

0663

BOX:

498

FOLDER:

4545

DESCRIPTION:

Ingalls, Louis

DATE:

10/25/92



4545

POOR QUALITY
ORIGINAL

0664

Witnesses:

Counsel,

Filed

day of

Pleads,

THE PEOPLE

vs.

Louis Ingalls

DE LANCEY NIGOLL,

District Attorney.

A TRUE BILL.

B. Brown

Foreman.

Heard G. Idey

S. P. 7 yd.

Grand Larceny, First Degree.
(DWELLING HOUSE.)
[Sections 528, 538, 539 Penal Code.]
Secura Offense

**POOR QUALITY
ORIGINAL**

0665

Auburn, N.Y.

Nov. 12, 1896

Vernon M. Davis, Esq.

Asst. Dist. Atty. New York,

Dear Sir:-

I send you a copy of an application for pardon of Lewis Ingalls, sentenced by Judge Cowing Oct. 26, 1892 to serve a term of seven years imprisonment. I do this at the request of the judge. Mrs. C. B. Nichols has an application for the Governor. I want to ask the District Attorney to see Judge Cowing in regard to this matter, as he fully understands it having had a conversation with Mrs. Nichols.

Very truly,

Thos. Bell

POOR QUALITY
ORIGINAL

0666

Lower quality
History have
When I have
application for
subject is present

**POOR QUALITY
ORIGINAL**

0667

Auburn, N. Y. November 5th. 1896.

Hon. Levi P. Morton,

Governor State of New York.

Sir:-

I was convicted of Grand Larceny first degree in New York County October 26th. 1892, and sentenced to serve a term of seven years imprisonment by Judge Rufus B. Cowing.

I sincerely believe I have been sufficiently punished when taking into consideration the fact that up to the time of my conviction I had always borne a good character and been respected by my fellow men as an honest citizen. I was born in a small country town in the Catskill Mountains at Hunter, New York. I resided at Hunter until I was thirty-two years of age, since then and up to the time of my arrest I had held responsible positions in several large cities. I was employed at time of arrest by Doctor's Key's and Fuller, 108 East 34th. street, New York City. With the exception of about one year I had always lived an honest, useful, upright life, but through trouble of a private nature, I allowed myself to become addicted to drink, and hence through drink and additional troubles, my downfall. I have eight months yet to serve and should be glad of a chance to retrieve the past error of my life. I respectfully refer you to the prison authorities here as to my conduct, as well as to the Judge who sentenced me for any further information you are desirous of. I sincerely hope you will look favorably into my case and subscribe myself as.

Yours very respectfully,

Louis Ingalls #22997

Auburn Prison.

**POOR QUALITY
ORIGINAL**

0668



STATE OF NEW YORK.

OFFICE OF THE AUBURN PRISON.

Auburn, Nov-6th 1896

To the Governor of the State of New York:

Sir:—I have the honor to furnish as requested by you, a report in the case of the following named applicant for Executive Clemency.

Name, Louis Ingalls
Applicant's Prison Number, 22997
Place and County of Conviction, New York Co.
Crime, and degree of same, Grand Larceny (2^d)
Court, General Sessions
Judge, Cowing
Date of Sentence, October 26th 1892
Received in Auburn Prison, November 17th 1892
Term and Fine, Ann (7) Yrs. — Mos. \$ —
Term, less possible Commutation, 4 Yrs. 9 Mos. — Days.
Amount of possible Commutation, 2 Yrs. 3 Mos. — Days.
Earliest possible discharge, July 26th 1897
Conduct in Prison, Good
Health, Good
Times of Imprisonment other than above, dates and terms of same, —
No record of other imprisonment.
Other Information, Received in Sing Sing Oct 27th 1896

I am, sir,

Very respectfully yours,

James C. Stout
Agent and Warden.

Police Court 2 District.

Affidavit—Larceny.

City and County } ss:
of New York,

Francis Louis Quackenbush

of No. 109 East 34th Street, aged _____ years,
occupation Housekeeper being duly sworn,

deposes and says, that on the 27th day of September 1892 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:

*a gold watch
chain and locket of the value
of about three hundred dollars
\$ 300 —*

the property of *deponent's husband* and then
in deponent's charge

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 *Louis Ingalls (not named)*
Defendant was a nurse at the
Hospital No 109 East 34th street where
deponent's husband was a patient. The
defendant borrowed said property
under pretense of taking the pulse of
another patient, and it was the under-
standing of deponent that defendant
would only need to use said watch
a few moments. But defendant
absconded immediately and has not
been seen since. Deponent asks that
defendant be dealt with as the
law directs.

Francis L. Quackenbush

Sworn to before me, this

of *September* 1892

day

Police Justice.

POOR QUALITY
ORIGINAL

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Sec. 198-200

CITY AND COUNTY } ss.
OF NEW YORK, }

2 District Police Court.

Louis Ingalls being duly examined before the under-
signed 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.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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.

Louis Ingalls

Taken before me this
day of April 1888

John H. Ryan

Police Justice.

**POOR QUALITY
ORIGINAL**

0671

Sec. 151.

1847

CITY AND COUNTY }
OF NEW YORK, } ss.

Police Court District.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by Francis L. Duane, of No. 109 East 34 Street, that on the 29 day of Sept. 1892 at the City of New York, in the County of New York, the following article, to wit:

One gold case watch
of the value of Three Dollars,
the property of Angelina Ruchay,
was taken, stolen and carried away, and as the said Complainant has cause to suspect, and does suspect and believe, by Louis Briggs.

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

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

Dated at the City of New York, this 29 day of Sept. 1892
John Ryan POLICE JUSTICE.

POOR QUALITY
ORIGINAL

0672

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

Police Court - District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James J. MacFarland
1104 E 34th

1. Louis J. Magallon

Dated, Oct 17 189

Magistrate.

McCarthy & Co
Officer.

Pretrial.

Witnesses

No. _____ Street _____

No. _____ Street _____

No. _____ Street _____

\$ 1500 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 Fifteen Hundred Dollars, _____ and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated, Oct 17 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

**POOR QUALITY
ORIGINAL**

0673



STATE OF NEW YORK.
OFFICE OF THE
AGENT AND WARDEN
OF
AUBURN PRISON.

Auburn, Nov. 18, 1895.

Hon. Levi P. Morton,
Governor,
Albany, N. Y.,

Dear Sir :

I respectfully call your attention to the case of Louis Ingalls, a convict serving a sentence of seven years in this prison for Grand Larceny First Degree. He was sentenced in New York County by Judge Cowing, was received at Sing Sing Prison October 27th, 1892, and transferred to Auburn Prison November 17th, 1892.

I regard his case as an exceptional one in many respects. He is a physician of good ability and many years' experience, and from my acquaintance with him I am satisfied that he is not in any sense a criminal. Such is the universal opinion of the officers of this prison who have come in contact with him. He has at all times been a model prisoner, and has been employed during the entire period of his confinement here either as Assistant or Superintendent of the Hospital, and in those positions has proven that he is absolutely trustworthy. His services in the Hospital have been of great value to the state and to the inmates. I have much doubt whether there was the slightest criminal intent on his part in connection with the crime to which he pleaded guilty. The fact of his making such a plea is capable of complete and satisfactory explanation. Not intending to enter into the details of his case at this time, I yet

**POOR QUALITY
ORIGINAL**

0674



STATE OF NEW YORK.

Clerk's Office,
AUBURN PRISON.

(2)

AUBURN, 189

wish to express the opinion that it contains many elements worthy of your careful consideration, with a view to a commutation of his sentence. I write in haste, in order that this matter may be brought to your notice at an early day, and shall be glad to give you additional information concerning it at any time.

Very Respectfully Yours,

James C. Stout,

Agent and Warden.

**POOR QUALITY
ORIGINAL**

0675



STATE OF NEW YORK.
Clerk's Office,
AUBURN PRISON.

AUBURN, Nov. 26, 1895. 189

Hon. Rufus B. Cowing,
New York, N. Y.,

Dear Sir :

Enclosed please find copies of letters from Agent and Warden James C. Stout and Physician Conant Sawyer, both of this prison, to Governor Morton, strongly favoring commutation of sentence for one Louis Ingalls, sentenced by you on October 26, 1892, to seven years' imprisonment for Grand Larceny First Degree. The originals were filed with the Governor on the 21st instant, and with them a communication from five reputable physicians of Auburn, who have become acquainted with Ingalls here, to the same effect.

This man is so marked an exception among convicts that the officers of this prison are of the belief that he ought not to be longer imprisoned, for they have faith that his future life will be correct. Prior to the commission of the crime for which he was arrested, and to which he pleaded guilty on the advice of friends, he was employed as Superintendent of a private hospital conducted by Drs. Keyes and Fuller on 34th Street, New York City. Among his duties was the taking charge of the money and other valuables belonging to the patients. It was his custom to put such money and valuables in the safe for security. On one occasion he neglected to do this, and left the institution at night with some money in his pos-

**POOR QUALITY
ORIGINAL**

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STATE OF NEW YORK.
Clerk's Office,
AUBURN PRISON.
(2)

AUBURN, 189

session belonging to a patient. He met convivial friends, a debauch followed, and he failed to return to the hospital for two or three days. He states that he was within three blocks of the hospital during the entire period of his absence from it, that he did not spend any of the patient's money, and did not even break the package in which it was contained and which was marked with the owner's name. He was arrested on the street, in broad daylight, just after getting straightened up and when about to return to the hospital. He offered to restore the money to its owner if the complaint were withdrawn, but this was refused, and, as stated above, he pleaded guilty by advice. He then had and still has a wife, son and aged mother, and the latter does not know to this day of her son's disgrace.

The facts stated by him and briefly detailed in this letter, together with his exemplary conduct here and his general high character, have so impressed the officers of this prison that we have appealed to the Governor for clemency, and you will no doubt receive an inquiry concerning the case very soon, if you have not already done so. We believe he was free from guilty purpose, but, even assuming the contrary to be true, it seems to us clear that he has been so far punished as to quite satisfy the ends of justice in his case. He is forty-five years of age, - an age which we believe re-

**POOR QUALITY
ORIGINAL**

0677



STATE OF NEW YORK.
Clerk's Office,
AUBURN PRISON.

(3)

AUBURN, 189

duces to a minimum the chances of future wrong-doing. In view of these facts, may we not ask you to give his case favorable consideration, and to make to the Governor such a report as will aid in securing his liberty?

Last week in New York I had a long and satisfactory talk with Mr. Edward T. Flynn, of the District Attorney's office, and I came away fully satisfied that Mr. Flynn was favorably disposed towards clemency for Ingalls, and we confidently expect the co-operation of that office in our undertaking. I intended to call upon you in relation to the matter at that time, but was advised in the most emphatic manner that the only proper course was to await the inquiry of the Governor.

I trust you will pardon the length of my letter, and that you may deem it right to favor clemency for this man. If I can give you further information, it shall be my pleasure to do so immediately upon request. I I would be grateful for an expression of your views of this case to me at an early day.

Very Respectfully Yours,

Robert G. Shaw,

Assistant Clerk.

POOR QUALITY
ORIGINAL

0678



STATE OF NEW YORK.
PHYSICIAN'S OFFICE,
AUBURN PRISON,

Auburn, N. Y. Nov. 18. 1895. 189

Hon. Levi P. Morton,
Governor of the State of New York,
Albany, N. Y.,

Sir :

Louis Ingalls, a convict in this prison, has been in the hospital for the past three years as pharmacist and assistant physician. He has been of great use to the state, and has been steady, industrious and honest. His conduct has been above reproach, and he has none of the characteristics of a criminal that I have ever observed. When he broke the law of the land it was when he was irresponsible, and no one regrets it more than he does. His punishment would seem to me to be amply sufficient for his offence. In my opinion he will make a worthy citizen in the future. If I had a hospital of my own outside, I would have no fear in trusting him to the utmost extent.

Respectfully Yours,

Conant Sawyer,

Physician & Surgeon.

Auburn, Dec. 2^d/1898

Honorable Rufus B. Coving.

My dear Judge:

An application has been made to the Governor for a pardon for Dr. Louis Ingalls, who is now in Auburn Prison, under sentence imposed by you in 1892. I presume you have been asked to inform the Governor in regard to the case. If you have not already done so, I would be obliged if you will defer the matter a week or so, until I can have an opportunity to see you.

Very sincerely Yours.

John D. Teller

POOR QUALITY
ORIGINAL

0680

STATE OF NEW YORK
Executive Chamber
ALBANY

Dec 2 1895

Dear Sir:

Application for Executive clemency having been made on behalf of *Louis Ingalls* who was convicted of *grand larceny* 1st in the County of *New York* and sentenced *Oct. 7 6, 1892* to imprisonment in the *State Prison* for the term of *7 Years*.

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,

Hon. Rufus B. Coving
New York

Ashley W. Cole.
Private Secretary.

**POOR QUALITY
ORIGINAL**

0681



STATE OF NEW YORK.
Clerk's Office,
AUBURN PRISON.

AUBURN, Nov. 25, 1895. 189

Hon. Rufus B. Cowing,
New York, N. Y.,

Dear Sir :

If you have not already done so, you will within a few days receive from Governor Morton an inquiry in the matter of the application for executive clemency of one Louis Ingalls, sentenced by you October 26, 1892, to seven years' imprisonment for Grand Larceny First Degree.

I write to ask that you withhold action in the case for a day or two and until I can send you certain letters from officials of this prison, strongly favoring clemency, and giving good reasons therefor. By so doing, you will greatly oblige me.

Very Respectfully Yours,

Robert G. Shaw,

Assistant Clerk.

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 Ingalls

The Grand Jury of the City and County of New York, by this
Indictment accuse *Louis Ingalls*

of the crime of *Grand Larceny in the first degree*,
as a SECOND OFFENSE, committed as follows:

Heretofore, to wit: at a court of ~~General~~ ^{Special} Sessions of the Peace, holden in and
for the City and County of New York, at the ~~City~~ ^{of Justice} Halls, in the said City of New York,
on the *fifth* day of *December*, in
the year of our Lord, one thousand eight hundred and *ninety* —,
before the Honorable *Salon B. Smith, James T. Kilbreth and*
J. Henry Ford, Police Justices of the City of New York
and Justices of the said Court, the said *Louis Ingalls*
by the name and description of *Louis Ingalls*
was in due form of law convicted of *a misdemeanor*
to wit: *petit larceny*
upon a certain ~~indictment~~ ^{complaint} then and there in the said Court depending against *him*
the said *Louis Ingalls* by the
name and description of *Louis Ingalls*
as aforesaid.

for that *he*

then

late of the

And Thereupon, upon the conviction aforesaid, it was considered
by the said Court of ^{Special} General Sessions of the Peace, and ordered and adjudged that
the said Louis Ingalls,
by the name and description of Louis Ingalls,
as aforesaid,
for the larceny and misdemeanor whereof
he was so convicted as aforesaid, be imprisoned in the Penitentiary
of the County of New York at hard labor for
the term of three months,
as by the record thereof doth more fully and at large appear.

And the said Louis Ingalls
late of the Twenty-first
Ward of the City of New York, in the
County of New York aforesaid, having been so as aforesaid convicted of the
said larceny and misdemeanor in
manner aforesaid, afterwards, to wit: on the 27th day of
September in the year of our Lord one thousand eight hundred
and two, at the Ward City and County aforesaid, with force
and arms, in the night-time of the same day,
one watch of the value of one
hundred and fifty dollars, one
chain of the value of seventy-five
dollars and one locket of the value
of seventy-five dollars, of the goods,
chattels and personal property of one
^{Christian name is to the Grand Jury of said County,}
John Mackenbush, whose real in the
dwelling-house of one Edward L.
Keyes, there situate then and there
being found, from the dwelling-house

POOR QUALITY
ORIGINAL

0684

aforsaid then and there feloniously
did steal take and carry away,
against the form of the Statute
in such case made and provided,
and against the peace of the
People of the State of New York,
and their dignity.

De Lancey Nicoll,
District Attorney

POOR QUALITY
ORIGINAL

0685

City of New York, in the County of New York aforesaid, on the
twenty second day of *November* in the
year aforesaid, at the _____ City and

County aforesaid, ~~with force and arms~~ *did* ~~unlawfully~~
steal, take and carry away *one overcoat* of the value
of *fifteen dollars*, of the goods
chattels and personal property
of one *John Connolly, Duesenbach*

0686

BOX:

498

FOLDER:

4545

DESCRIPTION:

Isoldi, Vincenzo

DATE:

10/07/92



4545

POOR QUALITY
ORIGINAL

0687

Witnesses:

M. Agnew

C. Sullivan

Counsel,

Filed

day of

189

Plends, Monday 11

THE PEOPLE

30 Nov 1892

288

288

288

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

DE LANCEY NICOLL,

District Attorney.

Ad. 1892 V. M. 1

A TRUE BILL.

B. Lockwood

Foreman.

Part 3. Oct 19/92

Inds and Comitted

Assault 2344

S.P. 3 yrs 6 mo 26

288

288

POOR QUALITY
ORIGINAL

0688

Witnesses:

M. Agnello

C. Sullivan

Counsel,

Filed

day of

189

Pleads,

THE PEOPLE

vs.

B.

Vincenzo Nicolli

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

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

B. Lockwood

Foreman.

Part 3. Oct 19/92

Indict and Convicted

Exhibit 24

S.P. 3 ms 6 mo 26

20-26-12

BSM

COURT OF GENERAL SESSIONS-Part III.

-----x
The People of the State of New York, : Before Hon. RAN-
against :
V I N C E N Z O I S O L D I . : DOEPH B. MARTINE,
: and a Jury.
-----x

Indictment filed September 1892.

Indicted for assault in the 1st degree.

N e w Y o r k, October 18th 1892.

APPEARANCES: For the People Asst. Dist. Attorney
Vernon M. Davis.

For the defendant Mr. C. E. LeBarbier.

MATTEO AGUELLO, a witness for the People, sworn, testified:

I live at No. 87 Mulberry street. I am a laborer. On the 9th day of September I saw this defendant in Mulberry street about eleven o'clock in the morning. I called to him and said "Dont trouble me any more, I am a father of a family". We walked from No. 80 to No. 77 together. While we were talking we quarrelled and when we arrived opposite No. 77 he pulled out a revolver and fired two shots. I saw him put his hand behind and then pull it out and fire. I was running then and I cannot say at whom he fired. He fired the revolver towards the sky. He pointed the pistol at me while I was running away. I ran into a saloon and out into the yard. I did not strike him or touch him in any way before he took out his pistol and fired it at me. I did not even threaten to strike or injure him.

CROSS EXAMINATION:

I have known the defendant about a year. I had a difficulty with him before this day. He had previously had

words with me in a saloon; had followed me out into the hall and demanded all my money at the point of a revolver. We had been playing cards together and had quarrelled. In the police Court I told them that the defendant had pointed the pistol at me when he fired it off. He was within about two or three feet of me at the time. He did not strike me. I do not know where the shots struck. I only heard two shots from the pistol go off. The shot from the revolver passed on my right side. All the words that passed between the defendant and I were those which I have stated. We were near the saloon at the time this happened and I ran into the saloon. It is not a fact that I had demanded money from the co defendant for men whom I had sent to him to work. I did not see any one present at the time the shots were fired. The man faced me at the time he fired the revolver off. I saw the revolver in his hand. I have never been in the contracting business. I never furnished any men to contractors; I did not furnish any men to this defendant. I did not know that the defendant was a contractor.

PATRICK CORCORAN, a witness for the People, sworn, testified:

I belong to the 6th precinct. On the 9th day of last September 1892 I arrested the defendant. I saw a crowd running down Canal Street. I ran and a young man named Sullivan handed me that revolver. I examined the pistol in the station house; two chambers were empty. I went up to the defendant and took hold of him. Sullivan told me that he saw the defendant running with a crowd after him and he caught him and took the pistol from him. I took the defendant to the station house.

D E F E N C E .

NICOLA DERATZO, a witness for the defendant, sworn, testified:

I live at 37 Mulberry street in this city. I am a laborer by occupation. On the day of this assault I was present. The complainant came along and asked the defendant for a dollar for each man that he had sent to him to go to work; the defendant said he would not give it to him; Anyello with two or three more friends then came towards the defendant and pulled him inside of the saloon; one of the men pulled out a knife and when Anyello saw that he pulled out his revolver and fired twice in the air. He did not aim the pistol at the body of the complainant. While he was shooting he ran away. He was afterwards arrested.

CROSS EXAMINATION:

I was about four feet away from the two men at the time of the firing of the shots. I heard all the conversation. I am not a friend of the complainant. I did not see a knife in the pocket of anybody. I did not see the complainant use a knife. I did not have any pistol in my pocket. I did not see any of the other witnesses last night. I have talked to no one about this case.

ANDREA CANGRO, a witness for the People, sworn, testified:

I am a laborer. On the day of this trouble I was going through Mulberry street to meet a friend of mine. I saw the complainant and defendant talking together. When I arrived opposite No. 75 I heard the first shot and when the second shot was fired the defendant ran away. I could not say in what direction the revolver was pointed.

CROSS EXAMINATION:

I did not hear the conversat ion between the men. I did not hear anybody say that they would cut the defendants throat. I did not see anybody holding Isoldi by the arms. When he fired the secon shot he ran away. VINCENZO ISOLDI, a witness for the People, sworn, testified:

I am the defendant. I have seen the complainant several times. I came to this city from Penn. that day to look for laborer s. I was opposite No. 80 Mulberry St. About ten or twelve men were there ready to come to work with me. Anyello said to me "I want a dollar for each of these men". I would not pay him the dollar; he immediately answered "If you do not pay me I will pull your moustache and cut your throat". Then he took hold of the lapel of my coat, and pulled me inside of a saloon and immediately four men jumped on me, pulled my moustache and one of them drew a knife. I was afraid and I took out my revolver and fired two shots in the air to call the attention of the Police officers. I did not point the re volver at anybody. The testimony of the complainant as to our conversation is not true. When I fired the shots the complainant was inside of the saloon; I was outside. I was afarid the men would kill me, and I fired the shots for assistance. I am a widower with two childre n.

CROSS EXAMINATION:

I live at No. 280 Mott Street. I work out in the country as a boss contractor . I employ men and come to this city to get them. The complainant demanded money of me that he had no right to. One of the men pulled my moustache, another had a knife in his hand and the rest were giving me blows all over my body. They had not i e to wound me as I immediately drew my revolver and fired.

5

I pointed my revolver upwards. If I had wished I could have shot the man as he was only a short distance from me. I never carry anything but a pen knife. I had this revolver with me; because at Logan Penn. where I work there is a very vicious dog and I keep this for protection against that dog.

CARMINE LEVecchia, a witness for the People, sworn, testified:

The reputation of the defendant for peace and quietness is good. I know of the vicious dog at Logan station. I knew he carried a revolver to protect himself from that dog.

ALPHONSE GUIDA, for the people, sworn, testified:

I am a saloon keeper at No. 77 Mulberry St. I remember the 9th of September. I saw the complainant run into my place about eleven o'clock. I heard two shots but did not see them fired. The bullets went up to the ceiling. There was a hole in the window about seven feet above the ground. I have examined these and found them as I have stated.

OFFICER CORCORAN, a witness, sworn, testified:

I went to 77 Mulberry street. I examined the place. The proprietor showed me where the bullets had struck. The hole in the wall was higher than the hole in the glass of the window.

The jury returned a verdict of guilty of assault in the second degree.

POOR QUALITY
ORIGINAL

0694

Oct 17
Indictment filed Sep. 1892.

COURT OF GENERAL SESSIONS

Part III.

THE PEOPLE &c.

against

VINCENZO ISOLDI.

Abstract of testimony on

trial, New York October

18th 1892.

POOR QUALITY
ORIGINAL

0695

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, / DISTRICT.

of No. 6th Precinct Patrick Concoran Street, aged 31 years,
occupation Policeman being duly sworn deposes and says
that on the _____ day of _____ 1892

at the City of New York, in the County of New York Matayo Agnello
(now here) is a material witness against Vincenzo
Soldi charged with felonious Assault. As
deponent has cause to fear that the said Agnello
will not appear in Court to testify when wanted.
he prays that he be committed to the House
of Detention as a witness in default of
One Hundred Dollars bail.

Patrick Concoran

Sworn to before me, this

of

September

1892

day

William H. Brady Police Justice.

POOR QUALITY
ORIGINAL

0696

Police Court-- District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Patrick Cavan

vs.

Matayo Agnuel

AFFIDAVIT.

Committed to House
of Detention

Dated

Sept 9

1892

Magistrate.

Officer.

Witness,

\$100 Bond

House of Detention

Disposition,

Police Court— / District—

1931

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

of No. 87 Mulberry Matayo Agnudo Street, aged 36 years,
occupation Laborer

deposes and says, that on the 9 day of September 1892 being duly sworn,
York, in the County of New York, in Mulberry at the City of New

he was violently and feloniously ASSAULTED and BEATEN by Vincenzo
Soldi (now here) who did point, aim and
discharge two a trade revolving pistol, loaded
with powder and ball at deponent, firing
two shots at 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 9 day } Matayo his
of September 1892 } + Agnudo
W. H. Brady MARK
Police Justice.

**POOR QUALITY
ORIGINAL**

0698

(1235)

Sec. 198—200.

CITY AND COUNTY } ss.
OF NEW YORK.

District Police Court

Vincenzo Soldi 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.

Vincenzo Soldi

Question. How old are you?

Answer.

35 years

Question. Where were you born?

Answer.

Italy

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

Answer.

218 Mott street. 15 years

Question. What is your business or profession?

Answer.

Labourer

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.
Vincenzo Soldi*

Taken before me this

day of *October* 1892

Police Justice.

POOR QUALITY
ORIGINAL

0699

Adm. 20/92-274

Complain. Bailed
by McPherson & Co
77 Mulberry

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court--

District.

1223

THE PEOPLE, vs.

ON THE COMPLAINT OF

Mary Ann
Shelton & Co
100 Mulberry

100 Mulberry

Offense

Regault
felony

Dated,

September 9

1892

Magistrate.

Lucas a. Mitchell
Officer.

Prisoner.

Witnesses

No. 1st Hamilton

Street.

No.

Street.

Complaint committed to the House
of Detention 8/17/92

No.

Street.

No.

Street.

to answer
10/1/92

Adm. 20/92-274

Adm. 20/92-274

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, 1892

Police Justice.

I have admitted the above-named

Defendant

to bail to answer by the undertaking hereto annexed.

Dated, Sept 26 1892

Police Justice.

There being no sufficient cause to believe the within named

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

Dated, 1892

Police Justice.

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Vincenzo Isoldi

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

Vincenzo Isoldi

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

The said

Vincenzo Isoldi

late of the City of New York, in the County of New York aforesaid, on the *ninth* day of *September* in the year of our Lord one thousand eight hundred and ninety-*two*, with force and arms, at the City and County aforesaid, in and upon the body of one *Matayo Agnello* in the peace of the said People then and there being, feloniously did make an assault and to, at and against *him* the said *Matayo Agnello* a certain pistol then and there loaded and charged with gunpowder and one leaden bullet, which the said *Vincenzo Isoldi* in *his* right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously did then and there shoot off and discharge with intent *him* the said *Matayo Agnello* 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

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

The said

Vincenzo Isoldi

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 *Matayo Agnello* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and to, at and against *him* the said

Matayo Agnello

a certain pistol then and there charged and loaded with gunpowder and one leaden bullet, which the said

Vincenzo Isoldi

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

DE LANCEY NICOLL,

District Attorney.