

0522

BOX:

308

FOLDER:

2930

DESCRIPTION:

O'Halloran, John

DATE:

05/25/88



2930

0523

274

Counsel,
Filed 25 day of May 1888
Pleas *Magally (29)*

VIOLATION OF EXCISE LAW
(Selling on Sunday, Etc.)
[III Rev. Stat. (7th Edition), page 1083, Sec. 21 and
page 1089, Sec. 5.]

THE PEOPLE,

vs.

[Signature]
[Signature]
John O'Halloran
[Signature]

John O'Halloran, Special
Attorney for the
Government District Attorney.

May 28 1888
A True Bill.

[Signature]
Foreman.

[Signature]
June 28 1888
C. O. G. M. 28/88

WITNESSES:

*Co-od renewed
May 29/1890.*

new bail

*Patrick M. McNally
230 West 37th*

0524

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'Malley

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

John O'Malley

of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows:

The said *John O'Malley*

late of the City of New York, in the County of New York aforesaid, on the *eighteenth* day of *December*, in the year of our Lord one thousand eight hundred and eighty-*seven*, at the City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain intoxicating liquors and certain wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did sell as a beverage to one *James J. Quinn*.

and to certain other persons whose names are 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.

SECOND COUNT—

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

John O'Malley

of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said *John O'Malley*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place so licensed as aforesaid unlawfully did not close and keep closed, and on the said day the said place so licensed as aforesaid unlawfully did then and there open, and cause and procure, and suffer and permit, to be open, and to remain open, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,
District Attorney.

0525

BOX:

308

FOLDER:

2930

DESCRIPTION:

O'Mara, Martin

DATE:

05/28/88



2930

0526

Witnesses:

H. Samuel & Co.
19th March

294
Counsel, *Oliver J. Fuller*
Filed *20* day of *May* 188
Pleads *Not guilty*

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

THE PEOPLE
vs.

Martin O'Mara
(2 cases)

JOHN R. FELLOWS,
District Attorney.

John R. Fellows
A True Bill.

Wm. Jones
Foreman.

James B. H.
James B. H.
Pen. 1 yr - P.B.M.

0527

Police Court 2 District.

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

of No. 134 West 8th Street, aged 36 years,
occupation Housekeeper being duly sworn

deposes and says, that on the 20th day of May, 1888 at the City of New York, in the County of New York, in said premises

She was violently and feloniously ASSAULTED and BEATEN by Martin Olmaro (now here) who struck deponent many violent blows on the head body and arms and in the face with a heavy iron poker and a club which he then did there held in his hands. bruising deponents face head and arms. Deponent further says that such assault was committed

her
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 21st day of May, 1888 } Annie Olmaro

[Signature] Police Justice.

0528

Sec. 108-200.

2 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Martin O'Mara

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. *Martin O'Mara*

Question. How old are you?

Answer. *45 years old*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *134 St, 28th St. one year*

Question. What is your business or profession?

Answer. *Coachman*

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

Answer. *I am not guilty what I did I did in self defence*
Martin O'Mara

Taken before me this

day of

188

Samuel J. Kelly
Police Justice.

0529

2932 472 District.
Police Court--

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Anne O'Hara
134 N. 38 St
Martin O'Hara

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

Dated *May 21* 188...
Magistrate, *Deitch*
Officer, *W. E. Wood*
Precinct, *19*
Witnesses *James W. Wood*
No. *19 East Park* Street.

No. *134 N. 38 St* Street, 188...
DISMISSED.
No. *134 N. 38 St* Street, 188...
No. *134 N. 38 St* Street, 188...
ATTORNEY-AT-LAW
FOREMAN.

COMMITTED.

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 *Deitch & son* 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 New York, until he give such bail.

Dated *May 21* 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.

0530

Police Court _____ District.

City and County { ss.:
of New York,

of the 19th Precinct, Police Street, aged _____ years,
occupation Police Officer being duly sworn

deposes and says, that on the 20th day of May 1888 at the City of New York, in the County of New York, in premises no 134 1/2 2nd St. Street,

he was violently and feloniously ASSAULTED and BEATEN by Martin O'Mara (now here) who struck deponent one violent blow on the head and one violent blow in the face with a heavy shovel which he then and there held in his hand, bruising deponent's head and bruising and cutting his face. Deponent further says that such assault was committed, while deponent who is a police officer and was in full uniform and in the lawful discharge of his duty, and was in the act of arresting the defendant upon a charge of assaulting his the defendant's wife, and

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 21st day of May 1888

James W. Cool

Police Justice.

0531

Sec. 198-200.

Q District Police Court.

CITY AND COUNTY OF NEW YORK, 1888

Martin O'Mara

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. *Martin O'Mara*

Question. How old are you?

Answer. *41 years old*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *134 W 20th St - one year*

Question. What is your business or profession?

Answer. *Crackman*

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

Answer. *I am not guilty. What I did I did in self defense*

Martin O'Mara

Taken before me this *21* day of *May* 188*8*
Police Justice.

2450

Police Court-- 2 479 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James M. Cool
119 Street
Martin O'Hara

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

Offence _____
2 _____
3 _____
4 _____

Dated *May 21* 188____
Magistrate *O'Hara*
Officer *McCool*

Witnesses *Annie O'Hara*
Precinct _____
No. *134 or 28th* Street.
No. *119 1/2 St* Street.

No. _____ Street.
No. _____ Street.
No. _____ Street.
\$ *1000* to answer

Street.
Street.
Street.

COMMITTED.

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

Wells & Co

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 *May 21* 188____
James M. Cool
Police Justice.

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

Dated _____ 188____

Police Justice.

There being no sufficient cause to believe the within named _____

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

Dated _____ 188____

Police Justice.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Martin O'Mara

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

Martin O'Mara

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

The said Martin O'Mara,

late of the City of New York, in the County of New York aforesaid, on the 12th day of May in the year of our Lord one thousand eight hundred and eighty-eight, with force and arms, at the City and County aforesaid, in and upon the body of one James McLeod, in the peace of the said People then and there being, feloniously did make an assault, and ruin the said James McLeod, with a certain sword

which the said Martin O'Mara 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, the same being such means and force as were likely to produce the death of the said James McLeod, with intent ruin the said James McLeod, 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

Martin O'Mara

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

The said Martin O'Mara,

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 McLeod, in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and ruin the said James McLeod, with a certain sword

which the said Martin O'Mara

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

Martin O'Mara —

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

The said *Martin O'Mara,*

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 McLeod,* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and

with the said *James McLeod.* —
with a certain *shovel.* —

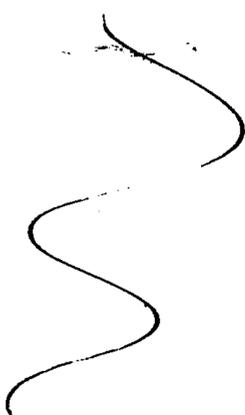
which *he* the said *Martin O'Mara* —

in *his* right hand then and there had and held, in and upon the *head*
and face of *him* the said *James*
McLeod. —

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

against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,
District Attorney.



Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Frank Rount

And The Grand Jury ^{aforesaid} of the City and County of New York, by this indictment, accuse

further accuse the said Martin O'mara

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

The said Martin O'mara,

late of the City of New York, in the County of New York aforesaid, on the ^{twentieth} day of ^{May} in the year of our Lord one thousand eight hundred and eighty ^{ninth} at the City and County aforesaid, with force and arms, feloniously made an assault in and upon one James Mc Rod,

then and there being a ^{patrolman} of the Municipal Police of the City of New York, and as such ^{patrolman} being then and there engaged in the lawful apprehension of the said Martin O'mara for an assault,

and the said Martin O'mara, him, the said James Mc Rod, then and there feloniously did beat, strike, wound and otherwise ill-treat, with intent then and there and thereby to prevent and resist the lawful apprehension of himself as aforesaid, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS, District Attorney.