

0009

BOX:

48

FOLDER:

554

DESCRIPTION:

O'Brien, William

DATE:

09/29/81



554

0010

Dors Jr

Counsel,

Filed 29 day of Sept 1881  
Pleads *Not Guilty* &c.

THE PEOPLE

vs.

*BURGLARY—First Degree, and*  
*Grand Larceny.*

*7*  
*William Allen.*

DANIEL G. ROLLINS,

*District Attorney.*

A True Bill.

*L. Catter Jr*  
*Oct 3 1881*  
*Foreman.*

*Verdict charged.*

Verdict of Guilty should specify of which count.

*Witness:*

*James Hoffmister:*  
*Off Patrick McQuinn.*  
*for*

00111

Police Office, First District.

City and County  
of New York,

Charles Hofmeister

of No.

24 Cherry

Street, being duly sworn,

deposes and says, that the premises

Now

aforesaid

Street

4

Ward, in the City and County aforesaid, the said being a

dwelling

and which was occupied by deponent as

a

such

where deponent

resides with his family

were BURGLARIOUSLY

entered by means

of forcing open the

Outer shutters of a window leading from the street to said premises

on the

Night

of the

21

day of

Sept

1887

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

Clothing, consisting of different suits of mens apparel, a gold watch & other valuables all of the value of five hundred dollars

the property of

deponent & members of his family

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

William O'Brien now present

for the reasons following, to wit:

That at the hour of half past one O'clock A.M. on the night in question deponent awoke & saw the defendant in a bed room of said premises who, upon seeing deponent instantly fled. That deponent subsequently found the shutters of said window which he had previously fastened forced open & charges the defendant with burglariously entering said premises with intent to steal C. Hofmeister

William O'Brien now present  
22nd day of Sept 1887  
J. M. McArthur (Jury foreman)

0012

Sec. 198-200.

DISTRICT POLICE COURT.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*William 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.

*William O'Brien*

Question. How old are you?

Answer.

*19 Years*

Question. Where were you born?

Answer.

*New York City*

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

Answer.

*24 Cherry Street for 12 Years*

Question. What is your business or profession?

Answer.

*I work at screw tops*

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 of the  
charge and have witnesses  
to show that I had been  
sitting where I was arrested  
for two hours previously*

*Wm O'Brien*

Taken before me, this

day of

188

*William* Police Justice.

0013

BAILED,

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_

Sec. 208, 209, 210 & 212.

Police Court

District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*Charles Hoffmeister*

*24 Cherry St.*

*William O'Brien*

No. 1, by \_\_\_\_\_

No. 2, by \_\_\_\_\_

No. 3, by \_\_\_\_\_

No. 4, by \_\_\_\_\_

Dated \_\_\_\_\_ 1881

Magistrate.

Officer.

Clerk.

Witnesses

No. \_\_\_\_\_

Street \_\_\_\_\_

No. \_\_\_\_\_

Street \_\_\_\_\_

No. \_\_\_\_\_

Street \_\_\_\_\_

Offence, *Burglary*

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 admitted to bail in the sum of \_\_\_\_\_ Hundred Dollars and be committed to the Warden or Keeper of the City Prison until he give such bail.

Dated *Sept 22* 1881 *J. H. M. M. M.* Police Justice.

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

Dated \_\_\_\_\_ 1881 \_\_\_\_\_ 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 \_\_\_\_\_ 1881 \_\_\_\_\_ Police Justice.

0014

Sec. 208, 230, 210 & 212.

Police Court District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Charles Hoffmeister*  
*24 Cherry St.*  
*William O'Brien*

BAILED,

No. 1, by

Residence

Street,

No. 2, by

Residence

Street,

No. 3, by

Residence

Street,

No. 4, by

Residence

Street,



Dated

188

Magistrate.

Officer.

Clerk.

Witnesses

No.

Street,

No.

Street,

No.

Street.

*Conz*

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 admitted to bail in the sum of ~~One Hundred Dollars~~ *Five Dollars* and the com-

I have admitted the above named

to bail to answer by the undertaking hereto annexed.

Dated 188

Police Justice.

There being no sufficient cause to believe the within named

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

Dated 188

Police Justice.

0015

# Court of General Sessions

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*William O'Brien*

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

of the CRIME OF

committed as follows:

The said

late of the *fourth* Ward of the City of New York, in the County of New York, aforesaid

on the *twentyfirst* day of *September* in the year of our Lord one thousand eight hundred and eighty *one* with force and arms, about the hour of *one* o'clock in the *night* time of the same day, at the Ward, City and County aforesaid, the dwelling house of

*Charles Hoffmeister*  
there situate, feloniously and burglariously did break into and enter, by means of *forcibly breaking open an outer window of said dwelling house* whilst there was then and there some human being, to wit, one *Charles Hoffmeister* within the said dwelling-house, he, the said

*William O'Brien*  
then and there intending to commit some crime therein, to wit: the goods, chattels and personal property of *Charles Hoffmeister*

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.

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

~~of the CRIME OF~~

~~committed as follows:~~

~~The said~~

~~late of the Ward, City and County aforesaid, afterwards, to wit, on the day and in the year aforesaid, at the Ward, City and County aforesaid, about the hour of~~  
~~o'clock in the~~ ~~time of said day, the said~~

~~of the goods, chattels, and personal property of~~

~~in the said dwelling house of one~~  
~~then and there being found~~

~~in 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.~~

DANIEL G. ROLLINS, District Attorney.

00 16

BOX:

48

FOLDER:

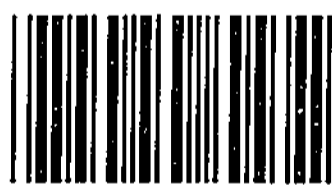
554

DESCRIPTION:

O'Connell, James

DATE:

09/21/81



554

*W. W. W. W.*  
*Charles Brown*

Counsel,  
Filed *21* day of *Sept* 188*1*  
Pleads

THE PEOPLE

vs.

*Larceny, and Receiving Stolen Goods.*

*James O'Connell*

DANIEL C ROLLINS,

~~ATTORNEY AT LAW~~

District Attorney.

A True Bill.

Foreman.

*W. W. W. W.*  
*Sept 21/81*  
*James O'Connell*  
*Pen 60 days.*

0017

0018

FORM 894.

STATE OF NEW YORK,  
CITY AND COUNTY OF NEW YORK, } ss.

Police Court--Second District.

of No 594 8th Avenue Charles Brown aged 32 years, wine merchant  
and says, that on the thirty first day of August 1881  
at the City of New York, in the County of New York, was feloniously taken, stolen and carried  
away, from the possession of deponent,

the following property, to wit: One bird cage and one  
live bird

of the value of Four 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

James O'Connell (now here) for the  
reason that deponent caught said  
James O'Connell with the above described  
property in his possession.

Chas Brown

Sworn to before me, this

1881

day

Police Justice.

0019

Sec. 198—200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

20 DISTRICT POLICE COURT.

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

Question. What is your name?

Answer.

James O'Connell

Question. How old are you?

Answer.

Nineteen years

Question. Where were you born?

Answer.

Ireland

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

Answer.

338 West 38th St  
I have lived there about two weeks

Question. What is your business or profession?

Answer.

I work in a brick yard

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. That is all  
I have to say.

James O'Connell

Taken before me, this 12  
day of Sept 1881 }

Salvatore Smith Police Justice.

0020

Sec. 208, 210, 210 & 212.

Police Court District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Charles Brown  
394 1/2 Ave

1 James O'Connell

Offence, Petit Larceny

Dated September 1 1881

Smith Magistrate.

Ward 29 Officer.

Clerk.

Witnesses

Ward 29

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

James O'Connell ~~needed to answer the same and~~ guilty thereof, I order that he be admitted to bail in the sum of ~~three~~ Hundred Dollars and be committed to the Warden or Keeper of the City Prison until he give such bail.

Dated Sept 1<sup>st</sup> 1881 Solon B. Smith Police Justice.

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

Dated 188 Police Justice.

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

Dated 188 Police Justice.

1200

Sec. 203, 209, 210 & 212.

Police Court District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
*Charles Brown*  
*594 8th-ave*  
*James O'Connell*

Dated *September 1* 188*1*

*Smith* Magistrate.

*Wood 29* Officer.

Clerk.

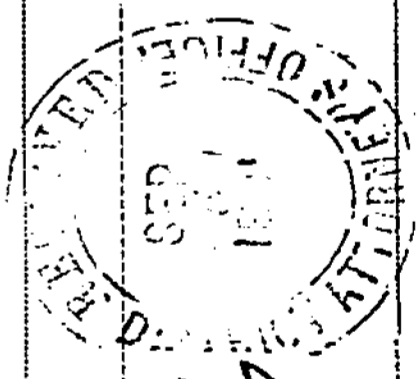
Witnesses *off Wood 29*

No. Street,

No. Street,

No. Street,

No. Street.



BAILED,

No. 1, by

Residence Street,

No. 2, by

Residence Street,

No. 3, by

Residence Street,

No. 4, by

Residence Street,

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

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

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

*James O'Connell*  
*James O'Connell*  
*Sept 1st 1881*  
*John D. Smith*  
Police Justice.

Dated 188

Police Justice.

0022

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

THE PEOPLE OF THE STATE OF  
NEW YORK,

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

*James O'Connell*  
of the crime of  
*Larceny*

committed as follows:

The said

*James O'Connell*

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

*One bird of the value of two dollars*  
*One cage of the value of two dollars*

of the goods, chattels, and personal property of one

*Charles Brown*

then and

there being found, 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.

0023

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

*James O'Connell*  
of the CRIME OF  
*Receiving Stolen Goods*  
committed as follows  
The said *James O'Connell*

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

*One bird of the value of two dollars.*  
*One cage of the value of two dollars*

of the goods, chattels, and personal property of the said

*Charles Brown*  
by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously  
stolen ~~of the said~~ *taken and carried away from*

*the said Charles Brown*  
unlawfully, unjustly, ~~and for the sake of wicked gain~~, did feloniously receive and have (the said

*James O'Connell*  
they 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~~, *taken and carried away*, and against the peace of the  
People of the State of New York, and their dignity.

**DANIEL C. ROLLINS,**

**BENJ. R. FIELDS, District Attorney.**

0024

BOX:

48

FOLDER:

554

DESCRIPTION:

O'Neill, Edward

DATE:

09/19/81



554

0025

Counsel,  
Filed 19 day of Sept 1881  
Pleads

THE PEOPLE

INDICTMENT.  
LARCHENY.

Witness:  
George C. Annan -

Edward O'Neill.

DANIEL C ROLLINS,

District Attorney.

A True Bill.

Foreman.

Sept 21/81

Plead guilty

Pen 30 days.

xx

23

0026

FORM 112

STATE OF NEW YORK,  
CITY AND COUNTY OF NEW YORK, } ss

Police Court—Third District.

George E. Dunn  
of No. 21 Chrysothe Street, being duly sworn, deposes  
and says that on the 9<sup>th</sup> day of September 1881  
at the City of New York, in the County of New York, was feloniously taken, stolen, and carried  
away from the possession of deponent.

the following property viz: One Black Dress Coat

of the value of twelve 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 Edward O'Neil

(now here) from the fact that he acknowledged  
in the presence of witnesses that he did  
steal said property and pawned  
the same

Geo. E. Dunn

Sworn to, before me this

10

1881

Police Justice.

0027

Police Court—Third District.

CITY AND COUNTY }  
OF NEW YORK. } ss. v

being duly examined before the under-  
signed, according to law, on the annexed charge; and being informed that he was at  
liberty to refuse to answer any question that may be put to him, states as follows,  
viz:

*Question.* What is your name?

*Answer.*

*Question.* How old are you?

*Answer.*

*Question.* Where were you born?

*Answer.*

*Question.* Where do you live?

*Answer.*

*Question.* What is your occupation?

*Answer.*

*Question.* Have you anything to say, and if so, what—relative to the  
charge here preferred against you?

*Answer.*

Taken before me, this \_\_\_\_\_ day of \_\_\_\_\_ 18

POLICE JUSTICE.

0028

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK, } ss.

3 DISTRICT POLICE COURT.

Edward O'Neil 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.

Edward O'Neil

Question. How old are you?

Answer.

21 Years

Question. Where were you born?

Answer.

Springfield Mass

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

Answer.

Luc Jersey City for about 7 years

Question. What is your business or profession?

Answer.

Plumbing

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. The complainant shows me I came to his place near Every day drinking Beer, I took the beer for a joke he saw me having it and when I went out and I am willing to take it out of the pawn again, this is the first time I was ever arrested

Taken before me, this 10

day of September 1888

Edward O'Neil

My Comm. Justice.

0029

Sec. 208, 209, 210 & 212. 867  
Police Court 3 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
Geo E. Howard  
21 Charlotte St.  
vs  
Edward O'Neil  
Offence, Petio Larceny

1  
2  
3  
4

Dated Sept 10 1881

Magistrate.  
Murray  
10<sup>th</sup>  
Officer.  
Murray  
Clerk.

Witnesses  
Murray  
10 Bond Police  
Street,  
No. \_\_\_\_\_ Street,  
No. \_\_\_\_\_ Street,  
No. \_\_\_\_\_ Street,  
No. \_\_\_\_\_ Street,

Residence \_\_\_\_\_ Street,  
Residence \_\_\_\_\_ Street,  
Residence \_\_\_\_\_ Street,  
Residence \_\_\_\_\_ Street,  
Residence \_\_\_\_\_ Street,  
Residence \_\_\_\_\_ Street,

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

SEP 11 1881  
RECEIVED  
CLERK'S OFFICE  
COURT

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 Edward O'Neil

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

Dated Sept 10 1881 J. Murray Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

0000

Sec. 203, 200, 210 & 212.

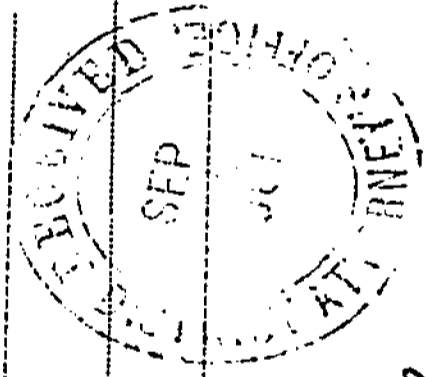
867  
Police Court--3 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
*Geo E Quinn*  
21 Charlotte St.  
1 *Edw. O'Neil*  
2  
3  
4

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

Dated *Sept 10* 1881  
Magistrate.  
*Murray*  
Officer.  
*Brady*  
Clerk.

Witnesses  
*Brady*  
*10 Prob Police*  
Street,  
No.  
Street,  
No.  
Street,  
No.  
Street,  
No.



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

*John A. Murray*  
guilty thereof, I order that he be admitted to bail in the sum of *Five Hundred* Dollars and be committed to the Warden or Keeper of the City Prison until he give such bail.

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

Dated 1881 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 1881 Police Justice.

0031

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

THE PEOPLE OF THE STATE OF  
NEW YORK,

*Edward O'Neill*  
against

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

*Edward O'Neill*

of the crime of

*Larceny*

committed as follows:

The said

*Edward O'Neill*

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

*One coat of the value of twelve dollars*

of the goods, chattels, and personal property of one

*George Edana*

then and  
there being found, 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.

DANIEL C ROLLINS,

~~BENJ. R. PHILLIPS~~, District Attorney.

0032

BOX:

48

FOLDER:

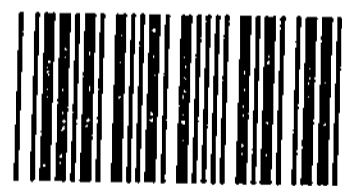
554

DESCRIPTION:

O'Rourke, John

DATE:

09/19/81



554

0033

BOX:

48

FOLDER:

554

DESCRIPTION:

Hagan, Thomas

DATE:

09/19/81



554

0034

BOX:

48

FOLDER:

554

DESCRIPTION:

Hennessy, James

DATE:

09/19/81



554

0035

Mr. Auditor  
Admiral's report  
re defendant's account  
true

Mr. [unclear]  
Mr. [unclear]  
Mr. [unclear]

Counsel,  
Filed 19 day of Sept 1881  
Pleads Not guilty (G)

THE PEOPLE  
No 1 100 & 8 cts  
John [unclear]  
2  
Thomas [unclear]  
3 100 & 8 cts  
James [unclear]  
4 100 & 8 cts

DANIEL C ROLLINS,  
District Attorney,  
Thomas [unclear] defendant  
A True Bill.  
Oct 25 1881  
Foreman.

143.  
Grand Jurors of  
Per: One year & 6 m

Larceny, and Receiving Stolen Goods.

0036

Sec. 212.

5<sup>th</sup> District Police Court.

Sep 4  
1881  
CITY AND COUNTY } ss.  
OF NEW YORK,

It appearing to me by the within depositions and statement that the crime therein mentioned  
namely feloniously taken stealing and  
carrying a pile of boxes of the value of  
forty dollars

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

John Morike, <sup>and</sup> Thomas Hagan, <sup>and</sup>  
James Heanessy

guilty thereof, I order that they be held to answer the same, and the said crime being bailable by  
me, but bail not having been taken by me, I order that they be admitted to bail in the sum of  
100 Hundred Dollars and be committed to the Warden and Keeper of the City Prison  
of the City of New York, until they give such bail.

Dated at the City of New York, September 1<sup>st</sup> 1881

Hugh J. Garman Police Justice

0037

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

DISTRICT POLICE COURT.

John O Rourke 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. John O Rourke

Question. How old are you?

Answer. Sixteen years

Question. Where were you born?

Answer. New York

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

Answer. 109 West 43rd Avenue, six months

Question. What is your business or profession?

Answer. Mason

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. We found the Brah in Hell Gate

John O Rourke  
mark

Taken before me, this 11th

day of September 1881

Hugh Garman Police Justice

0038

Sec. 198-200.

J-6

DISTRICT POLICE COURT.

CITY AND COUNTY }  
OF NEW YORK, } ss.

Thomas Hagen 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 Hagen

Question. How old are you?

Answer.

Fifteen years

Question. Where were you born?

Answer.

New York

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

Answer.

107 Street between "A" and "B", Ten years

Question. What is your business or profession?

Answer.

Machinist

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

We found the Boah at Hell Gate

Thomas Hagen

Taken before me, this 11  
day of September 1887

Hugh J. Adams Police Justice

0039

Sec. 198-200.

DISTRICT POLICE COURT.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*James Hennessey* 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 Hennessey*

Question. How old are you?

Answer.

*Sixteen years*

Question. Where were you born?

Answer.

*Sandy Hook*

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

Answer.

*108 ft between 2<sup>d</sup> & 3<sup>d</sup> Avenues, six months*

Question. What is your business or profession?

Answer.

*Cabinet 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

*We did not steal the Boat  
we picked it up in Hell Gate  
James Hennessey*

Taken before me, this

day of

*11<sup>th</sup>  
September 1881*

*Blough Gardner* Police Justice

0040

5th

District Police Court

Affidavit—Larceny.

CITY AND COUNTY }  
OF NEW YORK, } ss.

of No. 28 1/2 Road Street,

Theodore C. Zerega

being duly sworn, deposes and says, that on the 4th day of September 1887  
at the Township of Westchester and County of New York,  
in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent,

the following property, viz.:

One pilot boat of the value  
of forty dollars (40<sup>00</sup>/<sub>100</sub>)

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 byJohn O. Rourke, Thomas Hagw  
and James Hennessey (all now here)  
from the fact that deponent is  
informed by Officer Ernest K. Bingham  
of the 23rd Police Precinct that he  
arrested the said defendants with  
the aforesaid boat in their  
possession. Deponent further says  
that previous to the larceny the said Boat  
it was fastened by a chain to a dock in the  
waters of the East River at Westchester  
crack  
Theodore C. Zerega

Sworn before me this

11th day of September 1887

Police Justice.

0041

City and County of New York 355  
 Ernest K. Bingham of the 23<sup>d</sup> Police  
 Precinct being sworn says that on  
 the 10 day of September 1881, he  
 arrested John O Rourke, Thomas Hagen,  
 and James Hennessey (all now here)  
 and at the time they were in a boat,  
 the said Boat being in the water of  
 the East River. That said Boat  
 has since been identified by  
 Theodore L. Zerega the within named  
 complainant as the same which  
 was stolen from his possession  
 and which is mentioned in the  
 within affidavit made by him  
 Ernest K. Bingham  
 Sworn to before me  
 this 11<sup>th</sup> day of September 1881

Hugh Gardner Police Justice

813  
 5<sup>th</sup> District Police Court  
 THE PEOPLE, &c.,  
 ON THE COMPLAINT OF

Theodore L. Zerega  
 28 Broad St.  
 John O Rourke  
 Thomas Hagen  
 James Hennessey

DATED Sept 10 1881

Gardner MAGISTRATE.

Bingham OFFICER.  
 23

Witnesses:  
 John Miller Jr  
 Fort of 110 St East River

Disposition  
 1000 each to US  
 1000 each to US

1000 each to US  
 1000 each to US

Can-

The People  
 vs.  
 John O'Rourke  
 and  
 James Kenessey  
 Thomas Bagan  
 { Court of General Sessions, Part I  
 Before Judge Gildersleeve, Oct 25. 1889  
 The defendants were jointly indicted with  
 Theodore C. Zerega, sworn and examined, testified.  
 I am a stock broker in New York; my office is in  
 Twenty eighth st. I live in the town and County of  
 Westchester. I owned a boat which I missed about  
 the 5<sup>th</sup> of Sept.; it is what is called a pilot boat, it  
 is used for hell gate pilots with two places to row  
 and a stern sheet. How much did that boat  
 cost? Forty dollars. I consider she is worth about  
 that now as I spent some money on her in  
 repairs. The boat was made fast to the dock for-  
 ward and to a stake aft and it was in the  
 water at my own place in Westchester not a  
 hundred yards away from the house. I saw  
 the boat last on Sunday afternoon, I was out sail-  
 ing. I came home about dusk I presume, I  
 don't remember. I fastened her with a rope  
 forward and also with a chain and a padlock  
 fast to the ring in the boat; she was made  
 fast tightly to the stick with a stone from the  
 end to keep her away from the dock; she  
 was chained forward and I locked her myself.  
 I missed the boat Monday morning. I next saw  
 her on the Saturday following on the sunken  
 meadows right by the place where the

0043

Sewannaka went ashore. I went there to look for  
 her from information which I received; the boat  
 was made fast to the land in some way. I  
 did not see whether she was made fast to the  
 canal boat or the stake. We, the officer who  
 is here, and myself rowed back to the New  
 York shore; the officer got in the boat and we  
 rowed down. Then we came through the sunken  
 meadows we saw that the boat had left its  
 mooring and was being rowed across the  
 river. There looked to me to be about four in  
 it as far as I could see. Instead of following  
 up directly we went around the sunken mead-  
 ows into the channel. We were in little hell  
 gate so as not to be seen; they went across  
 to Long Island; we found the boat was near  
 the canal boat which was sunk, so part  
 of her decks were under the water. These par-  
 ties got into the boat - then there were three.  
 We ran out alongside of these boys who are  
 here - the prisoners and Hagan; they were in  
 the boat. The officer stepped into their boat  
 and they rowed him to the station house. I  
 did not go on the canal boat. I did not follow  
 down in my boat; we went back the same  
 way we came and left the boat which we  
 had hired and walked down to the station house.  
 I think it is in Eighty eighth St. I do not know.

0044

the precinct. I had no conversation with the boys  
 at the canal boat. At the station house I rem-  
 ember one of them, I don't know which one it  
 was, said they found the boat in little hell  
 gate on Wednesday. After the boat was missed  
 the padlock and chain was gone; the chain  
 was removed from the first link, leaving no-  
 thing but the staple in the ~~staying~~ piece of the  
 dock. The staple that held the chain was  
 left and the chain was gone. This link (shown)  
 I found in the water on the bottom right under  
 where she was made fast to the dock. Then the  
 boat was recovered the chain was not attach-  
 ed to it. There was a padlock in the boat and  
 a staple in the dock, so that when you went  
 rowing they threw the chain aside and  
 did not take it with him. I saw the chain  
 afterwards, it is in the thirty third precinct  
 station house. I understood it was found in  
 the canal boat, I have identified it as mine.  
 I can swear that the link came out of this  
 chain which was broken. I never saw the  
 prisoners before. I did not authorize any one  
 to take the boat; there were no oars in the  
 boat when I left it, but I believe there were  
 two pairs of oars in it when it was found.  
 Cross Examined. When I first saw the boat  
 it was empty, tied near where the Sewma went  
 ashore.

0045

Ernest K. Bingham sworn. I am an officer of the Municipal police attached to the 23 precinct. I arrested the prisoners on the 10th of Sept. Mr. Zerega gave me some information and I went into the boat with him. I saw the boat over where the Sewannaka is sunken near a canal boat. This was at Randall's Island. I told him to go and see if it was his boat. I did not feel justified in leaving my post to go out in the middle of the river. He stated he was sure it was his boat. He rowed over and came back and said it was his boat. I told him then I would go with him and arrest the parties. Then we went out again the boat was gone. We recovered all the stolen property from the canal boat that they had been stealing from yachts. They pulled over towards the Long Island shore towards another sunken canal boat. I arrested them and took them to the station house. I found a bull's eye light and a hatchet and I took a loaded revolver from Kennedy. I found also a "jimmy" and a "cutlass" in the boat. There was only one chamber of the revolver fired off. There were two pairs of oars in the boat and they belonged to another party - Mr. Foulke. He identified them as his at the station house. The prisoners said they found the boat on

0046

Wednesday. There was a chain on the boat when it was brought in. I saw it delivered at the 23<sup>d</sup> Precinct. There was no one else but the boys on the curial boat when I arrested them. Cross Examined. I did not see the boat tied to the Randall's Island shore; when I saw them they were rowing away. I could distinguish the boys in the boat. I could distinguish parties across the river at that point. I know these boys for a couple of months. William Fuller Jr. sworn and examined. I remember the last witness showing me some oars at the station house; one pair belonged to me. I live in New York city, the annexed district, Morrisania and I keep my boat where I live in Mr. Reynolds's boat house. They were missed on the 8<sup>th</sup> of September, which was Wednesday. I do not remember when I last saw them before that, some considerable time, for I had been away for some little time. It was discovered that the boat house had been opened by some one else. William Miller Jr. sworn. I live at the foot of 110<sup>th</sup> street and Harlem River. I only know the prisoners by sight. I saw Hennessy in the boat on Monday morning about 9 o'clock. I saw the boat which was captured when the prisoners were arrested. Cross Examined. I saw Hennessy near the

boat with the younger brother of Hagan right alongside the wreck going away from the wreck. I was right alongside of him looking for one of my own boats. I passed right by them; they were going in the direction of my place of business at the foot of east 110th Street - a boat letting place. I was looking for one of my boats going towards Port Morris. Boat letters ask questions when they see a 'strange' boat. I asked them where they got the boat? I did not get an answer.

There was a sail in the boat which the prisoner Hennessy was rowing and this young brother of Hagan. Hagan said they found the boat at Port Morris. I saw the prisoners and Hagan almost every day that week in the boat until they were arrested. They rowed around openly; they were not trying to conceal the boat. Theodore C. Zerega recalled. How far was it from your place where you kept this boat moved to this Sewannaka wreck? I do not know exactly - about two miles.

John Rourke, sworn and examined in his own behalf testified. I did not steal this boat. Did you take this boat from the gentleman who was on the stand in Westchester Co.? No sir, I don't know where it is. Did you steal it or take it from any other one? No sir.

0048

Tell how you got it? We found it in Hellgate Wednesday morning. You are sure about that? Yes sir. Tell how you came to find it? We were fishing there near the sunken meadow. Where was the boat? The boat was driven between sunken meadow and Randall's Island. We seen the boat; we pulled up our anchor and we went and got the boat. I got into the boat and there was no chain on the boat though there was a new rope on the boat; there was no chain. We took it to the sunken meadow and we kept it there. We asked as we went along if anyone had lost a boat. There was no name on the boat and we could not have fetched it to any one. You kept the boat in your possession until the time you were found with it? Yes sir. We were rowing to the old sunken canal boat. Were you trying to row away from anybody? No sir.

Cross Examined. I don't know whether there was a large amount of property on that canal boat found by the police after we had left it. I am a mason and I worked for James Riley a year and a half. I had not been working for him for a month before that. I work every day that it is fit to work. I live 109<sup>th</sup> and Third Avenue with my uncle. I have never been arrested before for anything.

James Hennessy sworn. I did not steal this boat. I did not know it was stolen. We were fishing off sunken meadow between Sunken meadow and Randall's Island on Wednesday morning. I was not in the boat on Monday or Tuesday morning and had no conversation then with anyone about the boat. I made no offer to sell the boat. The boat was floating where we found it. Cross examined. We found it in the morning. One pair of these oars was out of a skiff. I know nothing about the other pair of oars. Where do you live? 108th between Second and Third avenues. How long have you lived there? Six months. Have you never lived on this canal boat? Yes sir. How long have you lived there? Two weeks. Who else lives there? Thomas Kagan, that is all I know. Do you know about a large quantity of stolen goods being found there on that canal boat within a few days? No sir Is that the first you heard of that? Yes sir. I work with Lavanagh and McLaughlin. I left their employ about two weeks ago. In two weeks I have not been doing anything. I have been in the Protectory. I learned cabinet making there. I bought the pistol from a fellow for ten cents. the day I was arrested. The jury rendered a verdict of guilty of grand larceny.

0050

Testimony in the case  
of  
John O'Rourke and  
James Hennessy  
filed Sept. 1881.

0051

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

THE PEOPLE OF THE STATE OF  
NEW YORK,

*John O'Rourke, Thomas Hagan and James Hennessy.*  
The Grand Jury of the City and County of New York by this indictment accuse  
*John O'Rourke, Thomas Hagan and James Hennessy*  
of the crime of  
*Grand Larceny*  
committed as follows:  
The said *John O'Rourke, Thomas Hagan and James Hennessy*

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

*One boat of the value of forty dollars*

of the goods, chattels, and personal property of one

*Theodore C. Zerega*

then and

there being found, 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.

0052

And the Grand Jury aforesaid, by this indictment, further accuse the said  
*John O'Rourke, Thomas Hagan and James Hennessey*

of the CRIME OF

*Receiving Stolen Goods.*

committed as follows:

The said

*John O'Rourke, Thomas Hagan and James Hennessey*

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

*One boat of the value of forty dollars.*

of the goods, chattels, and personal property of the said

*Theodore C. Zerega*

by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously  
stolen ~~of the said~~ *taken and carried away from the said*

*Theodore C. Zerega*

unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have (the said

*John O'Rourke, Thomas Hagan and James Hennessey*  
*taken and carried away*  
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.

DANIEL G. ROLLINS,

~~JOHN C. ROLLINS~~, District Attorney.