

0497

BOX:

143

FOLDER:

1475

DESCRIPTION:

Vinton, Eugene

DATE:

06/23/84



1475



Witnesses

Augustine Smith

Officer Smith

17<sup>th</sup> Court

Bail \$1000.

20<sup>th</sup> J. L.

June 24, 1884

We appear under

to,

18<sup>th</sup> J. L. *Belmont*

Filed 23 day of June 1884

Pleads *Not guilty* 24

THE PEOPLE

vs.

**T**

Engine S. Vinton

W. B. Lister

40

Assault in the First Degree. 23  
(Firearms.)  
(§ 217 & 218)

PETER B. OLNEY,

~~JOHN W. HUNTER~~

District Attorney.

July 14/84

Reads over

A TRUE BILL.

*Peter Coaster*

Foreman.

*from 17<sup>th</sup> Court and for 18<sup>th</sup> J. L.*

*July 18 appended by*

*Long 24/84*

*40*

POOR QUALITY  
ORIGINAL

0498



0499

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK  
AGAINST

*Eugene S. Vinton*

The Grand Jury of the City and County of New York, by this indictment,  
accuse *Eugene S. Vinton*

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

The said *Eugene S. Vinton*

late of the City of New York, in the County of New York aforesaid, on the  
*Ninth* day of *June* in the year of our Lord  
one thousand eight hundred and eighty *four*, with force and arms, at the City and  
County aforesaid, in and upon the body of *Augustus Sinda*  
in the peace of the said People then and there being, feloniously did make an assault,  
and to, at and against *him* the said *Augustus Sinda*  
a certain *revolver* then and there loaded and charged with gunpowder and one  
lead bullet, which the said *Eugene S. Vinton*  
in *his* right hand then and there had and held, the same being a deadly and  
dangerous weapon, wilfully and feloniously, did then and there shoot off and discharge, with  
intent *to kill* the said *Augustus Sinda*  
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  
*Eugene S. Vinton*  
of the Crime of assault in the second degree, committed as follows:

The said *Eugene S. Vinton*

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 *Augustus Sinda*  
*Sinda* then and there being, feloniously did, wilfully and wrongfully,  
make an assault, and to, at and against *him* the said *Augustus Sinda*  
*Sinda* a certain *revolver* then and there loaded and  
charged with gunpowder and one lead bullet, which *he* the said  
*Eugene S. Vinton*  
in *his* right hand, then and there had and held, the same being an instrument  
likely to produce grievous bodily harm, feloniously did, wilfully and wrongfully then and  
there shoot off and discharge

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

PETER B. OLNEY,  
~~JOHN McKEON~~ District Attorney.



POOR QUALITY  
ORIGINAL

0500

*W. General Services*

*The People's*

*Against*

*Eugene I. Victor*

*Refers to Affidavit*

*Jacob Bernstein  
of Council*

*about 6 m. P.M.*



POOR QUALITY  
ORIGINAL

0501

N.Y. General Sessions

The People

vs

Eugene S. Vinton

Eugene S. Vinton the defendant herein being duly sworn says. I am 27 years of age, that on the 9th day of June last about 1/2 past 8 o'clock in the evening I was walking along Second Street in this city when I was accosted by the complainant August Link who called me a son of a bitch and threatened to assault me <sup>and ~~do~~ assault me</sup> I went away from him, about a quarter of an hour later the Complainant met me again on the corner of 3rd Street and Second Avenue, he had a friend with him, they followed me around the corner, when the Complainant remarked to his friend - there goes the son of a bitch, now go for him and knock him out. I ran away from them and went to the Station House and saw the Sergeant who was on duty and asked him for protection, as there was a party who had assaulted me twice that evening and



POOR QUALITY  
ORIGINAL

0502

were following me about, the sergeant asked me where I lived I told him I roomed at no. 20 Bleeker Street, he (the sergeant) thereupon told me to go to the Mercer Street Station House as that was the Precinct to apply to. I went home and about 1/2 past 12 that night I was escorting a lady to the Second Avenue Car and when on the Corner of Second Street & the Bowery I was again accosted by the Complainant and his friend when the latter said to the Complainant "Now you got him where you want him give it to him." The Complainant then seized hold of me by the throat and pushed me up against a doorway on Second Street and was choking and kicking me - when I thought he would kill me, I pulled out my Pistol and shot him as I really believe in self defense, the complainant's friend was also beating me - I left my wife about 2 months ago because she kept a Bawdy House and the Complainant in this case is or was at the time of this difficulty living in her



POOR QUALITY  
ORIGINAL

0503

house - and the exact relations between them I cannot swear to.

I was never arrested in my life before but once about 6 weeks ago when my wife had me arrested for abandoning her and I was placed in the custody of my counsel to pay \$2.50 per week for her support which I was doing at the time of this trouble.

I worked for five years for Mr. J. P. Collins of 176 Sixth Avenue.

I had heard about three weeks before this trouble occurred that Link had made threats that he would lick me. so I borrowed the Pistol I had with me on this night - about 2 weeks before for my protection, I never owned a pistol of any kind and never carried one before.

Sworn to before me this 3<sup>rd</sup> day of July 1884 } Eugene S. Victor

Henry H. Gorman }  
Notary Public.  
City of N.Y.



0504

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 \_\_\_\_\_

Dated June 20 1884, Charles F. White Police Justice.

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



POOR QUALITY  
ORIGINAL

0505

Sec. 198-200

CITY AND COUNTY  
OF NEW YORK

*Joe* District Police Court.

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

Taken before me this  
day of *Nov* 189*7*  
*Stephen J. [illegible]*  
Police Justice.



0506

*Bd*  
Police Court— District.

STATE OF NEW YORK,  
CITY AND COUNTY OF NEW YORK ss.

of No. *244* *Second* Street,

on *Monday* the *1* day of *June* being duly sworn deposes and says, that

in the year 188*8* at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and ~~BATTEN~~ by

*Eugene*  
*Vinton (nowhere)* who armed,  
pointed and discharged  
at Deponent's body a  
Revolving Pistol, loaded  
with powder and Ball, a  
ball from which said pistol  
struck Deponent in the left  
side of the body

with the felonious intent to take the life of deponent, or to do him 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

of

188*8*

*James J. White* POLICE JUSTICE.

*Augustus Link*