

0278

BOX:

276

FOLDER:

2647

DESCRIPTION:

O'Brien, John

DATE:

09/12/87



2647

0279

#83

Witnesses:

Harry Fischer

Counsel,
Filed 2 day of Sept. 1887
Pleads

THE PEOPLE
vs.
John O'Brien
Assault in the Second Degree.
(Section 218, Penal Code.)

RANDOLPH B. MARINE,
District Attorney.

A True Bill.
Chas. J. DeGomez
Foreman.
Sept 29 '87
Pleads guilty and is sentenced to 1 year in the State Prison.

0280

Police Court— 3d District.

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

Harry Fischer
of No. 61 Schafersburg Brooklyn Street, aged 29 years,
occupation waiter being duly sworn

deposes and says, that on 22 day of August 1887 at the City of New
York, in the County of New York, attempted to be
he was violently and feloniously ASSAULTED and BEATEN by

John O'Brien (nowhere)
with evilfully and feloniously
attempted to stab the deponent
with a carving knife which
the deponent then and there
held in his hand.

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 dealt with according to law.

Sworn to before me, this 23 day
of August 1887.

J. L. Fisher

J. M. Platten Police Justice.

0281

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, { ss

34 District Police Court.

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

18 years

Question. Where were you born?

Answer.

New York City

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

Answer.

239 Mousae street 3 weeks

Question. What is your business or profession?

Answer

Printer

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

15

day of *August* 188*7*

John O'Brien
Police Justice.

0282

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 *Fifty* 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 *Aug. 23* 188 *7* *J. M. [Signature]* 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.

0283

Police Court--

341344
District

THE PEOPLE, &c.,

OF THE COMPLAINT OF

Henry Hirsch
61 Schermer St.
Brooklyn
John C. B. Ryan

Offence *Exhibition*
Carriage & Cattle

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 August 23 1887

Patterson Magistrate.

Gillman Officer.

11 Precinct.

Witnesses

No. Street.

No. Street.

No Street.

\$ 1500. to answer

Comd

0284

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 D. Smith

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

John D. Smith

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

The said *John D. Smith*.

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

Henry Fischer.

in the peace of the said People then and there being, feloniously did wilfully and wrongfully make an assault; and the said *John D. Smith*.

with a certain *knife* which *he* the said

John D. Smith

in *his* right hand then and there had and held, the same being then and there a *weapon* likely to produce grievous bodily harm, *him*, the said *Henry Fischer*, then and there feloniously did wilfully and wrongfully strike, beat, *stab*, bruise 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.

Charles J. Smith

District Attorney.

0285

BOX:

276

FOLDER:

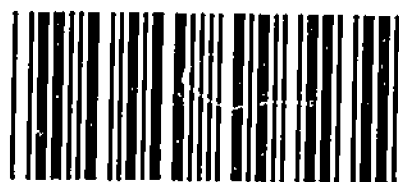
2647

DESCRIPTION:

Cooney, William

DATE:

09/19/87



2647

0286

BOX:

276

FOLDER:

2647

DESCRIPTION:

O'Connell, James

DATE:

09/19/87



2647

0287

#156

Witnesses:

L. L. Goodness

Barbara Martin

Off. Mr. G. L. L. 20th

Counsel,

Filed

19 day of Sept 1887

Pleads,

THE PEOPLE

vs.

James O'Connell

and

William Cooney

RANDOLPH B. MARTINE,

District Attorney.

Both tried & acquitted
and not convicted

A True Bill.

Alfred J. DeForest

Foreman

off. L. L.

K. H. P.

Burglary in the Third Degree,
Sections 498, 506, 528, 535, 537.

0288

Police Court— 2 District.

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

of No. 731. East 143rd Street, aged 21 years,
occupation Carpenter & Builder. being duly sworn
deposes and says, that the premises No. 232. West 41st Street,
in the City and County aforesaid, the said being a Dwelling House

and which was ~~occupied by deponent as a~~ *not occupied, at the time*
~~and in which there was at the time a human being, by name~~

were BURGLARIOUSLY entered by means of forcibly *breaking open*
and removing the boards which were fastened
to the entrance leading to said premises.

on the 5th day of September 1887 in the day time, and the
following property feloniously taken, stolen, and carried away, viz:

a quantity of Carpenters tools, of the value
of fifteen dollars

the property of *William Ward & William Hardy*
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

James Connell by William Conner
(both workmen)

for the reasons following, to wit:

Said said building was in
charge of deponent for repair, and on
the 3rd of September deponent recently
fastened the door way to said premises,
and which building at that time
contained the above described
property. Deponent is informed
by Barker Mackler of No. 248 West
41st Street, that he saw said

0289

OConnell coming from said premises
 with a bag containing property and then
 coming out of said building she saw said
 defendant coming walk up to him
 saying to said OConnell hurry up
 and sneak that then both defendants
 walked away with each other
 and for the further reason that said
 OConnell acknowledge to defendant that
 he did steal some tools as charged
 in defendant's Complaint.

Sworn to before me this 7th day of September 1884
 J. L. Goetchius
 Recorder
 C. L. Goetchius

Police Court	District
THE PEOPLE, &c., ON THE COMPLAINT OF	
vs.	
Burglary	
Dated	188
Magistrate.	
Officer.	
Clerk.	
Witnesses:	
Committed in default of	
Bailed by	Bail.
No.	Street.

0290

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 54 years, occupation Barber, Minkler of No.

248 West 41

Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Clifford L. Gustafson

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

Sworn to before me, this 9
day of Sept 1887

Louisa Minkler

John J. Horvath
Police Justice.

0291

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY
OF NEW YORK, } ss

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

Question What is your name?

Answer *JAMES O'CONNELL*

Question How old are you?

Answer *23 years*

Question Where were you born?

Answer *Ireland*

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

Answer *456 West 56 Street 4 years*

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 took same up the Trial.*
James O'Connell

Taken before me this

9

day of

Sept 12

1887

John J. Macchia
District Police Justice.

0292

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY {
OF NEW YORK, { ss

William Cooney 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

William Cooney

Question. How old are you?

Answer

22 years

Question. Where were you born?

Answer

New York

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

Answer.

552 9th Avenue, 3 years

Question. What is your business or profession?

Answer.

Take Care of Horses

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 know nothing about it.
I was drinking with O'Connell
I don't know where he got the
Cooney from*

William Cooney

Taken before me this

day of *April* 188*9*

John J. Mahoney
Police Justice.

0293

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

Defendants
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Fifteen *Each* *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 9* *188* *7* *John J. Kane* *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.*

0294

Police Court 2 1464 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Clifford L. Gotschall
731-B-143

James O'Connell

William Conroy

3

4

Offence Drury Law

BAILED.

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated Sept 9 1887

James O'Connell Magistrate

Wm G Kennedy Officer.

20 Precinct.

Witnesses Barbara Thacker

No. 248 West 41 Street.

Barbara Biddle

No. 240 West 41 Street.

No. _____ Street.

No. _____ Street.

\$ 15.70 to answer

Can

0295

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'Connell and
William Rooney

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

James O'Connell and William Rooney

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

The said

James O'Connell and William
Rooney, both —

late of the ~~Twenty-second~~ Ward of the City of New York, in the County of
New York, aforesaid, on the ~~22nd~~ day of ~~September~~, in the year of
our Lord one thousand eight hundred and eighty-~~seven~~, with force and arms, at the Ward,
City and County aforesaid, a certain building there situate, to wit: the ~~Building~~ of one

— William Hardy.

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

William Hardy.

in the said ~~Building~~ 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.

0296

SECOND COUNT—

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

James O'Connell and William Rooney
of the CRIME OF *Robbery* LARCENY, — committed as follows:

The said *James O'Connell and William Rooney*, —

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 the said day, with force and arms,

divers carpenter's Tools, &c a number
and description to the Grand Jury
aforesaid unknown, &c the value
of fifteen dollars,

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

in the *building* of the said *William Hardy.*

there situate, then and there being found, *in* the *building* 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

— William Rooney —

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

The said

William Rooney,

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

divers carpenters' tools & a number,
and desirous to the Grand
Jury aforesaid unknown, of the
value of fifteen dollars,

of the goods, chattels and personal property of one

William Hardy,
by one James O'Connell and —

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

William Hardy —

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

William Rooney —

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.

RANDOLPH B. MARTINE,

District Attorney.

0298

BOX:

276

FOLDER:

2647

DESCRIPTION:

O'Keefe, John J.

DATE:

09/28/87



2647

Witnesses:

Edward J. Rows
Affirmation
that connection

Counsel,
Filed 28 day of October 188
Pleads, *W. J. O'Keefe*

THE PEOPLE

vs.

John J. O'Keefe

*Bringing in the Third Degree, 2nd
Sections 418, 526, 528, 532 and 539.*

RANDOLPH B. MARTINE,

District Attorney.

Pl 1 Oct 11/87 ADP

A True Bill. *Dec 11-1887*

Speedy & Unimpaired

*Henry J. Lee
12 May 1888
12 May 1888
Chas. W. Connelley Foreman*

Ed. Rows

0300

The People

vs.

John J. O'Keefe.

Court of General Sessions, Part I.

Before Recorder Smyth.

Oct. 11. 1887

Indictment for burglary in the third degree.

Edward J. Rowe sworn and examined. I live No. 130 New Bowery and have a carpenter shop in the basement of 15 Roosevelt Street, I was there on the 15th of July, after the workmen had left, about a quarter past six in the evening, I went to see that the shop was securely fastened; the next morning I went there when the officer reported that it had been entered during the night. When I left the store securely fastened the night before it had lead pipe, faucets, etc., there was about one thousand dollars worth of property in the shop and about twenty-five or thirty dollars worth of lead pipe and brass faucets were taken, I saw the property the next morning in the Police Station and I can swear that it was in my carpenter shop the night of the burglary and that it belonged to me, I don't know of my own knowledge who took it.

John J. Gallagher sworn and examined. I am an officer of the 4th precinct; on the night of the 15th of July I went on duty at twelve o'clock, I walked up and down my post and at about half past one I met Peter J. Hines, John J. McCarthy and John J. O'Keefe, coming out of 15 Roosevelt Street, they looked up and down to see if anybody was around, I was on the opposite side of the way in the dark but their faces could be seen because there was a lamp opposite 15 Roosevelt Street, I saw those three parties walk across the way into the hallway of 14 and while they were crossing the street I saw O'Keefe and

0301

McCarthy carrying a bundle between them, in this bundle was a pair of pants and in those pants was lead and faucets. Peter Hines shaded off O'Keefe and McCarthy, the three of them were together. They walked in the hallway very slow, just as if there was nothing at all the matter and then went inside and they dropped this stuff down, I heard the stuff drop, I went in after them, I rapped and got two officers and I gave the stuff in charge to the officer from Madison Street, I went in to search the building but could not find the parties, the next morning I was going down to the Station House and I found two of the parties opposite the Station House, sitting outside the door, about six houses away, I said to an officer on Chamber Street to catch one of those parties and I would catch the other, I wanted them for a burglary on my post, I caught Peter Hines and the officer went after O'Keefe and he got away from him, I did not catch O'Keefe until about two weeks ago, I am sure that O'Keefe is the man who had the bundle; Mr. Rowe, the complainant, identified the faucets as his property. I looked at the door of the complainant and found no marks on it but I went back in the yard and saw that they must have entered by the wooden doors of the cellar, I found one of the iron bars of the window lowered down, leaving room enough for the smallest one to get in, I knew O'Keefe before.

Cross Examined. After they dropped the stuff they ran for all they were worth right through the building and escaped, I examined all the rooms and the

0302

adjoining roofs but I did not catch them. I know the night of the burglary was clear. I arrested the defendant on the 22nd of September on South Street, I could not find him in the meantime because I was told he was at Philadelphia. He said he did not know anything about the burglary in 15 Rosevelt Street.

Patrick Leary sworn. I keep a grocer store in Oak Street and know the defendant since he was born, I never heard anything wrong against him.

Watson F. Sanford sworn. I am superintendent of the messenger department of the American District Telegraph Company, the Defendant was employed by th Company in the latter part of 1882 to the early part of 1883 and his character was good, I know nothing of him since then.

Malcom H. Smith sworn. I am a manufacturer and the Defendant worked for me from May to September of last year, his character was good as far as I know.

Samuel H. Haber sworn. I am a book-keeper and manager for Elias Brothers & Co., the defendant was in our employ about a month a year ago and his character was good.

Micheal O'Keefe sworn. I am the father of tye Defendant and he occupies the same bed with me, I do not remember the 15th of July last.

John J. O'Keefe sworn. I had nothing to do with the burglary at 15 Rosevelt Street, Officer Gallahper arrested me in South Street, he said, "Terry Hines told me all about the burglary." I says, "Terry Hines told you a lie," then the officer called me a bad name and said

0303

"you shut up", and hit me in the jaw with his hand. I was employed by all these men who have testified as to my character. I did not go to Philadelphia. I was around New York all the time in the Fourth Ward. I saw the officer a few times after the burglary. Terry Hines told me the next morning that Officer Gallagher was after me. I have been employed as a messenger boy by the American District Telegraph Company and also by Mr Robbins, Mr. Smith and Elias Bros. I have known Hines two weeks.

John J. Gallagher recalled. The defendant associates with thieves and loafers every day. I never arrested him for anything.

The Jury rendered a verdict of guilty of burglary in the third degree.

The Defendant was sent to the Elmira Reformatory.

*A correct transcript made by
Wm. Anderson,
Official Stenographer,
Part I.*

0304

Police Court—1st District.City and County
of New York, } ss.:

of No. 30 New Bowry Street, aged 38 years,
 occupation Long fixture Manufacturer being duly sworn
 deposes and says, that the premises No. 15 Bowry Street, 14th Ward
 in the City and County aforesaid the said being a four story brick
building the basement of which
and which was occupied by deponent as a Carpenter shop
and in which there was at the time a bureau being by name

were **BURGLARIOUSLY** entered by means of forcibly hammering a
window leading into said premises

on the 15th day of July 1887 in the evening time, and the
 following property feloniously taken, stolen, and carried away, viz:

Seventy five pounds of lead
pipe and six brass faucets
all being valued at Twenty-five
Dollars

the property of

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 M. Corbett (now known as Peter M. Corbett) who was acting
 in concert.

for the reasons following, to wit:

at about the hour of
6-45 P.M. on said date deponent
saw that the doors and windows of
said premises were securely locked
and fastened and having found that
the said window was unfastened and
said property missing is informed
by Officer John J. Gallagher here
present that the Gallagher sent the

0305

said defendants leaving the
hallway of said building with
a bundle in their possession at
the house of said John. Def. said
Gallagher saw them enter the hallway
of rooms 14. Rooms 14 and
followed them in. The defendants
possess the said property in
said building. Defendants further says
that the said Jones has been convicted
for participation in said burglary
on his own confession and fully
identified the said property which
was found in the said building.

Done to before me
This 24th day of September
1887

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 1887
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1887
There being no sufficient cause to believe the within named
guilty of the offence within mentioned, I order he to be discharged.
Dated 1887
Police Justice.

Police Court, District,

THE PEOPLE, &c.,
on the complaint of

vs.

Offence—BURGLARY.

1
2
3
4

Dated

1887

Magistrate.

Officer.

Clerk.

Witness,

No.

Street,

No.

Street,

No.

Street,

\$ to answer General Sessions.

0306

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 23 years, occupation Police Officer of No. 100

100 Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of James J. [Signature]

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

Sworn to before me, this 23

day of September 1888

[Signature]
Police Justice.

0307

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, ss

52 District Police Court.

John 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 at the trial.

Question What is your name?

Answer John O'Keefe

Question How old are you?

Answer 17 Years

Question. Where were you born?

Answer. New York City

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

Answer. 25 Oak St - 9 Months

Question What is your business or profession?

Answer Packing Goods

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

Taken before me this

day of Jan
1887

John J. [Signature]
Police Justice.

0308

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, 15th DISTRICT.

of ~~Thy to Rept. Kelly~~ John J. Gallagher Street, aged 32 years,
occupation Police Officer being duly sworn deposes and says
that on the 22nd day of September 1888

at the City of New York, in the County of New York, Dependant arrested
Daniel J. Keegan (now here) for committing
a Burglary in company with two
other boys in premises No 15 Roosevelt
on July the 15th at the hour of
One o'clock & thirty minutes P.M.

Wherefore deponent prays that the
said defendant may be held
for examination in order to enable
deponent to procure sufficient evidence

John J. Gallagher

Sworn to before me, this

1888

day

Police Justice.

0309

Police Court, _____ District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

John J. Gallagher
vs.
Daniel J. Keegan

AFFIDAVIT.

Long

Dated, *Sept 23* 188

Kilbuck Magistrate.

Gallagher Officer.

Witness, *H*

Disposition, *24 for Sept 24*
at 10.

03 10

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 100 *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 12 188 188 *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.*

0311

Police Court-- 1566 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

George H. Hoar
36 West Broadway
John J. Hoar

2 _____
3 _____
4 _____

Dated *Sept 21* 1887

John J. Hoar Magistrate.
Galagher Officer.

Precinct.

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

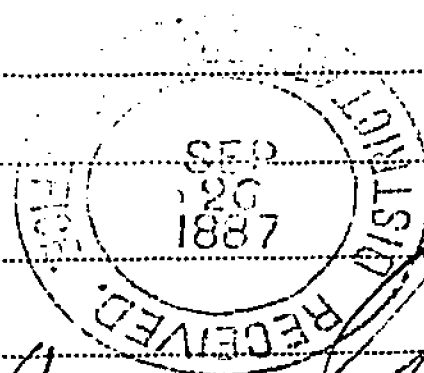
Witnesses _____

No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ *1000* to answer



John J. Hoar

03 12

The People Court of General Sessions, Part I.
vs. Before Recorder Smyth.
John J. O'Keefe.

Indictment for burglary in the third degree.

Edward J. Rowe sworn and examined. I live No. 30 New Bowery and have a carpenter shop in the basement of 15 Roosevelt Street, I was there on the 15th of July, after the workmen had left, about a quarter past six in the evening, I went to see that the shop was securely fastened; the next morning I went there when the officer reported that it had been entered during the night. When I left the store securely fastened the night before it had lead pipe, faucets, etc., here was about one thousand dollars worth of property in the shop and about twenty-five or thirty dollars worth of lead pipe and brass faucets were taken, I saw the property the next morning in the Police Station and I can swear that it was in my carpenter shop the night of the burglary and that it belongs to me, I don't know of my own knowledge who took it.

John J. Gallagher sworn and examined. I am an officer of the 4th precinct; on the night of the 15th of July I went on duty at twelve o'clock, I walked up and down my post and at about half past one I met Peter J. Hines, John J. McCarthy and John J. O'Keefe, coming out of 15 Roosevelt Street, they looked up and down to see if anybody was around, I was on the opposite side of the way in the dark but their faces could be seen because there was a lamp opposite 15 Roosevelt Street, I saw those three parties walk across the way into the hallway of 14 and while they were crossing the street I saw O'Keefe and

03 13

McCarthy carrying a bundle between them, in this bundle was a pair of pants and in those pants was lead and paucets. Peter Hines shaded off O'Keefe and McCarthy, the three of them were together. They walked in the hallway very slow, just as if there was nothing at all the matter and then went inside and they dropped this stuff down, I heard the stuff drop, I went in after them, I rapped and got two officers and I gave the stuff in charge to the officer from Madison Street. I went in to search the building but could not find the parties, the next morning I was going down to the Station House and I found two of the parties opposite the Station House, sitting outside the door, about six houses away, I said to an officer on Chamber Street to catch one of those parties and I would catch the other, I wanted them for a burglary on my post, I caught Peter Hines and the officer went after O'Keefe and he got away from him, I did not catch O'Keefe until about two weeks ago, I am sure that O'Keefe is the man who had the bundle; Mr Rowe, the complainant, identified the faucets as his property. I looked at the door of the complainant and found no marks on it but I went back in the yard and saw that they must have entered by the wooden doors of the cellar, I found one of the iron bars of the window lowered down, leaving room enough for the smallest one to get in, I knew O'Keefe before.

Cross Examined. After they dropped the stuff they ran for all they were worth right through the building and escaped, I examined all the rooms and the

03 14

adjoining roofs but I did not catch them. I know the night of the burglary was clear. I arrested the defendant on the 22nd of September on South Street, I could not find him in the meantime because I was told he was at Philadelphia. He said he did not know anything about the burglary in 15 Roosevelt Street.

Patrick Leary sworn. I keep a grocer store in Oak Street and know the defendant since he was born, I never heard anything wrong against him.

Watson F. Sanford sworn. I am superintendent of the messenger department of the American District Telegraph Company, the defendant was employed by the Company in the latter part of 1882 to the early part of 1887 and his character was good, I know nothing of him since then.

Malcom H. Smith sworn. I am a manufacturer and the Defendant worked for me from May to September of last year, his character was good as far as I know

Samuel H. Baher sworn. I am book-keeper and manager for Elias Brothers & Co., the defendant was in our employ about a month a year ago and his character was good.

Micheal O'Keefe sworn. I am the father of the defendant and he occupies the same bed with me, I do not remember the 15th of July last.

John J. O'Keefe sworn. I had nothing to do with the burglary at 15 Roosevelt Street, Officer Gallagher arrested me in South Street, he said "Terry Hines told me all about the burglary." I says, "Terry Hines told you a lie, " then the officer called me a bad name and said

0315

"you shut up", and hit me in the jaw with his hand. I was employed by all these men who have testified as to my character. I did not go to Philadelphia. I was

around New York all the time in the

~~The jury rendered a verdict of guilty of burglary in the third degree.~~

Smith Ward. I saw the officer a few times after the burglary. ~~Peter~~ Jerry Hines told me the next morning that officer Gallagher was after me. I have been employed as a messenger boy by the American District Telegraph Co. and also by Mr. Robbins, Mr. Smith, and Elias Bros. I have known Hines two weeks.

John J. Gallagher recalled. The defendant associates with thieves and loafers every day. I never arrested him for anything.

The jury rendered a verdict of guilty of burglary in the third degree.

The defendant was sent to the Elmira Reformatory.

03 16

Testimony in the
case of
John J. O'Keefe
filed Sept. 1887

0317

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

The People of the State of New York
vs.
John J. O'Keefe.

Sir: Please take notice that
on the annexed affidavit, & which are annexed copies
of affidavits on record in this Court, I will ^{part one} move the Court
on the 24th day of February for an order granting a new
trial in the above case tried Oct. 11, 1887 before Recorder
Smyth.

Dated this 16th day
of February, 1888

Henry M. Brudette.
Att'y for Defendant.

To John R. Fellows
District Attorney New York County.

0318

Vol. 1. 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 J. O'KEEFE .

STATE OF NEW YORK, :

ss:

County of New York. :

HENRY H. BURDETTE, being duly

sworn, says that he resides at Stamford, Conn.; that he is the attorney for the above named defendant, and as such attorney tried his case, under the indictment charging him with larceny in the third degree, at the October term of this Court, at which he was found guilty by a jury as charged in said indictment.

Dependent further says that since said trial closed he has discovered such new evidence as, in his judgment, if produced and received before, would have changed the verdict to one of acquittal; that ^{a copy of} said evidence is ^{hereto annexed, and} in substance ^{is} as follows: 1st. An affidavit sworn to July 15th, 1937, and now on file in this Court, made by one Max Koch before Police Justice James O'Reilly. The affiant Koch was the complainant against one Terence Fines. Said Fines was charged with breaking into the basement of 14 Roosevelt St. the previous night, a few hours before the affidavit was made. In this affidavit statements are

03 19

made on the information of Officer John J. Gallagher of the 4th Precinct, respecting the prisoner and those alleged to be acting in concert with him.

4 2nd. An affidavit sworn to July 15, 1907, and now on file in this Court, made by Officer John J. Gallagher above named, taken at above time and place, to the effect: That he has read affidavits of "Max Koch" (above described) and that the facts therein as information of defendant are true of defendant's own knowledge.

3rd. The examination of Clarence Hines by the Police Justice Jul. 16, 1907, on file in this Court, which contains this reply:

"I am not guilty, and I now stand upon the charge. C. F. Hines."

8 Defendant further says that said evidence was wholly unknown to the above named defendant and this deponent at the trial had on the said October term, and that their failure to produce it was not owing to any want of diligence on their part.

Henry M. Brundage.

Subscribed and sworn to
before me this 16th day
of February, 1908.

John Tully
Notary Public
N.Y.C.

0320

POLICE COURT, First District.

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

HAY LOCK of No. 127 East Broadway Street aged 25 years, occupation Carpenter, being duly sworn deposes and says that the premises No. 15 Roosevelt Street, 4 Ward in the City and County aforesaid being a five story red baser mt brick building, the basement of which was occupied by deponent as a second hand furniture store, were burglariously entered by means of forcibly removing an iron bar on a window leading into said store and lowering said window on the 15th day of July, 1887, in the night time, and the following property feloniously taken, stolen and carried away, viz.,

A quantity of lead pipe and brass fencels of the value of Twenty five dollars, the property of Edward J. Rowe (now here), 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

Terence Hines (now here) and three others not yet arrested who were acting in concert for the reasons following, to wit: At the hour of seven o'clock P.M. on the above described deponent securely locked and fastened the doors and windows of said premises and saw that the said bars were intact on said window. Deponent having found the said bar removed and the said property missing is

0321

informed by Officer Gallagher here present that he, Gallagher, saw the said Terence Fines and said unknown men leaving the hallway of said premises, one of the said unknown men having a large bundle in his possession. Informant saw said Fines and two of the unknown men enter the hallway of premises 14 Roosevelt while the other remained outside on watch. When informant arrived at the hallway of said 14 Roosevelt, the said defendants ran through the said building and he heard the sounds of the lead as it was being dropped in said hallway. Informant found the said property in the said hallway which property the defendant fully identifies as being the property which was suspiciously taken, stolen and carried away.

Sworn to before me

this 15th day of July, 1937.

...

W A X K O C H .

JAMES O'REILLY,

Police Justice.

0322

CITY AND COUNTY OF NEW YORK, ss:

JOHN J. CALLAGHER, aged
25 years, occupation Police Officer, of No. 4th Precinct
Police Street, being duly sworn, deposes and says, that he
has heard the foregoing affidavit of Max Koch and that the
facts stated therein on information of deponent are true
of deponents' own knowledge.

JOHN J. CALLAGHER.

Sworn to before me this :
15th day of July, 1887. :

James O'Reilly,
Police Justice.

0323

Sec. 198-200.

FIRST DISTRICT POLICE COURT.

City and County :
: SS:
of New York, :

TERENCE FINES, 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. Terence Fines.

Question. How old are you ?

Answer. Twenty years.

Question. Where were you born ?

Answer. Staten Island.

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

Answer. West Brighton, S.I. All my life.

Question. What is your business or profession ?

Answer. Shoemaker.

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.

0324

Answer. I am not guilty, and I now plead guilty to the charge. *J. G. Hines.*

Taken before me this 15th :
day of July, 1937. :

JAMES O'REILLY,
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 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 July 15, 1937.

JAMES O'REILLY,
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 J. O'Keefe.

AFFIDAVIT

ON MOTION FOR A NEW TRIAL.
and notice of motion.

Filed May 1, 1911

H. M. Burdett,
Deft's. attorney,
32 Nassau Street,
New York.

W. H. H. H.

0326

Burglary 3rd²
15 Roosevelt St. Carpenter Shop.
15th July '87.

Lead pipe & brass faucet.
Officer Gallagher saw defendants
leaving the hallway of the premises
at 1.30 & saw them enter hallway
of No 15, Roosevelt St.

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 J. O'Keefe

Sir:

Please to take notice that
on the papers filed with notice of motion Feb'y 16th 1888,
and on the additional papers filed March 22nd 1888 in
above case, which motion has as yet not been
made, I will move before the Recorder on the 24th
day of April for an order granting a new trial
in the above case tried before the Recorder
October 11th, 1887.

Henry M. Brundage
atty for Defendant.

Dated this 20th day of April, 1888.

To

John R. Fellows
District Attorney, New York County.

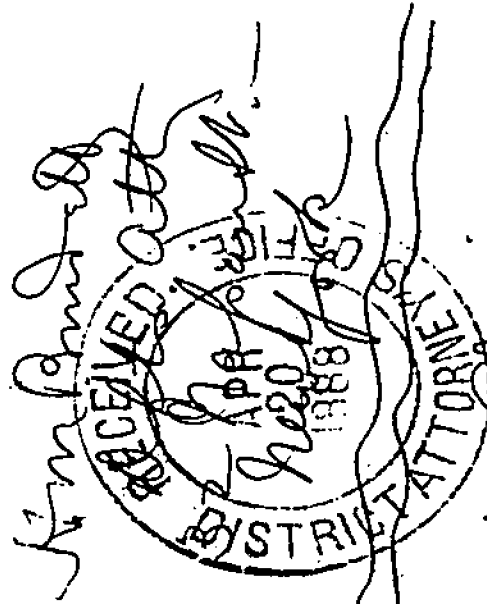
0328

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 J. O'Keefe

Notice of Motion
for
New Trial



Service Admitted
Master Office

Apr 20, 88

0329

TO THE CHIEF CLERK.

PLEASE SEND ME THE PAPERS IN THE CASE OF

PEOPLE

vs.

John J O'Keefe

Burglary

Ind Sept 28/87
District Attorney.

Elmura
Ref -

(Sample B.)

0330

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 J. O'Keefe.

Sir:

Please to take notice
that at the hearing of the motion for an order
granting a new trial in the above case, tried
Oct. 11, 1887 before Recorder Smyth, noticed Feb'y
16, 1888 for Feb'y 24th 1888, which motion has
not yet been heard, I will read the annexed
affidavit to which are annexed copies of the
papers therein referred to.

Dated this 22nd day of } Henry M. Burdett
March 1888. } atty for defendant.

To John R. Fellows,
District Attorney New York County.

0332

"A".

(Omitted, A list, alphabetically arranged,
of 14,000 names.)

Office of the Commissioner of Jurors,
127 Stewart Building, N. Y. City,
Sept. 10th, 1937.

I HEREBY CERTIFY that the foregoing list
of 14,000 names alphabetically arranged and compared is the
list of petit Jurors for the Jury year 1937 and 1938 fur-
nished by me.

CHARLES REILLY,
Commissioner of Jurors."

(Endorsed) "The list of Petit Jurors for the Jury year
1937/38. Filed with the County Clerk Sept.
16/37."

0333

"R".

"CLERK'S OFFICE,
City and County of New York."

Panel of 100 Jurors for a Court of General Sessions, Part I, to be held at the Court House in the said City on the 3rd day of October 1887 at 11 o'clock in the forenoon; drawn by the Clerk of the said City and County on the --- day of September 1887 in the presence and with the assistance of the undersigned attending officers duly notified for that purpose.

(Omitted, list of 100 names.)

All of which is hereby certified.

JAMES E. CONNER,	JAMES A. FLACK,
Dept. Com. of Jurors,	Clerk of C. & C. of N.Y.
	JOHN B. SEXTON, U. Sheriff.
	ERNEST HALL, Judge.

The manner of summoning the persons named in the foregoing list appears in the margin opposite to each name the letter S meaning personally notified; the letters W. S. meaning a written notice left with a person of proper age at the place set forth in said list as the residence of the Juror, and the letters N.F. meaning not found.

HUGH J. GRANT, Sheriff.

(Endorsement) Panel of 100 Jurors, General Sessions, Part I, October 3d, 1887. Filed in open court October 3, 1887.

0334

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 J. O'Keefe.

A F F I D A V I T

JURY LIST

JURY PANEL

ON MOTION FOR A NEW TRIAL.

Filed May 11, 1888.

H.M. Burdett, Deft's Attorney,
32 Nassau St. New York



John J. O'Keefe
for

0335

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 J. O. Keefe

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

John J. O. Keefe -

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

The said

John J. O. Keefe.

late of the *South* Ward of the City of New York, in the County of New York, aforesaid, on the *fifteenth* day of *July*, in the year of our Lord one thousand eight hundred and eighty-*nine*, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the *shop* of one

Edward J. Roe -

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

Edward J. Roe -

in the said *shop*, 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.

0336

SECOND COUNT—

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

of the CRIME OF

John J. O'Shea -
John J. O'Shea -

LARCENY, -

committed as follows :

The said

John J. O'Shea -

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

seventy five pounds of lead pipe
of the value of twenty cents each
pound, and six pounds of the
value of one dollar and fifty
cents each,

of the goods, chattels and personal property of one

Edward J. Doe, -

in the

shop of the said *Edward J. Doe, -*

there situate, then and there being found, *in* the *shop* 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.

Richard J. O'Shea

~~District Attorney.~~

0337

THIRD COUNT—

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

John J. O'Shea —

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

The said *John J. O'Shea*.

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

*seventy five pounds of lead
pipe of the value of twenty
cents each pound, and six
pounds of the value of one
dollar and fifty cents each;*

of the goods, chattels and personal property of one

*Edward J. Roe, Jr.
Peter Smith, John McCarthy, and*

by — certain *other* persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, taken and carried away from the said *Edward J. Roe.* —

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

John J. O'Shea —

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.

RANDOLPH B. MARTINE,

District Attorney.

0338

BOX:

276

FOLDER:

2647

DESCRIPTION:

Otterman, William

DATE:

09/29/87



2647

Witnesses:

James Hoff

In view of the within affidavit of good character & statement of the complainant, heretofore, it appears to me impossible to prove affirmatively that felonious intent on defendant's part, nor do I think the circumstances, in connection with complainant's explanation, will dispel the presumption of such intent.

I accordingly recommend defendant's discharge upon his own recognizance.

Oct. 7/07. *G. L. H.*

W. H. D. D.
Off. H. District

295

Counsel,

Filed 29 day of Sept 1887
Pleadg Property 307

THE PEOPLE

vs.

Wm. O'Hernan

Grand Larceny in the second degree.
(MONEY)
(Sec. 528 and 529, Penal Code)

RANDOLPH B. MARTINE,
District Attorney.

Oct 6/07

A True Bill.

Oct 11/07
Discharged by Court
and his own recognizance

Wm. H. Conant Foreman.

W. H. D.

0339

0340

Police Court—2 District.

Affidavit—Larceny.

City and County } ss.
of New York,

of No. 470 11th Avenue Street, aged 32 years,
 occupation Liquor dealer being duly sworn
 deposes and says, that on the 20th day of August 1887 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 lawful money of
 the United States to the amount
 and value of Thirty eight dollars
(\$38.00)

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 William Ottermann (now here)

✓ from the fact that the said deponent
 was employed by deponent as a driver
 for a vendors wagon. And on the above
 mentioned date deponent gave him the
 above mentioned sum of money for the
 purpose of buying some merchandise.
 And deponent further says that the said
 defendant failed to buy said merchandise,
 or return said sum of money or account
 for it in any way. And deponent did not
 see him from said date until this 21st day
 of September when he told deponent he got
 drunk and lost said sum of money.
 Wherefore deponent charges said defendant.

Subscribed before me this 21st day of

1887

Police Justice

0341

with feloniously appropriating said
sum of money to his own use and
benefit with the intent to cheat and defraud
and prays he may be held and dealt
with according to Law

Sworn to before me } Dennis Duff
this 21st day of Sept 1887 }

W. M. Patterson
Justice

0342

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

William Ottermann 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.

William Ottermann

Question. How old are you?

Answer.

32 years old

Question. Where were you born?

Answer.

New York City

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

Answer.

407. N 26th St 4 Mos

Question. What is your business or profession?

Answer.

Drive a merchandise wagon

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 I got in company and got full of beer and lost my money I have worked for Mr Duff about 8 years

William Ottermann
Mos

Taken before me this

day of *July* 188*8*

William Ottermann
Police Justice.

0343

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 _____

_____ *Alfred Jant* _____
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 be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated *Sept 2* _____ 188 _____ *J. M. Patterson* 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.

0344

Police Court-- 2 1528 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Dennis Duff
470 vs. 10 Ave
Wm Ottermann

2 _____
3 _____
4 _____

Offence Assault
7th Ave

Dated Sept 2 1887 188 7
Patterson Magistrate.

Philip Oppenheimer Officer.
20 Precinct.

Witnesses _____

No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ 1000 to answer

Conrad

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

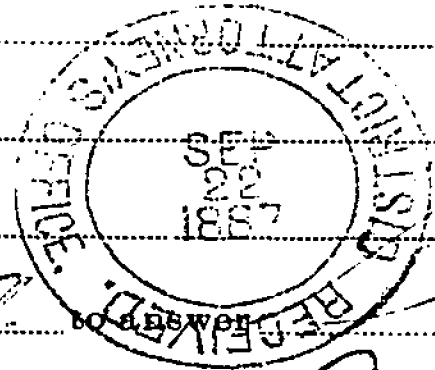
Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.



Court of General Sessions.
 City and County of New York.
 The People of the State of New York
 against
 William M. Ottemann.

City and County
 of New York ss.

Philip Oppenheimer, being
 duly sworn says, that he is a police officer
 belonging to the 20th precinct of the City and
 County of New York. that affiant has known
 the defendant William M. Ottemann,
 for upwards of seven years. that defendant
 has never been arrested charged with any
 crime, but is a man of good character.
 Subscribed and sworn } Philip Oppenheimer
 to before me this 9th day of }
 October 1885. }
 H. A. Smith
 Notary Public
 N.Y.C.

City and County of New York ss.

Annie Tracy, being
 duly sworn says, that she has known the
 defendant for six or seven years. and that
 he has been associated with affiant. for over

0346

last past.
one year, and that during all that time
has borne an excellent character and
has never been arrested or charged with
any crime.

Subscribed and sworn
before me this 1st day
of October 1887
Fred Smith
Notary Public
St. Giles

Amos Tracy

Court of General Sessions

The People vs.
against

William M. Otterman.

Appendants of

Officer Philip Oppenheimer
and

Amos Tracy.

0347

New York General Sessions.

PEOPLE ON MY COMPLAINT,
VERSUS

Wm Ottermann.

Grand Larceny.

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself.

My reasons for said recommendation are as follows:

I do not believe the defendant had any felonious intent in the taking of the property specified. I believe his story that he got drunk & spent the money entrusted to him while in that condition.

His people are respectable & honest. He has been some eight years in my employ, & entrusted during that time on many occasions with sums of money larger than that here involved. He has always been honest in his relations with me, & I know of nothing against his character. Restoration of the money ~~that~~ spent has been made. He has been in the City Prison some two weeks, & I believe he is sufficiently punished for his indiscretion.

I accordingly request permission
to withdraw the complaint.
Wm. Oct 7, 1877,
Attest: A. D. Barker

Dennis Duff

0348

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

William Hermann

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

William Hermann

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

The said

William Hermann,

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the *twentieth* day of *August*, in the year of our Lord one thousand eight hundred and eighty ~~seven~~ at the Ward, City and County aforesaid, with force and arms, in the *day* time of the same day, *one* promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury notes), of the denomination of twenty dollars, and of the value of twenty dollars — *two* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury notes), of the denomination of ten dollars, and of the value of ten dollars *each*; *five* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury notes), of the denomination of five dollars, and of the value of five dollars *each*; *ten* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of two dollars, and of the value of two dollars *each*; *ten* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one dollar, and of the value of one dollar *each*; *one* promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty dollars — *two* promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of ten dollars *each*; *five* promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars *each*; *one* United States Silver Certificate of the

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denomination and value of twenty dollars — ; *Two* United States Silver
Certificates of the denomination and value of ten dollars *each* ; *Five* United
States Silver Certificates of the denomination and value of five dollars *each* ; *Ten*
United States Silver Certificates of the denomination and value of two dollars *each* ;
Ten United States Silver Certificates of the denomination and value of one dollar
each ; *one* United States Gold Certificate of the denomination and value of
twenty dollars — ; *Two* United States Gold Certificates of the denomination
and value of ten dollars *each* ; *Five* United States Gold Certificates of the
denomination and value of five dollars *each* ; and divers coins, of a number, kind
and denomination to the Grand Jury aforesaid unknown, of the value of *eight*

dollars.

of the proper moneys, goods, chattels, and personal property of one —

Dennis Duff — 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.

RANDOLPH B. MARTINE,
District Attorney.