

0036

**BOX:**

344

**FOLDER:**

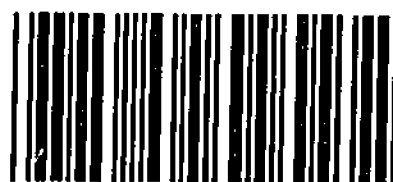
3244

**DESCRIPTION:**

VanAuken, Charles H.

**DATE:**

02/27/89



3244

Witnesses:

*W. Nathan*

*M. Freedman*

*258 A. H. P. N. N. Y.*  
*280 Broadway*

Counsel,

Filed

*27* day of *Feb*

188*9*

Pleads

*Chiquity. c. l. b. y.*

THE PEOPLE

vs.

*Charles H. Van Hook*

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

JOHN R. FELLOWS,

District Attorney.

Part II

*Oct 21* *Procl 51/84*

**A True Bill**

*W. R. Owen*  
Foreman

0038

Police Court— District. 14

CITY AND COUNTY  
OF NEW YORK, } ss.

of No. 4 Baxter Street,

Salesman being duly sworn, deposes and says, that  
on Wednesday the 13<sup>th</sup> day of February

in the year 1889 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED ~~and BEATEN~~ by Charles  
Van Aiken (now here) who pointed  
and aimed a loaded revolving  
pistol at deponent's body

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 February 1889

Morris Friedman

J. Murray Bond POLICE JUSTICE.

0039

Sec. 193-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

District Police Court

*Charles Van Auker* 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. *Charles Van Auker*

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. *Brooklyn*

Question. What is your business or profession?

Answer. *Car driver*

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*

*Chas H. Van Auker*

Taken before me this

13

day of February 1889

Police Justice

0040

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 Feb 13 1889 J. M. Murphy Police Justice.

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

Defendant  
Dated Feb 14 1889 J. M. Murphy 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.



0041

Police Court--- 268 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Morris Friedman  
4 Baxter  
Charles Van Aiken

Offence *Telephone Conversation*

2  
3  
4

Dated February 13 1889  
Ford Magistrate.

Reagan Officer.  
6 Precinct.

Witnesses Abram Nathan  
No. 6 Baxter Street.

No. Street.

No. Street.

\$ 1000 to answer

*W. C. Nathan*

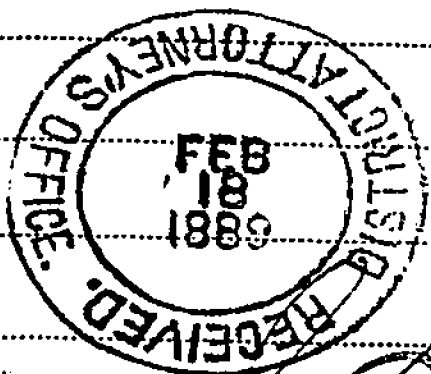
BAILED

No. 1, by *William Richardson*  
Residence *Brooklyn* Street.

No. 2, by *W. C. Nathan*  
Residence Street.

No. 3, by *Southwick E. Hebbard*  
Residence *54 East 73rd* Street.  
*72nd St.*

No. 4, by *57 485 - 3rd St.*  
Residence *Brooklyn* Street.



0042

LAW OFFICE OF  
HOOPER C. VAN VORST,  
No. 18 WALL STREET,  
ROOMS 41 & 42.

NEW YORK,

March 14, 1889

Yours. humbly; S. Bedford.

Dear Judge,

As the parties who  
were required to furnish bail in  
the Matter of Van Auker, were discussed  
at the met of some yesterday, and at  
one of them - the matter can only  
arrive to-morrow; I am not able  
to do anything in the Matter  
this week.

I expect on Monday  
that bail will be furnished; when  
I will venture to call upon you  
for a moment -

Accept, please, the hearty thanks  
of the Judge and myself for your  
courtesy. Yours, C. C. Van Auker

0043

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Charles H. Van Arken*

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

*Charles H. Van Arken*  
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said *Charles H. Van Arken*

late of the City of New York, in the County of New York aforesaid, on the *thirteenth* day of *February*, in the year of our Lord one thousand eight hundred and eighty-nine, with force and arms, at the City and County aforesaid, in and upon the body of one *Morris Friedman* in the peace of the said People then and there being, feloniously did make an assault and to, at and against *him* the said *Morris Friedman* a certain pistol then and there loaded and charged with gunpowder and one leaden bullet, which the said *Charles H. Van Arken* 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 <sup>*aim, point and present with intent to*</sup> ~~the same~~ with intent *him* the said *Morris Friedman* 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 *Charles H. Van Arken*  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *Charles H. Van Arken*

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 *Morris Friedman* 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 *Morris Friedman* a certain pistol then and there charged and loaded with gunpowder and one leaden bullet, which the said *Charles H. Van Arken* 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 <sup>*aim, point and present with intent to*</sup> ~~the same~~ 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.

JOHN R. FELLOWS,

District Attorney.



0044

**BOX:**

344

**FOLDER:**

3244

**DESCRIPTION:**

Vassalluzzo, Pietro

**DATE:**

02/27/89



3244

Witnesses:

*[Signature]*

I have examined  
the testimony in the case  
against Pietro Vassalluzzo  
for receiving stolen goods  
I am of the opinion  
that knowledge that  
the goods are stolen  
can be proved and  
before that a conviction  
cannot be obtained

I do therefore recommend  
that the defendant be  
acquitted of the charges  
with which he is charged

Attest  
My hand and seal  
this 14th day of March  
1889

*[Signature]*  
District Attorney

Counsel,

Filed, day of

Pleads,

1889

THE PEOPLE,

vs.

RECEIVING STOLEN GOODS.

(Section 550, Penal Code.)

*B*  
Pietro Vassalluzzo

March 14/89

Indictment dismissed  
and discharged

JOHN R. FELLOWS.

District Attorney.

March 13

A True Bill.

*[Signature]*  
Foreman

0046

Police Court 1st District.

Affidavit—Larceny.

City and County } ss.:  
of New York,Vincenzo De Vito

of No. 83 Mulberry Street, aged 30 years,  
 occupation Saloon Keeper being duly sworn  
 deposes and says, that on the 14 day of February 1889 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:

Three billiard balls valued  
at seven 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 Carlo Caragnano (now here)

For the reasons following, to wit:  
 On the above described date  
 the said balls were on a table  
 in deponent's store and having  
 missed the same, the said  
 deponent after being informed  
 of his rights admits and con-  
 fesses to having stolen the  
 said balls and <sup>deponent</sup> further says  
 that he and a man whose name  
 is unknown to deponent went to the  
 saloon kept by Pietro Vassaluzzo.  
 (now here) and he was present when  
 the said Vassaluzzo bought the

Sworn to before me, this  
188 day

Police Justice.

0047

said balls for seventy-five cents  
 from said museum men. Deponent  
 is informed by Officer <sup>Thompson</sup> that when he <sup>by the woman in charge</sup> came to the  
 store kept by defendant Vassalluzzo  
 he was informed that the <sup>balls</sup> were  
 not there and that she knew nothing  
 about them. The said Vassalluzzo  
 was under arrest at the time.  
 Deponent says that the wife of  
 the defendant came to his store  
 and gave up the said balls.  
 Deponent says that the defendant  
 Vassalluzzo keeps a billiard table  
 himself and well knows the  
 value of billiard balls. Therefore  
 deponent charges the defendant  
 Caragnano with the larceny of said  
 balls and the defendant Vassalluzzo  
 with knowingly receiving the said  
 balls into his possession. He will  
 know at the time that the same  
 to have been stolen.

Sworn to before me  
 this 16<sup>th</sup> day of February 1899  
 J. Henry Ford

Vincenzo De Vito

Police Justice

0048

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 31 years, occupation Police Officer of No. 100

Joseph E. Surra Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of Vincenzo De Vito  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this

day of February 1888

Joseph E. Surra  
G. Henry Ford  
Police Justice.



0049

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Pietro Vassalluzzo* 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.

*Pietro Vassalluzzo*

Question. How old are you?

Answer.

*45 years.*

Question. Where were you born?

Answer.

*Italy*

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

Answer.

*55 Mulberry - 1 month*

Question. What is your business or profession?

Answer.

*Liquor dealer.*

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  
Pietro Vassalluzzo*

Taken before me this

day of February 1889

*J. J. McDonald*

Police Justice.

0050

Sec. 198—200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

*Carlo Caragnano* 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.

*Carlo Caragnano.*

Question. How old are you?

Answer.

*17 years*

Question. Where were you born?

Answer.

*Italy*

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

Answer.

*63 Mulberry. 1 week.*

Question. What is your business or profession?

Answer.

*None*

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

Answer.

*I am guilty - I stole  
the tools and gave them to  
a companion who sold  
them to Pietro Vassaluzzo  
for seventy-five cents - I was  
present when Pietro bought  
them.*

*Carlo Caragnano*

Taken before me this

day of *February* 188*8*

*John J. [Signature]*  
Police Justice.

0051

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

Carlo Caruzano and Pietro Vassaluzzo  
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, each and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated July 16 1888. J. M. Murphy Police Justice.

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

Pietro Vassaluzzo  
Carlo Caruzano  
Dated July 17 1888. J. M. Murphy 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.

0052

Police Court---

268  
District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Vincenzo De Vito  
83 Mulberry  
Ceslo Caragnano  
Pietro Vassaluzzo

Officer  
Recurring District

BAILED

No. 1, by Giovanni Lodi

Residence 67 Mulberry Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated Feb 16 1889

Magistrate.

Officer.

6 Precinct.

Witnesses Officer

No. Street.

W. L. Macfarlane & Co. Attorneys at Law

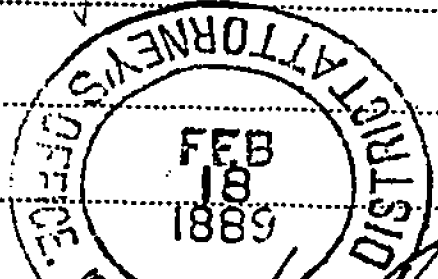
No. Street.

No. Street.

\$ 500 to answer

No

2 Bairen



0053

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

Pietro Vassalluzzo

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

Pietro Vassalluzzo

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

The said Pietro Vassalluzzo

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

three billiard balls of the  
value of two dollars each

of the goods, chattels and personal property of one Vincenzo De Vito

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

Vincenzo De Vito

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

Pietro Vassalluzzo

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.