

1040

BOX:

418

FOLDER:

3869

DESCRIPTION:

Zapotocky, Charles

DATE:

11/21/90



3869

Witnesses;

Sheller Rm
Counsel,
Filed *21* day of *Nov* 18 *90*
Pleads, *Not guilty ex*

11 THE PEOPLE
vs.

1289
Charles Zapotocky

Grand Larceny Second degree.
[Sections 528, 531, — Penal Code].

JOHN R. FELLOWS,
District Attorney.

*Off. Dec. Term at 5th request
to make correction*

A True Bill.

J. E. Ferguson
Foreman.

Dec. 9th 1891 - V
Part 2 - Jan. 9. 1891
Pleads Guilty
500 suspended
9

*Board of
General Sessions*

<i>That People</i>	<i>Elmwood Lansing</i>
<i>vs</i>	
<i>Charles J. Gable</i>	

PENAL CODE, § 6

**Report of the New York Society
for the Prevention of Cruelty
to Children.**

ELBRIDGE T. GERRY,
President, &c.,
100 East 23d Street,
NEW YORK CITY.

Police Court Four District.

Affidavit—Larceny.

City and County } ss:
of New York, }

Adolph Schlechter
of No. 1288 First Avenue Street, aged 32 years,
occupation Cigar-maker being duly sworn,
deposes and says, that on the 9- day of November 1890 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, consisting of Six Bills of
the denomination of ten Dollars each
and One Bill of the denomination
of Five Dollars and all of the
value of Sixty-five Dollars
(\$65.00)

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 Charles Zapotocky (now here)

from the fact that said property was in
possession of a pair of pantaloons which
was in the room occupied by deponent
as a sleeping apartment and when deponent
awoke on the morning of the aforesaid
day deponent missed said property
and said defendant, who lives in
said premises and had access
to said room, confessed and
admitted to deponent in the
presence of Poundman Thomas Conboy
of the 25th Precinct Police, that he defendant
had so taken stolen and carried
away said property

Adolph Schlechter

Sworn to before me, this

of November 1890

Adolph Schlechter

Police Justice

CITY AND COUNTY } ss.
OF NEW YORK, }

aged 34 years, occupation Police Officer of No
25 Precinct Police Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Adolph Schlesinger
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 15
day of November 1880 } Thomas Conboy

Admission
Police Justice.

1046

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY
OF NEW YORK, ss.

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

Question. What is your name?

Answer.

Charles Zapotocky

Question. How old are you?

Answer.

11 years

Question. Where were you born?

Answer.

Bohemia

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

Answer.

N^o 1288 - 1 Avenue & about 4 months

Question. What is your business or profession?

Answer.

School-boy

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

Taken before me this

day of

11th

Police Justice.

Charles Zapotocky

1047

BAILED,
N. 1, by Peter Shadrach
Residence 1341 Ave. C
No. 2, by _____
Residence _____
No. 3, by _____
Residence _____
No. 4, by _____
Residence _____

Police Court... 4 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

A. Schuchman
1286 Ave. C

Edna Subotnik
Larceny
Silvery

Offence... Larceny
Silvery

Dated Nov 15 1890

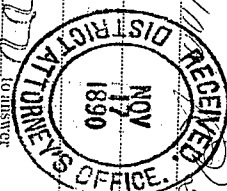
William C. ...
Officer.
25 Precinct.

Witness

No. Call Officer
Street.

No. ...
Street.

No. ...
Street.



...
(Bailed)

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 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 Nov 15 1890 ... 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

Charles Gapotocky

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

Charles Gapotocky

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

The said *Charles Gapotocky*

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

\$65.00 *six* promissory notes for the payment of money of the kind commonly called United
States Treasury Notes, of the denomination and value of *ten* dollars each; *six*
promissory notes for the payment of money of the kind commonly called Bank Notes, of the de-
nomination and value of *ten* dollars each; *six* United States Gold Certificates,
of the denomination and value of *ten* dollars each; *six* United States
Silver Certificates, of the denomination and value of *ten* dollars each;

one promissory note for the payment of money of the kind commonly called United
States Treasury Notes, of the denomination and value of *five* dollars; *one*
promissory note for the payment of money of the kind commonly called Bank Notes, of the de-
nomination and value of *five* dollars; *one* United States Gold Certificate,
of the denomination and value of *five* dollars; *one* United States
Silver Certificate, of the denomination and value of *five* dollars;

of the goods, chattels and personal property of one

Adolph Schlechter

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

John L. Galloway,
District Attorney.

SECOND COUNT—

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

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

The said

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,

of the goods, chattels and personal property of one

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously 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 feloniously stolen, taken and carried away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,
District Attorney.

1050

BOX:

418

FOLDER:

3869

DESCRIPTION:

Zito, Frank

DATE:

11/12/90



3869

Witnesses;

Counsel,

Filed

day of

18

Pleads,

THE PEOPLE

vs.

Frank Zito

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

JOHN R. FELLOWS,

District Attorney.

Wm. H. Hume

15 12/3

A True Bill.

J. H. Benjamin

Foreman.

Pen 2 - Jan. 12/91

Pen 2 months.

I have examined the witnesses in this case & find that the only injury received by compl was a contused wound over the eye. This wound was obviously made by defendant's ring. In my opinion the defendant is guilty of no higher grade of crime than Asst in the Third Degree. I recommend the acceptance of that plea.

Jan. 12. 1891-

V. M. Davis
Asst.

Witnesses;

I have examined the witness
in this case & find that the
only injury received by com-
plainant was a contused wound over the
eye. This wound was obviously
made by defendant's finger.
In my opinion the defendant
is guilty of no higher grade
of crime than Assault in the
Third Degree. I recommend
the acceptance of that
plea.

Jan. 12. 1891-

D. M. Davis
Dist.

Counsel,

Filed

day of

18

Pleads,

THE PEOPLE

24
49
vs.
Sullivan et al

Frank Zito

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

JOHN R. FELLOWS,

District Attorney.

Off. not term

15 P. M.

A True Bill.

J. V. P. P. P.

Off. Dec. Term at 10th request Foreman.

Part 2 - Jan. 12/91

Ready to accept 3rd degree.

Pen 2 months.

1053

Police Court—2 District.

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

Carmine Ercharto

of No. 107 Thompson Street, aged 24 years,
occupation Labore being duly sworn

deposes and says, that on the 1st day of November 1887 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Frank Zeter, now here,
who struck deponent on the head
with some hard weapon then
and then held in the hand of
the said defendant, inflicting a
severe wound on deponent's eye

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

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

Sworn to before me, this 1st day }
of November 1887 } Carmine Ercharto

Do J. C. [Signature] Police Justice.

1054

Police Court, District

*THE PEOPLE, &c.
on the complaint of*

23

1.....

2.....

3.....

4.....

Offence—Felonious Assault & Battery

Dated 188

Magistrate

.. Officer

Clerk

Vineries,

No. _____ Street,

No. Street,

No. Street,

to answer General Sessions

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 . *Police Justice.*

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

Dated _____ 188 . _____ *Police Justice.*

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

Dated 188 . *Police Justice.*

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

1055

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Frank Zeto being duly examined before the under-
signed 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.

Frank Zeto

Question. How old are you?

Answer.

24 years

Question. Where were you born?

Answer.

Italy

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

Answer.

13 Mendenhall St - 1 month

Question. What is your business or profession?

Answer.

Barber

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

Answer.

I am not guilty
Frank Zeto

Taken before me this

day of *November* 1890

So J. C. Hickey Police Justice.

1056

BAILED,
No. 1, by Rafael Chisetti
Residence 25 Mariner Street.
No. 2, by _____
Residence _____
No. 3, by _____
Residence _____
No. 4, by _____
Residence _____

Police Court--- 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Carmine Eckhardt
107 E. Thompson
Frank Zeto

Offence Assault
felony

Dated Nov 1 1889

O Reilly

Magistrate.
Officer.

Precinct. 8

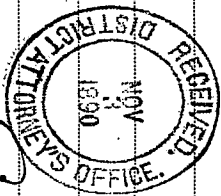
Witnesses

No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ 1000 to answer 328



COMMITTED.

Asst.

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 _____

Frank Zeto

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 Nov 1 1889 P. J. O'Reilly 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

Frank Gito

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

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

The said

Frank Gito
late of the City of New York, in the County of New York aforesaid, on the
first day of November in the year of our Lord
one thousand eight hundred and ninety, with force and arms, at the City and
County aforesaid, in and upon the body of one Carmine Ercharito
in the Peace of the said People then and there being, feloniously did make an assault
and him the said Carmine Ercharito
with a certain weapon to the Grand
Jury aforesaid unknown -
which the said Frank Gito
in his right hand then and there had and held, the same being a deadly and
dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, stab and
wound,

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

SECOND COUNT-

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

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

The said

Frank Gito
late of the City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of
the said Carmine Ercharito in the peace of
the said People then and there being, feloniously did wilfully and wrongfully make
another assault, and him the said
Carmine Ercharito
with a certain weapon to the Grand
Jury aforesaid unknown -
which the said Frank Gito
in his right hand then and there had and held, the same being a weapon and
an instrument likely to produce grievous bodily harm, then and there feloniously did
wilfully and wrongfully strike, beat, cut, stab and wound, against the form of the statute in
such case made and provided, and against the peace of the People of the State of New York,
and their dignity.

THIRD COUNT—

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

Frank Gito

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

The said

Frank Gito

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

Carmine Ercharto in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and

him the said *Carmine Ercharto* with a certain *weapon to the Grand Jury* aforesaid *unknown*

which *he* the said *Frank Gito*

in *his* right hand then and there had and held, in and upon the *head* and *face* of *him* the said *Carmine Ercharto*

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

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

JOHN R. FELLOWS,

District Attorney.

1059

**END OF
BOX**