

0908

BOX:

537

FOLDER:

4894

DESCRIPTION:

O'Brien, John

DATE:

10/03/93



4894

0909

#17

~~Lehman~~

Witnesses:

Wm H Newell

Counsel,

Filed

3 day of Oct 1893

Pleads

Not guilty

THE PEOPLE

vs.

John C. Brien

W. Michaelis

Grand Larceny, First Degree.
(From the Person.)
[Sections 638, 640, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Edward G. Taylor

Oct 3/93 Foreman.

Theresa A. Gray

Sentence suspended
Sept 6/93 Rb. 11g 26 #

Police Court

2 District.

Affidavit—Larceny.

City and County }
of New York, } ss:

William H Newell

of No. Norfolk Va - Street, aged 37 years,

occupation Rail Road business being duly sworn,

deposes and says, that on the 4 day of October 1893 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 nighttime, the following property, viz:

One watch and one chain the whole of the value of a sum of fifty three dollars

the property of

deponent

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and carried away by

John O'Brien (number)

from the fact that deponent had said watch and chain in his vest pocket. He was standing on Sixth Avenue on said date watching a procession pass along said street. That he suddenly felt said property being pulled from his person. Deponent made an alarm and was informed by Officer Vallely that he arrested

deponent as he was in the act of running away and that said officer saw the deponent drop a watch on the street. Deponent has identified said watch as the property of deponent

W. H. Newell

Sworn to before me, this 4 day of October 1893

of [Signature] Police Justice.

0911

Sec. 198-200.

District Police Court. 1883

City and County of New York, ss:

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

Question. What is your name?

Answer.

John O'Brien

Question. How old are you?

Answer.

14 years

Question. Where were you born?

Answer.

U.S.

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

Answer.

121 Charlton Street 4 months

Question. What is your business or profession?

Answer.

work in Soap factory

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

Answer.

*I am not guilty
John O'Brien*

Taken before me this 3 day of April 1893
[Signature]
Police Justice.

09 12

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, Oct 3 1893 _____ *Police Justice.*

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

Dated, _____ 189 _____ *Police Justice.*

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

Dated, _____ 189 _____ *Police Justice.*

0913

1058

Police Court--- 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Wm H Newell

vs.
John O'Brien

Offense. *Carriage*

2
3
4

Dated, *Oct 3* 189 *3*

Roch Magistrate.

Valley Au Carey Officer.

Central Precinct.

Witnesses *Carl Spicer*

No. *Valley* Street

No. _____ Street.

No. _____ Street.

\$ *1000* to answer *G.S.*

Com



BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Court of General Sessions of the Peace
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

John 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 *first* 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 *second* day of *October*, in the year of our Lord one thousand eight hundred and ninety-*three*, in the *night*time of the said day, at the City and County aforesaid, with force and arms,

one watch of the value of thirty-five dollars and one chain of the value of eighteen dollars

of the goods, chattels and personal property of one *William H. Newell* on the person of the said *William H. Newell* then and there being found, from the person of the said *William H. Newell* 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.

Wm. Lancy
District Attorney

09 15

BOX:

537

FOLDER:

4894

DESCRIPTION:

O'Brien, Michael A.

DATE:

10/18/93



4894

0916

Witnesses:

James Birmingham
Off Wren

Counsel,

Filed

day of

189

Pleads,

THE PEOPLE

vs.

P

Michael A. O'Brien

Assault in the First Degree, etc.
(Sections 217 and 218, Penal Code.)

DE LANCEY NICOLL,

District Attorney.

Part III
Part 17th Nov 93

A TRUE BILL.

Edward G. Taylor

Foreman.

Part 3 - November 22/93
Deft discharged on
his verbal recog.

From an examination
made in this case
and by the written statement
of the Complainant I
am persuaded no
objection can be had.
I would therefore recommend
the discharge of the
Defendant upon his
Oath Requivies.

Nov. 17th 93. Wm. J. Inman
Notary Public

Court of General Sessions -
 City and County of New York
 The People
 against
 Michael A. O'Brien.

To
 J. Sancy Nicoll District Attorney
 City and County of New York -
 Whereas I have heretofore made a complaint against the above named Defendant. Charging him with an assault upon me - and upon which complaint an indictment has been found. I would respectfully request the privilege of withdrawing said charge, and ask that the indictment be dismissed and the prisoner discharged. My injuries were very slight, and I do not believe the Defendant intended to cut or injure me. This injury was the result of a quarrel with the Defendant, in which I was not entirely blameless. The Defendant & myself were engaged in a quarrel. The Defendant had a knife in his hand - I grabbed hold of the knife and so

doing I was cut slightly upon
 my right thumb - not severely
 and I feel that the wound
 has already been sufficiently
 punished -

In presence of
Paul Mann
 Dated Nov 1st 1893

Respectfully
 J. H. + B. W. B. W. B. W.
 most

Genl. Samuel Lewis
Cecily Hamby of New York
The Post Office

93

Michael J. Quinn

William

0920

Police Court 4 District.

1931

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

of No. 203 East 35 Street, aged 27 years,
occupation Librarian

being duly sworn,
deposes and says, that on the 8 day of October 1893 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Richard A. Boreau
(number) who did willfully and
feloniously cut and stab deponent
on the right hand with a
knife held and then held in
the hand of said deponent

with the felonious intent to take the life of deponent, or to do him grievous bodily harm; and without
any justification on the part of the said assailant.

Wherefore this deponent prays that the said assailant may be apprehended and bound to answer
for the above assault, etc., and be dealt with according to law.

Sworn to before me, this 8 day }
of October 1893 } James B. Brumley
} Mark
} and
} Sworn
Chas. H. P. R. R. Police Justice.

0921

Sec. 193-200.

D

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Michael O'Brien*

Question. How old are you?

Answer. *20 yrs*

Question. Where were you born?

Answer. *New York*

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

Answer. *305 East 20 Street, 6th*

Question. What is your business or profession?

Answer. *Laborer*

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

Answer. *I am not guilty*

Michael A O'Brien

Taken before me this

day of

189

Michael O'Brien

Police Justice.

0922

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 W. J. ...

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

Dated, Oct 3 1893 Wm. L. ... Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

0923

1072
1894

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James Birmingham
203 E. 125 St.
Nicholas Martin

Offense
Car and

2
3
4

BAILED,

No. 1, by
Residence Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

Dated, *Oct 8* 189

Ranker Magistrate.

Orin Officer.

18 Precinct.

Witnesses

No. Street.

No. Street.



No. Street.

\$ *1000* to answer *G.S.*

[Signatures]

0924

Court of General Sessions of the Peace
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Michael A. O'Brien

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

Michael A. O'Brien

of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said *Michael A. O'Brien*

late of the City of New York, in the County of New York aforesaid, on the *eight*
day of *October* in the year of our Lord one thousand eight hundred and
ninety-*three*, with force and arms, at the City and County aforesaid, in and upon
the body of one *James Birmingham* in the peace of the said People
then and there being, feloniously did make an assault, and *him* the said
James Birmingham with a certain *knife*

which the said *Michael A. O'Brien*
in *his* right hand then and there had and held, the same being a deadly and
dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, stab and
wound,

with intent *him* the said *James Birmingham*
thereby then and there feloniously and wilfully to kill, 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

Michael A. O'Brien

of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *Michael A. 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, in and upon the body of the said
James Birmingham in the peace of the said
People then and there being, feloniously did wilfully and wrongfully make another assault,
and *him* the said *James Birmingham*
with a certain *knife*

which the said *Michael A. O'Brien*
in *his* right hand then and there had and held, the same being a weapon and
an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully
and wrongfully strike, beat, cut, stab and wound, 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

Michael A. O'Brien

of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

Michael A. 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, in and upon the said *James Birmingham* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and *him*, the said

with a certain

knife James Birmingham

which

he

the said

Michael A. O'Brien

in

his

hand

of

him

the said

James Birmingham

then and there feloniously did wilfully and wrongfully strike, beat, stab, cut, ~~twice~~ and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said

James Birmingham

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.

0926

BOX:

537

FOLDER:

4894

DESCRIPTION:

O'Brien, Thomas

DATE:

10/24/93



4894

0927

144 ~~M. G. G.~~

Witnesses:
Jos a Lewis
Ben C. Winter

Counsel,
Filed ~~24~~ day of ~~Feb~~ 189
Pleads, ~~Not guilty~~

123 Clinton Place
Upholsterer
vs.
Thomas O'Brien

THE PEOPLE

Grand Larceny, second Degree
[Sections 588, 589, 590 - Penal Code.]

Subpoena officer
scrupled for
29th

Part 2 - Nov. 21, 1893.
Sind and convicted
of G. L. 2nd Degree.
Cath. Porter
Nov. 29/93 DE LANCEY NICOLL
District Attorney.

Part 2 Nov. 10.
15.93
21.93

A TRUE BILL.
Edward G. Taylor
Foreman.

0928

(1865)

Police Court _____ District.

Affidavit—Larceny.

City and County }
of New York, } ss.

of No. 340 West 21st Street, aged 31 years,
occupation Truckman Benjamin C. Winters

deposes and says, that on the 16 day of October 1893 being duly sworn,
at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent, in the day time, the following property, viz:

One horse; and one express wagon; together valued at about three-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

Thomas Brown; now here, from the fact; that the said property was left standing in front of the corner of 13th Street and 5th Avenue.

Officer Lewis of the 27th Precinct Police subsequently arrested this deponent with the said property in his possession on 83rd Street and 2nd Avenue.

Therefore deponent charges this deponent with larceny and stealing the said property, and prays that he may be held to answer.

Benj. C. Winters

Sworn to before me, this _____ day of _____ 1893
of _____
_____ Police Justice.

0929

1877

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 30 years, occupation Joseph A Lewis
Officer of No. 1

27 - Precinct - Police Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Bryannin Sanders

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

Sworn to before me, this 17
day of October 1893

Joseph A Lewis

[Signature]
Police Justice.

0930

Sec. 188-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

D
District Police Court.

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

Question. What is your name?

Answer. Thomas O'Brien

Question. How old are you?

Answer. 16 years

Question. Where were you born?

Answer. New York

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

Answer. 123 Clinton Place, 2 years

Question. What is your business or profession?

Answer. Labour.

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

Answer. I am not guilty.
Thomas O'Brien
his mark

Taken before me this

day of

189

John J. ...

Police Justice.

0931

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 October 17 189 } *W. E. Sumner* Police Justice.

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

Dated..... 189..... 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..... 189..... Police Justice.

0932

Police Court--- 5 District. 1117

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Benjamin C. Venters
vs. Thomas O. Bruce

Office of
Jury
Jury

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

2 _____
3 _____
4 _____
Dated October 17 1893

Sumner Magistrate.
Lewis Officer.
27 Precinct.

Witnesses
No. *Call the Officer* Street.



No. _____ Street.

No. _____ Street.

\$ 1000. to answer G. S.

cm 912

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

THE PEOPLE,
VS.
THOMAS O'BRIEN.

) BEFORE
)
) HON. RANDOLPH B. MARTINE,
)
) AND A JURY.

TRIED, NOVEMBER 21ST, 1893.

INDICTED FOR GRAND LARCENY IN THE SECOND DEGREE.
INDICTMENT FILED OCTOBER 24TH, 1893.

APPEARANCES:

ASSISTANT DISTRICT ATTORNEY BARTOW S. WEEKS,
FOR THE PEOPLE.

JAMES W. MCLAUGHLIN, ESQ.,
FOR THE DEFENSE.

//////////

0934

2

JCSEPH A. LEWIS, testified that he is an officer of the Municipal Police, attached to the 5th (formerly the 27th) precinct.

At about 5 o'clock in the afternoon of October 16th, he, the witness, saw the defendant, at 83rd Street and 2nd Avenue. He was in a wagon on which appeared the name "Benjamin C. Winters," and he was trying to get the horse to go. The witness took the defendant, who was intoxicated, to the station-house, and made a charge against him of intoxication and of being unable to take care of the property in his possession. He, the witness, then notified the person whose name was on the wagon, and the person called at the station-house at about 5 or 6 o'clock that day. He, the witness, had no conversation with the defendant at the time of the arrest, because the defendant was under the influence of liquor, but, the next morning, on the way to the court, the witness asked him, the defendant where he obtained the horse and wagon, and, he, the defendant, said that "a fellow" gave them to him. Mr. Winters, in the presence and hearing of the defendant, said that

0935

3

the ~~man~~ wagon had been stolen from 13th Street and 5th Avenue, while the driver was getting some parcels.. The defendant, however, said that it was given to him by another party, to drive. There were two parcels in the wagon.

In

CROSS-EXAMINATION

the witness testified that, at the time of making the arrest, the defendant had the horse and wagon standing across the car-tracks, "blocked."

ALCIZO WINTERS testified that he is a brother of Benjamin C. Winters, who is in the trucking business, at 104 East 13th Street. He, the witness, knew the horse and wagon referred to in this case. He valued that property at \$350. He, the witness, knew the defendant only by sight. He, the defendant, had never been in his, the witness's, employment. He, the witness, did not know the defendant until his, the defendant's, arrest.

0936

THE DEFENSE.

THOMAS O'BRIEN, testified that he did not take the property in question with the intention of stealing it. The witness testified, further, "A boy gave it to me. I was going home, and I jumped in the wagon to take a ride home, and then the boy jumped off the wagon and left the wagon to me, and I was trying to bring it back to where it belonged to." He, the witness, was so much under the influence of liquor, at the time of his arrest, that he didn't know where he was.

In

CROSS-EXAMINATION

the witness testified that he was not sober when he got into the wagon. A boy named Pajoli, over on 6th Avenue, gave him, the defendant, a bottle of liquor, and he drank the liquor and became drunk. He, the witness, was 16 years of age, and lived at 123 Clinton Place, with his sister and brothers. Pajoli was not the boy

0937

that got on the wagon with him, the defendant. Pajoli's place was at 157 6th Avenue. He, the witness, drank the liquor, and walked up to the Central Park, and around there, and then up to 100th Street. He did not know the name of the boy in the wagon. He, the witness, was going out of the Central Park when he saw the wagon, and he jumped on it to ride home, and the boy asked where he, the defendant, was going, and he said he was going home, and he asked him, the defendant, where he lived, and he, the defendant, told him, and when they got down a couple of blocks the boy jumped off the wagon and left it to him, the defendant. He, the defendant, was very drunk when he got into the wagon. The boy seemed older than him, the defendant. The defendant testified, "I was waiting for him, after he got off the wagon, and then I seen he didn't come, and I was going to bring the wagon back to where it belonged." The defendant was about 90th Street, on 5th Avenue, when the boy left him, and he got

0938

6

out of the wagon, and read the address on the side of the wagon, and then started to drive down 5th Avenue, to 13th Street, to deliver the horse and wagon to the owner. The defendant worked at making beds. He worked, last, about four months ago. He could not get work since then on account of his hand. On the morning of the alleged larceny he, the defendant, left home about 9:30 and went to a coal place at 157 6th Avenue, where Pajoli worked. He, the defendant, remained there about 15 minutes, talking and drinking whiskey with Pajoli. Pajoli was putting whiskey out of a can into bottles for a man. Pajoli and the defendant each drank a small glass of the whiskey, and then Pajoli gave the defendant a bottle of whiskey, and the defendant put it in his pocket and started up Sixth Avenue for the Central Park. He entered the Park at 59th street and 5th Avenue, and walked around, looking at the animals and at the carousel, and finally reached 100th Street. He did not ride up sixthth avenue on the wagon. He

0939

7

He left the Park at 101st Street, intending to get a ride down 5th Avenue home. He had 35 cents in his pocket when he started out that morning. He did not spend it for riding or eating, because he wanted to keep it to use in buying clothing. HE rode down to 90th Street, when the boy said, "Wait here till I come back," and he, the defendant waited about two hours. He, the defendant, drank whenever he felt like doing so, that afternoon, and he was drunk when the boy left him. He had never before been drunk. The whiskey was in a soda water bottle. The liquor took effect on him, the defendant, and he didn't know where he was going. He did not find the whiskey in the wagon. He, did not intend to steal the wagon; he intended to return it to its owner. He, the defendant, worked for a doctor, for a year, and used to drive the doctor's horse and wagon occasionally, but he never saw horses bought and sold, and had never been at the horse market in 76th Street and the river.

0940

8

JOSEPH A. LEWIS, recalled by defendant's counsel, testified that the packages in the wagon were unbroken. They were about the size of a soap box, and could be carried.

0941

Court of General Sessions of the Peace
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Thomas O'Brien

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

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

The said

Thomas O'Brien

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

*one horse of the value of
two hundred dollars, and
one wagon of the value
of one hundred dollars*

of the goods, chattels and personal property of one

Benjamin C. Winters

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.

0942

SECOND COUNT—

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

Thomas O'Brien

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

The said

Thomas 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,

*one horse of the value
of two hundred dollars, and
one wagon of the value
of one hundred dollars*

of the goods, chattels and personal property of one

Benjamin C. Winters

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

Benjamin C. Winters

unlawfully and unjustly did feloniously receive and have: the said

Thomas O'Brien

then and there well known 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.

0943

BOX:

537

FOLDER:

4894

DESCRIPTION:

O'Keefe, Patrick

DATE:

10/27/93



4894

0944

BOX:

537

FOLDER:

4894

DESCRIPTION:

Callan, Thomas W.

DATE:

10/27/93



4894

0945

Witnesses:

W. Hanahan

390

~~*Penitentiary*~~

Counsel,

Filed *27th* day of *Oct* 189*3*

Pleads, *Not guilty*

THE PEOPLE

vs.

Patrick O'Keefe

and

Thomas W. Callan

Robbery, Sixth Degree.
(Sections 294 and 22 & Penal Code.)

H. D.

DE LANCEY NICOLL,

District Attorney.

off Oct Term B.S.W.
off day of 1893

A TRUE BILL.

Edward G. Taylor

Part 3. Nov. 10. /93 Foreman.

Both tried and acquitted.

0946

Police Court 4 District.

CITY AND COUNTY } ss
OF NEW YORK,

Michael Korman

of No. None Street, Aged 33 Years

Occupation Lawyer being duly-sworn, deposes and says, that on the 21 day of October 1883, at the 18 Ward of the City of New York, in the County of New York, was feloniously taken, stolen, and carried away, from the person of deponent by force and violence, without his consent and against his will, the following property, viz:

Good and lawful money
of the United States of the
amount and value of
Forty - five Dollars
(45.00)

of the value of 45 DOLLARS,
the property of deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away, by force and violence as aforesaid by

Patrick O'Keefe and Thomas Callum (both
now here) and another person unknown
to deponent and not yet arrested from
the following facts, to wit: That at about
the hour of 10 P.M. on the aforesaid day
deponent was with said defendants
on West 22nd Street and said property
was in the pockets of the coats worn by
them upon deponent's person
and said defendants volunteered to accom-
-pany deponent to the Station House
where deponent desired to go and instead
of taking deponent to the Station House

day of
Sworn to before me this
188
Police Justice.

0947

said defendants took defendant to the
Pier at the foot of East 22nd Street
and then the aforesaid person who is
unknown to defendant and not yet
arrested seized hold of defendant
and held defendant and said
defendants did then insert their
hands in the pockets of defendant's
pants and forcibly took, stole
and carried away the said property
from defendant's possession
and then ran away

Michael Keenan
Clerk

94
Attorney
of

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars and be committed to the Warden and Keeper of the City Prison
of the City of New York, until he give such bail.
Dated _____ 188
Police Justice.
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated _____ 188
Police Justice.
There being no sufficient cause to believe the within named
guilty of the offence within mentioned, I order he to be discharged.
Dated _____ 188
Police Justice.

Police Court, District.

THE PEOPLE, &c.,
on the complaint of

Offence—ROBBERY.

- 1.
- 2.
- 3.
- 4.

Dated _____ 188

Magistrate.

Officer.

Clerk.

Witness,

No. Street,

No. Street,

No. Street,

\$ to answer General Sessions.

0948

Sec. 193-200.

✓ District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

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

Question. What is your name?

Answer.

Patrick O'Keefe

Question. How old are you?

Answer.

53 yrs

Question. Where were you born?

Answer.

Yes.

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

Answer.

153 E 23rd Str 4 yrs

Question. What is your business or profession?

Answer.

Woodworker

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

Patrick O'Keefe

Taken before me this
day of

Oct 13
1893

24

W. J. Bush

Police Justice.

0949

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK } ss.

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

Question. What is your name?

Answer.

Thomas Callan

Question. How old are you?

Answer.

20 yrs

Question. Where were you born?

Answer.

MS

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

Answer.

340 E 23rd St 2 yrs

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 am not guilty

Thomas W Callan

Taken before me this

day of

Dec 1893

22

Police Justice

0950

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, each and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated Oct 24 1893 M. B. [Signature] Police Justice.

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

Dated _____ 189 _____ 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 _____ 189 _____ Police Justice

095

1138

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Michael Hawald

HOUSE OF DETENTION CASE,
Patrol Office
1 *Thomas Caccan*

2
3
4

Officer [Signature]

BAILED,

No. 1, by

Residence Street

No. 2, by

Residence Street

No. 3, by

Residence Street

No. 4, by

Residence Street

Dated *Oct 24* 189 *3*

Grady Magistrate.

Farrell Officer.

18 Precinct.

Witnesses
Complainant committed
to the House of Detention
in default of \$100 Bonds

No. Street.

No. Street.

\$ *1000* to the effect of



[Signature]

0952

AFFIDAVIT FOR COMMITMENT OF WITNESS.

4771

POLICE COURT 4 DISTRICT.

CITY AND COUNTY }
OF NEW YORK, } ss.

Bernard J. Farrell

of the 18 Precinct Police being duly sworn, deposes
and says that Michael Korman

(now here) is a material witness for the people against
Patrick O'Ruse and Thomas Callum charged
with Robbery

As deponent has
cause to fear that the said Michael Korman
will not appear in court to testify when wanted, deponent prays
that the said Michael Korman be
committed to the House of Detention in default of bail for his
appearance.

Bernard J. Farrell

Sworn to before me this
day of Dec 1889

Wm. J. Brady
Police Justice.

0953

Court of General Sessions of the Peace
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
- against
Patrick O'Keefe
and
Thomas W. Callan

The Grand Jury of the City and County of New York, by this indictment, accuse
Patrick O'Keefe and Thomas W. Callan
of the CRIME OF ROBBERY in the first degree, committed as follows:

The said Patrick O'Keefe and Thomas W. Callan, both late of the City of New York, in the County of New York aforesaid, on the 21st day of October, in the year of our Lord one thousand eight hundred and ninety-three, in the night time of the said day, at the City and County aforesaid, with force and arms, in and upon one Michael Hanahan in the peace of the said People then and there being, feloniously did make an assault; and the sum of forty-five dollars in money, lawful money of the United States of America, and of the value of forty-five dollars

of the goods, chattels and personal property of the said Michael Hanahan from the person of the said Michael Hanahan against the will and by violence to the person of the said Michael Hanahan then and there violently and feloniously did rob, steal, take and carry away, the said Patrick O'Keefe and Thomas W. Callan and each of them, being then and there aided by an accomplice actually present, to wit: each by the other, and by a certain other person, to the Grand Jury aforesaid unknown; against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

De Laurey Nicoll,
District Attorney.

0954

BOX:

537

FOLDER:

4894

DESCRIPTION:

O'Neal, John

DATE:

10/03/93



4894

0955

Witnesses:

Oliver H. Tapsier

Counsel,

Filed

day of

1893

Pleads,

24
11/3/97

THE PEOPLE

vs.

John O'Neal

Oct 3/93

Thos. J. J. J. J.

S.P. 12 yrs R.B.M.

DE LANCEY NICOLL,

District Attorney.

Grand Larceny, Second Degree.
[Sections 538, 567, — Penal Code.]

A TRUE BILL.

Edward G. Taylor

Foreman.

0956

Police Court 2 District.

Affidavit—Larceny.

City and County of New York } ss:

Ames H. Caprice

of No. 115 West 27 Street, aged 19 years, occupation Clerk being duly sworn,

deposes and says, that on the 16 day of September 1893 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 overcoats two under coats three pair of pantaloons and one tan patcher of the value of one hundred dollars.
(100.00)

the property of deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and carried away by John Hall

for the following reasons, to wit: that the said property was in a room in the said premises at 12 o'clock on said date and that upon deponent's return to the room at 6 o'clock PM said date, the said property was missing. Deponent was informed by Annie E. Bond a chamber maid in the said premises that she was occupied about the said premises from the time deponent left at 12 o'clock PM until his return at 6 o'clock PM, and that the defendant was the only person who entered the said room and could have taken the said

Sworn to before me this 17th day of September 1893
at New York
Police Justice

property therefrom and that she
secretely locked and fastened the
door of defendant's room after the
defendant had left the said premises
with a light overcoat and two tan
satchels in his possession.

Wherefore defendant charged the
defendant with feloniously taking, stealing
and carrying away the said property and
prays that he be apprehended
brought to trial and
convicted.

W. S. G. J. P. 1893 } C. H. Tapscott

[Signature]

Police Justice

0958

Sec. 198-200.

CITY AND COUNTY OF NEW YORK

District Police Court.

John O'Neil

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

Question. What is your name?

Answer. *John O'Neil*

Question. How old are you?

Answer. *23 years*

Question. Where were you born?

Answer. *U.S.*

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

Answer. *No home*

Question. What is your business or profession?

Answer. *Waiter*

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

Answer. *I am Guilty*

John O'Neil

Taken before me this

day of

1894

Police Justice.

[Signature]

0959

Sec. 151.

Police Court 2 District.

CITY AND COUNTY }
OF NEW YORK, } ss.

In the name of the People of the State of New York; To the Sheriff of the County of New York, or any Marshal or Policeman of the City of New York:

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by Charles J. Foy of No. 111 W 27 Street, that on the 16 day of Sept 1893, at the City of New York, in the County of New York, the following article, to wit:

Two Overcoat and under coats
were part of Paulatomo and
met the J. J. J. J.

of the value of One hundred Dollars,
the property of Complainant
was taken, stolen and carried away, and as the said Complainant has cause to suspect, and does suspect and believe, by John J. J. J.

Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to answer the said complaint.

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and every of you, to apprehend the body of the said Defendant and forthwith bring him before me, at the 2 DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 16 day of Sept 1893

[Signature]
POLICE JUSTICE.

0960

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

Defendant

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of *Twenty* 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, *Sept 21st* 189 *3*

[Signature]
Police Justice.

I have admitted the above-named.....

to bail to answer by the undertaking hereto annexed.

Dated,.....189

.....Police Justice.

There being no sufficient cause to believe the within named.....

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

Dated,.....189

.....Police Justice.

096

1035

Police Court---

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Chas. H. Sabro
John Neil

And more

1
2
3
4

BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Dated, *Sept 25th* 1893

Wm. H. Jones Magistrate.
Frank J. Adams Officer.

_____ Precinct.

Witnesses *May McLean*

No. *115 N 24* Street.

Benjamin D. Whitcomb

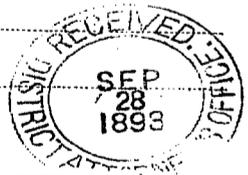
No. *115 N 24* Street.

Ann B. Knight

No. *115 N 24* Street.

\$ *1000* to answer *W.S.*

CM



✓

0962

CITY AND COUNTY }
OF NEW YORK, } ss.

1877

aged 23 years, occupation Chambermaid of No. 115 W 27 St Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Charles H. Depue and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 11th day of Sept 1893 Amie E. Bright

[Signature]
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'Neal

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

John O'Neal

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

The said

John O'Neal

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

two overcoats of the value of twenty-five dollars each, two coats of the value of fifteen dollars each, three pairs of trousers of the value of seven dollars each pair, and one patch of the value of five dollars, —

of the goods, chattels and personal property of one

Charles W. Sapsico

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.

*De Lancey Nicoll,
District Attorney.*

0964

BOX:

537

FOLDER:

4894

DESCRIPTION:

Osmer, Richard

DATE:

10/24/93



4894

0965

BOX:

537

FOLDER:

4894

DESCRIPTION:

Osmer, Joseph

DATE:

10/24/93



4894

0966

Witnesses:

off Lynch

Franz Rosenhaus

346
7/19
~~*Richard*~~
Counsel,
Filed *Sept 26* day of *Oct* 189*3*
Pleads, *Waived*

THE PEOPLE

vs.

P

Richard Greener
18-400 East 9th St
and
Joseph Greener

Assault in the First Degree, etc.
(Sections 217 and 218, Penal Code.)

DE LANCEY NICOLL,

District Attorney.

Part 3
Oct 30

Part 2 Nov 9 93

A TRUE BILL.

Edward G. Taylor

Foreman.

Part 2 - Nov. 10, 1893

~~*Part 1*~~
No. 2 Plead assault 3rd deg
C.J. 30 days - B.H.

No 1 Trial and acquitted

0967

Police Court Fourth District.

1931

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

Frank Horshaus
of No. Madison Avenue bet 51 & 52 Street, aged 27 years,
occupation Walter, being duly sworn,
deposes and says, that on the 15 day of October 1899 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by
Richard Osmer and Joseph Osmer,
both non-residents, while acting in capacity,
who caught hold of deponent,
and the defendant Joseph Osmer,
cut and stabbed deponent twice
on the head with a knife which he
Joseph then drew from his
hand and the defendant Richard
Osmer held deponent by the throat.
Deponent further says
that such assault was committed

with the felonious intent to take the life of deponent, or to do him grievous bodily harm; and without any justification on the part of the said assailant.

Wherefore this deponent prays that the said assailant may be apprehended and bound to answer for the above assault, etc., and be dealt with according to law.

Sworn to before me, this 16 day of October 1899, Frank Horshaus

W. F. Brady Police Justice.

0968

Sec. 193-200.

CITY AND COUNTY OF NEW YORK

 District Police Court.

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

Question. What is your name?

Answer. *Richard Osmer*

Question. How old are you?

Answer. *34 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *1040 Broadway, New York*

Question. What is your business or profession?

Answer. *Barkeeper*

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.*

D. K. Osmer

Taken before me this *11* day of *July* 189*9*
D. K. Osmer
Police Justice.

0969

Sec. 193-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Joseph Osmer*

Question. How old are you?

Answer. *18 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *600 East 91st Street*

Question. What is your business or profession?

Answer. *Barber*

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 exoneration?

Answer. *I am not guilty.*

Joe. Osmer.

Taken before me this

day of *Sept* 189*9*

Police Justice

0970

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

Edward...
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, cash and be committed to the Warden and Keeper of the City Prison of the City of New York until he give such bail.

Dated, Oct 10 189 M. J. ... Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

0971

Police Court--- District.

1114
1894

THE PEOPLE, &c.
ON THE COMPLAINT OF

Francis Northward
347 Park Ave
1 *Edw. A. Snee*
2 *Joseph Snee*
3
4

Offense
Arrest
Feb 1904

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated, *10/16* 189*4*

Grady Magistrate.
Lynch Officer.

Witnesses *Edw. A. Snee*

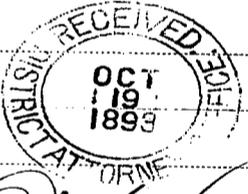
No. Street.

\$ *1000* to answer *Edw. A. Snee*

.....

.....

.....



0972

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 Osmen and Joseph Osmen

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

Richard Osmen and Joseph Osmen

of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said *Richard Osmen and Joseph Osmen*

late of the City of New York, in the County of New York aforesaid, on the *fifteenth* day of *October* in the year of our Lord one thousand eight hundred and ninety-*three*, with force and arms, at the City and County aforesaid, in and upon the body of one *Frank Morschharner* in the peace of the said People then and there being, feloniously did make an assault, and *him* the said *Frank Morschharner* with a certain *knife*

which the said *Richard Osmen and Joseph Osmen* in *their* right hand then and there had and held, the same being a deadly and dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, stab and wound,

with intent *him* the said *Frank Morschharner* thereby then and there feloniously and wilfully to kill, 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

Richard Osmen and Joseph Osmen

of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *Richard Osmen and Joseph Osmen*

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, in and upon the body of the said *Frank Morschharner* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and *him* the said *Frank Morschharner* with a certain *knife*

which the said *Richard Osmen and Joseph Osmen* in *their* right hand then and there had and held, the same being a weapon and an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully strike, beat, cut, stab and wound, 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

Richard Oemer and Joseph Oemer

of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *Richard Oemer and Joseph Oemer*

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, in and upon the said *Frank Morschharner* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and *hit* the said

with a certain *knife,* *Frank Morschharner*

which *they* the said *Richard Oemer and Joseph Oemer*

in *their* right hand, then and there had and held, in and upon the *head* of *him* the said *Frank Morschharner*

then and there feloniously did wilfully and wrongfully strike, beat, stab, cut, ~~beat~~ and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said

Frank Morschharner

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.