

1007

BOX:

438

FOLDER:

4040

DESCRIPTION:

O'Brien, James

DATE:

05/20/91



4040

POOR QUALITY
ORIGINAL

1008

1891
Counsel, Eugene Spurnin
Filed, Do. 20th May 1891
Pleads, Atty. Gen. 20th May 1891

THE PEOPLE

vs.

POOL SELLING.
(Section 861, Penal Code and Chap. 479,
Laws of 1887, §§ 4 and 7.)

D

James O'Brien

DE LANCEY NICOLL,

District Attorney.

A True Bill.

W. E. Kidman

Foreman.

Transferred to the Court of Special
Sessions for trial and final disposition.

Part 1, 3rd, 1891.

Witnesses:

Chas. B. Kenny

19 Dec 1891

POOR QUALITY
ORIGINAL

1009

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

James O'Brien

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this
indictment, accuse *James O'Brien* —

of the crime of keeping a room for the purpose of recording and registering bets and wagers, and
of selling pools, committed as follows:

The said *James O'Brien*,

late of the *Twentieth* Ward of the City of New York, in the County of New York aforesaid,
on the *twentieth* day of *May* — in the year of our Lord
one thousand eight hundred and ninety *one*, at the Ward, City and County aforesaid,
and not upon any grounds or race track, owned, leased, or conducted by any association incor-
porated under the laws of this State, for the purpose of improving the breed of horses, where
racing was then lawfully had, with force and arms, did unlawfully and feloniously keep a certain
room in a certain building there situate, for the purpose of therein recording and registering bets
and wagers, and of selling pools, upon the result of trials and contests of speed and power of
endurance of beasts, to wit, horses; against the form of the Statute in such case made and
provided, and against the peace of the People of the State of New York and their dignity.

Second Count, And the Grand Jury aforesaid, by this indictment further accuse the
said *James O'Brien* —

of the crime of knowingly permitting a room to be used and occupied for the purpose of
recording and registering bets and wagers, and of selling pools, committed as follows:

The said *James O'Brien*,

**POOR QUALITY
ORIGINAL**

10 10

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, and not upon any grounds or race track owned, leased, or conducted by any association incorporated under the laws of this State for the purpose of improving the breed of horses, where racing was then lawfully had, being then and there the ~~owner~~ of certain room in a certain building there situate, with force and arms, unlawfully and feloniously did knowingly permit the said room to be used and occupied for the purpose of therein recording and registering bets and wagers, and of selling pools, upon the result of trials and contests of speed, and power of endurance of beasts, to wit, horses; against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

Third Count, And the Grand Jury aforesaid, by this indictment, further accuse the said *James O'Brien* —

of the crime of keeping, exhibiting and employing devices and apparatus for the purpose of recording and registering bets and wagers, and of selling pools, committed as follows:

The said *James 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, and not upon any grounds or race track owned, leased or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was then lawfully had, being the ~~owner~~ of a certain room in a certain building there situate, with force and arms, did unlawfully and feloniously therein keep, exhibit and employ, divers devices and apparatus (a more particular description whereof is to the Grand Jury aforesaid unknown) for the purpose of recording and registering bets and wagers, and of selling pools, upon the result of trials and contests of speed and power of endurance of beasts, to wit, horses; 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.

Fourth Count, And the Grand Jury aforesaid, by this indictment, further accuse the said *James O'Brien* —

of the crime of becoming the custodian and depository, for hire and reward, of money staked,

**POOR QUALITY
ORIGINAL**

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wagered and pledged upon the result of trials and contests of speed and power of endurance of horses, committed as follows :

The said James 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, and not upon any grounds or race track owned, leased, or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was then lawfully had, being then and there the owner of a certain room in a certain building there situate, with force and arms, did unlawfully and feloniously therein then and there become the custodian and depository, for hire and reward, of certain money, to wit : the sum of Two dollars in lawful money of the United States of America, which said money was then and there by one Shades D. James, staked, wagered and pledged upon the result of a certain trial and contest of speed and power of endurance of and between a certain horse called "Roseville", and divers other horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid, at a certain place and race track situate at Spencer in the County of Franklin in the State of New York and commonly called the Spencer Jockey Club, Race Track, and which said trial and contest was had, holden and run on the day and in the year aforesaid, at the place and race track aforesaid (a more particular description of which said trial and contest, and of the circumstances and manner of, upon, and in which the said money was so staked, wagered and pledged as aforesaid, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

Fifth Count, And the Grand Jury aforesaid, by this indictment, further accuse the said James O'Brien

of the crime of recording and registering a bet and wager, committed as follows :

The said James 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, and not upon any grounds or race track owned, leased, or conducted by any association incorporated under the laws of this State, for the purpose

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ORIGINAL**

10 12

of improving the breed of horses, where racing was then lawfully had, with force and arms, did unlawfully and feloniously record and register, and cause to be recorded and registered, a certain bet and wager, then and there made by and between one *Charles D. Kemp*

and divers other persons to the Grand Jury aforesaid unknown, upon the result of a certain trial and contest of speed and power of endurance of and between a certain horse called "*Yosemite*" and divers other horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid, at a certain place and race track situated at *Greenland* in the County of *King*, in the State of *New York* and commonly called the *Brooklyn Jockey Club* Race Track, and which said trial and contest was had, holden and run on the day and in the year aforesaid, at the place and race track aforesaid (a more particular description of which said trial and contest, and of the said bet and wager so as aforesaid then and there made upon the same, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

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

James O'Brien

of the CRIME OF POOL SELLING, committed as follows:

The said *James 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, and not upon any grounds or race track owned, leased or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was lawfully had, with force and arms, did feloniously engage in pool selling, and did then and there feloniously sell, and cause to be sold, to one *Charles D. Kemp*, and to divers other persons, to the Grand Jury aforesaid unknown, a certain pool upon the result of a certain trial and contest of speed and power of endurance of and between a certain horse called "*Yosemite*" and divers other horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year afore-

said, at a certain place and race track situated at Spencer,
in the County of King, in the State of New York
and commonly called the Spencer Jockey Club Race Track,
and which said trial and contest was had, holden and run on the day and in the year aforesaid at
the place and race track aforesaid (a more particular description of which said trial and contest,
and of the pool upon the same so as aforesaid then and there sold, is to the Grand Jury aforesaid
unknown, and cannot now be given), against the form of the Statute in such case made and pro-
vided, and against the peace of the People of the State of New York and their dignity.

Seventh Count, And the Grand Jury aforesaid, by this indictment, further accuse the
said James O'Brien

of the crime of recording and registering bets and wagers, committed as follows :

The said James 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, and not upon any grounds or race track owned,
leased, or conducted by any association incorporated under the laws of this State, for the purpose
of improving the breed of horses, where racing was then lawfully had, with force and arms, did
unlawfully and feloniously record and register, and cause to be recorded and registered, divers
bets and wagers, then and there made by and between divers persons to the Grand Jury aforesaid
unknown, upon the result of divers certain trials and contests of speed and power of endurance of
and between divers horses (a more particular description whereof, and of each of them, is to the
Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year
aforesaid, at a certain place and race track situated at Spencer
in the County of King, in the State of New York
and commonly called the Spencer Jockey Club Race Track, and which
said trials and contests were had, holden and run on the day and in the year aforesaid, at
the place and race track aforesaid (a more particular description of which said trials and contests
and of the said bets and wagers so as aforesaid then and there made upon the same, is to the
Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such
case made and provided, and against the peace of the People of the State of New York and their
dignity.

**POOR QUALITY
ORIGINAL**

10 14

Eighth Count, And the Grand Jury aforesaid, by this indictment, further accuse the
said James O'Brien

of the crime of pool selling, committed as follows :

The said James 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, and not upon any grounds or race track owned,
leased or conducted by any association incorporated under the laws of this State, for the purpose
of improving the breed of horses, where racing was then lawfully had, with force and arms, did
feloniously engage in pool selling, and did then and there feloniously sell, and cause to be sold
to divers persons, to the Grand Jury aforesaid unknown, divers pools upon the result of divers
trials and contests of speed and power of endurance of and between divers horses (a more par-
ticular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) there-
after to be had, holden and run on the day and in the year aforesaid, at a certain place and race
track situated at Spencer, in the County of
Suffolk, in the State of New York
and commonly called the Spencer Jockey Club Race Track,
and which said trials and contests were had, holden and run on the day and in the year aforesaid,
at the place and race track aforesaid (a more particular description of which said trials and con-
tests and of the pools upon the same so as aforesaid then and there sold, is to the Grand Jury
aforesaid unknown, and cannot now be given), against the form of the Statute in such case made
and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,
District Attorney.

10 15

BOX:

438

FOLDER:

4040

DESCRIPTION:

O'Brien, John

DATE:

05/22/91



4040

POOR QUALITY
ORIGINAL

10 16

Witnesses:

William G. Coon

Whitney Leeson

Sept Drunken

andery 71

Counsel, *53*
Filed *22* day of *May* 1891
Pleads,

THE PEOPLE

vs.

A
John O'Brien

Grand Larceny (second Degree)
[Sections 528, 58, 530 Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A True Bill.

W. L. Skidmore

Foreman.

May 25 1891
Wm. G. Coon
Sept Drunken
andery 71

649

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ORIGINAL

10 17

Police Court 2 District.

Affidavit—Larceny.

City and County } ss:
of New York,

William A. Cook
of No. Hotel Vendome 1448 B. way Street, aged 30 years,
occupation Hotel clerk being duly sworn,
deposes and says, that on the 13th day of May 1891 at the City of New York,
in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in
the day time, the following property, viz:

Two coats of the value of
about thirty five dollars

the property in care and charge 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'Brien (now here)

for the reasons that said property
is the property of a guest of
said hotel and deponent caught
the defendant in the hotel
with the property on his person
and leaving the hotel

W. A. Cook

Sworn to before me, this 14 day

of May 1891
W. A. Cook
Police Justice.

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10 18

Sec. 198—200.

CITY AND COUNTY } ss.
OF NEW YORK,

District Police Court.

John 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.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I have nothing to say
until I consult counsel*

John X O'Brien
was

John O'Brien

Taken before me this 14

day of May 1891

H. H. Nichols

Police Justice.

POOR QUALITY
ORIGINAL

10 19

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.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

William A. Berk
West Madison, 144 13th St
John A. Brown

Opened

Dated May 14 1891

Magistrate

Clarewell

19 Precinct.

Witnesses

No. _____
Street _____

No. _____
Street _____



No. 1580
to answer 4.8.
Street _____

John A. Brown

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 Fifteen 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 May 14 1891 W. T. Munnahan 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 O'Brien

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this
indictment, accuse

John O'Brien

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

The said

John O'Brien

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

*two coats of the value of eighteen
dollars each*

[Signature]
of the goods, chattels and personal property of one *William A. Cooke*
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

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

The said

John O'Brien
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,

*two coats of the value eighteen
dollars each*

of the goods, chattels and personal property of one *William A. Cooke*

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

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, 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.

DE LANCEY NICOLL,

District Attorney.

1022

BOX:

438

FOLDER:

4040

DESCRIPTION:

O'Brine, John

DATE:

05/21/91



4040

POOR QUALITY
ORIGINAL

1023

Witnesses:

Off. Jeremiah J. Higgins

4 Dec. 1891

Counsel,

Filed

21 day of Dec. 1891

Plead,

Myself - vs.

THE PEOPLE

vs.

POOL SELLING.
(Section 851, Penal Code and Chap. 479,
Laws of 1887, §§ 4 and 7.)

B

John O'Brien

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

DE LANCEY NICOLL,

District Attorney.

A True Bill.

W. L. O'Riordan

Foreman.

POOR QUALITY
ORIGINAL

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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 Osborne

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this indictment, accuse

John Osborne

of the crime of keeping a room for the purpose of recording and registering bets and wagers, and of selling pools, committed as follows:

The said *John Osborne*.

late of the ~~Fourth~~ Ward of the City of New York, in the County of New York aforesaid, on the ~~eighteenth~~ day of ~~May~~ in the year of our Lord one thousand eight hundred and ninety ~~one~~, at the Ward, City and County aforesaid, and not upon any grounds or race track, owned, leased, or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was then lawfully had, with force and arms, did unlawfully and feloniously keep a certain room in a certain building there situate, for the purpose of therein recording and registering bets and wagers, and of selling pools, upon the result of trials and contests of speed and power of endurance of beasts, to wit, horses; 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 Osborne*

of the crime of knowingly permitting a room to be used and occupied for the purpose of recording and registering bets and wagers, and of selling pools, committed as follows:

The said *John Osborne*,

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ORIGINAL**

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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, and not upon any grounds or race track owned, leased, or conducted by any association incorporated under the laws of this State for the purpose of improving the breed of horses, where racing was then lawfully had, being then and there the ~~occupant~~ of certain room in a certain building there situate, with force and arms, unlawfully and feloniously did knowingly permit the said room to be used and occupied for the purpose of therein recording and registering bets and wagers, and of selling pools, upon the result of trials and contests of speed, and power of endurance of beasts, to wit, horses; 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 Osborne* —

of the crime of keeping, exhibiting and employing devices and apparatus for the purpose of recording and registering bets and wagers, and of selling pools, committed as follows:

The said *John Osborne* —

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, and not upon any grounds or race track owned, leased or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was then lawfully had, being the ~~occupant~~ of a certain room in a certain building there situate, with force and arms, did unlawfully and feloniously therein keep, exhibit and employ, divers devices and apparatus (a more particular description whereof is to the Grand Jury aforesaid unknown) for the purpose of recording and registering bets and wagers, and of selling pools, upon the result of trials and contests of speed and power of endurance of beasts, to wit, horses; 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.

Fourth Count, And the Grand Jury aforesaid, by this indictment, further accuse the said *John Osborne* —

of the crime of becoming the custodian and depository, for hire and reward, of money staked,

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wagered and pledged upon the result of trials and contests of speed and power of endurance of horses, committed as follows :

The said *John Osborne*.

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, and not upon any grounds or race track owned, leased, or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was then lawfully had, being then and there the *occupant* of a certain room in a certain building there situate, with force and arms, did unlawfully and feloniously therein then and there become the custodian and depository, for hire and reward, of certain money, to wit : the sum of *Two* dollars in lawful money of the United States of America, which said money was then and there by one *Jeremiah J. J. J. J.*, staked, wagered and pledged upon the result of a certain trial and contest of speed and power of endurance of and between a certain horse called "*Quadrant*" and divers other horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid, at a certain place and race track situate at *Granerend* in the County of *King*, in the State of *New York* and commonly called the *Brooklyn Jockey Club* Race Track, and which said trial and contest was had, holden and run on the day and in the year aforesaid, at the place and race track aforesaid (a more particular description of which said trial and contest, and of the circumstances and manner of, upon, and in which the said money was so staked, wagered and pledged as aforesaid, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

Fifth Count, And the Grand Jury aforesaid, by this indictment, further accuse the said *John Osborne* —

of the crime of recording and registering a bet and wager, committed as follows :

The said *John Osborne*.

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, and not upon any grounds or race track owned, leased, or conducted by any association incorporated under the laws of this State, for the purpose

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of improving the breed of horses, where racing was then lawfully had, with force and arms, did unlawfully and feloniously record and register, and cause to be recorded and registered, a certain bet and wager, then and there made by and between one *Jeremiah J. Agulstain* &

Agulstain -

and divers other persons to the Grand Jury aforesaid unknown, upon the result of a certain trial and contest of speed and power of endurance of and between a certain horse called "*Disappointment*" and divers other horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid, at a certain place and race track situated at *Gravesend*, in the County of *Kings* in the State of *New York*, and commonly called the *Brooklyn Jockey Club* Race Track, and which said trial and contest was had, holden and run on the day and in the year aforesaid, at the place and race track aforesaid (a more particular description of which said trial and contest, and of the said bet and wager so as aforesaid then and there made upon the same, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

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

John Osborne -

of the CRIME OF POOL SELLING, committed as follows:

The said *John Osborne*,

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, and not upon any grounds or race track owned, leased or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was lawfully had, with force and arms, did feloniously engage in pool selling, and did then and there feloniously sell, and cause to be sold, to one *Jeremiah J. Agulstain* and to divers other persons, to the Grand Jury aforesaid unknown, a certain pool upon the result of a certain trial and contest of speed and power of endurance of and between a certain horse called "*Disappointment*" and divers other horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year afore-

POOR QUALITY
ORIGINAL

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said, at a certain place and race track situated at Gravesend,
in the County of Kings, in the State of New York
and commonly called the Brooklyn Jockey Club Race Track,
and which said trial and contest was had, holden and run on the day and in the year aforesaid at
the place and race track aforesaid (a more particular description of which said trial and contest,
and of the pool upon the same so as aforesaid then and there sold, is to the Grand Jury aforesaid
unknown, and cannot now be given), against the form of the Statute in such case made and pro-
vided, and against the peace of the People of the State of New York and their dignity.

Seventh Count, And the Grand Jury aforesaid, by this indictment, further accuse the
said John O'Brien

of the crime of recording and registering bets and wagers, 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, and not upon any grounds or race track owned,
leased, or conducted by any association incorporated under the laws of this State, for the purpose
of improving the breed of horses, where racing was then lawfully had, with force and arms, did
unlawfully and feloniously record and register, and cause to be recorded and registered, divers
bets and wagers, then and there made by and between divers persons to the Grand Jury aforesaid
unknown, upon the result of divers certain trials and contests of speed and power of endurance of
and between divers horses (a more particular description whereof, and of each of them, is to the
Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year
aforesaid, at a certain place and race track situated at Gravesend,
in the County of Kings, in the State of New York
and commonly called the Brooklyn Jockey Club Race Track, and which
said trials and contests were had, holden and run on the day and in the year aforesaid, at
the place and race track aforesaid (a more particular description of which said trials and contests
and of the said bets and wagers so as aforesaid then and there made upon the same, is to the
Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such
case made and provided, and against the peace of the People of the State of New York and their
dignity.

Eighth Count, And the Grand Jury aforesaid, by this indictment, further accuse the
said *John O'Brien* —

of the crime of pool selling, 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, and not upon any grounds or race track owned,
leased or conducted by any association incorporated under the laws of this State, for the purpose
of improving the breed of horses, where racing was then lawfully had, with force and arms, did
feloniously engage in pool selling, and did then and there feloniously sell, and cause to be sold
to divers persons, to the Grand Jury aforesaid unknown, divers pools upon the result of divers
trials and contests of speed and power of endurance of and between divers horses (a more par-
ticular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) there-
after to be had, holden and run on the day and in the year aforesaid, at a certain place and race
track situated at *Hyannis* , _____ in the County of
Mass. in the State of *New York* .
and commonly called the *Madison Jockey Club* Race Track,
and which said trials and contests were had, holden and run on the day and in the year aforesaid,
at the place and race track aforesaid (a more particular description of which said trials and con-
tests and of the pools upon the same so as aforesaid then and there sold, is to the Grand Jury
aforesaid unknown, and cannot now be given), against the form of the Statute in such case made
and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,
District Attorney.

1030

BOX:

438

FOLDER:

4040

DESCRIPTION:

O'Keefe, Cornelius

DATE:

05/26/91



4040

POOR QUALITY
ORIGINAL

1031

Witnesses;

Amie Garter

Adam Garter

Left down
Thank him in
Cp for Lacey
Chelonia

Counsel,

Filed

Pleads,

26 May 1891

THE PEOPLE

vs.

Cornelius O'Keefe

Burglary in the third degree.
and receiving
[Section 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000]

JOHN R. FELLOWES

District Attorney.

A True Bill.

W. S. Bidmon

Foreman.

May 27 91
I heard my 3 day
2.4.91. 5.10.91
7.91

POOR QUALITY
ORIGINAL

1032

Police Court—2nd District.

City and County } ss.:
of New York,

of No.

occupation

deposes and says, that the premises No.

in the City and County aforesaid the said being a

and which was occupied by deponent as a

and in which there was at the time ²⁰ human being, by name

were BURGLARIOUSLY entered by means of forcibly

fastenings of the lucroza door leading
to the apartments

on the 22nd day of May 1897 in the day time, and the
following property feloniously taken, stolen, and carried away, viz:

A quantity of jewelry, of
the value of about
Twenty five dollars

the property of Deponent

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

Cornelius O. Reeffe (nowhere)

for the reasons following, to wit:

Deponent says, - shortly before
the said date she left said premises,
locking the door leading thereto, and that
said property was then therein.
Deponent further says, - in her
absence, her premises were burglariously
entered, in the manner aforesaid, and
said property feloniously taken, stolen
and carried away. Deponent further

Says she is informed by Officer James P. Burns
of the 13th Precinct, that he arrested defendant
on information furnished said officer by
Adam Garter P.M. 38 Sheriff Street, and found
said property in defendant's possession, which
defendant identified in said officer's presence
as her property. Whereupon defendant
charged defendant with burglariously entering
her premises, and taking, stealing and
carrying away the aforesaid property from
defendant's possession.
Admitted before me, Justice George
this 23rd day of May 1903

John Ryan
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 mentioned, I order he to be discharged.
Dated 1888
Police Justice.

Police Court, District, Office—BURGLARY.

THE PEOPLE, &c.,
on the complaint of

vs.

1
2
3
4

Dated 1888

Magistrate.

Officer.

Clerk.

Witness.

No. Street.

No. Street.

No. Street.

No. Street.

\$ to answer General Sessions.

POOR QUALITY
ORIGINAL

1034

CITY AND COUNTY }
OF NEW YORK, } ss.

James F. Burns
aged 13 years, occupation Pike of No. 13
Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of Annex Sarter
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this 23 day of May 1890, } *James F. Burns*
John P. Ryan
Police Justice.

POOR QUALITY
ORIGINAL

1035

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Cornelius O'Keefe 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.

Cornelius O'Keefe

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.

306 Henry St - 14 years

Question. What is your business or profession?

Answer.

Driver

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 have nothing to say as
present.*

Cornelius O'Keefe

Taken before me this

23

day of

John H. [Signature]

Police Justice.

POOR QUALITY
ORIGINAL

1036

BAILED.

No. 1, by _____
Residence _____
Street _____

No. 2, by _____
Residence _____
Street _____

No. 3, by _____
Residence _____
Street _____

No. 4, by _____
Residence _____
Street _____

Police Court--- 3 --- District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

James J. Smith
38 South St.
Cornellville, Pa.

2 _____
3 _____
4 _____

Offence *Burglary*

Date *May 2 3rd 91*

James J. Smith Magistrate.

James J. Smith Officer.

137 Precinct.

Witnesses *David Officer*

No. _____
Street _____

No. *38* Street _____
Smithville

No. *1506* Street _____
Smithville

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 *Five* Hundred Dollars, and he committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated *May 23 1891* *John Ryan* 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.

POOR QUALITY
ORIGINAL

1037

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Cornelius O'Keefe

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

Cornelius O'Keefe

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

The said *Cornelius O'Keefe*

late of the *Thirteenth* Ward of the City of New York, in the County of New York
aforesaid, on the *twenty-second* day of *May* in the year of our Lord one
thousand eight hundred and *ninety-one*, with force and arms, in the
day time of the same day, at the Ward, City and County aforesaid, the
dwelling house of one *Annie Garter*

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 *Annie Garter*

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.

POOR QUALITY
ORIGINAL

1038

SECOND COUNT—

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

Cornelius O. Keefer

of the CRIME OF *Petit* LARCENY

, committed as follows:

The said

Cornelius O. Keefer

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,

*divers articles of jewelry of a
number and description to the
Grand Jury aforesaid unknown,
of the value of twenty-five dollars*

of the goods, chattels and personal property of one *Annie Garter*

in the dwelling house of the said *Annie Garter*

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

THIRD COUNT—

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

Cornelius O'Keefe
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

Cornelius O'Keefe,
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,

*divers articles of pivebry of a
number and description to the
Grand Jury aforesaid unknown, of
the value of twenty five dollars*

of the goods, chattels and personal property of

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

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

Cornelius O'Keefe
(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.

DE LANGEY NICOLL,
JOHN R. FELLOWS,
District Attorney.

1040

BOX:

438

FOLDER:

4040

DESCRIPTION:

O'Neill, John

DATE:

05/26/91



4040

POOR QUALITY
ORIGINAL

1041

262
Counsel,
Filed 26 day of May 1891
Pleads,

THE PEOPLE

vs.

John O'Neill

[Section 498, 426, 425, 423, 421]
Burglary in the Third degree.
John O'Neill

JOHN R. FELLOWS,

District Attorney.

A True Bill.

W. S. O'Hidman

Foreman.

May 29/91
Perjury 2nd
May 6/91
May 29/91

Witnesses:

Conrad Hoffmann

the day for
perjury as to

ch. to

POOR QUALITY
ORIGINAL

1042

Police Court—3— District.

City and County } ss.:
of New York }

of No. 16 St Marks Place Street, aged 70 years,
occupation machinist being duly sworn

deposes and says, that the premises No 16 St Marks Place Street, 17 Ward
in the City and County aforesaid the said being a an apartment building
the basement of
and which was occupied by deponent as a storage place and engine room
and in which there was at the time a human being, by name

were **BURGLARIOUSLY** entered by means of forcibly opening the
lock of a door leading to said
cellar

on the 23 day of May 1889, in the day time, and the
following property feloniously taken, stolen, and carried away, viz:

A quantity of engine
materials and implements,
of the value of Ten Dollars

the property of

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

John O'Neil Owner
here

for the reasons following, to wit:

Deponent says, said property
was contained in the cellar of said building
the door leading to which is always locked.
Deponent further says, at about
2 P.M. of said date he had occasion to go
to said cellar, and found the said door
had been forcibly opened in the manner
aforesaid, and investigating further,
found defendant in the engine room in

Said cellar and finding defendant caused
his arrest by Officer Stephen Heider
rich of the 1st Precinct, and defendant
possession was found said property,
which defendant identified as his,
whereupon defendant charged de-
fendant, with Burglary, entering
said premises, and feloniously taking
stealing and carrying away said property
from defendant's possession.

Subscribed before me
this 24 day of May 1911, B. C. Hoffmann
John Ryan
Procurator.

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 _____ 1911
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated _____ 1911
There being no sufficient cause to believe the within named
guilty of the offence mentioned, I order he to be discharged.
Dated _____ 1911
Police Justice.

Police Court, District,

THE PEOPLE, &c.,
on the complaint of

vs.

Office—BURGLARY.

1
2
3
4

Dated

1911

Magistrate.

Officer.

Clerk.

Witness,

No.

Street,

No.

Street,

No.

Street,

\$ _____ to answer General Sessions.

POOR QUALITY
ORIGINAL

1044

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK }

3 District Police Court.

John O'Neil 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.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I was drunk - I am
guilty - John O'Neil*

Taken before me this

day of

Police Justice.

POOR QUALITY
ORIGINAL

1045

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

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

1. *James C. Strell*
2. _____
3. _____
4. _____
Offence *Burglary*

Dated

May 24 1891

Heilmann Magistrate.

Heilmann Officer.

Heilmann Precinct.

Witnesses *Andrew Heilmann*

No. *14* Precinct.

No. _____ Street.

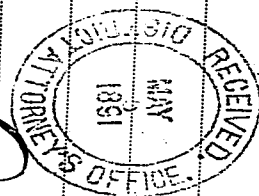
No. _____ Street.

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

defendant

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 *May 24 1891* *John Ryan* 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.

New York May 28th 1899.

Recorder Smyth

General Sessions Pt 1

Dear Sir — I have known
John O'neil who has been in my
employ for a year on and off.
while under my employ I found
him honest and trust worthy while in
his dealings with me I discharged
as he drank a little to much.
I ask for one favor as he has a
poor old aged mother who needs his
help very much and I hope in
regards to his sentence that you
will be lenient as possible for
his poor old Mother's sake and
Oblige you

G. G. Mingham
42. Clinton Place
N. Y. City

POOR QUALITY
ORIGINAL

1047

W. H. WOODCOCK,

From Hooper, (London,) and Hogg (Paris.)

CHEMISTS TO THE QUEEN, PRINCE & PRINCESS OF WALES.

Pharmacist & Druggist.

42, 41 & 43 Clinton Pl. & H & 13 University Pl.
8th STREET, NEW YORK.

May 29 1891.
GRANDE PHARMACIE NORMALE
PARFUMERIE, — SPECIALITIES.

To the Hon^{ble} Recorder Smith:

Sir. This certifies you know - that
I have known John Hall, and his mother
Bridget Hall (sister of his) for a number of
years, and can testify to the honesty of both
parties, and also know them to be hard working;
John however, makes too frequent acquaintance
with alcoholic stimulants; after which, he be-
comes morally irresponsible & abusive, and in
that condition more so, than ordinary and similar
cases: - have never known him to steal anything -
His mother, has worked for us several years -
uninterruptedly for two: her character is of
the best kind & have trusted her with considerable
sums of money. never has abused any confi-
dence reposed in her: in any direction.

With Compliments
Believe me, Sir, your Honor.

Yours Respectfully,

W. H. WOODCOCK

41 & 43 Clinton Pl. & H & 13 University Pl.
8th STREET, NEW YORK.

Pharmacist & Druggist.

CHEMISTS TO THE QUEEN, PRINCE & PRINCESS OF WALES.

From Hooper, (London,) and Hogg (Paris.)

W. H. WOODCOCK

William Woodcock

POOR QUALITY
ORIGINAL

1048

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'Neill

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

John O'Neill

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

The said

John O'Neill

late of the Seventeenth Ward of the City of New York, in the County of New York
aforesaid, on the twenty-third day of May in the year of our Lord one
thousand eight hundred and ninety-one, 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 building of one Conrad Hoffman

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 Conrad Hoffman

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'Neill
of the CRIME OF *Petit* LARCENY _____, committed as follows:

The said

John O'Neill
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,

a quantity of engineer's materials (a more particular description whereof is to the Grand Jury aforesaid unknown) of the value of ten dollars

of the goods, chattels and personal property of one

Conrad Hoffman
in the dwelling house of the said *Conrad Hoffman*

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.

1050

BOX:

438

FOLDER:

4040

DESCRIPTION:

O'Neill, Maggie

DATE:

05/21/91



4040

1051

Hamam Shear

Thank you,

25

Day of

VS.

Maggie O'Neil

Burgundy in the third degree.
 & Grand dancing.
 second degree
 [Section 498, 496, 526, 453.]

~~7700-10000~~

JOHN R. FELLOWS,

District Attorney.

A True Bill.

W. G. Bidmore

Foreman.

10/1/20

9 March 1911

POOR QUALITY
ORIGINAL

1052

Police Court—2 District.

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

of No. 13 Little 12th.

Street, aged 29 years,

occupation Housekeeper

being duly sworn

deposes and says, that the premises No 13 Little 12th St, 1st floor ^{Street,} ^{near}

in the City and County aforesaid, the said being a dwelling house three
stories high built of brick

and which was occupied by deponent as a dwelling on the first floor
and in which there was at the time ⁱⁿ a human being, by name

were BURGLARIOUSLY entered by means of forcibly raising a
window sash of a Kitchen of said
premises and entering through said window
from the yard.

on the 5 day of May 1891 in the day time, and the
following property feloniously taken, stolen, and carried away, viz:

one plush coat
of the value of twenty dollars, a satin
dress of nine dollars, a black sack
of the value of one dollar — all of the
value of thirty 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

Maggie O'Neill

for the reasons following, to wit: Deponent left the said property
in said premises and the said window
was closed when deponent left the said
premises at noon on May 5. Deponent
returned at 2 p.m. on said date and
discovered that the said property had been
taken and deponent was informed by a
neighbour that defendant had entered
said premises in deponent's absence, and

POOR QUALITY
ORIGINAL

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that she had taken defendant's property.
Subsequently defendant was arrested
and she acknowledged that she had
entered said premises in said manner
and taken a part of said property, and
said acknowledgment by defendant
was made in the presence of deponent and
Policeman William H. Burleigh of the
9th Precinct Police.

Sworn to before me this 13 day of May 1891
at New York City
D. J. McMahon
Police Justice.

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Degree.

Burglary

vs.

Dated

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Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No. Street.

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CITY AND COUNTY }
OF NEW YORK, } ss.

Thomas

William H. Bruley

aged _____ years, occupation *Policeman* of No. _____

9th Precinct

Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of *Mary Hann*

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

Sworn to before me, this *19*

day of *May* 189*6*.

Thomas Durlugh

W. M. Malone

Police Justice.

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Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

Maggie O'Neill

Question. How old are you?

Answer.

27 years

Question. Where were you born?

Answer.

U.S.

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

Answer.

438 West 25th St - 1 year

Question. What is your business or profession?

Answer.

Domestic

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 had been drinking with
the complainant from Sunday morning
until Tuesday morning. I was under
the influence of liquor and I did
go in her place, but not through the window
but by the door, and I took some
of her things and pawned them on St.
I pawned mine. I did not intend
to commit burglary or theft.*

Maggie O'Neill

Taken before me this

day of

May

1887

Police Justice.

POOR QUALITY
ORIGINAL

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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.

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THE PEOPLE, &c.,
ON THE COMPLAINT OF

May 13 1891
Harris O. Wadell
592 Madison Ave

Offence *Burglary*

Dated May 13 1891

H. Steaton Magistrate.

Wm. Bruley Officer.

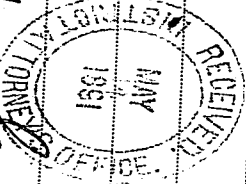
Witnesses *Wm. Stea* Precinct.

No. 13 State 12 4th Street.

No. _____ Street.

No. _____ Street.

No. 1500 Street.



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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *Fifteen* 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 _____ 18 *H. Steaton* 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

Maggie O'Neill

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

Maggie O'Neill

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

The said

Maggie O'Neill

late of the Ninth Ward of the City of New York, in the County of New York
aforesaid, on the fifth day of May in the year of our Lord one
thousand eight hundred and ninety-one, with force and arms, in the
day time of the same day, at the Ward, City and County aforesaid, the
dwelling house of one Mary Trainor

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 Mary Trainor

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

Maggie O'Neill
of the CRIME OF *Grand* LARCENY in the second degree, committed as follows:

The said

Maggie O'Neill

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,

*one plush coat of the value
of twenty dollars, one dress of
the value of nine dollars and
one sash of the value of one
dollar*

[Signature]
of the goods, chattels and personal property of one

Mary Trainor

in the dwelling house of the said

Mary Trainor

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.

*De Lancey Nicoll,
District Attorney*

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BOX:

438

FOLDER:

4040

DESCRIPTION:

Ormay, Rudolph

DATE:

05/07/91



4040

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Rec. New York August 1. 1891 of John Sparks -
Clerk of Court check dated July 30 - 1891, drawn
by Daniel Nason, on the Nassau Bank
to the order of Wm. Travis Jerome, for the
sum of Two hundred and fifty Dollars,
said check being endorsed by said Jerome.
Said payment being made, as restitution, by
the defendant Ormay to the complaint in this
action

Witness

Edmonfont

Hermann Preyer

Wills, Henry
Counsel,
Filed day of July 1891
Pleas, *Wills, Henry*
THE PEOPLE
vs.
233 21.143 2nd
Rudolph Ormay
District Attorney,
JOHN R. WILLOWS,
[Sections 528, 531, of the Penal Code.]

A True Bill.

W. L. Skidmore

Foreman.

July 2 - June 3 1891.

Griff and Corning.

Sparks Cash -

July 31/91

Witnesses;
Hermann Kienzel
Rudolph Ormay
Comphet

July 31/1891-

Received in Open Court
this day check of Daniel Nason on
the Nassau Bank to
the order of Wm. Travis Jerome and
endorsed by him for the amount
of Two hundred and fifty Dollars
being in restitution of the
amount taken from the complaint
pleading witness as charged not
with the indictment.

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HERMAN BRENZEL, the COMPLAINANT, testified, through the Official Interpreter, that he lived at 515 East 83rd Street, in the City of New York. He knew the defendant at the bar. He became acquainted with him through an advertisement in the Staats-Zeitung. He, the complainant, saw the advertisement and answered it. He met the defendant at the defendant's office, 95 2nd Avenue, on the 19th of November, 1890. The advertisement was for a partner with \$300 capital. The partner was said to be required for an important office business. The answer was to be sent to No. 500 Staats-Zeitung. He, the Complainant, wrote a letter to the Staats-Zeitung, and received an answer immediately, requesting him to call at the office of the defendant, at 95 2nd Avenue. He called on the 20th or 21st of Novem-

**POOR QUALITY
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ber, and saw the defendant several times between that day and the 30th. On the 30th of January, 1891, he entered into an agreement with the defendant. The agreement was that he, the complainant, should enter the defendant's service, as a clerk in his office, and should receive temporarily \$8. a week. His, the complainant's, business was to be the collection of premiums due on insurance policies, and to do general office work. He was also to look up the references of gentlemen whom the defendant was to engage for his office. The defendant said that he, the complainant, would have to collect large sums of money, and that he wanted security. The defendant asked for \$250 security, and he, the complainant, gave him that amount in cash. Then the complainant wrote him a letter in which he said that he engaged him from the 1st of February, 1891, for his office, at 339 East 86th Street, which he, the defendant, had furnished in order to have an agency for the New York Life Insur-

**POOR QUALITY
ORIGINAL**

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ance Company. For the first month he, the complainant, was to receive \$8 a week, and, after that, according as the business increased his, the complainant's, compensation was to be increased. They were to give each other a week's notice of any desire to terminate the agreement. In view of the fact that he, the complainant, was to collect money in large amounts, he was required to put up, as security, \$250, and the defendant gave him a receipt for it, with the understanding that when he wished to leave he would receive this amount undiminished fifteen days after he, the complainant, notified him of his desire to leave his, the defendant's, employ, with interest at 3%. While in his employ, he, the complainant, was to receive interest on this amount each quarter, at the rate of 6%. On the 23rd day of January he demanded his money, from the defendant, and the defendant then promised that he would pay him on the 25th of April. He first said that he would

**POOR QUALITY
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pay it on the following Saturday, and he, the complainant, consented to wait that long. He, the complainant, gave the defendant notice that he would quit his employ on the 14th of February, and he demanded his money, on the 23rd of April. He left the defendant twice. That was the last time that he left him. On the 25th of April the defendant said that he would receive his money at 1 o'clock that afternoon, but he, the complainant, did not see him at that time, because the defendant was not in his place of business. At half-past 1 o'clock he received a letter from the defendant in Ormay's office. The defendant's daughter handed it to him. In the letter the defendant said that the complainant had notified him that as his salary was not paid regularly, he wished to leave, and wanted the return of his deposit. He, the defendant, had consulted his lawyer, but that he, the defendant, would not tell what advice his lawyer would give.

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However, he, the defendant, would settle with him, the complainant, on the following Monday, between 2 and 3 o'clock. On that day he, the defendant, would have about \$800, and could settle with all his creditors. If he, the complainant, acted in any odious way to him between that time and Monday, he, the defendant, would pay the money into court. He, the complainant, met the defendant between half-past 2 and 3 o'clock, on the following Monday, and demanded his \$250, but did not receive it, and has never received one penny of it. In

C r o s s - E x a m i n a t i o n ,

the complainant testified that when he asked the defendant for his money he said, "I have no money, to-day. I will receive some money," and then he, the complainant, had the defendant arrested. He, the complainant, had been educated

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in a mercantile business, and had been a salesman.
He was selling gelatine. He had never before
been in the insurance business until he got in
business with the defendant. He had been in
the United States only, one year.

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FOR THE DEFENSE,

WILLIAM BIRNBAUM, testified that he was a manufacturer of meerschaum pipes and other goods at 80 Nassau Street. He knew the defendant and had known him about two years. His character for honesty was good. He knew a number of people who knew him, and had never known anything to his detriment.

ADOLPH KRONALD, testified that he was engaged in the woolen business, as a jobber, at No. 6 Walker Street. He knew the defendant, and knew that his

**POOR QUALITY
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character was good. He had known him about four or five years. He had never had any business dealings with him.

LOUIS TYNBERG, testified that he was a salesman for L.

Friedberger, of 67 Greene Street, an importer. He knew the defendant. He had known the defendant personally only since the charge had been made against him, but he had known his family for about two years, and he had heard him spoken of as a man of good character.

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RUDOLPH ROMAY, the DEFENDANT, testified that he lived at 233 West 143rd Street. He was married, and he was engaged in the insurance business, and had been for about 20 years. He had been connected with the New York Life Insurance Company for about three years. He became acquainted with the complainant through the complainant's answer to an advertisement that he the complainant inserted for a partner. The complainant offered to become a partner, and he concluded to contract with the complainant in November. The conditions were that each partner should put \$250 into the business. On the 25th or 26th of November the complainant paid \$50 on account. Then he, the defendant, rented an office, and the complainant was present when the office was rented. The agreement was that in December he should put in \$100 more, and the remaining \$100 in January. He, the complainant, bought everything that was nec-

POOR QUALITY
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essary for the office. He rented the office until the 1st of May, then he, the d-fendant, waited until the complainant put up the other money, because it was a risky thing, and he did not want to involve himself too far. He, the complainant, bought for the office 4 desks, carpets, chairs, a table and a stove. He bought about \$250 worth of furniture, and paid \$50 on account. The rent was to be \$40 a month. He, the complainant, paid the rent for January, February and March. In December the complainant paid another hundred dollars. He did not pay the \$100 due in January. He, the defendant, also paid out money for advertising, printing and stationery, amounting, in all, to about \$80. The complainant was a partner in January, and he, the defendant, paid him no wages. In February he did pay him wages. The complainant left of his own accord, and he paid the complainant his wages in full. The agreement was that he should return the complainant's money to him if he gave

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him notice before the 15th of the month. That would make the \$250 payable on the 1st of May, if he had given it before the 15th. But as he did not give him notice until after the 15th, that would make the money payable on the 1st of June. The complainant met him in the street, and asked him for his money, and when he did not give it to him, because it was not due, he had him arrested. A man named Seebach was with the complainant at the time. He, the defendant, had no intention whatever to defraud the complainant. He was arrested before the \$250 was actually due, under their agreement. In

C r o s s - E x a m i n a t i o n ,

the defendant testified that he spent the money that he received from the complainant, and did not put it into bank. He spent it for rent and office expenses. He did not keep any books of account.

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There was a partnership agreement, but the complainant did not carry out the agreement by paying the last \$100. He paid the complainant wages, because he considered him no longer a partner when he failed to pay the last \$100. He did not give the complainant back the \$150 that he had up to that time received from him--at the time he dissolved partnership. He could not recollect how many times he had advertised in the Staats-Zeitung for partners with capital between the month of August, 1890, and January, 1891. He had probably advertised two or three times. He did take a man named Schaller into partnership in the office at 95 2nd Avenue, about January, 1891. Schaller put up security, too. Schaller wanted to learn the business. He put up \$500. He and Schaller were still in partnership. He, the defendant, did not put anything into the partnership between himself and the complainant. The furniture had been taken back by the person

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who had sold it to him on the instalment plan. He had paid \$110 on it. There were no profits made in the partnership with the complainant. In the insurance business the profits do not come in immediately. He did not know whether there were any profits, because he had not made up his accounts with the company. The accounts were in the office books. He did not make any division with the complainant of profits, because he was not a partner as he did not pay the last \$100.

Police Court 5 District.

Affidavit—Larceny.

City and County }
of New York, } ss :

Norman Brenzel

of No. 515-E-83

Street, aged 49 years,

occupation agent

being duly sworn,

deposes and says, that on the 30 day of January 1891 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property, viz :

Good and lawfull money
of the United States to the amount
of Two hundred and fifty dollars

the property of

Deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and carried away by Rudolph Ormay (nowhere) for the reasons following to wit,

On said date defendant employed deponent as a clerk and to secure the proper and honest performance of duty ~~as~~ defendant received the sum of Two hundred and fifty dollars ^{from deponent} (the receipt thereof is attached), the Defendant agreed to return the said Two hundred and fifty dollars, when deponent would leave defendants employment and his accounts correct, ~~deponent~~ on April 25th inst defendant discharged deponent from his employ - and deponent demanded the said Two hundred and fifty dollars

Sworn to before me, this 100 day

Police Justice

left with Defendant by Deponent as security for the honest performance of duty by Deponent, and was ~~depon~~ told by Defendant that he would repay it ~~on~~ at one o'clock P. M. on said date. At one o'clock P. M. on said date, Deponent again demanded from Defendant the said money and Defendant ^{wrote a letter to Deponent stating} ~~that~~ he would pay it on Monday April 27th inst, on Monday the 27th inst, Deponent again demanded ~~for~~ the said money from Defendant and was told that the afternoon was not yet over, Deponent therefore had Defendant arrested.

Wm. P. Penger

Sworn to before me
this 28th day of April 1891.

[Signature]
Police Justice

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Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK,

5 District Police Court

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

Question. What is your name?

Answer.

Rudolph Ormay

Question. How old are you?

Answer.

48 yrs

Question. Where were you born?

Answer.

~~Germany~~ Austria

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

Answer.

165-E-86² RT

3 weeks

Question. What is your business or profession?

Answer.

Insurance Agent

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-

Rudolph Ormay

Taken before me this

28

day of

[Signature]

Police Justice

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BAILED,
No. 1, by Charles Brown
Residence 6 Waverley Street.
No. 2, by Charles Brown
Residence 6 Waverley Street.
No. 3, by Charles Brown
Residence 6 Waverley Street.
No. 4, by Charles Brown
Residence 6 Waverley Street.

Police Court-- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Harmon Brown
575 - E. 83 St.

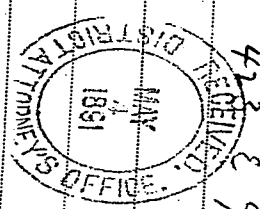
Charles Brown

Offence Grand Larceny

Dated April 28 1891

James Brown Magistrate.
James Brown Officer.

Witnesses James Brown
James Brown Street.



No. 1000 Street.
to answer James Brown

James Brown Street.
James Brown Street.

James Brown 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 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 April 28 1891

Police Justice.

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

Dated Apr 30 1891

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
Rudolph Ormay
-----:

City and County of New York : ss-

Rudolph Ormay, being, sworn, says: I am 52 years of age and was born in the town of Papa in Hungary. I am a married man having been married 22 years and my wife is living. I have also three children living. The oldest is a boy and is now teaching music in Elmira N.Y. The other two children are girls of the age of 15 and 6 years respectively. My wife and my daughters are entirely dependent on me for support I have been in this country for three years and during that time I have been in the employ of the New York Life Insurance Company of this City. Before coming to this country I was in the employ of the Anchor Life Insurance Company of Vienna x for 2 years and on leaving there I went into the employ of ~~the~~ the Gresham Life Insurance Company of London, England and acted as one of their agents in Vienna, Pesth and Prague and remained in their employ for 15 years. After 15 years of service with the Gresham Company my wife inherited a steam flouring mill and I carried on that business for 7 years. The competition of American flours was so great that at length I failed in business and lost all I had. I then came to New York and brought with me an introduction from the Gresham Company to the New York Life Insurance Company by which I have been employed as an agent to obtain insurance. The superintendent of Agents in the New York Life Insurance Company is a Mr.-

Appelius who is now in Europe . Since I have been in this country I have had a hard time to support my wife and daughter. I was very desirous of becoming a general agent of the New York Life Insurance Company and was informed by Mr. Appelius that I would be made one if I procured a considerable amount of business I had taken one partner by name Ludwig Schaller, and we had an office at No. 95 Second Avenue in this City the rent of which was \$45 a month. I then sought to procure another partner. The complainant answered my advertisement and I obtained from him in all \$250. I opened another office at # 339 East 86th. Street and paid rent for this office \$40 a month. The money I obtained from complainant I spent as follows as nearly as I can recollect.

Rent 2 months at \$40	80.00	80.00
On furniture for office 2 installments		80.00
To complainant wages after 1st. arrangement		24.00
Signs for office		27.00
To complainant for curtain signs material		8.00
Gas stove for office		10.00
Advertisement for agents stationery, printing, for the business about		20.00
		<u>\$249.00</u>

Such receipts as I have by me for these expenditures I have given to my counsel To the best of my recollection the above is a correct statement of my expenditures out of the money received from the complainant. I have never before committed any crime . I had no proper understanding of the legal effect of the agreement between myself and the complainant and did not understand that the money given by him must be kept intact to be returned to him. Since this has been explained to me by my counsel I see that I committed a crime in using

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that money. Through the advertisement I put in the papers I have secured a number of agents for the N.Y. Life Insurance Co. as appears by affidavit made herein.

I beg that Court will extend to me extreme clemency. I have heretofore been honest and honorable and I beg that I may be given an opportunity to be so again. My wife and daughters have no means of support except what I provide and no friends who can aid them in the way of support. I am myself entirely without means.

Sworn to before me this
30th ^{22nd} day of June, 1891.

Rudolph Orinay

Robt O Taylor
Notary Public 108
New York County

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

The People of the State of New York,
against
Rudolph Ormay.

City and County of New York. } ss.

Francis J. A. Darr, being sworn, says:-

I am in the employ of the New York Life Insurance Com-
pany of this City as assistant to the Superintendent,
and Instructor of Agents.

The following named persons were engaged by said company
as agents to procure insurance, through the above-named defen-
dant since the latter part of November 1890, to the best
of my knowledge & belief, as the original
arrangement was made with the Superintendent
who is now in Europe.

Hanbold & Co }
E Beck. }
A. Caspari }
J.B. Altmann }
C.A. Dickelsen }

Francis J. A. Darr
Inst. of Agents.
Met. Dist.

Sworn to before me this
9th. day of June, 1891.

Theodore Van Wyck

NOTARY PUBLIC WESTCHESTER CO.
Certificate Filed in New York Co.

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

The People of the State of New York,
against
Rudolph Ormay.

To the
Hon. Frederick Smyth,
Recorder.

The undersigned, jurors upon the trial of the above-named
defendant, respectfully request that the extremest leniency,
consistent with your Honors duty, be extended to said defen-
dant.

John Müller.
W. Hyman
Henry Weiss
Julius Steiner
John H. Boedecker.
John J. Dingley
Wm Zimmer
David M. Rapp
Bruno H. Berger
Chas E Wilcox
Isa Taylor
Carl Goerwitz.

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NEW-YORK LIFE INSURANCE CO.

346 & 348 Broadway,

OFFICE OF THE SUPERINTENDENT,

H. A. APPELIUS.

New York,
Court of General Sessions of the Peace
of the City and County of New York
The People of the State of New York
Rudolph May

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State of New York
City and County of New York S.S.

William H. Marvin being duly
sworn, says, I reside in New Rochelle, N.Y.
and am ^{one of the} ~~active~~ ^{active} Superintendents
of the City of New York -
of the New York Life Insurance
Company; I know and have known
for the past three years Rudolph May
the other named defendant; and it
is my opinion and I believe him to
be an honest, sober, and industrious
man; he has been an agent of our
company off and on for the last three
years -

Subscribed before me
this 5th day of June 1891
Dated & Subscribed W.H. Marvin

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

The People of the State of New York
against
Rudolph Ormay.

City and County of New York, ss.:

Sigmund ^{4th}Timberg, being sworn, says: I am a
physician and live at No. 321 East 42nd. Street, in this
city where I have practised my profession for the last six
years. I have known the above-named defendant for 2 years
last past. He is a sober, industrious man and had been a
good husband and father. I have always heard of him as an
honest man and believed him to be such. I believe that he
would never again commit crime but would be a decent and
honest citizen if given another opportunity. I believe that
he was led to commit this crime by the difficulties he en-
countered in supporting his family. I shall be glad to co-
operate with his few friends to secure him employment and
believe we should be successful, should the the Court be
able to extend to him its extremest clemency. He is, I be-
lieve, entirely without means, and his wife and children
have been entirely dependent upon him for support. I respect-
fully urge upon the Court the extremest clemency that it
may deem consistent with its duty.

Sworn to before me this

^{5th} day of June, 1891.

Robt Taylor
Notary Public 108
New York County

S. Timberg

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

The People of the State of New York }
against
Rudolph Ormuy. }

City and County of New York } ss.

Jennie Horwath, being sworn, says:
I know the above-named defendant
and have known him for two years. I
know others who know him. His
reputation for honesty has been good.
I have known him as a sober and
industrious man. I am in business
at Room ~~12~~ 129, Bible House in this city
and reside at No 63 East 59th Street in
this City.

Sworn to before me }
this 9th day of June, 1891. } Mrs Jennie Horwath

William AppenDix
Notary Public
City & County of New York

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

The People of the State of New York
against
Rudolph Ormay.

State of New York,
City and County of New York.

Ludwig Schaller, being
duly sworn, says, I reside at No 423 East 9th
Street in the City of New York; I know the
above named Rudolph Ormay, and have
known him since December 1890; on the
second of January of this year I became
his partner in the life insurance
business; our place of business was at
~~329~~ 95 Second Avenue; I continued
his partner till he was arrested; I
believe that the defendant is an honest,
sober and industrious man; and that
by reason of his arrest our business has
been ruined and I have been compelled
to seek other employment.

Sworn to before me this
10th day of June 1891

E. W. L. Glaz
Notary Public Westchester Co.
Certificate filed in N. Y. Co.

Ludwig Schaller

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

The People of the State of New York
Rudolph Brumby.

State of New York.

City and County of New York; ss.

Julius Jackson, being duly sworn,
says; I reside at No. 314 East 42^d Street
in the City of New York; I know and
have known for the past three years
Rudolph Brumby, the above named de-
fendant; he is, I believe, a sober,
honest, and industrious man, and
a good husband and father; I believe
that he would never again commit
crime, but would be a decent and
respectable citizen, if given another
opportunity; I believe that he was led
to commit this crime, the difficulty
he encountered in supporting his family,
which consists of a wife and
three children.

Sworn to before me
this 5th day of June
1891

Robt O Taylor
Notary Public (08)
New York County

Julius Jackson

Agenda for all cases

The People of the State of New York
against
Rudolph Arway.

Adolph U. Laky, being sworn, says:-
I am a watchmaker and jeweller
and carry on business at N-1038 Third
Avenue in this city. I have been in
business for myself for over four years.
The above-named defendant is a
countryman of mine. I have known
him three years. I know his family and
I know many people who know said
defendant. I know his reputation
among those who know him and
it has heretofore been very good. I never
heard it questioned. I have always
esteemed him as an honest man.

Sworn to before me
this 8th day of June, 1891. { A. U. Kalkreuth
William C. Wetherick
Notary Public
City & County of New York

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

The People of the State of New York,
against
Rudolph Greney.

State of New York
City and County of New York. } ss.

William Birnbaum, being sworn, says:
I am a manufacturer of pipes and smokers sundries and have been in business for myself in the city of New York since 1868. I have known the above-named defendant well for the past two years and I know others who know him. I never heard his reputation for honesty and right dealing questioned before the present time. I can say from my own observation that during my acquaintance with him he has been a sober, industrious man, a good father and husband. So favorably has he impressed me that with a full knowledge of the circumstances of the present charge and conviction I should not hesitate to trust him in the future, and I believe that I could, with the assistance of friends, procure employment for him that would enable him to support his family, if the court should extend extreme clemency to him.

POOR QUALITY
ORIGINAL

1091

Sworn to before me this
19th day of June, 1891.

Wm. B. Bunnell

Charley J. Fennett
Notary Public
N.Y. Co.

POOR QUALITY
ORIGINAL

1092

Court of General Sessions

The People of the State of New York,

Plaintiff,

against

Rudolph Orway,

Defendant.

Affidavit.

JEROME & NASON,

Attorneys for

defendant.

Temple Court,

7 BECKMAN STREET,
NEW YORK CITY.

POOR QUALITY
ORIGINAL

1093

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Richard D. Dwyer

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

The said *Richard D. Dwyer*
late of the City of New York, in the County of New York aforesaid, on the
Twenty-fifth day of *April*, in the year of our Lord
one thousand eight hundred and *nineteen*, at the City and County aforesaid, being
then and there the clerk and servant of *Judge of the Court*.

Barrett
and as such clerk and servant, then and there having in his possession, custody and control
certain moneys, goods, chattels and personal property of the said

Norman Barrett,
the true owner thereof, to wit: *the sum of two hundred*
and fifty dollars in money, lawful
money of the United States of America
and of the value of two hundred
and fifty dollars.

the said *Richard D. Dwyer* afterwards, to wit:
on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,
did feloniously appropriate the said *sum of money*

to his own use, with intent to deprive and defraud the said *Norman Barrett*,
of the same, and of the use and benefit thereof; and the same moneys, goods, chattels and
personal property of the said *Norman Barrett*.

did then and there and thereby feloniously steal, against the form of the statute in such
case made and provided, and against the peace of the People of the State of New York and
their dignity.

John R. Fellows
JOHN R. FELLOWS,

District Attorney.