one~~ a certain *building, to wit :*

the store of one Isaac Gucker

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

SECOND COUNT—

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

John O'Brien

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

The said

John O'Brien

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

six overcoats of the value of eight dollars each

of the goods, chattels, and personal property of one

Isaac Gucker

in the ~~dwelling house~~ *store* of the said

Isaac Gucker—

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

THIRD COUNT.

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

John O'Brien
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows :

The said

John O'Brien
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,

six overcoats of the value of eight dollars each

of the goods, chattels and personal property of

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

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

John O'Brien
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,
District Attorney.

0177

BOX:

418

FOLDER:

3861

DESCRIPTION:

O'Brien, John T.

DATE:

11/26/90



3861

0178

BOX:

418

FOLDER:

3861

DESCRIPTION:

Murphy, James

DATE:

11/26/90



3861

Witnesses;

252
Counsel,
Filed 26 day of Nov 1890
Pleads, *Not guilty*

THE PEOPLE

vs.

125 Sullivan
John T. O'Brien
He and
James Murphy
125 Sullivan

Grand Larceny Second degree
[Sections 528, 531, 536 Penal Code].

JOHN R. FELLOWS,

P. S. *125 Sullivan* District Attorney.

Nov 14 2 - L.P. 34 v
at

A True Bill.

125 Sullivan
Nov 16/90 Foreman.

22 Dec 2, 1890

2nd Plea Dec. Stolen Goods

X

Dear

0 180

CITY AND COUNTY
OF NEW YORK, ss.

POLICE COURT, 2 DISTRICT.

John S. Sullivan
of No. 15 Precinct Police Street, aged years,
occupation Police Officer being duly sworn deposes and says
that on the day of 7 188

at the City of New York, in the County of New York, Frank G. Williams
is a necessary and material witness
against John C. Bruen and James Murphy
charged with having committed a Larceny.
and deponent says that he is led to believe
that said Williams will not appear at
said trial, Deponent therefore asks that
said Williams be held to await said
trial or find surety for his appearance
at said trial

John S. Sullivan

Sworn before me, this
of Williams

188

day

John S. Sullivan
Police Justice

0181

Police Court—2 District.

Affidavit—Larceny.

City and County } ss.:
of New York,of No. New Haven, Connecticut Street, aged 38 years,
occupation Gunsmith being duly sworndeposes and says, that on the 22 day of November 1889 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:

Good and lawful money of the
United States of the amount of Four
Dollars (4) One Overcoat, a Suit of
Clothes, consisting of Coat, Pants &
vest, Hat, and scarf all of the
amount and value of Forty Five
dollars

\$ 45 ⁰⁰/₁₀₀

the property of

Deponentand that this deponent
has a probable cause to suspect, and does suspect that the said property was feloniously taken, stolen,and carried away by John O. Bruen & James Murphy,

(both now here), while acting in concert
with each other, on the following facts
to wit: that deponent on the aforesaid
date, went into the Liquor Store No.
167. Bleeker Street - and that while
deponent was in said store, said
defendant O. Bruen engaged in conversa-
-tion with him, and on being told by
deponent that he was a stranger in
the city, said defendant O. Bruen
invited and requested deponent to
accompany him to his room No 136
Macdougal Street, and stop and sleep
with him for the night, and deponent

Sworn to before me, this
1889 day

Police Justice.

✓ further says that he left said store between the hours of 9th & 10 P.M. and with said defendant O.'Brien, went to said premises No 136 Macdougall Street - where deponent and said defendant O.'Brien undressed and went to bed - and deponent further says that he was awakened about the hour of 12. M. by a strange man, who ordered ✓ deponent out of the room, and that deponent immediately discovered said defendant O.'Brien. gone, and said property missing.

✓ And deponent further says that he is informed by Officer John Sullivan of the 15th Precinct - that he found the said pair of pants on the person and in the possession ✓ of said defendant O.'Brien, at No 173 Thompson Street, on the 28th day of November at the hour ✓ of 7 P.M. and said Overcoat on the person and in the possession of said defendant Murphy at said premises No 173 Thompson Street at the hour of 7 P.M. of the 28th day of November 1890

Subscribed and sworn to before me this 24 day

of November 1890

Frank J. Williams

James A. Ch. Reilly
Police Justice.

0 183

CITY AND COUNTY }
OF NEW YORK, } ss.

John S. Sullivan
aged _____ years, occupation Police Officer of No. _____

15 Precinct Police Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Frank G. Williams

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

Sworn to before me, this 24
day of November 1897 } John S. Sullivan

[Signature]
Police Justice.

0184

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, }

2 District Police Court.

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

Question. What is your name?

Answer. *John C. Brien*

Question. How old are you?

Answer. *29 years*

Question. Where were you born?

Answer. *Massachusetts*

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

Answer. *136 Macdonough St - 3 months*

Question. What is your business or profession?

Answer. *Waiter*

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

Answer.

John J. O'Brien

Taken before me this *24*
day of *November* 188*0*

So called Police Justice.

Mr. Smith

Brady & Butler

141st - Brody

Ward with Police

0185

Sec. 198—200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

James Murphy 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 Murphy*

Question. How old are you?

Answer. *45 years -*

Question. Where were you born?

Answer. *New York*

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

Answer. *123 Sullivan - 7 months*

Question. What is your business or profession?

Answer. *Copier*

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 bought the overcoat from a man.

James Murphy

Taken before me this

day of

1885

Doyle Murphy Police Justice.

0186

1951
Police Court-- 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Frank J. Williams

John B. Davis
James Murphy
Garcony

BAILED,
No. 1, by
Residence
Street.

No. 2, by
Residence
Street.

No. 3, by
Residence
Street.

No. 3, by
Residence
Street.

No. 4, by
Residence
Street.

No. 4, by
Residence
Street.

No. 4, by
Residence
Street.

Offence

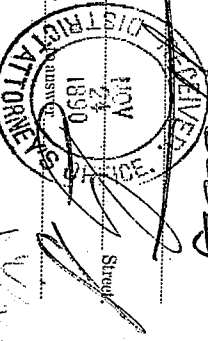
Dated November 24 1890

James W. Sullivan
Magistrate.
15

Witness
Comptrolair sent to
the home of Defendant
in default of \$100 Bail

Will officers
Street.

No. 24
Street.



No. 24
Street.

Committed to
Street.

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Twenty 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 November 24 1890
Police Justice.

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

Dated 18
Police Justice.

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

Dated 18
Police Justice.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against
John T. O'Brien and
James Murphy

The Grand Jury of the City and County of New York, by this indictment,
accuse John T. O'Brien and James Murphy

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

The said John T. O'Brien and James Murphy, both

late of the City of New York, in the County of New York aforesaid, on the twenty-second
day of November in the year of our Lord one thousand eight hundred and ninety,
, at the City and County aforesaid, with force and arms,

one overcoat of the value of eighteen
dollars, one coat of the value of nine
dollars, one vest of the value of five
dollars, one pair of trousers of the
value of six dollars, one hat of the
value of two dollars and fifty cents
one scarf of the value of fifty
cents and the sum of four dollars
in money, lawful money of the
United States of America and of
the value of four dollars

of the goods, chattels and personal property of one Frank G. Williams

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

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

The said

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

*the same goods, chattels and
personal property described
in the ^{first} ~~second~~ count of this
indictment*

of the goods, chattels and personal property of one *Frank G. Williams*
by one *John T. O'Brien* and
others
by a certain person or persons to the Grand Jury aforesaid unknown, then lately before
feloniously stolen, taken and carried away from the said *Frank G. Williams*

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

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

JOHN R. FELLOWS,
District Attorney.

0 189

BOX:

418

FOLDER:

3861

DESCRIPTION:

O'Brien, Lawrence

DATE:

11/17/90



3861

0190

Witnesses:

Counsel,

Filed,

day of

Pleads,

THE PEOPLE

vs.

Lawrence O'Brien

JOHN R. FELLOWS,

District Attorney.

Part 2 - Dec 16/90
Indictment dismissed
on motion of District Attorney.

A True Bill.

J. J. Brennan
Foreman.

FRAUDULENT REGISTRATION.
[Chap. 410, Laws of 1882, § 1903.]

Upon examining the
law applicable to
this case and
after examining the
Police Officer in this
case - I am of
opinion that the
prisoner has not
violated the law.
That no conviction
could be had & I
ask that this indictment
be dismissed G.S.D.
Dec 16th 90th ada.

Count of General Sessions

The People

vs

Lawrence O'Brien

City, County and State of New York ss.

Lawrence O'Brien being duly sworn says that he is thirty-two years of age, that he is the defendant in the above entitled criminal action. That his occupation is that of waiter and he has been engaged in that occupation since he came to New York from Oswego in the year 1883. That he was last employed at the Stevens House Number 27 Broadway New York City and was so employed from the 18th day of September 1890 down to the 18th day of October 1890. That after being paid off he remained around the house, had all his clothes there and had no other residence in the City of New York, nor did he intend to acquire any other residence until the 26th day of October 1890 when he took his clothes and other property from said Stevens House. On said 26th day of October 1890 he was called to get employment at Number 2032 Third Avenue at a restaurant kept by one McOlney and that was the occasion of my permanently leaving the Stevens House. It is charged against me that I registered on the 24th day of October. I believed then and believe now that at the time alleged I was entitled to register. Having been a resident of the state, city, county, assembly district and election district for the required period. Defendant further states that

0 192

✓ he has worked on and off for periods of one year, and six months, one month at a time for the last three or four years ^{at said Penitentiary} That defendant voted from the same place in the year 1888 - and was entitled to vote from said place. He further states that he is the sole support of ~~his~~ ^{his} mother, an invalid sister and a brother who is very ill. That they are suffering through his incarceration and he prays that his case may be disposed of with all convenient speed.

Done to before me this

24th day of November 1890

Lawrence C. Brinn

Joe Roeseh

Notary Public

N.Y.C. (124)

N.Y. General Sessions.

the People vs

against

Lawrence J. Brin

Applicant of defendant

James J. Brin

Complaint for defendant

No 23 Eleventh St

New York City

0 193

Court of General Sessions

The People of

vs

Lawrence O'Brien

City County and State of New York.

John P. Williams being duly sworn says that he is truly, thirty years of age, that he is at present engaged as Cook in the Stevens House Number 27 Broadway New York City. That he has been Cook at said house for two months last past that he knows Lawrence O'Brien the defendant in the above named criminal action. And knows that said O'Brien resided at said house until late in the month of October and that he is quite positive that said O'Brien left with defendant after the 24th of October at said house. That said O'Brien was employed at said house as waiter during part of the month of September as well as the time in October as above mentioned.

Subscribed before me this 25th day of November 1890.

John P. Williams.

John P. Williams
Notary Public
Kurtz Co. Corp. filio

0 195

N.Y. Special Service

The People

vs.

Lawrence O'Brien

Applicant of J.H. Williams

James J. Williams

Commonwealth

No 23 Chambers St.

N.Y. City

0 196

City and County of New York, ss.:

Police Court, _____ District.

Arthur A. Corey
 of 3d Greenwich Street, aged 25 years, being duly
 sworn, deposes and says, that on the 24 day of October 18890
 at the City of New York, in the County of New York, the same being a day duly
 appointed by law as a day for the general registration of the qualified voters of said
 city and county, Lawrence O'Brien did
 personally appear before the Inspectors of Election of the 5th
 Election District of the 1st Assembly District of the said City
 and County, at a meeting of the said Inspectors of Election then being held for the
 purpose of the general registration of the qualified voters of the said city and county,
 resident in the said Election District, at the duly designated polling place of the said
 Election District, and did then and there, at the said general registration of voters,
 feloniously register in the said Election District, not having a lawful right to register
 therein.

Wherefore deponent prays that the said Lawrence O'Brien
 may be apprehended and dealt with according to law.

Arthur A. Corey

Sworn to before me, this 24th
 day of November 18890

G. Henry Ford
 Police Justice.

0197

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Laurence 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. *Laurence O'Brien*

Question. How old are you?

Answer. *32 years*

Question. Where were you born?

Answer. *United States*

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

Answer. *3 West Street 1 year.*

Question. What is your business or profession?

Answer. *Waiter*

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

Answer. *I am not guilty*

Laurence O'Brien

Taken before me this

day of *November* 188*8*

J. J. [Signature]

Police Justice.

0198

Police Court--- 1660th
District.

THE PEOPLE, &c.,

vs. THE COMPLAINANT OF

23.

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

1

2

3

4

Offence

Dated

1890

Magistrate

Officer

Witnesses

No.

No.

No.

No.

No.

No.



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 Twenty 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 Nov 4 1890 J. Murray Bond Police Justice.

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

Dated 18 Police Justice.

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

Dated 18 Police Justice.

0 199

PART II.

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

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPOENA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

In the Name of the People of the State of New York.

To

O'Carry

of No.

Street

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the day of 11 1890, at the hour of 11 in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

Laurence O'Brien
Dated at the City of New York, the first Monday of in the year of our Lord 1890.

JOHN R. FELLOWS, District Attorney.

0200

With Loan for 5 days
Sergt Larney
2nd Precinct

Should the case not be called on for trial, and no reason assigned in Court please inquire at the District Attorney's Office about it, and you may save time.
If inconvenient to remain, and you prefer another day, state this early to the District Attorney in the Court.
If ill when served, please send timely word to the District Attorney's Office.
If you know of more testimony than was produced before the Magistrate, or if a fact which you think material was not there brought out, please state the same to the District Attorney or one of his Assistants.

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

THE PEOPLE OF THE STATE OF NEW YORK,
against

Lawrence O'Brien

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by
this indictment, accuse *Lawrence O'Brien*
of a FELONY, committed as follows:

Heretofore, to wit: on the *24th* day of
October, in the year of our Lord one thousand eight hundred and ~~eighty nine~~ *eighty nine*, the
same being a day duly appointed by law as a day for the general registration of the
qualified voters of the said City and County, the said *Lawrence O'Brien*
late of the City and County aforesaid, at the City and County aforesaid, did personally
appear before the Inspectors of Election of the *24th* Election District
of the *2nd* Assembly District of the said City and County, at a meeting
of the said Inspectors of Election then being duly held for the purpose of the general
registration of the male residents of the said Election District as then were, or would be
on the day of election next following the said day of registration, (to wit: on the *24th*
day of November, in the year aforesaid, being the Tuesday succeeding the first Monday in
the said month of November, and being the day duly appointed by law for the holding of
a general election throughout the said State, and in the City and County aforesaid), entitled
to vote therein, at the duly designated polling place of the said Election District, and did
then and there, at the said general registration of voters, feloniously and fraudulently
register in the said Election District, not having a lawful right to register therein, in this,
to wit: that the said *Lawrence O'Brien*, was not then a male resident
of the said Election District as then was, or on the said day of election next following the
said day of registration would be entitled to vote therein, for the reason that he was not
then, nor would he on the said day of election have been, an inhabitant of the said State
one year next preceding such election, and the last four months a resident of the said
County of New York, and for the last thirty days a resident of the said Election District,
against the form of the statute in such case made and provided, and against the peace and
dignity of the said People.

JOHN R. FELLOWS, District Attorney.

0202

BOX:

418

FOLDER:

3861

DESCRIPTION:

O'Brien, Patrick

DATE:

11/13/90



3861

0203

BOX:

418

FOLDER:

3861

DESCRIPTION:

Heck, Henry

DATE:

11/13/90



3861

0204

89

Witnesses ;

*Recd for
W. H. Hines*

*A Bush & Sons
West 32 St*

Belm 7th & 8th Ave

*Harry Klee Son
9th Ave Belm 14*

775 14th St

*Felerschen Bros
287. 7th Ave*

Counsel,

Filed

day of

1880

Pleadings

THE PEOPLE

vs.

*Patrick O'Brien
and P.
Henry Mack*

JOHN R. FELLOWS,

District Attorney.

A True Bill.

*J. V. Pringle
Sept 13/90 Foreman.*

Read Bond 2 day

7 700 71 700 71

19/90 P. 7

19 19

*Burglary in the first degree
and larceny in the first degree
[Section 496, 506, 528, 530]*

2556

*W. H. Hines
Recd for*

Police Court—4 District.

City and County } ss.:
of New York,

Martha D. White
of No. 63 West 56th Street, aged 45 years,
occupation Keep house being duly sworn

deposes and says, that the premises No. 63 West 56th Street, 19th Ward
in the City and County aforesaid the said being a dwelling house

and which was occupied by deponent as a boarding house
and in which there was at the time a human being, ~~by name~~ by deponent and
various other persons,

were **BURGLARIOUSLY** entered by means of forcibly lifting the
cover of the coal hole or chute on
the sidewalk in front of said premises
which chute led into said premises, and
passing through the chute into said building
on the 5th day of November 1889, in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

Our book, one candle stick, two
blankets and one quilt all of the
value of about a

Twenty five dollars

the property ~~&~~ in care and charge 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

Patrick O'Brien and Henry Keck
who were in company with each other

for the reasons following, to wit: that said premises were
securely locked and fastened and
deponent and the other occupants had
retired for the night, and said
property was therein. At about the
hour of two o'clock deponent was
awakened by Officer Frederick O.
Williams, (now here) who informed deponent
that he saw the defendants leaving

said premises with the property
here shown in their possession and
he found the cover of the coal hole
removed and that the defendants
admitted to him that they had
entered that way.
Sworn to before me }
this 5th November, 1890 } Martha D. White.

W. F. McMahon
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
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, etc.,
on the complaint of

vs.

1.
2.
3.
4.

Offence—BURGLARY.

Dated 1888

Magistrate.

Officer.

Clerk.

Witness.

No. Street.

No. Street.

No. Street.

\$ to answer General Sessions.

0207

CITY AND COUNTY }
OF NEW YORK, } ss.

Frederick P. Williams
aged 26 years, occupation Police officer of No. 23
Beacon Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Martha D. White
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 5th } Frederick P. Williams
day of November 1898

W. J. Mahon
Police Justice.

0208

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Patrick 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. *Patrick O'Brien*

Question. How old are you?

Answer. *30 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *East 23rd St. 2 weeks*

Question. What is your business or profession?

Answer. *Laborer*

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

Answer. *I am not guilty*

Pat O'Brien

Taken before me this

day of

1899

Police Justice.

0209

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Kerry Hech 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. *Kerry Hech*

Question. How old are you?

Answer. *32 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *103 Gansevoort St. 3 months*

Question. What is your business or profession?

Answer. *I am a maker*

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*
Kerry Hech

Taken before me this *5*

day of *November* 189*6*

W. J. Mahoney

Police Justice.

0210

Mr. Hild -

From Books Hotel

East River

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

Police Court-- District 1664

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Marta S. White

63 West 56th

Charles A. Brown

Henry West

Offence Burglary

Dated Nov 5 1890

McMahon Magistrate

McMahon Officer

23 Precinct

Witness John P. Williams

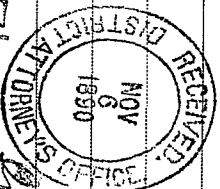
No. 2302 Street

No. Street

No. Street

2500 to answer

8000



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 Twenty-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 Nov 5 1890 McMahon 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 he to be discharged.

Dated 188 Police Justice.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Patricia O'Brien
and Henry Heda

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

Patricia O'Brien and Henry Heda
of the CRIME OF BURGLARY IN THE *first* DEGREE, committed as follows:

The said *Patricia O'Brien and Henry Heda, both*
late of the *nineteenth* Ward of the City of New York, in the County of New York
aforesaid, on the *25th* day of *November*, in the year
of our Lord one thousand eight hundred and *eighty-ninth*, with force and arms, about the
hour of *two* o'clock in the *night* time of the same day, at the Ward,
City and County aforesaid, the dwelling house of one *Martha D. White,*

there situate, feloniously and burglariously did break into and enter, there being then and there
some human being, to wit: *the said Martha D. White,*

within the said dwelling house, with intent to commit some crime therein, to wit: the goods
chattels and personal property of the said *Martha D. White,*

in the said dwelling house then and there being, then and there feloniously and burglariously to
steal, take and carry away; *the said Patricia O'Brien and*
Henry Heda, and each of them, being then
and there assisted by a confederate
actually present, to wit: each by the other,

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

Salida Garcia and Henry Meador
of the CRIME OF *LARCENY* in the *first degree*, committed as follows:

The said *Salida Garcia and Henry Meador* —

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,

one printed book of the value of five dollars, one candle stick of the value of five dollars, two plants of the value of five dollars each, and one quilt of the value of ten dollars,

of the goods, chattels and personal property of one *Martha D. White*,

in the dwelling house of the said *Martha D. White*, —

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.

John R. Kellom
Subst. Attorney

THIRD COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

late of the 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,

of the goods, chattels and personal property of one

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

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

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

JOHN R. FELLOWS,
District Attorney.

02 14

BOX:

418

FOLDER:

3861

DESCRIPTION:

O'Connell, John

DATE:

11/26/90



3861

02 15

BOX:

418

FOLDER:

3861

DESCRIPTION:

Carey, James

DATE:

11/26/90



3861

02 16

BOX:

418

FOLDER:

3861

DESCRIPTION:

Riordan, Thomas

DATE:

11/26/90



3861

(See within)

Witnesses:

Counsel,

W. J. G. Gentry

204 1/2 N. 1st St. St. Louis

Filed

day of

1891

all

Pleaded

Not Guilty (28)

THE PEOPLE

vs.

John O'Connell

James Carey

Thomas Riordan

JOHN R. FELLOWS,

District Attorney.

See endorsement

on back of this instrument

A TRUE BILL.

114 1/2 N. 1st St. St. Louis

Foreman.

114 1/2 N. 1st St. St. Louis

Indictment - 1st

1891

December 3rd 1891

The defendants John O'Connell, James Riordan, herein were indicted April 5th 1891 for a felony, to wit they damaged the brewery building of John James Stevenson by placing and using explosives. On the recommendation of the District Attorney, made October 28th 1891, the indictment was dismissed for reasons which appear in full by endorsement herein under that date.

This indictment represents another phase of the history of the explosion at Stevenson's Brewery and was overlooked at the time of the dismissal of the felony charge mentioned above. A re-examination of the papers filed herewith shows that no conviction could be had on the testimony produced on behalf of the People. Therefore recommend that this indictment be dismissed.

Henry D. Macdonald
Deputy A. D. A.

In the reasons set forth by the District Attorney I recommend that this indictment be dismissed.

Deputy District Attorney

Deputy District Attorney

Dec 3rd 1891

0217

02 18

**POOR QUALITY
ORIGINAL**

TORN PAGE

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 Charles J. Lunn
of No. 661 Washington Street, that on the 30 day of April

1890 at the City of New York, in the County of New York, John O. Connell, Jr.
Craig, and Thomas Riordan, now did, with intent to degrade deponent and bring him into contempt, falsely, maliciously and scandalously frame, make write and compose in a certain false scandalous and libelous writing concerning deponent certain charges. the deponent was a spy on the Central Labor Union

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 him 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 May 1889

[Signature] POLICE JUSTICE.

DOOR QUALITY
ORIGINAL

TORN PAGE

POLICE COURT DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Charles J. Lunn

vs.

John O. Counsel

James H. Carey

Thomas. Jordan

Warrant-General.

Dated May 14 1880

Andrew P. White Magistrate.

James Bell Officer.

John O. Lounell

The Defendant Thomas Jordan
taken, and brought before the Magistrate, to answer
the within charge, pursuant to the command con-
tained in this Warrant.

James Bell Officer.

Dated May 14 1880

This Warrant may be executed on Sunday or at
night.

Police Justice.

Dated 188

having been brought before me under this Warrant, is committed for examination to the
WARDEN and KEEPER of the City Prison of the City of New York.

May 17. 10³⁰ AM 30 Mr. J. H. Brown & Co. 322 Burgin St. Brooklyn
The within named

0220

Police Court-- District

Dated.....*18*.....*Police Justice.*

0221

2 DISTRICT POLICE COURT.

THE PEOPLE,
ON COMPLAINT OF
Charles J. Durin
agst.
John O. Connell

Examination had May 20 - June 3 1880
Before Edward Hogan Police Justice.

I, W. L. Armoby Stenographer of the 2 District Police Court, do hereby certify that the within testimony in the above case is a true and correct copy of the original Stenographer's notes of the testimony of Charles J. Durin Frank N. Brownhoe, J. J. Vally, Herman Young as taken by me on the above examination before said Justice.

Dated May 23 June 3 1880
W. L. Armoby Stenographer
Edward Hogan Police Justice.

Police Court
Second Dist

The People vs
Charles J. Quinn
John^r O. Connell
et al.

Examination Before Justice Hogan

For the People signed & sworn
J. Wm. J. Gannon May 20

Charles J. Quinn the complaining witness
being examined by the Oliver Deposes
and says:- I am 30 years old.
I live at 664 Washington St. I am
a truck driver for the last three
years. I know the defendants
in this case O'Connell, Carey
and Riordan. I have known
them for the over three years I
guess.

Q Did you belong to a labor
union organization?

A Yes

Q Until what time?

A Until about the middle of last

April

2 What union do you belong to now?

A Ale and Porter Union No 1. N.Y.

2 Were you elected a delegate to the Central Labor Union of N.Y.?

A Yes sir.

2 Were you such delegate on the 30th day of April last?

A Yes sir.

2 At a meeting held on the 30th day of April last was there any document read publicly in the Central Labor Union?

A It was not the Central Labor Union but it was read before the Grievance Committee - that was on Friday the 2nd.

By Mr Gagnor

2 Were you present at the meeting of the Grievance Committee?

A Yes sir

By Mr Oliver

2 Who read the document?

A John O'Connell read the document

2 What names did he read to the Committee as signers

A He read only the names of ^{Thomas} ~~Dr. Small~~ Riordan and James Carey and, I think two or three others

2 To what body was that document addressed?

A It was to the Central Labor Union: - It was the Central Labor union that drew the charges.

2 Have you got the document with you?

A No sir.

2 What became of it?

A It was turned into the hands of the Grievance Committee

2 Have you looked for it?

A I have on different occasions

2 Were you told they were lost?

A I was told —

Objected to
Objection sustained

2 You heard that document read?

3 A Yes sir

2. What was the contents of the document to the best of your recollection?

Objection to

Objection overruled

Exception

2. Give the words of the document as near as I can

A. I will ^{2^d} stated that there had been a meeting ^{I attended} on the 4th of April, 1889 - that was acted on the 12th of the month - and that after leaving the meeting that I and another Juror that was at the meeting, after leaving that meeting, went directly into Police headquarters at half past ten O'clock - to the best of my opinion it was half past 10 - that was the substance of it, and that I stopped there for three quarters of an hour: they stood waiting to see if I would come out

and then went away. Thomas Riordan the walking delegate said that he saw me personally with Detectives Frankhoe and Valtelly, and that I was certainly furnishing Inspector Byrne - that I went there for the purpose of furnishing Inspector Byrne with the proceedings of the meeting.

Cross Examined by Mr Eganor

Q I that the wording as given as you can get at them!

By Mr Oliver

Q Did they say anything as to your being a spy?

A Yes - that I was a spy for Inspector Byrne - the sum and substance.

Q Did they say that you were a person unfit to sit as a delegate to the Central Union?

5 A Yes: - I O. Connell said

before the Central Labor Union.
 objected to

The Court state - without leading by
 your counsel just what that
 paper contained and what
 these men said within your
 hearing that you say was
 false and libelous

A. The document contained the
 statement that I was furnishing
 Inspector Byrnes with the
 whereabouts of the
 meetings - that I went
 there for that reason.

By Mr. Oliver

2. Did they make any
 recommendation in that
 communication about you to
 the Central Labor Union?

A. Of course. The committee
 that tried the charges on
 Friday the 24th reported to
 the Central Labor Union on
 the following Monday and
 according to the vote of the

house and the sense of the committee all present. I was withdrawn. That was the sense of it. It was afterwards sent that I was expelled for furnishing Inspector Byrne with the proceedings of the meeting.

2. Was the original document of the Grievance Committee read out before the Central Labor Union?

A. That was all. The first charges was made on the 25th of April against me. I was expelled or withdrawn from the Central Labor Union.

2. Was that document signed by Riordan, O'Connell and Carey read at the public meeting - at the Central Labor Union from the report of the Committee?

7 A. It was read publicly

at the Central Labor Union.
It was given into the hands
of the Enforcement Committee
appointed by the Central
Labor Union - appointed to
try the charges and on their
decision. after they tried the
case I was withdrawn - as
a delegate to the Central
Labor Union.

Q And you have been suspended
once from your own labor
union?

A Yes: out of work besides.

Q On charges of having com-
municated with Inspector
Byrnes in relation to
the Union?

A Yes, but I was not speaking
to Inspector Byrnes. I
never did convey any knowledge
or information of any kind
to Inspector Byrnes.

Q Did you have any conversation
with Sergeant Vally or

Frankie.

A I never spoke to either
one of them in my life
2 on any subject?

A on any subject

By the Court

2 And you do not know them?

A I may have seen them
I never spoke to them in
my life.

2 Do you know them as
Detective Officers?

A I think I have been
outed out to Valley.

Cross Examined by Mr. Gaynor?

2 Did you go to Police
Headquarters on April 8/1930

A No Sir

2 You did not go to Police
Headquarters?

A No Sir

2 Were you in Police Headquarters on that day?

A No Sir.

2 Were you not brought before the Committee of the Central Labor Union to answer the charges brought against you?

A That was what I am just now saying - Yes certainly.

2 Were you not asked by a member of the Committee if you had anything to say to the charges?

A Yes Sir, I denied everything.

2 Did you not say that you had nothing to say in answer to the charges?

A I claimed to be innocent of the charges.

2 Answer the question yes or no. Did you not say that you had nothing to say in answer to the charges?

A I do not see what I can say only that I was innocent I can't answer any better than that I was innocent of the charges.

Q That was what you said to the committee?

A That was what I said before the committee.

Q Were you not informed that you could bring anybody to purge yourself of this charge?

A To clear myself?

A Yes?

Q I had no person present.

Q Were you not informed that you could bring somebody to clear yourself?

A I mentioned this witness that was accused of going along with me into Professor Byrne's pie and I said at the time he did not belong to any union. They listened

to it for a short time and said nothing. I did not expect that they had me for him or would expect him or would have brought him along.

Q Were you not asked to bring that person?

A No Sir.

Q Are you sure about that?

A I am positive.

Sworn to before me this 23 day

of May 1891

W. J. G. Law

Police Justice

adjourned to May 22

Examination Continued May 22

Frank N. Evanhoe being duly sworn as a witness for defendant before and says:-

"I am a detective ~~represent~~ of Police Headquarters under Inspector Byrne since January 1888.

Q Look at the ~~affidavit~~ Complainant
see in Lunn and say

do you know him?

A No Sir.

2 On the night of April 4. or at any other time did you see him at O'Shea Headquarters or at any other place?

A I never saw the man

2 You never had any conversation with him at any time?

A No Sir

Sworn to before me this 22 day
of May 1892
[Signature]
Police Justice.

J. F. Vallenty being duly sworn and examined as a witness, for the Defendant deposes and says: - I am a Detective Sergeant at O'Shea Headquarters under Inspector Byrne. Since Dec 26 1885.

2 Look at Defendant and say do you know him?

A I have never seen him before until I saw him this morning in Court.

A - Never Sir.

Sworn to before me this 23 day

of May 1890

Police Justice.

Herman Young being duly sworn and examined as a witness for the Defendant answers and says.
Q - ~~I live~~ I live at 506 West 46th St. I work on an ale truck.

Q Do you belong to the same Union as Mr Quinn the complainant?

A Yes Sir

Q Were you a delegate to the Central Labor Union on April 28 last or April 30?

A Yes Sir

Q Was there a document came into the Central Labor Union on those days? about Mr Quinn the complainant?

A Yes Sir

Q Who presented the document?

A O'Connell and Rindlen

Q These two men here?

A Yes sir.

Q Was it read?

A Yes sir.

Q Who read it?

A The secretary of the Central Labor Union.

Q What was done with that paper?

A It was handed over to the Grievance Committee.

Q Were you present at the Grievance Committee hearing?

A Yes sir.

Q Did you hear that document read?

A Yes sir.

Q What was it ~~about~~ it about?

A - It was about the ale and porter protection ~~was~~ a session held at Military Hall included about 10 members. Quinn he has been there. After the meeting was over they suspected Quinn of going down Spring St. and getting the lead granules

of the police. They waited there for three quarters of an hour, when he came out again. One would not wait, and went home. Some waited there for over an hour.

Q What did they say, if anything about a Police Dr.

A That ~~they~~^{he} had some conversation with some detectives in West 10th street.

Q That Durkin had?

A Yes sir.

Q What became of that document after it was handed to the chairman of the Grievance Committee?

A ^{objected to} I do not know what became of it afterwards.

Cross examined

Q Are you sure that O'Connell was at that meeting of the Central Labor Union

A - W - at the meeting of the
Grievance Committee

2 His name was read out as one
of the signers.

A Yes sir

Sworn to before me this 23 day

[Signature] 1890

Police Justice.

Adjourned

Examination Continued June 2

Appearance as before

Thomas Byrne being duly sworn
and examined as a witness for
the people deposes and says:

I am
Ex by Mr Oliver

2 What is your business?

A I am a Police Officer

2 What rank?

A - Inspector of Police

2 As such have you charge of
the Detective force?

A Yes Sir

17 2 Do you know this man ^{the complainant?} ~~defendant~~

(Pointing to the complainant
Charles J. Lunn)

A. No; I do not

2 Did you have any conversation
with him with reference to
the action at Pleasanton
or on any other subject at
Police Headquarters?

A. No Sir I do not know
that I ever met this man
- not to my recollection

Cross Examined

2 You never saw him in your
life?

A. No Sir I do not think I
have. If I have I do not
know it.

Sworn to before me this 2 day

of 1890

Police Justice.

John Lecher being duly sworn
and examined as a witness for
the people depose and say. I
live at 285 West 10th St. I am in
the ^{business} brewery in the employment

of Beadleston & Wooty

2 Do you know Mr Quinn the complainant?

A Yes Sir.

2 Do you belong to the same Union?

A Yes Sir.

2 Were you a delegate to the Central Labor Union in April?

A Yes Sir.

2 Did you hear the complaint against Quinn read

A Yes Sir.

2 Where?

A In the Grievance Committee of the Central Labor Union.

2 Did you see any of these men O'Connell, Carey or Jordan there?

A Yes Sir.

2 Who read the paper?

A Mr O'Connell read the paper.

2 What was it about?

19 A It was about Quinn's doings.

down in Mulberry St.

Q Have you got that paper?

A No Sir

Q Do you know where it is?

A The paper must be in the hands of the grievance committee

Objected to

Q Do you know the names of the members of the Grievance Committee?

A Hamilton, Middleton and Davis. I do not know where they reside.

adjourned to June 3
at 9 p.m.

Sworn to before me this 2 day
of June 1890
C. J. [Signature]
Police Justice.

Examination Continued
June 3.

Bernard David being duly sworn
as a witness for ^{the people} ~~the defendant~~ deposes
and says:- I am 30 years old
I live at 642 East 9th Street

I am a cigar maker I am a member of Cigar Makers International Union No 10. I ^{was} ~~am~~ a member of the Central Labor Union and of the Grievance Committee of that Union. about April 20 or April 30

2 Were you on the Grievance Committee in the month of April?

A I was

2 Do you know of any communication sent to the Central Labor Union about Charles J. Quinn the confederant - were you one of the committee investigating charges against him?

A Yes sir

2 Were those charges in writing?

A I do not know - as a general thing when we are through with such documents in the Central Labor Union they are destroyed
 20 1/2 What became of this document?

A I do not know: I think it was destroyed

Q Do you remember the nature of that communication?

A Not the exact words

Q The substance?

A The substance was that he was charged with being in the employ of Inspector Byrne's police: with betraying his organization; that members had followed him and seen him going into the office of the Inspector of Police.

Q Is that all that you remember that was said about Mr. Quinn?

A I do not remember everything which was in the document, but that is the substance. That is all I know of what was in the document - about being employed by Inspector Byrne, and having seen him in Byrne's office

2 Was it asserted ⁱⁿ that
communication that he was
not worthy to be associated
with working men?

A I do not know - I do not
^{By the Court} remember.

2 Do you know by whom these
charges were made?

A Not exactly, - because there
were others present in the
room when the investigation was
going on.

2 Who were these?

A John O'Connell, Thomas
Riordan - the other four I
do not know.

2 Were there any names signed
to these charges?

A I think there were but I
cannot remember the names.

By Mr. Oliver

2 Who read the charges?

A Mr O'Connell.

2 (By the Court) As the result of
the charges in this case to the

Grievance Committee was there any action taken in relation to the confinement of Quinn by the Grievance Committee?

A Not by the Grievance Committee. That Committee merely recommended that the case be referred to his organization to deal with him.

2 Was that report made to the Central Labor Union?

A The General body.

2 What was done in consequence of that report to the general body, do you know?

A I know so much that he was expelled from the Central Labor Union.

Sworn to before me this 7 day

of June 1890

E. J. Hagan
Notary Public

Ernest Bohm being duly sworn and examined as a witness for the defense people deposes and says:-

I am 30 years old. I was a
 delegate to the Central Labor
 Union in April 28 1890. I was
 corresponding Secretary of the
 Central Labor Union.

Q Do you remember the circum-
 stances of the charges against
 Charles J. Duran by any
 union?

A Yes.

Q Was the communication read?

A I did not see any

Q Did you hear any communication
 read?

A No Sir.

Q Did you hear anybody make
 any charges?

A I heard charges made by
 O Connell

Q The defendant?

A Yes.

Q When did it come to your
 knowledge that there was a charge

A It was necessary to have
 it read

- Q You heard the charge read?
- A I heard the verbal charge
yes.
- Q You heard the charge read orally?
- A Yes
- Q Could it be made orally unless
it had been in writing?
- A It was first made orally &
be put in writing
- Q What was it?
- A It charged Charles J. Quinn
with communicating some of
the proceedings of the A.C.
and Porter Protective Association
to Inspector Byrne.

Cross Examined

- Q - Was this in writing?
- A I do not know whether it
was in writing or not.
- Q Do you know now whether
you have ever seen the written
charge against the complainant?
- A I have never seen them; no;
but I understand that such

charges were placed before
the Grievance Committee in
writing.

Q What is Tuesday?

A Yes Sir.

Oldest

By Mr. Oliver

Q Your knowledge is official
knowledge pertaining to your
office?

A Yes.

Q You heard these charges
read in the Central Labor
Union?

A No Sir: I did not

Q You heard them spoken of?

A Yes.

Sworn to before me this 4 day

1900

Police Justice.

James Arthur Hamilton

being duly sworn and examined
as a witness for the defense
deposes and says: I am
26 35 years old. I live at

215 East 26th Street. I am a waiter. I am a member of the Waiters' Union, which is attached to the Central Labor Union. I was a delegate to the Central Labor Union. I belonged to the Grievance Committee. I was Secretary.

2 Do you remember reading a complaint made against the complainant here Charles J. Quinn?

A I do not

2 Do you remember listening to charges made against Charles J. Quinn?

A I do not. I will repeat - The Grievance Committee received a communication from the Ale and Porter Union informing us that they had expelled from their organization a man by the name of Charles J. Quinn for violation of obligation to that organization being a secret organization. In order that no injustice should be

done to Mr Quinn this was referred to the Grievance Committee which has the duty of investigating as far as in their power. While they were so investigating this case Mr Quinn was invited to appear and he did so. He made no defense. This committee reported to the Central Labor Union that we virtually had no case. The recommendation of the committee was that we would refer the case to the organization of which Mr Quinn was a member at this time.

2 Was this communication read?

A It was

2 By whom?

A The Secretary of the organization

2 What is his name?

A Mr Lyncham

2 Was the subject before the Central Labor Union in any way?

A It did. as soon as we heard that he had been expelled from

the association it was referred
to the Central Labor Union - of
course we could not be
held responsible

2 Did it come up before the
Central Labor Union about
April 30

A - not in an unusual way.

2 It came up:

A Yes

2 Was there any action taken on it?

A There was.

2 What was it?

A The action was that Quinn
was expelled from the
Central Labor Union.

Now resumed

2 You were secretary of the Grievance
Committee?

A Yes.

2 All communications to the
Grievance Committee come to
you?

A Yes Sir

29 2 This communication came from the

Alc and Porter Union of which Quinn was formerly a member.

A Yes

Q You saw it and read it?

A Yes

Q You know its contents?

A I would not like to say fully

Q You have a general recollection of it?

A I have a recollection now.

Q What sort of a communication was it?

A It was simply stating that Quinn had violated his obligation to the organization and they had expelled him from their organization, and this document was to inform the Central Labor Union.

Q Did the Grievance committee summon Mr Quinn before them?

A I think we did.

Q Did he appear?

A He appeared - whether he was summoned or not I would not

like positively to say - he appeared.

2 What was said to him?

A He was given a hearing. He was asked to explain the case to the best of his knowledge.

2 Were you present?

A I was.

2 What did Quinn say?

A He said simply that he denied all the charges made by the members of the other organization.

2 What was said by Quinn in reply?

A We questioned him fully.

2 What was the trend of these questions?

A Simply deny.

2 What were the questions?

A As to whether there was any truth in the charges, and whether he could furnish us with evidence.

2 Did he furnish you with any evidence?

31 A No

2. Did he ask for a hearing? Was he given an opportunity for a fair hearing by the committee?

A He was. It was myself that gave him the information how to proceed in order to get justice

By the Court

2. You say he had a fair hearing?

A He did: yes sir

2. Did he meet his accusers there?

A That I cannot say.

2. He was charged with something?

A He was

2. I want to know whether he had an opportunity to meet his accusers before the committee?

A There was no accuser there to my knowledge

2. Was there any paper presented to that committee bearing the name or the accusation on which he was charged

A There was not

2 If he was an innocent man what else could he do but make a denial?

A I do not understand you.

2 He was charged with imperting the secrets of his organization?

A That is correct

2 If he was innocent of the charges and was not confronted with his accuser what could he do but deny the charge

A I do not know his accuser.

2 You had him before you to answer the charge. I want to know first whether he was permitted to meet his accuser face to face.

A If there was an accuser he would certainly have been permitted to meet him.

2 Did he?

A I do not know

2 Did he see anything in writing - any signature or names of his

accusers.

A He met a communication - the signature of the Secretary of the organization.

2 But the secretary of the organization did not prefer the charges against him - Now did he see who preferred the charge?

A This was a communication - charges to the Central Labor Union simply informing us that of what they had done. to Mr Quinn. There were no charges preferred against Mr. Quinn before us.

2 You inquired of him about the charges?

A We did.

2 If he was innocent what more could he do but deny them.

A It was possible for him to bring some evidence - some witnesses of where he had been.

or, There were no charges preferred against him to the best of my understanding - it was simply informing that body of what that organization had done with it.

2 What did you commit the recommend?

A We recommended that he case be referred to the local organization.

2 But he was expelled?

A We gave the Central Labor Union the understanding that we had no case.

2 How was it that he was expelled?

A That I do not know.

2 If he had brought the Inspector Byrne and Delectones as witnesses would you have given it any consideration?

A We had a perfect right to call any one as a witness. There were no objections to my

2. Do you not require that all witnesses shall be members of labor unions?

A. There is no such rule - no such understanding.

2. If a man other than a member of the Central Labor Union had given testimony would it have been received with the same authority as if given by a member?

A. In my opinion there is nothing to prevent it.

June 2, 1880 The People's Post
O. H. Gaffner

Mr Gaffner moves the dismissal of the complaint against the defendant Motion Denied

The preferring of charges to a Lodge of Odd Fellows, by one of the members of the order against another member of the order charged with violation of the rules of the order, and which charges the lodge has power, under those rules, to receive and investigate, is prima facie a privileged communication, and if made in good faith, an action for slander

0259

Sec. 192.

District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY OF NEW YORK, } ss.

An information having been laid before Andrew White a Police Justice of the City of New York, charging Thomas Riordan Defendant with the offence of Libel

and he having been brought before said Justice for an examination of said charge, and it having been made to appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and the hearing thereof having been adjourned,

We, Thomas Riordan Defendant of No. 901 East 46th St. N.Y. Ct Street; by occupation a Laborer and Thomas Mezarr of No. 99 Third Avenue Brooklyn N.Y. Street, by occupation a Liquor Seller Surety, hereby jointly and severally undertake that the above named Thomas Riordan Defendant shall personally appear before the said Justice, at the 2 District Police Court in the City of New York, during the said examination, or that we will pay to the People of the State of New York the sum of _____ Hundred Dollars,

Taken and acknowledged before me, this 16 day of May 1890 Thomas Riordan Thomas Mezarr POLICE JUSTICE.

0260

2 District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Charles J. Quinn

vs.

John O'Connell

Taken the 16 day of May 1880

White

Justice.

Undertaking to appear during the Examination.

Police Justice.

1880

Sworn to before me this 16 day of May 1880
I, the within named Bail and Surety being duly sworn, says, that he is a resident and holder within the said County and State, and is worth one hundred dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of the house and lot of land at No 99 Third Avenue in the City of Brooklyn N.Y. not encumbered Thomas Morgan

CITY AND COUNTY OF NEW YORK, ss.

Thomas Morgan

POLICE COURT, SECOND DISTRICT.

City and County of New York, ss:

Charles J. Quinn, of No. 661 Washington Street,
New York City, age 35 years, occupation truck-
man, being duly sworn, deposes and says: That on the 30th
day of April, 1890, at the City of New York, in the County
of New York, John O'Connell, James Carey, ^{Thomas} ~~John~~ Piordan
and *others whose names are to defendant unknown*

did with intent to degrade
deponent, and bring him into contempt, falsely, maliciously
and scandalously frame, make, write and compose in a cer-
tain false, scandalous and libelous writing of, concerning
and against the said deponent, to the purpose and effect
following, to wit, as near as deponent recollects,

"To The Central Labor Union of New York":

"The undersigned, (meaning the above named defendants,
John O'Connell, James Carey, ^{Thomas} ~~John~~ Piordan and *others*

) do charge Charles J. Quinn" (meaning the
deponent) "with being a spy on the meetings of the 30th
"Ale & Porter Protective Association", that said Charles
J. Quinn" (this deponent meaning) "has attended the meet-
ings of said Association, and afterwards reported the pro-
ceedings of said meetings to Inspector Byrnes and other
officers of the police of the City of New York, with in-
tent to injure said Association and its members in the
estimation of the police authorities"; and that with in-

tent to scandalize and degrade this deponent and to bring him into contempt, infamy and disgrace, said defendants aforementioned did at the same time in said libelous writing, request said Central Labor Union to expel from its delegates, comprising accredited delegates from many labor unions in the City of New York, this deponent, who was at that time among the number of said accredited delegates, a delegate to said Central Labor Union from his labor union - as a person unfit to sit as a delegate to said Central Labor Union, because he was a police spy".

That by reason of said libelous writing and the request of defendants therein set forth that deponent be expelled from said Central Labor Union for the reasons therein set forth, this deponent was ignominiously, and in the presence of his associates, duly accredited delegates to said Central Labor Union, expelled therefrom, and also suspended from membership in his own labor union, to wit,

Alle and Fauter Union Room two Inc.

W H E R E F O R E deponent prays that said John O'Connell, James Carey and *Thomas* John Riordan and

be apprehended and

dealt with according to law.

Sworn to before me this
John day of May, 1890.

Charles J. Quinn
 Police Justice.

0263

Sec. 198-200.

District Police Court.

CITY AND COUNTY
OF NEW YORK, ss.

Thomas Riordan 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. *Thomas Riordan*

Question. How old are you?

Answer. *35 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *301 East 86 St - 2 years*

Question. What is your business or profession?

Answer. *Salvor*

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*
Thomas Riordan

Taken before me this
day of *Nov* 188*8*

27

Police Justice.

0264

Sec. 198—200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK } ss.

John D Cornell 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.

36 years

Question. Where were you born?

Answer.

Ireland

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

Answer.

339 Bergen St. Brooklyn ny

Question. What is your business or profession?

Answer.

Employed in Brewery

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 D Cornell

Taken before me this 12th
day of June 1885

Police Justice.

0265

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

James Carey 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.

James Carey

Question. How old are you?

Answer.

90 years

Question. Where were you born?

Answer.

Ireland

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

Answer.

322 Beyer St - Brooklyn N.Y. 4 months

Question. What is your business or profession?

Answer.

Labore

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 Jas Carey

Taken before me this
day of

June 1892

Police Justice.

[Signature]

0266

Sec. 192.

2 District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before Andrew J. White a Police Justice
of the City of New York, charging John O. Connell Defendant with
the offence of Libel

and he having been brought before said Justice for an examination of said charge, and it having been made to
appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and the hear-
ing thereof having been adjourned.

We, John O. Connell Defendant of No. 339

Bergen St Brooklyn N.Y. Street; by occupation a Brewer

and Thomas Megarr of No. 73 Third Avenue Brooklyn

Street, by occupation a Liquor Dealer Surety, hereby jointly and severally undertake that

the above named John O. Connell Defendant

shall personally appear before the said Justice, at the 2 District Police Court in the City of New York,
during the said examination, or that we will pay to the People of the State of New York the sum of five
Hundred Dollars.

Taken and acknowledged before me, this 16

day of May

1890

John O. Connell
Thomas Megarr
POLICE JUSTICE.

0267

CITY AND COUNTY
OF NEW YORK, } ss.

Thomas Megarr

the within named Bail and Surety being duly sworn, says, that he is a resident and leaseholder within the said County and State, and is worth one hundred and hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of the house and lot

of land at No 93 Third Avenue in
the City of Brooklyn N.Y not encumbered
Thomas Megarr

Sworn before me, this
16th day of May 1880
Police Justice.

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Charles J. Lunn

vs.

John O'Connell

Taken the 16 day of May 1880

White

Justice.

Undertaking to appear during the Examination.

0268

Sec. 192.

72 District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before Andrew J. White a Police Justice
of the City of New York, charging James Carey Defendant with
the offence of Libel

and he having been brought before said Justice for an examination of said charge, and it having been made to
appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and the hear-
ing thereof having been adjourned,

We, James Carey Defendant of No. 322
Bergen Brooklyn Dist.
Street; by occupation a Driver
and John Carroll of No. 29 Bethmar
Street, by occupation a Liquor Dealer Surety, hereby jointly and severally undertake that
the above named James Carey Defendant
shall personally appear before the said Justice, at the 2 District Police Court in the City of New York,
during the said examination, or that we will pay to the People of the State of New York the sum of five
Hundred Dollars,

Taken and acknowledged before me, this 17
day of May 1896

Police Justice.

Jas. Carey
John Carroll

0269

CITY AND COUNTY
OF NEW YORK,

Police Justice.

day of May 1881

Sworn to before me, this 17

the within named Bail and Surety being duly sworn, says, that he is a resident and free holder within the said County and State, and is worth ten hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of House and lot

No 29 Bettman Street and is of the full value of One thousand dollars

John Carroll

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Undertaking to appear during the Examination.

Taken the day of 1881

Justice.

0270

State of New York,
COUNTY OF KINGS,
CITY OF BROOKLYN.

No. 6

James Bell of No. 21 West Court New York City
being duly sworn says that he is acquainted with the handwriting of *Andrew J. White*
the Police Justice, who issued the annexed Warrant and that
the signature to this Warrant is in the handwriting of said *Andrew J. White*
Sworn to before me this *16* day of *May* 18*90*

John J. Walsh
Police Justice of the City of Brooklyn.

This warrant may be executed in the City of Brooklyn.

Dated this *16* day of *May* 18*90*

John J. Walsh
Police Justice.

COURT OF GENERAL SESSIONS OF THE PEACE
of the City and County of New York.

-----X
The People of the State of New York :
 :
 v. :
John O'Connell, Thomas Riordan and :
 :
Patrick S. Close. :
-----X

STATE OF NEW YORK :
 : ss:
COUNTY OF KINGS :

JOHN O'CONNELL, THOMAS RIORDAN
and PATRICK S. CLOSE, the defendants herein, being each separately sworn, each deposes and says that he is not guilty of the offence, or of the acts charged against him in the indictment herein; that he did not explode, or cause to be exploded, or participate in the explosion of the explosive substance mentioned in the indictment, or of any substance whatever, at the time or place mentioned in the indictment, or at any time or place, or damage, or try to damage the building mentioned in the said indictment at any time by the use of an explosive substance or otherwise.

That although the indictment herein was found against the defendants on April 5, 1889, the same has never been brought on to trial, nor has the trial of the defendants been moved thereunder, though the defendants have always been ready for trial. The charge in the indictment is one of felony under section 636 of the penal code.

WHEREFORE the defendants ask that the said indictment be dismissed and thatt the bail bond under which the defendants are held to answer herein be discharged and cancelled, and the defendants be allowed to go free.

Sworn to before me :
October 23, 1891. :

John O'Connell
Notary Public *Thomas H. Hiram*
Kings Co *Patrick S. Sloss*

Court of General Sessions of
the Peace of the City and County
of New York.

The People of the State of New
York

v.

John O'Connell, et al.

AFFIDAVIT.

Wm. J. Gaynor,
Defts' Att'y
204 Montague St.,
Brooklyn, N.Y.

0273

0274

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 5 day of April
1889, in the Court of General Sessions of the Peace, of the County of
New York, charging Thomas Riordan

with the crime of felony -

You are therefore Commanded forthwith to arrest the above named defendant
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 5th day of April 1889

By order of the Court,


Clerk of Court.

0275

N. Y. General Sessions of the Peace

THE PEOPLE

OF THE STATE OF NEW YORK,

against

Thomas Riordan

Bench Warrant for Felony.

Issued

April 5th 1889

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

~~the~~ Apl. 8th 1889.

The within named
defendant was.

Arrested April 6th
and April 8th brought
to the Dist Ct. Office
by ser. Sergt. Vallenty.

0276

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 5 day of April
1889, in the Court of General Sessions of the Peace, of the County of
New York, charging Patrick J. Glose

with the crime of felony

You are therefore Commanded forthwith to arrest the above named defendant
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 5th day of April 1889

By order of the Court,


Clerk of Court.

0277

N. Y. General Sessions of the Peace

THE PEOPLE


OF THE STATE OF NEW YORK,

against

Patrick J. Close

Bench Warrant for Felony.

Issued *April 5th* 188*9*

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

April 8th 1889.
The within named
defendant was.
Arrested April 6th
and April 8th brought
to the Dist. Atty. Office
by Det. Everhase.

0278

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 5th day of April
1889, in the Court of General Sessions of the Peace, of the County of
New York, charging John O'Connell

with the crime of felony

You are therefore Commanded forthwith to arrest the above named defendant
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 5th day of April 1889

By order of the Court,


Clerk of Court.

0279

N. Y. General Sessions of the Peace

THE PEOPLE

OF THE STATE OF NEW YORK,

against

John O'Connell

Bench Warrant for Felony.

Issued

April 5th 1889

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

Apr 8th 1889.

*The within named
defendant was
arrested Apr. 6th.
and Apr. 8th brought
to the Dist Atty's Office
by Detective ^{2nd} Crowley*

SECOND DISTRICT POLICE COURT,
in the City of New York.

-----X
T H E P E O P L E,
in complaint of
CHARLES J. QUINN,
 against
JOHN O'CONNELL,
JAMES CAREY, and
THOMAS RIORDAN.
-----X

Before Edward Hogan, Esq.,
 Police Justice.

Points for the People:

The complaint is made under Section 242 of the Penal Code, Section 244 presumes malice when the publication is made having the tendency or effect mentioned in Section 242.

The defendants make no defense, and under the circumstances as testified by the witnesses for the People are presumably guilty, and should be held to bail.

The plea that the paper is a privileged communication is not borne out by the facts, as the People

have shown that there was no probable cause for such a communication - see Complainant's testimony and the testimony of Inspector Byrnes and of Sergeants Evanhoe and Vallely.

The case (Streety v. Wood, 15 Barbour 105) is fifty years old, and relates to a civil suit for damages between members of the same lodge, in a trivial matter of violation of the rules where the Society itself had full power to investigate, and has no bearing on this matter.

The defendants should be held for trial.

Respectfully submitted,

Francis V.S. Oliver,

of Counsel for Complainant.

Dated New York, June 5, 1890.

SECOND DISTRICT COURT

THE PEOPLE

vs.

O'CONNELL & others."

BRIEF FOR PUBLICATION.

Francis V.S. Oliver,
of Counsel for Complainant
145 Broadway, New York.

0282

my General Services

Boyle

v

John O'Connell

Thomas Rindan +

Patrick S. Close

Indictment for felony

§ 636 Penal Code

Filed April 5, 1889

De Lancey M. Hall and

Attorneys

Sir,

I am permitted with the evidence on
behalf of the People in this case, and the
same is wholly insufficient to make out
a prima facie case against the
defendants.

Very truly yours,

John B. Lindsay

Deputy Attorney

My General Services

George

N

John O. Connell

Thomas R. Rindens

Robert P. Close

no
 as far as I know
 other things

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'CONNELL, JAMES CAREY, and)
 THOMAS RIORDAN.)

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK,

by this Indictment, accuse JOHN O'CONNELL, JAMES CAREY and
THOMAS RIORDAN, of the Crime of PUBLISHING A LIBEL, commit-
 ted as follows:

T H E said John O'Connell, James Carey and Thomas
 Riordan, all late of the City of New York, in the County of
 New York, aforesaid, on the Thirtieth day of April, in the
 year of our Lord one thousand eight hundred and ninety, at
 the City and County aforesaid, being persons of an envious,
 evil and wicked mind, and of most malicious dispositions
 and wickedly, maliciously and unlawfully minding, contriving
 and intending as much as in them lay, to injure, oppress,
 aggrieve and vilify the good name, fame, credit and reputa-
 tion of one, CHARLES J. QUINN, who was then and there a mem-
 ber of a certain labor organization known as the Ale and
 Porter Union, Number One, and a delegate and representative
 of and from the said labor organization to and in a certain

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union and combination of labor unions and organizations known as the Central Labor Union of New York, and to bring him, the said Charles J. Quinn, into public scandal, hatred, infamy and disgrace, and to cause it to be believed that he was an unfit and improper person to be, or to act, as such delegate, or to participate in the business or deliberations of the said Central Labor Union, and that he had acted as a police spy at meetings of the said Ale and Porter Union Number One, and had attended and participated in its meetings in the interest of, and on behalf of, the Police Department of the said City, and had afterwards, in violation of the confidence reposed in him, and of the trust imposed upon him, as such member of the said Ale and Porter Union Number One, betrayed its proceedings at such meetings to the Police Department, through Thomas Byrnes, Esquire, its Chief Inspector, for the purpose of injuring the said Ale and Porter Union Number One and its members in the estimation of the Police authorities of the said City, and of the people of this State, did unlawfully and maliciously publish and cause and procure to be published a certain false, scandalous, malicious and defamatory libel of and concerning the said Charles J. Quinn, the words and tenor of which said libel are to this Grand Jury unknown by reason that the said John O'Connell, James Carey and Thomas Riordan having the said libel in their possession and custody, have altogether refused, and still refuse, to produce the same or to permit the same to be inspected by this Grand Jury, although thereto requested by the District Attorney of this County after the publication of the said libel and at the

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as the Central Labor Union of New York' and to print and
 upon any composition of labor unions and organizations known

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present session of this Grand Jury, which said libel contained, among other things, words of the substance and effect following, that is to say:

"To the Central Labor Union of New York:" (meaning the said Central Labor Union) "The undersigned" (meaning the said John O'Connell, James Carey and Thomas Riordan, and three other persons, whose names are, to the Grand Jury aforesaid, unknown) "do charge Charles J. Quinn" (meaning the said Charles J. Quinn) "with being a spy on the meetings of the Ale and Porter Protective Association'" (meaning the said Ale and Porter Union Number One) "That the said Charles J. Quinn" (meaning the said Charles J. Quinn) "has attended the meetings of said Association" (meaning the said Ale and Porter Union Number One) "and afterwards reported the proceedings of said meetings to Inspector Byrnes" (meaning the said Thomas Byrnes, Esquire, Chief Inspector, as aforesaid) "and other officers of the Police of the City of New York, with intent to injure said Association" (meaning the said Ale and Porter Union Number One) "and its members in the estimation of the Police authorities." "to the great damage, infamy and disgrace of the said Charles J. Quinn, against the form of the statute in such case made and provided, and against the peace of the people of the State of New York and their dignity.

SECOND COUNT:

AND the Grand Jury aforesaid, by this Indictment, further accuse the said JOHN O'CONNELL, JAMES CAREY and

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...among other things, words of the substance and of-
...libelous character of this thing that which says that con-

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THOMAS RIORDAN, of the same Crime of PUBLISHING A LIBEL, com-
mitted as follows:

T H E said John O'Connell, James Carey and Thomas Riordan, all late of the City of New York, in the County of New York, aforesaid, on the Thirtieth day of April, in the year of our Lord one thousand eight hundred and ninety, at the City and County aforesaid, being persons of an envious, evil and wicked mind, and of most malicious dispositions and wickedly, maliciously and unlawfully minding, contriving and intending as much as in them lay to injure, oppress, aggrieve and vilify the good name, fame, credit and reputation of one, CHARLES J. QUINN, who was then and there a member of a certain labor organization known as the Ale and Porter Union, Number One, and a delegate and representative of and from the said labor organization to and in a certain union and combination of labor unions and organizations known as the Central Labor Union of New York, and to bring him, the said Charles J. Quinn, into public scandal, hatred, infamy and disgrace, and to cause it to be believed that he was an unfit and improper person to be, or to act, as such delegate, or to participate in the business or deliberations of the said Central Labor Union, and that he had acted as a police spy at meetings of the said Ale and Porter Union Number One, and had attended and participated in its meetings in the interest of, and on behalf of, the Police Department of the said City, and had afterwards, in violation of the confidence reposed in him, and of the trust imposed upon him, as such member of the said Ale and Porter

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J. H. B. Esq. John O'Connell, James Carey and Thomas

Witnesses as follows:

JAMES H. B. Esq. John O'Connell, James Carey and Thomas

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Union Number One, betrayed its proceedings at such meetings to the Police department, through Thomas Byrnes, Esquire, its Chief Inspector, for the purpose of injuring the said Ale and Porter Union Number One and its members in the estimation of the Police authorities of the said City, and of the people of this State, did unlawfully and maliciously publish and cause and procure to be published a certain false, scandalous, malicious and defamatory libel of and concerning the said Charles J. Quinn, the words and tenor of which said libel are to this Grand Jury unknown by reason that the said libel has been destroyed by the act and procurement of the said John O'Connell, James Carey and Thomas Riordan, which said libel contained, among other things, words of the substance and effect following, that is to say: "To the Central Labor Union of New York:" (meaning the said Central Labor Union) "The undersigned," (meaning the said John O'Connell, James Carey and Thomas Riordan, and three other persons, whose names are, to the Grand Jury aforesaid, unknown) "do charge Charles J. Quinn" (meaning the said Charles J. Quinn) "with being a spy on the meetings of the 'Ale and Porter Protective Association'" (meaning the said Ale and Porter Union Number One) "That the said Charles J. Quinn" (meaning the said Charles J. Quinn) "has attended the meetings of said Association" (meaning the said Ale and Porter Union Number One) "and afterwards reported the proceedings of said meetings to Inspector Byrnes" (meaning the said Thomas Byrnes, Esquire, Chief Inspector, as aforesaid) "and other officers of the Police of the City of New

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The Chief Inspector for the Bureau of Prisons the said
to the Police Department, through James James, Captain,
Union Number One, reported the following as such matters

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York, with intent to injure said Association" (meaning the
said Ale and Porter Union Number One) "and its members in
the estimation of the Police authorities."

to the great damage, infamy and disgrace of the said Charles
J. Quinn, against the form of the statute in such case
made and provided, and against the peace of the people of
the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

0291

BOX:

418

FOLDER:

3861

DESCRIPTION:

O'Leary, Jeremiah

DATE:

11/03/90



3861

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Witnesses :

Counsel,

Filed

day of

1890

Pleads,

24

THE PEOPLE

vs. *Raymond et al.*

Jeremiah O'Searcy

Robbery, Second degree,
[Sections 224 and 229, Penal Code]

JOHN R. FELLOWS,

District Attorney.

Dec 12. 1890 - UMD

A True Bill.

J. W. Brinkman
Foreman.

Part 2 - Nov. 20, 1890
Fried and convicted
assault Third Degree
Pen 3 and.

Nov. 24

0293

Police Court-- 1st District.CITY AND COUNTY }
OF NEW YORK, } ss

Lee Chong
of No. 118 Broome Street, Aged 25 Years
Occupation Laundryman being duly sworn, deposes and says, that on the
15th day of October 1889, at the 6th Ward of the City of New York,
in the County of New York, was feloniously taken, stolen, and carried away, from the person of de-
ponent by force and violence, without his consent and against his will, the following property, viz:

Good and lawful money of the
United States consisting of Bank
notes and bills and silver and gold
coins being together of the value
of Eight 50/100 Dollars

of the value of _____ 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 force and violence as aforesaid by

Jeremiah Leary (now here) for
the reasons following to wit
That about the hour of 10 30 o'clock Pm
on the night of the aforesaid day, deponent
was walking through Pell Street and
had said property in the right hand
pocket of the pants he then had on, when
said defendant came up behind deponent
and struck him in the back knocking him
down, and as deponent lay upon the ground
in said street, said defendant held deponent
down with one hand, and took said
property out of his pocket with the other

1889
Deponent's name written in margin

Police Justice

0294

hand and defendant then took back of said
deposant, and broke away from him
and defendant pursued him and
caused him to be arrested and fully
identified said defendant as
being the person who took state
and carried away said property

I was before me } Sec. Clerk
the 13th day of October 1890 }
J. Henry Dred
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

ss.

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Offence—ROBBERY.

Dated 1888

Magistrate.

Officer.

Clerk.

Witnesses.

No. Street,

No. Street,

No. Street,

\$ to answer General Sessions.

0295

Sec. 198-200.

District Police Court.

CITY AND COUNTY
OF NEW YORK, } ss.

Jeremiah O'Leary 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. *Jeremiah O'Leary*

Question. How old are you?

Answer. *34 years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *57 Boyard Street, Coney Island.*

Question. What is your business or profession?

Answer. *Labber*

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.*
Jeremiah O'Leary

Taken before me this

day of *October* 189*8*

Edmund J. [illegible]
Police Justice.

0296

7. / 1575
Police Court District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Lee Henry
118 W. 18th St.

James J. O'Connell
Police Justice

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Offence

Dated Oct 13 1890

John J. O'Connell
Magistrate

James J. O'Connell
Police Justice

Witnesses

No. Street.

No. Street.

No. Street.

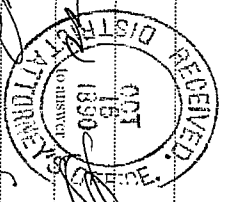
No. Street.

No. Street.

No. Street.

No. Street.

No. Street.



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

Rependant

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 Oct 13 1890 J. Henry Bond Police Justice.

I have admitted the above-named Rependant

to bail to answer by the undertaking hereto annexed.

Dated Oct 13 1890 J. Henry Bond 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 1890 Police Justice.

NEW YORK GENERAL SESSIONS.

The People

vs.

Jeremiah O'Leary.

Before

Hon. Rufus B. Cowing
and a Jury.

Tried November 20th, 1890.

Indictment filed November 3rd, 1890.

Indicted for Robbery in the Second Degree.

APPEARANCES:

Assistant District Attorney Jerome, for The People.

Messrs. Purdy & McLoughlin, for the Defense.

LEE CHUNG, the complainant, testified that he lived at 118 Broome Street, and was a laundryman. On the evening of October 12th, 1890, he was passing through Pell Street. He had some Chinese vegetables in his hand that he had bought, and he was on his way home. The vegetables were contained in a paper bag. The defendant rushed out from behind a wagon, and knocked him down, and when he, the complainant tried to get up, the defendant knocked him down again and put his hand on his neck,

and held his face down to the ground, and the defendant put his other hand into his, the complainant's pocket, and took his money from his pocket. He, the defendant, stole eight dollars and a half(\$8.50). He, the complainant, was receiving five dollars a week, and he had two weeks' salary in his pocket when he started from home, and he spent some of the money---over a dollar---and had about eight dollars and a half in his pocket. Five dollars of this was in bills, and the remainder was in silver. It was about 10 o'clock in the evening. There was a gaslight near where he was knocked down.

As soon as the defendant got the money, he ran away, and he, the complainant, called a police officer, and had him arrested. He saw the defendant run into a hallway. He, the complainant, took the police officer to the hallway, and he officer found the defendant in the water closet, in the rear yard. Under

Cross-Examination, the complainant testified that he was not quarrelling with a young woman named Miss Elsie at the time that he claimed to have been robbed, and he did not strike her. He had never seen the woman pointed out in court as "Miss Elsie." He did not see anybody at all near him except the defendant when the defendant knocked him down and robbed him. He, the complainant, had a whistle with him that night, and he blew it when he got on his feet after being robbed.

OFFICER JOHN FARRINGTON, testified that he arrested the defend-

ant between 11 and 12 o'clock, as nearly as he could recollect, on the night in question, on the complaint of the complainant. He arrested the defendant in the yard of 13 Pell Street. The defendant denied any knowledge of the robbery. The defendant was drunk. The defendant said that he was in the next hallway and he saw the gang coming up, and he ran into the hallway of 13, with the gang. He, the witness, did not know what gang the defendant meant. The witness asked the defendant why he ran into the hallway of 13 Pell Street, and he said, "I seen the gang run in there, and I run in with them." He, the witness, was coming down Pell Street, and he saw one of his roundsmen and a number of people running into the hallway of 13 Pell Street, and he, the witness, ran down there and the roundsman was coming from upstairs. Then he and the roundsman went into the back yard and arrested O'Leary. He did not live there. The complainant said that the defendant struck him, knocked him down and took the money out of his pocket. The defendant denied that he either struck or robbed the complainant. He, the witness, searched the defendant, but found nothing upon him.

For the Defense,

LOUIS GORDON, testified that he was a Real Estate Broker at 66 Mott Street. He had known the defendant for about twenty years, and knew that his character was good.

Under

Cross-Examination, the witness testified that he had been living in the neighbourhood for about twenty-four years. He had an office at 66 Mott, and also at 25 Chambers Street. He belonged to the firm of Gordon & Levy. The defendant had worked for him at 22 Orchard Street, where he, the witness, owned a piece of property, and the defendant had done painting for him; and he also ran on errands for him. He, the witness, had known the defendant's mother for twenty years, and he had sold dry goods to her on the instalment plan. He did not know who the defendant's associates were, but he had principally seen him around his home. In fact, he had seen him almost every evening around his home. He, the witness, had trusted the defendant with hundreds of dollars to pay bills, and the defendant had brought back the receipts. He, the witness, had not known that the defendant was in State Prison until recently.

M A M I E H A L L I S E Y, testified that she knew the defendant and the complainant. She remembered seeing the defendant on the night of October 12th, 1890. She was standing on the corner at about 11:30 at night---at the corner of Pell and Doyer. She was looking at a quarrell that was taking place about half way up the street when the plaintiff and two other Chinamen came along and pushed her into the middle of the street. She asked him why he had done that, and the Chinaman called her names and struck her, and she struck him back, and,

when the Chinaman attempted to strike her again, the defendant interferred. The Chinaman had a paper bag of pickles in his hand, and the defendant kicked it. The complainant said, "Why don't you go on about your business, and not strike that lady again?" The pickles were cucumber pickles. The defendant did not knock the complainant down, and did not steal his money. He simply kicked the bag of pickles. The Chinaman pulled out a whistle and blew it, and the defendant walked up the street, and the police officer and the Chinaman followed the defendant. Under

Cross-Examination, the witness testified that she lived at 11 Pell Street, on the top floor. She did not think it was necessary to say whom she lived with. She would only say that she lived with a gentleman friend. He was a Chinaman, and his name was Lee Sooy. He kept a laundry in 104th Street. She, the witness, was not married to him. She, the witness, had not been drinking on that night, and was not in the habit of drinking. She had gone down stairs to get a cup of tea at No. 7 Pell Street, where she took her meals. She had seen the defendant off and on for about four years. She had not spoken to him more than to pass the time of day with him. She saw him standing on the corner. The defendant was under the influence of liquor. She, the witness, was standing with another girl at the time. She met her in Pell Street that night. She had known her for several years. She met her as she, the

witness, was going back to her home, and she saw the crowd surrounding the two men that were fighting and she stopped at her own door to talk with the other girl. She had been in a Chinese house that was raided, but she was not sent to the "Island" for disorderly conduct, because she had been discharged. She had got out by discharge twice.

E M M A H I L L S, testified that she lived at 16 Doyer Street. She knew the defendant, and had known him since she was a child. She, the witness, was present during the trouble that the defendant had with the complainant. She and Mamie Hallisey went to the corner to look at the fight. Then the witness corroborated Mamie Hallisey's version of what occurred. Under

Cross-Examination, the witness testified that she lived at 16 Doyer Street, with her mother. She was not a prostitute. She had never been convicted of disorderly conduct, and had never been in prison in her life. She did general house work for a living. She had generally worked for a Mr. Costello, a pawn broker. She was 19 years of age, and had worked since she was fourteen. She had also worked for ladies who lived around Pell Street. She had done a good deal of work for ladies who lived with Chinamen. She did not know whether they were married to them or not.

J E R E M I A H O ' L E A R Y, the defendant, testified that

he had never been convicted before of any crime. He did not rob the complainant. On the night in question he happened to be going through Pell Street, and there was a fight on the corner of Doyer Street, and he was standing looking on, and the two women witnesses for the defense, were standing there with him. The complainant came along, and he pushed Mamie Hallisey into the Street, and they had some words with each other, and she struck the complainant and the complainant struck her. Then she struck him again and the complainant pulled something out of his pocket and the defendant thought it was something else, but it proved to be a whistle. He, the defendant, simply touched the bag of pickles with his foot and the bag burst, and the Chinaman went up the street blowing the whistle. The pickles rolled out in the gutter and the Chinaman was very angry. He, the defendant, thought no more of the matter, and walked up the street, and the two women witnesses for the defense were standing at the door of No. 11 Pell Street, and the officer came down the street with the complainant and the defendant thought it was to arrest the two women that the complainant had had the row with. He, the defendant, simply walked out of the way, thinking that the officer might have something to say to him for touching the Chinaman's bag of pickles. He walked into a door way of the house next door, and went into a water closet and he came out again, and when he got out into the yard he was arrested. Under

Cross-Examination the defendant testified that he did

job work whenever he could get it. His last employment was by his landlady, Mrs. Rogan. He was employed to fix up the cellar at 51 Bayard Street. He had lived there seven or eight years. He was fixing up the sewer hole. He was occupied there for three or four days. Before that he was cleaning the house up. He had also been working at the tailoring business. He had worked at that business for about six years. He had never been convicted of any criminal offense. He had been in the Tombs for interfering in a row. He had tried to interfere as a peacemaker, and had trouble himself. He thought that if he just touched the bag of pickles with his foot, and it bursted, it would distract the attention of the Chinaman from Mamie Hallisey, and he would not strike her again.

A N N I E R O G A N, testified that she lived at 51 Bayard Street, and she had known the defendant for about twenty years. She had gone upon his bail bond as surety. His general character for honesty was good. He was her housekeeper's son.

G U S T A V E A R F K E N, testified that he was a grocer at / No. 9 Pell Street. He had known the defendant for about eight years. His character was good. The defendant had made trousers for him. The defendant had done the work in his own home. The defendant had also laid a floor for him, and had helped him in his store. Under

Cross-Examination, the witness testified that the defendant's mother had traded with him, and the defendant had come to his store once in a while for goods. He did not know how the defendant spent all of his nights. He had seen him around his home frequently at night.

0306

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Jeremiah O'Searny

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

Jeremiah O'Searny

of the CRIME OF ROBBERY in the *second* degree, committed as follows:

The said *Jeremiah O'Searny*

late of the City of New York, in the County of New York aforesaid, on the *twelfth* day of *October*, in the year of our Lord one thousand eight hundred and ~~eighty~~ *ninety*, in the ~~night~~ time of the said day, at the City and County aforesaid, with force and arms, in and upon one *See Phong*, in the peace of the said People, then and there being, feloniously did make an assault, and

the sum of eight dollars and fifty cents in money, lawful money of the United States of America and of the value of eight dollars and fifty cents,

of the goods, chattels and personal property of the said *See Phong* from the person of the said *See Phong* against the will, and by violence to the person of the said *See Phong*, then and there violently and feloniously did rob, steal, take and carry away,

against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

John R. Fellows,
Attorney

