

0048

BOX:

529

FOLDER:

4821

DESCRIPTION:

Bailey, Joseph

DATE:

08/18/93



4821

Witnesses:

Annie Morrison

Counsel,

Filed

18

day of August 1893

Pleads,

THE PEOPLE

vs.

Joseph Bailey

Burglary in the Third Degree.

[Section 498, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

R. D. Coto Foreman.

Subscribed and sworn to before me this 21st day of August 1893

Attest my hand and seal of office

S. P. 2 JWS P.B.M.

Police Court—6th District.

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

Annie Morrow
of No. 823 East 134th Street, aged 22 years,
occupation none being duly sworn
deposes and says, that the premises No 813 East 134th Street,
in the City and County aforesaid, the said being a two story & Basement
Brick Building
and which was occupied by deponent unoccupied
and in which there was at the time a human being, by name

were **BURGLARIOUSLY** entered by means of forcibly opening the
back parlor window and entering therein
with intent to commit a crime

on the 14th day of August 1893 in the day time, and the
following property feloniously ^{attempted to be} taken, stolen, and carried away, viz:

Household fixtures Plumbing &c of
the value of six hundred dollars

the property of deponent's husband James Morrow
and deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property ^{attempted to be} taken, stolen, and carried away by

Joseph Bailey (now free)

for the reasons following, to wit: That deponent knows that said
premises were securely closed, and deponent
saw the said defendant enter said premises
as aforesaid he having no lawful right
or business there - and deponent caused
the arrest of said defendant
sum to before me this

15th day of August 1893 } Annie Morrow
Charles N. Jarrin
Police Justice

Sec. 198—200.

6th

1893

District Police Court.

City and County of New York, ss:

Joseph Bailey 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.

Joseph Bailey

Question. How old are you?

Answer.

32 years -

Question. Where were you born?

Answer.

Montreal

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

Answer.

None

Question. What is your business or profession?

Answer.

Bouturau

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 of the charge

Joseph Bailey

Taken before me this

15th

day of *August* 1893

Charles McArthur Police Justice.

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

Police Court--- 6th District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Annice Thomas
823 E 134

Joseph Bailey

1 _____
2 _____
3 _____
4 _____

Offence Burglary

Dated August 15th 1893

Clinton Magistrate.

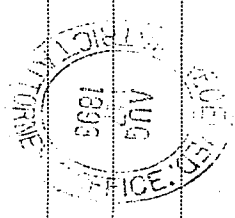
Thomas K. Hughes Officer.

33rd Precinct.

Witnesses Annice Thomas

No. 823 E 134 St. Street.

No. _____ Street.



No. _____ Street.

No. 1000 to answer 823

Annice

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 August 15th 1893 Charles N. Clinton 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.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Joseph Dailey

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

Joseph Dailey

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

The said

Joseph Dailey

late of the 3rd Ward of the City of New York, in the County of New York, aforesaid, on the
fourteenth day of August, in the year of our Lord one
thousand eight hundred and ninety-three in the day-time of the same day, at the
Ward, City and County aforesaid, a certain building there situate, to wit, the building of
one

James Morrow

there situate, feloniously and burglariously did break into and enter, with intent to commit some
crime therein, to wit: with intent the goods, chattels and personal property of the said

James Morrow in the said building
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.

De Laurey Nicoll
District Attorney

0054

BOX:

529

FOLDER:

4821

DESCRIPTION:

Baker, Philip J.

DATE:

08/16/83



4821

Witnesses:

Officer Rooney

Counsel,

W. H. K.

Filed

day of *June* 1893

Pleads,

not guilty,

THE PEOPLE

vs.

Grand Jurors vs. *Penal Code.*

Philip J. Baker,

Sept 11/93

Officer DeLoe

Sept 11/93

DE LANCEY NICOLL,

District Attorney.

Sept 11/93

Sept 11. 1893. v. m. d.

A TRUE BILL.

R. J. C.

Foreman.

Police Court 2 District. Affidavit—Larceny.

City and County of New York, ss: Henry K Schroeder
of No. 618 Broadway, Room 10 Street, aged 21 years,
occupation Green being duly sworn,

deposes and says, that on the 9th day of August 1883 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 horse wagon and harness
of the value of one hundred
dollars
(#100.00)

the property of Abraham father of H Schroeder and
in deponent's care

and that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloni-
ously taken, stolen and carried away by Philip J. Burke (now 1919)
by the following means to wit
that at about 10 o'clock A.M. said
date deponent was in charge
and driving the said horse with wagon
attached through East 23 Street
was accosted by the defendant who
asked deponent to allow him to ride
with deponent. Deponent consented
and shortly thereafter asked the defendant
where there was a barber shop. He
then the defendant then stated that
there was a barber on 3rd Ave just
above 23 Street. That deponent
then drove in front of said barber's

Subscribed and sworn to before me this 10th day of August 1883
at New York
Police Justice

Shop. That defendant then fastened the
said wire with a gun attached
in front of said barber's shop. That
the defendant then stated to defendant
that he would look after the said
property until defendant came out of
the barber's shop. That about
ten minutes thereafter defendant
came out of the barber's shop and
discovered that the said property
was gone. That defendant immediately
notified the Police of his loss.

Defendant is informed by Officer John
J. Conroy that at about 14 o'clock
A.M. August 10th he arrested the
defendant on East 162nd Street with
a wire harness and a gun in his
possession. Defendant then said in
the wire harness and a gun found
in the defendant's possession and
identifies it as his property and the
property that was taken from a front
23 Street and 3rd Avenue.

Sworn to before me
this 10th day of Aug 1893 } X C. H. Schroeder.

[Signature]
Police Justice

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Philip Baker 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.

I am guilty
Philip Baker

Taken before me this
day of

188

Police Justice.

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... 861

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Charles Schenck
John J. Schenck
John J. Schenck
John J. Schenck

Dated, April 10 1893

Magistrate
Officer

Witnesses
No. _____ Street _____
No. _____ Street _____

No. _____ Street _____
No. _____ Street _____
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 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, April 10 1893 Police Justice.

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

Dated, 1893 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, 1893 Police Justice.

0060

1877

.....Street, being duly sworn, deposes and

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

day of.

Sworn to before me, this 10
day of Aug 1893 } x John. J. Rooney
E. J. Maher
Police Justice.

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

Philip J. Baker

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

Philip J. Baker

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

The said

Philip J. Baker

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

*one horse of the value of sixty
dollars, one wagon of the value
of thirty dollars and one set
of harness of the value of
fifteen dollars*

of the goods, chattels and personal property of one

Charles W. Schroeder

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

*De Lancey Nicoll
District Attorney*

0062

BOX:

529

FOLDER:

4821

DESCRIPTION:

Barker, John H.

DATE:

08/10/93



4821

Witnesses:

Daniel Rooney

William O'Bonnell

The defendant in this case
John H. Barker was tried upon
the other indictment in which
William O'Connor was the com-
plainant. That it was im-
possible for the prosecuting
to present sufficient evidence
to be able to go the jury.

In the case upon which
he is held the complainant
cannot be found. And while
I am satisfied of the defen-
ant's guilt upon both
charges; yet I feel it is
impossible under existing
circumstances to prove it.
And as Barker has been im-
prisoned since last July, I
feel that he should now be dis-
charged on his own recognizance.
Respectfully,
Dec. 19/93. Thomas W. B. B. B.

Counsel,

Filed 10 day of August 1893.

Pleas, Not Guilty.

THE PEOPLE

vs.

I

John H. Barker

pt. 2

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

R. J. Cross Foreman.

one recom. of Dist. Atty.
def. discharged on his
own recog. R. B. B.

Grand Larceny, second
Degree.
[Sections 828, 829, 830
Penal Code.]

Capt. Canton

88

Police Court

2nd

District.

Affidavit—Larceny.

City and County }
of New York, } ss:

Daniel Rooney

of No. 871-2 Avenue

Street, aged 21 years,

Occupation Porter

being duly sworn,

deposes and says, that on the 24 day of July 1893 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:

good and lawful money of the United States, of the amount and value of forty three dollars

\$43⁰⁰/₁₀₀

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 John W. Barker (now here)

from the following facts to wit: that on the 24 day of July 1893. Deponent was informed by Herman L. Blanke of No 112 West 22 Street, that said Barker had applied to him for a man to act as a clerk at a Hotel at New Amsterdam Park, Kenosha, State of New York, and that deponent then went to the residence of said Barker at No 327 West 21 Street, and that about the hour of 4 o'clock P.M. of said date, deponent saw said Barker, who there informed him he desired a clerk at a Hotel in said New Amsterdam Park, and that he would require security from deponent to the amount of two hundred dollars, and on deponent

informing him that he did not have that amount of money, and that all the money he had, was the aforesaid property. said Barker stated to him, that he thought Depment was honest, and that the aforesaid property would be enough, and that Depment should give him the same, and that he would hire him, and call for him, on that evening or the next morning, and that he then would take him to said Hotel, and pay him the sum of thirty dollars per month, and board, and that Depment relying on the representations of said Barker and believing said representations to be true, did then and there give and hand to said Barker, the aforesaid property. Depment further says that said Barker has not called for or sent for him, but has left his residence and has feloniously obtained and appropriated the aforesaid property to his own use and benefit. Depment therefore asks that said Barker may be apprehended and dealt with as the Law may direct.

Sworn to before me

this 29 day of July 1893

✓ Daniel Rooney

Police Justice

POOR QUALITY
ORIGINAL

0066



Court of General Sessions,
Judge's Chambers,
32 Chambers Street.

New York, Dec. 16 1893

People
vs
Jas. Henry Barker } G. L.

Put this ^{on} calendar
of Part 3 - In Dec.
19- RBM
H

District Attorney's Office.

PEOPLE

John H. Barker

Judge [unclear]
[unclear]
was an [unclear]
[unclear]
Tuesday Sep 26
to an [unclear]
[unclear]

Chy Clerk

Put these papers into
Barker's papers - Who plead
Sept. 26 1893 -
Journesau

Sec. 198—200.

District Police Court.

CITY AND COUNTY
OF NEW YORK, } ss.

John H. Barker 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. *John H. Barker*

Question. How old are you?

Answer. *35 years*

Question. Where were you born?

Answer. *Ill*

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

Answer. *Kennedy Township County*

Question. What is your business or profession?

Answer. *Police Keeper*

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 very sorry,
John Henry Barker*

Taken before me this

day of

188

Police Justice

CITY AND COUNTY }
OF NEW YORK, } ss.

1877.

Herman L. Blauke
aged *32* years, occupation *Employment Broker* of No. *112 West 22*

Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of *Daniel Roney*
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this

day of

29
189

Herman L. Blauke

A. Hagan
Police Justice.

POOR QUALITY
ORIGINAL

0069

1347

Sec. 151.

Police Court District.

CITY AND COUNTY } ss. In the name of the People of the State of New York; To the Sheriff of the
OF NEW YORK, } County of New York, or any Marshal or Policeman of the City of New York:

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of
the Police Justices for the City of New York, by Daniel Corney
of No. 811-2-Avenue Street, that on the 27 day of July
1893, at the City of New York, in the County of New York, the following article, to wit:

Gold and lawful money of the United States
Five three (43)
of the value of Five three Dollars,
the property of Complainant
was taken, stolen and carried away, and as the said Complainant has cause to suspect, and does
suspect and believe, by John B. Burke

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 2 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 July 1893

[Signature] POLICE JUSTICE.

Police Court.....District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Warrant-Larceny.

Dated.....189

Sheridan Magistrate.
Officer.

The Defendant.....
taken, and brought before the Magistrate, to
answer the within charge, pursuant to the
command contained in this Warrant.

.....Officer.

Dated.....189

This Warrant may be executed on Sunday
or at night.

.....Police Justice.

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

John H. Barker 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. *John H. Barker*

Question. How old are you?

Answer. *35 years*

Question. Where were you born?

Answer. *Ill*

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

Answer. *Kew-Forest Postoffice Townships*

Question. What is your business or profession?

Answer. *Hotel Keeper*

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 now guilty,
John Henry Barker*

Taken before me this

day of

188

Police Justice.

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... 821

THE PEOPLE, vs.,
ON THE COMPLAINT OF

Charles Henry
John W. Walker

Offense _____

Dated, May 31 1893

Magistrate,
Mendota
Precinct,

Witnesses
Wm McConnell
No. 319 West 30th Street

Call Me Office

No. 809 Washington St.

No. 2500 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 Twenty five Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated, May 31 1893 _____ 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 h to be discharged.

Dated, _____ 189 _____ 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

John M. Barber

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

John M. Barber —
of the CRIME OF GRAND LARCENY IN THE *second* DEGREE, committed
as follows:

The said *John M. Barber*, —

late of the City of New York, in the County of New York aforesaid, on the *24th*
day of *July*, — in the year of our Lord one thousand eight hundred and
ninety-*three*, at the City and County aforesaid, with force and arms,

*the sum of forty three dollars in
money, lawful money of the
United States of America, and
of the value of forty three
dollars,*

of the goods, chattels and personal property of one *Daniel Rooney* —

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.

Delaneyville
Attorney

0074

BOX:

529

FOLDER:

4821

DESCRIPTION:

Barnes, William

DATE:

08/15/93



4821

Witnesses:

169

Counsel,

Filed, 15 day of Aug - 1893

Pleads,

THE PEOPLE

vs.
2nd
11/1/93
P

William Barnes.

Assault in the Second Degree.
(Section 218, Penal Code.)

DE LANCEY NICOLL,

District Attorney.

August 16/93
Plead guilty
A TRUE BILL.

R. J. CURRY Foreman.
2 yrs 7 mos & 10 days

5th
Police Court— District.

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

George Bounby
of No. 414 East 124th Street, aged 23 years,
occupation *runner* being duly sworn

deposes and says, that on the 6th day of August 1889 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by William Barnes

now here; who willfully and maliciously
stabbed deponent about the body
three times, with a pen-knife
and stabbed deponent in the
neck; Deponent further
says, this 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 he 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 11th day }
of August 1889 }
George Bounby

W. A. Webb Police Justice.

Sec. 198—200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

William Barnes 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.

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.

I am not Guilty-

William Barnes

Taken before me this

day of

189

Police Justice.

Department of Public Charities and Correction.

HARLEM HOSPITAL,

New York, Aug 6th 1893

Residing Judge
Hudson Police Court

Sir,

This is to certify that
Geo. Boulton is somewhat
better but not yet out
of danger

Respy
G. R. Pratt

Department of Public Charities and Correction.

HARLEM HOSPITAL,

New York, Aug 6th 1893

6/0
Judge of Hudson Police Court
Sir,

This is to certify that
Geo. Boulton is a patient
here suffering from deep
wounds of chest & back &
is in a serious condition

Respy
G. R. Pratt

CITY AND COUNTY }
OF NEW YORK, } ss.

POLICE COURT, 5 DISTRICT.

John W. Linton
of No. 29~ Precinct Police Officer, aged — years,
occupation — being duly sworn, deposes and says
that on the 6~ day of August 1893

at the City of New York, in the County of New York, he arrested
William Barnes; now here; who
willfully and maliciously stabbed one
George Bountie twice in the breast
with a penknife; and kicked the
said Bountie in the stomach; from
which injuries the said Bountie is now
confined in the Harlem Hospital, and
is in a critical condition. Wherefore deponent
prays that the said Barnes may be
held to await the result of the said
injuries.

John W. Linton

Sworn to before me, this

of August 1893.

day

W. H. M. Justice.

P171

Police Court,

District

THE PEOPLE, Etc.,

ON THE COMPLAINT OF

John W. Hunt

vs.

William Barnes

234 W. S. 411 E 12 4

Dated August 7 1893

Welder Magistrate.

Hunt 29 Officer.

Witness,

Disposition,

Come to arrail.
Walt of Superior

APPROVED

ATTEST

CLERK

CLERK

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

Police Court... 5- District. 853

THE PEOPLE, &c.,
ON THE COMPLAINT OF
George D. Smith
#14 85, 124
William D. Smith
Offence Assault-
Felony

Dated August 11 1893

Magistrate
Officer
Flint

Witness
No. 414 6 124
Street

No. _____ Street _____

No. _____ Street _____

No. 1000 to answer
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 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 August 11 1893 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 offence within mentioned. I order h to be discharged.

Dated _____ 189 _____ 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

William Barnes

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

William Barnes

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

The said *William Barnes*

late of the City and County of New York, on the *sixth* day of
August in the year of our Lord one thousand eight hundred and
ninety-*three*, at the City and County aforesaid, in and upon one

George Bounty
in the peace of the said People then and there being, feloniously did wilfully and wrongfully
did make an assault ; and the said *William Barnes*

with a certain *knife* which *he* the said
William Barnes

in *his* right hand — then and there had and held, the same being then and there
a weapon and an instrument likely to produce grievous bodily harm, — *him* — the said
George Bounty 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.

SECOND COUNT—

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

William Barnes

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

The said

William Barnes

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid,
at the City and County aforesaid, in and upon the said

George Bounty

in the peace of the said People then and there being, feloniously
did wilfully and wrongfully make another assault; and the said *William Barnes*
the said *George Bounty*
with a certain *knife*

which

he

the said

William Barnes

in

his

right hand then and there had and held, in and upon the

neck

of

him

the said

George Bounty

then and there feloniously did wilfully and wrongfully strike, beat, *cut, stab*
~~blow~~ and wound, and did then and there and by the means aforesaid, feloniously, wilfully
and wrongfully inflict grievous bodily harm upon the said *George Bounty*

to the great damage of the said

George Bounty

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.*

0084

BOX:

529

FOLDER:

4821

DESCRIPTION:

Beiersdorf, Otto

DATE:

08/08/93



4821

Witnesses:

Norman Meyer

Wm. J. Kato
1 State St
4 nos 1/2 or up to
April 15/93-

Counsel,

Filed 8 day of August 1893

Pleads,

THE PEOPLE

*son of
20 August 1893 vs.*

Otto Beiersdorf

*Burglary in the Third Degree,
[Section 498, 12 C. 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000]*

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

R. J. C. W.

Foreman.

*Aug 93.-
Pleads Entry 726
Burglary 326
Ed. R. C. W.
Aug 15/93-
14*

Police Court— / District.

City and County } ss.:
of New York,

of No. 312 & 314 Bowery - Hermann Meyer
Tailor Street, aged 30 years,
being duly sworn

deposes and says, that the premises No. 312 Bowery Street, 12th Ward
in the City and County aforesaid the said being a 3 story Brick
building - the ground floor of
and which was occupied by deponent as a Clothing store
and in which there was at the time a human being, by name

were BURGLARIOUSLY entered by means of forcibly for opening the
scuttle on the said building and later sawed
through a wooden partition leading to said
ground floor

on the 24 day of July 1893 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

Thirteen coats and ~~two~~ fourteen vests
and eight pair of trousers all of the
value of about Seventy nine dollars

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
Otto Beiersdorf

for the reasons following, to wit: that on the morning of the 24th
day of July 1893 deponent missed the aforesaid
property from the aforesaid premises.
deponent is informed Officer Louis Pollock of
the 10th Precinct that he found the aforesaid
property on the roof of 302 Bowery and
that this defendant was in said 302
Bowery and this defendant admitted to
said Louis Pollock that he burglariously

entered said premises and took away
said property. Defendant has seen the
goods found by Officer Pollock and
identifies them as his property.

Wherefore defendant charges defendant with
burglary.

Sworn to before me this
24th day of July 1893

John - [Signature]

[Signature]
Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been
committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars and be committed to the Warden and Keeper of the City Prison
of the City of New York, until he give such bail.
Dated 188
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 188
There being no sufficient cause to believe the within named
guilty of the offence within mentioned, I order he to be discharged.
Dated 188
Police Justice.

Police Court,	District,
THE PEOPLE, &c., on the complaint of	
vs.	
1	2
3	4
Offence—BURGLARY.	
Dated	188
Magistrate.	
Officer.	
Clerk.	
Witnesses,	
No.	Street,
No.	Street,
No.	Street,
No.	Street,
to answer General Sessions.	

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 31 years, occupation Police man of No. 10th Precinct Street, being duly sworn, deposes and

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

Sworn to before me this, 24 day of July, 189 3 } Louis Pollock
Police Justice.

Sec. 198—200.

1882
District Police Court.

City and County of New York, ss:

Otto Beiersdorf 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. *Otto Beiersdorf*

Question. How old are you?

Answer. *19 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *302 Broadway. 1 day*

Question. What is your business or profession?

Answer. *Writer*

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 exoneration.

Answer. *I am guilty.*

Otto Beiersdorf

Taken before me this

day of

189

Police Justice.

BAILLED,
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

Herman Hurin
312 Broadway
Att. Bonding

2 _____
3 _____
4 _____
Offense Burglary

Dated, July 24 1893

Magistrate
Officer

Witnesses
Louis Peller Precinct 10

No. 10th Avenue Street

No. Louis Peller Street

No. 312 Broadway Street

No. _____ Street

No. _____ Street

Committed to

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 100 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, _____ 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.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Otto Beiersdorf

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

Otto Beiersdorf

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

The said

Otto Beiersdorf

late of the 14th Ward of the City of New York, in the County of New York, aforesaid, on the
twenty fourth day of July in the year of our Lord one
thousand eight hundred and ninety-three in the night time of the same day, at the
Ward, City and County aforesaid, a certain building there situate, to wit, the store of
one

Herman Meyer

there situate, feloniously and burglariously did break into and enter, with intent to commit some
crime therein, to wit: with intent the goods, chattels and personal property of the said Herman

Meyer in the said store
then and there being, then and there feloniously and burglariously to steal, take and carry away,
against the form of the statute in such case made and provided, and against the peace of the
People of the State of New York and their dignity.

SECOND COUNT—

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

Otto Beversdorf

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

The said *Otto Beversdorf*

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

thirteen coats of the value of four dollars each, fourteen vests of the value of two dollars each and eight pairs of trousers of the value of two dollars each pair

of the goods, chattels and personal property of one

Herman Meyer

in the

store

of the said

Herman Meyer

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.

De Lancey Incoll
District Attorney

0093

BOX:

529

FOLDER:

4821

DESCRIPTION:

Bender, Isaac

DATE:

08/15/93



4821

Witnesses:

Counsel.

Filed,

Pleads,

W. S. Levy.

day of Aug

1898

No. 10,000,000

THE PEOPLE

vs.

P.

Isaac Bender

(MISAPPROPRIATION.)
(Sections 528 and 531 of the Penal Code.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

R. D. Cross Foreman.
Sept 5 1898
Indictment No 10000000

After our interview
with the Complainant
& on reading the
within withdrawal.
I feel confident
there is no case
against the deft - His
Character the complai-
- want tell me is
Excellent - I ask that
the Indictment be
dismissed
Sept 5th 93 R. D. C.
H. D. C.

Police Court

3rd District.

Affidavit—Larceny.

City and County } ss:
of New York,

of No. 298 Broome Street, aged 26 years.
occupation Painter, being duly sworn.

deposes and says, that on the 20- day of December 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:

cash and valuable money to
the amount of thirty five
dollars
(# 35.00)

the property of Leopold Kruger
Untermyer & Co. - Public
Accountants and Goldsmiths

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 Sage Bender

from the fact that m. said Sage Bender was the treasurer of the said Society which was duly incorporated under the laws of New York State that the said Bender had said sum of money in possession as treasurer of said Society - that the said Bender has disappeared and has failed to give an accounting to xxxx any officers of said Society - but has feloniously appropriated the same to his own use and benefit.

D. Pollack

Sworn to before me this
18th day of Dec 1892
at New York City
Police Justice.

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

Michael Collier

vs.

1.....
2.....
3.....
4.....

Offense, *Robbery*

Dated,..... 189

Magistrate.

Officer.

Precinct.

Witness, *William H. H. H.*

No. 77, *Buffalo*

Street.

No. Street.

No. Street.

\$..... 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..... 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,..... 189..... Police Justice.

I have 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.

Sec. 193-200.

3 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

Isaac Beneler 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. *Isaac Beneler*

Question. How old are you?

Answer. *26 Years*

Question. Where were you born?

Answer. *Russia*

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

Answer. *221 - 2nd Street 3 Days*

Question. What is your business or profession?

Answer. *Printer*

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

I Beneler

Taken before me this

day of

1895

Police Justice.

Sec. 151.

1317

CITY AND COUNTY }
OF NEW YORK, } ss.

Police Court 3 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 Isaac Bender of No. 298 Monroe Street, that on the 20 day of December 1899, at the City of New York, in the County of New York, the following article, to wit:

Good and lawful money
of the value of Twenty five Dollars,
the property of Isaac Bender
w. as taken, stolen and carried away, and as the said Complainant has cause to suspect, and does suspect and believe, by Isaac Bender

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 3 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 20 day of December 1899

Isaac Bender

POLICE JUSTICE.

Police Court.....District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Warrant-Larceny.

Dated.....189

Magistrate.

Officer.

The Defendant.....
taken, and brought before the Magistrate, to
answer the within charge, pursuant to the
command contained in this Warrant.

McCarthy & Caff Officer. S

Dated.....189

This Warrant may be executed on Sunday
or at night.

Police Justice.



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

Charles Hancock
Charles Hancock
Offense, Grand Larceny

Dated, August 10 1893

Magistrate.

Thomas E. Smith, Officer,
Central Precinct

Witnesses

No. 1, Charles Hancock

No. 2, Charles Hancock

No. 3, Charles Hancock

No. 4, Charles Hancock

No. 5, Charles Hancock

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, Aug 10 1893 Police Justice.

I have 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.

Court of General Sessions

-----x
: The People &c on my com-)
: plaint, x
: -vs- x
: Isaac Bender)
: -----x

I, the undersigned, complainant against Isaac Bender, do hereby respectfully ask that this Court deal leniently with the defendant herein and that this Court will permit the charge made against the defendant to be withdrawn.

I respectfully say that I am actuated in my request by an honest desire to see him released and that the complainants are receiving no advantage pecuniary or otherwise by reason of this request and that the following reasons are assigned by me

That I am the president of the society who has made the complaint against the defendant, and as its representative I made the complaint under a misapprehension; that the books of the society have been examined since this complaint has been made, the accounts of the defendant have been compared and it has been ascertained that an entry of \$25.00 was not made among the receipts of the treasurer, this defendant, and that said entry if made would have shown the receipt of the aforesaid amount and this amount was only money which the defendant himself had paid in to the society as a deposit as security for the faithful discharge of his duties as treasurer. The money was his own and there appears to be no other deficiency.

I have been acquainted with the defendant a number of years, during that time I have always known him to be an honest and hard working man, during his office as treasurer of the society

he has held monies in his possession for which he has always accounted and he never appropriated any to his own use; I am assured that when he went to Chicago he went to get work and I know of my own knowledge when he returned that he at once sought me in order to give an account of whatever transactions existed between him and the organization. I feel satisfied that he is entirely innocent of any intention to commit crime and I am also satisfied that he committed no wrong; he has always been an honest man and I therefore ask that I may be allowed to withdraw the charge. *David Pollack*

Dated New York August 17th 1893.

City and County of New York Ss:

David Pollack ~~James Pollack~~ being duly sworn says, that he is the complainant herein and has heard read the above petition and knows the contents thereof and that the same is true to his own knowledge. *David Pollack*

Sworn to before me this

17th day of August 1893.

Cliff Robertson
Notary Public
New York City

County
General Session
The People vs.
vs.
Joac Beender
New York
Aug. 18th 1893

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Isaac Bender

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

of the CRIME OF *Isaac Bender* ~~Grand~~ LARCENY, in the second degree, committed as follows:

The said *Isaac Bender*,

late of the City of New York, in the County of New York aforesaid, on the 20th day of *December*, in the year of our Lord one thousand eight hundred and ninety-*Two*, at the City and County aforesaid, being then and there ~~the~~ *an*

officer, & of the Treasurer of a certain corporation called *Wandramer Painters Wandramer Unterstutzungs Verein*,

and as such *officer and Treasurer* then and there having in his possession, custody and control certain goods, chattels and personal property of the said

Wandramer Painters Wandramer Unterstutzungs Verein,

the true owner thereof, to wit: *the sum of ninety-five dollars in money, lawful money of the United States of America, and of the value of ninety-five dollars.*

the said *Isaac Bender* afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, did feloniously appropriate the said *sum of money*

to his own use, with intent to deprive and defraud the said *Wandramer Painters Wandramer Unterstutzungs Verein* of the same, and of the use and benefit thereof; and the same goods, chattels and personal property of the said *Wandramer Painters Wandramer Unterstutzungs Verein*

did then and there and thereby feloniously steal, 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.

0 105

BOX:

529

FOLDER:

4821

DESCRIPTION:

Benneway, Frederick

DATE:

08/16/93



4821

Witnesses:

Officer Fructenreich

184

Aug 13
1893

Counsel,

Filed

16 day of Aug. 1893

Pleads,

Not Guilty (S)

THE PEOPLE

70 a' vs.
325 b' vs.
warrant

Robbery, (Sections 224 and 229, Penal Code.)
Degree.

Frederick Benneway

Part 2. Sept 11. 1893.

Fried & convicted

DE LANCEY NICOLL,

ap 15/93 District Attorney.

Chair Ref.

A TRUE BILL.

R. J. Cross Foreman.

August 13, 1893
R. J. Cross
P. J. Cross
15

Police Court

6th

District.

CITY AND COUNTY }
OF NEW YORK. } ss.

Henry Kahrs -

of ~~Union Park - Westchester Co~~ Street, ~~aged 33 years~~ Occupation ~~Farmer~~
being duly sworn. depose and saith, that on the 13th day of August
1893, at the 23rd Ward of the City of New York, in the County
of New York, at the hour of about 1¹/₂ o'clock am 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:

good and lawful money

of the value of Eight 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

Frederick Bernerway (now true) who
did threaten deponent with bodily
harm and did then and there
compel deponent to put his
hand in his pocket and give
to said defendant some amount
of money - who thereupon came
away with said money in his
possession
H. Kahrs

day of August 1893

Charles M. Stewart POLICE JUSTICE.

Sworn before me, this 13th

Sec. 198—200.

6th

1882
District Police Court.

City and County of New York, ss:

Frederick Bernerway 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.

Frederick Bernerway

Question. How old are you?

Answer.

20 years -

Question. Where were you born?

Answer.

New York State

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

Answer.

323 E 121st St 15 years

Question. What is your business or profession?

Answer.

Home shrew

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 of the charge

*his
Frederick X Bernerway
mark*

Taken before me this

13th

day of *August* 189*3*

Charles W. Smith

Police Justice.

863

Police Court... 6th District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William Stahl
Wardrobe, West. Co.

Frederick Remondy

Robbery

1
2
3
4

Offence

Dated Aug 13th 1893

Charles N. Lainto Magistrate.

John Stucktwick Officer.

38th Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

\$ 2000 to answer

fine

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 Twenty 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 Aug 13th 1893 Charles N. Lainto 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.

COURT OF GENERAL SESSIONS OF THE PEACE,

City and County of New York.

T h e P e o p l e ,

vs.

FREDERICK BENNEWAY.

"

"

"

"

"

"

"

Before,

HON. RUFUS B. COWING,

and a Jury.

Tried, SEPTEMBER 11TH, 1893.

Indicted for ROBBERY, in the SECOND DEGREE.

Indictment filed AUGUST 16TH, 1893.

APPEARANCES:

ASSISTANT DISTRICT ATTORNEY GUNNING S. BEDFORD,

For THE PEOPLE.

MR. JAMES W. McLAUGHLIN,

For THE DEFENCE.

HENRY KAHRS, THE COMPLAINANT, being duly sworn, testified that he lived at Greenport, Westchester county. On the 13th of August, 1893, he was in New York. About 12 o'clock on that night he met the defendant, on Second avenue, near the Harlem Bridge. He, the complainant, was driving on Second avenue, and his horse fell down. A good many young fellows helped him to get the horse up again, and he wanted to treat them for the trouble, but they said, "Oh, that is all right; you go on home; we don't want to be treated." The defendant jumped in the back of his wagon, and told him he lived in West Farms, and for him to do him a favor and take him home. He said to the defendant, "All right, you can have a ride with me; I live in Union port, but I can drive through West Farms." When they were in White's lane, the defendant jumped off the wagon and said, "Now, young fellow, I have got you; either you give me your money or I put a bullet through your head." He gave the defendant between eight and nine dollars, all the money he had; he put it on the seat of the wagon, and the defendant took it. He said to the

defendant, "A decent robber always gives a man ten cents, for a drink." The defendant said, "You go to hell," and then the officer arrived upon the scene. The officers aid, "What did he do to you?" He said, "He robbed me," and then the defendant ran away.

In cross-examination the complainant testified that he did not know whether the defendant was one of the men who helped him to get his horse up again or not. He, the complainant, was sober at the time. The defendant did not draw any revolver, but he put his hand in his pocket, as if he were about to draw one. He had not made any agreement with the defendant to the effect that he would give the defendant \$1.50 to take him on his road, on account of his condition. He had not recovered any of his money.

OFFICER JOHN FRUICHTENIGHT, being duly sworn, testified that he was on duty on the morning of the 13th of August, 1893, near White's lane. He arrested the defendant about 1:30 in the morning, on Prospect avenue. The defendant was running at the time. He, the witness,

was going through the lane and he heard some talking and a wagon stopping. He was on horse-back. The defendant ran away when he saw him. In consequence of what the complainant told him, he followed the defendant and arrested him. When he caught the defendant he asked him what he had been doing, and the defendant said, "Nothing." He asked the defendant why he was running, and the defendant said he had had some trouble with a farmer. He searched the defendant, but did not find anything on him. He found \$1.60 on the road, where the defendant had been running. When he took the defendant back to where the complainant was, the complainant said, "Yes, that is the man; he robbed me." The defendant said that the complainant had promised him some money for helping him with the horse, and then the complainant refused to give him the money, and he threatened to hurt the complainant, if he did not give him the money.

In cross-examination the witness testified that the defendant did not say how much money the complainant had promised him. The defendant told him

that he lived at 323 East 121st street. He had made some investigation, and had found that the defendant did live there, and that he was a hard-working man.

FOR THE DEFENCE, JOHN KANE, being duly sworn, testified that he lived at 1,503 Park avenue. He knew the defendant, and had known him about five years. He knew others who knew the defendant. He knew the defendant's general reputation for honesty in the neighborhood. The defendant was employed by Mr. Scherb, a blacksmith. On the night in question he remembered seeing the complainant at 121st street and Third avenue. The complainant had a load of pears in his wagon. The complainant promised the defendant \$1.50 if he would take him home. Then the complainant said he had no money. After hearing the complainant say that he had no money, the defendant got into the complainant's cart and went along with him. The complainant did not offer to treat.

THE OFFICER, being recalled by the Foreman, testified that the com-

plainant was not drunk on the night in question.

FREDERICK BERNEWAY, THE DEFENDANT, being duly sworn, testified, in his own behalf, that he had never been convicted of any offence. He met the complainant, on the night in question, at 121st street and Third avenue, and the complainant asked him to take him home. The complainant was very drunk at the time. The complainant told him he would pay him \$1.50, and when they got to White's lane and Westchester road the complainant said he would not pay him. He told the complainant that he would smash him in the mouth, if he did not give him the money. Then the complainant laid \$1.60 on the seat of the wagon, and he took it and walked away. The officer went after him, and grabbed him. He did not threaten to shoot the complainant, if the complainant did not give him the money.

In cross-examination the defendant testified that he dropped the money when the policeman shouted to him that he would shoot him if he did not stop. He ran because he wanted to get home before

1 o'clock. He had said in the Police Court that he was guilty; but at that time he did not know the difference between guilt and innocence.

GEORGE SCHERB, being duly sworn, testified that he was a horse-shoer. He knew the defendant, and had known him over ten years. He knew other people who knew the defendant. The defendant's general reputation in the neighborhood in which he lived was good. The defendant had collected money for him, and had always returned with it. He had always trusted the defendant.

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

Police Court--- 6th District.

863

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Henry Stahl
Whitcomb, West. Co.

Frederick Remondy

2 _____
3 _____
4 _____

Offence

Robbery

Dated Aug 13th 1893

Charles N. Lainto
Magistrate.

John F. Mutchall
Officer.

33rd Precinct.

Witnesses _____

No. _____ Street _____

No. _____ Street _____

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 defendant

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Twenty 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 Aug 13th 1893 Charles N. Lainto 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.

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

THE PEOPLE OF THE STATE OF NEW YORK
against

Fredricka Semmeway

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

Fredricka Semmeway

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

The said *Fredricka Semmeway*.

late of the City of New York, in the County of New York aforesaid, on the *thirtieth*
day of *August*, in the year of our Lord one thousand eight hundred and
ninety-*three*, in the *night* time of the said day, at the City and County aforesaid,
with force and arms, in and upon one *Henry Adams*,
in the peace of the said People then and there being, feloniously did make an assault; and

*the sum of eight dollars in
money, lawful money of the
United States of America, and
of the value of eight dollars.*

of the goods, chattels and personal property of the said *Henry Adams*. —
in the presence of and against the will
from the person of the said *Henry Adams*. —
and by violence to the person of the said *Henry Adams* in *year*
of some immediate injury to his person,
then and there violently and feloniously did rob, 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.

Edmund Nicoll
Sitting Attorney

0119

BOX:

529

FOLDER:

4821

DESCRIPTION:

Benton, James D.

DATE:

08/10/93



4821

Witnesses:

John V. Brown

Stanley

Speece

Robert A. Ruffin

20 McDaniel

93

Counsel,

Filed

10 day of August 1893

Pleads,

THE PEOPLE

vs.

19

James D. Benton

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

R. D. Cook

Foreman.

August 1893

Prosser

Ed. R. Ruffin

Grand Larceny, Degree.
[Sections 428, 52, Penal Code.]

Police Court

2

District.

Affidavit—Larceny.

City and County }
of New York, } ss:

William H. Rutland
of Aberdeen Hotel Broadway & 21 Street, aged 54 years,
occupation Mantels being duly sworn,

deposes and says, that on the 28 day of July 1893 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 dress coat and best one pair of pants and
sack coat, one Diamond Pin, one pair Gold Cuff
Buttons, one pair Opera Glasses, one pair of
Shoes, and a Gold ring, and a number
of linen Cuffs. and two Razors - in all
of the amount and value of one hundred
dollars

\$100.00

the property of Deponent

Sworn to before me, this 1893

Police Justice

and that this deponent
has a probable cause to suspect, and does suspect that the said property was feloni-
ously taken, stolen and carried away by James D. Benton (now here)
from the following facts to wit: that the aforesaid
property was in room 36 of the Aberdeen Hotel
situated at 21st Street and Broadway, and that
on the aforesaid date, deponent missed said
property from said room, and that deponent has
seen a pair of shoes now worn by defendant's feet,
and fully recognizes said shoes as his property
and as part of the aforesaid property stolen from
said room on said date, and that the defendant
after being advised of his rights, admitted and
confessed in Open Court to deponent in presence
of George F. Atkinson of the Aberdeen Hotel, that
he had taken the aforesaid dress coat and best,
said pair of Pants and sack Coat, Diamond Pin

pair of Opera Glasses, pair of Shoes, and the
said Razors - and denied the taking of the
balance of the aforesaid property - Defendant
therefore asks that said defendant may be
held to answer

Sworn to before me }
the 31 day of July 1893 } Wm. H. Kirtland
Thos. H. Brady
Justice of the Peace

CITY AND COUNTY }
OF NEW YORK, } ss.

1877.

George F. Atterton
aged _____ years, occupation Hotel Keeper of No. _____

Merden Hotel Broadway & 21 Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of William B. Rutland

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

Sworn to before me, this

day of

189

3/3 George F. Atterton

W. S. Rudy
Police Justice.

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

James D. Benton

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

Question. What is your name?

Answer. *James D. Benton*

Question. How old are you?

Answer. *19 years*

Question. Where were you born?

Answer. *Wm, Scotland*

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

Answer. *None*

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 of taking, a dress Coat and Vest, a pair of Pants and Coat, the Diamond pin, the said pair of Opera Glasses, the pair of shoes, and the said Razors*

J. D. Benton

Taken before me this
August 1887

Police Justice.

Residence

4. 10. 1974

1881

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

THE PEOPLE OF THE STATE OF NEW YORK

against

James D. Benton

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

James D. Benton

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

The said

James D. Benton

late of the City of New York, in the County of New York aforesaid, on the *twenty eighth*
day of *July* in the year of our Lord one thousand eight hundred and
ninety-*three*, at the City and County aforesaid, with force and arms,

*two coats of the value of twenty dollars
each, ~~two~~ one vest of the value of eight
dollars, one pair of trousers of the
value of ten dollars, one diamond pin
of the value of thirty dollars, one pair
of cuff buttons of the value of five dollars,
one pair of opera glasses of the value of
five dollars, one pair of shoes of the value
of six dollars, one scarf ring of the value
of five dollars, two rings of the value of one dollar
each, and ten cuffs of the value of ten cents each,*
of the goods, chattels and personal property of one *William H. Kortland*

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.

De Lancey Nicoll
District Attorney

0 127

BOX:

529

FOLDER:

4821

DESCRIPTION:

Bergman, Harry

DATE:

08/08/93



4821

Witnesses:

Officer Abrams

This over offers a
plea of 3^d degree
which I accept
Sept 6th - 93
G. T. B.
H. D. A.

39)

Counsel,
Carph. Cantone

Filed
8 day of August 1893

Plead
Not Guilty (9)

THE PEOPLE

vs.

Harry Bergman

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

R. J. Cusack Foreman.

Sept 2. Sept 6. 1893

P. H. Burglar 3^d deg

S. P. L.

Section 193
Burglary in the
3^d degree.

Police Court— District.

City and County } ss.:
of New York,

of No. 143 Orchard. Street, aged 28 years,

occupation... Cloak maker being duly sworn

deposes and says, that the premises No. 143 Orchard Street, 10 Ward.

in the City and County aforesaid the said being a four story brick dwelling

the floor of which was occupied by deponent as a dwelling and factory

and in which there was at the time a woman being by name

Cathal Palzer were BURGLARIOUSLY entered by means of forcibly raising the bolt on the rear window by means of inserting a knife between the two sashes and then passing the lower sash

on the 24 day of July 1898 in the night time, and the following property feloniously taken, stolen, and carried away, viz:

One silver watch me. green plated guard. and a pair of boys pants all together of the value of seven dollars.
(\$ 7 00 100)

the property of Dependent

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

Harry Bergman. (working)
for the reasons following, to wit: That at about 10.30. o'clock P.M. previous evening deponent secured the premises that at about 1.30 o'clock A.M. deponent awoke and found the back and entry of the apartment and the defendant in the said apartment. That deponent there caused the arrest of the defendant and when he was seized the aforesaid property was found concealed upon his person. Allen Polson

Subscribed and sworn to before me this 24th day of July 1898.
John W. Bergman
Deputy Recorder

Sec. 193-200.

3

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Harry Bergman 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.

Harry Bergman

Question. How old are you?

Answer.

23 years.

Question. Where were you born?

Answer.

Germany

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

Answer.

55. Norfolk St.

Question. What is your business or profession?

Answer.

Sailor

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

Answer.

I am not guilty
Harry

Taken before me this

day of

1893

John W. [Signature]

Police Justice.

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

Wm. J. Adams
143 Orchard
Henry DeSjman

1 _____
2 _____
3 _____
4 _____
Offense, *Burglary*

Dated, _____

July 26 1893
North
Magistrate

Libraux
Officer

Witnesses

Carl J. J. J.
Street

No. _____

Street _____

No. _____

Street _____

No. _____

Street _____

No. _____

Street _____

to answer

July 27 1893
RECEIVED
CLERK

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, *July 24 1893* _____ Police Justice.

I have 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.

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Harry Bergman

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

Harry Bergman

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

The said

Harry Bergman

late of the *10th* Ward of the City of New York, in the County of New York aforesaid, on the *twenty-fourth* day of *July* in the year of our Lord one thousand eight hundred and ninety-*three*, in the *night* time of the same day, at the Ward, City and County aforesaid, the dwelling house of one *Alter Palzer*

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

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

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

SECOND COUNT—

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

of the CRIME OF

Petit LARCENY

committed as follows:

The said

Harry Bergman
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,

*one watch of the value of four
dollars, one guard of the value
of one dollar, and one pair of
trousers of the value of two
dollars*

Alte Falzer
of the goods, chattels and personal property of one

in the dwelling house of the said

Alte Falzer
there situate, then and there being found, from the dwelling house aforesaid, then and there felon-
iously 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 Lancy Nicoll
District Attorney

0134

BOX:

529

FOLDER:

4821

DESCRIPTION:

Bernstein, Samuel

DATE:

08/09/93



4821

0135

BOX:

529

FOLDER:

4821

DESCRIPTION:

Spiro, Harry

DATE:

08/09/93



4821

0136

Andy Holt.

Police Court— District.

Affidavit—Larceny.

City and County }
of New York, } ss.

George A. Payne
of No. 49 Broadway (N.Y.C.) Street, aged 35 years,
occupation Master of Transportation, being duly sworn,
deposes and says, that on the 21 day of July 1893 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 roll of silk of the
value of One hundred
and seven, - six dollars

the property of

Henry Steinhaus, who left
in the charge of the United
States Express Company of which
Company deponent is an employee 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 Samuel Bernstein and

Harry Spairs (both now here)
from the fact that said
Bernstein was employed as
a helper on one of deponent's
wagons and that deponent
is now informed by Detective
Patrick O'Dowd of 300 Mulberry
Street that he saw said
Bernstein take said property
from one of the wagons of
deponent's Company on a
Ferry Boat and give the
property to said Spairs and
that he thereafter arrested the

Sworn to before me, this

189

Police Justice.

Defendants with the property
in their possession

George O. Payne

Sworn to before me
this 24th day of July 1893

James H. Miller
Justice

POOR QUALITY
ORIGINAL

0139

CITY AND COUNTY }
OF NEW YORK, } ss.

Patrick Dolan
aged *30* years, occupation *Detective* of No. *30*
St. Nicholas Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of *George A. Payne*
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me this, *22*
day of *April*, 189*3*

Patrick Dolan
Police Justice.

Sec. 198—200.

1882
District Police Court.

City and County of New York, ss: "

Harry Spairo 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.

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.

I am not guilty

Harry Spairo

Taken before me this

day of

Police Justice.

Sec. 198—200.

1362
District Police Court.

City and County of New York, ss:

Samuel Bernstein 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.

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.

*I am not guilty—
Samuel Bernstein*

Taken before me this

day of

189

Police Justice.

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

George A. Jones
Magistrate
Henry Jones
Grace Jones

Dated *July 3d* 189

Magistrate

Officer

Magistrate

Witnesses *Thomas St. City*

No. *1315* Street *St. City*

No. _____ Street _____

No. _____ Street _____

No. _____ Street _____

Witness

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

Dated, *July 3d* 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 h to be discharged.

Dated, _____ 189 _____ 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
Samuel Bernstein
and
Harry Spiro

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

Samuel Bernstein and Harry Spiro
of the CRIME OF GRAND LARCENY IN THE second DEGREE, committed
as follows:

The said

Samuel Bernstein and Harry Spiro, both

late of the City of New York, in the County of New York aforesaid, on the 21st
day of July in the year of our Lord one thousand eight hundred and
ninety-three, at the City and County aforesaid, with force and arms,

one piece of silk of the
value of one hundred and
seventy-six dollars

of the goods, chattels and personal property of one

Frederick B. Wendt,

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.

SECOND COUNT—

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

Harry Spiro
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said

Harry Spiro
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,

*one piece of silk of the
value of one hundred and
seventy-six dollars*

of the goods, chattels and personal property of one *Frederick B. Wendt*
by one Samuel Bernstein and
by a certain ^{other} person or persons to the Grand Jury aforesaid unknown, then lately before
feloniously stolen, taken and carried away from the said *Frederick B. Wendt*

unlawfully and unjustly did feloniously receive and have; the said

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

DE LANCEY NICOLL,

District Attorney.

0145

BOX:

529

FOLDER:

4821

DESCRIPTION:

Bianco, Antonio

DATE:

08/17/93



4821

Witnesses:

A. Oakes Hill
~~John J. Oakes Hill~~
~~362 Avenue~~
Counsel,
Assigned by Court to Def. 10/8/93
Filed 17 day of June 1893
Pleads, Not Guilty

THE PEOPLE

Murder in the First Degree.
(Section 183, Penal Code.)

vs.
33 Prisoners
Larkin
Antonio Bianco
(2 cases)

Part 2 - June 15, 1894
DE LANCEY NICOLL,
District Attorney.
Fried and convicted of
Grandlarceny in the 1st
Degree
A TRUE BILL.

R. J. Cook Foreman.
Hon. A. Oakes Hill
Argues & responds.
Jury 29/94
14 of 5 Nov 22
June 22/94

COURT OF GENERAL SESSIONS.

City and County of New York.

The People ,

vs.,

ANTONIO BIANCO

:
:
:
:
:
:
:

Before
HON. JAMES FITZGERALD,
and a Jury..

Indicted for Murder in the First Degree, (2 Cases)
Indictment filed August 17, 1893

New York June 7th, 1894.

Appearances: For the People, Assistant District
Attorney, Stephen J. O'Hare.

For the Defendant, Messrs A. Oakey
Hall, and John Palmieri.

FRANK E. TOWLE, a witness for the People, sworn,
testified:

Direct Examination:

I am city surveyor of the City of New York,
and have been such for ten years; my place of business
is at 25 Chambers Street. The charts which are now
shown me were made by me, on March 17th, 1894; they
are a description and map of the premises 19 Cherry
Street. I know that they are correct maps of the place

they represent.

One represents the houses Nos. 19 and 21 Cherry Street, with the entrance that goes through the centre of the two houses in to the rear yard. It also represents the brick tenement marked A, of which there is another diagram here, showing part of the premises on the top floor of the house, and it also shows all the yard with another brick tenement house to the North and East of it. It shows the width of Cherry Street. It shows the front of No. 18 and the front of No. 20 on the opposite side of the street. The scale is four feet to one inch. One of the plans represents two rooms with the stairs and the hall. It gives the feet and inches for the widths and depths of the rooms, and these blank spaces are windows; the door is represented, that leads into the hall, from the larger room; the door swings inward to the left; the scale is two feet to one inch.

Cross Examination:

I do not know who occupied the apartments in question. The room in which it is claimed the killing took place was furnished when I was there.

ROSALINA ZAMORELLI, a witness for the People, sworn, testified:

Direct Examination:

I live at No. 19 Cherry Street. I occupy apartment No. 6 on the third floor, the top floor in the rear. I lived in the same place on the 25th of May 1893. I lived with Gabriele Bertolini; he and Teresiano, who is the wife of the Defendant Bianco; there was a child also, It was a boy. I am married to Guiseppe Monso, which name translated is Joseph Monso. My husband is a laborer, he works in the country. In May 1893, my husband was out of town. There were two apartments there one of which was occupied by me and the other by Bertolini and Teresiano. The child slept on the sofa, usually, but when my husband left for the Country I took the child into my bed. My husband was not away in the country when Bertolini and Teresiano first came to live with us; my husband did not tell me about their coming to live with us. I don't know what month they came, but they lived with us one month. Teresiano and Bertolini slept in the same bed. The defendant was born in the same place where I was born,

Stella Chilente. I knew the defendant in Italy. I don't know how long he had been in New York when I met him. I had a talk with him about his wife just once; that was before the wife came from Italy. He called upon me in Cherry Street while his wife was living there; he came there three times in all. It was seven or ten days before the shooting that he called there.

I remember the day of the shooting at our place in Cherry Street. I got up at 5 o'clock in the morning and Bertolini and Mrs. Bianco got up shortly after I got up; they remained in the house that morning; they were working at small pants--hemming children's pants. They had their breakfast that morning. I was dressed that morning in my corset and one shirt, and a worn old skirt, and shoes. Bertolini had his pants, and shirt and slippers on. Mrs. Bianco had skirt on and corset and chemist, but no shoes. While we were working I was sitting on the sofa with Teresiano the defendant's wife; opposite her was sitting Bertolini, on a chair. We were all engaged in the work of sewing on Childrens' pants.

I saw the defendant when he came into the room,

it was about half past eight; he had a revolver in his hand. I saw revolvers before, but I don't know anything about them. He stood in the middle of the door; before he came the door was a little open, ajar. We did not hear him coming; he did not say anything when he came there. On the diagram shown me, I indicate the door and the stairs leading down, and the stairs leading to the roof. I also indicate where the stove was and the sink, and the sofa where we were sitting. Bertolini was sitting with his shoulder towards the stove; the right shoulder. At the time Bianco came, we were seated on the sofa. The sofa was near the stove? Bertolini and Teresiano were seated, so that their knees touched. He, the defendant, first shot against Bertolini, and the woman, Teresiano, when she saw that he was shooting, at Bertolini, with her hands against Bertolini, she tried to shield him; she had her face turned towards Bertolini and her back towards her husband Bianco was in the middle of the door. I saw him with the weapon in his hand. He aimed six shots at Bertolini and the wife interposing to shield Bertolini, got shot too. All the shots were aimed at Bertolini, even the last one. It is impossible for me to state now with

certainty, everything, because I was all upset.

In entering the door Bertolini was fronting Bianco and Mrs. Bianco was front Bertolini when she was hit. It is impossible for me to state how many shots were fired while she was in that position--but as soon as he had shot she commenced to holla and scream, and put herself between Bertolini and the shooter. He shot against Bertolini but he hit the woman. The woman and Bertolini were facing each other and behind the woman was Bianco. He fired six times. I then dodged and I couldn't see how many shots he fired. I bent over on the floor; I was almost dying from fright. After he fired the last shot at Bertolini, he said "Go be fucked". Then he ran away. The other two were screaming, Bertolini went to the window and halloed: Police! Police! Arrest him. Aresst him.". I also ran away when he finished shooting.

I have not spoken to anyone about this case since I made my statement to you.

Mrs. Bianco was in front of the bed at the moment that I ran out; she was at the foot of the bed leaning against it--she lay over the bed partly.

When I ran away they were both alive. I went into the yard and the policeman had Bianco in his power whom he had arrested. I went upstairs again, but, as I was near the door, they would not let me into the room, and they took me to the Station House. I didn't see them any more, neither dead nor alive

The first time that Bianco called at our house, Mrs. Bianco and Bertolini were living there. Bianco was kissing the hand of Bertolini and asking him to give him back his wife. He said, "Oh god-father of mine, give me back my wife and you will have all happiness heaped on you. May it all be heaped on you.". Bertolini said; "Your wife doesn't want to go and live any more with you. That is all you want to know. She said: "That nauseous creature, he always comes here. Bianco was not there at the time; he was gone. Bertolini said "That is what you have learned; that is what you know now", and Bianco said, Yes that much I have learned; that much I know now. Mrs. Bianco said that she didn't want to go back, and she spat in the face of Bianco. She said, "You dare to come here, you nauseous and stinking fellow; I shall always spit in your

face. I didn't see where the spit hit, because I was disgusted; I turned away. Bianco reproached Bertolini that he had boarded him and also lent him money. Once Bianco asked the money from Bertolini, and he said "How can I give you money, when I haven't got any money, when I don't earn any money?" That was said the last time he came to the house. As near as I can judge it was eight or nine or ten a days after the people came to live with us, that Bianco made his first call. He was there then a quarter or half an hour. The next call he made I think was about five or six days later. Bertolini and Teresiano and I, were there and Bianco came in and kissed his child, and the other ones said that if he called again, they would throw him downstairs. Bertolini said? "What for? What business have you to come here. I don't want you here. If you call again I will throw you down the stairs. Mrs. Bianco said, "What does that stinking fellow come here for. I don't want to see him. I don't want him to call any more". Nothing was said on that occasion about money.

He called a third time there, when I was alone- the others were not there. I had no talk with him about money on that occasion. He did not come any more.

He did not come the night before the shooting. Once he was down in the yard and I brought the boy down there to him. I never brought the boy to him on any other occasion. He kissed and embraced the child and said, "I don't know what is the matter with me, how I look", because it seemed to him that he had grown thin. I said that it seemed to me he had eaten very little, and that he was fasting, and then he took the child with him and he said, "Call mamma, call mamma," and then he said the words "Goodbye, good-bye.". He took the child with him and went away

Cross Examination:

I have been in this country four years. I knew Mrs. Bianco as well as her husband, on the other side. At that time they weren't husband and wife, and they were happy. I knew Bertolini in Italy. He was official secretary of the town; he was of a wealthy family, and he was wealthy himself, while Bianco was a tailor and worked for his bread and butter. The wife worked also but I don't know how much; the husband worked to support her and her child. There was no disturbance between

the two. Everybody knew them in the town. His reputation for honesty, peace and quietness was excellent. I don't know if I was in Italy when Bianco left there for this country. His child was a nice little fellow, and resembled the father; they were both rather thin. Bertolini was a very nice young man, and tall and well built. Bianco's wife was shorter than I, and more stout. In the month of April 1893, Bertolini came to our house and said to my husband, "Give me a room in your house," and my husband said, "Well, but I don't like her, I don't want her." meaning Bianco's wife, who was to come there with Bertolini. They both came the same day. Bertolini had already brought their bed, and was beseeching my husband to allow him to come there and take the woman there, and asked and prayed so that finally my husband could not help yielding. Since that time they lived as husband and wife in my rooms. Bianco's wife brought the child with her when she came. It was nine or ten days after the bed was brought there that they came. We knew Bertolini on the other side and that is the reason he rented the room from us. .

Bianco came into the shop where I worked and he said to me, "Rosalina , did you see my wife?" and I said "No", because I had not seen her. Mrs. Bianco and her child were not boarding with me; they had their own expenses and bed, and so had I, for my part. I don't know how long it was after they came to us, that they took in Children's clothes to work on them. They earned twenty four, or twenty five or thirty cents, and not more. I don't know whether they borrowed money or not.

At the time when Bianco came and said to Bertolini that he wanted his wife back, he also said, "I want also my money back, my \$30.00 for board and money lent, which I gave you". The thrid time that he called was the last time; it was on that occasion that Bertolini said he would throw him down-stairs. Bianco was in a state of humiliation when he was in their presence, he wept.

Q. Describe his looks and manner, the third time that Bianco called on you? A. How can I describe everything so far as his appearance, how his countenance and everything else looked. He was always disturbed and upset. He always came crying; on all the three occasions.

Q. Was Bianco allowed to take his wife out for a walk and return his child to his wife, by Bertolini?

A. I was not present to see that.

It was the last time that he came to the house that I took the child down into the yard for him. Bertolini told me, "Rosalina, take the child down to the deaf man who is down in the yard". They used to call the defendant the deaf man. He is known as the "deaf man" Before the child was taken down to the yard, nothing was said between me and Bianco. He took the child in his arms and kissed it, and said, "Call mamma." The child called the mamma; the mamma did not respond. The defendant's manner was the same as on the other occasion.

I remember the day of the shooting but I do not remember the date. The door was opened and Bianco opened it wider, and blazed away; he fired six shots in rapid succession. It was after the first shot was fired that I found out that Bianco was in the room. Mrs. Bianco at the time the shooting commence was at my side; she was nearer the door. Bertolini was facing the door from which Bianco entered. I heard the first shot and she raised herself up and

put herself beside Bertolini, and then I heard the shots fired successively, rapidly.

Q. Now after hwo many shots did you throw yourself face on the ground, as you have described? A. I couldn't tell you how many shots. In hearing the shooting , and in hearing her screaming, I threw myself down.

Q. You positively swear that you saw Mrs. Bianco embrace Bertolini, at the tim e when he was being shot?

A. Yes sir.

Q. And it was after that you threw yourself down? A.

A. Yes sir. She got up and I threw myself down, bending towards the floor. I could not decscribe his looks at that time; he was horrible and ugly and upset. I have no children myself.

RE DIRECT EXAMINATION:-

The child of Bianco was taken away the day before the killing. The child was not in the house at the time of the killing. I will indicate the position of the door on the diagram shown me, it is marked A, and the sofa is marked A2; the chair where Bertolini sat is marked A3.. I can indicate the position of the bed, the window, the place where Bianco stood.

RE-CROSS EXAMINATION:

The day before he came to the child I had gone to Mulberry Street, and I saw Bianco, just in front of No. 73, and he said to me, "Rosalina, do me the favor to bring the child to me. Why didn't you bring the child to me?" and I answered, "I didn't know that I had to meet you this moment. Why don't you come over and take your child yourself?" And he said, "They don't want me there." and I said, "Why don't you come yourself and take the child?" And that was the whole conversation, and I went away again. I left him. I live on the top floor of the premises where the murder took place, and the Brooklyn Bridge crosses right over, making a great noise.

GIUSEPPE MONSO, a witness for the People, sworn, testified:

Direct Examination by Mr. O'Hare.

I am the husband of the last witness Rosalina Zamorelli. On the 25th of May, 1893, my apartments were at 19 Cherry Street on the top floor in the rear--apartments No. 7. I work out in the country as foreman, for

C. Caperilla and G. Tepezetta. I know Antonio Bianco, and his wife, and Gabrielle Bertolini. I knew them before the 25th of May, 1893. I had a talk with Bertolini in April, 1893 about coming to live in my place. I also had a talk with Mrs. Antonio Bianco about coming to live at our house.

Q. Did she speak to you about it? A. No. . I afterwards talked with Antonio Bianco about it, in the street somewhere. I don't remember where, because I never register what I have seen. I was between April and May that I saw him. It was before Bertolini came to our house to live. I told the defendant that Bertolini intended to stay with me in my house, and that I did not like his wife---the prisoner's wife to follow him into the house. Bertolini talked to me when he met me in the street, that he wanted to come to my house. I told him it was all right b his bed was already in my house, but I did not want the wife. I asked Bianco whether his wife and Bertolini could come to live at my house, because I didn't want any trouble on that account. Bianco said that anytime she didn't want to stay with him, she might go wherever she

liked to the devil. I said, "Well, I see that you say yes, to this arrangement, but I don't want any trouble afterwards at all". Then he said, "I will have her come into your house under such circumstances, because I don't know whether they want me". I answered, "Well, you yourself see too if you can come when I am at home, because I don't want any trouble when I am at home!" That is all right", said Bianco, "I do not intent to come and make quarrels, and in case I should call at your house, I should call to see you as a friend". Then he went to his business and I to mine. After that talk Bertolini and Teresiano came together to live in the house. Bianco came to visit two or three times, when I was at home. Mrs. Bianco was there. I think Bertolini once was absent; on the other occasions he was there. Sometimes Bianco spoke about wanting his wife back and sometimes he didn't mention it at all. I think he talked with Bertolini once or twice, I have no exact recollection of it. He never had a quarrel on these occasions in my presence. I don't know whether the defendant and his wife had quarrels there; I didn't pay much attention to such things, but I heard sometimes they had quarrels there.

Q. But not when you were present? A. I am not sure. They had remained in my house about twenty days and after those twenty days I went to the country to work. I was not at home the time of the killing.

CROSS EXAMINATION:

I was acquainted with Bianco in Italy, and also with Bertolini. I was very well acquainted with the family. I am a friend of everybody's. I knew Bertolini since he was a very young man. I knew him when he became a soldier and after his military service he returned home and became Secretary of the Municipality of the place. We were friends. I was more acquainted with Bertolini than I was with Bianco. Bertolini belonged to an honest, well-to-do family. I knew Bianco when he learned the trade of tailor with Montella who was his teacher.

Q Was he a tailor at the time he married his wife?

A. I don't know the circumstances because I did not belong to the village he hailed from. He came to this country after I did. I cannot remember exactly when I saw him on this side. I remember when Bertolini came to this side. Bianco was living then with his wife

and child, whether happily or unhappily, I could not say. I visited them many times but I did not see them quarrel, they seemed to live in good accord together. I saw them together go out to their place of work, but I cannot say what might have happened within their domestic walls.

Q. You are on very intimate terms with Volpe Brothers relatives of Bertolini? A. I am a friend of everybody, except these who are my foes.

Q. The Volpe Brothers are not your foes are they? A. No. Most of my time is spent in that store. I have never been subpoenaed in this case before to-day. Mr. O'Hare was at my house Saturday afternoon. Mrs. Bianco hired a man to bring her things to my house; I did not bring them. She told me that she paid 25 or 30 cents. Mrs. Bianco told me that she wanted to come and stay in my house together with Bertolini, but I refused to admit them, and I said, "I only wanted Bertolini alone."

Q. How long had Bertolini been living at your house before he spoke to you about her coming to live with him?

A. I don't know whether eight, or ten or fifteen days or more.

Bertolini spoke to me about her coming, before she did herself.

Q. Did he say that the first time he came to your house?

A. Two or three night before she came to our house.

Mrs. Bianco was then living with her husband.

Q. After Bertolini had spoken to you about Mrs. Bianco, he came to your house and stayed there alone, did N't

he? A. He came to stay in my house, and for two nights he was alone. The third night he did not spend in my house; I don't know where he went to sleep, whether in the house of Nicolo Bertelno or somebody else.

He was not boarding with us. At first we did not make any agreement specially; but when he came the second time, then it was understood that it was monthly payments; the rent was in monthly payments.

The reason why Bertolini left Bianco's house, was told to me by Bianco's wife. The reason was because Mrs. Bianco said that she wanted to go with her paramour and live no more with her husband. I think that is the reason Bertolini left Bianco's house.

Q. You say that when Bianco called at your house, you heard that he quarrelled with his wife---who did you

hear it from? A. Sometimes he quarrelled because he wanted his wife to return and live with him; sometimes he did not, but said, "She may go to the Devil." There is much more to be said upon my conscience and I want to say it.

RE DIRECT EXAMINATION:

Once I remember that I was going home with Bertolini when we met Bianco at the corner of Worth and Park Streets, and then Bianco asked \$30. of Bertolini. Bertolini answered; "At this moment I have not the money but I will give it to you when I have it". I don't know whether this money was asked for board or for some other account that passed between them. He did not give the reason why he asked for the money. Bianco said, ". If you haven't the money, I will wait two years, if necessary, only I don't want to be plucked---I don't want to be played upon." Bertolini then said, "I am a man who keeps his word, I promise the money and I will give it to you, but at this moment I have not the money." Bianco said; "Well, provided you will give me the money I will wait for it, but I don't want to be played upon.". At that time Bertolini lived at my house with the Bianco

woman. At that time there was no talk about the wife at all. Bertolini came with me and Bianco went his way. The three of us met on another occasion on the street--- it was on that occasion when I was an ear witness.

Q. Was there any other occasion on the corner of Park and Worth Streets? A. I can't remember any other times I had to mind my own business.

RE DIRECT EXAMINATION:

I was first subpoenaed in this case last Saturday. I never spoke to anybody representing the prosecution of this case before. I was in the Court with my wife last Saturday. It was then that I first spoke on this subject to the prosecution. I am here to tell the truth.

Bertolini told me before No. 73 Mulberry Street that he could freely come to live in my house because he had already settled any monetary difference between himself and Bianco.

Q. Do you swear that you saw or heard Mrs. Bianco say that she gave 25 cents to another man to carry the bed of Bertolini to your house, and that you did not carry the bed of Bertolini yourself. A. No sir. Somebody

carried it. I didn't myself; I am not a dray man..

When Bianco called at the house, I think my wife was at work in the shop. I think she was home once, but I cannot state with certainty. On the others occasions that he visited the house while his wife was there, I was away to the country.

It was between the 15th and the 17th of May that I went away. I cannot give the name of the driver that brought the bed of Bertolini to the house. I know thr man but not his name. He used to live in Baxter Street, corner of Bayard.

PHILLIP HEFFERNAN, a witness for the People, sworn, testified:

Direct Examination:

I am an officer of the Municipal Police assigned to duty in the Fourth Precinct of this city. At half past eight o'clock on the morning of the 25th of May, I was in Cherry Street between Catherine and Franklin Square. I saw the defendant there. I saw a man running across the street; the street was blocked up with trucks; I saw the man dodge around the trucks

as if trying to get away. He dodged around five or six trucks; then I grabbed him. I asked him what was the matter and he didn't answer. I asked him two or three times. Just then a man came across the street and told me that he had shot somebody up the alley. I brought him back through the alley way and up the stairs--through the alley-way running between the houses 19 and 21 Cherry Street. This person who told me went in with me. I met a lady going through and she kept behind me, Mrs. Gentilesca. She is here to-day. Went into the alley, into the yard, down three or four steps and up to the top floor on the rear lot of 19 Cherry street. . I had the prisoner with me. I opened the door and went in and found a woman lying on the floor on her knees and face, and a man sitting on a lounge; he had his hand to his stomach like this (indicating). I asked him what the matter was. Pointing to the prisoner he said, "That man shot me and shot her too". I asked what he done it for; he spoke something in Italian, I did not understand. So I tried to raise the woman and she was unconscious. She didn't make any motion or move at all. I asked Mrs. Gentilesca to ask the defendant what he

did it for, and then some conversation took place in Italian, and Mrs. Gentilesca repeated the answers to me. Upon the statements thus made to me I brought the prisoner directly to the station house, and called for the ambulance. While the prisoner was in the room he looked at Bertolini and his wife, and made no motion. His wife was on the floor.

I point out on the diagram, the position of the bodies, or the persons, whom I have named; at the time I saw them. This is the lounge where Bertolini was. He was sitting right back of the door on the lounge here. Mrs. Bianco was kneeling on her knees, and faced right about at the foot of the bed. Mrs. Gentilesca and other people were in the room. I did not notice anything particular about Bertolini. He showed the holes in his shirt where he was shot; there was no blood on the outside. The hole was kind of black in color. I didn't disturb the woman at all; only let her lay there in that position. I took her by the arm and there was no movement at all. I concluded she was dead. I brought him to the Station House and sent out a call for an ambulance, and then

came back again.

The prisoner's conduct in the room was perfectly calm, and he answered all questions that Mrs. Gentilesca put to him. He didn't seem no way nervous; seemed to me very calm and cool; he spoke to her in Italian, I don't know what he said. After I first got hold of him I asked him what was the matter, and he didn't make any answer. I asked him three times in English, until this man came across the street, Monsa and told me he shot somebody. I did not ask him any more questions. We were not in the room over three or four minutes. While we were there I held the prisoner by the collar right in front of Bertolini and his wife in the floor. He was nearer to Bertolini; I stood between him and his wife. His wife was in front of the door as you enter. I am sure he did not say anything to his wife. He said something in Italian to Bertolini. He did not approach his wife at all, or lift her up, or attempt to speak to her; made no motion towards her, or showed no concern whatever.

I brough him to the station house and had him locke up without taking his pedigree. Went back with the ward

man. When I went back, the woman was rolling on the floor moaning; she had changed her position. Bertolini had left the lounge, and gone to a bed in the same room and laid in that. That is bed A7 on the diagram. The ward man thought we had better have him identified by an Italian Interpreter. A young Italian boy black in the house came down with us. When I came down, she was dead; the woman was. The ambulance doctor and priest came, and then he identified the defendant through an Italian Interpreter. He identified him and talked in Italian with him. He identified the defendant as the man who had shot him and his wife; remained there a little while and the ambulance doctor removed him. They removed the body to the hospital and he died at half past six that night at the hospital. The woman died at ten minutes past nine; I was in the room when she died: I saw the woman after she was dead. There was quite a lot of blood on the window sill and on the floor, where it had been spattered about, by both the man and the woman. I did not notice any on the sofa, nor on the chair in front of the sofa, nor on the stove, nor any on the walls of the room; only on

the floor and window sill. It was in spots. There was blood where Mrs. Bianco lay; not very much blood.

Q. On the floor at the place where neither Mrs. Bianco nor Bertolini lay, at the time you were there, was there any blood? A. Yes sir.

It was right in the middle of the floor. (Witness marks on the diagram the place where the blood was).

Q. When you came back with the prisoner the second time, you returned to the station house with him, did you?

A. No sir, the ward man brought him and I remained there.

When we brought him to the station house in the first occasion, I searched him and found a pocket book, pawn tickets and some change. I produce the pocket book and the pawn tickets, also a piece of red flannel with needles in it, and another piece of paper.

I placed him in a cell then. There was nothing else found on him, but what I have stated. . The revolver was given to me by Mrs. Gentilesca. The one now shown me is the same revolver. At the time she gave it to me the barrel was rather dirty; the end of the barrel. She had it either in her pocket or apron when she gave it to me. I don't recollect whether it was hot or cold.

Mrs. Gentilesca came upstairs right after me and the defendant. She handed me the revolver just as I was leaving the room. I asked her whether anybody saw the revolver and she pulled it out of her apron. I asked her where she got it and she said she found it on the stairs coming up. The revolver had chambers in it; they were all empty; the shells were in there-- six exploded shells. They were in there at the time she handed the pistol to me. The shells got mislaid in the station house; it was in a drawer and it got mislaid. The pistol was a 38 Caliber.

The second time I came back Mrs. Bianco was not dead. I did not come back with the prisoner then. I sent to the station house to bring him back again, to have him identified--if she came to her senses that she might identify him. When I came back she was dead. I did not see the body remover. A n undertaker was employed. I do not know who employed him. He was Charles Bachegalupa, at 26 1/2 Mulberry St.

I saw Mrs. Bianco's face that day. I saw it to recognize it. The coroner and three or four attendants were present at work with Bachegalupa there.

Mrs. Bianco's body was in the back room. I waited and saw the deputy coroner perform the autopsy. It was on the same body as the body of the woman I saw at 19n Cherry Street. I was there told it was Mrs. Bianco. I am positive it was the same. I believe the woman was shot in the left breast; there was a hole there, and a hole in the shoulder; I could not say how far it went in. I noticed this. I saw the features, face and dress and I am positive they were the same .

Q. There was no other dead body there? A. No sir, he did died afterwards .

CROSS EXAMINATION:

Q. Did you make any search in the apartments or on the stairs for anything besides the pistol that was found?

A. No sir. I didn't search for any knife or find one. I found no weapon. We looked around before Mrs. Gentilesca gave me the revolver. I hunted around under the lounge and under the bed to find a revolver and could not When I arrested the defendant he was on the opposite side of the street, getting up on the curbstone. He had been running. He was dressed similar to the way he is

now. I then took him to the back room; we were there three or four minutes; he was in my custody all the time. The defendant spoke something in Italian. I didn't understand what it was. When in the room with Mrs. Gentilesca, they were speaking together. She would be able to tell me what he said. He was understood to be in my custody at the time. I had hold of him. I don't think I stood in the house more than four minutes, for I thought of sending for an ambulance as quickly as possibly. We brought him back a second time because the ward man thought it better to have him Identified by an Italian Interpreter. The second time we stayed there a half an hour. During that time there was conversation had with him by an interpreter, and a priest and a doctor. The ward man's name is Crury. He is not in Court at this time. He is away for two weeks on a special duty. When I entered that room first I saw the bed. I didn't notice whether it was made or unmade.

MRS. ROSA GENTILESCA, a witness for the People, sworn,
testified:

BY MR. O'HARE:

I lived at 19 Cherry Street. I have moved to
21. I am the wife of Joseph Gentilesca. On the 25th of
May, 1893, my husband was the lessee of the building
19 and 21 Cherry Street, and the building in the rear,
including the apartments occupied by Rosalina Zamorella
and her husband Monsa. I remember the morning of the
25th of May, 1893. I was called downstairs, and I saw
officer Heffernan and I saw the defendant with the
officer, and I saw Mrs. Zamorella. That is all I saw
at the moment. I met the officer in the yard, and they
were on the way upstairs and I followed after, I was dis-
rectly behind the officer and Antonio Bianco. On the
way up to the rooms I picked up a pistol, a revolver
like the one shown me. I don't know whether the one
shown me is the same or not. I don't know whether
it was hot when I took hold of it; I didn't pay much
attention. I put in under my apron. When I got up-
stairs Teresiano and Bertolini were there. Mrs. Zamor-
ella had run away. Officer Heffernan and the defendant

were in the room. Bertolini was sitting on the lounge the lounge was to the left of the door. Teresiano was lying on the floor, in the middle of the floor. She was rolling on her back as I remember it. I did not speak to her at that time. Bertolini said, pointing to the prisoner, "He shot me.". Bertolini said in Italian to Bianco, "Big pimp, you took \$30 for your wife". I told that to Officer Heffernan. The defendant didn't say anything at the time. I did not speak to the defendant after that. I was speaking to the Officer, not to Bianco. Bianco was there. I did not ask him questions in Italian. The Police officer asked Bertolini "Who shot you", and he said, "That cuckold there t shot me; he had the courage to take from me \$30.". He didn't say what it was for. At that time Mrs. Bianco was on the floor? She was breathing. She had no blood; she was not bleeding. I shook her and asked her, "Are you alive or are you dead?" She did not answer Bianco then did not say anything. Bertolini had both his hands on his stomach. Then the officer went away with Bianco. I did not say anything to Bianco before he went away. I didnot

speak to him when he came back. I don't remember any peculiar motion he made with his sleeve. I don't remember asking him why he shot them. I don't remember Bianco saying, "Ha ha, you wanted to go with my wife". . I don't remember saying that to you before, or explaining anything about a movement of his sleeve. . Bianco said "You was the man that came across the ocean to take my wife away from me." He said; "You are the same man that is killed off my hands." That is what I remember. Still he was saying a good deal foolishly in his words, but didn't understand them. Bianco was talking to himself, but I didn't understand him. The officer was there and had his hand on his neck. I cannot remember Bianco saying anything about Bertolini having been with his wife. I cannot remember what is not in my head. At the time the officer Brought Bianco w to where Bertolini was sitting the house was chock full. G I can't tell you who they were. I remember Bianco being brought away by the officer. I was not there when he was brough back. I saw Mrs. Bianco when she was dead. I did not see Bertolini, when he was carried to the bed in the room I went away, but before I went I handed the revolver to the officer. I saw the officer make a search for the

revolver under the bed.

I dont remember the precise words that Bianco used, when Bertolini called him a big cuckold. "Ha. You have come over here to bring trouble into my house-- you are the man who has fucked my wife-- you are the man and you have come over here to meet death by my hands"

CROSS EXAMINATION:

I cannot remember any of the foolish things that the man said. They had nothing to do with the case. He did not know what he was saying. He was not addressing anybody. He acted like a wild man; he didn't know what he was doing. He said a good many foolish things that I didn't understand. I didn't understand it was in the case at all. I cannot remember anything more that he said.

Q. In regard to the words you have already translated, were they indistinct words? A. He was talking to himself like an insane man. He didn't know himself what he said. He had eyes like that, (Indicating). I have often heard that he is a deaf man. Bertolini was standing looking around like one dazed. I did not know Bertolini. I did not know Bianco before this occasion.

JOHN J. AARON, a witness for the People, sworn, testified:
Direct Examination :

I am a pawnbroker, and do business at 191 Grand Street in this city. I did business at the same place on the 25th day of May, 1893. The pawn ticket shown me represents a pledge made at my establishment.

MICHAEL CASSELLA, a witness for the People, sworn, testified:

Direct Examination:

I live at 10 Roosevelt Street in this city. I am a boot black in the station-house in the Fourth Precinct; that is in Oak Street, one block from Cherry Street. I was there on the 25th of May, 1893. I saw the defendant Bianco there on that day, it must have been about half past eight in the morning. . He was brought in by Officer Heffernan. I did not see him before he was brought in. The sergeant called me upstairs in the station house; the defendant was in the office; right at the desk. I could not say if there was a talk had there because I was downstairs.

I speak Italian and English. The Sergeant told me to ask him what his name was, and I took his pedigree. His name he said, was Antonio Bianco. I asked him where he lived and he said 75 Mulberry Street.

Q. Did you tell him what the charge was against him?

A. He told me that himself. The prisoner told me that.

This Bianco said to me that V Bertolini had been following around his wife quite often in the old country. Bianco said that Bertolini had something to do with his wife, too; and after Bianco found out that Bertolini had something to do with his wife he stayed over there a little while and then he came to New York, Bianco did; and he came over here and stayed a little while, until he made up a little money, and he paid the money for his wife to come over to New York with his child; and afterwards when Bertolini found that Mrs. Bianco came over to New York, he came over here, just for that purpose, to take Bianco's wife away from him.

I am an Italian. I have been in this city fifteen years. I have been around the station house about nine years.

Q. Are you giving in English the substance of what he said in Italian? A. Yes sir.

So, when Bertolini came to New York he must have met Mrs. Bianco around the street, and they had some talk between themselves, and Mrs. Bianco when she went home, she began to give some funny talk to the husband. So t she didn't care very much about the husband any more Well he was always praying her to stay at home with him. to live with him. So, afterwards she stayed living with him for about a week or so, and then she went to live with this Bertolini. She left her husband and w went to live with Bertolini at 19 Cherry Street; andat they met the husband Bianco several times, upon the street, and they abused him, like she were spitting all ove his face, and calling him all the dirty names, and he said, "I stood as much as I could, as long as I could. I couldn't stand it any longer. Then she took my son. I went to the house 19 Cherry Street and I called for my son", then he said he sent somebody up to the house, they were living, for the son. He didn't want to go up there himself so they brought the son down, and he brought the son to his own house

73 Mulberry Street. So the next morning, he went over there again, after the boys cap, and he met the same man in the yard, and this man asked him what he was looking for, the next morning, and he told him that he was looking for the boy's cap. So he went upstairs himself that morning, and the door was just about so much open, and he shoved his head through, and he seen one on top of the other, that he caught them in the act, and he took the pistol and he shot the two of them. That is as far as I can remember. That is all he told me about it. I did not see him afterwards.

I went to 19 Cherry St. The Sergeant called me over and he said, "Mike, you go with Officer Heffernan up to the house for an interpreter," and I went up to the house. Officer Heffernan and the defendant went with me. I saw Bertolini there, and Mrs. Bianco who was lying on the floor dead. I was talking to Bertolini in the defendant's presence, in Italian. I asked Bertolini if this was the man that shot him, and he said yes, and then I said to Bianco, "Did you shoot him" and he said "Yes, I did; I can't deny it." I says "What is the matter with him", he was rolling himself

all over the bed. Bertolini was also complaining about his stomach. He said that his stomach was burning and that he couldn't rest himself, that his guts were burning. Bianco said nothing then about the reason; he had told me that before. He said nothing further there. Mrs. Bianco was laying on the floor and he said that he had shot the two of them. He said that he had made one job of the two of them. At the time that Bertolini said that his stomach was burning, nothing was said then about Mrs. Bianco; he was just looking at her. That is all the talk I had with Bianco about the matter.

CROSS EXAMINATION:

I am working at the station house. I work for myself there. They give me the drying room to use for a boot black room. I am not an official there. I interpreted for the Sergeant who could not speak Italian. Nothing was said to Bianco as to what he would say being used against him. He was not put on his guard by me or by the Sergeant. I did not know that he was deaf or hard of hearing. I have stated that Bianco said he caught his wife and Bertolini in the

act. I was the only person at the Station who understood Bianco's Italian answers. After this interview I went with back to Cherry Street. There were several women there. I don't know Mrs. Gentilesca. There were several women there, and they were all talking and I could not listen to what they were saying, because the house was crowded with people.

Q. Did Bianco stop or desire to stop at any place on the way back to Cherry St. A. No sir. . I didn't hear him express any desire to stop.

PHILLIP HEFFERNAN, a witness for the People, recalled:

I was in those premises at half past 8 or a little after that, on the morning of the 25th of May. The diagram shown me now is a correct one of the room as it appeared that morning. The bed and furniture is marked there as it was on the morning of the 25th of May. I was not there with the surveyor. I am familiar with the approaches to the apartments occupied by Zamorelli Monso. The diagram is correct. I indicate the place where I arrested the defendant, on the sidewalk. On the street, just off the sidewalk close to the dividing line between Nos 18 and 20

Cherry Street.

AMIDEO ROMANIA, a witness for the People, sworn,
testified:

Direct Examination:

I live at 19 Cherry Street. I know Antonio Bianco
I saw him in the yard of the place where Joe Monso lived
twice. I saw him there the day before the killing
and the day that he went upstairs; the day of the
killing. The day before, I was out and when I came
back, I met him in the yard; it was in the afternoon
sometimes, and I met him in there, and I says; "Antonio
what are you doing there?", and he said, "Well I wait
until Rosalina Zammorrelli bring my boy down," and he
said to me, "Will you please go up stairs and get the
boy," and I said, "No, I haven't anything to do, to go
upstairs," and at the same time Rosalina came down and
brought the boy down, and he went away with the boy.

I saw him the morning of the killing. I was in
the yard about half past 8. He came down through the
yard while I was there. I saw him coming through the
alley and into the yard, and down the steps of No. 19.
That is the last I saw of him. I said to him, "Tony,

what are you doing", and he said "Eh!" and that is all I saw him again when he came out in three or four minutes I heard the shooting upstairs. About the time Bianco come down, Bertolini sticks his heads out of the window and halloed, and I was in the yard and he said to me, "Amideo, try to catch him. He shot me". . At the same time he came in to the yard. I didnot do anything. I said, "What have you been doing upstairs?" And he said, "Oh, let me alone. Don't you bother me," and he went out. I never tried to stop him. He was walking just the same as when he went in. I didn't see him running afterwards because I was working in the yard. I didn't pay attention to it.

CROSS EXAMINATION:

I am the house keeper there. I remember the day that Bianco brought the child away, the day before the murder.

Q. He immediately embraced the child and cried over him and said to the child "call mamma"? A. No sir, I never heard that. m I was not paying attention to it.

On the morning of the killing I noticed nothing suspicious about the defendant.

When he went up, I said , "Where are you goin Tony" and he simply said, "eh?".

LOUIS VOLPE, a witness for the People, sworn, testified:
Direct Examination:

I live at 67 Henry Street in this city. I am a banker at 75 Mulberry Street; the firm is L. Volpe & Co. I know Antonio Bianco. I have known him seven or eight years before the killing of Mrs. Bianco and Bertolini. I knew Bertolini; he was my cousin; second cousin, I think. Of course we don't care very much about it ; he was not a very close relation; he was a distant cousin. I remember when he came to this country. It was in March 1893, just a couple of months before the killing. He first stopped down at some number in Cherry Street, in the house of a person named Tony Gotto. I saw him frequently. He was about our place. His trunk was in our place. I remember seeing Bianco and Mrs. Bianco and Bertolini in our place one day. I don't remember the day, it was a short time after

Bertolini came to this country. I saw the trunk picked off the floor and they put it on the head of Mrs. Bianco. I don't recollect if it was her husband or Bertolini that picked up the trunk. Bianco's wife carried it away on her head. I saw them go out of our place with the trunk and that is all I know about it. I saw Bertolini when he was dead. What I have referred to occurred fifteen or twenty days before the killing.

CROSS EXAMINATION:)

I am the senior member of the firm. We have wholesale groceries, and a bank. We also take out contracts. When Bertolini came to this country he was out guest for seventeen or eighteen days. When he left us he said he was going to live with Bianco; that he was going to board with Bianco. Bertolini had paid up nothing for board. At that time he was intimate, and on friendly terms with Bianco and his wife. Before Bertolini came to the country I remember that Bianco and his wife lived at 16 Franklin St. I do not know anything about whether they were living happily or not. I had never visited Bianco before the arrival of Bertolini. I remember one day that Bertolini came to our

place after he had left Bianco's house, and Bianco came in also. My brother was present at the time, his name is Vincent. I remember Bianco at that time begging Bertolini to give him back w his wife and child. Bertolini answered, "I don't care about your wife; there she is." The wife was there sitting on a chair. I don't know who it was she came in with. I know a man who comes in our store named Guiseppe Monso. He has not worked for about a month. I don't know what he is doing or whether he has any business or not. I could not swear to that. I shouldn't go after the man's steps, to see if he is working or not.

RE DIRECT EXAMINATION:

He may do some work that I don't know about. He is in our store sometimes in the day and sometimes at night. He does not spend all his time there. I don't know whether he is working or not.

RE CROSS EXAMINATION:

Q . As a matter of fact you are a relative of Gabrielle Bertolini? A. Yes sir, I was.

EDWARD J. DONLIN, a witness for the People, sworn,
testified:

DIRECT EXAMINATION:

I am a physician in regular practice in this city. I have been a physician since '76. On the 25th of May 1893, I was a deputy coroner, and am now. In cases of sudden death it is my duty to ascertain the cause of death. In connection with my duties I visited the premises 26 1/2 Mulberry Street on the 25th day of May, 1893; the undertaking shop of Bacciacalupo. It was around 1 o'clock. There was a police officer with me. I saw the body of a woman there and was told that it was Terese Elise Bianco. I performed an autopsy on the body. I will read the official report: "Inspection-- I found, first, pistol shot wounds on left forearm, midway between wrist and elbow passing completely through flesh. Second, another pistol shot wound of right arm, about three inches below shoulder joint, in a direction from below upwards. Third, another pistol shot wound about two and a half inches to the left of left nipple, and one inch below. The direction of this wound is from left to right

directly through the chest. Fourth, another wound, one and a half inches from internal border of left scapula. Direction upwards; and one on top of left shoulder. These two wounds caused by entrance and exit of the same bullet.

On opening the body I found the thorax filled with blood. Middle lobe of the right lung perforated, and perforation of the apex of the heart? That bullet entered the internal border of the left scapula, the shoulder blade, you would call it. These wounds we made by bullet entering thorax, about two and half inches to the left of left nipple, and 1 inch below passing through right lung and heart, and lodging beneath skin of right side, about four inches to the right of right nipple, and about three inches below right axilla. The bullet that entered the right arm was found embedded in skin one inch below the outer third of right clavicle.

The wound in the arm was not a mortal wound. The bullet which entered the thorax and traversed the apex of the heart, was a fatal wound, and in my opinion was the cause of the woman's death. I am positive of

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that. I extracted two bullets in making the autopsy, which I produce here. I also made an autopsy on the body of Bertolini.

CROSS EXAMINATION:

I found three distinct pistol shot wounds in the body of the woman, and a fourth which was made by the passing out of a bullet. Two of the shots were more or less superficial, and one was fatal.

I will read the report of the autopsy on Bertolini. "Inspection--- An incised wound as if made by a knife, extending from umbilicus to symphysis pubis. Also an incised wound as if made by a knife, 2 1/2 inches in length, about five inches in a direct line below the left nipple. An another incised wound, a ragged wound on right side, 1 1/2 inches about the crest of ilium. A slight abrasion on forehead about the size of three cent piece, about 2 1/2 inches above the inner canthi of the right eye. A small perforated wound on the middle or inner third of left arm, and one at lower third of same arm, about one inch above elbow, both of these wounds connecting. On opening the body

I found a perforated wound of mesenteric beneath stomach, and one through lower borders of right lobe of liver and gall bladder." A pistol shot wound is classed as a perforating wound, and a wound made by a sharp instrument an incised wound. The slight abrasion of the forehead was such as might be produced by a fall on the floor. It could be produced by a weapon. It was a contused bruise.

RE DIRECT EXAMINATION:

The last autopsy was made upon Bertolini at 26 1/2 Mulberry Street. I know that he had been brought to Chamber's Street Hospital, and I was informed that an operation had been performed there, of laparotomy, and that accounts for the incised wounds.

D E F E N S E .

NICOLA BERTOLINI, a witness for the Defense, being duly sworn, testified:

I live at 74 Mott Street. I am a delaer in Singer Sewing Machines. I know Antonio Bianco. I have the name gfamily name as Gabrielle Bertolini, and maybe in more ancient times there may have been some relationship, but that has been dissolved at the present time. I and Antonio Bianco are of the same place in Italy, and so I may state that I knew his for about fifteen or twenty years. I remember when he married Teresiano Elise He was living happily with his wife after marriage. I am in this country four years and some months. I don't remember with certainty when Bianco came to this country but it is now about two years or two and a half years. He and his wife and child came together, to board with me. We went to take her at the Battery when she landed and they lived together, all three in my house. I think Bianco was in this country a year before his wife arrived. Bianco always sent her money to Italy. He sent it monthly or at least once in two months. When she came here and lived at my house, they lived

in good harmony; they went around together and eat and drank and amused themselves. They stayed three months in my house before they went to G Franklin Street, and after they went there we would exchange visits. They were living there happily and peacefully as before.

I remember the time that Bertolini came to this country, but I don't remember the date. I remember that he went to live with Bianco. I knew Bertolini in Italy; he was my school mate and my mate in music. I knew him since eight years. He knew Mrs. Bianco in Italy. He knew that she was the wife of Bianco. It was a small place. I was in Italy the Bianco married her. I never knew of anything wrong between Bertolini and Bianco's wife, bneither in Italy nor America, until the time he went to live with Bianco; until she went to live with Bertolini.

On One occasion Bertolini and Mrs. Bianco paid a visit to my house. Bianco was not present at the time.

After they were engaged in conversation for a while Bianco came in.

As soon as Bianco enetered the room and saw Bertolini there, he knelt down and said, " Bertolini give me--

let alone my wife. Let my wife come back to me," and Bertolini said to him, "It is not me that wants to keep your wife. How can I help it, if she wants to stay with me?2 And then Bianco said, "It depends upon you to guide the will of my wife. If you speak to her properly she will come back to me," and then Bianco turned to his wife and he said, "Will you come back to me? I pray you to come back to me," and she said, "No, I don't want to return to you, you nauseous creature," and she spat out. Bianco said, "What have I done to you. Have I done any wrong to you? What for did you spit at me? What for did you speak to me in such an outrageous manner? We have lived together eight or nine years and what is the reason you are entirely changed against me?" She only continually answered words to the effect that she didn't want to return to him, and she said, "What for are you always here to bother me?" And she spat against him and said that she didn't want to return.

I remember when Mrs. Bianco left the house of Bianco, I don't remember the exact date. It was after Bertolini had left Bianco's house; he went to live in

Cherry Street. After his wife left him Bianco stayed with me for the first five or six nights; he was all upset and appeared as if he were crazy or insane; and so out of pity for him, I have kept him in my house, so that he might calm himself down. He declined eating and every comfort and complained of pains in his head. During the night he arose from his bed and walked about the room, muttered to himself, and always cried, wept. I had him put out because of his condition, he was a bother and a trouble, and besides that, we were afraid of something that might happen, because his condition was so abnormal, so far as his mental condition was concerned. After he left my house he went to 73 Mulberry Street, and stayed with Antonio Lucente who hails from Abruzzo. At the time when Bianco had the talk with Bertolini that I have described, he was kneeling down. He was always crying. His face was that of a man who had upset himself from crying and pain.

I have been interrogated by Mr. O'Here. I went to his office four or five times, but only had a chance once to be examined. When Bianco and his wife were boarding at our house, he would give his wife his earnings every Saturday, six or seven dollars.

CROSS EXAMINATION:

I live at 74 Mott St. I have been in the country 4 and 1/2 years. I knew Bianco and his wife and Bertolini in Italy. I don't remember the wife's maiden name it might be Ferrera. I knew her mother, brother and sister but not the father. I knew her three or four years before Bianco paid court to her. I did not hear anything of Bertolini paying court to her, because the condition of the company was so far below his a that it was not proper for him to pay courtship to her. It was the family decided that she should marry Bianco. I never knew if the wife and Bertolini were friendly in Italy. I never saw them together. Bianco is in this country about three years. As a matter of course I was present at the marriage of Bianco, because it was a small place. The marriage took place four years before my arrival in this country. They were about eight years married at the time of the killing. The first time Bianco arrived in this country he went to live with his cousin Antonio Bertolini at 212 Mulberry Street. Three or four months after he came he lived in my house. He lived with me four and

a half or five months before his wife came over. I don't remember the precise time when she came here. Bertolini came about six months after her. At the time of his arrival Bianco and wife were living at 16 Franklin Street. I think they lived in Franklin Street three months not more, Bertolini lived with them there for about one month. They lived peaceably there, because Bianco considered Gabrielle Bertolini as his god father. They parted two months afterwards and Bertolini took Bianco's wife with him and they went to live at the house of Antonio Gatto in Cherry Street; and then he took the woman to the house of Giuseppe Monso, 19 Cherry Street, where the killing took place. At the time that Bertolini and Bianco's wife were living there I called there twice. A week or so after the separation they came to my house one morning. It was on a week day I was a friend of Bianco's as well as the others, and he happened to call there, at the same time. It was a general conversation with me, my wife and the other people. Bianco, as soon as he entered the room saw his wife and Bertolini and he said, "Leave my wife alone; give me back my wife; I cannot find rest or

sleep " This is what Bianco said---- ". I am unhappy without her". and Bertolini said, "There is your wife". Aske her if she wants to go with you. It is not me that wants to keep your wife." Bianco said, "Leave her alone; don't have any intimacy with her. If she sees that you do not insist with her then she will come back to me.". Nothing else was said. Bianco remained in my house on that occasion about two hours. Bertolini and Bianco's wife remained there w the whole time. Nothing else was talked about, except about Bianco trying to get his wife back from Bertolini. He sometimes requested me to talk to his wife and induce her to come back, saying that they had lived together for eight years, and what for she treated him so badly. He also addressed his requeants to my wife. We had no dinner or wine or anything on that occasion There was no occasion for treatment because everybody was so troubled, and the talks were of such a nature, that they did not admit of entertainment. No threat was passed either on the Bpart of Bianco to his wife or anybody else. I said to Bianco, "Let us go out together, because I don't like to have such talks in my house, such troublesome conversa-

tions" We left Bertolini and Bianco's wife in the house behind us. We did not find them there when we came back.. We walked to the corner of Canal and Hester Streets. We were talking about the same thing and he again recommended me to see if I could induce his wife to return to him, and I promised to do my best. We talked quietly. The walk took about a quarter of an hour Bianco stayed at my house that day. He did not eat any dinner, but took two glasses of water. He rested his head in his hand and leaned on the table. He did not eat even at supper time. He remained there to sleep that night. He got up in the morning and went out of the house without my knowing of it. He returned in an hour or so and I noticed that he wept and sighed. His face was pale, as it was at all times.

RE DIRECT EXAMINATION:

He was always pale after his wife left him. Before his wife left him he had a color, but then he was a little pale in color because his health was not perfect. He worked indoors.

ANTONIO GATTO, a witness for the defense, sworn,
testified:

DIRECT EXAMINATION:

My occupation is a paper stock dealer, and I
reside at Newburgh, New York. . In the month of May, 188
I resided at 488 Pearl Street, and had a place of bu-
siness there. I was then acquainted with Antonio
Bianco, and with Gabrielle Bertolini, and with Bianco's
wife. I was acquainted with them almost since they
landed in this country. I came here before they did.
Antonio Bianco came here first. I think his wife came
about five months later. I remember well when she arri-
ved. I think they used to live in GFranklin Street.
I don't know the number. I visited Mrs. Bianco when
she landed here because I wanted to hear some news from
the old country. I knew them in the old country, but
I was only a small boy. I did not exchange visits there.
While they were in Franklin Stret I visited them sev-
eral times. I generally visited them on Sunday, because
it was my day--most ever Sunday I visited them. I never
saw any difference between the man and his wife; they
were living as a man and wife should live. The child

was living with them too. When Bertolini came here he first came to my house, and afterwards we had some dinner together, as he was my schoolmate in the old country, we went also to see some friends. He told me that he was going to see the Volpe Brothers. I went to visit the house when Bertolini boarded with the Biancos. Two Sundays afterwards I went over there and I saw a little bit of a difference with Bianco's wife. She said to me that she did not obey her husband as she did when I was there before. Every word her husband said she gave a cross reply to. I should judge that it was fifteen or twenty days after that that Bertolini left the house. She went with him---they came to my house the first night after they left. I did not know where Bertolini's bed was moved to after he left Bianco's house. I was not at home when they came to my house that evening, I came in later. I did not communicate to the defendant what occurred that night. Bianco's wife and the child remained there that night. Bertolini went away, I suppose, because I didn't see in the house, when I got home. I did not tell Bianco afterwards any talk that I had with his wife or Berto-

lini. Mrs. Bianco stayed at my house one night. The next day I put her out. This was when I lived in Cherry Street, No. 21. I did not see where she went but they told me she went away. I saw the defendant four or five days later. He asked me what I knew about his wife, and I told him what I knew. My wife told me that Bertolini fetched his wife to my house, and when I got home that night it was too late; I did not want to put her and the child out in such a cold night. It was about 11 o'clock when I got home. I said, "You can stay here to-night." So I told him that "But to-morrow morning I want you to get out of the house because I cannot keep you here." Bianco put his hands to his head, and said, "I don't know, what did my wife want to do that to me for?" He said, "I would like to know where she is; I want her back again, I could not do without her--my wife and child--if you will tell me." But if I knew I wouldn't tell him where she was gone because it was none of my business.

I don't know when I met him again after that but every time I met him he looked to me as if he was a crazy man; he looked to me so straight for about

five minutes, and said, "Do you know where my wife is?" I didn't know. I think I saw him again on the 24th of May in the morning. I remember that I moved from the place where I was, to 460 Pearl Street, where my business was. I moved on the first of May. I know it was about the 24th of May that I met him because the murder was on the 25th. Bertolini came around once in a while to my store; he was there on this occasion when Bianco came in. Bianco came in while Bertolini were talking there, and he didn't say anything to me; he used to talk to me every time he came in. He got hold of one of the weights of the scales, a 2 pound weight, and he hit the weight on top of the scale and muttered to himself; he was going on like that when I was talking to Bertolini. I turned around and said, "Look at Bianco talking to himself." He didn't pay any attention but went on the same way. Then Bertolini said, "I want to go." I said, "Very well, good-bye". As soon as Bertolini got to the door Bianco came on top of him and said, "Hold on, I want to speak to you." Bertolini said, "I have got nothing to do with you and don't want to speak to you." He said, "Stop, for God's sake, I

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have got a few words to say." Bertolini said, "I have got nothing to do with you at all; I don't want to see you." He said, "Why don't you give me the wife and child?" Bertolini said, "I don't want to hear you. I cannot give you the wife and child." He spoke quickly. He said to me he wanted to grab him by the throat. Bertolini started for the street and Bianco after him to stop him to talk. He didn't seem to want to fight, but he seemed mad to get his wife. He didn't talk about fight.

On the 25th, the day afterwards, there was an occurrence at my store. It was between eight and nine o'clock, I saw this man with three or four others. He came around to the store and I didn't know what to make out of him. At first I thought he had some lawyer with him to get his wife back, on account of the conversation he had before with me. I said, "What is the matter, and he said, that these people had got hold of him. I looked around and saw that he was handcuffed. I said "What have they got hold of you for?" and he said "They say I have killed my wife." I said, "Did you do it; what did you do it for?" He said, "I don't know whether I did it or not."

He said, " Look at me; they have got me tied, handcuffed. I don't know what they want of me. I want my wife and child. Did I ever kill her?" When I saw that he was handcuffed, I knew that they were officers with him.

CROSS EXAMINATION:

Q. Did you have any talk with Bianco about his wife and child, anytime before the night she slept in your house? A. No sir. I am a married man and have been married about eight or nine years. I have not found my wife cross on a occasions, in the way that I have described Mrs. Bianco as being.

Q. Your wife has never been cross with you at all?

A. I won't answer any family affairs at all.

I don't know the cause of Mrs. Bianco's crossness. I had a store at 21 Cherry Street up to the first of May when I moved to Pearl Street. I kept a paper stock store there in Cherry Street. There was no one else there when Bianco came and asked me where his wife was. I did not tell him that his wife stopped one night at my house. . I said I didn't know where his wife was.

Q. You didn't know that the telling of that fact by someone else was the reason of his going to see you?

A. It may have happened, but I didn 't know it.

He called five or six days after that and asked again where his wife was. It was only once or twice that he called on me in Cherry Street. . I knew Bianco on the other side since we were boys. I knew his wife and Bertolini also since I was a child. It didn't seem to me that Bianco was sickly. He was not a tailor in the old country. I knew that he followed that trade here.

It was the morning of the 24th of May that Bertolini visited me, between half past eight and nine o'clock. He remained in conversation with me about ten minutes. Bianco was there with the weights in his hand. It was not like a grocery scale, but a platform scale with a handle on it, and the weights on top. He was shaking his head and talking to himself. I don't know what he was talking about. There was a man working in the back of the store but not within view of Bianco. He stood until Bertolini made a motion to go. I don't know whether he waited for me and him to finish

the conversation. I am sure that he said something about the child, "I want my wife and child" You w took my wife and child away from me. Why don't you give them back to me. I didn't know whether he had been to Cherry Street and got the child that monring or not.

Bianco spoke in Italian. Bertolini went away. Bianco

followed him with his eyes and then came back to me.

He stayed three or four minutes with me and I had a conversation with him. I told him to stay there a little while, and he said that he couldn't stay; then he went away. The next morning he came across Pearl Street and into the store with these other people.

He said, "I want my wife, my child, these people say I have killed them." I said, "What for did you do that?" and he said "I dont know whether I did it or not." All this happened in my store.

ROSINA LUCENTI, a witness for the defe nse, sworn, testified:

I live at 89n Baxter Street, with my father and mother. Have been living there since four or five months. In the month of April 1893, I was living

at 72 Mulberry Street. I lived there with father and mother. I know Antonio Bianco. I was working in a shop and the wife of Bianco used to come to the shop to take the linen for washing, and she came there once with Bertolini and said it was her cousin. When we made acquaintance together they came to live with us, and she came very often. I always see they together. A short time after that Bianco came, it was five or six days after they came to our house, and Bianco told me that his wife had left him and he didn't know where she went to. He asked to obtain a room to live in our house. My father told him to come later and that he would speak to his wife and give him an answer. My father gave his consent and he came to live with us. He lived there two or three weeks, he was alone. I used to see him in the evening. He retired about half past seven or eight o'clock. He used to talk about his wife because he was always in a state like a disturbed man; and he didn't like either to eat or drink anything; he couldn't rest and he couldn't sleep. The conversation was just about such a melancholy matter. Sometimes we used to address him questions, and try

this for di version, and he didn't understand what we spoke to him. Sometimes he gave unreasonable answers which had nothing to do with the inquiries. We often say him that he wept, and he would say, "My wife, what hast thou done to me?" He always used to talk about the child and he would say, "What have I to do. How can I live now". He was at a loss about himself. He would say, "I am a lost man, I don't know what I have to do without my wife or without my child." He always talked about his wife. He brought his child over to our house. He took the son in his arms and clasped him to his breast and said, "Oh my dear son, you are in my arms, but your mother is in the arms of another one!" Then then son when he w saw his father week, so he w always cried with his father. The child on such occasions exclaimed "Oh mamma, oh, mamma".

CROSS EXAMINATION:

While he was with us he didn't pay his room rent He did not board with us. He said when he earned money he would pay us but he had no money then. There was not much work for him; he worked off and on. He went out in the mornings, and he came home evenings about

half past eight or nine o'clock. On the day in which he did not work he partly stood in the doorway, or he went away. I don't remember whether he smoked or not. I knew him by sight before he came to live at our house. I knew him as the husband of Teresiano. She worked in the shop with me while Bianco was living at out house.

Q. Did you ever tell Bianco that she worked in the same shop with you? A. No, I didn't say anything to him.

I told him that when he came to live in my house.

Bianco's room was on the same floor as the ones we occupied. My father did not work in the same place all the time. When he was at work he partly remained in the house and partly remained out. I went to work at seven and got home at seven in the evening. About 8 or 9 o'clock I used to go to sleep. He understood sometimes what we said and sometimes not. Bianco was a very little deaf. . I cannot say whether Bianco has a watch or not. I saw a chain. . My father told me that he saw a revolver in his room but I was never in his room and I didn't see it.

My father told Bianco that he would have to pay

his lodgings or he would have to ask him to leave, and he said he would see about paying it to-morrow. So he went out and he was very much disturbed, and when he came back he said, "I have sold my watch for \$3 here is your money". This was the same morning as the killing. The killing took place at half past eight. It was before seven, I think when I saw the money paid. I was about seven when I left the house for work. I work for a weekly salary.

JOSEPH RINALDO, a witness for the defendant, sworn, testified:

I am a barber. I reside at 81 Madison Street New York On the 25th of May 1893, I remember seeing the defendant. I met him in the Tombs Police Court. He was remanded back to the station house. I had to pass there about an hour and a half after, and I dropped in to the stationhouse. I know that the captain was there at the time and two of the ward detectives, and they knew me for an interpreter in the police court. They said to the captain that I could act as interpreter for Bianco if they wanted to ask any questions. So the captain called the defendant into his

room, and I went in there. The captain asked me to put a few questions to the defendant which I did. I put the question to the defendant, as to whether or not he shot his wife. I was waiting for the answer and he was kind of frightened. He was not able to give an answer of any kind at all. He looked wild looking all the time. I said "Did you shoot your wife?" He said, "Me, well go ahead and tell me". His answers were incoherent. I asked him one thing and he told me another. Instead of saying yes or no, he moved around and said, "I don't know what you say. I don't know what you mean. I gave the answer to the captain. He said he didn't know what he was talking about."

I afterwards saw him in the Tombs Prison. I remember going into the Tombs but not into the cell; the prisoner was called downstairs, by the keeper, on the request of the officer. I was in company with Officer Heffernan; he asked me to go there and ask a few questions of Bianco and I went there

CROSS EXAMINATION:

I say that this man looked frightened and wild. I don't think I have interrogated an accused person

more than twice for the police at the station house, and in the Court Prison. My place of business is at 43 Madison Street. I have seen men tried on simple charges and on big charges.

Q. You say that when they commit big crimes they refuse to answer? A. Yes sir.

Q. That is what the defendant did? A. No sir, he answered me different altogether. I talked to him loud.

I did not ask him his name. I said, "The captain wants to know if you shot your wife?". When he heard my question he said, "What, me shoot my wife" and he looked astonished and beside himself. I showed him the revolver and asked him if it was his revolver, and he didn't answer yes or no. I don't remember saying anything about a pawn ticket.

Q. Did you ask him any question that did not relate to the crime, the killing? A. No sir, none at all.

I copied his gestures now, when I stated what he said.

FRANCIS GUMASI, a witness for the defense, sworn, testified:

I am a physician. About a year prior to the 25th of May 1893, I was called upon by the defendant

Bianco. I made a medical examination of him and of his condition. I had never seen him before. When the defendant came to my office he started to tell me that he had a pain in the back and a pain in his leg, and afterwards in a few seconds these pains were in the chest; and from his stooping position and his stupid expression, I thought it was insanity. I found that the brain was deficient in quantity, plus the frontal hemisphere. His eyes, were feeble and trembling. gouty looking eyes, which is a physical symptom in cases of idiocy. That comes from the fact that he has no developed, and other reasons. The larynx of that man is deficient in proportion to wideness and strength; and that is because the idiot finds it difficult to convert thoughts into words, and because generally the lungs of an idiot are small. For these reason I made my opinion of insanity. My diagnosis is based on that. I thought that the case was congenital or everlasting. I t did not think the case would improve. It may grow worse and worse as years go on. He has a weak brain.

Q. If the fact is that the defendant then was deaf, would that increase your diagnosis? A. Well not very

much in that case, but abnormal sexuality does. His nervous system is generally feeble.

Q. That symptom would produce a tendency to imbecility of which you have spoken? A. Not so much as the gouty eyes, deficient lung, and masturbation. They are the signs of idiocy.

CROSS EXAMINATION:

My office is at 118 McDougall Street. I have been admitted to practice in this state since 1884. I have practiced in this city, and afterwards in California, and afterwards in Missouri, and then I went to Europe; afterwards I came back here. I practised medicine in San Francisco. I can't recollect the street. I belong to the medical society there. I am well known in San Francisco. I practised in New York one year before I went to California. I got my grade in the New York University Medical School. I was admitted in the medical service of the police station in Elizabeth Street. I studied two years in Belgium and three and a half years in New York. I had hospital practice before I was admitted. I was permitted to go into the private class of Professor Stimson in Belle-

vue Hospital. I made such a study of alienism as the law of the state required. I am not a specialist. Hammond is one of the authors I studied on that Subject. While in New York first my office was at 110 Mott St. I went to the hospital on Ward's Island four or five times in a year. I have observed insane patients the the university every week; we had a clinic there. I think I have seen 500 there. We had lectures on alienism once a week; during the lecture about twenty and sometimes 30 cases were shown to us. I read and know what a general practitioner ought to know. I didn't have anything to do with insane people, at California or Missouri. I was three years in London and didn't have anything to do with insane people there; then I went to Brussels, and then I came back here. I met very few insane people here. I came back here in 1891. I have been at 375 Broome Street, and now I am in McDougall Street. I would not treat insanity but I think I could make a diagnosis. I never treated a single case of insanity in my life.

Q. You never personally treated anybody for mental aberration whatever? A. I can't say that.

Q. When you discovered that this man's mind was out of

order, you declined to treat him, didn't you? A.

A. No? I prescribed for him for idiocy.

I do not keep any other register except this prescription book. The defendant came about three or four times to my house, and I went to see him once to his house; he was living at that time with Bertolini, somewhere in Mulberry Street, I couldn't say the number. His wife was not here at that time. I made him tell me, that he masturbated. In regard to how often he did it, I don't think he told the truth. He was ashamed to tell it.

Q. Did you ever know an idiot to have any shame on that subject? A. Well it may be.

Q. Did you discover that his unwillingness to tell you that he was addicted to that secret vice was an evidence of insanity? A. Well it is a sign of timidity, but I can't say---

Q. Timidity is not an essential characteristic of insane people, is it? A. It is more apt to be timidity in a weak adult than in a strong man. At first he denied that he masturbated. I made no examination of his genitals. I think masturbation is one of the causes that increased his expression, or aggravated it. I think

that man is a congenital idiot, and I think masturbation increases it. When a man masturbates it will cause him to dream, and eventually he gets no nutrition from the rights centres and all the nutrition goes to the centres of imagination. I had read before in the books that the main symptoms of idiocy were deficiency of the frontal lobes, weakness of the voice, the lungs are weak, and there is always abnormal sexuality.

I got from the examination that the brain was deficient I found the other signs, and he admitted to me that he masturbated when he was a boy and did it still.

I dtold him to send for his wife, otherwise, he couldn't get vbetter. A sane man could not commit self abuse to the excess indicated in this man's personal appearance. I prescribed cod liver oil to strengthen up his system, and told him to have his wife home; I didnot indicate any necessity for a substitute. I thought the cod liver oil would act on the nervous system as a tonic. His facial angle is under the normal; 80 is the nfacial angle. I based the conclusion that his quantity of brain matter was insufficient, from the judgment of my eyes. Weak voice is always an accom-

paniment of idiocy. My definition of idiocy is that it is a deficiency of the mental function from the normal standard. In regards to his symptoms, I think that onanism is a consequence of these things--the effect.

RE DIRECT EXAMINATION:

I am on the Staff of the New York Dispensary, at 157 Centre Street. I am there about three years now, and I was there in 1884 and 1885 when I first practised here. The Governors there have never found fault with my knowledge. Dr. Cotton is the chief of staff there.

I am there from 12 to 3, and before I go there I have district work from three to four o'clock daily.

When I said that he presented a general neuresthenic appearance; that is the Greek for feebleness, of the nervous system. But a few mean by it nothing but a feebleness of the spinal cord.

I used it in the general sense. He had wandering pains and those are characteristic of feebleness of the nervous system. I did not say that the pains got into his head. My practice is mainly with Italians.

I am a native of Italy.

ALFRED J. THOMAS, a witness for the defendant, sworn testified:

DIRECT EXAMINATION:

I am a cloak manufacturer. In the month of July 1892, I knew Antonio Bianco. He was a workman for a me. I found him to be a very good, willing, honest young man, a man who would not flinch from anything I asked him to do, and I always asked him to do b nothing but what was right. He was always willing to do any little job, that I thought ought to be done. Sometimes he would be asked to stay over time, and he would get paid for that, but there was no time that he ever acted anything else but in good behaviour. He was always neat and his hair was nicely combed. His eyes were bright, and his color was such as of a person who had nothing on his mond. He left my employment in the month of July 1893. I laid him off because the season was over; we have to leave them off for a few weeks until the season is ready to go on.

CROSS EXAMINATION:

The length of time in our season varies. The summer season is about four or five months. At the time I saw the defendant he looked bright, neat and

intelligent etc.

GUISEPPE GENTILESCO, a witness for the Defense, sworn, testified:

DIRECT EXAMINATION:

I reside at 19 Cherry Street. I am a lager beer saloon owner. I was there in the month of May 1893. One of my tenants was Guiseppe Monso. I had a conversation with Monso in the latter part of April.-----

GUISEPPE MONSO, recalled for further cross examination testified:

CROSS EXAMINATION:

Q. Did you assist in carrying a bed, or did you carry a bundle belonging to Bertolini, to your house, from Mrs. Bianco's house? A. The Bianco woman had another person to take Bertolini's things from the house where they were, and to fetch them in my house, and she herself carried a part; but she had another person charged to take Bertolini's things from the house where they were and fetch them to my house. I carried nothing. I did not assist. I accompanied the perom from CFranklin Street to Cherry Street; he carried the things. The man carried the things up to the rooms on his shoulders.

GIUSEPPE GENTILESCO, his direct examination being resumed, testified:

I saw a man carrying a mattress on his shoulders up the stairs, and Monso was carrying a little bundle under his arm. I didn't know whose bundle it was.

Q. Do you know whose mattress it was? A. To be sure, I know it belonged to the dead one. Monso told me before that he wanted to take in his apartments his country people.

FRANK MONSO, a witness for the defense, testified:

DIRECT EXAMINATION:

I am sixteen years of age. I am two years in this county. I remember Bertolini on the other side. He gave me a letter to deliver to Mrs. Bianco I read it as soon as I arrived here or a day later. He gave me instruction how to deliver the letter to Mrs. Bianco. I never communicated the contents of the letter after the desertion of the wife and child.

It is during the trial, conceded by the prosecution to save time as to testimony of witnesses, that the deceased EGabrielle Bertolini

left Italy and came to New York, for the purpose of having illicit relations with Mrs. Bianco, wife of the defendant.

DOMENICO MARTONI, a witness for the Defense, sworn, testified:

DIRECT EXAMINATION:

I reside at 251 Mulberry Street, and am a tailor. I know the defendant Bianco. During the year 1893, he was working with me up to the month of May the 14th or 15th of May. He had been working for me a couple of months before that. I don't know whether he was living with his wife when he came to work for me. I did not notice any thing peculiar in his actions. In the first month he was all right, but in the month of May he began to change his ways, to be unattentive and to weep, to cry, and when I asked him what was the matter, he said that he had sent for his wife who was in Italy, but when she came over here, then she lost her affection for him, and wanted to attach herself to Bertoligi. He was earning by me a good salary, because he was a good worker. he earned from 8 to \$9 a week; that was in the end of April and the beginning

of May. He was always ansorbed and not thinking of t what he had to attend to, and he was always wandering with his eyes and when I recommended to him to mind his business, and do certain work, he did not do it any more with that attention. So that I was compelled to dismiss him. I invited him sometimes to take something to eat but he never wanted anything. He was the whole day crying, on account of the treachery of his wife, whom he loved, and who did not correspond to the feeling. He impaired the work that I gave him; he was a damage to my customers; he did good work before. I discharged him a couple of weeks before the killing.

CROSS EXAMINATION:

I am an employing tailor. At the present time my shop is at 251 Mulberry Street. In april and May 1893, my shop was in Marion Street/ I had four people working for me at the time. The work was done at my house. I did not keep books. Bianco worked at hemming and basting jackets. He worked every day in the month of April. He left in May because his work was not of any use to me. About that time it is the season of stoppage of work, but we always continue to work in a

certain way; we always work on t what is called "skirning" work without linings. My other operators continued to work. I gave him two reasons for his discharge; one was that the season was dull and the other, that his work was not satisfactory. He and I had worked together before that in other shops. I had never seen him work t at that kind of work before.

ANTONIO BERTOLINI, a witness for the defendant, sworn, testified:

DIRECT EXAMINATION:

Imam a botton maker and reside at 212 Mulberry Street My place of business is there also. I employ men and women. When Antonio Bianco first came to this country he worked for me, and lived with me. About one year after, his wife was also employed by me. They worked with me four month, two together; that was in 1893. Bianco found opportunity to better his condition by working in another shop; he and his wife were then in good harmony.

No cross examination.

ANTONIO LUENTI, a witness for the Defense, sworn,
testified:

DIRECT EXAMINATION:

I live at 89 Baxter Street. I am the father of
Rosina Luenti. I know Bianco. My business is pushing a
hand cart. In the month of April and for a while in
May the defendant occupied part of our apartments.
He was to pay \$3. a month; it was agreed that he should
pay in advance but he did not. One morning he came to
my house and I was sick and he inquired for my daughter
and asked her if she had seen his wife, and my daughter
said, "Why?" and he said "Because she fled, she run away
she abandoned me, and I don't know where she went, and
I should like to live in your house," so he took
lodging in our house, but he didn't pay, and I saw him
always confused. He occupied a room in our place for
two of three weeks; he worked one week; the two weeks pre-
ceding the killing he had no work. I have seen
him off and on in the morning and evening and some times
during the day. He acted like a crazy man, he
was always talking with himself. He said, "How unfor-
tunate I am; I love so much this woman. I sent her

money for support while she was in Italy, I sent her money to come over here. I did everything for her and then t she has to betray me, and then he ejaculated always in regard to this idea which he had in his mind; he always cried. I remember the evening that he brought the child to the house. He was fondling the child and saying, " Oh my dear Child, you are now on my breast, and thy mother is within the arms of that rascal." I told him, "My Dear Mr. Bianco, you have now your child and I am a poor man, and I don't know how we can get along. We need money badly.2 and then he promised to pay me the following day. I resolved to put him out of the house, because I could find no rest, with the man in the house. He walked continually during the whole night; and the more the night had passed the more disquiet he became and the more fretful. The night he brought the child he did not sleep; he was walking continually. The child slept with the father; that was the ni ht of the 24th of May 1893.. On the morning of the 25th he got up and he was wild looking in his eyes and in a state of astonishment. I told him I wanted to be paid, but he didn't give me any answer, and a short time after he came back

and said that he had pawned his watch. He threw the \$3 away in a wild manner without saying anything further. He looked like an unchained devil. He didn't say anything about the child. The child remained with me for two months. When he left the house he left like a stray dog; his eyes were wild and his mind was fixed, as if it were fixed into astonishment, and he was all confused and he went running away like a dog. During the time that he lived with me, I saw him have, two or three times, a weapon. Twice I saw him with a revolver in his pocket. I saw it in his pocket and once on the table in his room.

CROSS EXAMINATION:

I go around with a basket, not a push cart. In the month of May 1893, I lived at 73 Mulberry St. I had never seen Bianco before the morning when he came and spoke to my daughter. That was toward the end of April. I didnot ask him where he had lived before. It was in the morning that he first came there. He came in connection with the fact that he knew that his wife was at work in the same shop where my daughter was working, and so he came there to inquire of my

daughter, if she knew anything about his wife. He h said that he had no housekeeping and that if we would please take him, he would like to live with us. He had a starnge lookmthat morning and I didn't attach much importance to it that morning because I was sick and I had no reason to suspect him. I asked him for \$3. a month, and he did not try to beat me down. He said he worked as a tailor but I did not know where he worked. I was in bed and could not show him the room so my daughter showed it to him. He agreed upon the payment of \$3. a month and he didn't say anything else. Sometimes I asked him to pay the money and he said, "Oh leave me in peace, leave me alone. My head is all disturbed and aching. The first week he said that he worked , but then the times were dull and he didn't work any more. The man never rested. I heard him walk in the room and he spoke to himself and it disturbed me a great deal. I could not understand what he said, because he muttered to himself. He never said anything about killing V Bertolini and his wife. It was when he was in my house that I saw the revolver. It was one with a shining barrel but I don't know whether it was the same one or not. I didn't observe

whether it was loaded or not. I never told him he had to go away. I never had the courage to do that , because I knew he had no money. He brought the child home the day before the killing, it was in the evening; it must have been between eight and nine o'clock. He remained all night, and the next morning he got up and paid me and went out, and I didn't see him any more. He returned and in ten minutes, then he threw the money at me and ran away like a wild animal. When he came out of his room, I said, "Antônio you must pay me", and he ran out like a tiger and returned and threw the money at me. He did not take a receipt for the \$3.. I did not ask him why he didn't sell his revolver; I didn't ask him anything.

R E B U T T A L .

JOHN J. AARON, a witness for the People, in rebuttal, sworn, testified:

I am a pawn broker doing business at 191 Grand Street. I was in business there on the 23rd of May 1893. I keep books containing a description of the pledges &c, and such other facts as are re-

quired by law. The pawnticket now shown me is one that was given out for a pledge at our place. Upon looking at my book I find that it is a pledge of a watch, \$3.50 made by Antonio.

TIMOTHY RING, a witness for the People in rebuttal, sworn, testified:

I am an officer of the Municipal Police Force assigned to the Fourth Precinct; I was assigned there on the 24th of May, 1893. I remember the arrest of Bianco for the killing in Cherry Street. I first saw him in the house where the killing happened. Officer Heffernan was there. I did not go with the officer, but I went to the station house. I followed after the prisoner. I was in the premises between 9 and 10 o'clock; it was in the rear upstairs on the top floor. The defendant was there. Bertolini was lying on the couch alongside the window, and the wife of Bianco was lying on the floor. It was broad daylight. The defendant sat on the stove and Officer Heffernan had him handcuffed. He looked down with his eyes and then looked over to the window where the man was lying. He

would look down to the wife who was dead and then look over to the fellow, and mutter something to himself which I could not understand; it was in Italian.

His eyes were bulged out; they had a kind of a frightened look. I saw him afterwards in the station house. He was not muttering to himself then.; he had the same appearance however. I did not see him when he was brought before the Sergeant. He is a very different looking man to-day from when I saw him. He is changed; he is very thin and haggard looking in the face. The day I saw him he didn't look that way.

He had a wild unsettled look and he appeared to me as if he were dazed.

CHARLES L. NEUMANN, a witness for the People, in rebuttal, sworn, testified:

I live at 7 Monroe Street. On the 24th of May 1893, I lived at 10 Cherry Street where I kept a butcher shop. I remember the 25th of May. I saw the defendant and Officer Heffernan when he was arrested him. The officer caught him behind the trucks; I don't know what he was doing there, he was not running.

I saw him first when the officer brought him back through the hallway. I saw him behind the trucks ; his chain was hanging down and he had no hat on. He looked kind of pale. My shop was opposite to No/ 19; I could not move from the shop; it was a bad neighborhood.

CROSS EXAMINATION:

I had never seen the man before that time, but I remember him very well if I see him.

CARLOS F. McDONALD, a witness for the People, in rebuttal, sworn, testified:

I am a physician and have been a specialist in mental diseases for nearly twenty five years. I have been connected with asylums and hospitals for the insane almost continuously since 1870 and an assistant physician and medical superintendent up to 1889, since which time I have been president of the State Commission of Lunacy in this State. I was in the Flatbush Asylum and subsequently State Superintendent of the Asylum at Auburn. I was a short time at the Binghamptom Asylum, and since 1889 have been connected

with the state Board of Lunacy, a body having connection with all cases over the state in both public and private asylums. I have treated several thousand cases on insanity. I see a large number of insane people annually, visiting all the asylums twice a year and there being about in round numbers 18,000 insane persons in custody in the State. I do not examine all those cases, I only examine cases about which questions are raised, or obscure or doubtful cases.

A hypothetical question was then put to this witness, which embodied a full description of all the occurrences and conditions testified to, in the case.

Q. Upon that statement can you say what was the mental condition of the person who fired the shots on the 25th of May 1893?

A. My answer to that would be, that there is nothing in the question as I understand it, that would warrant me in expressing the opinion that the supposed individual was insane. My answer is based entirely, of course on the question. I do not know anything more about the case than I have learned just now.

CROSS EXAMINATION:

I would not undertake to repeat that question now from memory, yet I have answered it; I have followed it through. The ideas of it which would impel me to answer are, that in following the question through from beginning to end, there are no statements made that suggested to my mind the presence of insanity in the supposed individuals, or in other words, symptoms of insanity. I watched for evidence of insanity in the case, as it was related by the District Attorney from beginning to end.

When I use the term mental disturbance, I mean by that something more than a momentary mental disturbance or a mental disturbance due to exciting causes, such as intoxication or something of that kind. Mental conditions or mental disturbances do not come within the proper definition of insanity.

Q. Have you ever heard the phrase, "Intoxication of grief? A. Yes; it is a figurative expression. I think prolonged grief and brooding are recognized causes of insanity in some cases.

Q. If the evidence showed that from the time the wife

deserted him the husband continually brooded, and went about asking his friends to bid his wife return and kneel ed down in the presence of the alleged seducer, kissed his hand and begged him, and then went away and brooded over the circumstances; did not, at times, eat; would complain of his head; who was discharged from his employment by reason of his inability and by reason of those pains in his head, and his muttering at his work and so on, to discharge his duties. Would not that make a difference in your statement. Would not that impress you as an intoxication of grief?

A. It would properly be an evidence of grief. . In the case of a man disposed to imbecility, I should not expect that it would have as marked an effect to induce insanity than in one who was of a keener intellect.

I have read the work of Dr. E. C. Mann, on insanity. I do not regard it as a very high authority on insanity. He has written a good deal; he has charge of a small private sanitarium. I do not think he is regarded as a high authority among alienist physicians. The fact that his w book is contained in every library would not change my opinion of it.

I think the brooding and worriment of mind and

grief and anxiety are well recognized causes of insanity. When Mann says; on page 108 of his book, that; Temporary insanity by great emotional disturbance &c &c. I don't think he refers to temporary insanity, that is momentary insanity.

The authority Dr. Hammond is recognized as such among asylum physicians; not a very high authority.

He had never been connected with any asylum to my knowledge. Intelligent and competent physicians who have a large experience in the care and treatment of the insane, and have constant contact with them such as they have in hospitals for the insane, would naturally be more competent to discuss the subject than those who have not.

Q. Do you agree with Boswell, when he says, that, Deprivation of reason acquits him of accountability of his actions"? A. It seems to me that is a legal question. I do not undertake to say what is the legal excuse or justification for a crime.

Q. Would long brooding over grief and injuries to the affections have an influence upon a man under those circumstances, losing his power of control to govern

his actions? A. It might do so. I have never seen the prisoner before. I have no opinion as to the prisoners mental condition whatever. I cannot give an opinion as to his imbecility or want of apprehension, by looking now at his face, from a distance of 25 or 30 feet. I am not so skilled as that. As I look at him there is nothing that impresses me that he is insane. I would say without question that he is not an idiot, by looking at him 30 feet off. Idiocy is a congenital mental effect, always. Idiocy is not an acquired condition; a person may be in a mental condition and loss of mind as complete as an idiot, but it is an acquired condition; one known as dementia.

RE DIRECT EXAMINATION:

I have never heard of Dr. Gemasi of 108 McDougall Street as an expert on Insanity.

As I followed the case through there were no statements of existing conditions that indicated insanity.

Q. In a word, there were, all through the case, conditions which indicated clear mental activity and sound judgment? A. So far as the case presented itself to my

mind.

Q. Intelligent action and conduct? A. Yes sir. .

It would be difficult for me to say if there was mental apprehension of the act done. In regard to his entreating the paramour to use his influence on the wife, that would afford, to my mind, no evidence of irrational condition or conduct. The pawning of the watch for the landlord was a rational response to the demand of the landlord. The only thing in the question that suggested a possibility of insanity is sleeplessness, a frequent accompaniment of insanity. On the other hand it frequently occurs in sane persons. But I repeat that there was nothing in the facts presented inconsistent with perfect sanity.

I agree that there is such a condition a frenzy of insanity, in other words that some insane persons are in a state of frenzy; and when in a state of frenzy they are not in possession of reason or will.

Both sides rest.

STATE OF NEW YORK,

CITY AND COUNTY OF NEW YORK, ss.

AN INQUISITION

Taken at the *Coroner's Office*
at No 27 *Chambers Street*, in the *6th* Ward of the City of
New York, in the County of New York, this *26th* day of *June*
in the year of our Lord one thousand eight hundred and ninety-*three* before

JOHN B. SHEA, Coroner,

of the City and County aforesaid, on view of the body of *Teresse Elise Bianco*
now lying dead at

Nine Upon the Oaths and Affirmations of
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 *Teresse Elise Bianco* came to her death, do upon
their Oaths and Affirmations, say: That the said *Teresse Elise Bianco*

came to her death by at *19 Cherry street*,
New York City, on *May 25, 1893*, from a pistol shot
wound inflicted at the hands of *Antonio*
Bianco

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

JURORS.

Herman Katz 91 Amsterdam St. Arnold 62 Amsterdam St.
Michael Mendon 833 St. Adam Mlee 107 Amsterdam
John F. Kroeger 8 Amsterdam St. Max Weiss 27 Amsterdam
John L. Miller 125 West Boulevard Louis Frey 112 Amsterdam St.
Albert Crawford 148 Broadway

John B. Shea Coroner. *J. S.*

TESTIMONY.

E J Donlin

M. D., being duly sworn, says:

I have made ~~autopsy & examination~~ of the body of
Terese Elise Bracker now lying dead at
26 1/2 Mulberry St and from such ~~examination~~

and history of the case, as per testimony, I am of opinion the cause of
death is shock from pistol shot wound
of heart.

Inspection. I found 5 1/2" pistol shot wound of right
forearm midway between wrist and elbow passing
completely through flesh. 2 another pistol shot wound
about of right arm about 3 inches below shoulder joint
in a direction from below upwards. 3rd another M. D.
pistol shot wound about 2 1/2 inches to the left of
left nipple and one inch below. The direction of this
wound is from left to right directly ~~across~~ ^{through} chest.
4th another wound about 1 1/2 inches from internal border
of left scapula direction upwards and wound on top
of left shoulder; these ^{two} wounds caused by entrance and
exit of same bullet. On opening the body I found
thorax filled with blood. The middle lobe of right
lung perforated ~~and perforation~~ of apex of heart
These wounds were made by bullet entering thorax
about 2 1/2 in to the left ^{of left} nipple and one inch below
passing through right lung & heart and lodging beneath
skin of right side about 4 inch to right of right nipple and
about 3 inches below right axilla. The bullet thus entered
right arm was found ^{embedded} ~~lodged~~ ^{in skin} ~~about one inch below~~
outer 3rd of right clavicle

E J Donlin M D

Sworn to before me,
this 7th

day of June 1893

John B. Shea CORONER.

MEMORANDA.

AGE			PLACE OF NATIVITY	WHERE FOUND	Date When Reported
26	Years	Months	Days	Italy	26 1/2 Newbury
					May 25 '93

Found in 19 Cherry & Hornside

Italy
C. J. Newbury
Ally
73. Newbury

AN INQUISITION

On the VIEW of the BODY of

James Elze Stevens

whereby it is found that he came to
his death by

J. B. S. *[Signature]*
No. 827
1893
Quar.

Inquest taken on the 26th day
of June 1893 before
JOHN B. SHEA, Coroner.

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STATE OF NEW YORK,

CITY AND COUNTY OF NEW YORK, ss.

AN INQUISITION

Taken at the *Coroner's Office*
No. 27 Chambers Street, in the 6th Ward of the City of
New York, in the County of New York, this 26th day of June
in the year of our Lord one thousand eight hundred and ninety ~~that~~ before

JOHN B. SHEA, Coroner,

of the City and County aforesaid, on view of the body of *Gabrielle Bertolino*
now lying dead at

Now Upon the Oaths and Affirmations of
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 *Gabrielle Bertolino* came to his death, do upon
their Oaths and Affirmations, say: That the said *Gabrielle Bertolino*

came to his death by at Chambers Street
Hospital on May 26, 1893, from a pistol shot wound
inflicted at the hands of Antonio Bianco at No 19
Cherry street May 25, 1893.

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

JURORS.

Kennan 91 Amsterdam Ave. 62 Amsterdam Ave.
Michael Munch 89 107 Amsterdam
John J. Kroger 8 Amsterdam Ave. Weiss 27 Amsterdam
John L. Miller 125 West Boulevard Louis Fey 112 Amsterdam Ave.
Wm. B. Crawford 148 61st

John B. Shea Coroner. E. S.

TESTIMONY.

E J Doulin M. D., being duly sworn, says:
I have made *examination & Autopsy* of the body of
Gabriele Bertolini now lying dead at
26 1/2 Mulberry St and from such *autopsy*
and history of the case, as per testimony, I am of opinion the cause of
death is
Shock from Pistol shot wound
of abdomen

E J Doulin M. D.
Result of Autopsy
Inspection *an incised wound* - as if made by a knife
extending from Umbilicus to Symphysis pubis
Also an incised wound - as if made by knife - 3 inches
in length about 5 inches in a direct line
below left nipple and another incised and ragged
wound on right side about 1 1/2 inches above the
crest of ilium. A slight abrasion on forehead
about size of 3ct piece about 2 1/2 inches above
the inner canthus of right eye. A small
perforating wound on middle and inner third
of left arm and one at lower third of same
arm about 1 inch above elbow. Both these
wounds connecting. On opening body I found
a perforating wound of mesentery beneath stomach
and one through lower border of right lobe of
liver and gall bladder.

E J Doulin M D

Sworn to before me,
this *26*

day of *June* 189*2*

John B. Shea CORONER.

MEMORANDA.

AGE			PLACE OF NATIVITY	WHERE FOUND	Date When Reported
26	Years	Months	Days	Italy	26 1/2 Mulberry May 20 1893

Residence 19 Cherry St and Chambers St

Italy
C. F. Mulberry
W. F. C.
2-30th Avenue St

Impress taken on the 26th day
of June 1893 before
JOHN B. SHEA, Officer.

V. 896

whereby it is found that he came to
his death by

AN INQUISITION
On the VIEW of the BODY of
Matthias Bontano

J. B. S.
1893.
836
1893.

STATE OF NEW YORK,

CITY AND COUNTY OF NEW YORK, ss.

AN ANTE-MORTEM INQUISITION,

Taken at *Chambers Hospital*
No. — *Chambers* — Street, in the — Ward of the City of
New York, in the County of New York, this *25* day of *May*
in the year of our Lord one thousand eight hundred and *ninety three* before
John B. Shea Coroner,
of the City and County aforesaid, on view of the body of *Gabrielle Bertolino*

Chambers Street Hospital at
Upon the Oaths and Affirmations of
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 ~~was injured~~, do upon
their Oaths and Affirmations, say: That the said

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

JURORS.

John B. Shea CORONER, P. S.

City and County of New York, ss.

Statement of *Gabrielle Bertolmo* now lying
dangerously wounded at *Chambers St. Hospital* in the Ward
of said City and County, on the *25* day of *May* 18 *93*

Question- What is your name? *Gabrielle Bertolmo*

Answer- *Gabrielle Bertolmo*

Question- Where do you live?

Answer- *No 14 Perry St*

Question- Do you now believe that you are about to die?

Answer- *I feel bad but dont know whether I will die or not*

Question- Have you any hope of recovery from the effects of the injury you have received?

Answer-

Question- Are you willing to make a true statement, how, and in what manner, you came by the injury from which you are now suffering?

Answer-

About 8.30 A.M. May 25th 1893
I was talking to the lady and she
was sewing. I was on the ~~sofa~~ ^{chair} and
she was on the sofa. ^{the door of the}
^{room} ~~about 2 feet apart~~ and Antonio Bianchi
came in and fired at his wife with
a pistol. He then fired at me. Four
bullets struck me. Six shots in
all were fired by Bianchi. Bianchi
then ran away and I called "Police"
from the window. The housekeeper was
present at the time of the shooting. Her
name is Rosalie Zammeralli. The
woman with whom I was talking at
the time of the shooting had frequently
asked me to live with her and I con-
sented. ~~He~~ I agreed to give Bianchi thirty

dollars for allowing the woman to live
with me. I had not yet paid Bianchi
the money. The last time Bianchi
asked me for the money was about one
month ago

W. E. Polaris family

Sworn to before me
this 25th day of May 1893

John B. Shea

MEMORANDA.

AGE			PLACE OF NATIVITY	WHERE FOUND
Years	Months	Days		
				Chambers Hospital

AN ANTE-MORTEM INQUISITION
On the VIEW of the BODY of

Marcella Bostons

whereby it is found that he was injured by

Taken on the 25th day
of May 1893
before
John B. Shea
Coroner.

Committed
Bailed
Discharged

✓

COURT OF GENERAL SESSIONS.

----- x

THE PEOPLE

-vs-

ANTONIO BIANCO

----- x

P E T I T I O N .

TO THE HON. JAMES FITZGERALD,
Justice of the Sessions.

The undersigned, individual jurors, who joined in rendering the full verdict of Guilty of Manslaughter against Antonio Bianco desire as such individuals to recommend him in sentence to the extreme clemency of the Court. ~~Two~~ of the jury were at the early assemblage of the jury in favor of acquitting him by reason of his irresponsibility. We urge the lightest sentence because of at least a doubt as to his responsibility in the indicted act; and because of the extreme provocation under which he acted; adding that as we understand the English Law of Homicide always to have been that provocation was a mitigating circumstance in estimating by verdict or sentence the guilt of the accused.

<i>Chas. B. Guillard</i>	<i>James J. Cummings</i>
<i>Wm. H. J. Steffen</i>	<i>George A. Elwood</i>
<i>William Phillips</i>	<i>Walter H. Morrill</i>
<i>Henry B. Thayer</i>	<i>Henry K. K.</i>
<i>David Samuel</i>	<i>A. J. O'Connell</i>
<i>Robert Northington</i>	<i>P. J. O'Connor</i>

COURT OF GENERAL SESSIONS.

THE PEOPLE,

-VS-

ANTONIO BIANCO

PETITION.

COURT OF GENERAL SESSIONS.

THE PEOPLE,

-VS-

ANTONIO BIANCO

PETITION.

Coroners' Office.

CITY AND COUNTY }
OF NEW YORK, } ss.

Antonio Branchio 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. *Antonio Branchio*

Question. How old are you?

Answer. *Thirty years*

Question. Where were you born?

Answer. *Stellagillento Italy*

Question. Where do you live?

Answer. *No 73 Mulberry St*

Question. What is your occupation?

Answer. *Tailor*

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

Answer. *I don't desire to say anything*

Antonio Branchio
his + mark

HOMICIDE.

AN INQUISITION

On the VIEW of the BODY of

Terre Alice Branco

Gabrielle Portolivo

whereby it is found that they came to their Deaths by the hands of

Antonio Branco

James Rosa
Zammarallo
Indolby
Loris Volpe
H1 Obit

Inquest taken on the 7th day
of June 1893
before
John B. Shea, Coroner.

Committed to City Prison

Prison

Discharged

Date of Death

AGE	Months	Days	PLACE OF NATIVITY	WHERE FOUND	Date When Reported
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Coroners' Office, New York County.

B e f o r e
HON. JOHN B. SNEA,
and a Jury.

000

-1-

cannot speak very good English and two men came across and told me he shot somebody in the Alley , and I went there and there was a man sitting on the lounge, and he had his hand on his stomach, and said he was after shooting him, and he pointed to a woman on the floor, and said he shot her, and I found this revolver on the stairs, and I went to the station house and got an ambulance, and Officer McClury, they sent me back again, and when I got back the woman was dead , and the man died that night.

BY MR. O'HARE:-

Q Have you got the revolver? A Yes, sir.

Q Is that the condition in which you found it?(producing revolver) A Yes, sir; the woman gave it to me with six shells empty.

Q Did it have the appearance of having been recently discharged? A It did.

Q Was it hot?

A Yes, sir.

Q Smoke coming from the barrel?

A No, sir; but the barrel was black at the time.

BY MR. KINSLEY:-

Q How was the man dressed? A He was dressed in an undershirt and vest.

Q I mean the man who was shot?

A yes, sir; just a vest and shirt and pants on, sitting on the lounge.

-----000-----

ROSA GENTILESCO, duly sworn:

BY THE CORONER:-

Q Where do you live? A 19 Cherry Street .

Q Did you know Bertolino? A By act of coming in and out.

Q Were you there the morning this happened?

A No, sir.

Q Where were you? A In my own house.

Q But you were in 19 Cherry Street?

A Yes, sir.

Q What do you know about the shooting? A I don't know - I went in when I heard the quarreling.

Q Tell the jury what you know? A I didn't hear anything right away, but only about the murder, that is all.

Q You went into the room, you say? A Yes, sir.

Q What were the parties in the room doing? A They were not doing anything, one was laying on the floor, and the other was sitting on the sofa.

Q Did you speak to them? A I says, "What is the matter with you"; he says, "Go for a doctor please, the woman is dead". So I ran down again, and me and the others went up stairs, and the man that made the murder, he went up there and got arrested.

Q Did the man on the lounge say who shot him?

A Yes, sir.

Q Who did he say shot him? A They didn't say anybody who shot him.

BY MR. O'HARE:-

Q You lived on the 25th of May last on the same floor

with Bertolino and Mrs Bianchi? No, sir; I lived in the front rooms in 21.

Q Is that another part of the Alley? A It is on e part of it, it goes in through. I live in 21.

Q Where did you live on the day of the shooting?

A In the front rooms and Mrs. Bianchi and Bertolino lived in the back.

Q Did you hear any quarrel? A No, sir.

Q You said you did? A After I went in.

Q Why did you go in? A I heard people hollering in the yard.

Q Did you hear any pistol shots? A No, sir.

Q When you went in whom did you find? A The lady and man lying down.

Q Who were they? A The two persons who were dead one was Mrs. Bianchi and the other was Bertolino.

Q Bertolino was still alive? A Yes, sir.

Q And Mrs. Bianchi? A She was moving.

Q And she asked you to go for the doctor? A No, the man asked me.

Q Did Mrs. Bianchi say anything? A No, sir; not a word.

Q Will you tell us in what position she was? A Laying on the back, she was moving every other way.

Q Where did you see Bertolino? A On the lounge.

Q Mrs. Bianchi was on the floor writhing? A Yes, sir.

Q Please tell us what you said to Mrs. Bianchi?

A I didn't say anything.

Q What did you say to Bertolino? A I didn't speak to him either.

Q Were you the only person in the room?

A No, sir; the officers was there and her husband.

Q The defendant here? A What is the defendant, yes, sir, and some more people came in, I don't know who they were.

Q Was this before or after - the officer was in the room? A Yes, sir.

Q And he had charge of the defendant? A Yes, sir.

Q What did Bertolino say in your hearing? A The officer asked him ~~who shot him~~ "Who shot you", and he didn't say who, I didn't hear him who he did say; he said, " You are the man who took thirty dollars for your wife."

Q Bertolino said this to the defendant? A Yes, sir; but the husband said, " You was the man what took my wife away, and came across the ocean to be killed off my hand". That is all.

Q He said that in Italian? A yes, sir; and I explained it to the officer.

Q He said, " You crossed the ocean to take away my wife and get killed at my hands? A Yes, sir.

Q That was said by Bertolino? A yes, sir.

Q And the statement you have made is a translation of what Bianchi said to Bertolino? A yes, sir.

Q Bertolino was sitting on the sofa? A Laying on the bed.

Q It was in the outside sitting room? A yes, sir.

Q How was Bertolino dressed? A Well, he had his pants and shirt on.

Q His pants were buttoned - did he have suspenders on?

A No, sir; he had only a shirt, ~~no~~ suspenders.

Q Did he have his shoes on? A Not as I recollect.

Q You don't say he did not? A I don't know.

Q You don't remember whether he did or not?

A No, sir.

Q When Mr. Bianchi, the prisoner, said that to Bertolino what did Bertolino answer after Bianchi said, " You came across to take my wife, and to be shot at my hands"? What did Bertolino say? A He didn't say anything.

Q And you told the officer precisely what you stated now ? A Yes, sir,

Q Did you hear the officer ask Bertolino who shot him?

A No, sir.

Q You were not there at the time? A I was not there at the time, maybe.

Q Who else was present at the time this statement was made? A God knows, the house was full of people.

Q You know some of your neighbors? A No, sir; I cannot recollect who was there at the present time.

Q Was there other Italian people there? A There was all kinds.

Q There was a woman over there who was speaking to you to-day, was she there? A No, she was not there when it happened.

Q Are you married? A Yes, sir.

Q And live with your husband? A Yes, sir.

Q Are you in the house of Detention now? A No, sir; and don't want to be. there either.

Q

Q You are not committed to the house of Detention?
A No, sir; I never was there and I don't like to be.
Q Is that all you know? A Yes, sir.
Q Did you hear anything else said? A No, sir.
Q Was the ambulance rung up?~~XX~~ ~~XX~~ time
A Yes, sir; at the time of course .
Q Did you see him carried to the ambulance?
A No, sir; I left before that.
Q You left when Bertolino and Bianchi and the officer
were in the room? A Yes, sir.
Q How many officers were there? A God knows, I don't
know; by watching the room there was only one.
Q But there may have been two there? A I don't know.
Q Do you remember the officer who was there?
A No, sir; I cannot recollect.

-----000-----

The Coroner read to the jury the ante-mortem statement of GABRIEL BERTOLINO, which was taken through an interpreter.

-----000-----

V E R D I C T : We find that the said GABRIEL BERTOLINO, came to his Death at the Chambers Street Hospital, May 26th, 1893, from a pistol shot wound inflicted at the hands of ANTONIO BIANCHI, at No. 19 Cherry Street, May 25th, 1893.

-----000-----

V E R D I C T : We find that the said TERESE ELISE BIANCHI, came to her Death at No. 19 Cherry Street, New York, City, on May 25th, 1893, from a pistol shot wound inflicted at the hands of ANTONIO BIANCHI.

-----000-----

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Antonio Brancio

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

Antonio Brancio —

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

The said *Antonio Brancio*,

late of the City of New York, in County of New York aforesaid, on the *Twenty-fifth* day of *May* — in the year of our Lord one thousand eight hundred and ninety-*Three*, at the City and County aforesaid, with force and arms, in and upon one *Agostino Bertoldini* in the peace of the said People then and there being, wilfully, feloniously and of *his* malice aforethought did make an assault; and the said *Antonio Brancio*, a certain pistol then and there charged and loaded with gunpowder and one leaden bullet, which said pistol the said *Antonio Brancio* in *his* right hand then and there had and held, to, at, against, and upon the said *Agostino Bertoldini* — then and there feloniously, wilfully and of *his* malice aforethought, did shoot off and discharge, and the said *Antonio Brancio*, — with the leaden bullet aforesaid, out of the pistol aforesaid, then and there by force of the gunpowder aforesaid, shot off, sent forth and discharged, as aforesaid, *him* the said *Agostino Bertoldini* in and upon the *breast* of *him* the said *Agostino Bertoldini* then and there feloniously, wilfully and of *his* malice aforethought, did strike, penetrate and wound, giving to *him* the said *Agostino Bertoldini* then and there, with the leaden bullet aforesaid, so as aforesaid discharged, sent forth and shot out of the pistol aforesaid, by the

said *Antonio Prances* in and upon the *abdomen* of
the said *Agelriel Bertolini* one mortal wound of the breadth of
one inch, and of the depth of six inches, of which said mortal wound *he* the
said *Agelriel Bertolini*, at the City and County aforesaid,
from the said *twenty-fifth* day of *may*. — in the
year aforesaid, until the *twenty-sixth* day of *may*. in the same year
aforesaid did languish, and languishing did live, on which said *twenty-sixth*
day of *may*. in the year aforesaid, the said *Agelriel*
Bertolini — at the City and County aforesaid, of the said mortal
wound did die.

AND SO THE GRAND JURY AFORESAID do say: That the said
Antonio Prances, Junr. —
the said *Agelriel Bertolini* in the manner and form, and by
the means aforesaid, wilfully, feloniously and of *his* 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.

DE LANCEY NICOLL, *District Attorney.*

Pes
w

Antonio Benicio

Indicated

Aug 17/1893

2 Jm's
Papers sent
to J. Freschi

On June 1, 1934
with Cantrell

04

48-1001-32-B

Cal. No.....

Court of General Sessions
CLERK'S OFFICE

PEOPLE

vs.

James Smith

PART 5 APR 6 1934
PART 5 APR 13 1934

48-1001-82-B

Cal. No.....

Court of General Sessions
CLERK'S OFFICE

PEOPLE

vs.

James Smith

PART 5 APR 6 1934
PART 5 APR 13 1934

0272

Witnesses:

De Lafayette Hall
assigned by Grand Court 17-3 Aug 29
Adolph W. Sain
1115 B 2000
1115 B 2000

Counsel,

Filed

day of

1893

Pleads,

Not Guilty (18)

THE PEOPLE

vs.

Antonio Bianco

(2 cases)

Murder in the First Degree.
(Section 183, Penal Code.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

R. J. Cruz Foreman.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Antonio Brances

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

Antonio Brances —

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

The said *Antonio Brances*,

late of the City of New York, in County of New York aforesaid, on the *Twenty-fifth*
day of *May*, — in the year of our Lord one thousand eight hundred and
ninety-*Three*, at the City and County aforesaid, with force and arms, in and upon one
Terese Elise Brances, in the peace of the said People then and there being,
wilfully, feloniously and of *his* malice aforethought did make an assault; and the said
Antonio Brances, a certain pistol then and there charged and
loaded with gunpowder and one leaden bullet, which said pistol the said *Antonio*
Brances in *his* right hand then and there had and held,
to, at, against, and upon the said *Terese Elise Brances*, —
then and there feloniously, wilfully and of *his* malice aforethought, did shoot off and
discharge, and the said *Antonio Brances* —
with the leaden bullet aforesaid, out of the pistol aforesaid, then and there by force of the
gunpowder aforesaid, shot off, sent forth and discharged, as aforesaid, *then* the said
Terese Elise Brances, in and upon the *heart* of *her*
the said *Terese Elise Brances*, then and there feloniously, wilfully and of
his malice aforethought, did strike, penetrate and wound, giving to *her*
the said *Terese Elise Brances*, then and there, with the leaden bullet
aforesaid, so as aforesaid discharged, sent forth and shot out of the pistol aforesaid, by the

said *Antonio Branco* in and upon the *breast* of
the said *Terese Elise Branco* one mortal wound of the breadth of
one inch, and of the depth of six inches, of which said mortal wound *she* the
said *Terese Elise Branco*, 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, on which said~~
~~day of~~ ~~in the year aforesaid, the said~~
~~at the City and County aforesaid, of the said mortal~~
~~wound did die.~~
Then and there died.

AND SO THE GRAND JURY AFORESAID do say: That the said
Antonio Branco, then,
the said *Terese Elise Branco*, in the manner and form, and by
the means aforesaid, wilfully, feloniously and of *his* 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.

DE LANCEY NICOLL, *District Attorney.*

0275

BOX:

529

FOLDER:

4821

DESCRIPTION:

Bradley, Joseph

DATE:

08/17/93



4821

Witnesses:

Annie Carroll Moore

Counsel, *Capt. Carleton*

Filed 17 day of August 1893

Pleads, Not Guilty (18)

THE PEOPLE

15
5464
vs.
Joseph Bradley

Joseph Bradley

Burglary in the
Second
Degree.
Section 49, 1889, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

R. J. Cox Foreman.

Part 2 - Aug. 24, 1893.
Ready with Lawrence
Sentence suspended
R. J. Cox

POOR QUALITY
ORIGINAL

0276

Police Court—2 District.

City and County } ss.:
of New York,

of No. 557 W 32nd Street, aged 44 years,
occupation Keeps House being duly sworn

deposes and says, that the premises No 557 West 32nd Street,
in the City and County aforesaid, the said being a five story brick
tenement house

and which was occupied by deponent as a dwelling apartment
and in which there was at the time a human being, by name deponent—
Ann John Callinore

were **BURGLARIOUSLY** entered by means of forcibly opening the
shutter on the window at the rear
part of said building

on the 6th day of August 1883 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

one Clock valued at
one dollar.
\$ 1⁰⁰

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

Joseph Bradley (now here.)

for the reasons following, to wit: deponent securely locked
the doors and fastened the shutters
of said premises at about the hour
of about seven o'clock^{pm} on said date: that
at about the hour of ten o'clock on
said date at night deponent found the
defendant in said premises with said
property in his possession and that
the shutter had been opened leading

into said premises - Defendant therefore charges the defendant with Burglary and prays that he be liable to answer

Sworn to before me }
This 7th day of August 1893 }
J. H. Hardy
Justice

Police Court _____ District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Burglary

Dated _____ 188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ _____ Bail.

Bailed by _____

No. _____ Street.

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }
OF NEW YORK. } ss.

Joseph Bradley 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.

Joseph Bradley

Question. How old are you?

Answer.

19 years.

Question. Where were you born?

Answer.

New York

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

Answer.

146 West 57 St. New York

Question. What is your business or profession?

Answer.

Labrer

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.

Am. not guilty

Joseph Bradley

Taken before me this
day of *Aug* 188*3*
Wm J. Brady
Police Justice.

BAILED,

No. 1, by _____
Residence _____ Street _____

No. 2, by _____
Residence _____ Street _____

No. 3, by _____
Residence _____ Street _____

No. 4, by _____
Residence _____ Street _____

Police Court... 2-840 District...
THE PEOPLE, Ac.,
ON THE COMPLAINT OF
Charles Williams
1507 W 32
St. N.Y.
Offense, Burglary
Dated, Aug 7 1893
Magistrate, J. J. Smith
Officer, J. J. Smith
Precinct, 22
Witnesses _____
No. _____ Street _____
No. _____ Street _____
No. _____ Street _____
§ 1000 to answer. J. J. Smith
C. M.

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, Aug 7 1893 _____ 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 h to be discharged.

Dated, _____ 189 _____ Police Justice.

H. BARTHOLOMAE.

PAUL GROEBER.

FRED. A. YARD.



H. BARTHOLOMAE & CO.

BRANCH OF

NATIONAL WALL PAPER CO.,

124 & 126 West 33d St. - Near Broadway.

New York, Aug. 23rd 1893

To whom it may concern,

This is
to certify that Jos. Bradley
worked in this factory from
Dec. 2^d 1892 to April 3^d 1893,
was faithful, and gave good
satisfaction.

Respy

Joe Krauss
foreman

District Attorney's Office,
City & County of
New York.

Per

vi

Joseph Brainerd

Ann Brainerd

Off. Rep. to 20th

BELLEVUE HOSPITAL.

WM. B. O'ROURKE, Warden.

PAVILION FOR INSANE.

Mr. *George Bradley*.....

August 15th.....1893

No. *214 West-32 St-*

DEAR *Sir*.....

I beg to inform you that... *Michael Bradley*..... has this day been transferred to the City Asylum for the Insane on Ward's Island.

You will find appended the regulations of that Asylum as to visits, &c.

It would be well for you to call upon or write to the Medical Superintendent at your earliest convenience, and give him such information as you can regarding the patient.

Passes to Ward's Island may be obtained from Mr. William Blake, Superintendent of Out-Door Poor, 66 Third Avenue.

Yours, respectfully,

Wm. B. O'Rourke
Resident Physician.

DEPARTMENT OF PUBLIC CHARITIES AND CORRECTION,

New York City Asylum for the Insane, Ward's Island.

EXTRACTS FROM REGULATIONS.

- "The Medical Superintendent shall regulate and determine the times at which patients may be visited by their friends; and no visitor shall be allowed to see a patient without his consent."
- "Friends of patients will be allowed to see them when their condition admits of it, but each patient may only be visited once in two weeks, unless special permission is given by the Medical Superintendent, on account of the patient's illness, or for other sufficient reason."
- "Visitors will not be admitted on Sundays, unless by special pass from the Commissioners, or special permission of the Medical Superintendent," and then only from eleven A. M., to one P. M.
- "Visitors are expressly forbidden to furnish money, wine, liquor or tobacco to any inmate of the Asylum, or to deliver to, or receive from a patient, any letter, parcel or package, without the knowledge and permission of the Medical Superintendent."
- "No attendant shall receive any perquisite or present from any patient, or friend of a patient, or sell to, or buy anything from a patient."
- "The Physicians attached to the Asylum will attend in the offices at the usual visiting hours, and will cheerfully and fully answer all questions addressed to them, as to the condition and prospects of the different patients. Friends of patients are requested to apply to the Physicians for information, and not to the attendants, who are not qualified to judge of such matters. Letters of inquiry should be addressed to the Medical Superintendent, and will be promptly answered."
- "Friends of patients should give notice of any change of residence, in order that they may be notified without delay in the event of the patient's death."
- "Visits from others than relatives of patients will only be permitted when satisfactory evidence is presented that such visits have the sanction of the patient's nearest relative."
- "Visits from Committees of Lodges or Benevolent Societies, made with the view of testing a patient's sanity, will on no account be permitted. The Medical Superintendent will certify as to the patient's condition whenever such certification is needed."
- "Visitors of all kinds must first apply at the office of the Medical Superintendent, and are forbidden to enter the wards or other parts of the Asylum buildings in any other way."

W. A. MACY, M. D.,
Medical Superintendent

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against
Joseph Bradley

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

Joseph Bradley

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

The said *Joseph Bradley*

late of the *20th* Ward of the City of New York, in the County of New York aforesaid, on the
sixth day of *August* in the year of our Lord one
thousand eight hundred and ninety-*three* in the *night*-time of the same day, at the
Ward, City and County aforesaid, the dwelling house of one *Ann Collamore*

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

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

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

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment further accuse the said
Joseph Bradley
of the CRIME OF *Petit* LARCENY committed as follows:

The said *Joseph Bradley*
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,

*one clock of the value of one
dollar*

[Large handwritten flourish]

of the goods, chattels and personal property of one *Ann Collomone*
in the dwelling house of the said *Ann Collomone*

there situate, then and there being found, from the dwelling house aforesaid, then and there felon-
iously 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

THIRD COUNT:

And the Grand Jury aforesaid, by this indictment, further accuse the said
Joseph Bradley
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

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

of the goods, chattels and personal property of one

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

unlawfully and unjustly did feloniously receive and have; the said

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

DE LANCEY NICOLL,

District Attorney.

0287

BOX:

529

FOLDER:

4821

DESCRIPTION:

Brady, John

DATE:

08/14/93



4821

0288

BOX:

529

FOLDER:

4821

DESCRIPTION:

Morrow, William

DATE:

08/14/93



4821

Witnesses:

Mary W. Thompson

Counsel, Oliver Kane for Mr.

Filed 14 day of August-1893

1/1 Pleads, Not Guilty

THE PEOPLE

Grand Larceny, Degree. (From the Person.) [Sections 829, 830, Penal Code.]

22 Ed 2^d vs.

John Brady

22 Ed 2^d vs.

William Morrison

DE LANCEY NICOLL,

District Attorney.

Part II. 238/1893

A TRUE BILL.

August 18/92
not Pleads. Petition Larceny

R. D. Cross

Foreman.

August 15/93
1st 2. Pleads Guilty.
8. 2. 1. 9th Pleas
Aug 18/93 (for 200)

Police Court—3 District.

Affidavit—Larceny.

City and County }
of New York, } ss.

of No. 172 East Houston Street, aged 58 years,

occupation Express being duly sworn,

deposes and says, that on the 3 day of August 1893 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 plated chain
valued at one dollar
\$1.00
per

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

John Brady and
William Morrow both unknown
who were acting in concert for
the purpose following to wit:
on the said date of deposition
was on 1st Avenue having the
said chain to which was
attached a watch the same
property being at deponent's
residence which he then was he
was approached by the re-
fendants who were together the
said Morrow grabbed said
chain and started to run away
with it, whilst deponent was chasing
after him the said Brady tripped de-
ponent causing him to be injured
dam

Henry Wertenberger

Sworn to before me, this

day

of August 1893
John J. Quinn Police Justice.

3

Sec. 193—200

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK }

John Brady being duly examined before the under-
signed according to law, on the annexed charge; and being informed that it is h's right to
make a statement in relation to the charge against h; that the statement is designed to
enable h if he see fit to answer the charge and explain the facts alleged against h
that he is at liberty to waive making a statement, and that h waiver cannot be used
against h on the trial.

Question. What is your name?

Answer. *John Brady*

Question. How old are you?

Answer. *22 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *21 East 27th St. N.Y.C.*

Question. What is your business or profession?

Answer. *Reporter*

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 Brady

Taken before me this
day of *Sept* 189*3*
John J. Ryan

Police Justice.

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK, }

9 District Police Court.

William Morrow 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. William Morrow

Question. How old are you?

Answer. 24 years

Question. Where were you born?

Answer. New York

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

Answer. 407 E-12-3rd

Question. What is your business or profession?

Answer. Plumber Helper

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 very sorry -
William Morrow

Taken before me this
day of April 1893

John Ryan

Police Justice.

POOR QUALITY ORIGINAL

0293

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

Henry M. ...
John ...
John ...

Offense, _____

Dated, _____

Magistrate,

Officer,

Precinct,

Witnesses

No. _____

Street,

No. _____

Street,

No. _____

Street,

to master

1000 & 5-10am

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, _____ 189

John Ryan

Police Justice.

I have 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 h to be discharged.

Dated, _____ 189

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

John Brady
and
William Morrow

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

John Brady and William Morrow
of the CRIME OF GRAND LARCENY in the *second* degree, committed as follows:

The said

John Brady and William Morrow, both

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

one chain of the value

of one dollar

of the goods, chattels and personal property of one *Henry Wartenberger*
on the person of the said *Henry Wartenberger*
then and there being found, from the person of the said *Henry Wartenberger*
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 Laurey Nicoll
District Attorney

0295

BOX:

529

FOLDER:

4821

DESCRIPTION:

Brokus, George C.

DATE:

08/16/93



4821

Witnesses:

Officer Chalvey

Counsel,

Filed 10 day of Dec, 1893

Pleads, Not Guilty

THE PEOPLE

vs. Madison St.

et al.

Grand Jurors
J. H. Smith
J. H. Smith
J. H. Smith

George C. Drogus

Grand Jurors, et al.
[Sections 528, 529, Penal Code]

DE LANCEY NICOLL,

District Attorney.

Part 2 - and 25. 1893
Pleads Guilty G. C. D. 2nd Reg
Elmwood, Cal.

A TRUE BILL.

R. J. Curtis

Foreman

Witnesses:

Officer Chalvey

194

Counsel,

Filed 10 day of Dec, 1914-1893

Pleads, Not Guilty

26

THE PEOPLE

Holmes & Co.
Knights of the
K. P. of the
George C. Drogue

Grand Larceny, 1893
[Sections 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000]

DE LANCEY NICOLL,

Dist 2 and 25, District Attorney,

Pleads Guilty, G. C. P. 2, 1893
Elmwood, Pa.

A TRUE BILL

R. D. CURRY

Foreman

Police Court—3 District.

Affidavit—Larceny.

City and County {
of New York, } ss.

of No 266 South Street, aged 57 years,

occupation Colon being duly sworn,

deposes and says, that on the 8 day of August 1893 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:

Nine chests of tea
valued at about three
hundred dollars

\$300.00
Ten

the property of Misses W. M. & D. M. O'Connell
and in the care and custody
of deponent as agent for said
Company

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

George Charles Rogers (now living)
for the reasons following to wit:
deponent having received the
said property from the Steamship
"Gloria" at pier 37 East River
he is informed by Protection
Command Shalby that he Shalby
found in the possession of
the defendant in premises 401
Madison Street nine
chests containing tea which
chests deponent has since
seen and identified.

James Van Valkenburgh

Sworn to before me this 8 day of August 1893

John J. [Signature]
Justice.

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 54 years, occupation Detective of No. 12 Premier Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of James Van Valkenburg and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 12 day of August 1893 by Edward Shalvey

John Ryan Police Justice.

Lined area for additional text or notes.

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK,

3

District Police Court.

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

Question. What is your name?

Answer.

George C. Brogus

Question. How old are you?

Answer.

26 years

Question. Where were you born?

Answer.

New York

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

Answer.

401 Madison St. Brooklyn

Question. What is your business or profession?

Answer.

Bus 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 -
George C. Brogus*

Taken before me this
day of *August* 193*3*

Police Justice.

BAILED,

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

Police Court, _____ District _____ 189

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John A. McLaughlin
State Attorney

Dated _____ 189

William J. Ryan
Magistrate.
William J. Ryan
Officer.

Witnesses _____ Precinct _____

No. _____ Street _____

No. _____ Street _____

No. _____ Street _____

\$ _____ to answer

John A. McLaughlin
State Attorney

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, _____ 189 *William J. Ryan* Police Justice.

I have 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 h to be discharged.

Dated, _____ 189 _____ 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

George C. Brogues

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

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

The said

George C. Brogues

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

*nine chests of tea of the value
of thirty-five dollars each chest*

of the goods, chattels and personal property of ~~one~~ *a certain corporation*

known as the Thurber, Whyland Company

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.

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

THE PEOPLE OF THE STATE OF NEW YORK

against

George C. Brogue

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

George C. Brogue

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

The said

George C. Brogue

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

nine chests of tea of the value of thirty-five dollars each chest

of the goods, chattels and personal property of ~~one~~ *a certain* corporation

known as the Thurber, Whyland Company

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.

SECOND COUNT—

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

George C. Brogan
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said

George C. Brogan

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,

*nine chests of tea of the value
of thirty-five dollars each chest*

of the goods, chattels and personal property of ~~one~~ *a certain corporation*
known as the Shurber Whyland Company
by a certain person or persons to the Grand Jury aforesaid unknown, then lately before
feloniously stolen, taken and carried away from the said *corporation*

unlawfully and unjustly did feloniously receive and have; the said

George C. Brogan

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

DE LANCEY NICOLL,

District Attorney.