

0420

**BOX:**

465

**FOLDER:**

4268

**DESCRIPTION:**

O'Brien, James

**DATE:**

01/05/92



4268

Witnesses:

Counsel,

Filed

day of *January* 189*2*

Plays,

*Monday*

THE PEOPLE

vs.

*James O'Brien*

Grand Larceny, *See Penal Code*  
(From the Person)  
[Sections 527, 537  
Penal Code.]

DE LANCEY NICOLI,

District Attorney.

A TRUE BILL.

*Chas. DeForest*

Foreman.

*72 Jan 11. 1892*

*Pleas H. C. 2 of*

*Pen one yd*

*Wm. H. Hyman*

*26  
not true of*

0422

Police Court / District. Affidavit—Larceny.

City and County of New York, ss:

of No. 121 Christopher Street, aged 34 years, occupation Letter being duly sworn,

Frank Carneglia

deposes and says, that on the 19 day of December 1891 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property, viz:

One silver watch of the value of five dollars

the property of deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and carried away by James O'Brien (now here) for the reason that on said date, deponent had the said watch in the lower left hand pocket of his vest. The defendant did pull the said watch out of said pocket by the chain to which it was attached and rung the said watch by the ring & attached to said chain. Deponent therefore charges the said O'Brien with larceny from the person and prays that he be held to answer.

Frank X Carneglia

Sworn to before me, this 19 day of December 1891, Police Justice

0423

Police Court 1 District Affidavit—Larceny.

City and County of New York, ss:

Frank Carmeglia

of No. 121 Christopher Street, aged 34 years, occupation Latimer being duly sworn,

deposes and says, that on the 19 day of December 1891 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property, viz:

One ~~two~~ silver watch of the value of five dollars

the property of Deponent

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and carried away by James O'Brien (now here) for the reason that on said date, deponent had the said watch in the lower left hand pocket of his vest. The defendant did pull the said watch out of said pocket by the chain to which it was attached and rung the said watch by the ring & attached to said chain. Deponent therefore charges the said O'Brien with larceny from the person and prays that he be held to answer.

Frank X Carmeglia

Sworn to before me, this 20 day of December 1891 Police Justice

0424

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

James 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. James O'Brien

Question. How old are you?

Answer. 26 years

Question. Where were you born?

Answer. New York.

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

Answer. 201 Varick Street. 3 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 am not guilty.

James O'Brien

Taken before me this 26  
day of February 1891  
Police Justice.

0425

CITY AND COUNTY OF NEW YORK {ss.

POLICE COURT, DISTRICT.

I of and Louis. Leiber of No. 274 1/2 Street, aged years, occupation Police officer being duly sworn, deposes and says that on the 19 day of December 1891 at the City of New York, in the County of New York

he arrested James O'Brien for larceny in vault of James ~~Barrett~~ Conleglio and deposes prays the defendant be held to make him to secure the necessary evidence

Louis Leiber

Sworn to before me, this

of 1891

Patrol Officer

0428

Police Court, \_\_\_\_\_ District.

THE PEOPLE, vs.,  
ON THE COMPLAINT OF

*James O'Brien*

ALFRED AVIT.  
*James O'Brien*

Dated, *Nov 19* 189*9*

*James O'Brien* Magistrate.

\_\_\_\_\_ Officer.

Witness, \_\_\_\_\_

Disposition *\$1000 Exhlec No 77*

0427

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 50 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 10-10-18 Police Justice

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

Dated..... 18..... Police Justice.

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

Dated..... 18..... Police Justice.

0428

1558

Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Frank Cunningham*  
*121 Christopher St*

1 *James O'Brien*

2 .....

3 .....

4 .....

*Largeny from*  
*the prison*  
Offence

BAILED.

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street

Dated *December 20* 188*9*

*Driver*

Magistrate.

*Leiba*

Officer.

*28*

Precinct.

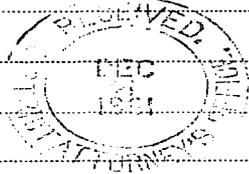
Witnesses .....

No. .... Street.

No. .... Street.

No. .... Street.

\$ *5.00* to answer *G.S.*



*Cum*

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

James O'Brien

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

James O'Brien

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

The said James O'Brien

late of the City of New York, in the County of New York aforesaid, on the 19th day of December in the year of our Lord one thousand eight hundred and ninety-one, in the day-time of the said day, at the City and County aforesaid, with force and arms,

one watch of the value of five dollars.

of the goods, chattels and personal property of one Frank Carnegie on the person of the said Frank Carnegie then and there being found, from the person of the said Frank Carnegie 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

0430

**BOX:**

465

**FOLDER:**

4268

**DESCRIPTION:**

O'Brien, John

**DATE:**

01/19/92



4268

0431

**BOX:**

465

**FOLDER:**

4268

**DESCRIPTION:**

McCue, James

**DATE:**

01/19/92



4268

Witnesses:

*[Handwritten signatures]*  
Sentences suspended  
for good behavior

Counsel,

Filed *19th* day of *January* 189*2*

Pleads, *for* *the* *people* vs.

THE PEOPLE  
vs.

*John O'Brien*  
and *1*

*James McCue*

BE LANCEY NICOLL,

District Attorney.

*At Call*

A TRUE BILL.

*Charles DeFord*

Foreman.

*Jany Wagon*

*Chas. DeFord*

*Jan 17th 1892*  
*No. 2. Sentence suspended*  
*P.M. 1892*

Burglary in the Third Degree  
Section 498, 188 & 1887

0433

Police Court— District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

Frederick A. Kline

of No. 155 Bowler Street, aged 45 years,

occupation Cutter & Grinder being duly sworn

deposes and says, that on the <sup>about</sup> 31 day of December 1897 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 night time, the following property, viz:

Thirty dozen of pocket knives, two dozen of combination pocket knives, two dozen of razors and ten pair of shears all of the value of Three Hundred dollars

the property of Complainant

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 and James McQue (who were acting in concert with each other) for the reason that on or about the <sup>said date</sup> deponent had the above described property in the office and premises and missed the same about the said date from the said premises. The deponent identified a portion of the above described property in the custody of the two defendants who are now in custody in Hudson County of the State of New Jersey. Deponent therefore prays that the two defendants be apprehended and dealt with as the law directs.

Frederick A. Kline

Sworn to before me, this 1st day of 1897  
of Hudson County  
Police Justice

0434

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

*John Smith*

*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*.....18.....*Police Justice.*

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

*Dated*.....18.....*Police Justice.*

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

*Dated*.....18.....*Police Justice.*

0435

Herman Pombenzer

14716 7th St

James H. ...

Patrick Flynn

BAILED.

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Police Court--- 1 W. 80 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Fredrick A. Kline  
155 vs. Walter

1 John O.'Brien

2 James M. O'Connell

3

4

Offence - Drunken

Dated Jan 10 188

J. J. Duffey Magistrate.

Officer.

10 Precinct.

Witnesses .....

No. .... Street.

No. .... Street.

No. .... Street.

§. .... to answer .....

0436

1847

Sec. 151.

Police Court 1 District.

CITY AND COUNTY } ss. In the name of the People of the State of New York; To the Sheriff of the  
OF NEW YORK, } 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 Fredrick W. Kline of No. 155 Baxter Street, that on the 31 day of December 1891, at the City of New York, in the County of New York, the following article, to wit:

Thirty dozen of Pocket Knives, two dozen of Combination pocket Knives, two dozen of razors and two pair of shears

of the value of Three 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.'Brien and James McCue

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 bodies of the said Defendants and forthwith bring them before me, at the 1 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 18 day of January 1892

[Signature]  
POLICE JUSTICE.

0437

**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  
and  
James McCue*

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

*John O'Brien and James McCue*

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

The said

*John O'Brien and James McCue, both*

late of the *14th* Ward of the City of New York, in the County of New York aforesaid, on the *thirty first* day of *December* in the year of our Lord one thousand eight hundred and ninety-*one* in the *night* time of the same day, at the Ward, City and County aforesaid, a certain building there situate, to wit, the *store* of one *Frederick A. Klein*

there situate, feloniously and burglariously did break into and enter, with intent to commit some , crime therein, to wit: with intent the goods, chattels and personal property of the said *Frederick A. Klein* in the said *store* then and there being, then and there feloniously and burglariously to steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

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

John O'Brien and James McEue  
of the CRIME OF *Grand* LARCENY *in the second degree*, committed as follows:  
The said *John O'Brien and James McEue, both*

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 said day, with force and arms,  
*three hundred and sixty knives of the value of fifty cents each,*  
*twenty-four other knives of the value of four dollars each,*  
*twenty-four razors of the value of one dollar and fifty cents each,*  
*and ten shears of the value of one dollar each*

of the goods, chattels and personal property of one *Frederick A. Klein*

in the *store* of the said *Frederick A. Klein*

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

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

The said *John O'Brien and James McCue, both*

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

*the same goods, chattels and personal property described in the second count of this indictment*

*Fredrick A. Klein*  
of the goods, chattels and personal property of

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen from the said *Fredrick A. Klein*

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

*John O'Brien and James McCue*  
then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,  
District Attorney.

0440

**BOX:**

465

**FOLDER:**

4268

**DESCRIPTION:**

O'Brien, Martin

**DATE:**

01/18/92



4268

0441

Witnesses:

Five horizontal dotted lines for witness names.

Counsel,

Filed

day of May

189

Pleads,

THE PEOPLE

vs.

Martin O'Brien

[Section 498, so. 6] The Burglary in the Third Degree

DE LANCEY NICOLL,  
District Attorney.

A TRUE BILL.

*Chas. R. Fox*

Foreman.

*May 21/90*  
*John S. ...*

*Chas. R. Fox*

0442

Police Court 3 District.

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

of No. 274 South Street, aged 25 years,

occupation Manager of a liquor business being duly sworn  
deposes and says, that the premises No. 227 South Street, 7 Ward  
in the City and County aforesaid the said being a building, the store

floor of  
~~and~~ which was occupied by ~~deponent~~ J. W. Meyer as a liquor store  
~~and in which these were at the time of the burglary being by name~~

were BURGLARIOUSLY entered by means of forcibly push open  
a window leading into said store

on the 1<sup>st</sup> day of January, 1885 in the forenoon time, and the  
following property feloniously taken, stolen, and carried away, viz:

Thirty seven<sup>15</sup> Dollars lawfully received  
the theft of the same

the property of said Meyer and in case of deponent  
and deponent further says, that he has great cause to believe, and does believe, that the aforesaid  
BURGLARY was committed and the aforesaid property taken, stolen and carried away by  
Martin O'Brien (now here)

for the reasons following, to wit: that at noon time on  
said day deponent securely and  
fastened the doors and windows  
leading into said premises and said  
property was therein. Deponent returned  
that night and said property was  
missing. Deponent then found the  
said window pushed <sup>open</sup> as aforesaid  
Deponent suspecting the defendants

of being implicated in said burglary  
or of having some knowledge thereof,  
accused him of the crime and he  
thereupon confessed to depose that  
he had committed said burglary  
Sworn to before me  
this 3<sup>rd</sup> January, 1893

J. Kellie

Harry W. Venable

Palmyra

Dated \_\_\_\_\_ 1888 \_\_\_\_\_ Police Justice.

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

There being no sufficient cause to believe the within named \_\_\_\_\_

Dated \_\_\_\_\_ 1888 \_\_\_\_\_ Police Justice.

I have admitted the above named \_\_\_\_\_

to bail to answer by the undertaking hereunto annexed.

Dated \_\_\_\_\_ 1888 \_\_\_\_\_ Police Justice.

\_\_\_\_\_ of the City of New York, until he give such bail.

\_\_\_\_\_ Hundred Dollars and be committed to the Warden and Keeper of the City Prison

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of

\_\_\_\_\_ committed, and that there is sufficient cause to believe the within named \_\_\_\_\_

It appearing to me by the within depositions and statements that the crime therein mentioned has been

Police Court, \_\_\_\_\_ District.

THE PEOPLE, &c.,  
on the complaint of

Offence—BURGLARY.

vs.

1  
2  
3  
4

Dated \_\_\_\_\_ 1888

Magistrate.

Officer.

Clerk.

Witness,

No. \_\_\_\_\_ street,

No. \_\_\_\_\_ Street,

No. \_\_\_\_\_ Street,

\$ \_\_\_\_\_ to answer General Sessions.

04444

CITY AND COUNTY } ss.  
OF NEW YORK. }

POLICE COURT, 3 DISTRICT.

*Matthew Barney*

of No. *257 Monroe* Street, aged *26* years,

occupation *Brickman* being duly sworn, deposes and says

that on the *1<sup>st</sup>* day of *January* 189 *2*

at the City of New York, in the County of New York *between the*

*hours of four and five o'clock*  
*he saw the defendant coming*  
*down stairs of said premises*  
*mentioned in the annexed affidavit*  
*that said stairway is affixed to*  
*the outside of said house and runs*  
*from the sidewalk to the second story*

*Matthew J. Carney*

Sworn to before me, this *3<sup>rd</sup>* day

of *January* 189 *2*

*J. H. H. H.*  
Police Justice.

0445

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

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

Question. What is your name?

Answer. *Martin O'Brien*

Question. How old are you?

Answer. *Thirty-four years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *Lodging House*

Question. What is your business or profession?

Answer. *Steam-fitting*

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*

*Martin O'Brien*

Taken before me this

3<sup>rd</sup> day of January - 1892

*J. P. [Signature]*  
Police Justice.

0446

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

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

Dated *July 3* 18*93* *J. Mitchell* Police Justice.

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

Dated..... 18..... Police Justice.

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

Dated..... 18..... Police Justice.

0447

Police Court--- B District. 1617

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Harry Vermilyea  
212 South St  
1 Martin O'Brien

2  
3  
4

W. H. ...  
Office 3

BAILED.

No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

Dated January 3 1892  
K. North Magistrate.  
Harry Holsman Officer.  
19th Precinct.

Witnesses \_\_\_\_\_

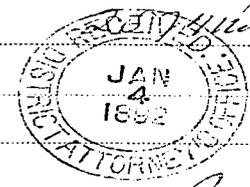
No. Matthew Barry Street.

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

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

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

\$ 1000 to answer CB



[Signature]  
B...  
92

**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'Brien*

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

*Martin O'Brien*

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

The said *Martin O'Brien*

late of the *7th* Ward of the City of New York, in the County of New York aforesaid, on the *first* day of *January* in the year of our Lord one thousand eight hundred and ninety-*two* in the *eight* time of the same day, at the Ward, City and County aforesaid, a certain building there situate, to wit, the *store* of one *John F. Meyer*

there situate, feloniously and burglariously did break into and enter, with intent to commit some crime therein, to wit: with intent the goods, chattels and personal property of the said *John F. Meyer* in the said *store* then and there being, then and there feloniously and burglariously to steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

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

*Martin O'Brien*

of the CRIME OF

*Grand LARCENY in the second degree,* committed as follows:

The said

*Martin O'Brien*

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

*the sum of thirty seven dollars  
and fifteen cents in money, lawful  
money of the United States of  
America, and of the value of  
thirty seven dollars, and  
fifteen cents*

of the goods, chattels and personal property of one

*John F. Meyer*

in the

*stone*

of the said

*John F. Meyer*

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

*DeLancey Nicoll,  
District Attorney*

0450

**BOX:**

465

**FOLDER:**

4268

**DESCRIPTION:**

O'Neill, Patrick

**DATE:**

01/07/92



4268

0451

Witnesses:

Counsel,

Filed

day of

189

Pleads

THE PEOPLE

vs.

P

Patrick O'Neill

DE LANCEY NICOLI,

District Attorney.

A TRUE BILL.

Chas. E. DeForest.

Foreman.

F 2 Jan 16, 1892

Pleado G. P. 2 ay

S. P. 2 1/2

Grand Larceny,  
(From the Person),  
[Sections 524, 580,  
Penal Code.]

46  
Counsel,  
Filed  
Pleads  
day of  
189

27  
190  
Patrick O'Neill

0452

Police Court First District. Affidavit—Larceny.

City and County }  
of New York, } ss: Antonio Arcanna

of No. 59 Mulberry Street, aged 29 years,

occupation Laborer being duly sworn,

deposes and says, that on the 25 day of December 1891 at the City of

New York, in the County of New York, was feloniously taken, stolen and carried away  
and taken  
from the possession of deponent, in the night time, the following property, viz:

One Silver Watch of the value of  
Four dollars

the property of

Deponent

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloni-  
ously taken, stolen and carried away by Patrick O'Sullivan (marked)

Deponent says that said defendant  
came up to him in Mulberry Street  
and showed hands and immediately  
said defendant took said property  
from the pocket of the vest then and  
there upon by him and ran away

Antonio Arcanna  
mark

Sworn to before me, this

day

of Dec 1891

Police Justice

0453

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

*Patrick 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.

*Patrick O Neil*

Question. How old are you?

Answer.

*26 years*

Question. Where were you born?

Answer.

*Ireland*

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

Answer.

*195 Park Row 18 mos*

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*

*Patrick O'Neil.*

Taken before me this

day of

*Dec 1891*

*1891*

Police Justice.

0454

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 Dec 25 1891 To see Right Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

0455

Police Court--- 1st District. <sup>1582</sup>

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Antonia Agnanna*  
*59 Clubberry St*  
*Patrick O'Neil*

Officer *[Signature]*  
*[Signature]*

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 *Dec 25* 19*91*  
*Daniel O'Reilly* Magistrate.  
*O. Sullivan* Officer.  
*6* Precinct.

Witnesses .....  
No. .... Street.

No. .... Street.

No. .... Street.  
\$ *1000* to answer *G. S.*



*[Signature]*  
*[Signature]*

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'Neill

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

Patrick O'Neill  
of the CRIME OF GRAND LARCENY in the first degree, committed as follows:

The said Patrick O'Neill

late of the City of New York, in the County of New York aforesaid, on the 25th day of December, in the year of our Lord one thousand eight hundred and ninety-one, in the night-time of the said day, at the City and County aforesaid, with force and arms,

one watch of the value of four dollars

of the goods, chattels and personal property of one Antonio Arianna on the person of the said Antonio Arianna then and there being found, from the person of the said Antonio Arianna 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

0457

**BOX:**

465

**FOLDER:**

4268

**DESCRIPTION:**

Otway, Ernest

**DATE:**

01/29/92



4268

0458

POOR QUALITY ORIGINALS

J. House a

Counsel, Filed 19 day of July 1892

Pleads, M. J. [unclear]

26 THE PEOPLE  
139 Jew [unclear]  
sailor -  
Ernest Otway

Burglary in the second degree  
[Section 49] 1883, 1884, 1885, 1886, 1887, 1888, 1889, 1890, 1891, 1892

DE LANCEY NICOLL,  
District Attorney.

Part III  
Jan 10 1892

A TRUE BILL.

Chas. E. DeForest  
Foreman.

Part 3, February 10/92  
Pleads Burg. 3<sup>d</sup> deg 12  
7 July 12/92  
F. P. 2 yrs.

0459

**POOR QUALITY ORIGINALS**

Witnesses:

*Max Goldman*  
*W. H. Hagan*

Counsel,

Filed

day of

189

Pleads,

THE PEOPLE

vs.

*Ernest Olney*

Entered in the office of the Clerk of the Court on this 14th day of June 1894

DE LANCEY NICOLL

District Attorney

A TRUE BILL

*Wm. T. DeForest*  
Foreman

*Ernest Olney*  
*W. H. Hagan*

0460

Police Court - 3 District.

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

of No. 73 First Avenue Street, aged 19 years,  
occupation Umbrella maker being duly sworn

deposes and says, that the premises No. 73 First Avenue Street, 17 Ward  
in the City and County aforesaid the said being a dwelling house the

store floor of  
and which was occupied by deponent Morty Steinscheider as an umbrella store  
and in which there was at the time a human being, by name Mary Koken, Flora

Dr. (fictitious) and deponent  
were **BURGLARIOUSLY** entered by means of forcibly opening the  
the window in the rear of said store  
and entering

on the 1<sup>st</sup> day of January 1898 in the night time, and the  
following property feloniously taken, stolen, and carried away, viz:

One pair pantaloons, pair gloves, one gold  
ring, one overcoat, one plush sague and  
fifteen dollars lawful money of the  
United States  
Valued in all about Eighty dollars

the property of deponent, except a portion thereof which  
was in deponent's charge, 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

Ernest Otway (now here)

for the reasons following, to wit: that on the previous evening  
said premises were securely locked  
and fastened and said property was  
therein; deponent was in the rear  
of the store in a room and in a  
connecting room two women servants  
were sleeping. On the following morning  
deponent found that said place burglarized  
had been visited and said property was missed. Deponent

is informed by James Hagan (now  
here) a police officer that he arrested  
the defendant ~~under~~ this day with  
the gaudious (here shown) worn on  
his person which deponent identified  
as his property and a part of the  
property taken at the late burglary. That the  
defendant stated in reply to the question  
as to how he came into possession of  
said property that he had bought  
them several weeks ago although  
said crime was only committed only  
a few days ago.

Deponent to before me <sup>his</sup> Max X Goldman  
this 9<sup>th</sup> January 1892 near.  
J. Millitt  
Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of  
Hundred Dollars and be committed to the Warden and Keeper of the City Prison  
of the City of New York, until he give such bail.  
Dated \_\_\_\_\_ 188\_\_  
I have admitted the above named \_\_\_\_\_  
to bail to answer by the undertaking hereto annexed.  
Dated \_\_\_\_\_ 188\_\_  
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, etc.,  
on the complaint of \_\_\_\_\_  
vs.  
1 \_\_\_\_\_  
2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_  
Date: \_\_\_\_\_ 188\_\_  
Magistrate, \_\_\_\_\_  
Officer, \_\_\_\_\_  
Clerk, \_\_\_\_\_  
Witness, \_\_\_\_\_  
No. \_\_\_\_\_ Street, \_\_\_\_\_  
No. \_\_\_\_\_ Street, \_\_\_\_\_  
No. \_\_\_\_\_ Street, \_\_\_\_\_  
§ \_\_\_\_\_ to answer General Sessions.

0462

Sec. 198-200.

2 - District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK }

*Ernest Otway* 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.

*Ernest Otway*

Question. How old are you?

Answer.

*26 Years*

Question. Where were you born?

Answer.

*West Indies*

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

Answer.

*139 Tenney Ave Street Brooklyn 4 weeks*

Question. What is your business or profession?

Answer.

*Sailor*

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*

*Ernest Otway*

Taken before me this

day of

*January 1887*

Police Justice.

*Richard M. ...*

0463

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

*Defendant*

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

Dated *January 9* 18 *92* *J. Mitchell* Police Justice.

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

Dated.....18.....Police Justice.

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

Dated.....18.....Police Justice.

Police Court--- 3 District. 33

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Max Goldman  
43<sup>rd</sup> Ave.  
1. Ernest Otway  
2. \_\_\_\_\_  
3. \_\_\_\_\_  
4. \_\_\_\_\_

Benjamin  
Offence \_\_\_\_\_

Dated January 9<sup>th</sup> 1892  
Kilbuck Magistrate.  
J. L. Agan Officer.  
14<sup>th</sup> Precinct.

Witnesses Call the Officer  
No. \_\_\_\_\_ Street.

Morris Steinschneider  
No. 73 First Avenue Street.  
Gottman Cohn

No. 27 Fulton Street.

\$ 1.00  
Corn  
RECEIVED  
JAN 11 1892  
CLERK OF THE DISTRICT ATTORNEY'S OFFICE  
Benjamin

BAILED,

No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

0465

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Ernest Otway

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

Ernest Otway

of the CRIME OF BURGLARY in the second degree, committed as follows:

The said Ernest Otway

late of the 17th Ward of the City of New York, in the County of New York aforesaid, on the first day of January in the year of our Lord one thousand eight hundred and ninety-two in the night time of, the same day, at the Ward, City and County aforesaid, the dwelling house of one Max Goldman

there situate, feloniously and burglariously did break into and enter, there being then and there a human being within the said dwelling house, with intent to commit some crime therein, to wit: the goods, chattels and personal property of the said Max Goldman

in the said dwelling house then and there being, then and there feloniously and burglariously to steal, take and carry away,

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

0466

SECOND COUNT—

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

*Ernest Otway*  
of the CRIME OF *Grand* LARCENY *in the first degree*, committed as follows:

The said

*Ernest Otway*

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 right time of the said day, with force and arms,

*the sum of sixteen dollars in money,  
lawful money of the United States  
of America, and of the value of  
sixteen dollars, one pair of trousers  
of the value of five dollars, one  
pair of gloves of the value of one  
dollar, one finger-ring of the value  
of ten dollars, one overcoat of the  
value of fifteen <sup>twenty-five</sup> dollars and one  
sacque of the value of <sup>twenty-five</sup> fifteen  
dollars*

of the goods, chattels and personal property of one

*Max Goldman*

in the dwelling house of the said

*Max Goldman*

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

THIRD COUNT:

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

*Ernest Otway*

of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said *Ernest Otway*

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,

*the sum of sixteen dollars in money, lawful money of the United States of America, and of the value of sixteen dollars, one pair of trousers of the value of five dollars, one pair of gloves of the value of one dollar, one finger-ring of the value of ten dollars, one overcoat of the value of twenty-five dollars, and one satchel, of the value of twenty-five dollars,*

of the goods, chattels and personal property of one *Max Goldman*

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

unlawfully and unjustly did feloniously receive and have; the said

*Ernest Otway*

then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, taken and carried away; against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

*District Attorney.*