

0 168

BOX:

418

FOLDER:

3861

DESCRIPTION:

O'Brien, John

DATE:

11/26/90



3861

0169

243

Witnesses :

.....
.....
.....
.....

Counsel,

Filed

26

day of

Nov 18 90

Pleads,

Not guilty 28)

THE PEOPLE

18 Name
23 John O'Brien
John O'Brien

Sworn in the THIRD DEGREE
and sworn to by the People
(Section 4850 & 4851 of the Penal Code)

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Foreman.

J. J. Higgins

Part III Dec 1st 90

Pleads guilty.

Elmer R. Berg 3rd dep

Police Court 3 District.

City and County of New York ss.:

Isaac Greener
of No. 264 Division Street, aged 37 years,
occupation Cloakety 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 Cloakety 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 1887 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
AM, of said date he left said store securely
locking the doors leading there to, and
when he returned at about 11³⁰ AM 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

POOR QUALITY ORIGINAL

0171

and held him until the approach of Officer John King of the 12th Precinct, the two others disappeared, and said Officer arrested defendant with said property in his possession, which defendant 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 July 1909

J. J. [Signature] Police Justice

Dated 1888 _____ Police Justice.

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

Dated 1888 _____ Police Justice.

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

Dated 1888 _____ Police Justice.

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.

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 _____

Police Court, District _____

THE PEOPLE, &c.,
on the complaint of _____

Offence - BURGLARY

| | |
|---|--|
| 1 | |
| 2 | |
| 3 | |
| 4 | |

Date 1888 _____

Magistrate _____

Officer _____

Clerk _____

Witnesses

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

[Signature]
1961
Police Justice

0173

Police Court No. 3 District 152

THE PEOPLE vs. 264-1011

Mar Quenter
John Brown

Offence Burglary

Dated Nov 23 1890

Duffy Magistrate
John Brown Officer

Witness
John Brown

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

No. Street.
No. Street.
No. Street.
No. Street.



Handwritten signatures and initials

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

Adolf Anderson

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 Nov 23 1890 *[Signature]* 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 h 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 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

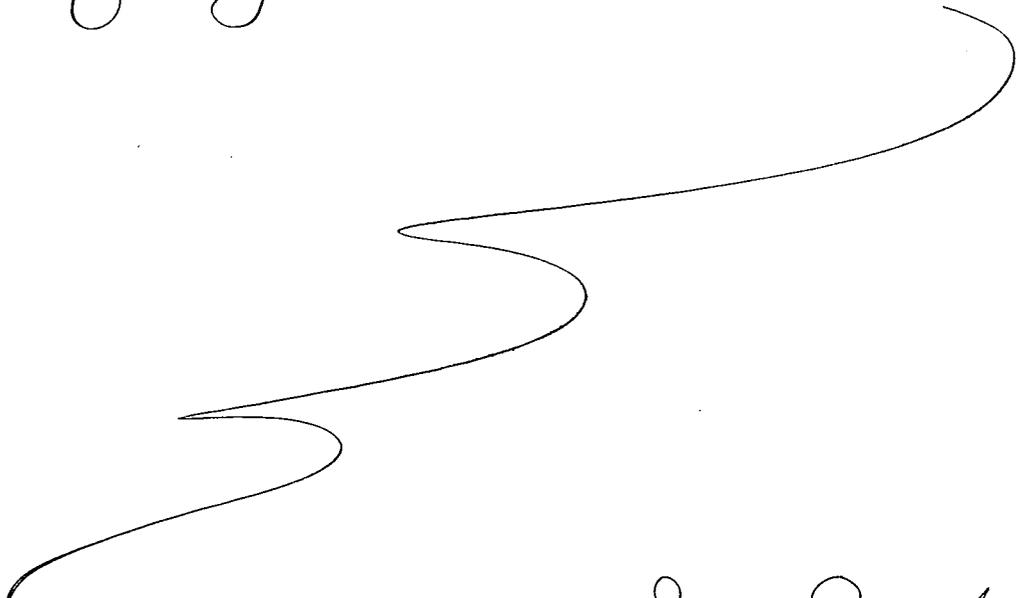
John O'Brien

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

Isaac Zucker

Isaac Zucker

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;

Counsel,
Filed *26* day of *Nov* 18*90*
Pleads, *Not guilty*

THE PEOPLE

vs.

125 Sullivan
186
John T. O'Brien
and
James Murphy

Grand Larceny 2nd degree
[Sections 528, 531, 536 Penal Code].

JOHN R. FELLOWS,

P. O. Sullivan District Attorney.

Nov 14 2 - L. P. 37
at

A True Bill.

Wm. J. McGuire
Nov 16/90 Foreman.

125 Sullivan
186
22 Dec 2, 1890
Nov 2. Pleads Not Guilty

X

Deer

0180

CITY AND COUNTY } ss.
OF NEW YORK,

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 _____ 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 to before me, this
_____ day of _____ 188

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 sworn
deposes 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 and
vest, Hat, and scarf all of the
amount and value of Forty Five
dollars

\$ 45 ⁰⁰/₁₀₀

the property of Deponent

and that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,
and carried away by John 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, Bleecker 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
Macdougall 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 and 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 24th day of
 November 1890

Frank G. Williams

J. C. Keilly
 Police Justice

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* 18*97* } *John S. Sullivan*

[Signature]
Police Justice.

Sec. 198-200

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss

John C. Brien

being duly examined before the under-
signed according to law, on the annexed charge; and being informed that it is h^e right to
make a statement in relation to the charge against h^e; that the statement is designed to
enable h^e if he see fit to answer the charge and explain the facts alleged against h^e
that he is at liberty to waive making a statement, and that h^e waiver cannot be used
against h^e 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 Macdougall Street - 3 Months*

Question. What is your business or profession?

Answer. *Writer*

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 *29*
day of *November*
188*9*

So called
Police Justice.

Mr. Smith

*Wing Street
141st - Broadway
Manhattan*

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

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 *November* 188*5*

J. J. Murphy
Police Justice.

0186

1951
Police Court... 2 District

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

John B. Bowen
James Buckley
Garcony

Offense

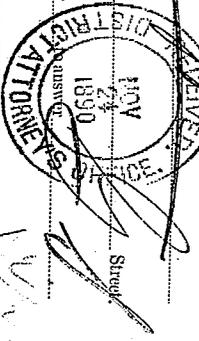
Dated November 24 1890

John W. Sullivan
15
Magistrate
Officer
Precinct

Witness
Emplamaï port &
The Home of Peter...

in default of 100 Baie
No. 4, by
Street

Will Speers
Street



No. 15000
Street

Committed to

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 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 November 24 1890 J. W. Sullivan 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 *other*

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

12 H
L. J. [Signature]

Witnesses:

.....
.....
.....

Counsel,

Filed, 17 day of Nov 1899

Pleads, Not guilty

THE PEOPLE

vs.

Lawrence O'Brien

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

JOHN R. FELLOWS,

Dist. Atty.
Part 2 - Dec 16/99
Indictment dismissed
on motion of Dist. Atty.

A True Bill.

J. J. [Signature]
Deputy

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 &
ask that this indictment
be dismissed G.S.P.
Dec 16th 90th ada.

County 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 believe true 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. Dependent 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 Steam House} 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 Roesech

Notary Public

N.Y.C. (124)

N.Y. General Sessions.

Van Hook & Co

against

Lawrence & Brin

Applicant & Defendant

James J. Ross & Co.

Complaint for Defendant

No 23 Chambers 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 lawfully, ~~three~~ 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 Williams
Notary Public
Kings Co. ~~City of New York~~

N. Y. Special Service

The People of

vs.

Lawrence O'Brien

Applicant of J. H. Williams

James J. Rowley

General Agent

No 23 Chambers St

N. Y. City

City and County of New York, ss. :

Police Court, _____ District.

Arthur A. Corey

of *3d Avenue* Street, aged *25* years, being duly sworn, deposes and says, that on the *24* day of *October* 188*9* 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* 188*9*

G. Henry Ford
Police Justice.

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

Lawrence 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.

9 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

Lawrence O'Brien

Taken before me this

day of *November* 188*8*

John J. [Signature]

Police Justice.

0198

Police Court--- 1660th
District.

THE PEOPLE, Ac.,

vs.

William A. Carey

James O. ...

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

1
2
3
4
Offence

Dated *Nov 4* 18*90*

Magistrate

Officer

Precedent

Witnesses

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

William A. Carey

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* 18*90* *J. Murray ...* 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.

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 Officer of No. _____ Street _____
At 10.45 Bedford 11 o'clock A.M.

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 _____ 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

Lawrence 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 Leean for 5 days
Sergt Larney
2nd Precinct

Should the case not be called on for trial, and no re-
son 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 be-
fore the Magistrate, or if a fact which you think ma-
terial 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 *12th* Election District
of the *1st* 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

89

Witnesses:

.....
.....
.....

Read for
Hines

Abraham Jones
West 32nd St
Belm 7th & 8th Ave
Henry Klee Rose
9th Ave Belm 14
775th St. S
Fellerschman Bros
287. 7th Ave

Counsel,

Filed

B. J. [Signature] day of *Nov* 18*90*

Pleadings

Not guilty

THE PEOPLE

vs.

Patrick O'Brien
and *F. J. [Signature]*
Henry [Signature]

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

W. J. [Signature]
Rep. [Signature]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

J. V. [Signature]
Foreman.

Read [Signature]
7 920 77 2150 S.P.
19 19/90 [Signature] 19 *M.*

0205

Police Court— 4 District.

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

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 shuttles on
the sidewalk in front of said premises
which shuttles led into said premises, and
passing through the shuttles 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:

One book, one candle stick, two
blankets and one quilt all of the
value of about a
Twenty five dollars

the property is 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

0206

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. T. 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
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, etc.,
on the complaint of

Offence—BURGLARY.

1
2
3
4

Date 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 Beaman 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* day of *November* 18*98* } *Frederick P. Williams*

W. J. Mahoney
Police Justice.

0208

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *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 5th
day of February 1899
W. J. Mahoney
Police Justice.

0209

Sec. 198-200.

H District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Henry Nech

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 Gouverneur St. 3 months

Question. What is your business or profession?

Answer. Sign 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
Henry Nech

Taken before me this

5

day of November 1892

A. J. Mulvaney

Police Justice

0210

Mr. Hicks -
From Books Met
Bait Book

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

Police Court - 2 District 1664

THE PEOPLE, &c.,
ON THE COMPLAINT OF

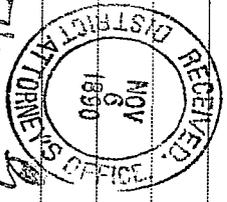
Marta S. White
63 West 56th St
District Attorney
Henry Mead
Offence: Burglary

Dated Nov 5 1890

M. McMahon Magistrate
C. Williams Officer

Witness: J. Williams
No. 23rd St Precinct

No. _____ Street,
No. 2500 to answer
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

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 *M. 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-nine, 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

Salvador Garcia and Henry Hester
of the CRIME OF *Grand* LARCENY *in the first degree*, committed as follows:

The said *Salvador Garcia and Henry Hester*
Hester, 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, 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 *Martina D. White,*

in the dwelling house of the said *Martina 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. Kellogg
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 afore-
said, 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:

.....
.....
.....

204.

Counsel,

W. J. G. Gwynn

204 High Street, N.Y.

Filed 20th day of Nov 1890

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.

Witnesses: [See 243 Bond Code]

114 of Wm
Part 3, Dec 7, 1890 Foreman.
In receipt of dist. atty
indictment - P. Kelly

December 3rd 1891

The defendants John O'Connell & Thomas Riordan, herein were indicted April 5th 1889 for a felony which they damaged the brewery building of John James Stevenson by feloniously 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 hereon 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 the indictment be dismissed.

Henry D. Macdonald
Deputy A. D. A.

It now remains on file by D. Macdonald
I recommend that the indictment be
dismissed.

Deputy means
District Attorney

Dec 3rd 1891

0217

0218

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, John 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. Said 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 them 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.

TORN PAGE

POOR QUALITY ORIGINAL

0220

2014
Police Court... 24 District.
M. 1012

THE PEOPLE
ON THE COMPLAINT OF

John P. Connelly

BAILED

No. 1, by *Thomas Wiggins*

Residence *93. 3 [illegible]*

No. 2, by *Thomas Wiggins*

Residence *93. 3 [illegible]*

No. 3, by *John Campbell*

Residence *29 [illegible]*

No. 4, by

Residence

John P. Connelly
661 [illegible]

John P. Connelly

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 *these*

defendants

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

Dated *June 26* 18*90* *[Signature]* Police Justice.

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

Dated *June 26* 18*90* *[Signature]* Police Justice.

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

Dated *June 26* 18*90* *[Signature]* Police Justice.

0221

2 DISTRICT POLICE COURT.

THE PEOPLE,
IN 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. Brown, J. J. Vally, Herman King
as taken by me on the above examination before said Justice.

Dated May 23 June 3
1880

W. L. Armoby
Stenographer.

E. Hogan
Police Justice.

0222

Police Court
Second Dist

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

Examination Before Justice Hogan

From the People's Rights Center
Off Wm J. Gannon
May 20

Charles J. Quinn the complaining witness
being examined by Mr. 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

Q What union do you belong to now?

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

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

A Yes sir.

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

A Yes sir.

Q 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 24th.

By Mr. Gagnor

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

A Yes sir

By Mr. Oliver

Q 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 Dr. Thompson, 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?

Objected to

Objection overruled

Exception

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

A. I will st 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 Frumhoe and
 Valtely, 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 the Eaynor

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

By the Oliver

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

A Yes - that I was a spy for
 Inspector Byrne - the
 own and on balance.

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

5 A Yes: - I J. 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
incidental letter 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 Sunday 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 said that I was expelled for furnishing Inspector Byrne with the proceedings of the meeting.

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

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

Q. 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?

A. It was read publicly

at the Central Labor Union.
 It was given into the hands
 of the Grievance 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
 since from your own labor
 union?

A Yes: out of work besides.

Q On charges of having com-
 muned 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 Vallyly or

Frankie.

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

A on any subject

By the court

Q And you do not know them?

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

Q Do you know them as
Detective Officers?

A I think I have been
pointed out to Vallyly.

Cross Examined by Mr Gaynor?

Q Did you go to Police
Headquarters on April 8/1950

A No Sir

Q You did not go to Police
Headquarters?

A No Sir

Q Were you in Police Headquarters on that day?

A No Sir.

Q 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.

Q 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.

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

A I claimed to be innocent of the charges.

Q 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 cant answer any better than that I was innocent of the charges.

Q What 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. G. G.

Police Justice

adjourned to May 22

Examination Continued May 22

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

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

Q Look at the Affidavit Complainant
see in Durin and say

do you know him?

A No Sir.

Q 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

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

A No Sir

Sworn to before me this 22 day

of April 1892

J. F. Vally
Police Justice.

J. F. Vally 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.

Q 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 1920

Police Justice.

Herman Young being duly sworn and examined as a witness for the defendant deposes and says.
Q - 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 Rindler

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?

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 entering the local quarters

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 Act?

A. That they had some conversation with some detectives in West 10th Street.

Q. That Durin had?

A. Yes sir.

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

A. 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

Q His name was read out as one
of the signers?

A Yes Sir

Sworn to before me this 23 day
of May 1950
[Signature]
Police Justice.

Adjourning
Examination Continued from 2

appearance as before

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

I am
E by Mr Oliver

Q What is your business?

A I am a Police Officer

Q What rank?

A - Inspector of Police

Q As such have you charge of
the Detective force?

A Yes Sir

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

(Pointing to the complainant Charles J. Lumm)

A. No; I do not

Q. Did you have any conversation with him with reference to the affair 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

Q. 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

[Signature]
Police Justice.

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

of Beadleston & Wooley

Q Do you know Mr Quinn the complainant?

A Yes Sir.

Q Do you belong to the same Union?

A Yes Sir.

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

A Yes Sir.

Q Did you hear the complaint against Quinn read

A Yes Sir.

Q Where?

A In the Grievance Committee of the Central Labor Union.

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

A Yes Sir.

Q Who read the paper?

A Mr O'Connell read the paper.

Q What was it about?

19 A It was about Quinn doing

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
1890
C. J. Gann
Police Justice.

Examination Continued
June 3.

Bernard David being duly sworn
as a witness for ^{the people} ~~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 a member of the Central Labor Union and of the Grievance Committee of that Union. about April 20 or April 30

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

A I was

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

A Yes sir

Q 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

Q What became of this document?

20 1/2

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

Q Was it asserted ~~in~~ that
Commune that he was
not worthy to be associated
with working men?

A I do not know - I do not
remember.

By the Court

Q Do you know by whom these
charges were made?

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

Q Who were these?

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

Q Were there any names signed
to these charges?

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

By Mr. Oliver

Q Who read the charges?

A Mr O'Connell.

Q (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.

Q Was that report made to the Central Labor Union?

A The General body.

Q 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. Hagan

Notary Public

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

I am 30 years old. I was a
 delegate to the Central Labor
 Union in April 24 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 to
 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.
 25 but I understand that such

charges were placed before
the Grievance Committee in
writing.

Q What is Deussen's?

A Yes Sir.

Olgrated to

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

of the month of 1900

[Signature]

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.

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

A I do not

Q 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.

Q Was this communication read?

A It was

Q By whom?

A The secretary of the organization

Q What is his name?

A Mr Lyncham

Q 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

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

A - not in an unusual way.

Q It came up:

A Yes

Q Was there any action taken on it?

A There was.

Q What was it?

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

Q Now examined

Q You were secretary of the Grievance Committee?

A Yes.

Q All communications to the Grievance Committee come to you?

A Yes Sir

29 Q This communication came from the

Alle 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 obligations 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. He was not

Q. If he was an innocent man, what else could he do but make a denial?

A. I do not understand you.

Q. He was charged with imparting the secrets of his organization?

A. That is correct.

Q. If he was innocent of the charge and was not confronted with his accuser, what could he do but deny the charge?

A. I do not know his accuser.

Q. 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.

Q. Did he?

A. I do not know.

Q. 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.

Q 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.

Q You inquired of him about
the charge?

A We did.

Q 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.

Q What did you commit the recommendation?

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

Q But he was expelled?

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

Q How was it that he was expelled?

A That I do not know.

Q If he had brought the Inspector Byrne and Delectone 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

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

A There is no such rule - no such understanding.

Q 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 10, 1888 The People's Post
 O. H. Gaffner
 Police Justice

Mr Gaffner moves to dismiss 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 hear-
ing 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 1898
A. White POLICE JUSTICE.

Thomas Riordan
Thomas Mezarr

0260

2 District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Charles J. Quinn

vs.

John O'Connell

Undertaking to appear during the Examination.

Taken the 16 day of May 1880

White

Justice.

CITY AND COUNTY OF NEW YORK, } ss.

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

Thomas Heppner
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 lower end lot of land at No 99 Third Avenue in the City of Brooklyn N.Y. not encumbered Thomas Heppner

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 truckman, 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~~ *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 certain 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~~ *others*

) do charge Charles J. Quinn" (meaning the deponent) "with being a spy on the meetings of the ³⁴ "Ale & Porter Protective Association", that said Charles J. Quinn" (this deponent meaning) "has attended the meetings of said Association, and afterwards reported the proceedings of said meetings to Inspector Byrnes and other officers of the police of the City of New York, with intent 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,

Me and Father Union Number One.

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
 11th day of May, 1890.

[Signature]
 Police Justice.

0263

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Thomas Riordan 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.

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 86th - 2 years

Question. What is your business or profession?

Answer.

Salver

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

27

day of

Nov

188

Police Justice

[Signature]

0264

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK } ss.

John J. Cornell 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?

John J. Cornell

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 J. Cornell

Taken before me this *27* day of *Nov* 18*88*

Police Justice. *[Signature]*

0265

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

James Carey 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 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 Bevier St - Brooklyn N.Y. 4 months*

Question. What is your business or profession?

Answer. *Labour*

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 *27* day of *June* 188*2*

[Signature]
Police Justice.

0266

Sec. 192.

9 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. 79 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 John O. Connell

day of May 1890 Thomas Megarr

[Signature] 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~~ ^{Twenty} thousand 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 to before me, this 16th day of May 1880
Police Justice.

District Police Court.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Shale J. Linnin
vs.
John O'Connell

Underlying to appear during the Examination.

Taken the 16 day of May 1880
White
Justice.

0268

Sec. 192.

2D 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, Cal.
Street; by occupation a Driver
and John Carroll of No. 29 Bethune
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 Jan. Carey
day of May 1890

..... POLICE JUSTICE.

John Carroll

0269

CITY AND COUNTY OF NEW YORK

John Carroll

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 Bettumers Street and is of the full value of One thousand dollars

John Carroll

Sworn to before me, this *17* day of *May* 188*7*
Police Justice.

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Undertaking to appear during the Examination.

vs.

Taken the day of 188

Justice.

0270

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

No. 6

James Bell of No. 2^d Dist. 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 1890

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 1890

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
Thomas Girman
Patrick S. Close
H. C. Murray
Notary Public
Kings Co

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.

~~to~~ *Apr. 8th 1889.*

The within named defendant was.

Arrested April 6th.

and April 8th brought to the dist ctg. 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. Glavin

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* 1889

~~By~~ 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. Everhas.*

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 5 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

Apr 8th 1889.

*The within named
defendant was
arrested Apr. 6th.
and Apr. 8th brought
to the Dist. Atty's Office
by *Vanderick* and *Crowley**

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

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

0281

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.

0282

SECOND DISTRICT COURT

THE PEOPLE

vs.

O'CONNELL & others.

BRIEF FOR PUBLICATION.

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

my General Services

Boyle
 v
 John C. Council
 Thomas Rindan +
 Patrick S. Close

Judgment for Return
 \$636 Rental
 Filed April 5, 1889

DeFrancis, Michael and
 Estate Attorney

And,

I am particular 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.

My October 27, 1891

John C. Council
 Deputy Attorney

My Generalizations

People

N

John O'Connell

Thomas R. Rindson *

Robert P. Close

no

see on Mill St

Richard Atkinson

0286

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

0287

SE THE CENTRAL LABOR UNION OF NEW YORK' WHO TO BEING THE
UNION WHO COMPOSITION OF LABOR UNIONS AND ORGANIZATIONS

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

0288

... among other things, words of the substance and of-
... of this case, that upon such facts con-

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 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
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 viola-
tion of the confidence reposed in him, and of the trust im-
posed upon him, as such member of the said Ale and Porter

0289

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

Witnesses as follows:

Knows himself of the facts and contents of the following libel

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

0290

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

2

6

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

0292

Witnesses :

.....
.....
.....
.....

Counsel, *J. V. [unclear]*
Filed *Nov 10* 18*90*
Pleads, *Not guilty* 5

24 THE PEOPLE
vs.
51 [unclear]

B
Jeremiah O'Searcy

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

JOHN R. FELLOWS,
District Attorney.

Nov 12, 1890 - UMD

A True Bill.

J. V. [unclear]
Foreman.

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

Nov 24

0293

Police Court-- 1st District.

CITY AND COUNTY }
OF NEW YORK, } ss

of No. 118 Broome Street, Aged 25 Years

Occupation Laundryman being duly sworn, deposes and says, that on the 15th day of August 1869, 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 deponent 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 Eighty 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 Feary (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 his pants. he then had in mind said deponent came up behind deponent and struck him in the back knocking him down, and as deponent lay upon the ground in said street, said deponent took said property out of his pocket with the other

Subscribed and sworn to before me this 15th day of August 1869

Police Justice

0294

had and dependent then took hold of said
deposuit, and broke away from him
and dependent pursued him and
caused him to be arrested and fully
identified said to dependent as
being the person who took state
and carried away said property

I was before me on }
the 13th day of October 1889 } Sec. Clerk

J. Henry Ford
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 1889 Police Justice.
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1889 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 1889 Police Justice.

Police Court, District, Offence—ROBBERY.
THE PEOPLE, &c.,
on the complaint of
vs.
1
2
3
4
Dated 1889
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 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 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 Ceylon.*

Question. What is your business or profession?

Answer. *Labourer*

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 Leary

Taken before me this

day of

October 189*8*

Wm. J. ...

Police Justice.

0296

7. / 1876
Police Court... District.

THE PEOPLE, Etc.,
ON THE COMPLAINT OF

Lee Henry
118th Street
James H. [Signature]
Robbery

PAIDED
No. 1, by [Signature] [Signature]
Residence [Signature] Street.

No. 2, by [Signature]
Residence [Signature] Street.

No. 3, by [Signature]
Residence [Signature] Street.

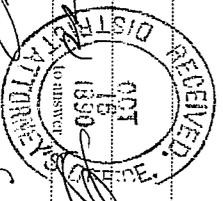
No. 4, by [Signature]
Residence [Signature] Street.

Date: Oct 13 1876

Magistrate: [Signature]

Witnesses: [Signature]

No. [Signature] Street.



[Signature]

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

[Signature]

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 1876 [Signature] Police Justice.

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

Dated Oct 13 1876 [Signature] Police Justice.

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

Dated [Signature] 1876 [Signature] Police Justice.

NEW YORK GENERAL SESSIONS.

10

| | | |
|-------------------|---|----------------------|
| The People | } | Before |
| vs. | } | Hon. Rufus B. Cowing |
| Jeremiah O'Leary. | } | 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,

L O U I S G O R D O N, 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

0303

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'Leary

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

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

The said *Jeremiah O'Leary*

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 ~~middle~~ *middle* 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. Tallon,
Attorney

SECOND COUNT—

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

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

The said

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

of the goods, chattels and personal property of

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.