

0476

**BOX:**

379

**FOLDER:**

3542

**DESCRIPTION:**

Brennan, Frank

**DATE:**

01/21/90



3542

POOR QUALITY ORIGINAL

0477

269  
Thompson

Counsel,  
Filed *J. J. [Signature]* 1890  
Plends, ~~W. J. [Signature]~~

THE PEOPLE  
vs.  
Frank Brennan  
[Section 498, 506, 528 + 537 RHP]  
English in the Third degree.  
Pett's Learning  
and Learning

JOHN R. FELLOWS,  
District Attorney.

A TRUE BILL.

*G. J. [Signature]* Foreman.  
*[Signature]* 1890  
*[Signature]*  
60 days [Signature] 1890

Witnesses;

*Angelo Lupo*  
*Officer J. J. [Signature]*  
*6th Precinct*

*See app's return*  
*[Signature]*

POOR QUALITY ORIGINAL

0478

Police Court— / District.

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

of No. 122 Mulberry Street, aged 70 years,  
occupation Cigar & Tobacco dealer. being duly sworn

deposes and says, that the premises No. 67 Mulberry Street, 6 Ward  
in the City and County aforesaid the said being a wooden building on  
the roof of said premises  
and which was occupied by deponent as a store for the sale of cigars  
and ~~in which there was at the time a human being by name~~

were BURGLARIOUSLY entered by means of forcibly breaking upon  
a shutter on said building

on the 12 day of January 1890 in the night time, and the  
following property feloniously taken, stolen, and carried away, viz:

Five Boxes of Cigars, containing fifty  
Each, of the value of about ten dollars  
\$10.00

the property of deponent  
and deponent further says, that he has great cause to believe, and does believe, that the aforesaid  
BURGLARY was committed and the aforesaid property taken, stolen and carried away by  
Frank Brennan (read here)

for the reasons following, to wit: Deponent at the hour of about  
9 1/2 o'clock in the night of the 11<sup>th</sup> day of January  
1890 closed and securely fastened said shutter  
Deponent is informed by Charles A. Ferraro  
of the 6<sup>th</sup> Precinct Police that at the hour  
of 4 o'clock in the morning of said 12<sup>th</sup>  
day of January he arrested said defendant  
with four boxes containing cigars  
in his possession which consisted of

**POOR QUALITY ORIGINAL**

0479

Muller Street which Boxes deposited  
fully identifies as part of the property  
stolen from deponent

Angele Corde

Sworn to before me this  
12 day of January 1880

W. J. Mahoney  
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 1880 Police Justice.  
I have admitted the above named  
to bail to answer by the undertaking hereto annexed.  
Dated 1880 Police Justice.  
There being no sufficient cause to believe the within named  
guilty of the offense within mentioned, I order he to be discharged.  
Dated 1880 Police Justice.

Police Court, District

THE PEOPLE, &c.,  
on the complaint of

Offence—BURGLARY.

vs.

1  
2  
3  
4

Dated 1880

Magistrate.

Officer.

Clerk.

Witness,

No. Street,

No. Street,

No. Street,

\$ to answer General Sessions.

**POOR QUALITY ORIGINAL**

0480

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 45 years, occupation Police officer of No. 146<sup>th</sup> Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Augusto Coiro and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 17 day of January 1890

W. J. Mahoney

Police Justice.

Charles A. Formosa

**POOR QUALITY ORIGINAL**

0481

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

Frank Brennan 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. Frank Brennan

Question. How old are you?

Answer. 17 years

Question. Where were you born?

Answer. New York

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

Answer. 56 Catherine Street 3 months

Question. What is your business or profession?

Answer. Varnisher

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  
Frank Brennan

Taken before me this

day of

September 1890

12

Police Justice.

POOR QUALITY ORIGINAL

0482

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

Police Court... / District. 42

THE PEOPLE, Ac.,  
 ON THE COMPLAINT OF

Charles Corio  
 122<sup>nd</sup> Street  
 Grand Jury

Offence Burglary

Dated January 12 1890

McMahon Magistrate  
David Robinson Officer

Witnesses David Coffey  
 No. \_\_\_\_\_ Street \_\_\_\_\_  
 Precinct. 6



No. 1000 Street 1000  
 No. \_\_\_\_\_ Street \_\_\_\_\_  
 No. \_\_\_\_\_ Street \_\_\_\_\_  
 No. \_\_\_\_\_ Street \_\_\_\_\_

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

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 January 12 1890 N. J. McMahon 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.

N.Y. General Sessions  
The People vs  
Frank Brennan

City & County of New York Jo.  
Christoph Engelhardt  
being duly sworn says. I am the  
father of the defendant who is  
17 years of age. That defendant  
resides with his family at No.  
114 E. 115 Street in the City of New  
York. That in the month of August  
1889 defendant suddenly left  
his home with defendant and  
disappeared, that defendant  
made earnest inquiries as to  
defendant, whereabouts but failed  
to find him until he received  
a communication from Mr John  
R. Henzelman, an Attorney informing  
him that defendant had pleaded  
guilty to an indictment charg-  
-ing him with other crimes  
with that of "Poetry" Larceny.  
That previous to the time defend-  
-ant left home defendant frequently  
saw defendant reading literature

of life on the Western Plains, and  
 the successes of Boys in  
 exterminating Indians and  
 Buffalo. That deponent often  
 chastized deponent for reading  
 such papers and the Jewishness  
 inflicted by him on deponent  
 is in the opinion of deponent  
 the cause of his leading home.  
 That deponent is a Jewite  
 by occupation and can and is  
 extremely anxious to care for  
 and maintain his race and  
 deponent most earnestly begs  
 the Court to exercise its discretion  
 and permit deponent to go home  
 with him under a suspended  
 sentence, and deponent will  
 ever pray.

Sworn to before me this }  
 23 day of January 1890 } Christoph Engelhardt

Geoff Hooper Public  
 Notary Suffolk Co. Va.  
 Copied in my - Co -

POOR QUALITY ORIGINAL

0485

*My Special Advisor*

*The People re*

*- vs -*

*Frank Brennan*

*Affidavit re  
for depts*

JOHN R. HEINZELMAN,

*Attorney for Dept.*

STEWART BUILDING

280 BROADWAY,

NEW YORK CITY,  
28 Chambers St.,

Service of a Copy of the within is hereby  
admitted.

Dated..... r8

To

*Born Nov 1, 1972*

POOR QUALITY  
ORIGINAL

0486

**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 Brennan*

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

*Frank Brennan*

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

The said

*Frank Brennan*

late of the *Sixth* Ward of the City of New York, in the County of New York, aforesaid, on the *twelfth* day of *January* in the year of our Lord one thousand eight hundred and *ninety*, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the *store* of one

*Angelo Coiro*

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

*Angelo Coiro*

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.

POOR QUALITY  
ORIGINAL

0487

SECOND COUNT—

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

\_\_\_\_\_ *Frank Brennan* \_\_\_\_\_  
of the CRIME OF *Petit* LARCENY \_\_\_\_\_ committed as follows:

The said

*Frank Brennan*

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,

*four hundred and fifty cigars  
of the value of three cents  
each, nine boxes of the value  
of five cents each*

of the goods, chattels and personal property of one

in the *store* of the said

*Angelo Boiro*  
*Angelo Boiro* \_\_\_\_\_

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.

**POOR QUALITY  
ORIGINAL**

0488

THIRD COUNT—

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

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

The said

*Frank Brennan*

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,

*four hundred and fifty cigars  
of the value of three cents  
each, and nine boxes of the  
value of five cents each*

of the goods, chattels and personal property of one

*Angelo Coiro*

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

*Angelo Coiro*

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

*Frank Brennan*

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.

JOHN R. FELLOWS,  
District Attorney.

0489

**BOX:**

379

**FOLDER:**

3542

**DESCRIPTION:**

Brennan, John

**DATE:**

01/28/90



3542

**POOR QUALITY ORIGINAL**

0490

408

Counsel,  
Filed *DS* day of *Jan'y* 18 *90*  
Pleads,

3

VIOLATION OF EXCISE LAW  
(Selling on Sunday, Etc.)  
[III Rev. Stat. (7th Edition), Page 1938, Sec. 21 and  
page 1980, Sec. 5.]

THE PEOPLE  
vs.

*B*  
*John Brennan*

*F*

JOHN R. FELLOWS,  
*District Attorney.*

**A True Bill.**  
*Gustavson* Foreman.

*F. J. Lang* 31/90

Witness:  
*Edward McSweeney*  
*Barber Office*

POOR QUALITY ORIGINAL

0491

Excise Violation-Selling on Sunday.

POLICE COURT- 3 DISTRICT.

City and County } ss.  
of New York, }

of No. Michael McDermott Street,  
Central Ave

of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 17 day  
of June 1888 in the City of New York, in the County of New York,

at premises No. 266 W 125 Street,  
John Brennan (now here)

did then and there SELL, CAUSE, SUFFER and permit to be sold, and GIVEN AWAY under his  
direction or authority strong and spirituous liquors, wines, ale and beer, being intoxicating liquors,  
to be drunk as a beverage contrary to and in violation of the statute in such case made and provided.

WHEREFORE, deponent prays that said John Brennan  
may be arrested and dealt with according to law.

Sworn to before me, this 18 day of Michael McDermott  
of June 1888

[Signature]  
Police Justice.

**POOR QUALITY ORIGINAL**

0492

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

*John Brennan* 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 Brennan*

Question. How old are you?

Answer. *25 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *63 East 126 St 18 months*

Question. What is your business or profession?

Answer. *Barber*

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

Answer. *I am not guilty & a demand a trial by jury*

*John Brennan*

Taken before me this

day of

*[Signature]*  
Police Justice.



POOR QUALITY ORIGINAL

0494

Court of General Sessions, PART *ONE*

THE PEOPLE

vs.

*John Brummar*

INDICTMENT

For

To

M. *John Roby*

No. *256 West 125*

Street.

The indictment against the above-named defendant, for whose appearance you are bound, has been placed upon the Calendar for *Reading* at the Court of GENERAL SESSIONS of the Peace, at the Sessions Building, adjoining the New Court House, in the Park of the said City, on the *30<sup>th</sup>* day of *January* instant, at eleven o'clock in the forenoon.

If the defendant is not produced at that time, your bond will be forfeited.

JOHN R. FELLOWS,  
District Attorney.

**POOR QUALITY  
ORIGINAL**

0495

256 W 125.

F

**POOR QUALITY  
ORIGINAL**

0496

**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 Brennan*

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

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

The said

*John Brennan*

late of the City of New York, in the County of New York aforesaid, on the *seventeenth* day of *June* in the year of our Lord one thousand eight hundred and *eighty-eight*, 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

*Michael Mc Dermott*

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 Brennan*  
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 Brennan*

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.

0497

**BOX:**

379

**FOLDER:**

3542

**DESCRIPTION:**

Briskman, John

**DATE:**

01/24/90



3542

POOR QUALITY ORIGINAL

0498

245

*Henry C. ...*

Counsel,

Filed 24 day of Jan 1890

Pleas,

*W. ...*

THE PEOPLE

vs.

vs.

John Brickman

*vs. ...*

*Account with interest to ...*

*[See 1447, Com. ... out]*

JOHN R. FELLOWS,

District Attorney.

A TRUE BILL.

*J. ...*

Feb 6/90

Foreman.

*W. ...*

*W. ...*

Witnesses:

*W. ...*  
*W. ...*

**POOR QUALITY ORIGINAL**

0499

Sec. 108-200.

2 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

John Briskman 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 Briskman

Question. How old are you?

Answer.

18 Years

Question. Where were you born?

Answer.

Russia

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

Answer.

79 Rivington Street

Question. What is your business or profession?

Answer.

Sea flower

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 Briskman  
his  
Mark

Taken before me this  
day of

John Briskman

Police Justice

**POOR QUALITY ORIGINAL**

0500

**BAILED,**

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

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

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

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

Police Court... 2  
District... 132

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

William J. Kelly  
John Broderick  
Offence Assault  
2<sup>d</sup> Degree

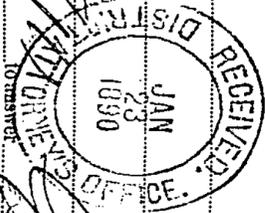
Dated January 21 1890  
Magistrate

Officer Kelly  
Precinct 19

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

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

No. 57  
Street \_\_\_\_\_



*[Signature]*

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

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

Dated Jan 21 1890 *[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 h to be discharged.

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

POOR QUALITY ORIGINAL

0501

Police Court— 2 District.

STATE OF NEW YORK,  
CITY AND COUNTY OF NEW YORK, } SS.

of No. 19<sup>th</sup> Street William Kelly Street,

on Tuesday the 21<sup>st</sup> being duly sworn, deposes and says, that  
in the year 1880, at the City of New York, in the County of New York,

An unknown woman  
~~she~~ was ~~violently~~ ASSAULTED and ~~BEATEN~~ by John Briskman  
(now free) with the intent to commit  
a felony larceny from the person in the  
manner following, that the deponent saw said  
Briskman on 6<sup>th</sup> Avenue near 15<sup>th</sup> Street thrust his  
hand in the pocket of a cloak or coat on the person  
of an unknown woman  
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 the above assault, &c., and be dealt with according to law.

Sworn to before me, this 21<sup>st</sup>  
day of January 1880

William E. Kelly

[Signature] Police Justice.

**POOR QUALITY ORIGINAL**

0502

**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 Briskman*

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

Indictment accuse *John Briskman*

of the crime of *assault with intent to steal,*

committed as follows:

The said *John Briskman,*

late of the City of New York, in the County of New York, aforesaid, on the

*twentyfirst* day of *January,* in the year of our Lord one thousand  
eight hundred and ~~eighty~~ *ninety*, at the City and County aforesaid,

*did unlawfully lay hand upon the person of a  
certain woman whose name is to the Grand Jury  
aforesaid unknown, and upon the clothing then  
upon the person of the said woman, with intent  
to steal as a pickpocket; 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.*

0503

**BOX:**

379

**FOLDER:**

3542

**DESCRIPTION:**

Bristoll, Richard

**DATE:**

01/28/90



3542

POOR QUALITY ORIGINAL

0504

400

*Colman*

Counsel,

Filed

*Day of May 1890*

Pleas,

*McGully*

THE PEOPLE

vs.

*Richard Bristol*

*John*

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

JOHN R. FELLOWS,

District Attorney.

A True Bill.

*G. H. Stone*

Foreman.

*July 20th 90*

*Spried & Computed*

*W. H. March 20th*

*W. H. March 20th*

*Feb 25th 90 P.M. 20*

Witnesses;

*Ida Smith*

POOR QUALITY  
ORIGINAL

0505

Eda Smith will  
be unable to appear in  
court today.

Will probably be able to  
do so on Saturday

W. B. Colby

Harrisburg

Jan. 23 '90

POOR QUALITY  
ORIGINAL

0506

New York Hospital,

West Fifteenth Street,

New York, Jan 21 1892

John Smith will  
be unable to go to court  
for several days. (3-4)  
Condition not serious  
W. B. Coley  
J.H.S.

POOR QUALITY ORIGINAL

0507

CITY AND COUNTY } ss.  
OF NEW YORK, }

POLICE COURT, 2 DISTRICT.

*Michael H. Fitzgerald*  
of No. *29th Street*, aged *37* years,  
occupation *Police Officer* being duly sworn deposes and says  
that on the *19th* day of *January* 189*9*  
at the City of New York, in the County of New York

*I arrested*  
*Richard Bristol* (wid. leg.) for the  
reason that one *Ada Smith*  
was confined in the New York Hospital  
informed Depment in the presence  
of *Bristol* that he *Bristol*  
had previously stabbed her  
in her chest & side. Depment  
arrests the detention of said  
*Bristol* until said *Smith*  
can appear in Court  
*Michael H. Fitzgerald*

Sworn to before me this

of *1899*

*21st* day

*[Signature]*  
Police Justice

**POOR QUALITY ORIGINAL**

0508

Police Court-- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Richard Bristle* vs. *[Signature]*  
AFFIDAVIT.

Dated *Jan 27 1890*

*[Signature]* Magistrate.

*[Signature]* Officer.

Witness, *[Signature]* 19

Disposition,  
*Ex Jan 28. 10 am*  
*25. 10 am*

POOR QUALITY ORIGINAL

0509

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK } ss.

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

Question. What is your name?

Answer. *Richard Bristol*

Question. How old are you?

Answer. *24 years*

Question. Where were you born?

Answer. *N.Y.*

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

Answer. *Manhattan Lexa*

Question. What is your business or profession?

Answer. *Horse Trained*

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*  
*Richard Bristol*

Taken before me this *4* day of *April* 18*97*  
*[Signature]*  
Police Justice.

POOR QUALITY ORIGINAL

05 10

Police Court— 2 District.

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

of No. 132 West 19<sup>th</sup> Street, aged 22 years,  
occupation Single being duly sworn

deposes and says, that on the 19<sup>th</sup> day of January 1890 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Richard Bristol

(now here), who ext and stated  
deponent with a dangerous  
knife then and then held in the  
hands of said Bristol on deponents  
left side thereby severely wounding  
deponent

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

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

Sworn to before me, this 25 day }  
of January 1890 } Gene Smith  
A. J. White Police Justice.

POOR QUALITY ORIGINAL

0511

100 1

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court... District 157

THE PEOPLE, Etc.,  
ON THE COMPLAINT OF

Richard [Signature]  
Richard [Signature]

1  
2  
3  
4

Offence

Assault  
Felony

Dated

[Signature]

1890

Residence

Residence

Residence

Residence

Residence

Residence

Witnesses

No. 1

No. 2

No. 3

No. 4

No. 5

No. 6

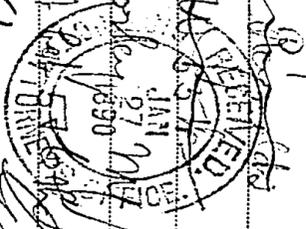
No. 7

No. 8

No. 9

\$ 5000

to answer



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 Three 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 Jan 19 1890 [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 h to be discharged.

Dated 188 Police Justice.



**POOR QUALITY  
ORIGINAL**

0513

room; she did not seem to go out of the room fast enough and he said something to her again, she began to cry and came and put her arms around my neck, I began to cry and I told her he was going to make a fuss, I saw him open a knife and stab Reynolds, he put it in his pocket half an hour before this row commenced, Reynolds was sitting in the room drinking and talking with Miss Mansell in the back room, Bristoll got up and went in the back room and then he came in the front room where I was sitting at the table, I saw him open the knife and put it in his pocket, he said, "what is the matter with you"; I said nothing but I went and told Miss Mansell that he was going to raise a fuss with her. He came rushing at me, he had the knife in his hand but I did not think he would cut me, Reynolds caught hold of me and Miss Mansell held me around the neck, he cutting me, Reynolds pulled me a distance from him, he fired a pitcher at me and it hit the bed-room door and broke my front tooth, Miss Mansell halloed to get out of the way, I took a chair and held it until I got close enough to the door to get out; he snatched the chair from me and threw it back and shoved me against the railing and that is where I broke a rib, he kicked me outside and locked the door, I went to the Station House and was on my way back before I found out I was stabbed; he threw dishes and everything he could get at my head; he cut me twice with the knife, the worst stab is above my corset in my chest and the other one is beneath my shoulder blade; I went to the Station House, I could not find an officer and I came back and went to Fourth Avenue and found an officer on the beat, he came back with me to the house and he called for

**POOR QUALITY  
ORIGINAL**

05-14

help and two officers came in; the defendant was out of the house at the time and an officer took me to the hospital and brought me back again to the house, Miss Mansell furnished me a bed to lie down on until the next day; the next day I wanted to get some milk and the defendant prevented me from getting it, he came in the house at half past seven o'clock in the morning, Miss Mansell said that I must have the milk. I was taken to the New York Hospital in 15th Street about a quarter past four in the morning, I did not want to stay at the hospital and went back to Miss Mansell, I did not think I was hurt, I was going to work in the morning but I was not able to work, I got a girl to help me upstairs, I told a young man that the defendant stabbed me during the night, the defendant was in the room at the time, he told Miss Mansell to take the God damned bitch out of there or he would finish her, that if she did not take me out he would cut my heart out; then they took me upstairs on the second floor and a young man went out and called an officer who arrested him on Sunday afternoon, he took the defendant to the 30th precinct Station House and took me to the New York Hospital on Sunday and I was discharged from the hospital on the Friday following.

Cross Examined. I know the defendant had his right finger cut, he cut himself, his clothes were not cut in different places, I was not acquainted with Reynolds, I met him once or twice in that house before, Reynolds and the defendant were not fighting with each other but Reynolds reached out and pulled the defendant from me to prevent him from cutting me any more. Reynolds

**POOR QUALITY  
ORIGINAL**

05 15

did not strike anybody but the defendant struck him in the face with a dish, Reynolds is not as tall as the defendant this trouble occurred about half past two o'clock in the morning, I guess Reynolds and the defendant had been drinking, they offered me whiskey but I refused to drink it, the fight took place in the front room down stairs, I was in the back room in the fore part of the night with the defendant, Miss Mansell, Reynolds and a young lady, there was a white gentleman with the young lady, they had drink while they were in there but I had not any, I helped Miss Mansell to get through with her ironing. It is not a fact that while Reynolds and the defendant were clinched and struggling that I picked up a chair and struck at the Defendant, I took up the chair and held it between me and the defendant until I got outside of the door, he was firing pitchers and dishes at my head and Reynolds was holding him, I raised the chair to defend myself.

Micheal H. Fitzgerald sworn.

I am an officer attached to the 19th precinct and arrested the defendant on the 19th of January, Sunday, at half past two in the afternoon at 132 West 19th Street, the complainant made a complaint, I met her on the head of the stairs and she told me she was stabbed in that house, I brought him in front of the woman and she pointed him out and said he stabbed her, he said that he was not guilty I knew there were two or three officers after him in the morning but they did not find him. I took him to the Station House and on the way he said he did not do it; he said that there was a general muss there, that it was a

**POOR QUALITY  
ORIGINAL**

05 16

a lover of hers that did it, I had no further conversation with him but when I was taking him to Jefferson Market in the morning I asked him what he did the stabbing for and he said that he had not done it at all, that there was a general row there and it was her lover that stabbed her, I was present in Court when he was examined and all he said there was that he was not guilty; he did not tell me the name of the lover, he said there was a man called Reynolds there, he did not couple that man's name with the assault, he did not mention Reynolds as the lover. I did not take the complainant to the hospital, she was accompanied by two colored men.

Cross Examined. The defendant seemed to have his finger cut and bandaged with a sort of a rag, he simply said that his finger was cut but did not say anything about how he received it, there was blood on the rag. When I first saw the complainant I saw wounds on her, I asked her where she was cut and she lifted her clothes and I saw where there was blood, this was in the presence of the prisoner, I asked her about the assault and she showed me where she was stabbed on the side, she had her corsets on at the time and I saw there was blood on them; I placed Bristoll under arrest at the time and took him to the Station House.

Irene Smith recalled examined.

I saw a pocket knife, I had it in my hand, an ordinary sized pocket knife with a blade about two and a half inches long, it had a brown handle. I saw Reynolds in that house about two or three months before this, I rented a

**POOR QUALITY  
ORIGINAL**

0517

furnished room when I was not in service for a while, I don't know whether Reynolds had a room or not, I have seen him there, he never came in my room.

Kate Maunsell sworn and examined for the defence.

I was subpoenaed by the People, I saw this fight between these parties, I have rooms in this place, I am the house-keeper for the landlord and let furnished rooms to different parties, Reynolds had a furnished room about nine months ago, I have been acquainted with Irene Smith since last summer, Irene was there the night of this quarrel, the defendant did not go near her or stab her, Reynolds I think done the stabbing because he cut me on the fore-finger, I cannot make use of the language that Irene made use of, she called him all kinds of sons of bitches; all these parties were in the room and there was a quarrel, Irene Smith commenced it; the defendant said that she threw glasses of beer in his face but I did not see it; after she called him these names he went out of the room and asked me to please make her stop calling these names, I asked her but I could not make her stop. She grabbed a chair to strike at him and he took the pitcher, I did not see where the chair hit him, I had him by the sleeve to try to prevent him, I stood between him and he never got near enough to hit her, he only threw the things, Joe Reynolds hit him several times. I did not know the woman was stabbed until twenty minutes to six in the morning and this must have happened between five and six, she then said she was stabbed when the officer came in. Reynolds and the

**POOR QUALITY  
ORIGINAL**

05 18

defendant had hold of each other fighting, I got several blows on my neck and shoulder from somebody behind; she had been drinking beer, I poured out two glasses of beer for her and I had two glasses of beer. There was two gentlemen came in with her and they are the ones that sent out for beer and whiskey, I poured out beer for her.

Cross Examined. I had three subpoenas sent to me by the people, I am not married to Bristoll, I am married to William Maunsell, Bristoll did not live with me he only lodged there, he was a lodger in the house the same as the rest of the people, he lodged there occasionally but when he was over to the races he did not come in town at all. I have not called at the Tombs to see him since he has been locked up, I have not employed a lawyer for him, he employed his own lawyer.

Richard Bristoll sworn and examined.

I have never been arrested before and my business is race horses, my home is at St. Antonio, Texas, I have been here for some time and have never been in trouble of any kind before, I have heard the testimony of Irene Smith, I did not cut her with a knife but at that time I was cut across the finger with a knife and I was cut in the breast my shirt and undershirt were cut, I have got the undershirt and shirt on; at the time the officer arrested me I was cut in the finger badly. Who cut you? Reynolds cut me, the one that is spoken of here, Reynolds had a knife at the time but I had no knife in my hand. You and Reynolds were fighting, were you? Yes sir. I want you to tell the jury how the whole thing happened, what you and the other

**POOR QUALITY  
ORIGINAL**

05 19

did? They wanted me to go out and get whiskey, I said no I had enough whiskey. I didn't want any more to drink; this woman Irene Smith turned around and says -- she called me a name, you son of a bitch go and get beer and whiskey both, she had still whiskey in a glass; I said. "don't call me hard names, " I told the lady who ran the house to tell her not to call me hard names but she kept on at it and threw the beer in my face and picked up a chair to hit me and when she picked up the chair to hit me this other lady caught her and the chair hit the man Reynolds on the neck, he was coming at me and had something in his hand to hit me with, I took the pitcher and threw it over their heads at the door to give me a chance to get out, I did not throw the pitcher with the intention of hitting anybody, Reynolds caught me and struck me in the face with his fist and he cut me across the finger and he cut me in the coat, Irene Smith was trying to get at me to hit me with a chair, I did not cut her with the knife, it is not true what she says, that I took a knife out of my pocket and opened it sometime before, I had no occasion to get into a quarrel or use any weapon. Did you have a knife about you in your pocket? No. This story that she state about your having the knife is not true? No, it is not. And the knife that was used was used by Reynolds? Yes. If she got stabbed she must have been stabbed by Reynolds? Yes. She was telling a story to four or five men in the back room, how she chopped a man up with a hatchet in Wilmington, North Carolina. I said, "you would not be guilty of that"; she said, "you do on, you are too fresh, you son of a bitch", she spoke up when the man asked me to get

**POOR QUALITY  
ORIGINAL**

0520

whiskey and called me the same name again; I went to this lady who kept the place to get her to tell Irene Smith not to call me these hard names. You were not quarreling with Miss Maunsell? No, I never had occasion to quarrel with the woman.

Cross Examined. How many men were in the back room? There was Reynolds and two men in there and then there was another young man, that made four besides myself, there were five altogether. Was Miss Maunsell sober? Yes. Was this woman Smith sober? I can not say as to that, she was getting very quarrelsome. When Miss Maunsell swears that there were not four men in the room she was mistaken? I do not know, there was no man in the back room after the fighting commenced, in the back room in the first part of the evening where it first commenced there was only Reynolds, Miss Maunsell, myself and this Smith girl in there. How long have you known Miss Maunsell? Two or three weeks before the thing happened, I went that one night with a young fellow named Phil Collins that had a room, he brought me and introduced me to this party the same night I came over from the race track, this woman used to do his washing and I gave her my washing. Her statement that you were there all the time except when you were away with the horses is not true? I never knew the lady until this fall, about three weeks before the thing happened. Did you have that coat of yours mended since you have been in the Tombs? No sir, I had it mended the morning it wad done, I had it sewed that morning. On the way to or from the police station to the Police Court did you tell Officer Fitzgerald about this

**POOR QUALITY ORIGINAL**

0521

horrible assault that had been made on you about your clothes all being cut? I just told him I was cut, I told him instead of anybody being cut that I was the one that got cut and I told all the officers that who spoke to me; I was cut across the finger and the thumb, there is the scar (showing it), my hand was all tied up and full of blood, I showed him my hand when I went to the station, I showed it to the Captain and everybody else and the gentleman in Jefferson Market used to ask me every morning how my finger was, I showed him my coat where it was cut on the sleeve, I showed him the cut in my clothes, where it was sewed up and told him a gash had been made there.

*Handwritten notes:*  
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Micheal H. Fitzgerald recalled by District Attorney.

I did not pay any particular notice to how the defendant was dressed when I took him from that house in 19th Street, I know he had light pants on and a sort of dark coat, I think the clothes he has on to-day are the same, he did not tell me he had been stabbed in the arm and he did not show me any cut on his clothes, he did not tell me about any other wound than the one on his thumb, I may have forgotten some of the conversation but I am quite positive that he never stated anything about those wounds.

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

**POOR QUALITY  
ORIGINAL**

0522

70

*[Faint, mostly illegible typed text]*

*Testimony in the  
Case of  
Richard Bristol  
filed Jan. 1940.*

*[Faint, mostly illegible typed text]*

POOR QUALITY ORIGINAL

0523

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK, against

Richard Bristoll

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

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

The said Richard Bristoll

late of the City of New York, in the County of New York aforesaid, on the nineteenth day of January in the year of our Lord one thousand eight hundred and ninety, with force and arms, at the City and County aforesaid, in and upon the body of one Irene Smith in the Peace of the said People then and there being, feloniously did make an assault and her the said Irene Smith with a certain knife

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

with intent her the said Irene Smith thereby then and there feloniously and wilfully to kill, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

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

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

The said Richard Bristoll

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 Irene Smith in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and her the said

with a certain knife

which the said Richard Bristoll 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.

**POOR QUALITY  
ORIGINAL**

0524

THIRD COUNT—

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

— *Richard Bristoll* —

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

The said *Richard Bristoll*

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

*her* the said *Irene Smith*

with a certain *knife* —

which *he* the said *Richard Bristoll*

in *his* right hand then and there had and held, in and upon the *side* of *her* the said *Irene Smith*

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 *Irene Smith*

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:**

379

**FOLDER:**

3542

**DESCRIPTION:**

Brosi, Louis

**DATE:**

01/27/90



3542

POOR QUALITY ORIGINAL

0526

324

371  
W. E. McEwen

Counsel,

Filed 27 day of Jan 1890

Pleads, *Chiquity*

VIOLATION OF EXCISE LAW  
(Selling on Sunday, Etc.)  
(III Rev. Stat. (7th Edition), page 1889, Sec. 21 and page 1890, Sec. 5.)

THE PEOPLE

vs.

*Louis Brown*

JOHN R. FELLOWS,  
Transferred to the Court of Special  
Sessions for trial and final Disposition by Attorney.

1912. May 8<sup>th</sup> 1890

A True Bill.

*G. L. Laven* Foreman.

Witness:

*Officer Hayward*  
*220 Peachtree*

**POOR QUALITY  
ORIGINAL**

0527

**Court of General Sessions of the Peace,**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Louis Brosi*

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

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

The said

*Louis Brosi*

late of the City of New York, in the County of New York aforesaid, on the *twenty-fourth* day of *June* in the year of our Lord one thousand eight hundred and *eighty eight*, 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

*Edward N. Maynard*

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

*Louis Brosi*  
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

*Louis Brosi*

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.

0528

**BOX:**

379

**FOLDER:**

3542

**DESCRIPTION:**

Brown, William

**DATE:**

01/21/90



3542

0529

274

Witnesses;  
*Richard Hutchinson*

Counsel,  
Filed *21* day of *May* 1890  
Pleads, *Atty. Genl.*

THE PEOPLE  
vs.  
*R*  
*William Brown*

Grand Larceny, Second Degree.  
[Sections 529, 531, Penal Code.]

*John R. Fellows*  
JOHN R. FELLOWS,  
District Attorney.

A TRUE BILL.

*Glynn* Foreman.  
*May 21 1890*  
*Wm. M. v. Ford*

POOR QUALITY ORIGINAL

0530

Police Court 2 District. Affidavit—Larceny.

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

Richard Hutchinson  
of No. 176 8th Avenue Street, aged 38 years,  
occupation Saloon Keeper being duly sworn

deposes and says, that on the 15 day of January 1890 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 overcoat  
of the value of thirty five dollars.  
\$ 35

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 Brown (now

here) under the following circumstances  
The said coat was last seen by  
deponent in a back room of his  
saloon at 176 8th Avenue, and the  
defendant was then present. In  
about fifteen minutes after de-  
ponent last saw the said coat  
was he missed it, and the defendant  
had then gone out, and deponent  
charged defendant with said  
larceny for the reason that he was the  
only person who could have taken  
the said, and deponent is informed  
by Policeman John Carey of  
No 16th Precinct now here

Sworn to before me, this 18 day of January 1890  
Police Justice.

**POOR QUALITY ORIGINAL**

0531

That after his arrest the defendant admitted to him that he the defendant had stolen the said coat and pawned the same. Reponant now asks that defendant be dealt with as the law directs.

Sworn to before me this 17 day

of *June* 1890  
*A. J. White*  
Police Justice.

*Richard Hutchinson*  
for

**POOR QUALITY ORIGINAL**

0532

CITY AND COUNTY OF NEW YORK, } ss.

*John Carey*

aged \_\_\_\_\_ years, occupation *Detective* of No. \_\_\_\_\_

*16th Avenue Police*

Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of *Richard Hutchinson*

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

Sworn to before me, this *17* day of *January* 18*90*

*John Carey*

*A. J. White*  
Police Justice.

**POOR QUALITY ORIGINAL**

0533

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

William Brown 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 Brown

Question. How old are you?

Answer. 36 years

Question. Where were you born?

Answer. Canada

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

Answer. Broadway, Brooklyn - 15 months

Question. What is your business or profession?

Answer. dry 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 do not recollect  
Wm F Brown  
his mark

Taken before me this

day of

1883

[Signature]  
Police Justice.

POOR QUALITY ORIGINAL

0534

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court... 2 District, 104

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Richard Hutchinson  
136 St. 8 Ave  
Wm Brown  
Larceny  
felony

Offence

Dated

Jan 13 1890  
M White  
Magistrate.

Officer.

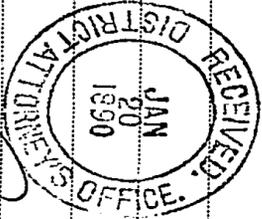
Witnesses

No.

No.

No.

to answer



Handwritten signatures and names in the witness section.

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 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 Jan 13 1890 M White 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 h to be discharged.

Dated..... 188..... Police Justice.

POOR QUALITY  
ORIGINAL

0535

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 Brown*

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

*William Brown*

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

The said

*William Brown*

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

*one overcoat of the value of thirty-five dollars*

of the goods, chattels and personal property of one

*Richard Hutchinson*

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.

*John R. Fellows,*  
*District Attorney.*

0536

**BOX:**

379

**FOLDER:**

3542

**DESCRIPTION:**

Buch, Frank

**DATE:**

01/27/90



3542

0537

**BOX:**

379

**FOLDER:**

3542

**DESCRIPTION:**

Dunazio, Michele

**DATE:**

01/27/90



3542

0538

**BOX:**

379

**FOLDER:**

3542

**DESCRIPTION:**

Buch, Dominico

**DATE:**

01/27/90



3542

0539

**BOX:**

379

**FOLDER:**

3542

**DESCRIPTION:**

Franciscano, Vincenzo

**DATE:**

01/27/90



3542

0540

**BOX:**

379

**FOLDER:**

3542

**DESCRIPTION:**

Buch, Francesco P.

**DATE:**

01/27/90



3542

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0541

227

157  
J. J. Kelly  
Counsel

Filed 27 Any of Jan 1890  
Pleads, *Not guilty*

THE PEOPLE  
MURDER IN THE FIRST DEGREE  
[Section 188, Penal Code.]  
1. Frank Buch P  
2. *W. H. ...*  
3. Domingo Buch P  
4. Vincenzo ...  
5. Francisco P. Buch P

JOHN R. FELLOWS,  
District Attorney.

Part 2  
April 21  
by Court  
A True Bill  
Not guilty  
Not guilty  
Not guilty  
Not guilty  
Not guilty

*Glenn*

Foreman  
April 21 1890  
Plead guilty  
Plead guilty  
Plead guilty  
Plead guilty  
Plead guilty

Witnesses:  
Oct 29/94  
No. 1 Note for opening  
Clemency  
P.S.M.

POOR QUALITY ORIGINAL

0542

STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, ss.

AN INQUISITION,

Taken at the house of Coroners Office No. 67 Park Row in the 4th Ward of the City of New York, in the County of New York, this 13 day of January in the year of our Lord one thousand eight hundred and 90. before Ferdinand Levy, Coroner, of the City and County aforesaid, on view of the Body of Isaac Schlausky

lying dead at Upon the Oaths and Affirmations of three good and lawful men of the State of New York, duly chosen and sworn, or affirmed and charged to inquire, on behalf of said people, how and in what manner the said Isaac Schlausky came to his death, do upon their Oaths and Affirmations, say: That the said Isaac Schlausky came to his death by

Injuries inflicted by Frank Buch at 8 Elizabeth Street January 7th 1890. He hold, Michael Dondzio, Domingo Buch, Vincenzo Franciscano, Francisco P. Buch, as accessories.

In Witness Whereof, We, the said Jurors, as well as the CORONER, have to this Inquisition, set our hands and seals, on the day and place aforesaid.

JURORS.

- Geo. D. Michaelis 785 15th Nathaniel Arrow 13 Bible Ave
B. J. Havemann No. 348 E 47th Frederick Berg 821 1st Ave
Patrick Mulligan 309 E 39th William Lovett No 103 E 89
Samuel Kafka 57 Bowery S. Gradenwitz, 216 E. 1st Ave
E Marscheider 763 1 Ave

Ferdinand Levy CORONER, N. Y.

**POOR QUALITY  
ORIGINAL**

0543

IN THE CORONER'S COURT OF THE CITY AND COUNTY OF NEW YORK.

-----  
INQUEST IN THE MATTER OF : Before HON. FERDINAND LEVY,  
THE DEATH OF : :  
ISSAC SCHLANSKY. : Add a Jury. Coroner,  
-----

New York, Monday, January 13th, 1890.

For all five prisoners, appeared Mr. Frank J. Keller of 280 Broadway.

ARTHUR J. PRICE, sworn and examined.

BY THE CORONER:

Q. To what Precinct are you attached? A. The 6th Precinct.

Q. Officer, tell the Jury all you recollect of this occurrence or that you know with reference to the death of Isaac Schlansky?

A. I was coming from my dinner on the 7th of January about twenty to twenty-five minutes past two and I was on the station house steps going into the station house when I heard some people cry out at No. 8 Elizabeth Street, a few doors below, "Come, come quick," so I ran down and they were all in the back yard there, and I met Mr. Schlansky and he was standing up at the time and he said he had been assaulted by an Italian.

Q. You saw Schlansky, the deceased, and he claimed he had been assaulted? A. That he had been assaulted by an Italian. He says, "He has just gone upstairs," I ran upstairs after this man here, one of those men sitting there, and I caught him in his own room.

Q. Which one was that? A. That second one with a light coat on.

THE CORONER: (To the Prisoner) Stand up a moment there.

(The second prisoner arose.)

THE CORONER: What is your name?

THE PRISONER: Frank Buch.

Q. (To the officer) You found him in the room? A. Yes, sir. I brought him down stairs and when I came back down stairs the daughter followed me up and says "That's the man."

Q. What daughter? A. Schlansky's daughter. I brought him down stairs and when I came back downstairs the old gentleman was unconscious, laying in the yard. So I took the fellow to the station house and ordered the parties there to bring Mr. Schlansky to the station house. They carried him to the station house and I think he was dead by the time he got there. He was alive when I left him.

Q. Yes, he died on his way to the station house while he was being carried to the station house? A. ~~Yes~~ This man says, "Yes, I'm the one that done it and if I had five minutes more I would kill three or four more of them."

Q. Now, Officer, tell us again what Frank Buch said?

A. I brought him downstairs and this Mr. Schlansky was laying in the yard on the flagging and I says, "That man looks as though he's going to die." He says, "I hope to Christ he does die," He and if I had five minutes more I would kill three or four more of them.

Q. You arrested him? A. I arrested him and brought him to the station house.

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- Q. And did you arrest the others? A. There were two officers that brought them up on suspicion.
- Q. The others were arrested supposed to be accomplices, I suppose? A. Yes, sir.
- Q. Now that is all that you remember of the case? A. That is all.
- Q. And Schlansky was dead when he got to the station house?
- A. Yes, sir. They sent for the ambulance right away and when the doctor came he said he was dead. That was about fifteen minutes after we had carried Schlansky to the station house.
- Q. You had nothing to do with the arrest of the others?
- A. No, sir. I arrested the one that admitted to me that he had done it.
- BY MR. KELLER:
- Q. Don't you think that was merely vain talk and nonsense on his part?
- (The question was ruled out.)
- Q. Was anybody else engaged in that contest or fight?
- A. Not that I know of.
- Q. Now then, don't you think that was merely talk on his part?
- THE CORONER: I shall exclude that. The Jury can pass upon that, not the officer.

M R S. I D A S I L V E R M A N

- sworn and examined.
- BY THE CORONER:
- Q. Where do you live? A. No. 8 Elizabeth Street.
- Q. On the 7th of this month were you present when Isaac Schlankky was assaulted or beaten? A. Yes, sir.
- Q. What time of the day was this? A. It was between two and half past. At half past two he was dead at the station house.
- Q. The assault took place between two and half past?
- A. Yes, sir.
- Q. Now will you tell us what took place? A. My father was housekeeper there. He was janitor of No. 8 Elizabeth Street for the last five years and he has had charge of the other houses, front and rear, and done anything that had been ordered to be done. The landlord to this house never comes to the house; it is always the agent that comes there, and anything he told him to do he would do, because my father was a handy man and he could do anything at all. There was one corner there where the Italians would vomit and dirty and my father asked this agent whether he couldn't put a piece of board there to stop off that place where they shouldn't be able to dirty, so he said yes, and the carpenter came on Tuesday morning. When the carpenter came he brought him down there and he put a piece of board there, that size (illustrating,) so that they shouldn't be able to do that, and he stepped in. As soon as my father went away to work, this man went down and tore that board off. My father came back and found this board off and he came in and he asked my mother if she didn't see who tore it off. She says no, but she did see this man tear it off though she didn't tell him. My father went down in the yard and met the carpenter there just as he was going to go home and he asked him whether
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he wouldn't put another piece of board there and he said yes, and he went over and he put the piece of board there and he went home and my father stopped there yet, he had something to do around the yard. Then this man----

Q. (Interposing) What man? A. This one here (The Corner ordered the prisoner Buch to arise and the prisoner stood up)

Q. That man? A. Yes, sir; that one. He came right down and my father was standing a few steps away from this piece of board and this man went over and tore it off again and my father says "What business have you to tear that off after us putting it on." The man didn't answer one word but he grabbed my father right by the mouth. He grabbed him by the breast first and then my father called to my brothers to come to his help. The man grabbed him by the mouth and he cut his tongue. He stopped his mouth with one hand and hit him with the other and dragged him by the mouth----my father's lips and teeth were all bleeding and all torn. He held him by the mouth and dragged him along this yard, which is about a half a block long, and as he was dragging him he was hitting him all along. He was dragging and hitting him and calling for the others and he dragged him from one corner of this yard to his step. He dragged him over and called all the others down and they all came down.

Q. What others do you mean? The Italians? A. All these four Italians here. This man dragged him over there and they all commenced to hit him.

Q. Those four men? A. Yes, sir. One had a washboard the other I don't know what, the others had knives and I ran over and caught hold of my father and this Buch was the first one to run over and hit me in my head, Frank Buch. He hit me hard and my head is paining all the time ~~since~~ he struck me, ~~xxxxxx~~ He struck me in the head so I got mixed up, so I wouldn't help my father. He says, "You are going to help this man; I didn't go to hit this man for fun, I want to kill him, and if you don't go away I'll kill you too," and as he said that he raised his knife and somebody tore the knife out of his hand and he hit my father again and he says, "As long as he aint dead yet I aint going to stop." The yard was full of people and my father cried for help but the people were all afraid of the man and this man ran for me and some people pulled him back and he says, "All the others are afraid of us and if you don't go away and if you take him away you'll be killed too." He says, "I didn't go to hit him for fun, I want to kill him and I'm going to kill him." When I dragged my father away they were all hitting him, they wouldn't stop for anybody, for me especially, they said, "Because we can kill you in one minute." I didn't let go. I held my father while they were dragging him and all the time they wouldn't let go and said, "As long as his eyes are open we are going to hit him," and they were hitting him all the way until I got him away one step. They commenced to go back and I got my father out. The one that hit him already went for me with a knife afterwards.

BY MR. KELLER:

Q. Which one hit you with a knife? A. This Frank Buch, he was the first one struck me in the head and then he raised the knife and the others held him back and then they commenced to run upstairs and I pulled my father away and my father stood with me. He didn't speak no more and I walked two steps and I says, "Father, look how you are hurt," and he uttered one cry and fell

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off his feet. I thought he was fainting. The other people caught hold of him and I ran for the police and when I was running for the police I met the policeman in the hall and I caught him by the sleeve and I dragged him, made him hurry up, and he ran with me and when we came there they were all upstairs and my father was dropping from his feet and the officer asked ~~me~~<sup>me</sup> to show him which one it was hit him and I showed him. This was the head one (Pointing to Prisoner Buch.).

BY THE CORONER:

Q. Which one; Frank Buch? A. Yes, sir. I thought my father was only fainting. I ran for more police; I thought there would be more murder; and when I went out for more police they were all caught on the roof. They were going to jump from one roof to the other and they were caught. Some were in the house but some were on the roof. When I came down with this officer to this murderer, my father was dying already. They were trying to help him, but they couldn't any more. When he was brought to the station house he was quite dead. When I went over to the station house I asked this man "Why did you kill my father?" And he said "Because I felt like it; is it any of your business? I am sorry I didn't kill you." There was another man talking to the policeman there explaining it and this man jumped up and says to him "I am sorry I can't kill you." The officer stopped him. He was alone and he was going to jump for him.

BY A JUROR:

Q. Where were you when the first conversation took place between your father and Buch? A. I was upstairs.

Q. I would like to find out how you overheard the conversation between your father and Buch about breaking off that board?

A. I could hear it through the window; I was by the window.

Q. The window was open and you were near the window and overheard it? A. The window was down but I could hear but I didn't go over to see because my father didn't holler. As soon as he called my brother's name for help this man closed his mouth right away and I thought he was done with him.

BY THE CORONER:

Q. How could you hear it? A. Because when my father came home I heard him asking my mother who tore the board <sup>off</sup>, so my mother had told him already.

Q. In the first part of your testimony you say there was a quarrel going on between your father and this man Buch as to this board. The Juror wants to know whether you heard that conversation; how could you hear it? A. I was in the room; it is only one flight up.

Q. Could you hear it? A. Yes, sir. He only asked him when he went over to tear that board off----

Q. (Interposing) Did you hear your father ask him?

A. Yes. He said "What business have you----"

Q. (Interposing) Did your father speak loud enough so that you could hear it? A. Yes, sir. My father was always in the habit of speaking loud, so we were all surprised when he was silent. We thought if he was in danger he would holler. So the man closed his mouth at the first word he called. He called my brother's name. When he called for help he closed his mouth right away and pulled him by the mouth and beard through the yard and dragged him away to the corner of the house.

THE CORONER: Let the prisoners stand up.

(All five prisoners arose.)

Q. Which is Buch? A. That second one.

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- Q. And do you know the other men? A. Yes, I saw them. They held my father.
- Q. Do you identify them now as the men that also beat your father? A. Yes, sir.
- Q. Do you know them? A. Yes, sir.
- Q. Do you know their names? A. NO, sir.
- Q. But you know their faces? A. Yes, sir.
- Q. How long have you known them? A. Six weeks they have been living in the house. They interfered with my father three times.
- Q. Never mind that; we are speaking of that morning now. You are positive those are the men? A. Yes, sir.
- BY MR. KELLER:
- Q. Frank Buch, as I understand, struck you? A. Yes, sir.
- Q. Did he stab you with a knife? A. He tried to, but he was held back.
- Q. You said a minute ago he did? A. I said he struck me first and then went for me with the knife and somebody held him back and that was the only chance I had to get my father away.
- Q. You are quite sure that he attempted to strike you with the knife? A. Yes, I saw the knife.
- Q. Who stopped him? A. A few more men.
- Q. What men; any of these men? A. No, sir; those were hitting all the time.
- Q. Do you mean to tell this Jury that these five men were after your father and that these Italians had knives and that they intended to kill your father and you? A. Yes, sir; it was their intention to kill him.
- Q. The five Italians attacking your father armed with knives and never drawing or using a knife? A. They did use the knife.
- Q. On your father? A. On the back of the head.
- Q. On your father? A. Yes, I saw the knife with blood.
- Q. Now, madam, listen to me. Are you married? A. Yes, sir.
- Q. You swear that your father was cut with a knife. Now let me ask you, you are under oath, by whom was he cut with that knife? A. By Buch.
- MR. KELLER: (Frank Buch, stand up).  
(The prisoner arose).
- Q. You swear that that man cut your father with a knife?  
A. Yes, sir.
- Q. Now let me ask you where? A. In the back of the head.
- Q. That evidence is just as true as the rest of the evidence you have given? A. Yes, sir.
-

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MRS. ANNA FINKELSTEIN, sworn and examined.

BY THE CORONER:

- Q. How long have you been in this country? A. About 12 years now.
- Q. Is your husband living? A. Yes, sir.
- Q. What does he do? A. He is a peddler.
- Q. Have you children? A. Yes, sir.
- Q. How many? A. Four.
- Q. Where do you live? A. 8 Elizabeth Street.
- Q. In the same house where the Schlanskys live? A. Yes, sir; I live on the 2nd floor front and Schlansky lives in the back.
- Q. Did you see this assault? A. No, sir; I didn't see it.
- Q. Do you know anything about the case? A. I came into the yard.
- Q. What time? A. It was between two and three. There was hollering and I came in the yard and there was such a big fight I thought there was murder going on and I jumped out in the Street and hollered for the police and I saw that officer (indicating officer Price) come just on the step. He tried to come in and I was hollering "Officer, hurry up, there's a murder case."
- Q. But when you got into the yard, when you heard that awful noise, what did you see; did you see Isaac Schlansky? A. Schlansky was standing right by the house and all the people were crowding around him and one man had a washboard in his hand.
- Q. Who was it; one of these men here? A. I couldn't tell you.
- Q. What was he doing with the washboard? A. He was fighting.
- Q. Hitting somebody? A. Yes, he was hitting Mr. Schlansky in the head with the washboard.
- Q. Which one it was you don't know? A. I couldn't tell you who it was.
- Q. Is that all that you saw? A. Yes, sir.
- THE CORONER: Prisoners, stand up.  
(The five prisoners arose.)
- Q. Do you know those five prisoners? A. I don't know them; I couldn't tell you who the people were.
- Q. All you know is you heard an awful noise in the yard and you went in the yard and saw Schlansky and somebody was hitting him with the washboard? A. Yes, sir; then I came out in the Street and hollered "Police!"
- Q. Was that somebody a tall or a small man? A. I couldn't say, because the yard was full of people.
- BY MR. KELLER:
- Q. Did you know Schlansky? A. Yes, sir; I am two years in that house.
- Q. Whose washboard was that? A. I don't know.
- Q. Don't you know it was Mr. Schlansky's washboard? A. I don't know whose washboard it was, but it was downstairs in the yard. There was somebody washing, I couldn't tell you who.
- BY THE CORONER:
- Q. Was it your washboard? A. No, sir.

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Q. Was it Schlanskys? A. No, sir; I think it was some of the Italian people washing in the yard there; there was a young Italian woman washing by the hydrant.

Q. Therefore you think it was hers, but you are not sure?  
A. No.

BY MR. KELLER:

Q. Did you see Mr. Schlansky with a broom or a broom handle?  
A. No, sir.

Q. Did you see the washboard in his hand? A. No, sir; I saw it in somebody's hand, I couldn't say whose.

Q. Did you see the washboard in Mr. Schlansky's hand? A. No, sir.

DR. PHILIP E. DONLIN, called to the stand and sworn.

THE CORONER: Now, gentlemen, Dr. Donlin, who performed the autopsy on the body of Mr. Schlansky will explain to you the result of the autopsy, and I want you to pay attention to it, because it is very important. Be kind enough to proceed, doctor.

THE WITNESS: On January 8th, 1890, at 8 Elizabeth Street, I made an autopsy on the body of Isaac Schlansky, aged sixty years, a native of Russia. I found an incised wound of the scalp one inch in length to the right of the sagittal suture and just above the occipito parietal suture on right side, which was about this location (indicating); also an extravasation of blood under the scalp in a thin layer over the left side of the frontal bone, the size of the palm of the hand. I found a slight contusion over the bridge of the nose. There was a thin clot between the dura mater and the brain on the right side of the head close to the median line the size of half the palm of the hand. That means that there was a thin layer of almost fluid blood between a membrane ~~x~~ that covers the brain and the brain itself. To the right side of the median line means <sup>to the right of</sup> an imaginary line that runs through the centre of the body dividing the body into two equal halves, right and left. The vessels of the brain were engorged, the meninges slightly opaque. The heart was hypertrophied---that means enlarged, the walls thin, slightly flabby. The aortic valves were insufficient; that means that calcareous deposits had taken place upon the valves of the heart and they were insufficient to permit the proper and normal function of the heart. There was a spot of pneumonia the size of a silver dollar on the upper lobe of the left lung. The kidneys were congested; the pyramids were obliterated. That is, there were some changes of the kidneys probably indicating chronic nephritis, or other chronic trouble of the kidneys. Other organs were normal. Death was due to coma---Coma means where death begins at the brain; from concussion of the brain and intercranial hemorrhage and general congestion of the brain, accelerated by hypertrophy and valvular disease of the heart---enlargement of the heart and valvular disease, as I described, the thinning of the valves so as to permit the incomplete performance of their functions.

Q. From the history of the case, what you have heard of the evidence or has been read to you by the stenographer just now when you came in, to what extent did the injuries said to have been inflicted by the prisoners affect the cause of death; you added that death had been accelerated? A. Hypertrophy and valvular disease of the heart---that death was due to those injuries, accelerated by that condition.

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Q. What injuries? A. The intercranial hemorrhage and the wounds as described in the autopsy. Death was due to coma. Coma is where death begins at the brain. It is recognized as a condition of stupor. Death was due to coma from concussion of the brain. Concussion means the effect upon the brain of any violent blow upon the head; and intercranial hemorrhage means where hemorrhage or bleeding takes place between the cranial walls. The walls of the cranium are something like an egg shell, and the brain is the contents. There was congestion of the brain, that is, an engorgement---that is, that the vessels of the brain were filled with blood, and the minute vessels of the brain were also filled with blood, so that in cutting it through with a knife you would see little marks like pinheads, dark spots, all through the brain substance---accelerated by hypertrophy of the heart and valvular disease. How long the man might have lived had he not received those injuries it is impossible to tell. How long he might have lived with those injuries with the hypertrophy of the heart and valvular disease it is impossible to tell.

Q. Now there has been some testimony here to the effect that the deceased received an injury from a knife, that one of the prisoners, Buch, used the knife and stabbed him in the back of the head; at least, cut him. Now did you find anything in the autopsy that you made which would indicate that there was a wound of that kind? A. I found an incised wound that I located and described, which might have been made by either a knife, or by the sharp edge of a board, or any sharp instrument or half sharp instrument.

Q. By any of those articles that you have named? A. Yes, sir. The wound was an inch in length.

Q. You know the age of the deceased? A. Yes, sir.

Q. This deceased was beaten, as it is claimed, first by Buch, the second prisoner in the line, who took hold of his mouth and dragged him through the yard some distance, and then that the other four came down and assisted or took part in assaulting the deceased. Now I want to ask you this question, doctor. If this man was suffering from the diseases that you have enumerated in your autopsy, heart trouble and kidney trouble, he being a man about 60 years of age, what effect would such an assault or beating have upon a man in that condition? A. Probably to produce death.

Q. Could it produce death? A. It could; yes, sir.

Q. It could under those circumstances? A. Yes, sir.

BY A JUROR:

Q. Could not that man have been killed if he had not been diseased as stated? A. It is possible that he could. Still we know of cases where men have had more severe injuries than we discovered there and who lived. Hence, the insertion of the words accelerated by the condition of things I found.

BY MR. KELLER:

Q. Now, doctor, we are all laymen here, not professional men; at least the Jury and myself are not; will you swear, doctor, that that man did not die from the ordinary course of nature?

A. Yes, sir.

Q. Will you swear he did not die from heart disease? A. Yes, sir.

Q. You have testified he had enlargement of the heart? A. Yes, sir.

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Q. That his kidneys were congested? A. Yes, sir.

Q. Now do you mean to tell me that that man's death occurred on account of the alleged blows that he received that day?

A. Yes, sir.

Q. That is your testimony, doctor? A. Yes, sir.

Q. Unquestionably? A. Yes, sir; in conjunction with the explanations that I have already given. I am answering direct questions by direct answers.

Q. You mean to testify here to-day, doctor, that it was those wounds that caused his death, is what I understand? A. Yes, sir; in conjunction with the condition that he had. All else is hypothesis. I am testifying to fact.

Q. Now what wound was it he had upon the head? A. A wound an inch in length, with extravasation of blood beneath the scalp. Which of the wounds, whether that on the forehead or on the back of the head, caused the intercranial hemorrhage and congestion of the brain it is impossible for me to tell.

Q. Then he had two wounds of the head? A. Two wounds.

Q. You don't know whether those were inflicted with a wash-board or not? A. I don't know whether they were or not.

Q. Would either of those wounds have caused death? A. It is possible----

Q. Answer that question, if you can.

THE CORONER: You need not answer it that way; answer it your own way.

THE WITNESS: I can't answer that question.

Q. What other wound had he besides those two, the one on the forehead as you have described and the one on the back of the head?

A. One on the bridge of the nose.

Q. I suppose the wound on the bridge of the nose had nothing at all to do with the cause of his death? A. Oh no; it was a simple contusion.

BY A JUROR:

Q. I understood there were three wounds on the head? A. I described an incised wound of the skull one inch in length to the right side; also an extravasation of blood under the scalp over the left side of the frontal bone the size of the palm of the hand. That was beneath the skin. That is two. And then the contusion on the nose was three.

BY MR. KELLER:

Q. If so, as I understand it, there was one, practically speaking, on the forehead here somewhere? A. No; that was beneath the scalp, an extravasation of blood.

Q. And one on the back of the head here? A. That was an incised wound.

Q. And this one here (indicating bridge of nose)? A. That was a contusion, probably the size of a ten cent piece.

Q. And that one had nothing at all to do with the cause of death? A. Nothing to do with the cause of death.

**POOR QUALITY  
ORIGINAL**

0552

MRS. BETSY SCHLANSKY, sworn and examined.

BY THE CORONER:

Q. Are you the widow of the deceased? A. Yes, sir.

Q. Now go ahead and tell us just what happened last Tuesday afternoon? A. My husband was housekeeper there and there was a carpenter making some repairs. When the carpenter had got through putting up the board my husband went away, and then my husband came back at 2 o'clock and found the board was taken away. I saw Frank Buch take away the board that had been put up by the carpenter. Then the carpenter put up another board. The carpenter left. After the board had been taken away by Buch my husband went down in the yard and remonstrated with him and then he took hold of my husband and assaulted him and beat him and took him by the mouth and the other four prisoners came down and joined in and helped him.

Q. Did you see it? A. Yes, I saw it through my window. Then they dragged my husband to the place where they lived, in the rear, then I hollered out of the window, "Murder," and I went down in the yard. I hollered "What do you want to do with my poor man?" and Buch had a knife in his hand and he pointed the knife at me and I saw him use the knife on the back of the head of my husband. He pointed the knife at me and told me I dare not come near him, to keep away. My daughter, Mrs. Silverman, was in the yard before I was and my daughter helped to take my husband away from these men. Then afterwards this man took hold of a washboard in the yard and struck my husband right on the head with the washboard and some others kicked him and hit him and some Italian women also kicked him.

BY MR. KELLER:

Q. When your husband was struck with a knife on the back of the head by Frank Buch, try and tell me exactly who were there in the yard? A. There were lots of people in the yard then, because I had hollered murder, which attracted all the people in the house and in the neighborhood.

Q. About how many people were there, twenty, or fifty, or a hundred? A. There were certainly twenty. I called upon others to help and they were all afraid of these Italians because the Italians had knives.

Q. Were the Italian women that you speak of as having kicked your husband present there at that time? A. There were some Italian women there who also assisted in the assault. This man Buch was there first and last, and the others helped him.

Q. Who was it, as claimed by your daughter, that prevented Buch from going any further and saved your husband and took him away? A. They were all pounding away at my husband and finally they had to stop.

Q. In the first place, can you say whether it was an Italian or a Hebrew, or Italians and Hebrews, who took away your husband and prevented this assault, as you say? A. My daughter, Mrs. Silverman, ~~XXXXXXXX~~ He died only a few moments after that.

Q. Do you say your daughter alone took your husband away from all these Italians who were armed with knives? A. The others were all afraid of the knives. My daughter finally succeeded in getting her father away.

Q. Can you give the name of one single other person who was present at that time except your own daughter? A. Some of the witnesses here in the Court Room.

**POOR QUALITY  
ORIGINAL**

0553

JOSEPH TAUB, sworn and examined.

BY THE CORONER:

Q. Where do you live? A. 119 Division Street. A cousin of mine lives at No. 10 Elizabeth Street and I was sitting in my cousin's house on Tuesday last about two o'clock or half past two. I heard some noise and I went into the yard of No. 8. That is the second yard. I went over a plank and across the fence and jumped down into the yard of No. 8.

Q. What did you see there? A. I saw those five Italians beating and hitting this man Schlansky. He was in the Centre. The second man here, Frank Buch, held him by the throat or the mouth---I am not sure whether by the mouth or the throat--- and in the other hand he had a piece of board or piece of wood and struck him on the head with it. I wanted to help this man, but I was afraid because there was those five Italians there and there were also four or five Italian women present. Then Mrs. Silverman came down and she rushed right in to rescue her father ~~xx~~ and this Italian, Buch, hit her right in the side of the head. The deceased man lived about five minutes or so afterwards and died.

Q. Were you there? A. I stood there until a policeman came there and took him away on a stretcher when he was dead. That is all I know.

BY MR. KELLER:

Q. When the daughter got her father away was anybody present in that yard with the exception of the five prisoners and some four or five Italian women and the daughter and the father?

A. At that time, when the daughter took her father away, there were present those five Italians, some Italian women and some Hebrew women and another man and myself. The other man is here. The other man was ahead of me.

THE CORONER: Let that man stand up.

(A man arose in the audience).

THE CORONER: What is your name?

THE MAN: David Seadelske.

THE CORONER: Proceed, Mr. Keller.

BY MR. KELLER:

Q. Did you do anything to try and save the deceased? A. No, I was afraid.

Q. Did you do anything to save the deceased? A. No.

Q. Do you mean to tell this Jury that a countryman of yours was there being hurt in this way and you stood by in fear and did nothing and allowed his daughter to come up and save him; is that your story? A. I was afraid to go near them.

Q. They all had knives, had they? A. I didn't see it.

Q. Had they or had they not knives? A. Some of the men hollered out "See, they have knives." That is what made me afraid.

Q. Did you see the knives? A. No.

-----  
DAVID SEADELSKE, sworn and examined.

BY THE CORONER:

Q. What did you see? A. I live at No. 10 Elizabeth St., I work there in the cellar. I had occasion to go out of the door and I heard Schlansky call out the name of his oldest son, and holler out "Save me, save me." I went back to the store where I was working and I said to the people there, "Something must have

**POOR QUALITY  
ORIGINAL**

0554

happened over there, because Schlansky hollered out 'Save me, save me'. About five or six of us went over there. I saw Frank Buch have hold of the deceased with one hand and with the other hand he was hitting him. Those four others that are here tried to keep him back, or they told him to stop, and he wouldn't let up but kept on striking this man Schlansky and kicking him.

Q. Is that all? A. I saw the daughter when she came there and tried to rescue her father and when Buch struck her on the side of the head. The policeman came around and Buch got out of the way of the policeman. What happened after that I don't know.

BY MR. KELLER:

Q. Was it these four men here? A. Yes, sir. I have lived there a year and a half and that is the reason I know their faces.

Q. Was it these four men that told Frank Buch to stop?

A. Yes, sir. They tried to pull him away. Those four men were trying to stop him.

BY A JUROR:

Q. Did you see those other four men here assault the deceased also? A. I couldn't tell whether they assaulted him before I came in the yard, but while I was there they didn't try to assault him but tried to keep Buch back from the deceased and to save him.

BY MR. KELLER:

Q. Did you see Frank Buch have any knife in his hand? A.No, I did not.

-----  
At this point the Coroner charged the Jury and the Jury retired.  
-----

POOR QUALITY ORIGINAL

0555

TESTIMONY.

M. D., being duly sworn, says:

I have made Culpeper of the body of Isaac Schunsky now lying dead at Elizabeth R and from such found and history of the case, as per testimony, I am of opinion the cause of death is

Sagittal  
a  
cut  
of  
the  
brain

An incised wound of the scalp one inch in length to the right of the parietal suture and just above the occipital suture on right side also an extravasation of blood under scalp over the left side of the frontal bone the size of the palm of hand

There was a thin clot of blood between dura mater & the brain on the right side of the head along the median line the size of the palm of the hand - the vessels of the brain were unaltered the meninges <sup>slightly</sup> inflamed

The heart was hypertrophied the aortic valves insufficient. There was a spot of pneumonia the size of a silver dollar on the upper lobe of left lung. The kidneys were congested pyramids & pelvis. Other organs normal

Death was due to Concussion of the brain - and intracranial haemorrhage & Cerebral congestion accelerated by Hypertrophy of heart & Valves

*[Signature]*

Sworn to before me,

this 8<sup>th</sup> day of June 1890  
*[Signature]*

CORONER.

**POOR QUALITY ORIGINAL**

0556

MEMORANDA

AGE			PLACE OF NATIVITY	WHERE FOUND	Date When Reported
Years	Months	Days			
60			Russia	Philadelphia	Jan 1938

10 min.

F. I.

Sp. ....

Quar. 18

AN INQUISTION

On the VIEW of the BODY of

*John J. Buckley*

whereby it is found that he came to death by

Inquest taken on the 18 day of 18 before  
FERDINAND LEVY, CORONER.

POOR QUALITY  
ORIGINAL

0557

Coroner's Office,

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Frank Buch* being duly examined before the undersigned, according to law, on the annexed charge, and being informed that he was at liberty to answer or not, all or any questions put to him, states as follows, viz. :

Question—What is your name?

Answer—*Frank Buch*

Question—How old are you?

Answer—*22 years*

Question—Where were you born?

Answer—*Italy*

Question—Where do you live?

Answer—*8 Elizabeth St*

Question—What is your occupation?

Answer—*laborer*

Question—Have you anything to say, and if so, what, relative to the charge here preferred against you?

*Not guilty—*

*Frank Buch*  
*mark*

Taken before me, this *13<sup>th</sup>* day of *January* *1887*  
*Ferdinand Levy* CORONER.

POOR QUALITY ORIGINAL

0558

MEMORANDA.

AGE			PLACE OF NATIVITY	WHERE FOUND	DATE When Reported
60 Years	Months	Days	Russia	Elizabeth Sr.	Jan 8/90

1<sup>st</sup> Quarter 1899. 104  
HOMICIDE.

AN INQUISTION.

On the VIEW of the BODY of

Jaac. Schlemmky.

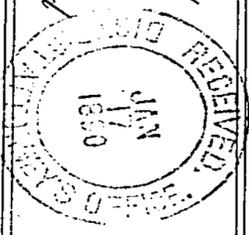
whereby it is found that he came to his Death by the hands of

Frank Duck and others.

Truquest taken on the 13<sup>th</sup> day of January 1890.

before D. Edwin and Geo. Pomeroy.

Committed  
Examined  
Discharged



Date of death

13/1

**POOR QUALITY ORIGINAL**

0559

B.O. 357

1888

DISTRICT ATTORNEY'S OFFICE,

City and County of New York.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Office of the  
Homicide

v.s.

1. Frank Buch
2. Michele Damazio
3. Dominico Buch
4. Vincenzo Stravissano
5. Francesco P. Buch

Dated ..... 1888

Witnesses,

No. .... Street,

No. .... Street,

No. .... Street,

*Edw. [Signature]*

POOR QUALITY  
ORIGINAL

0560

Court of General Sessions

The People

vs.

Frank Larch,  
Michelle Duzagis  
Dominico Larch,  
Vincenzo Franciscuro  
and Francisco P. Larch

Indictment:

Murder in the first degree  
§ 189 P. C.

for having on the 7th of January,  
1890, feloniously, with deliberation  
and premeditation killed Isaac  
Schlansky.

Indictment contains six counts,  
which differ as follows from each  
other:

1st count charges assault with  
a piece of wood and with  
malice aforethought. Fornise  
and contrivance.

2<sup>d</sup> count charges assault with  
a piece of wood and with a  
deliberate and premeditated  
design to effect the death etc.

POOR QUALITY  
ORIGINAL

0561

Wound and contusion.

3<sup>d</sup> count charges assault with a knife and with malice aforethought. Stab wound.

4<sup>th</sup> count charges assault with a knife and with a deliberate and premeditated design to effect the death etc. Stab wound.

5<sup>th</sup> count charges assault with a knife as also with a piece of wood and with malice aforethought. Mortal wound, laceration and contusion.

6<sup>th</sup> count charges assault with a knife as also with a piece of wood and with a deliberate and premeditated design to effect the death etc. Mortal wound, laceration and contusion.

---

The following witnesses saw all the five defendants assault the deceased:

Ida Silverman, daughter of deceased  
& Elizabeth Street

Rebecca Pehlansky, widow of deceased  
& Elizabeth Street

Annie Lazarus, wife of Abraham  
Lazarus  
& Elizabeth Street.

Mina Finkestein, wife of  
Morris Finkestein  
& Elizabeth Street

Rachel Harris, wife of Wolf  
Harris  
& Elizabeth Street

Sarah Wagner, domestic servant  
in 10, Elizabeth Street.

Joseph Farb, whose present  
residence is unknown, but  
whom to find efforts will be  
made, has testified before the  
Coroner that he saw the deceased  
assaulted by all five de-  
fendants.

From statements by defendants  
counsel made to me, it seems  
that he relies especially upon  
Mr. Pechelsky's testimony before  
the Coroner. From the following  
statement it appears that the  
said party is a good witness for  
the people.

POOR QUALITY  
ORIGINAL

0563

David Peadelocky, 10 Elizabeth Street  
workingman in Chicorri's, hardware  
store at said premises,  
in the afternoon of the 7th of  
January, 1880, while in the yard  
of 10 Elizabeth Street, I heard the  
deceased cry for help, where-  
upon I rushed over to the  
yard of No. 3 Elizabeth Street,  
and there I saw the defendant  
Frank Bush beat the deceased  
with his fist and kick with  
his foot. The other four de-  
fendants stood by and looked  
on. I did not see them as-  
sault the deceased. I attempted  
to separate the defendant Frank  
Bush from the deceased, but  
all the defendants motioned me  
to keep my hands off. The  
statement contained in the  
minutes of the Coroner's In-  
quest, that the other four de-  
fendants tried to stop Frank  
Bush beating the deceased  
is a mistake. I had re-  
ference to my endeavours  
to put a stop to the assault.

POOR QUALITY  
ORIGINAL

0564

on the deceased. I am sure that the four other defendants did not make any attempt or motion to get Frank Park away from the deceased or to stop the fight between the two men. The deceased died while he was lying in the yard of said premises and before he was carried to the Station House.

The identity of the deceased can be proven by witnesses Silverman and Schlansky.

John Farrington and Thomas J. Chrystal, detectives of the precinct, arrested all the defendants, but Frank Park, in the ~~roof~~ rear building of No. 8 Elizabeth Street. The said defendants had concealed themselves at different places in said house.

POOR QUALITY  
ORIGINAL

0565

COURT OF GENERAL SESSIONS.

THE PEOPLE, &c.

*vs.*  
*Frank Finch*  
*et al.*

BRIEF OF FACTS.

For the District Attorney.

Dated

*April 24<sup>th</sup>*

1889

*Edward Grover*

Deputy Assistant.

POOR QUALITY  
ORIGINAL

0566

District Attorney's Office  
City & County of  
New York

Frank Rauch  
et al  
House 189

Off Prec - C Prec

✓ Ida Silverman & Elizabeth M.  
Anna Goldstein & " "  
✓ Dr Philip E. Goldman M.D. Cor  
Yan Peter Selamsky & Elizabeth M.  
Joseph Taib 119 Bermond St  
Dana Scaletsky 10 Elizabeth St  
✓ Annie Lazarus & Elizabeth M.  
✓ Sarah Wagner 10 Elizabeth St  
✓ Rachel Weiss & Elizabeth M.

**POOR QUALITY  
ORIGINAL**

0567

*[Faint handwritten notes]*

History of Missouri

Additional Officers  
Ambulance Surgeon

Did you know  
Delekerby.

POOR QUALITY  
ORIGINAL

0568

COURT OF GENERAL SESSIONS, Part III.

----- x  
The People of the State of New York, :

-against- :

Frank Buch, Michael Diniazo, Domini- :  
co Buch, Vincenzo Franciscano, and :  
Francisco P. Buch. :

Before Hon. Ran-

dolph B. Martine,

and a Jury.

----- x  
Indictment filed January 27th, 1890.

Indicted for murder in the first degree.

New York, April 25 th, 1890.

APPEARANCES: For the People, Asst. District Attor-  
ney, William T. Jerome,

For the defendants, Mr. S. S. Blake  
and Mr. F. J. Keller.

The Jurors were examined and sworn.

IDA SILVERMAN, a witness for the people, sworn, testi-  
fied:

I live at No. 8 Elizabeth Street in this city.  
I am a married woman. Isaac Schlensky was my father.  
I lived with him at No. 18 Elizabeth Street in ~~the~~ this  
city in January of this year. My father was the janitor  
of this house at the time of his death. I know the  
five defendants now at the bar. They lived in the rear  
house, while my father and his family lived in the front  
house. I recollect the 7th of January, the day that my

**POOR QUALITY  
ORIGINAL**

0569

-2-

father was killed. I saw the ~~traxx~~ trouble which resulted in my afther's death; it occurred in the yard between the front and rear house. My father had been sitting in his own room all the afternoon, when he heard a disturbance in the yard and went down to see what it was all about. I stood at the window and wha he got down in the year I heard him ask one of these defendants why they torw down a certain board which he had put up in the yard. I listened for a few mo ents more, and then I heard my father shout and call on my brother to save him. I saw Frank Buch dragging my father by the mouth, he had one hand in his mouth and was draghing him across the yard; the other defendants were standing around looking on and helping Buch. Then they all gathered around and others came down with broomsticks and a washboard and everything else in their hand and struck my father with them until he was dead.

Q You are positive that these other four defendants besides Frank Buch came out of the building? A Yes, sir.

Q And you are positive that they gathered about your father and were striking him? A Yes, sir; when they got him down they all gathered around and hit him. Then I ran down stairs into the yard and I asked Frank Buch to let go of my ga father. Frank Buch answered me that if I did not get awg he would kill me too. He said that he meant to kill my father, and if I tried to stop him he would kill me too.

**POOR QUALITY  
ORIGINAL**

0570

Q You did not go away? A No, sir, I stayed there and I saw all these men hit my father. Frank Buch hit me with his fist. I ran out into the street and met the officer coming in. The officer arrested the defendant in this own room in the rear house.

Q Did you go to the station house with the officer?

A I went ahead of him.

Q Before you went to the station house did your father say anything in the presence of Buch or did Buch say anything that you collect? A No, sir; I recollect Buch saying in the station house that he was sorry he did not kill me and four or five more.

Q After Buch was brought to the station house, how long was it before your father's body was brought in? A A few minutes. In the station house I asked Buch why he killed my father, and he said, "Because I g felt like it, I am sorry I did not kill you and four or five more. At that time the other officers brought in the four defendants.

CROSS EXAMINATION:

Q Did your father leave the house that afternoon to go down and see Frank Buch? A Not that I know of.

Q Do you know for what purpose he went into the yard?

A About his business.

Q How many people were in the yard at the time?

A I did not count them.

Q When you first looked out your father and Frank Buch were alone, were they? A yes, sir.

**POOR QUALITY  
ORIGINAL**

0571

1  
-4-

- Q Did you see anybody else? A No, sir.
- Q If there had been anybody else where you would have seen them? A Yes, sir.
- Q The window at which you stood commands a view of that yard? A Yes, sir.
- Q And you say positively that from the first to the last you saw the whole affair? A Yes, sir.
- Q You say that you heard your father call upon your brother to save him? A Yes, sir.
- Q Your window was closed at this time? A Yes, sir.
- Q And you state that you could hear your father utter those words? A Yes, sir.
- Q How far away was he from you? A About 75 feet.
- Q Did you see any one have a knife? A Frank Buch had a knife. I could not say whether it was a stiletto or not.
- Q The quarrel in the yard was about a board which your father had nailed there? A Yes, sir; he said that this defendant had torn it off.
- Q The difficulty between Frank Buch and your father arose about this board? A Yes, sir.
- Q Did you hear my reply made by Buch to your father's question? A No, sir, but he struck him so hard that right away my father shouted "Help, save me."
- Q You did not see him strike your father at that time? A No, sir, but I heard my father say that?
- Q And you say that then the other four men commenced to beat him?
- A Yes, sir.

**POOR QUALITY  
ORIGINAL**

0572

-5-

- Q Did they have knives, I did not see any knives, they came down with sticks and a washboard and commenced to beat him. I don't know any of their names.
- Q Did you see Frank Buch's finger fastened into your father's mouth, and your father biting it as hard as he could?
- A His finger was bitten, and I suppose he bit it, which was no more than right.
- Q Is it not a fact that your father had that small finger of Frank Buch in his mouth, and that Frank Buch passed along that yard screaming, and that your father held on to him? A He held on to his finger and his hand; I saw the defendants hand up at my father's mouth.
- Q Did you notice that Frank Buch's finger was bitten?
- A Yes, sir.
- Q How long were these men beating your father with the washboard and sticks? A I cannot say exactly to the minute how long it took, about 10 minutes.
- Q Did Frank Buch hit you? A Yes, sir, with his fists.
- Q Had your mother a broomstick in her hand? A No, sir.
- Q Did you strike anybody? A No, sir.
- Q At the station house you state that Frank Buch said he was sorry he didn't kill you? A Yes, sir.
- Q Where did your father die? A He died in the yard.
- Q You say that Frank Buch dragged your father the whole distance of the yard? A Yes, sir.
- Q By his mouth? A Yes, sir.
- Q You say that your father was struck in the back of the head with a knife? A Yes, sir.

**POOR QUALITY  
ORIGINAL**

0573

-6-

JOSEPH TOPKE, a witness for the people, sworn, testified:

I remember the 7th day of January on which Isaac Schlansky was killed. On that afternoon, I was sitting in the room of my cousin which was in the next yard. I heard a noise in the adjoining yard and I went down. I went over the fence and I saw Mr. Schlansky in the middle and a lot of men surrounding him and beating him. One of the men held him by the throat and another one had hold of his hand, while the rest were standing around beating him. Then the daughter of the man who was being beaten came out, and caught hold of her father's clothes and tried to drag him away, but she could not. Then the policemen came in and the man who had been beaten was found to be dead.

CROSS EXAMINATION:

- Q What did you see the defendant Frank Buch do? A He had a piece of wood in his hand; I am quite sure that it was not a wash board. I cannot tell particularly what each of the persons did.
- Q Did you see a knife in anybody's hand? A No, sir, I did not, but I heard of it.

The defendant Frank Buch withdraws his plea of not guilty and pleads guilty to manslaughter in the second degree. The other defendants plead guilty to assault in the third degree.

**POOR QUALITY ORIGINAL**

0574

Indictment filed Jan. 27, 1890.

COURT OF GENERAL SESSIONS,

Part III.

The People, &c.

-vs-

Frank Buch, Michael Diniazo,  
Dominico Buch, Vincenzo Fran-  
ciscano and Francisco P. Buch.

Abstract of Testimony On  
Trial, New York, April 25th,  
1890.

POOR QUALITY  
ORIGINAL

0575

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

The People sets

no.

Frank Bucci.

City and County of New York, s.d.

Philippo Bottino, being duly sworn, de-  
poses and says, that he resides at No. 79 Mul-  
berry Street, in the City of New York, that he  
has worked with the above named defendant  
for the last ten years, and knows him from  
childhood, that he knows the character of the  
defendant for peaceableness and quietness, and  
that he never knew a more sensible man,  
and that he heard others speak of him well  
in every respect.

Given to before me

This 24<sup>th</sup> day of April 1890

Stephen S. Blatte.

Commissioner of Deeds

N.Y. City & Co.

Philippo Bottino  
Mark

POOR QUALITY  
ORIGINAL

0576

City and County of New York s. s.

Liberato Sarno, being duly sworn, deposes  
and says, that he resides at No. 79 Mulberry  
Street, in New York City, that he knows the  
defendant, <sup>Frank Bucci</sup> for a period of eight years and knows  
the defendant's character and reputation for peaceable-  
ness and quietness and that they are good, that  
he has heard many others speak of the defend-  
ant's character in that and other respects, as  
most excellent, that he has always known the  
defendant to be a sober, industrious and honest  
man.

Sworn to before me

This 24<sup>th</sup> day of April 1890

Stephen S. Blake.

Commissioner of Deeds

NY City & Co.

Liberato Sarno

POOR QUALITY  
ORIGINAL

0577

City & County of New York ss.

Domenico Capri, being duly sworn & deposes  
and says, that he resides at No. 59 Bayard Street  
in the City of New York, that he has known the  
defendant, <sup>Frederick Buech</sup> for a period of nine years, & that during  
all that time he has known him to be a  
hardworking, quiet and peaceable man, & never  
known him to quarrel with any one, that the  
defendant's reputation amongst those who know  
him is of the very best in every respect.

Given to before me  
This 24<sup>th</sup> day of April 1890  
Stephen S. Blatte.  
Commissioner of Deeds  
N.Y. City & Co.

Domenico Capri

POOR QUALITY  
ORIGINAL

0578

City & County of New York ss.

Antonio Gannon, being duly sworn, deposes  
and says, that he resides at No. 17 Bayard Street  
New York City, that he has known the defend-  
ant for a period of nine years, and during all  
that time he has known in the defendant's com-  
pany frequently, that defendant is one of the  
most quiet men, defendant has well known,  
I never knew him to quarrel with anyone  
that he has heard many others speak of the  
defendant's character as, all without ex-  
ception, speak of him in the highest terms

Given to before my  
this 24<sup>th</sup> day of April 1890

Stephen S. Blake  
Commissioner of Beers  
N.Y. City & Co.

Antonio Gannon

**POOR QUALITY ORIGINAL**

0579

Court of General Sessions  
City and County of New York

The People vs

no.

Frank Tucci et al

*Affidavit*

BLAKE & SULLIVAN,  
COUNSELLORS AT LAW,  
No. 71 CENTRE STREET, N. Y.

*Blake & Sullivan*

POOR QUALITY  
ORIGINAL

0580

VI.

STATE OF NEW YORK.  
Executive Chamber,  
ALBANY.

August 6, 1894

Sir:

Application for Executive clemency having been made on behalf of  
*Frank Bush* who was convicted of *manslaughter*  
in the county of *New York* and sentenced *May 2 1890*  
to imprisonment in the *State Prison* for the term of  
*seven years & six months*

I am directed by the Governor respectfully to request that, in pursuance of Section 695 of the Code of Criminal Procedure, you will forward to him a concise statement of the facts of the case, together with your opinion of the merits of the application.

It is particularly requested that each letter of inquiry from the Executive Chamber should be separately answered.

Very respectfully yours,

*J. S. Williams*

Private Secretary.

*Hon. John R. Bellows*  
*District Attorney*  
*New York*

**POOR QUALITY  
ORIGINAL**

0581

Bush

Sept. 21<sup>st</sup> 44

Sent for office

POOR QUALITY  
ORIGINAL

0582

VI.

STATE OF NEW YORK.  
Executive Chamber,  
ALBANY.

August 7. 1894

Sir:

Application for Executive clemency having been made on behalf of  
*Frank Bush* who was convicted of *manslaughter 2<sup>d</sup> deg*  
in the county of *New York* and sentenced *May 2, 1890*  
to imprisonment in the *State Prison* for the term of  
*seven years & six months* I am directed by the Governor  
respectfully to request that, in pursuance of Section 695 of the  
Code of Criminal Procedure, you will forward to him a concise state-  
ment of the facts of the case, together with your opinion of the  
merits of the application.

It is particularly requested that each letter of inquiry from  
~~the~~ Executive Chamber should be separately answered.

Very respectfully yours,

*J. S. Williams*  
Private Secretary.

*Am. Randolph B. Martin*  
*New York City.*

POOR QUALITY  
ORIGINAL

0583

Court of General Sessions for the  
City & County of New York:

The People vs.

vs.

Frank Bucci et al.

City and County of New York vs.

Angela Poggi, being duly sworn, deposes and says, that she resides at No. 8 Elizabeth Street, in said City, and that she is a married woman of the age of thirty-one years, that on the 7<sup>th</sup> day of January last, she was in the yard of the premises aforesaid and saw said Bucci standing by the fence, that she saw the deceased come suddenly up to him in loud and angry tones call him bad names and accused him of breaking into a water closet, that deceased thereupon struck the said Bucci on the head and body with a broom, which the deceased held in his hands; Bucci tried to save himself and ran screaming towards the rear of the yard. Deceased was close upon him and was joined by his wife, who carried a broom, and his daughter who had a bunch of keys in her hands, and all three assaulted Bucci.

On this time Domenico Bucci, Francesco P. Bucci, Vincenza Francesconi had come down from their

POOR QUALITY  
ORIGINAL

0584

apartments, and tried to separate the deceased  
and Frank Bucci, which they did their best  
to do, and struck no one; Frank Bucci a-  
gain attempted to escape, when deceased threw  
away the broom he held and picking up a  
washboard that lay there, struck Bucci on  
the head with it, knocking him down. The  
other defendants help Bucci to the house, the  
deceased went out of the yard, scuffle with  
a policeman and fell down. None of the  
defendants had any weapon. My deponent  
swears positively, that Frank Bucci at no  
time had anything in his hands, that de-  
ponent is not related in any way to any of  
the defendants. Michael DeVungis was not present.

Sworn to before me  
this 28<sup>th</sup> day of April 1899

Agella Paggi

(M. Santal)

Notary Public

M. J. Co.

POOR QUALITY  
ORIGINAL

0585

City and County of New York s.s.

Maria Rosa Mangella, being duly sworn, deposes and says, that she resides at No. 8 Elizabeth Street, in said City, occupying first floor of the rear house at said number, that whilst in her room on the 7<sup>th</sup> day of January last, she heard shouting in the yard, and looking out she saw deceased, wife and daughter beating Frank Bucci, that later the three defendants Domenico Bucci, Francesco P. Bucci and Vincenzo Francesconi, came down into the yard and tried to separate the parties, that deceased and his wife had brooms in their hands and the daughter held a bunch of keys in her hands, with which they beat Frank Bucci, that said Bucci defended himself, but that he had no weapon of any kind in his hands, that the other defendants struck no one and used their best efforts to separate the parties. The deponent is a married woman and is not related to any of the defendants, Michele De Nuzio was not present at anytime during the trouble; deponent knows, that said De Nuzio went out of the yard on to the street sometime before the trouble began and she saw him return about ten minutes after it was all over  
Sworn to before me - Maria Rosa <sup>de</sup> Mangella  
MRS

POOR QUALITY  
ORIGINAL

0586

This 28<sup>th</sup> day of April 1899 }

W. H. Barilak  
Notary Public  
N.Y. Co

City & County of New York, ss.

Rucia Valentino, being duly sworn, deposed & says, that she resides at No. 8 Elizabeth Street, on the 7<sup>th</sup> day of January last, that on said day, deponent was in the yard in company with Angela Paggi, who made the foregoing affidavit. That deponent has read the said affidavit of said Angela Paggi and knows the contents of the same and by her own knowledge deposes, that the facts stated therein are true, that she is not related to any of the defendants.

Given to before me

This 28<sup>th</sup> day of April 1899 }

Rucia Valentino  
Witness

W. H. Barilak

Notary Public

N.Y. Co

POOR QUALITY  
ORIGINAL

0587

City and County of New York ss.

Domènica Bucci, being duly sworn, deposed and says, that she resides at No. 8 Elizabeth Street, in said City, on the 7<sup>th</sup> day of January last, that she occupied the rooms on the second floor of the rear house, that she is the wife of Antonino Bucci, one of the defendants, that on the occasion of the trouble between Frank Bucci (the deceased), she was looking out of her window into the yard, that she saw the trouble from its beginning to the end, that the deceased first assaulted Frank Bucci with a broom, that they then clinched, and Bucci tried to cut a way from the deceased, and the wife and daughter of the deceased rushed into the yard, and also assaulted Bucci, that the husband of the deponent, Francesco P. Bucci, and Vincenzo Traucese, went down into the yard, and tried to separate the parties, that they did not strike deceased, but tried to drag them apart, that none of the defendants had any weapon in his hands, that after the trouble was over, deponent saw a cut on Frank Bucci's face, which was bleeding and also saw his little finger was cut and torn to the bone; that Michele De Muzio was not present at any time during the trouble, that deponent and family are in

**POOR QUALITY  
ORIGINAL**

0588

in destitute condition, and wholly depended up-  
on her husband's labor for their support.

Present to before me

This 27<sup>th</sup> day of April 1890

M. Barilak

Filomena <sup>La</sup> Bucci  
Wife

~~Notary Public~~  
M. C.

POOR QUALITY  
ORIGINAL

0589

City of County of New York } S.S.

Frank Buccsi, being duly sworn deposes and says: That he is one of the above named defendants that he is 22 years of age and was never before arrested or charged with any offence whatever. That on the 31st day of January last he was in the yard of #8 Elizabeth Street, where he resided; that he was about to go out of the yard unto the street, when the deceased came rushing towards him & called him a son of a Bitch and other vile names and accused him of breaking the seat of the water closet; that deponent denied the truth of the accusation, whereupon deceased struck him with a broom which he held in his hands; that deponent put out his hands to prevent deceased from striking him again and then deceased caught the deponents' little finger in his mouth, biting it to the bone; that deponent

POOR QUALITY  
ORIGINAL

0590

shouted and cried with pain about  
the same time the wife and daughter  
of the deceased pushed upon  
deponent and beat him; that  
the three defendants Domenico  
Bucci, Francesco P. Bucci  
and Vincenzo Francesco  
came into the yard from their  
rooms and tried to separate  
the deponent and deceased.  
But that none of them had any  
weapons in their hands, nor  
did they strike the deceased.  
Deponent at no time had any  
weapon in his hands but did  
strike deceased once or twice  
with his fist to compell deceased  
to let deponent go. That during  
the struggle the deceased struck  
deponent with a crash board  
cutting him on the head and  
face. It was then deponent  
struck him with his fist.

That deponent wanted no  
trouble with the deceased  
and tried to get away from  
him several times but was  
unable to do so. That Michele

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ORIGINAL

0591

Di' Kenzio was not present  
at any time during the  
trouble.

Sworn to before me  
this 28<sup>th</sup> day of April 1890 } Frank<sup>his</sup> + Bucci  
mark

M. Barila

Notary Public  
N.Y. Co

City & County }  
of New York } S.S.

Domenico Bucci,  
being duly sworn deposes and  
says: That he is one of the defendants  
herein; that he is a married  
man and was never before  
arrested. That on the seventh  
day of January last while in  
his rooms at No 8 Elizabeth  
Street in said City, he heard  
shouts in the yard of said  
premises and in company  
with Francesco P. Bucci  
Vincenzo Francesco went down

POOR QUALITY  
ORIGINAL

0592

into the yard and saw the deceased  
his wife and daughter  
all beating Frank Bucci.

Bucci's head was cut and  
bleeding. Deponent and his  
two companions endeavored  
to separate them and finally  
succeeded in doing so. Neither  
the deponent nor his companions  
had anything ~~what~~ whatever  
in his or their hands and  
deponent saw no weapons  
in ~~deponent's~~ Frank Bucci's hands. That  
deponent positively swears  
that neither he nor his compa-  
-nions struck deceased  
or attempted to strike him.

That all they did was to  
attempt with as little force  
as possible to separate the  
parties and acted solely  
in the interest of peace.

That Michele Dr. Scungio  
was not present at all  
during the trouble.

Sworn to before  
me this 28<sup>th</sup> day of April 1890 } Domenico Bucci  
M. Davitai

Attest  
Notary Public  
N.Y. Co

POOR QUALITY  
ORIGINAL

0593

City & County }  
of New York } S.S.

Francesco Paolo  
Bucci, being duly sworn  
deposes and says: That he is  
one of the defendants herein  
That he is 60 years of age  
has a wife and family  
was never before arrested  
or charged with any offence  
whatever. That he has heard  
read the foregoing affidavit  
of Domenico Bucci and knows  
the contents thereof and of  
his own knowledge swears  
that said affidavit is true  
in every particular

Sworn to before me

this 28<sup>th</sup> day of April 1890 } Francesco Paolo Bucci  
M. Barilati }  
marks

~~Notary Public~~  
N.Y. Co

City & County of }  
New York }

Vincenzo Francesco  
being duly sworn deposes and  
says: That he is one of the

POOR QUALITY  
ORIGINAL

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defendants herein and that he  
was never before arrested  
or charged with any crime.  
That he has heard read  
through an interpreter the  
foregoing affidavit of  
Domenico Bucci and knows  
the contents thereof and  
of his own knowledge deposes  
that the statements alleged  
therein are true in every  
respect.

Sworn to before me  
this 28<sup>th</sup> day of April 1890 } Vincenzo <sup>his</sup> Francescone  
M. Barilati }  
Mark

Notary Public  
N.Y. Co

POOR QUALITY  
ORIGINAL

0595

City & County of }  
New York } S.S

Michele di Stuzio, being  
duly sworn deposes and says:  
That he is one of the defendants  
herein and is informed and  
believes that he is charged with  
being concerned in some manner  
in the homicide that occurred  
at #8 Elizabeth Street on the 7<sup>th</sup>  
day of January last. That  
deponent is wholly innocent  
of any connections with  
the same, that he was  
not present when the trouble  
occurred but that he was  
absent having gone to #32  
Mulberry Street to procure some  
Macaroni and did not  
return until some time  
after the trouble was all  
over. That he was never  
before arrested nor charged  
with any crime.

Sworn to before me  
this 28<sup>th</sup> day of April 1890 } Michele di Stuzio

~~Notary Public~~  
N.Y. Co

POOR QUALITY  
ORIGINAL

0596

Court of General Sessions for the  
City and County of New York

In Presence of  
Frank Buccicardi

City and County of New York vs.

Luigi Piccioni, being duly sworn, deposes  
and says, that he resides at No. 59 Bayard Street  
in the City of New York, that he has known the  
above named defendants for a period of six years  
last past, that he knows them to be men of  
the most insignificant & despicable character,  
that he has been frequently in their society,  
in common with many others, who are in-  
timately acquainted with the defendants, and  
has regarded them as law-abiding & peace-  
ful citizens.

Subscribed & sworn to before me } Luigi Piccioni  
(this 30<sup>th</sup> day of April 1892.)

Francis J. S. Owen  
Notary Public  
N. Y. Co.

POOR QUALITY  
ORIGINAL

0597

City and County of New York s.s.

Frank Caprio, being duly sworn, deposes and says, that he resides at No. 59 Bayard Street in said City, that he knows the above named defendants since childhood, and always found them to be peaceable, industrious and quiet. That his association with them has been of intimate character and he speaks from personal knowledge of their habits and their reputations for peace and good order, the deponent further says, that to his knowledge, the said defendants have never been arrested before.

Sworn to before me, Frank Caprio

This 28<sup>th</sup> day of April 1899

Marcus C. S. Lewis

Notary Public N.Y.C.

City and County of New York s.s.

John Caprio and Francis Caprio, being duly sworn, do depose and say, <sup>and each for himself</sup> that they both reside at No. 59 Bayard Street, this City, that they have known the above defendants from childhood, and are well aware of the reputation enjoyed by defendants for peace and good order, that they have heard read the foregoing affidavits of Luigi Piccioni and Frank Caprio.

POOR QUALITY  
ORIGINAL

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and that the contents hereof are true to the  
knowledge of the deponents.

Done to before me } Capri Giovanni  
this 28<sup>th</sup> day of April 1897 } Capri Luigi

Attest  
Thomas H. L. Lewis  
Notary Public  
N. Y. C.

POOR QUALITY ORIGINAL

0599

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 Buch, Michele Dumazio, Dominico Buch, Vincenzo Franciscano, Francisco P. Buch

The Grand Jury of the City and County of New York, by this indictment, accuse Frank Buch, Michele Dumazio, Dominico Buch, Vincenzo Franciscano and Francisco P. Buch of the CRIME OF Murder in the First Degree, committed as follows:

The said Frank, Michele, Dominico, Vincenzo and Francisco, all

late of the City of New York, in the County of New York aforesaid, on the seventh day of January in the year of our Lord one thousand eight hundred and eighty-ninety, at the City and County aforesaid, with force and arms, in and upon one

Isaac Schlansky,

in the peace of the said People then and there being, wilfully, feloniously, and of their malice aforethought, did make an assault, and they the said

Frank, Michele, Dominico, Vincenzo and Francisco,

the said Isaac with a certain piece of wood which they the said Frank, Michele, Dominico, Vincenzo & Francisco, in their right hands then and there had and held, in and upon the head of him the said Isaac,

then and there wilfully, feloniously, and of their malice aforethought did strike, beat, bruise stab, cut, and wound, giving unto him the said Isaac

then and there with the piece of wood, aforesaid, in and upon the head of him the said Isaac

one mortal wound of the breadth of one inch, and of the length of six inches, of which said

POOR QUALITY  
ORIGINAL

0500

<sup>bruise and contusion,</sup>  
mortal wound, ~~he~~ <sup>he</sup> the said Isaac then and there died.  
at the City and County aforesaid, from the day first aforesaid, in the year aforesaid, until the  
day of \_\_\_\_\_ in the same year  
aforesaid, did languish, and languishing did live, and on which said  
day of \_\_\_\_\_ in the year aforesaid, the said  
at the City and County aforesaid,  
of the said mortal wound did die.

And so the Grand Jury aforesaid do say: That the said Frank, Michele,  
Dominico, Vincenzo and Francisco, ~~him~~,  
the said \_\_\_\_\_ Isaac, \_\_\_\_\_ in the manner and form, and by  
the means aforesaid, wilfully, feloniously, and of ~~his~~ <sup>their</sup> malice aforethought, did kill,  
and murder, 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  
Frank Bush, Michele Dumazio, Dominico Bush,  
Vincenzo Franciscano and Francisco P. Bush  
of the same CRIME OF MURDER IN THE FIRST DEGREE, committed as follows:

The said Frank, Michele, Dominico, Vincenzo  
and Francisco, all \_\_\_\_\_

late of the City and County aforesaid, afterwards, to wit: on the said seventh \_\_\_\_\_  
day of \_\_\_\_\_ January, \_\_\_\_\_ in the year of our Lord one thousand eight hundred  
and eighty ~~ninety~~ <sup>ninety</sup>, at the City and County aforesaid, with force and arms, in and  
upon the said Isaac Schlamsky, \_\_\_\_\_

in the peace of the said People then and there being, wilfully, feloniously, and with  
a deliberate and premeditated design to effect the death of ~~him~~ <sup>him</sup> the said  
\_\_\_\_\_ Isaac \_\_\_\_\_ did make another assault, and  
the said Frank, Michele, Dominico, Vincenzo and Francisco, the said  
\_\_\_\_\_ Isaac \_\_\_\_\_, with a certain piece of wood  
which ~~they~~ <sup>they</sup> the said Frank, Michele, Dominico, Vincenzo and Francisco, in

**POOR QUALITY ORIGINAL**

0501

~~their~~ <sup>right</sup> hands, then and there had and held, in and upon the head  
of him the said Isaac,  
then and there wilfully, feloniously, and with a deliberate and premeditated design to effect  
the death of him the said Isaac, did strike, <sup>beat, bruise</sup> stab, cut, and  
wound, giving unto him the said Isaac, then  
and there, with the piece of wood aforesaid, in and upon the head  
of him the said Isaac,  
one mortal wound, <sup>bruise and contusion,</sup> of the breadth of one inch and of the <sup>length</sup> ~~depth~~ of six inches, of which said  
mortal wound, <sup>bruise and contusion</sup> the said Isaac then and there died, at  
~~the City and County aforesaid, from the said~~ day of  
~~in the year aforesaid, until the~~ day of ~~in the~~  
~~same year aforesaid, did languish, and languishing did live, and on which said~~  
day of ~~in the year aforesaid,~~  
~~the said~~ at the City and County  
~~aforesaid, of the said mortal wound did die.~~

And so the Grand Jury aforesaid do say: That the said Frank, Michele,  
Dominico, Vincenzo and Francisco, him,  
the said Isaac, in the manner and form, and by  
the means aforesaid, wilfully, feloniously, and with a deliberate and premeditated design  
to effect the death of him the said Isaac,  
did kill and murder, 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.~~

POOR QUALITY  
ORIGINAL

0602

~~Court of General Sessions of the Peace~~

~~OF THE CITY AND COUNTY OF NEW YORK.~~

~~THE PEOPLE OF THE STATE OF NEW YORK~~

~~against~~

*Third Count.*

And <sup>*aforsaid,*</sup> The Grand Jury ~~of the City and County of New York~~, by this indictment, accuse  
*furthor* accuse the said Frank Buch, Michele D'Amazio,  
Dominico Buch, Vincenzo Franciscano <sup>*and*</sup> Francisco P. Buch  
of the <sup>*same*</sup> CRIME OF Murder in the First Degree, committed as follows:

The said *Frank, Michele, Dominico, Vincenzo and*  
*Francisco, all* \_\_\_\_\_

late of the City of New York, in the County of New York <sup>*afterwards, to wit:*</sup> ~~aforsaid,~~ on the *said seventh*  
day of *January*, in the year of our Lord one thousand eight hundred and  
~~eighty-ninety~~, at the City and County aforsaid, with force and arms, in and upon ~~one~~

*the said Isaac Schlanisky,* \_\_\_\_\_

in the peace of the said People then and there being, wilfully, feloniously, and of  
~~their~~ malice aforethought, did make <sup>*another*</sup> ~~an~~ assault, and ~~they~~ the said

*Frank, Michele, Dominico, Vincenzo and Francisco, him,*

the said \_\_\_\_\_ *Isaac* \_\_\_\_\_ with a certain *knife* \_\_\_\_\_  
which ~~they~~ the said *Frank, Michele, Dominico, Vincenzo and Francisco,* in  
*their* ~~right~~ hands then and there had and held, in and upon the *head* \_\_\_\_\_

of ~~him~~ \_\_\_\_\_ the said *Isaac* \_\_\_\_\_  
then and there wilfully, feloniously, and of ~~their~~ malice aforethought did strike,

stab, cut and wound, giving unto *him* the said *Isaac,* \_\_\_\_\_  
then and there with the ~~knife~~ *knife* aforsaid, in and upon the *head* \_\_\_\_\_

of ~~him~~ \_\_\_\_\_ the said *Isaac,* \_\_\_\_\_  
one mortal wound of the breadth of one inch, and of the depth of six inches, of which said

POOR QUALITY ORIGINAL

0503

mortal wound — *he* — the said *Isaac* then and there died,  
at the City and County aforesaid, from the day first aforesaid, in the year aforesaid, until the  
~~day of~~ ————— in the same year  
aforesaid, did languish, and languishing did live, and on which said  
day of ————— in the year aforesaid, the said  
at the City and County aforesaid,  
of the said mortal wound did die.

And so the Grand Jury aforesaid do say: That the said *Frank, Michele,*  
*Dominico, Vincenzo and Francisco, his,* ———  
the said ——— *Isaac,* ————— in the manner and form, and by  
the means aforesaid, wilfully, feloniously, and of *their* malice aforethought, did kill,  
and murder, against the form of the Statute in such case made and provided, and against the  
peace of the People of the State of New York and their dignity.

~~Fourth~~  
SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said  
*Frank Buch, Michele Dumazio, Dominico Buch,*  
*Vincenzo Franciscano and Francisco P. Buch*  
of the same CRIME OF MURDER IN THE FIRST DEGREE, committed as follows:

The said *Frank, Michele, Dominico, Vincenzo*  
~~Francisco~~ and *Francisco,* all

late of the City and County aforesaid, afterwards, to wit: on the said *seventh* ———  
day of ——— *January,* ——— in the year of our Lord one thousand eight hundred  
and ~~eighty~~ *ninety,* at the City and County aforesaid, with force and arms, in and  
upon the said *Isaac S. Schausky,* —————

in the peace of the said People then and there being, wilfully, feloniously, and with  
a deliberate and premeditated design to effect the death of ——— *him* ——— the said  
————— *Isaac,* —————, did make another assault, and  
the said *Frank, Michele, Dominico, Vincenzo and Francisco,* the said  
————— *Isaac* —————, with a certain *knife* ———  
which ——— *they* ——— the said *Frank, Michele, Dominico, Vincenzo, Francisco,* in

POOR QUALITY  
ORIGINAL

0604

~~their~~ <sup>right</sup> hands then and there had and held, in and upon the head  
of him the said Isaac,  
then and there wilfully, feloniously, and with a deliberate and premeditated design to effect  
the death of him the said Isaac did strike, stab, cut and  
wound, giving unto him the said Isaac then  
and there, with the knife aforesaid, in and upon the head  
of him the said Isaac  
one mortal wound of the breadth of one inch and of the depth of six inches, of which said  
mortal wound he the said Isaac then and there died, at  
~~the City and County aforesaid, from the said~~ day of  
~~in the year aforesaid, until the~~ day of ~~in the~~  
~~same year aforesaid, did languish, and languishing did live, and on which said~~  
day of ~~in the year aforesaid,~~  
~~the said~~ at the City and County  
~~aforesaid, of the said mortal wound did die.~~

And so the Grand Jury aforesaid do say: That the said Frank, Michele,  
Dominico, Vincenzo and Francisco, him,  
the said Isaac, in the manner and form, and by  
the means aforesaid, wilfully, feloniously, and with a deliberate and premeditated design  
to effect the death of him the said Isaac,  
did kill and murder, 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.~~

POOR QUALITY  
ORIGINAL

0605

~~Court of General Sessions of the Peace~~

~~OF THE CITY AND COUNTY OF NEW YORK.~~

~~THE PEOPLE OF THE STATE OF NEW YORK~~

~~against~~

Fifth Count.

And ~~The Grand Jury of the City and County of New York~~, <sup>aforsaid,</sup> by this indictment, ~~accuse~~ further accuse the said Frank Buch, Michele Dumazio, Dominico Buch, Vincenzo Franciscano and Francisco P. Buch — of the <sup>same</sup> CRIME OF Murder in the First Degree, committed as follows:

The said Frank, Michele, Dominico, Vincenzo and Francisco, all \_\_\_\_\_

late of the City of New York, in the County of New York <sup>afterwards, to wit:</sup> on the said seventh day of January, — in the year of our Lord one thousand eight hundred and ~~eighty~~ ninety, at the City and County aforesaid, with force and arms, in and upon ~~one~~

the said Isaac Schlansky, \_\_\_\_\_

in the peace of the said People then and there being, wilfully, feloniously, and of ~~their~~ malice aforethought, did make an assault, and ~~they~~ — the said

Frank, Michele, Dominico, Vincenzo and Francisco, him,

the said Isaac, as well \_\_\_\_\_ with a certain piece of wood as also with a certain knife which — ~~they~~ — the said Frank, Michele, Dominico, Vincenzo, and Francisco, in ~~their~~ <sup>right</sup> hands then and there had and held, in and upon the head —

of him — the said Isaac, \_\_\_\_\_

then and there wilfully, feloniously, and of ~~their~~ malice aforethought did strike,

<sup>beat, bruise,</sup> stab, cut and wound, giving unto him the said Isaac, \_\_\_\_\_

then and there with the piece of wood, and <sup>the knife</sup> aforesaid, in and upon the head

of him — the said Isaac, one mortal wound, bruise and contusion of the breadth of one inch and of the length of six inches, and also one mortal wound of the breadth of one inch, and of the depth of six inches, of which said

POOR QUALITY  
ORIGINAL

0506

mortal wound, bruise and contusion, and of which said  
mortal wound, ~~she~~ the said Isaac then and there died,  
at the City and County aforesaid, from the day first aforesaid, in the year aforesaid, until the  
~~day of~~ ~~in the same year~~  
aforesaid, did languish, and languishing did live, and on which said  
day of ~~in the year aforesaid,~~ ~~the said~~  
~~at the City and County aforesaid,~~  
~~of the said mortal wound did die.~~

And so the Grand Jury aforesaid do say: That the said Michele, Frank,  
Dominico, Vincenzo and Francisco, ~~him,~~  
the said ~~Isaac~~ in the manner and form, and by  
the means aforesaid, wilfully, feloniously, and of ~~their~~ malice aforethought, did kill,  
and murder, against the form of the Statute in such case made and provided, and against the  
peace of the People of the State of New York and their dignity.

~~Sixth~~  
~~SECOND~~ COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said  
Michele, Dominico, Frank Buch, Dominico Buch,  
Vincenzo Franciscano and Francisco P. Buch  
of the same CRIME OF MURDER IN THE FIRST DEGREE, committed as follows:

The said Frank, Michele, Dominico, Vincenzo  
and Francisco, all ~~\_\_\_\_\_~~

late of the City and County aforesaid, afterwards, to wit: on the said ~~seventh~~  
day of ~~January,~~ in the year of our Lord one thousand eight hundred  
and ~~eighty~~ ~~ninety~~, at the City and County aforesaid, with force and arms, in and  
upon the said Isaac Schlausberg, ~~\_\_\_\_\_~~

in the peace of the said People then and there being, wilfully, feloniously, and with  
a deliberate and premeditated design to effect the death of ~~him~~ the said  
~~Isaac~~ did make another assault, and  
the said Frank, Michele, Dominico, Vincenzo and Francisco, ~~him~~, the said  
~~Isaac,~~ as well ~~\_\_\_\_\_~~, with a certain ~~piece of wood~~  
as also with a certain ~~knife~~  
which ~~they~~ the said Frank, Michele, Dominico, Vincenzo ~~and~~ Francisco, in

**POOR QUALITY ORIGINAL**

0607

~~their~~ <sup>right</sup> hands, then and there had and held, in and upon the ~~head~~  
of ~~him~~ the said Isaac, \_\_\_\_\_,  
then and there wilfully, feloniously, and with a deliberate and premeditated design to effect  
the death of ~~him~~ the said Isaac \_\_\_\_\_ did strike, <sup>beat, bruise,</sup> stab, cut and  
wound, giving unto ~~him~~ the said Isaac \_\_\_\_\_ then  
and there, with the <sup>and the knife</sup> ~~piece of wood~~ aforesaid, in and upon the ~~head~~  
of ~~him~~ the said Isaac, <sup>one mortal wound, bruise and contusion</sup>  
~~of the breadth of one inch and of the length of six inches, and also~~  
one mortal wound of the breadth of one inch and of the depth of six inches, of which said  
~~mortal wound, bruise and contusion, and of which said~~  
mortal wound ~~he~~ the said Isaac then and there died, at  
the City and County aforesaid, from the said \_\_\_\_\_ day of  
in the year aforesaid, until the \_\_\_\_\_ day of \_\_\_\_\_ in the  
same year aforesaid, ~~did languish, and languishing did live, and on which said~~  
\_\_\_\_\_ day of \_\_\_\_\_ in the year aforesaid,  
the said \_\_\_\_\_, at the City and County  
aforesaid, of the said mortal wound did die.

And so the Grand Jury aforesaid do say: That the said Michele, Frank, Dominico, Vincenzo and Francisco, ~~him~~, \_\_\_\_\_ the said Isaac \_\_\_\_\_ in the manner and form, and by the means aforesaid, wilfully, feloniously, and with a deliberate and premeditated design to effect the death of ~~him~~ the said Isaac \_\_\_\_\_, did kill and murder, 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.

0608

**BOX:**

379

**FOLDER:**

3542

**DESCRIPTION:**

Buckley, Christopher

**DATE:**

01/28/90



3542



**POOR QUALITY  
ORIGINAL**

05 10

**Court of General Sessions of the Peace,**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Christopher J. Buckley*

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

*Christopher J. Buckley*  
of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE, ON SUNDAY, committed as follows:

The said

*Christopher J. Buckley*

late of the City of New York, in the County of New York aforesaid, on the *tenth* day of *June* in the year of our Lord one thousand eight hundred and *eighty-eight*, 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

*Michael Mc Dermatt*

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

*Christopher J. Buckley*  
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

*Christopher J. Buckley*

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.

06 11

**BOX:**

379

**FOLDER:**

3542

**DESCRIPTION:**

Burdett, Lawrence

**DATE:**

01/17/90



3542

POOR QUALITY ORIGINAL

06 12

Witnesses:

*Elyah Munkin*  
*Officer Goodson*  
*Garwood*

*237*  
*J. R. Fellows*  
Counsel,  
Filed *17* Day of *July* 1890  
Pleads *Not guilty*

THE PEOPLE  
vs.

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

*in*  
*pp. Henders*  
*R*  
Lawrence N. Burdett

JOHN R. FELLOWS,  
District Attorney.

A True Bill

*G. J. J. J. J.*  
Foreman,  
July 23/90

*Ordered of*  
*J. R. Fellows*  
*July 23/90*

POOR QUALITY ORIGINAL

0613

Police Court—2<sup>nd</sup> District.

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

of No. 200 South 5<sup>th</sup> Street, aged 28 years,  
occupation Laborer being duly sworn

deposes and says, that on the 1<sup>st</sup> day of January 1890 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Laura M. Burdett (now free) who cut and stabbed a wound in his groin and left breast with a dangerous knife then and there held in the hands of said Burdett and said assault was committed

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

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

Sworn to before me, this 13<sup>th</sup> day of January 1890 } Elijah Mumford  
[Signature] Police Justice.

**POOR QUALITY ORIGINAL**

06 14

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Lawrence W. Burdett* 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. *Lawrence W. Burdett*

Question. How old are you?

Answer. *32 years*

Question. Where were you born?

Answer. *W.*

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

Answer. *80 West Houston*

Question. What is your business or profession?

Answer. *Longshoreman*

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*

*Lawrence Burdett*

Taken before me this

day of

*January 1896*

*13*

Police Justice

*[Signature]*

POOR QUALITY ORIGINAL

06 15

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

Police Court... District 2

84

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Bigak Munsford*  
*In our custody & care*  
*Lawrence H. Hurdock*

Offence *Melouee Assault*

Dated *January 13 1890*

*Stephen* Magistrate

*Edo Shepard* Officer

*Maria Davis* Precinct

*Wm. Thompson* Street

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

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

\$ *500* to answer

*Coan* Street



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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *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 *Jan 13* 188

*Stephen* 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 h to be discharged.

Dated..... 188

Police Justice.

POOR QUALITY  
ORIGINAL

06 16

At Vincent's Hosp  
New York Jan 2/1890

This is to certify  
that Wm Mumford  
is a patient in  
this hospital  
suffering from  
flat warts of the  
thigh and chest.

P. Beckman  
House Surgeon

POOR QUALITY ORIGINAL

0617

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 2 DISTRICT.

Richard Elwoodspeed  
of No. 147th Street, age 27 years,  
occupation Police Officer being duly sworn deposes and says  
that on the 1st day of January 1890  
at the City of New York, in the County of New York he arrested

Sworn to before me, this

of January 1890

day

Police Justice.

Lawrence M. Burdette for the  
reason that defendant was  
at about the hour of 2:30 P.M.  
of said date in Clark Street  
injured by Elijah Humphries now confined  
in St. Vincent's Hospital that said  
Burdette had had cut and  
stabbed him in a serious  
manner, defendant therefore  
prays that said Burdette be detained  
until said Humphries can appear  
Richard E. Elwoodspeed

**POOR QUALITY ORIGINAL**

06 18

Police Court-- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.  
*Lawrence N. Bennett*

AFFIDAVIT.

Dated *June 7* 1890

*Hooper* Magistrate.

*Goodspeed* Officer.

Witness: *Arace Lewis*

*By Thompson*  
*Jan 12 10 am*

Disposition: *Held to await*  
*the result of injuries*  
*10.9 am*  
*8.9 am*  
*Ex. 4.9 am*  
*6.9 am*

**POOR QUALITY  
ORIGINAL**

05 19

The People  
vs.  
Lawrence H. Burdett. { Court of General Sessions, Part I.  
Before Recorder Smyth.

Thursday, January 23, 1890.

Indictment for assault in the first degree.

Elijah Mumford sworn and examined, testified:

Where do you live? No. 200 South Fifth Avenue. What is your business? Laborer. On the first of January, 1890 did you see this defendant? Yes. What time of day was it you first saw him? When I first saw him I guess it was half past eleven o'clock or twelve in the daytime. Did he cut you on that day? Yes. Where were you at the time he cut you? Just coming outside of a saloon door corner of Thompson and Grand Streets, I was in the saloon, I disremember now the time, he did not cut me then, I met him at the other corner. Was this Defendant there in the saloon? Yes. Who got in the saloon first, you or he? He was in when I went in, there was a woman in the bar-room and she was intoxicated and he was trying to get her out, the proprietor of the place asked me did I know her, to see if I could not coax her out. I said to her, "why don't you go out;" the man in the place is getting ready to close it. She would not come out, I came out in front of him and he came out behind me. He asked me what did I have to do with the woman and I told him I had nothing to do with her. Somebody called me and he just walked up to me and stabbed me, he just drove the knife in here (pointing to his left groin); it just chilled my whole body, I stood there trembling, I said, "what did you stick that knife in me for?" He said, "what the hell do you think?" He gave me two more right here (pointing to the left arm). (The witness

**POOR QUALITY  
ORIGINAL**

0520

showed the coat he wore to the jury.) Then the Defendant took to his heels and ran; I chased him in the street till I fell from the loss of blood. I went up Broome St. back near Grand and he ran through the arch in Clark St. where I fell senseless in the street from loss of blood, I could not run any further. I saw the knife when he first stuck me and he threw it away when he was running through the arch between Broome and Grand. This was in the day time about twelve o'clock. Had you done anything to him up to the time he struck you? Me and him never had three cross words in my life. Did you strike or threaten to strike him? No sir, I came outside of the saloon door and bled like bleeding to death. After you fell down did you lose consciousness? Yes. When you came to where did you find yourself? In St. Vincent's Hospital. Did the doctors examine your wounds and dress them? Yes. How long were you there? They removed me from St. Vincent's Hospital to Bellevue and I stayed in Bellevue until the 13th of January. From the first until the 13th of January I was treated by the doctors every day for these wounds. Did you see the wound down on your groin? Yes. How long was it? It was about two inches deep and a little over an inch wide. I received two wounds under my left arm, one was a little stab about a third of an inch and the other one did not hardly touch my flesh. Horace Lewis was present at the time I was stabbed. I have known the Defendant over a year and saw him pretty nearly every evening, I never had any trouble with him. When I was going out of the saloon somebody called me, I turned around and it was the Defendant, I don't know whether he called me or anybody else and at that moment he stabbed me.

**POOR QUALITY  
ORIGINAL**

0521

Horace Lewis sworn and examined.

I room at 87 Thompson Street, I know the Complainant Elijah Mumford and I know the defendant at the bar; on the first of January, 1890, I saw the Complainant and the Defendant on the corner of Grand and Thompson Streets outside of the saloon, I saw this man Burdett have him down and jabbed him in here and in the side (pointing). It was the second door from the saloon; the first thing I saw was Burdett had him down and jabbed him with the knife here in the groin and in the side. What did you see Mumford do? He got up and ran away and Burdett followed him a ways and he turned and came back again and Burdett came back to the saloon door, I stood on the corner looking at them and the saloon keeper shut up his place, I started down the street with the saloon keeper and then Mumford came up on the other side of the street, Burdett saw him and chased him a little way and then Burdett started up Grand Street and Mumford after him, he ran around the block down into Thompson St. again and then took a start through the archway around into Dominick Street, there Burdett sat down and Mumford sat down on the door and he could not stir any further but continued there. The officer had Burdett then when I saw him. Did you see whether Burdett had a knife? I did not see whether he had a knife or razor. How many times did you see Burdett strike Mumford? I saw him jab him with the knife twice, that was out on the street.

Cross Examined. I was a witness in the Police Court, I guess I know the Defendant about two or three months/ I saw the proprietor of the saloon and the bar-keeper come out and shut the place up, that was in the day  
3 time, I walked down the street a little ways with them

**POOR QUALITY  
ORIGINAL**

0622

and I asked him what he s ut up for and he did not say, I did not see either Mumford or Burdett come out of the saloon, the first I saw of Mumfrd was Burdett had him down stabbing him, I did not see the knife in Burdett's hand, I saw him jab him with something. I did not run up to where they were, I was about a rod away from them on the opposite side of the street, after Burdett had jabbed Mumford twice Mumford got up and ran away from him, Burdett started after him a few steps, turned around and came back in the direction of the saloon, he was there when the two men came out of the saloon and closed it up, I went across the street then, over to the saloon door. The man who kept the saloon and the bar-tender had a conversation, I walked a couple or three doors away, I did not notice anybody around when I saw the jabbing going on, I have never had any trouble with Burdett, when I met him I passed the time of day , I work on the dock of the Pennsylvanie Railroad.

Richard E. Goodspeed sworn and examined.

I am an officer of the 8th precinct and arrested the defendant on the 1st of January; my attention was first attracted by a crowd running through Broome Street, I was in Sullivan Street between Broome and Spring, I ran to the corner of Broome and through Broome into Clark and in front of the saloon in Clark Street Mumford pointed out the prisoner as the man that cut him. I started towards the prisoner and he ran around Dominick Street almost a block before I caught him. I brought him up kind of lively and took him back and when I got back to Clark Street, Mumford was insensible, he was unconscious, I tried to get him to

**POOR QUALITY  
ORIGINAL**

0623

identify him but I could not get nothing out of him; my side partner went for an ambulance and Mumford was taken to St. Vincent's Hospital. I took the prisoner to the Station House and then to the Court and he was remanded to await the result of the injuries. I asked the prisoner if he cut the Complainant, he said no, he admitted that he had some trouble with him; the knife was picked up in the arch but we could not get it, two or three boys saw an Italian pick it up. I saw the Complainant's wounds and blood was on him at the time, I was on post at the time. Iba Bros. keep the saloon on the corner of Grand where the cutting occurred. That is not on my post, the prisoner did not say anything about being in a saloon.

Lawrence H. Burdett sworn and examined in his own behalf, testified:

I live 80 West Houston Street and have lived there since election, I am a married man but have no children, I have known Mumford for two years, I have been acquainted with him for that time but I have seen him for four years. I never have had any trouble with him. I did not tell the officer that I had trouble with him on that day, I had been in the saloon corner of Grand and Thompson Street at the time Mumford was there, there was some trouble in there with a woman. He says you cut him once in the groin and in the breast, is that true or false? No sir, it is untrue.

I was in that place between one and two o'clock and at the time I was in there there was a drunken woman in the place, the boss wanted to close up, he said he had an engagement to go uptown to have a little fun in another

POOR QUALITY  
ORIGINAL

0624

club room to take a band of music, he was going to close up, I told her to come out because the boss was going to close up, she went out, I got something to drink and left, I got half a block away, I was away from Mumford the length of the bar and when I got up between Thompson about half ways fro the arch he came after me and said I cut him. I says, "go away, Elijah, I aint done nothing to you, why should I cut you?" And he stood and laughed and I came back towards the saloon again and went to Grand Street and he followed me. I said, "Elijah, don't be doing that, you know well enough I have done nothing," I walked up Thompson and goes through the arch through Broome and Dominick and sat down by the school-house and he came and sat within a few steps of me and when I got up a little boy says, "cheese it the cop?" and I walked across the street and this officer came up and collared me. I have never been convicted of anything in my life except that I got ten days for being drunk.

Cross Examined. I gave myself up once to Capt. McDonnell because I heard that he had a man looking for me, a man said I assaulted him the night before and the next morning I came and gave myself up; the officer caught another boy named Boston and a woman said, "that aint the man". The captain said, Nathan Penn charges you with assault and he is in the hospital; they locked me down in the station house and the next morning I went to Jefferson Market and the man was not there to appear against me, he was in the hospital and they took me there, the doctor stood alongside, the officer said to the man that was hurt,

**POOR QUALITY ORIGINAL**

0625

"is this the man that assaulted you?" The man turned over and looked at me and said, "No." When I went to Jefferson Market the judge asked him the same thing and he said, "no." The Judge then said, "why is it that you said this man assaulted you?" He said, "I was drunk and I did not know what I was saying." That was Nathan Penn, I knew him four or five years, I don't know whether he is in New York now or not. I heard the officer say on the stand here that Mumford pointed me out but he did not.

The Jury rendered a verdict of guilty of assault in the second degree and the Defendant was sentenced to the State Prison for five years.

*Handwritten notes:*  
Mumford  
1870  
Nathan Penn  
assaulted  
the case

POOR QUALITY  
ORIGINAL

0626

Testimony in the case  
of Lawrence H. Burdett  
filed Jan. 1890.

[Faint, illegible text, likely a transcript or document]

12

POOR QUALITY  
ORIGINAL

0627

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Lawrence N. Burdett

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

Lawrence N. Burdett  
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said Lawrence N. Burdett

late 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 with force and arms, at the City and  
County aforesaid, in and upon the body of one Elijah Mumford  
in the Peace of the said People then and there being, feloniously did make an assault  
and him the said Elijah Mumford  
with a certain knife

which the said Lawrence N. Burdett  
in his right hand then and there had and held, the same being a deadly and  
dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, stab and  
wound,

with intent him the said Elijah Mumford  
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

Lawrence N. Burdett  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said Lawrence N. Burdett

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 Elijah Mumford in the peace of  
the said People then and there being, feloniously did wilfully and wrongfully make  
another assault, and him the said  
Elijah Mumford  
with a certain knife

which the said Lawrence N. Burdett  
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.

**POOR QUALITY  
ORIGINAL**

0628

THIRD COUNT—

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

*Lawrence H. Burdett*  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

*Lawrence H. Burdett*  
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  
*Elijah Mumford* in the peace of the said People then  
and there being, feloniously did wilfully and wrongfully make another assault, and  
him the said *Elijah Mumford*  
with a certain *knife*

which *he* the said *Lawrence H. Burdett*  
in *his* right hand then and there had and held, in and upon the *groin*  
*and breast* of *him* the said *Elijah Mumford*  
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 wrong-  
fully inflict grievous bodily harm upon the said *Elijah Mumford*

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.

0629

**BOX:**

379

**FOLDER:**

3542

**DESCRIPTION:**

Burns, William P.

**DATE:**

01/14/90



3542

POOR QUALITY ORIGINAL

0630

149  
Counsel, *W. H. ...*  
Filed 14 day of *Jan'y* 1890  
Pleads, *Not Guilty*

THE PEOPLE  
vs.  
*William P. Burnett*  
Robbery, [Sections 224 and 22 B, Penal Code],  
1st degree.

JOHN R. FELLOWS,  
District Attorney.

*21 Jan 90*

A True Bill.

*G. J. ...*  
Foreman.

*Feb. 5 '90* V. M. D.

*Feb. 5, 1890*  
*Spied & Acquitted*

Witnesses:  
*Oliver Holmes*  
*Officer Muller*  
*4th Precinct*

POOR QUALITY ORIGINAL

0631

Police Court District.

CITY AND COUNTY OF NEW YORK, ss

Oliver Holmes of No. 117 Pine St. Lafayette Jersey Street, Aged 34 Years Occupation Laborer being duly sworn, deposes and says, that on the 1st day of January 1890, at the 4th Ward of the City of New York, in the County of New York, was feloniously taken, stolen, and carried away, from the person of deponent by force and violence, without his consent and against his will, the following property, viz:

One watch of the value of Forty two dollars

of the value of DOLLARS, the property of deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away, by force and violence as aforesaid by William P. Burrus (now here) for the reasons that at about the hour of eleven o'clock a.m. deponent was walking along Cherry Street and had said watch in a pocket of the vest then worn on his person. Suddenly deponent was seized from behind about the neck and some person took said property from deponent's person. When deponent was released deponent turned round and saw the defendant who had had hold of him.

Wherefore deponent charges the

day of

Sworn to before me, this

188

Police Justice

POOR QUALITY ORIGINAL

0632

defendant with acting in concert with other persons not arrested and holding deponent's body to permit said unknown persons by force and violence to take said and carry away said property.

Sworn to before me this 6<sup>th</sup> January 1890  
W. J. Mahon  
Police Justice

*[Signature]*  
O. Holmes

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Hundred Dollars and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.  
Dated 1888  
Police Justice.  
I have admitted the above named  
to bail to answer by the undertaking hereunto annexed.  
Dated 1888  
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 1888  
Police Justice.

Police Court, District, \_\_\_\_\_  
THE PEOPLE, &c.,  
on the complaint of \_\_\_\_\_  
vs. \_\_\_\_\_  
Offence—ROBBERY.  
Dated 1888 \_\_\_\_\_  
Magistrate. \_\_\_\_\_  
Officer. \_\_\_\_\_  
Clerk. \_\_\_\_\_  
Witness, \_\_\_\_\_  
No. \_\_\_\_\_ Street, \_\_\_\_\_  
No. \_\_\_\_\_ Street, \_\_\_\_\_  
No. \_\_\_\_\_ Street, \_\_\_\_\_  
\$ \_\_\_\_\_ to answer General Sessions.

POOR QUALITY ORIGINAL

0633

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*William P. Burns* 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 P. Burns*

Question. How old are you?

Answer. *24 years*

Question. Where were you born?

Answer. *New Jersey*

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

Answer. *39 Bowery*  
*5 Batavia St. 1 week*

Question. What is your business or profession?

Answer. *Hat finisher*

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*

*William P. Burns*

Taken before me this *6*  
day of *January* 1890  
*H. J. M. Watson*  
Police Justice.

POOR QUALITY ORIGINAL

0534

I swear that the person who participated in this robbery, had as

BAILED,

No. 1, by

No. 2, by

No. 3, by

No. 4, by

Residence

Residence

Residence

Police Court

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Oliver Wallace

William P. Brown

1

2

3

4

Offence

Robbery

District

49

Dated

January 6<sup>th</sup> 1890

William P. Brown

Witnesses

No. 1

William P. Brown

No. 2

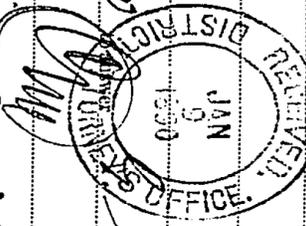
William P. Brown

No. 3

William P. Brown

No. 4

William P. Brown



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

defendant

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 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 January 8<sup>th</sup> 1890 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.

**POOR QUALITY ORIGINAL**

0635

**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 P. Burns*

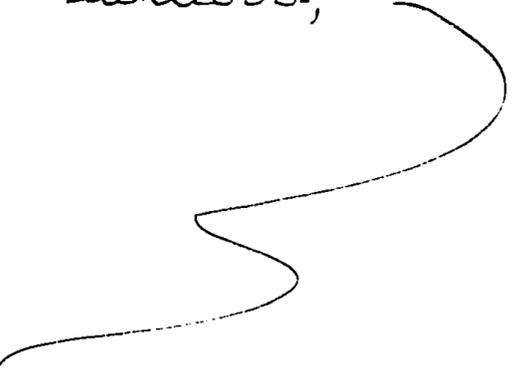
The Grand Jury of the City and County of New York, by this indictment, accuse *William P. Burns*

of the CRIME OF ROBBERY in the *first* degree, committed as follows:

The said *William P. Burns*,

late 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 ~~eighty~~ *ninety*, in the ~~night~~ *day* time of the said day, at the City and County aforesaid, with force and arms, in and upon one *Oliver Holmes*, in the peace of the said People, then and there being, feloniously did make an assault, and

*one watch of the value of forty two dollars,*



of the goods, chattels and personal property of the said *Oliver Holmes*, from the person of the said *Oliver Holmes*, — against the will, and by violence to the person of the said *Oliver Holmes*, — then and there violently and feloniously did rob, steal, take and carry away, *the said*

*William P. Burns* being then and there aided by an accomplice actually present, whose name is to the Grand Jury aforesaid as yet 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.

*John R. Fellows,*  
*District Attorney*

*Indicted by*  
*Grand Jury*

0636

**BOX:**

379

**FOLDER:**

3542

**DESCRIPTION:**

Buttell, John

**DATE:**

01/27/90



3542

POOR QUALITY ORIGINAL

0637

384

Selling on Sunday.

Counsel,

Filed

27 day of Jan 18 90

Pleads

*Amey Gully*

VIOLET OF EXCISE LAW  
[III Rev. Stat. (1880), page 193, Sec. 21 and  
7th Edition), page 193, Sec. 21 and  
page 189, Sec. 5.]  
Selling on Sunday, Etc.)

THE PEOPLE

vs.

*B*  
*John Cuttall*

*Transferred to the Court of Appeals  
Seasons by the Court final disp  
Part 3-1-1893*

JOHN R. FELLOWS,

District Attorney.

A TRUE BILL.

*G. J. Hanna*  
Foreman.

*Feb 27 1890*

Witness:

*Officer Jones*  
*23 Francis*

POOR QUALITY  
ORIGINAL

0638

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 Buttell*

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

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

The said

*John Buttell*

late of the City of New York in the County of New York aforesaid, on the *fifteenth* day of *April* in the year of our Lord one thousand eight hundred and *eighty-eight*, 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

*Thomas L. Jones*

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 Buttell*  
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 Buttell*

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.

0639

**BOX:**

379

**FOLDER:**

3542

**DESCRIPTION:**

Byron, Daniel

**DATE:**

01/13/90



3542

POOR QUALITY ORIGINAL

0640

49.

128

Burlington

Counsel,  
Filed 13 day of Jan 1890  
Pleads, *Myself*

Grand Larceny, *Second Degree.*  
(From the Person.)  
[Sections 528, 587 — Penal Code].

THE PEOPLE

vs.

*P*  
Daniel Byron

JOHN R. FELLOWS,  
District Attorney.

A True Bill.

*G. H. J. M.* Foreman.

Part III January 22/90.  
Tried & acquitted.  
21

Witnesses:

*Thomas W. Elden*  
*Albert Krause*  
*Officer Jarley*  
*quorum*

POOR QUALITY ORIGINAL

0641

Police Court 2 District. Affidavit—Larceny.

City and County } ss.: Thomas Mac Millan  
of New York, }

of No. 9 Abington Square Street, aged 65 years,

occupation Wine Peddler being duly sworn

deposes and says, that on the 30 day of December 1888 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 forty dollar

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 Daniel Byron, now here

for the reason that deponent is informed by Albert Krause now here that on said date, about the hour of 8 o'clock A.M., he saw the defendant, in the act of feloniously taking the said watch from deponent's vest pocket, while deponent was standing at the door of his own house. Deponent asks that defendant be dealt with as the law directs.

Thomas Mac Millan  
Deponent

Sworn to before me, this 30 day of December 1888  
Wm. J. ...  
Police Justice.

**POOR QUALITY ORIGINAL**

0542

CITY AND COUNTY } ss.  
OF NEW YORK, }

*Albert Krause*

aged *42* years, occupation *Iron work* of No.

*79 Washington*

Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of *Thomas Mc Miller*

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

Sworn to before me, this *30* day of *December* 188*9* } *Albert Krause*

*John Johnson*  
Police Justice.

POOR QUALITY ORIGINAL

0643

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Daniel Byron

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. Daniel Byron

Question. How old are you?

Answer. 30 years

Question. Where were you born?

Answer. Wis.

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

Answer. 96 Christopher St - 6 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 know that the complainant for 20 years. I was taking him home. He was drunk. I did not take his watch. The watch was found in the pocket of the complainant. I was drinking with the complainant at the corner of West 11th and West St. and I took him home from there. He is drunk now.

Daniel Byron

Taken before me this

30

day of Decr 1885

Police Justice.

0644

POOR QUALITY ORIGINAL

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

Police Court... 2 District 8

THE PEOPLE, &c.,  
 ON THE COMPLAINT OF

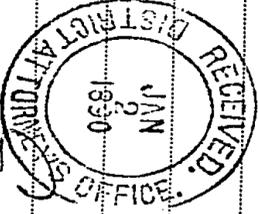
James De Miller  
 3 Abington Square  
 Daniel Brown

Offence Larceny  
 felony

Dated Dec 9<sup>th</sup> 1889

George  
 James Parley  
 Magistrate  
 Officer

Witnesses Albert Krause  
 79 Westchester  
 Street



No. \_\_\_\_\_ Street \_\_\_\_\_  
 No. 700 to answer  
 Street \_\_\_\_\_

Law

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 Seven 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 9<sup>th</sup> 1889 \_\_\_\_\_ 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.

POOR QUALITY ORIGINAL

0645

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Daniel Byron

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

Daniel Byron

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

The said Daniel Byron

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

one watch of the value of thirty dollars

of the goods, chattels and personal property of one Thomas Mac Millan on the person of the said Thomas Mac Millan then and there being found, from the person of the said Thomas Mac Millan 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.

John R. Fellows, District Attorneys