

0009

BOX:

323

FOLDER:

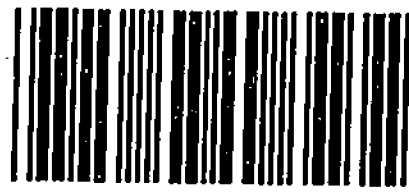
3067

DESCRIPTION:

Abrahams, John

DATE:

10/10/88



3067

Yours Truly
L A Stearns
my friend.

Mr. Bender

Filed

day 10

188

Pleads

THE PEOPLE

(Sections 278 and 218, Penal Code.)

John Abrahams

JOHN R. FELLOWS,

District Attorney.

A True Bill

Foreman.

24/10/19

0010

0011

COURT OF GENERAL SESSIONS OF THE PEACE,
IN AND FOR THE CITY AND COUNTY OF NEW YORK.

The People

v.

BRIEF FOR THE PEOPLE.

John Abrahams.

STATEMENT OF THE CASE.

The prisoner, who is a hack driver 19 years old, residing at 327 East 12 Street, is indicted for rape on a little girl named Emma Kaufman aged 12, on September 28, 1888. The facts of the case appear in the evidence.

EVIDENCE FOR THE PEOPLE.

EMMA KAUFMAN. - Is 12 years of age and resides at 264 First Avenue, with her mother Margaret Bender and her stepfather Carl Bender. On September 28, about 8 o'clock P.M., witness met the prisoner on the corner of 10th Street and Avenue A. He promised her ten cents and a pair of skates if she would go on an errand for him and carry a parcel away for him which he said he had in his room. Witness went with the prisoner to his room, 327 East 12 Street. When in his room he locked the door, and tried to put witness on the bed, and when she resisted, stood her up against the partition, lifted up her clothes, opened her drawers, and when she tried to cry out, put his hand over her mouth and threatened to choke her if she made any outcry. He then took out his penis and rubbed it up and down her legs. After a while he let her go, and she then ran home and told her mother, who went to the station

0012

house and reported the case to the sergeant in charge. The parcel which the prisoner shewed witness after he had brought her to his room and which he pretended he wanted her to take away, was a bundle of dirty clothes wrapped in a newspaper. (Witness will identify parcel when shewn.)

MARGARET BENDER. - Is the mother of the last witness. The child was born *July 26* 1876, and is 12 years of age. The father is dead and witness has remarried Carl Bender with whom she now lives with the child, at 264 First Avenue. On September 28, in consequence of what the child told her, witness went to the station house and reported the case to the sergeant in charge. Witness found several spots on Emma's chemise, laid it aside, and gave it to Officer Steen.

DR. W. H. SNOW. - Is a physician, graduate of Bellevue Hospital, and one of the physicians attached to the New York Society for the Prevention of Cruelty to Children. On October 2, 1888, received from Officer Steen of the Society portions of a chemise, which he subjected to a microscopic examination and found a number of spermatozoa clinging to the sections examined, indicating the presence of semen.

ELLEN MATTHEWS. - Resides at 327 East 12 Street, and rented the room occupied by the prisoner to him in that house. The prisoner had been in her house about three weeks, and some time ago had a woman in his room, but witness thought nothing of it as she supposed the woman might be a sister or relative of the defendant. Witness heard the defendant go into his room on September

28 and stay there some time. Witness and her little son Philip aged 6 were sitting in the front room at that time, and saw a little girl running down the street and Philip said, "That is Tin," meaning his sister. But witness knew it was not the sister, and five or ten minutes after the prisoner went out, and did not return until one or two o'clock in the morning, and shortly after was arrested. Witness found in the defendant's room in the presence of Officer Steen some dirty clothes wrapped in a newspaper, which she delivered to the officer, and which the officer will produce. There was no other person having any key to the room excepting the prisoner.

OFFICER STEEN. - Is an officer attached to the New York Society for the Prevention of Cruelty to Children. On September 30 witness took from Mrs. Bender certain portions of a chemise and delivered them to Dr. W. H. Snow for examination. Subsequently called at 327 East 12 Street and was let into the room by Mrs. Matthews, and there found some dirty clothes wrapped up in a newspaper, which he took possession of and will produce.

WILLIAM JONES. - Is an officer of the Municipal Police, 14th Precinct, and made the arrest. On October 4th the prisoner asked him to help him to get out of this scrape and he (the prisoner) would give him some good cases. The prisoner has been arrested twice before, and was once sentenced to the workhouse for six months, on March 19, 1888, by Judge Patterson. (Will produce copies of committals for disorderly conduct.)

N. Y. GENERAL SESSIONS

THE PEOPLE

AGAINST

John
Abrahams

PENAL CODE, §

BRIEF FOR THE PEOPLE.

The People

vs

John Abraham

Emma Kaufman will prove that she is 12 years of age & that on the 28th day of September the defendant in this city on 10th Street & Ave A assaulted her, after taking her up in his room at 327 E 12th St. which was about 5 minutes past 8 o'clock P.M. He attempted to choke her and threatened her life if she made a noise. He attempted to force an entrance into her person but did not succeed. Officer Wm Jones will identify bundles material in the case and also prove defendants character bad & Dr W H Snow of 41 E 28th St who examined Emma's drawers will prove that he found on them sperm.

00 15

*The New York Society for the
Prevention of Cruelty to Children*

100 EAST 23D ST. (COR. FOURTH AVE.)

New York, *October 12* 188*8*

*Court of General Sessions of the Peace in and for the
City and County of New York.*

*The People
against*

John Abrahamus

Notice of Prosecution.

*To the District Attorney of the
City and County of New York,*

*Sir: This Society is interested in the prosecution of
the above defendant, and is familiar with the facts of the
case. It respectfully requests that before sending the papers
to the Grand Jury, fixing the day of trial, consenting to
any postponement thereof, or to any reduction of bail, or
final disposition of the charge, you will duly notify me as
its President and Counsel, so that I may confer with you
in regard thereto. This request is made pursuant to the
statute (Laws of 1886, Chapter 30, Section 3), and in
furtherance of the ends of Justice.*

I have the honor to remain, with great respect,

*Elbridge T. Gerry,
President, &c.*

N. Y. GENERAL SESSIONS

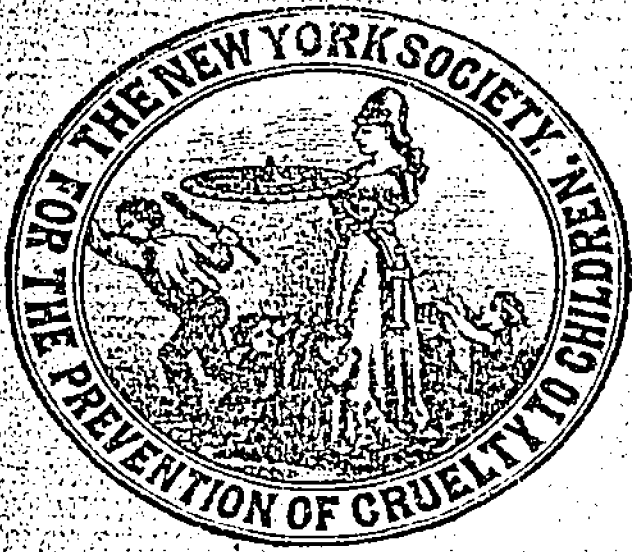
CRUELTY TO CHILDREN

THE PEOPLE



NOTICE OF PROSECUTION
BY THE SOCIETY.

ELBRIDGE T. GERRY,
President, &c.



*The New York Society for the
Prevention of Cruelty to Children*

100 EAST 23D ST. (COR. FOURTH AVE.)

New York, October 4th 1888

*Court of General Sessions of the Peace in and for the
City and County of New York.*

*The People
against
John Abraham*

Notice of Prosecution.

*To the District Attorney of the
City and County of New York,*

*Sir: This Society is interested in the prosecution of
the above defendant, and is familiar with the facts of the
case. It respectfully requests that before sending the papers
to the Grand Jury, fixing the day of trial, consenting to
any postponement thereof, or to any reduction of bail,
or final disposition of the charge, you will duly notify me as
its President and Counsel, so that I may confer with you
in regard thereto. This request is made pursuant to the
statute (Laws of 1875, Chapter 130, Section 3), and in
furtherance of the ends of Justice.*

I have the honor to remain, with great respect,

Elbridge T. Gerry,

President, &c.

N. Y. GENERAL SESSIONS.

THE PEOPLE



Attorneys at Law
CRUELTY TO CHILDREN.

NOTICE OF PROSECUTION

BY THE SOCIETY.

ELBRIDGE T. GERRY,
President, &c.

0020

Sec. 198—200.

3rd

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

John Abraham 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.

John Abraham

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.

327 East 12 Street 3 weeks

Question. What is your business or profession?

Answer.

Back 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

John Abraham
Mark

Taken before me this

20

day of September 1888

John Abraham

Police Justice.

0021

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, } ss:

POLICE COURT, 3 DISTRICT.

aged 12 years Emma Kaufman
of No. 264 1st Arund Street, being duly sworn, deposes and says,
that on the 28 day of September 1888
at the City of New York, in the County of New York, she was brutally and

feloniously assaulted and beaten by
John Abraham (nowhere) Defendant
and said defendant on the corner
of 10th Street & Avenue C, and he
requested deponent to accompany
him to his Room, that he would
give deponent ten cents and a
pair of Skates & carry away
for him said defendant a bundle
he has in his Room,
deponent did accompany him to his
Room in No 327 East 12 Street and
when in said Room, he opened
deponent's drawers, to which deponent
resisted, and deponent attempted
to make an outcry, when he said
defendant seized hold of deponent's
mouth and told deponent to stop
crying he lifted up his arm
made a fist and told deponent
he would strike her if deponent
made an outcry, he then placed
his hand upon deponent's mouth
and he ~~placed~~ placed the private
parts of his person on the
private part of deponent's person
and did attempt to ravish deponent
and have sexual connection with
deponent, against her will
Emma Kaufman

Subscribed to before me this
28th day of September 1888
John Abraham
Defendant

0022

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court---

3

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Emma Thompson
2641 Ave
John Thompson

Offence

Dated

Sept 30

1888

Magistrate.

John Jones

Officer.

Witnesses

Ellen Matthews

14 Precinct.

No. 227 East 121

Street.

No. 100 East 213 rd

Street.

No.

2570

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

Offender

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: September 30 1888

John Herman Police Justice.

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

Dated: 1888

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: 1888

Police Justice.

0023

H1 E. 28.

New York Oct 2nd 88

E. J. Levy Esq
Pres. A. P. C. C.

My dear Sir.

I have submitted portions
of the chemise of Emma Kaufman
to a microscopical examination,
and find a number of spermato-
zoa clinging to sections examined.

Yours most respectfully
W. H. Snow M.D.

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 Andrews

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

John Andrews of the
crime of RAPE, committed as follows:

The said *John Andrews*,

late of the City of New York, in the County of New York aforesaid, on the
Twenty eighth day of *September*, in the year of our Lord one thousand
eight hundred and eighty-*eight*, at the City and County aforesaid, with
force and arms, in and upon one *Emma Handman*, then
and there being, wilfully and feloniously did make an assault, and her the said
Emma Handman, then and there, by force and with
violence to her the said *Emma Handman*, against her
will and without her consent, did wilfully and feloniously ravish and carnally know, *she the said*
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

John Andrews

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

The said *John Andrews*,

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 her
the said *Emma Handman*, wilfully and feloniously did
make another assault, with intent her the said *Emma Handman*,
against her will and without her consent, by force and violence, to then and there
wilfully and feloniously ravish and carnally know, *she the said*
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 *John Andrews* of the crime of *attempting to commit* of the CRIME OF RAPE, committed as follows:

The said *John Andrews*,

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 her the said *Emma Handman*, *then and there his wife* wilfully and feloniously did make another assault, and an act of sexual intercourse with her the said *Emma Handman* then and there wilfully and feloniously did commit and perpetrate, against the will of the said *Emma Handman*, and without her consent; 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.

FOURTH COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said *John Andrews* of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *John Andrews*,

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 her the said *Emma Handman*, *then and there his wife* wilfully and feloniously did make another assault, with intent an act of sexual intercourse with her the said *Emma Handman*, against her will and without her consent then and there wilfully and feloniously to commit and perpetrate, 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.~~

52d COUNT.

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

John Adams of the crime
of attempting to commit —

of the CRIME OF RAPE, committed as follows:

The said *John Adams,*

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 her
the said *Emma Kaufman*, then and there being,
wilfully and feloniously did make another assault, she, the said *Emma*

Kaufman being then and there a female under the
age of sixteen years, to wit: of the age of *twelve* years, and ~~the said~~
~~not being then and there the wife of the said~~
John Adams, and the said John Adams, then and there
~~attempt to~~
wilfully and feloniously did ~~perpetrate~~ an act of sexual intercourse with her the said

Emma Kaufman, 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.

0027

BOX:

323

FOLDER:

3067

DESCRIPTION:

Adelmann, John

DATE:

10/16/88



3067

Witnesses:

Fanny Butler
Ruben Brime

Counsel,

Filed 16 day of Oct 1888

Pleads, *Chattel*

THE PEOPLE

vs.

John Adelman

Burglary in the second degree.
(Adelman)
and et al.

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Small Foreman.

Part III October 23/88

Indicted and acquitted

0029

Police Court—3 District.

City and County of New York, ss.:

Pewler

of No. 46 Forsyth Street, aged 35 years, occupation Housekeeper being duly sworn

deposes and says, that the premises No. 46 Forsyth Street, 10 Ward in the City and County aforesaid the said being a five story Brick Building on the 2^d floor and which was occupied by deponent as a her private apartments and in which there was at the time a human being, by name Mrs. Upson

were BURGLARIOUSLY entered by means of forcibly attempting to open the rear window leading into Upson's apartments

on the 30 day of September 1888 in the night time, and the following property feloniously taken, stolen, and carried away, viz:

a quantity of money appeared of the value of twenty dollars

the property of Upson 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

John Adelman (written)

for the reasons following, to wit:

That this Upson was
 given information by Robert Swimmer
 that he saw the defendant two or three
 times in the yard of said premises
 and saw him trying to raise
 the window leading into Upson's
 apartments. Deponent therefore charges the
 said defendant with attempting to
 burglariously enter his premises with the
 intent to commit a crime

Fanny Buller

10 October 1888
 John Adelman
 Robert Swimmer
 Fanny Buller

0030

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 30 years, occupation Express Driver of No.

46 Fourth

Street, being duly sworn deposes and

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

Sworn to before me, this

day of

188

Oct 8 Ruben Swimmer

John J. Hannon

Police Justice.

0031

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

John Edelmann 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 to 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 Edelmann

Question. How old are you?

Answer. 31 Years

Question. Where were you born?

Answer. Riky

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

Answer. 118 ~~Chaffin St~~ 7th St 5th Ave

Question. What is your business or profession?

Answer. Silver Smith

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

Answer. I am not Guilty
John Edelmann

Taken before me this

day of

188

Police Justice.

0032

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

237
 Police Court---1542
 District.
 THE PEOPLE &c.,
 ON THE COMPLAINT OF
 Henry Mueller
 461 Roosevelt
 John Holmstrom
 2 _____
 3 _____
 4 _____
 Offence Attempted
 Burglary
 Dated Oct 1 1888
 Magistrate
 J. C. [Signature]
 Officer
 11
 Precinct.
 Witnesses Pauline [Signature]
 No. 116 [Signature]
 Street
 No. _____
 Street
 No. _____
 Street
 RECEIVED
 OCT 4 1888
 DISTRICT CLERK
 \$ 700 to answer
 [Signature]

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 [Signature]

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of \$700 Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated Oct 1 1888 [Signature] Police Justice.

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

Dated _____ 1888 _____ 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 _____ 1888 _____ Police Justice.

0033

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 Addmann

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

John Addmann —
attempt to commit ^{second}
of the CRIME OF BURGLARY IN THE ~~first~~ DEGREE, committed as follows:
The said *John Addmann*.

late of the *Tenth* Ward of the City of New York, in the County of New York
aforesaid, on the *thirtieth* day of *September*, in the year
of our Lord one thousand eight hundred and eighty-*eight*, with force and arms, about the
hour of *twelve* o'clock in the *night* time of the same day, at the Ward,
City and County aforesaid, the dwelling house of one *Fanny Butler*.

attempt to
there situate, feloniously and burglariously did break into and enter, there being then and there
some human being, to wit: *the said Fanny Butler*.

within the said dwelling house, with intent to commit some crime therein, to wit: the goods
chattels and personal property of the said *Fanny Butler*.

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,

John R. Xellows,
District Attorney

0034

BOX:

323

FOLDER:

3067

DESCRIPTION:

Akers, Frederick

DATE:

10/10/88



3067

This indictment contains a plain and concise statement of the acts constituting the crime charged without unnecessary repetition and is in accordance and compliance with sections 275 & 276 of the Code of Crim. Pro. assuming the facts charged to be true they clearly constitute a public nuisance under Sec. 385. sub. 1. of the Penal Code. If the acts complained of are proved to be true, a case of nuisance will be made out.

Two crimes are charged in this indictment. 1st Maintaining a public nuisance. 2^d Violating the sanitary code of the Board of Health. The two counts charge substantially the same acts and I am satisfied that the two crimes charged can be joined in the same indictment under Secs. 278 & 279 of the Code of Crim. Pro. nor is the rule varied because the different crimes arising from the same state of facts charged in different counts of the same indictment are crimes to which different penalties attach. The two counts proceed under a different aspect of the law but not under a different aspect of the facts. There are here two distinct statutes but not two distinct states of fact. Upon the trial the people might properly be put to an election as to which statute or under what law they are asking for a conviction.

The facts stated are properly pleaded and constitute two distinct crimes which are separately and properly pleaded in the same indictment. Hence this demurrer must be overruled. R.B.M.

Ed. Jan 7/89

Edmund B. Hartman,

271 Broadway

Counsel,

Filed

day of

1888

Plends

THE PEOPLE

vs.

THE PEOPLE

Sanitary Code, and Section

of the N. Y. City Consolidation Act of 1887

Section 385, sub. 1, Penal Code.

Indictment

John R. Fellows,

District Attorney.

Demurrer overruled.

R.B.M.

A True Bill

John R. Fellows,

District Attorney.

Demurrer overruled.

R.B.M.

A True Bill

John R. Fellows,

District Attorney.

Demurrer overruled.

R.B.M.

A True Bill

John R. Fellows,

District Attorney.

Demurrer overruled.

R.B.M.

A True Bill

John R. Fellows,

District Attorney.

Demurrer overruled.

R.B.M.

A True Bill

John R. Fellows,

District Attorney.

Demurrer overruled.

R.B.M.

A True Bill

John R. Fellows,

District Attorney.

Demurrer overruled.

R.B.M.

A True Bill

John R. Fellows,

District Attorney.

Demurrer overruled.

R.B.M.

A True Bill

John R. Fellows,

District Attorney.

Demurrer overruled.

R.B.M.

A True Bill

John R. Fellows,

District Attorney.

Demurrer overruled.

R.B.M.

A True Bill

John R. Fellows,

District Attorney.

Demurrer overruled.

R.B.M.

A True Bill

John R. Fellows,

District Attorney.

Demurrer overruled.

R.B.M.

A True Bill

John R. Fellows,

District Attorney.

Demurrer overruled.

R.B.M.

A True Bill

John R. Fellows,

District Attorney.

Demurrer overruled.

R.B.M.

A True Bill

John R. Fellows,

District Attorney.

Demurrer overruled.

R.B.M.

A True Bill

John R. Fellows,

District Attorney.

Demurrer overruled.

R.B.M.

A True Bill

John R. Fellows,

District Attorney.

Demurrer overruled.

R.B.M.

A True Bill

John R. Fellows,

District Attorney.

Demurrer overruled.

R.B.M.

A True Bill

John R. Fellows,

District Attorney.

Demurrer overruled.

R.B.M.

A True Bill

John R. Fellows,

District Attorney.

Demurrer overruled.

R.B.M.

A True Bill

John R. Fellows,

District Attorney.

Demurrer overruled.

R.B.M.

A True Bill

John R. Fellows,

District Attorney.

Demurrer overruled.

R.B.M.

A True Bill

John R. Fellows,

District Attorney.

Demurrer overruled.

R.B.M.

A True Bill

John R. Fellows,

District Attorney.

Demurrer overruled.

R.B.M.

A True Bill

John R. Fellows,

District Attorney.

Demurrer overruled.

R.B.M.

A True Bill

John R. Fellows,

District Attorney.

Demurrer overruled.

R.B.M.

A True Bill

John R. Fellows,

District Attorney.

Demurrer overruled.

R.B.M.

A True Bill

John R. Fellows,

District Attorney.

Demurrer overruled.

R.B.M.

A True Bill

John R. Fellows,

District Attorney.

Demurrer overruled.

R.B.M.

A True Bill

John R. Fellows,

District Attorney.

Demurrer overruled.

R.B.M.

A True Bill

John R. Fellows,

District Attorney.

Demurrer overruled.

R.B.M.

A True Bill

John R. Fellows,

District Attorney.

Demurrer overruled.

R.B.M.

A True Bill

John R. Fellows,

District Attorney.

Demurrer overruled.

R.B.M.

A True Bill

John R. Fellows,

District Attorney.

Demurrer overruled.

R.B.M.

A True Bill

John R. Fellows,

District Attorney.

Demurrer overruled.

R.B.M.

A True Bill

John R. Fellows,

District Attorney.

Demurrer overruled.

R.B.M.

A True Bill

John R. Fellows,

District Attorney.

Demurrer overruled.

R.B.M.

A True Bill

John R. Fellows,

District Attorney.

Demurrer overruled.

R.B.M.

A True Bill

John R. Fellows,

District Attorney.

Demurrer overruled.

R.B.M.

A True Bill

John R. Fellows,

District Attorney.

Demurrer overruled.

R.B.M.

A True Bill

John R. Fellows,

District Attorney.

Demurrer overruled.

R.B.M.

A True Bill

John R. Fellows,

District Attorney.

Demurrer overruled.

R.B.M.

A True Bill

John R. Fellows,

District Attorney.

Demurrer overruled.

R.B.M.

A True Bill

John R. Fellows,

District Attorney.

Demurrer overruled.

R.B.M.

A True Bill

John R. Fellows,

District Attorney.

Demurrer overruled.

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District Attorney.

Demurrer overruled.

R.B.M.

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District Attorney.

Demurrer overruled.

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John R. Fellows,

District Attorney.

Demurrer overruled.

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District Attorney.

Demurrer overruled.

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A True Bill

John R. Fellows,

District Attorney.

Demurrer overruled.

R.B.M.

A True Bill

John R. Fellows,

District Attorney.

Demurrer overruled.

R.B.M.

A True Bill

John R. Fellows,

District Attorney.

Demurrer overruled.

R.B.M.

A True Bill

John R. Fellows,

This indictment contains a plain and concise statement of the acts constituting the crime charged without unnecessary repetition and is in accordance and compliance with sections 275 & 276 of the Code of Crim. Pro. assuming the facts charged to be true they clearly constitute a public nuisance under Sec. 385. sub. 1. of the Penal Code. If the acts complained of are proved to be true, a case of nuisance will be made out.

Two crimes are charged in this indictment. 1st Maintaining a public nuisance. 2^d Violating the sanitary code of the Board of Health. The two counts charge substantially the same acts and I am satisfied that the two crimes charged can be joined in the same indictment under Secs. 278 & 279 of the Code of Crim. Pro. nor is the rule varied because the different crimes arising from the same state of facts charged in different counts of the same indictment are crimes to which different penalties attach. The two counts proceed under a different aspect of the law but not under a different aspect of the facts. There are here two distinct statutes but not two distinct states of fact. Upon the trial the people might properly be put to an election as to which statute or under what law they are asking for a conviction.

The facts stated are properly pleaded and constitute two distinct crimes which are separately and properly pleaded in the same indictment. Hence this demurrer must be overruled. R.B.M.

Ed. Jan 7/89

Edmund Blankman,

271 Broadway

Counsel,

Filed

day of

Pleas,

10

THE PEOPLE

vs.

1889

Section 385, sub. 1, Penal Code.

Section 278, Code of Crim. Pro.

Section 279, Code of Crim. Pro.

Section 275, Code of Crim. Pro.

Section 276, Code of Crim. Pro.

Section 277, Code of Crim. Pro.

Section 278, Code of Crim. Pro.

Section 279, Code of Crim. Pro.

Section 280, Code of Crim. Pro.

Section 281, Code of Crim. Pro.

Section 282, Code of Crim. Pro.

Section 283, Code of Crim. Pro.

Section 284, Code of Crim. Pro.

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Section 295, Code of Crim. Pro.

Section 296, Code of Crim. Pro.

Section 297, Code of Crim. Pro.

Section 298, Code of Crim. Pro.

Section 299, Code of Crim. Pro.

Section 300, Code of Crim. Pro.

Section 301, Code of Crim. Pro.

Section 302, Code of Crim. Pro.

Section 303, Code of Crim. Pro.

Section 304, Code of Crim. Pro.

Section 305, Code of Crim. Pro.

Section 306, Code of Crim. Pro.

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Section 310, Code of Crim. Pro.

Section 311, Code of Crim. Pro.

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Section 524, Code of Crim. Pro.

Section 525, Code of Crim. Pro.

Section 526, Code of Crim. Pro.

POOR QUALITY
ORIGINAL

0037

Book of General Sessions

THE PEOPLE OF THE STATE OF
NEW YORK,

against

Fredrick Akers

Argument for The People

JOHN R. FELLOWS,

DISTRICT ATTORNEY,

No. 32 CHAMBERS STREET,

NEW YORK CITY.

0038

In and for the County of New York.

The defendant in this case has demurred to the indictment upon all the grounds.

It is charged that on the 10th of April, 1888, in the Fifth Ward of the City of New York, as well before as after that date, the defendant, then and there occupying a building for the purpose of heating and roasting coffee and other substances by means of furnaces and ovens, did unlawfully and injuriously heat, roast and burn large quantities of coffee and other substances by means of said furnaces and ovens, and did thereby unlawfully and injuriously cause, suffer and

permit great quantities of smoke, dust, cinders and divers noxious, unwholesome and injurious vapors, smells and stench to arise and be emitted from the said building and to fill and impregnate the air near the said building, so that the air was greatly filled and impregnated with said smoke, dust, cinders and noxious, unwholesome and injurious vapors, smells and stench, and was rendered and was corrupted, offensive and unwholesome, and that the defendant did unlawfully and injuriously continue and maintain this state of affairs to the great annoyance, injury and danger of the comfort, repose, health and safety of a considerable number of persons there residing in their dwelling houses and homes near to the said building and there constantly passing and repassing, to the common and public nuisance of the citizens.

The People claim that this is a plain and concise statement of the act constituting the crime and that there is no unnecessary repetition. If the Court holds with the People on this point it is then for the Court to say whether the acts alleged constitute in law the crime of nuisance. In other words, assuming the facts alleged to be true, do they constitute a nuisance? It will be observed that the first count of the indictment is drawn under section 385, subdivision 1 of the Penal Code, which reads as follows:--

"A public nuisance is a crime against the order and economy of the State and consists in unlawfully doing an act or omitting to perform a duty, which act

or omission annoys, injures or endangers the comfort, repose, health or safety of any considerable number of persons."

The questions for the Court are, first, does the indictment charge that the comfort, repose, health or safety of any considerable number of persons is annoyed, injured or endangered? That it does so is obvious upon a reading of it. Second, Might the acts complained of in the indictment if true, annoy, injure or endanger the comfort, repose, health or safety of any considerable number of persons? If the acts complained of could have such an effect they would clearly be a nuisance under section 385 of the Penal Code.

The facts complained of are set forth above, and it is quite obvious that they constitute a nuisance if proved to exist.

II.

Two crimes are charged in this indictment. That these two crimes may be joined in the same indictment without violating the provisions of sections 278 and 279 of the Code of Criminal Procedure, ^{is clear.} That section provides that where the acts complained of may constitute different crimes such crimes may be charged in separate counts of the same indictment. Such is the case in this indictment. A comparison of the two counts will show that substantially the same acts are complained of ^{in each.} Nor does it affect the case that dif-

ferent penalties are provided for the different crimes charged in the same indictment. Section 279, above referred to contains no limitation to the effect that when different crimes arising out of the same state of facts are charged in different counts of the same indictment they must be crimes to which the same penalty is attached. The indictment in the case of the People against Jaehne contained two counts, charging separate crimes, one under the Penal Code, one under the Consolidation Act. The penalty for the violation of the Penal Code was ten years ^{& a fine}, and that for the violation of the Consolidation Act was two years ^{& a fine}. Yet it was not thought wise or proper to demur to this indictment on that ground.

Counsel for the defense cites the case of Reed against The People, in 1 Parker, 489. In that case the indictment was held bad for duplicity in charging the defendant with two distinct offenses. But the case was unlike this, in that the two distinct offenses were charged in the same count of the indictment and not in different counts, and the Court held that two distinct offenses requiring different punishments could not be alleged in the same count of an indictment

III.

The demurrer should be overruled.

JOHN R. FELLOWS,

Vernon M. Davis, Assistant,
of Counsel.

District Attorney

POOR QUALITY
ORIGINAL

0042

Sec. 508.

(a copy)

2

District Police Court.

UNDERTAKING TO ANSWER—

General Sessions.

CITY AND COUNTY }
OF NEW YORK, } ss.

An order having been made on the 10th day of September 1888 by
John J. Gorman Esq. a Police Justice of the City of New York. That
Frederick Akers be held to answer upon a charge of
vio. Sanitary Code

upon which he has been duly admitted to bail, in the sum of Three Hundred Dollars.

We,

Frederick Akers.

Defendant

of No.

150th St

of Mott Avenue

Street; Occupation

Coffee roaster, and

Die drich Schmidt

of No.

209 West 133rd

Street.

Occupation Merchant

Surety, hereby undertake jointly and severally,

that the above named defendant shall appear and answer the charge above-mentioned, in whatever Court it may be prosecuted : and shall at all times render him self amenable to the orders and process of the Court ; and if convicted, shall appear for judgment, and render him self in execution thereof, or if he fail to perform either of these conditions that we will pay to the People of the State of New York, the sum of Three Hundred Dollars.

Taken and acknowledged before me, this

10th

day of

September

1888

Signed Frederick Akers

"

Die drich Schmidt

Signed John J. Gorman

POLICE JUSTICE.

POOR QUALITY
ORIGINAL

0043

CITY AND COUNTY
OF NEW YORK, } ss,

Joseph J. M. Brown
Police Justice.

Sworn to before me, this

1881

(within)

Diedrich Schmidt

the within named Bail and Surety, being duly sworn, says, that he is a resident and *free*
holder within the said County and State, and is worth *Six* Hundred Dollars,
exclusive of property exempt from execution, and over and above the amount of all his debts and
liabilities, and that his property consists of *house and lot of*

land no 209 West 133rd Street
worth (\$10,000) ten thousand dollars
Signed Diedrich Schmidt

New York Sessions.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Undertaking to Answer.

vs,

Taken the day of 188

Justice,

Filed day of 188

State of New York,
City and County of New York ss.

A Copy

John E. Wade of No. 301 Mott Street,
in the City of New York being duly sworn says
that he is detailed as Inspector of the Health
Department of the City of New York: that on
the 4th day of September 1888 and at divers
times prior thereto especially between the
10th day of April 1888 and said first
mentioned date one Frederick Ahers
of 16 Jay Street did wilfully violate the
Sanitary Code and section No. 92 thereof
then and at all the times herein mentioned
in full force and operative in said City
of New York in this that having the management
and control of the premises known as Nos.
16 Jay Street in the City of New York
consisting of a building wherein said
Frederick Ahers carried on the business
of heating roasting and burning Coffee
and other substances occupied by many
persons and being then the occupant
thereof he did at said times wholly
neglect and fail to keep said premises
in a clean and sanitary condition and
did cause and allow smoke dust
and gas and offensive matter to be
discharged and escape from the said
building and from the chimneys and
pipes thereof in the said business of
roasting heating and burning Coffee,

and other substances thereat into the open air and into the windows of the neighboring buildings, which were used and occupied by many persons, making the air thereof foul, offensive and dangerous and thereby said premises have become and are a nuisance and offensive so as to be dangerous and prejudicial to life and health all of which was in violation of Section No. 92 of the said Sanitary Code which is as follows to wit:

Section 92. That neither the contents of any such tub or any receptacle cesspool, privy, vault, sink or water-closet, cistern nor anything in any room, excavation or building, premises, or place, shall be allowed to become a nuisance or offensive so as to be dangerous or prejudicial to life or health.

Sworn to before me, { Signed: John E. Wade.
this 5 day of Sept. 1888.

Signed: John J. Gorman,
Police Justice.

POOR QUALITY
ORIGINAL

0046

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Fredrick Akers

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'm; that the statement is designed to
enable h'm if he see fit to answer the charge and explain the facts alleged against h'm;
that he is at liberty to waive making a statement, and that h's waiver cannot be used
against h'm on the trial.

Question. What is your name?

Answer. *Fredrick Akers*

Question. How old are you?

Answer. *50 years old*

Question. Where were you born?

Answer. *England*

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

Answer. *15 1/2 St and Mott Ave 2 years*

Question. What is your business or profession?

Answer. *Coffee Roaster*

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 and
demand a trial by jury after
indictment*

Signed Fredrick Akers

(a copy)

Taken before me this

day of

188

Supervisor of Police Justice.

POOR QUALITY
ORIGINAL

0047

(copy)

Sec. 151.

Police Court 2 District.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

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 John O. Wade

of No. 301. Mott Street, that on the 4 day of September

1888 at the City of New York, in the County of New York,

Frederick Akers of 16 Jay St. did
violate Section 92 of the Sanitary Code of
the Health Department of the City of
New York.

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 each and every of you, to apprehend the said Defendant and bring him
forthwith 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 4 day of September 1888

Signed John J. Gorman POLICE JUSTICE.

POOR QUALITY
ORIGINAL

0048

For defense
Edmund Blankman
271 Broadway

BAILED,
No. 1, by Frederick Schmidt
Residence 209 West 133 Street.
No. 2, by _____
Residence _____ Street.
No. 3, by _____
Residence _____ Street.
No. 4, by _____
Residence _____ Street.

a true copy
H. Blankman
Deputy Clerk
2nd Dist Police Court
Jefferson Market

W

Police Court... 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John A. Black
Frederick Blank

Office Violation
Sanitary Code

Dated Sept 10th 188

German Magistrate.

Charles Officer.

Sam Lee Precinct.

Witnesses Dr. Allen

No. 201 West Street.

Dr. Morris

No. 201 West Street.

Off. Phillips

No. 201 West Street.

Sanitary Co

200 to answer Jefferies

Decker

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 Three 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 Sept 10 188 Signed John Connor Police Justice.

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

Dated Sept 10 188 Signed John Connor 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.

People vs Akers

People's Supplementary Brief.

1) Benj Prescott's Case, 2 L.H. Rec. 161.

2) Synch's Case, 6 L.H. Rec. 61.

3) Taylor vs People, 6 Park 350.

4) Roger Pronto's Case, 4 L.H. Rec. 87.

See ch § 953 Code of Crim. Procedure.

Vernon M. Davis.

Asst Dist Atty.

POOR QUALITY
ORIGINAL

0050

People

is

known

Supplementary Brief
for the People.

Court of General Sessions of the Peace in and for the City
and County of New York

The People of the State of
New York

Plaintiffs

Against
Frederick Akers

Defendant

The Defendant above named hereby
demurs to the Indictment filed against him in this
Court, and specifies the following as the grounds of
his objections thereto:

1st

That the Indictment does not con-
form substantially to the requirements of Section 275
of the Code of Criminal Procedure of the State of
New York

2nd

That more than one crime is
charged in the Indictment within the meaning
of Sections 278 and 279 of the said Code of
Criminal Procedure

3rd

That the act charged as the
crime in the said Indictment is not plainly set
forth therein

11th

That the facts stated in the In-
dictment do not constitute a crime

Frederick Heis
Defendant.

Edmon Blankman,
Richard Busted,

of Counsel for Defendant.

Court of General Sessions of
the Peace in and for the City of New York.

The People of the State of New York,
against
Frederick Mers.

Demurrer.

Edmon Blumhman
Richard Busted, J

Counsel for Defendant.

Filed Apr. 19/88

**POOR QUALITY
ORIGINAL**

0054

People vs Reed -
Parker 484

POOR QUALITY
ORIGINAL

0055

People

VS

Arms

POOR QUALITY
ORIGINAL

0056

District Attorney's Office.

PEOPLE

vs.

Jan. 30/89

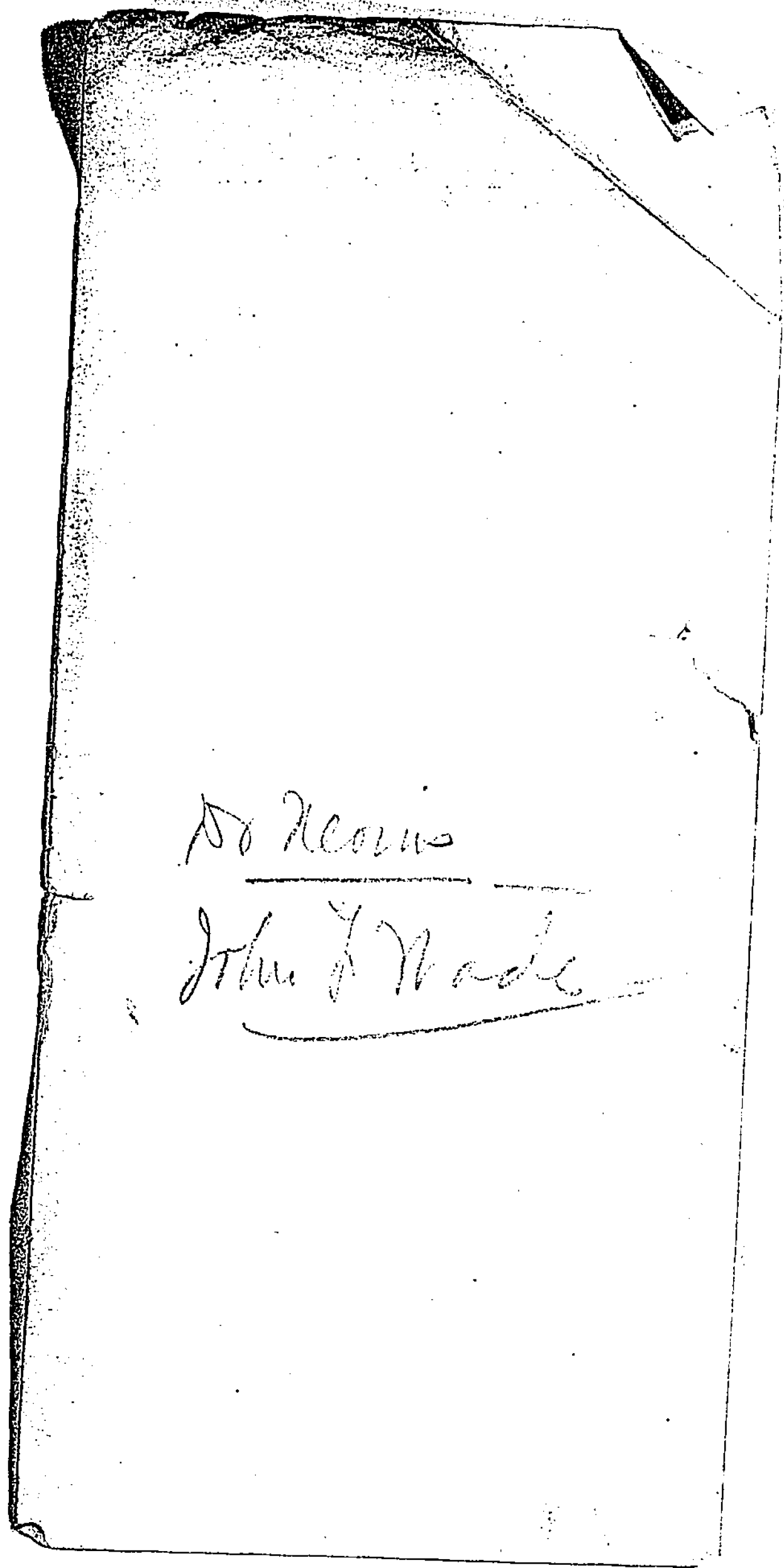
Received from
Chief Clerk of the
District Attorney's
Office
Brief of argument
submitted by Dept.
Counsel - 31st
number.

E. H. Harkness
of Counsel for
Dept.

by order of
Wm. H. Davis

POOR QUALITY
ORIGINAL

0057



Dr. Harris

John F. Wade

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

John E. Wade of No. 301 Mott Street,
in the City of New York, being duly sworn says that he is detained as
Inspector of the Health Department of the City of New York:
that on the 14th day of September 1888, and at divers
times prior thereto. especially between the 10th day of
April 1888, and said first mentioned date, one
Frederick Akers of 16 Jay Street
did wilfully violate ^{and section No. 92 thereof} the Sanitary Code then and at all the times herein
mentioned in full force and operative in said City of New York, in this
that having the management and control of the premises known as Nos.
16 Jay Street
in the City of New York, consisting of a building where said
Frederick Akers carried on the business of roasting
roasting and burning Coffee and other substances
occupied by many persons, and being then the owner thereof as deponent
verily believes, he did at said times wholly neglect and fail to keep said
premises in a clean and sanitary condition and did allow cause and
allow smoke, dust, cinders, gas and
offensive matter to be discharged
and escape from the said building and
from the chimneys and pipes thereof, in
the said business of roasting, heating and
burning Coffee and other substances
thereat, into the open air and into the
windows of the neighboring buildings
which were used and occupied by
many persons, making the air
thereof foul, offensive and dan-
gerous

and thereby said premises have become and are a nuisance and offensive
so as to be dangerous and prejudicial to life and health all of which
was in violation of Section No. 92 of the said Sanitary Code which is as
follows, to wit:

SECTION 92. That neither the contents of any such tub, or any receptacle, cesspool, privy, vault,
sink, or water-closet, cistern, nor anything in any room, excavation, vat, building, premises, or place,
shall be allowed to become a nuisance, or offensive, so as to be dangerous or prejudicial to life or health.

Sworn to before me, this 5 day
of September 1888.

John E. Wade

John E. Wade
Police Justice.

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

John E. Wade of No. 301 Mott Street,
in the City of New York, being duly sworn says that he is detailed as
Inspector of the Health Department of the City of New York:
that on the 14th day of September 1888, and at divers
times prior thereto. especially between the 10th day of
April 1888, and said first mentioned date, one
Fredrick Akers of 16 Jay Street
did wilfully violate ^{and Section No. 92 thereof} the Sanitary Code then and at all the times herein
mentioned in full force and operative in said City of New York, in this
that having the management and control of the premises on as Nos.
16 Jay Street
in the City of New York, consisting of a building where said
Fredrick Akers carried on the business of roasting
roasting and burning Coffee and other substances
occupied by many persons, and being then the owner thereof as deponent
verily believes, he did at said times wholly neglect and fail to keep said
premises in a clean and sanitary condition and did allow cause and
allow smoke, dust, cinders, gas and
offensive matter to be discharged
and escape from the said building and
from the chimneys and pipes thereof, in
the said business of roasting, heating and
burning Coffee and other substances
thereat, into the open air and into the
windows of the neighboring buildings
which were used and occupied by
many persons, making the air
thereof foul, offensive and dan-
gerous

and thereby said premises have become and are a nuisance and offensive
so as to be dangerous and prejudicial to life and health all of which
was in violation of Section No. 92 of the said Sanitary Code which is as
follows, to wit:

SECTION 92. That neither the contents of any such tub, or any receptacle, cesspool, privy, vault,
sink, or water-closet, cistern, nor anything in any room, excavation, vat, building, premises, or place,
shall be allowed to become a nuisance, or offensive, so as to be dangerous or prejudicial to life or health.

Sworn to before me, this 25 day
of September 1888.

John Wade

John E. Wade
Police Justice.

POOR QUALITY
ORIGINAL

0060

Police Court, 2 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

John E. Chase

against

Frederick Allen

Affidavit, violation of section No. 92 of the
Sanitary Code.

Gorman Magistrate.

Officer.
Sanitary Squad.

Witnesses, Dr. Allen

No. 301 Monroe

Officer Phillips

No. 301 Monroe

\$ _____ to answer

POOR QUALITY
ORIGINAL

0061

Sec. 193-200.

CITY AND COUNTY
OF NEW YORK, } ss.

District Police Court.

Fredrick Akers

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. *Fredrick Akers*

Question. How old are you?

Answer. *50 years old*

Question. Where were you born?

Answer. *England*

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

Answer. *118th St. Cm. North Br. 2 years*

Question. What is your business or profession?

Answer. *Coffee Roaster.*

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 and
demand a trial by Jury after
Indictment*
Fredrick Akers.

Taken before me this

day of

1884

Police Justice.

POOR QUALITY
ORIGINAL

0062

Sec. 151.

Police Court 2 District.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

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 John Carroll of No. 301 West Street, that on the 14 day of September 1888 at the City of New York, in the County of New York,

Indebted Ackers of 16 Jay
Street and Violated Section
92 of the Sanitary Code of
the Health Department of
the City of New York

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 each and every of you, to apprehend the said Defendant and bring him forthwith 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 5 day of Sept 1888

John Carroll POLICE JUSTICE.

POOR QUALITY
ORIGINAL

0053

For Release
Edmund Blankman
271. Broadway

BAILED,
No. 1, by Adrich Schmidt
Residence 209 W. 133
Street.
No. 2, by _____
Residence _____
Street.
No. 3, by _____
Residence _____
Street.
No. 4, by _____
Residence _____
Street.

NY 70 1436
Police Court---
District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
John D. Mack
301 West
Adrich Schmidt
Offence Violation
Sanitary Code

Dated Sept 10 188

John D. Mack
Magistrate.
Officer.
J. Co
Precinct.

Witnesses
Dr Allen
Street.

No. 301 West
Street.

Dr Morris
Street.

No. 201 West
Street.

Adrich Schmidt
Street.

No. 209
to answer.

Adrich

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 Three 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 Sept 10 188 John D. Mack Police Justice.

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

Dated Sept 10 188 John D. Mack Police Justice.

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

_____ 188 _____ 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

Frederica Adams

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

Indictment accuse

Frederica Adams

of the crime of

maintaining a public nuisance,

committed as follows:

The said

Frederica Adams,

of the Ward of the
late of the City of New York, in the County of New York, aforesaid, on the

Tenth day of *April*, in the year of our Lord one thousand
eight hundred and eighty-*eight*, at the City and County aforesaid,

and on divers other days and times, as
well before as after, to the day of the
giving of this indictment, at the Ward,
City and County aforesaid, then occupying
and using a certain building the site,
for the purpose of treating, roasting
and burning coffee and other substances
therein, by means of certain furnaces and
ovens placed and erected therein, did
indulgetly and injuriously, on the day
and in the year aforesaid, and on the
said other days and times, treat, roast

and from, divers large quantities of
coffee and other substances in and by
means of the said furnaces and ovens,
and did then and on said other days
and times, there, and thereby unlawfully
and injuriously cause suffer and render
great quantities of smoke, dust, cinders
and divers noxious, unwholesome and
injurious vapors, smells and fumes
to arise and be emitted from the said
building, and then and there to fill
and impregnate the air near and around
the said building, so that the air, on
the several days and times aforesaid,
there, was thereby greatly filled and
impregnated with the said smoke,
dust, cinders, and noxious, unwholesome
and injurious vapors, smells and
fumes, and was rendered and became
and was, corrupted, offensive and
unwholesome, and this he the said
defendant also so did as aforesaid,
and on the several days and times
aforesaid, there unlawfully and
injuriously continued and maintained
to the great annoyance, injury and damage
to the comfort, repose, health and safety
of a considerable number of persons there
residing in their dwelling houses and houses
near to the said building and there, contrary

POOR QUALITY
ORIGINAL

0056

passing and repassing, to the common
and public nuisance of all the good
citizens of this State, against the
form of the Statute in such case
made and provided, and against
the peace of the People of the State
of new rights, and their dignity.

POOR QUALITY
ORIGINAL

0067

~~Court of General Sessions of the Peace~~

~~IN AND FOR THE CITY AND COUNTY OF NEW YORK~~

~~THE PEOPLE OF THE STATE OF NEW YORK~~

~~against~~

Second Count.

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

Further accuse the said Frederick Adams

of the CRIME OF VIOLATING THE SANITARY CODE OF THE BOARD OF HEALTH OF THE HEALTH DEPARTMENT OF THE CITY OF NEW YORK, committed as follows:

The said *Frederick Adams*,

late of the *25th* Ward of the City of New York, in the County of New York aforesaid, on the *Tenth* day of *April*, — in the year of our Lord one thousand eight hundred and eighty-*eight*, at the Ward, City and County aforesaid, *having the management and con-*
trol of a certain building there situate,
used and occupied by him for the purpose
of therein roasting, roasting and burning
coffee and other substances, by means of
certain furnaces and ovens placed and erected
therein, and unlawfully then and there allow
the said furnaces and ovens, and divers great
quantities of coffee and other substances then
and there being roasted, burned and heated by
means thereof, and in the said building, to
become a nuisance and offensive, so as to be
dangerous and prejudicial to the lives and health
of divers persons there residing in their dwelling
houses and houses near to the said building,
and there constantly passing and expelling
by then and there unlawfully causing, suf-
fering and permitting great quantities of smoke,
dust, cinders and divers noxious, noxious
and injurious vapors, smells and stenches to
arise and be emitted from the said building, and
the said furnaces, and ovens therein, and then and
there to fill and impregnate the air near and
around the said building, so that the air near
and around the said building was then and there
thereby greatly filled and impregnated therewith
and was rendered, and became and was
corrupted, offensive and noxious,
against and in violation of the Sanitary Code of the Board of Health of the Health Depart-
ment of the City of New York, duly adopted and declared as such at a meeting of the said

**POOR QUALITY
ORIGINAL**

0068

Board of Health, held in said city on the second day of June, 1873, as amended in accordance with law, and particularly in violation of the *ninth* section of said code; which is as follows, to wit:

"That neither the contents of any such tub, or any receptacle, cess-pool, spring, vault, sink, or water-closet, cistern, nor anything in any room, excavation, vat, building, premises, or place, shall be allowed to become a nuisance, or offensive, so as to be dangerous or prejudicial to life or health."

and which said Sanitary Code was then and there, at the time of the committing of the offense hereinabove alleged, in full force and operation, and was by law declared to be binding and in force in said city, and which said section above set forth was then and there in full force and virtue, having been in nowise altered, amended or annulled by said Board of Health, 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. Feltman
RANDOLPH B. MARTINE

District Attorney.

0069

BOX:

323

FOLDER:

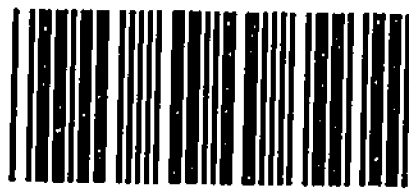
3067

DESCRIPTION:

Allen, Jennie

DATE:

10/23/88



3067

From Cert. of Police Captain
James (attached) insurance
has been stated B.M.

Witnesses:

Capt Thompson

371.

Counsel,
Filed 23 day of Oct 188
Pleads *Chas. Kelly Jr.*

THE PEOPLE
vs.
167 Recorder
Jennie Allen
12/26/87
KEEPING A HOUSE OF ILL FAME, Etc.
[Sections 322 and 385, Penal Code]

JOHN R. FELLOWS

District Attorney.

Dec. 17/89 by the counsel to
certificat and

Jan 23/89 and
A True Bill.

Pr. Aug 23/89
pleads guilty

Sentence suspended
B.M.
Foreman.

0070

0071

Sec. 198-200.

2.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

James Allen 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. *James Allen*

Question. How old are you?

Answer. *28 years*

Question. Where were you born?

Answer. *South Carolina*

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

Answer. *124 Brice Street 9 years*

Question. What is your business or profession?

Answer. *Keep a boarding house*

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*

James Allen
James Allen

Taken before me this

day of

October

188

8

Police Justice

Sec. 151.

Police Court 2 District.

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

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 William Thompson of the 8th Precinct Police Street, that on the 13 day of October 1888, at the City of New York, in the County of New York, Jennie Allen did keep and maintain at the premises known as Number 122 1/2 124 Prince Street, in said City, a House of Prostitution and there unlawfully procure and permit as well men as women of evil name and fame, and of dishonest conversation to visit, frequent and come together for unlawful sexual intercourse, and for the purpose of prostitution, and there unlawfully and wilfully did permit said men and women of evil name and fame there to be and remain ~~dancing, fighting~~, disturbing the peace, whoring and misbehaving themselves whereby the peace, comfort, and decency of persons inhabiting and residing in the neighborhood and there passing is habitually disturbed in violation of the statute in such case made and provided.

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 each and every of you, to apprehend the body of the said

Jennie Allen and all other disorderly and improper persons found upon the premises occupied by said Jennie Allen and forthwith bring them 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 15 day of October 1888

John H. Brown POLICE JUSTICE.

0073

Police Court— District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

WARRANT—Keeping Disorderly House, &c.

Dated 188

Magistrate.

Officer.

Precinct.

The Defendant

Jessie Allen

taken, and brought before the Magistrate, to answer
the within charge, pursuant to the command con-
tained in this Warrant.

William Thompson Officer.

Dated 188

This Warrant may be executed on Sunday or
at night.

John H. ... Police Justice.

having been brought before me under this Warrant, is committed for examination to the
WARDEN and KEEPER of the City Prison of the City of New York.

Dated

188

The within named

Police Justice.

BAILED
No. 1, by *Jm. Hume*
W. J. Gaudin
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 8, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

[illegible]

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 Agur ranch

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

Dated Oct 10 1888 J. M. H. M. M. Police Justice.

I have admitted the above-named Alfred D. Smith
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.*

N.Y. General Services

The People.

^{vs.}
Jennie Allen.

City & County of New York. William
Thompson, Captain of the Municipal
Police of the City of New York in com-
mand of the 8th Precinct of said
City being duly sworn deposes and
says that Jennie Allen the defen-
dant above named has moved and
left the premises Nos 122 & 124, Prince
Street which were formerly kept &
maintained by her as a disorderly
house as complained of by depu-
ties heretofore & that the nuisance
heretofore existing has been abated

Subscribed this

23rd of January 1889.

Wm. Penckles William Thompson
Notary Public Captain
N.Y.C.

General Services

The People.

vs

Jennie Coleman.

Affidavit of
Capt Thompson,

Ex parte Coleman
Committed for
Deport.

0076

0077

Sec. 322, Penal Code.

CITY AND COUNTY { ss.
OF NEW YORK.

2. District Police Court.

William Thompson
of the 9th Precinct Police Street, in said City, being duly sworn says
that at the premises known as Number *122 & 124 Prince* Street,
in the City and County of New York, on the *13* day of *October* 188*8*, and on divers
other days and times, between that day and the day of making this complaint

Jennie Allen
did unlawfully keep and maintain and yet continue to keep and maintain a *house of*
prostitution and did then, and on the said other days and times, there unlawfully procure
and permit as well men as women of evil name and fame and of dishonest conversation to visit, frequent and come
together for unlawful sexual intercourse, and for the purpose of prostitution and lewdness, and then and on the said
other days and times, unlawfully and wilfully did permit and yet continues to permit said men and women of evil
name and fame there to be and remain ~~drinking, dancing, fighting~~ disturbing the peace, whoring and misbehaving
themselves, whereby the peace, comfort and decency of persons inhabiting and residing in the neighborhood, and
there passing is habitually disturbed, in violation of the statute in such case made and provided.

Deponent therefore prays, that the said *Jennie Allen*
and all vile, disorderly and improper persons found upon the premises, occupied by said
Jennie Allen
may be apprehended and dealt with as the law in such cases made and provided may direct.

Sworn to before me, this *15th*
day of *October* 188*8* *William Thompson*
John H. H. H. H. Police Justice.

0078

W
Police Court— *2* District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Wm. Thompson

vs.

James Allen

AFFIDAVIT—Keeping Disorderly House, &c.

Dated *Oct 15* 188*8*

James Allen Justice.

Wm. Thompson Officer.

8 Precinct.

WITNESSES :

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Jennie Allen

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

Jennie Allen

(Sec. 322,
Penal Code.)

of the CRIME OF KEEPING AND MAINTAINING A COMMON BAWDY HOUSE AND HOUSE OF ILL FAME, committed as follows:

The said

Jennie Allen

late of the *8th* Ward of the City of New York, in the County of New York aforesaid, on the *thirteenth* day of *October* in the year of our Lord one thousand eight hundred and eighty-*eight*, and on divers other days and times, as well before as afterwards, to the day of the taking of this inquisition, at the Ward, City and County aforesaid, a certain common bawdy house and house of ill-fame, unlawfully and wickedly did keep and maintain; and in the said house divers evil-disposed persons, as well men as women, and common prostitutes, on the days and times aforesaid, as well in the night as in the day, there unlawfully and wickedly did receive and entertain; and in which said house the said evil-disposed persons and common prostitutes, by the consent and procurement of the said

Jennie Allen

on the days and times aforesaid, there did commit whoredom and fornication; whereby divers unlawful assemblies, disturbances and lewd offences on the days and times aforesaid, as well in the night as in the day, were there committed and perpetrated; to the great damage and common nuisance of all the good people of the said State there inhabiting and residing, in manifest destruction and subversion of and against good morals and good manners, 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

Jennie Allen

(Section 385,
Penal Code.)

of the CRIME OF MAINTAINING A PUBLIC NUISANCE, committed as follows:

The said

Jennie Allen

late of the Ward, City and County aforesaid, afterwards, to wit: on the *thirteenth* day of *October* in the year of our Lord one thousand eight hundred

0080

and eighty-*eight*, and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, unlawfully did keep and maintain a certain common, ill-governed house, and in *her* said house, for *her* own lucre and gain, certain persons whose names are to the Grand Jury aforesaid unknown, as well men as women, of evil name and fame and dishonest conversation, to frequent and come together then and on said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women in said house, at unlawful times, as well in the night as in the day, then and on said other days and times there to be and remain, tippling, drinking, gaming, cursing, swearing, quarreling, making great noises and otherwise misbehaving themselves, unlawfully and wilfully did permit and suffer, to the great annoyance, injury and danger of the comfort and repose of a great number of persons, good citizens of our said State there residing, and passing and repassing, to the common nuisance of the said citizens, 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

(Section 322
Penal Code)

Jennie Allen
of the CRIME OF KEEPING A DISORDERLY HOUSE, committed as follows:

The said

Jennie Allen

late of the Ward, City and County aforesaid, afterwards, to wit: on the *thirteenth* day of *October* in the year of our Lord one thousand eight hundred and eighty-*eight* and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, unlawfully did keep a certain ill-governed and disorderly house, the same being a place of public resort, and in the said house and place of public resort, for *her* own lucre and gain, certain persons, as well men as women, of evil name and fame, and of dishonest conversation, to frequent and come together, then and on the said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women in *her* said house, at unlawful times, as well in the night as in the day, then and on the said other days and times, there to be and remain, drinking, tippling, gambling, rioting, disturbing the peace, whoring and misbehaving themselves, unlawfully and wilfully did permit, and yet continues to permit, by reason whereof the peace, comfort and decency of the neighborhood around and about the said house were, and yet are, habitually disturbed, 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.

0081

BOX:

323

FOLDER:

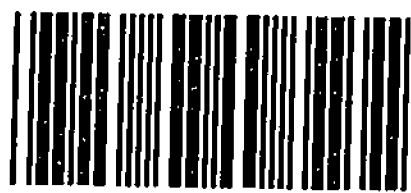
3067

DESCRIPTION:

Anderson, George

DATE:

10/16/88



3067

0082

Witnesses;

Matthew Fryer
W. H. Kelme

Counsel,

Filed

16 day of Oct 1888

Pleads,

THE PEOPLE

vs.

George Anderson

*Burglary in the Third degree,
and Petit Larceny.*

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Matthew Fryer Foreman.
Oct 16 1888
W. H. Kelme Jury Clerk
S.P.H. 1888.

POOR QUALITY
ORIGINAL

0003

Witnesses;

Matthew J. Fryer
W. J. Malone

Counsel,

Filed

16 day of Oct 1888

Pleads,

THE PEOPLE

vs.

George Anderson

*Burglary in the Third degree,
in the County of Essex,
Mass.*

JOHN R. FELLOWS,

District Attorney.

A True Bill.

James J. Foreman.
Oct 16/88
James J. Foreman
S. P. H. 14/88.

POOR QUALITY
ORIGINAL

00084

Police Court 4 District.

City and County } ss.:
of New York,

of No. 151 East 43rd Street, aged 26 years,

occupation Janitor

deposes and says, that the premises known as St. Agnes Church, East 43rd Street ^{being duly sworn} 3rd Ward

in the City and County aforesaid the said being a Roman Catholic

Church

and in which there was at the time a human being by name Ellen Maher

were **BURGLARIOUSLY** entered by means of forcibly opening a

door leading from the vestry room
into the main body of said Church
and entering therein with intent
to commit a felony
on the first day of October 1888 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

One Carpenter's rule
One Coal Chisel
One Screw driver all together
of the value of One dollar
(\$1.00)

the property of in the care and custody 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

Jorge Anderson (now here)

for the reasons following, to wit:

That deponent was
informed by Ellen Maher of No
151 East 43rd Street at about 9³⁰
O'clock P.M. that she saw defendant
in the main body of the Church
and when deponent went into the
Church immediately the capt. he
saw defendant in the Church
and caused this arrest

POOR QUALITY ORIGINAL

00005

Defendant is informed by Officer
Peter Helms of the 23rd Precinct
that he arrested said defendant
and found concealed upon his
person the above described property
which defendant positively identifies
as the property taken from defendant's
tool box which was located in
the basement of said Church.
Whereupon defendant prays
that said defendant be held to
Answer and be dealt with as
the law directs.

Seen to before me
this 29 day of Sept 1888 by Bartholomew Joyce
Sam'l J. Gill
Police 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 1888
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1888
There being no sufficient cause to believe the within named
guilty of the offence within mentioned, I order he to be discharged.
Dated 1888
Police Justice.

Police Court, District, OFFENSE—BURGLARY.

THE PEOPLE, &c.,
on the complaint of

1. 2. 3. 4.

Dated 1888

Magistrate.

Witness, Officer, Clerk.

No. Street, No. Street, No. Street.

\$ to answer General Sessions.

POOR QUALITY
ORIGINAL

0086

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 25 years, occupation Servant of No.

141 East 43rd Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Bartholomew Joya
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me this

day of

188

Sam'l C. Bull

Police Justice.

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 30 years, occupation Police Officer of No.

25th Avenue Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Bartholomew Joya
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me this

day of

188

Sam'l C. Bull

Police Justice.

POOR QUALITY
ORIGINAL

00007

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY
OF NEW YORK.

George Anderson 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 not guilty
George Anderson
✓

Taken before me this
day of *Oct*

1886

James H. Smith Police Justice.

POOR QUALITY
ORIGINAL

0000

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

Offence

Dated _____ 188

Magistrate.

Officer.

Precinct.

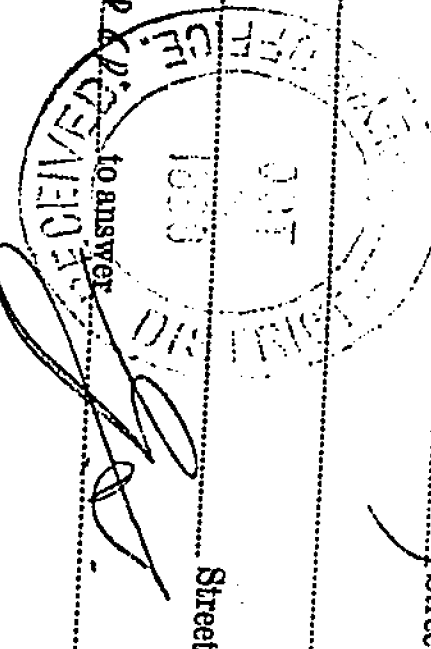
Witnesses

No. _____
Street _____

No. _____
Street _____

No. _____
Street _____

No. _____
Street _____



COMMITTED.

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named

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

Dated Oct 2 188 Samuel Kelly 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.

POOR QUALITY
ORIGINAL

00009

RECTORY OF
SAINT AGNES' CHURCH,
141 EAST 43d STREET,

New York, Oct 12 1888.

Dear Sir

your church list

is Church & Corporation of
St Agnes, N. Y. City

Yours Truly

H. C. Macdonnell

Rector

Mrs. S. Loring.

POOR QUALITY
ORIGINAL

0090

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 Anderson

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

George Anderson

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

The said *George Anderson*.

late of the *nineteenth* Ward of the City of New York, in the County of New York, aforesaid, on the *first* day of *October*, in the year of our Lord one thousand eight hundred and eighty-eight, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the *Church* of *one* *a certain corporation called the Church and Corporation of Saint Agnes of New York City*.

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 *corporation*

in the said *Church*, 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.

POOR QUALITY
ORIGINAL

0091

SECOND COUNT—

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

— *George Anderson* —

of the CRIME OF *Real* LARCENY,—

committed as follows:

The said *George Anderson*.

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 carpenter's rule of the value of twenty
cents, one drill of the value of forty
cents, and one screw driver of the value
of forty cents,*

of the goods, chattels and personal property of *one a certain corporation
called the Church and Corporation of Saint
Augustine of New York City.* —
in the *Church* of the said *corporation.* —

there situate, then and there being found, *in* the *Church* 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.

John D. Nelson,
District Attorney

0092

BOX:

323

FOLDER:

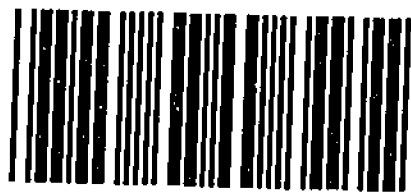
3067

DESCRIPTION:

Angirato, Domenicantonio

DATE:

10/25/88



3067

0093

CORRECTION

0094

BOX:

323

FOLDER:

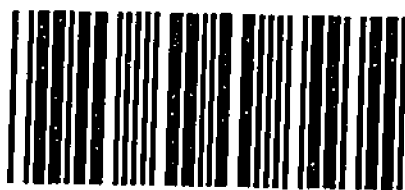
3067

DESCRIPTION:

Angirato, Domenicantonio

DATE:

10/25/88



3067

POOR QUALITY
ORIGINAL

0095

Witness:

Thomas J. Farrell

W. J. Kelly

Counsel,

Filed

25 day of *Oct* 188*8*

Pleas, *Allegedly*

THE PEOPLE

vs.

P

Dominicanis Anigrato

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

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Sworn and Foreman.

Oct 29/88

Speed & Connected

of County of Meigs

Catholics Pr.

7
The People
vs.

Domenicantonio Angirato. Before Judge Cowing.

Court of General Sessions, Part I.

October 29, 1888.

Indictment for assault in the first degree.

Govianno Femminalla sworn and examined. I live at No. 6 York Street and go to night school, I know this Defendant about a year and a half, I saw him on the 18th of this month when he stabbed me, I was at the corner of Murray and Washington Streets in this city, it was twenty minutes after eight. What did you do to make him stab you? We got two barrels and we sold them for fifteen cents, I asked him to give me seven cents and he could keep eight cents, he said he would give me five, so I said I would not take it, "you can have eight and I will take the seven," he would not do it; he got in a fight with me, so I told him to stop and as soon as I turned he came in the back and stabbed me. Who struck the first blow? He did at the same time. That is both of you struck the first blow? Yes. Did you fight with your fist? Yes. Did you have a knife? NO. Did not you have a club? NO. When I got in the fight he punched me and I punched him back, I don't know who got the first blow, we did not fight more than one minute, I did not tumble down, I did not run away, I stopped and I turned around and he came in the back and stabbed me, he stabbed me with a knife, I saw it, the blade was as long as my middle finger, I have not the coat on I wore at the time but I have the vest, it cut through the vest, I went to the hospital and had it fixed there and as soon as they fixed it I went away; it was

sore three or four days but I could not hardly sleep it was hurting me so. The Defendant is an Italian and I am too. I had no knife at all with me that day, I got none of the money, I told the policemen about it, I told the policemen that he had cut me and then he was arrested.

Cross Examined. I am not twelve years old yet, he is older than that; we took off our coats when we went to fight, we were not fighting over a minute, there were only two boys looking at us fighting, none of the other boys interferred, I went to the hospital after he stabbed me and then I went about my business after that. I did not tell anybody since that day that it was all my fault, I did tell somebody that I was sorry I made any complaint against him and I wanted to let him go, we lived together a good while, I never worked with him, that was the only day, I went with him to get some wood, a man gave us two barrels and we sold them, I told the Defendant that we will go and sell them and he could keep eight cents and I would keep seven but he would not do that, I did not try to take the money away from him, I saw him running with the knife in his hand, he said the knife got crooked in going in; I saw the knife before he hurt me, he said, the knife got crooked or he would have stuck it in more, he said that afterwards in the Tombs; the two boys that were looking on are not here in Court. What became of the knife do you know? He said to the officer that he threw it away.

The Court: There is no need of calling the doctor, I will submit it on the second count.

James Kelly sworn and examined. I am an officer and arrested the Defendant; a citizen on the corner of Washington and Chamber Street had the boy in his hand when I came along, this other boy that was cut had gone to the hospital, I arrested the prisoner about twenty minutes after eight o'clock, I told him what he was charged with, he could not speak much English, I asked him if he cut the boy and he said yes and a citizen said the boy had gone to the hospital, so I brought the prisoner to the hospital, the complainant just got in ahead of us, the doctor dressed the boy and I asked him if the prisoner cut him and he said he did, I asked him what he cut him for and he said he struck him with his hand, I asked the Defendant where the knife was and he would not answer me; he told me going over to Court that they were quarreling about money. I asked the other boy what was the cause of it and he told me they were playing pennies, he had fifteen cents and he wanted to get five cents off him and he would not give it to him, then they had a little tussle with each other and this fellow drew a knife and stabbed him.

Domenicantonio Angirato sworn and examined in his own behalf: I am going on eleven years old, I had known the complainant six or seven days before this day we had the trouble; he took his coat off and gave me a punch in my eye and then we commenced to fight, I went away and said, "leave me alone", he would not leave me alone but said, "you have got to fight"; I went away and then he grabbed hold of me and hit me in the eye, then I had my knife and stuck him in the back, I did not mean to hurt

POOR QUALITY
ORIGINAL

0099

him. He said to me, "go and sel, this barrel for ten cents", and I sold it. It was a small knife and no good, I opened it and cut him, I cut him to get even with him, I chucked the knife away, I told the police officer that this boy beat me but did not tell him I stabbed him with a knife.

The Jury rendered a verdict of guilty of assault in the second degree.

POOR QUALITY
ORIGINAL

0 100

Testimony in the case
of
Donaciano Angirato

Filed Oct. 1888

WITNESSES:

That the said Donaciano Angirato is a native born citizen of the United States of America, and that he is now residing in the County of Los Angeles, State of California.

I, the undersigned, being a competent juror in the County of Los Angeles, State of California, do hereby certify that the foregoing is a true and correct copy of the testimony given by the said Donaciano Angirato.

Subscribed and sworn to before me this 18th day of October, 1888.

Notary Public for the County of Los Angeles, State of California.

My commission expires the 1st day of January, 1889.

POOR QUALITY
ORIGINAL

0101

The Society of the New York Hospital,

HOUSE of RELIEF, 160 Chambers St.

New York, Oct. 18th 1888

*This is to certify that Geo. Fami-
miller was brought to this hos-
pital suffering from a stab
over the upper end of right
shoulder blade, which probably
only gave down to bone.*

*D. Harvey. M.D.
Surgeon.*

POOR QUALITY
ORIGINAL

0102

Police Court—1st District.

CITY AND COUNTY
OF NEW YORK, } ss.

of No. 6 York Street,

being duly sworn, deposes and says, that
on Thursday the 8 day of October

in the year 1888 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Domenicantonio Aguirato
(man here who cut
and stabbed deponent
on the shoulder-blade
with the blade of a
knife which he then
held in his hand.

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 8 day of October 1888 Giovanni Seminella
of man;

San J. Caffrey POLICE JUSTICE.

POOR QUALITY
ORIGINAL

0103

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Romencan tino Augirato 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. *Romencan tino Augirato*

Question. How old are you?

Answer. *10 years.*

Question. Where were you born?

Answer. *Italy*

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

Answer. *6 York Street - 2 years.*

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 not guilty.*
Romencan tino Augirato
Circum

Taken before me this

day of

1887

Police Justice.

*The New York Society for the
Prevention of Cruelty to Children*

100 EAST 23D ST. (COR. FOURTH AVE.)

New York, Oct. 24th 1888

Court of General Sessions of the Peace in and for the
City and County of New York.

*The People
against*

Notice of Prosecution.

Lomineau Antonio Argiro

To the District Attorney of the
City and County of New York,

Sir: This Society is interested in the prosecution of
the above defendant, and is familiar with the facts of the
case. It respectfully requests that before sending the papers
to the Grand Jury, fixing the day of trial, consenting to
any postponement thereof, or to any reduction of bail, or
final disposition of the charge, you will duly notify me as
its President and Counsel, so that I may confer with you
in regard thereto. This request is made pursuant to the
statute (Laws of 1886, Chapter 30, Section 8), and in
furtherance of the ends of Justice.

I have the honor to remain, with great respect,

Elbridge T. Gerry,

President, &c.

POOR QUALITY
ORIGINAL

0106

N. Y. GENERAL SESSIONS

THE PEOPLE



CRUELTY TO CHILDREN.

John W. Brown

NOTICE OF PROSECUTION

THE SOCIETY.

ELBRIDGE T. GERRY,

President, &c.

POOR QUALITY
ORIGINAL

0107

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Domenicantonio Argirato

The Grand Jury of the City and County of New York, by this indictment, accuse
Domenicantonio Argirato —
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said *Domenicantonio Argirato*,

late of the City of New York, in the County of New York aforesaid, on the
eighteenth day of *October* in the year of our Lord
one thousand eight hundred and eighty *eight*, with force and arms, at the City and
County aforesaid, in and upon the body of one *Giovanni Ferrminella*
in the peace of the said People then and there being, feloniously did make an assault,
and *him* — the said *Giovanni Ferrminella*
with a certain *knife* —

which the said *Domenicantonio Argirato* —
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,

with intent *him* the said *Giovanni Ferrminella*
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
Domenicantonio Argirato —
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *Domenicantonio Argirato*,

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 *Giovanni Ferrminella* —
in the peace of the said People then and there being, feloniously did wilfully and
wrongfully make another assault, and *him* — the said
Giovanni Ferrminella —
with a certain *knife* —

which the said *Domenicantonio Argirato* —
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.

POOR QUALITY
ORIGINAL

0108

THIRD COUNT—

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

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

The said *Domenicantonio Angirato*

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
Giovanni Femminella in the peace of the said People then
and there being, feloniously did wilfully and wrongfully make another assault, and
him the said *Giovanni Femminella*
with a certain *knife*—

which *he* the said *Domenicantonio Angirato*
in *his* right hand then and there had and held, in and upon the *shoulder*
blade of *him* the said *Giovanni Femminella*
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 wrong-
fully inflict grievous bodily harm upon the said *Giovanni Femminella*

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.

0 109

BOX:

323

FOLDER:

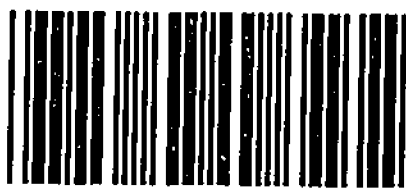
3067

DESCRIPTION:

Anthony, George

DATE:

10/16/88



3067

POOR QUALITY
ORIGINAL

0110

Witnesses:

John Barry

The witnesses in this case
cannot be found (see affo
fles herein).
I recommend defendant's
discharge upon his own
recognizance & discharge of
bail.

Nov 15-1888.

Verum M. Davis
Clerk

Counsel,

Filed 11th day of Oct 1888

Pleads, *Guilty*

THE PEOPLE

vs.

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

B
George Anthony

JOHN R. FELLOWS,

District Attorney.

*Witness found for counsel
on 11th day of Oct 1888 - W.M.D.*
A TRUE BILL.

Charles Liner Foreman
*On recom. of Dist. Atty.
deft. discharged on his
own recog. W.R.B.M.*
Nov 15/88
Paul D. Dwyer

POOR QUALITY
ORIGINAL

Police Court District

City and County } ss.:
of New York,

of No. 245 or 27 John Barry Street, aged 22 years,

occupation Red Iron being duly sworn

deposes and says, that on the 23 day of September 1888 at the City of New

York, in the County of New York, on 7th Avenue or 21st St.

he was violently and feloniously ASSAULTED and BEATEN by George

Anthony (New here) who willfully

and maliciously cut and stabbed

in the head with a razor or some

other sharp instrument which he

the said defendant then and there

held in his hand cutting deponent's

head severely.

Deponent further says that such

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 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 23rd day
of Sept 1888

John Barry
G. Henry Ford Police Justice.

POOR QUALITY
ORIGINAL

0112

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

George Anthony 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's waiver cannot be used
against h' on the trial.

Question. What is your name?

Answer. *George Anthony*

Question. How old are you?

Answer. *35 years old*

Question. Where were you born?

Answer. *Connecticut*

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

Answer. *304, 7th Ave. 5 Mrs*

Question. What is your business or profession?

Answer. *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 I'd
not cut this man, I never
defended myself when he struck
me by hitting him with my
fist.*

G. Anthony

Taken before me this

day of

188

John J. [Signature]

Police Justice.

POOR QUALITY
ORIGINAL

0113

BAILED.
No. 1 by William A. Thompson
Residence 363 West 31st Street.
No. 2, by _____
Residence _____ Street.
No. 3, by _____
Residence _____ Street.
No. 4, by _____
Residence _____ Street.

241
Police Court---

2491
District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Henry
245 West 23rd
Surge Wuthnow

Offence Assault felony

Date

Sept 23

188

Magistrate.

John Delaney

Officer.

Precinct.

Witness

Wm. H. Davis

No. 214

West 29th

Street.

No. _____

124

Street.

No. _____

124

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 250 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 Sept 23 188 2 John Henry 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.

POOR QUALITY
ORIGINAL

0114

PART I.

THE COURT ROOM IS IN THE SECOND STORY AND FRONTING THE PARK.
If this Subpoena is disobeyed, an attachment will immediately issue.
Bring this Subpoena with you, and give it to the Officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPOENA

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

Affidavit Wanted +
The People of the State of New York.

To *Wm. H. Games*

of No. *214 N. 29th*

Street,

GREETING:

WE COMMAND YOU, That all business and excuses ceasing, you *appear* in your proper person, before the Court of General Sessions of the Peace to be holden in and for the City and County of New York at the Sessions Building, in the Park of the said City, on the *15th* day of *November* instant, at the hour of Eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf against

George Anthony
in a case of Felony, whereof *he stands* indicted. And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

WITNESS, Hon. FREDERICK SMYTH, Recorder of our said City, at the City Hall in the year of our Lord 1888.
November JOHN R. FELLOWS, District Attorney.

Court of General Sessions.

The People

George Anthony

City and county of New York, do
 Terence Duffy, being duly sworn,
 says, he is a Subpoena Server in
 the office of the District Attorney
 of the city and county of New
 York. That on the 14th of November
 1888, he repaired to the premises
 214 West 29th Street, for the purpose
 of serving the within sub-
 poena upon Wm. H. Gaines.
 That the said premises are the
 only place of residence given
 by said Gaines and known
 to deponent. That he made due
 and diligent efforts to find the
 said Gaines, but without success.
 That he is not known to any
 of the residents on said premises.
 That deponent has also made due
 and diligent inquiries regarding
 the said Gaines in the neighbor-
 hood of said premises, but without

avail.

known to before me

this 15th of November 1886

Edward Grose James Duffy

Notary Public

City & County of New York

Count of General Sullivan

The People

George Anthony

Applicant of
Imperial Power

Court of General Sessions

The People

v.
George Anthony

City and county of New York, ss:
Jesse Duff, being duly sworn,
says he is a Subpoena Server in
the office of the District Attorney
of the city and county of New
York. That on the 14th of November,
1888, he repaired to the premises
214 West 29th Street to serve
a subpoena upon John Barry.
That the said Barry was not
in said premises at the time,
but deponent was informed
by a lady who came to the door
that the said Barry resided
there and would come home
later. That deponent thereupon
delivered the said subpoena
to said lady requesting and
directing her to serve the same
upon said Barry, and the
said lady promised to de-
ponent to comply with said

request. The reason why de-
fendant did not wait for
the arrival of said Barry
was that he had numerous
other subpoenas to serve yet
on the same day.

Proven before
the 15th of November 1888

Terence Duffy

Forwards & Kasse

Notary Public

City and County of New York

Court of General Sessions

The People

v.
George Anthony

Defendant of
Subpoena Duces

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 Anthony

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

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

The said

George Anthony

late of the City of New York, in the County of New York aforesaid, on the
twentieth day of *September* in the year of our Lord
one thousand eight hundred and eighty-*eight*, with force and arms, at the City and
County aforesaid, in and upon the body of one *John Barry*
in the peace of the said People then and there being, feloniously did make an assault,
and *him* the said *John Barry*
with a certain *knife*

which the said

George Anthony
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,

with intent

him the said *John Barry*
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

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

The said

George Anthony

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 *John Barry*

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

with a certain

knife

which the said

George Anthony

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

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

The said

George Anthony
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
John Barry in the peace of the said People then
and there being, feloniously did wilfully and wrongfully make another assault, and

with a certain

which

in

the said

George Anthony
right hand then and there had and held, in and upon the
of *John Barry* the said

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 wrong-
fully inflict grievous bodily harm upon the said *John Barry*

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.

0121

BOX:

323

FOLDER:

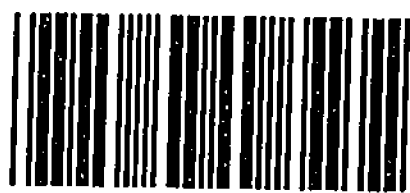
3067

DESCRIPTION:

Aronson, Henry

DATE:

10/11/88



3067

POOR QUALITY
ORIGINAL

0122

Witnesses:
J. P. Mulholland

169 / 69

Counsel,
Filed 11 day of Oct 1888
Pleads *Abrogation 12*

THE PEOPLE
vs.
Henry Aronson
Grand Larceny, First Degree.
(From the Person.)
[Sections 528, 530 — Penal Code.]

JOHN R. FELLOWS
District Attorney.

A True Bill.

Wm. A. Foreman Foreman.

Part III October 15/88
Pleads. Petition Larceny.
Rev. Sep 1888.

POOR QUALITY
ORIGINAL

0123

Police Court—²¹ District.

Affidavit—Larceny.

City and County }
of New York, } ss.

of No. 1 Morris Street, aged 54 years,
occupation Merchant being duly sworn

deposes and says, that on the 1st day of October 1888 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession and

person of deponent, in the night time, the following property viz:

One silver watch of the value
of Ten 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 Henry Saranson, now

here, from the fact that deponent
then stood in the South east
Corner of 14th Street and 5th Avenue
about the hour of 10 o'clock on
the night of said day. That said
watch was then in the left
lower pocket of the vest then
worn upon deponent's person.
That deponent is now here
informed by officer Mulholland
that he, said officer, then saw
the said deponent in the act
of taking said watch out of said
pocket, and that he, said officer,

Subscribed before me this

1888

Police Justice

POOR QUALITY
ORIGINAL

0124

Caught him, said dependant,
with said stolen watch in his
hand which he dropped on the
sidewalk. That the watch so found
with said dependant is the stolen
watch aforesaid.

Spurn D. Rogers me the } Cornelius Flynn
3rd day of October 1888

J. M. Peterson

Police Justice

POOR QUALITY
ORIGINAL

0125

CITY AND COUNTY }
OF NEW YORK, } ss.

aged _____ years, occupation John Mulholland
Victorian Agent of No. 800 Mulberry

Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Cornelius J. Lyons
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 7th
day of October 1888 John Mulholland

J. M. Patterson
Police Justice.

POOR QUALITY
ORIGINAL

0 126

Sec. 198-200.

District Police Court.

CITY AND COUNTY
OF NEW YORK, ss

Henry Aronson 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

Henry Aronson

Question. How old are you?

Answer

18 years 2 days

Question. Where were you born?

Answer.

New York City

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

Answer.

57 Mulberry St. 2 years.

Question What is your business or profession?

Answer

Truck 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.

Henry Aronson

Taken before me this

day of *October* 188*8*

H. H. Aronson

Police Justice.

POOR QUALITY
ORIGINAL

0 127

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, ——— DISTRICT.

of No. Central Office Street, aged 29 years,
occupation Central Detective Sergeant being duly sworn deposes and says,
that on the 12 day of October 1888

at the City of New York, in the County of New York, he arrested

Henry Aaronson (now here) upon sus-
picion of committing a larceny.
Deponent prays that the defendant
be held to permit deponent to pro-
cure further evidence.

John Mulholland

Sworn to before me, this
of October 1888 day

John Aaronson Police Justice,

POOR QUALITY
ORIGINAL

0128

Police Court-- District.

THE PEOPLE, & c.

ON THE COMPLAINT OF

John Mulholland
vs.
Henry Aaronson

AFFIDAVIT.
Sw. L. L. L.

17. W.S. 87 Mulberry St.

Dated *Oct. 2* 188*8*

Patterson Magistrate.

Mulholland Officer.
B.O.

Witness, _____

Ex Oct 3rd
Disposition, *9 1/2 U.M.*

POOR QUALITY
ORIGINAL

0 129

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

Police Court---169
1590
District 1346

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Complainant
1 moved
Henry Chapman

2
3
4

Offence Larceny
from the person

Dated October 3, 1888

Paterson Magistrate.

Mitchman Officer.

C. Co. Precinct.

Witness John Mitchell

No. _____
Street _____

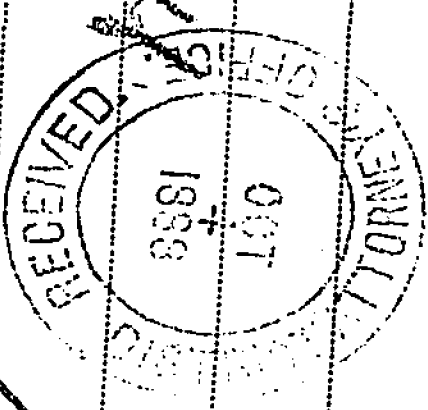
No. _____
Street _____

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 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 October 3, 1888 J. M. Paterson Police Justice.

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

Dated _____ 1888 _____ 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 _____ 1888 _____ Police Justice.

POOR QUALITY
ORIGINAL

0130

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Henry Aronson

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

Henry Aronson
of the CRIME OF GRAND LARCENY in the *first* degree, committed as follows:

The said

Henry Aronson

late of the City of New York, in the County of New York aforesaid, on the *first*
day of *October* in the year of our Lord one thousand eight hundred and
eighty-*eight*, in the *night* time of the said day, at the City and County
aforesaid, with force and arms,

*One watch of the value of ten
dollars*

of the goods, chattels and personal property of one Cornelius Flynn
on the person of the said Cornelius Flynn
then and there being found, from the person of the said Cornelius Flynn
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 R. Fellows,
District Attorney*

0131

BOX:

323

FOLDER:

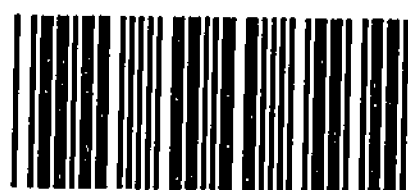
3067

DESCRIPTION:

Arthur, John

DATE:

10/23/88



3067

0132

Witnesses:

John Collins
John Hoffmann

Counsel,

Filed

23

day of

188

Pleads,

THE PEOPLE

vs.

P

John Arthur

16 1/2
11/24/88

Burglary in the THIRD DEGREE
(Section 498.506, 532.173)

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Small Foreman.

Oct 24/88

Heads Jury Jury

Almon R. J.

0133

Police Court—

4 District.

City and County } ss.:
of New York,of No. 325 East 60th St John Collins Street, aged 38 years,occupation Liquor being duly sworndeposes and says, that the premises No. 325 E 60 Street, 19th Wardin the City and County aforesaid the said being a store and dwellingand which was occupied by deponent as a store and dwelling

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

were BURGLARIOUSLY entered by means of forcibly breaking open
the shutters of a rear window breaking
a light of glass suspending the
window lock and then enteringon the 14th day of October 1888 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:Four boxes of cigars and two
bottles of wine together of the
value of seven dollarsthe property of Apimentand 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

for the reasons following, to wit:

John Arthur
that between the hours of
12 o'clock midnight and 6 am of
said date said premises were broken
or descended and said property
carried away and that subsequently
deponent caught said defendant in
the act of trying to sell some cigars
the box containing them having the same
appearance as that stolen, and further

0134

that the Defendant confessed that he
had stolen said property and directed
deponent to a place where he had
deposited it where deponent recovered it

John L. Lewis

I swear before me that
18th day of October 1888

A. J. White

Police 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 1888
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1888
There being no sufficient cause to believe the within named
guilty of the offence within mentioned, I order he to be discharged.
Dated 1888
Police Justice.

Police Court, District.

THE PEOPLE, &c.,
on the complaint of

Office—BURGLARY.

vs.

1
2
3
4

Dated

1888

Magistrate.

Officer.

Clerk.

Witnesses.

No.

street,

No.

Street,

No.

Street,

\$ to answer General Sessions.

0135

Sec. 198-200.

10 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

John Arthur

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 in that the statement is designed to
enable h in if he see fit to answer the charge and explain the facts alleged against h in
that he is at liberty to waive making a statement, and that h in waiver cannot be used
against h in on the trial.

Question. What is your name?

Answer. *John Arthur*

Question. How old are you?

Answer. *15 years*

Question. Where were you born?

Answer. *N.Y.*

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

Answer. *none*

Question. What is your business or profession?

Answer. *nothing*

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*

John Arthur

Taken before me this *11* day of *October* 188*8*
W. C. Davis
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 Arthur

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

John Arthur

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

The said

John Arthur

late of the *Nineteenth* Ward of the City of New York, in the County of New York
aforesaid, on the *fourteenth* day of *October* in the year of our Lord one
thousand eight hundred and eighty-*eight*, with force and arms, in the
night - time of the same day, at the Ward, City and County aforesaid, the
dwelling house of one

John Collins

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

John Collins

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

John Arthur—

of the CRIME OF *Petit* LARCENY—

The said

John Arthur

, committed as follows:

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 time of said day, with force and arms,

four boxes of cigars of the value of one dollar each box, and two bottles of wine of the value of one dollar and fifty cents each

of the goods, chattels, and personal property of one

John Collins

in the dwelling house of the said

John Collins—

there situate, then and there being found, from the dwelling house 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.

THIRD COUNT.

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

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

The said

John Arthur

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

four boxes of cigars of the value of one dollar each box, and two bottles of wine of the value of one dollar and fifty cents each,

of the goods, chattels and personal property of

John Collins

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

John Collins

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

John Arthur

then and there well knowing the said goods, chattels and personal property to have been feloniously stolen), 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.