

0009

**BOX:**

12

**FOLDER:**

149

**DESCRIPTION:**

Abrams, Albert

**DATE:**

05/13/80



149

0010

Day of Trial

Counsel,

Filed 13 day of May

1880

Pleads

THE PEOPLE

vs.

Albert Abrams<sup>3</sup>

Violation of Excise Law.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

*Wm. H. Carey*

F. May 14, 80 Foreman.

Part No. May 20, 1880

Forfeited + entered

1st  
19th May  
1880

0011

POLICE COURT

DISTRICT.

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

of No. the Fifteenth Precinct James L. Henry Street,  
of the City of New York, being duly sworn, deposes and says, that on the 11 day  
of October 18 79 in the City of New York, in the County of New York,  
At Premises 194 Greene Street

a place where intoxicating liquors and wines are kept for sale, and sold as a beverage,  
Albert Abrams (now here) did then and there expose for sale, and did sell, caused  
suffered, and permitted to be sold and given away, under his direction or authority, strong and spirituous liquors,  
wines, ale and beer, being intoxicating liquors, in quantities less than five gallons at a time, to be drunk in the  
house or premises aforesaid, contrary to and in violation of law: that said Albert Abrams

WHEREFORE, deponent prays that the said Albert Abrams may  
be ~~arrested and~~ dealt with according to law.

Sworn to before me this 12 day  
of October 18 79

Police Justice.

James L. Henry

00 12

168

Police Court, District.

THE PEOPLE  
ON THE COMPLAINT OF

717  
Jennah L Henry  
15 25. P.

Albert Abrams

Violation of Excise Law.

Dated 13 day of Oct. 18 79

Blanner Magistrate.

15 Henry Officer.

Witness,

Bailed \$100 to Ans. G.S.

By

Street.

come

Charles Newman  
194 Green St.  
151 Chambers St.  
194 Green

0013

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

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
*in and for the body of the City and County of New York, upon  
their Oath, present:*

That

*Albert Abrams*

late of the *fifteenth* Ward of the City of New York, in the County of  
New York, aforesaid, on the *eleventh* day of *October* in the year  
of our Lord one thousand eight hundred and *eighty seven*, at the Ward,  
City and County aforesaid, certain strong and spirituous liquors, and certain wines, to  
wit: one gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of  
whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of  
beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor, to the  
jurors aforesaid unknown, unlawfully did sell, in quantity less than five gallons at one  
time, to one

*James L. Henry*

; without having a  
license therefor, as required by law, contrary to the form of the statute in such case made  
and provided, and against the peace and dignity of the People of the State of New York.

~~SECOND COUNT.—And the Jurors aforesaid, upon their Oath aforesaid, do further  
present: THAT the said~~

~~late of the Ward, City, and County aforesaid, then and there being a person duly  
licensed according to law to sell spirituous liquors and wines on the day  
and in the year aforesaid, at the Ward, City and County aforesaid, the same  
being the first day of the week, commonly called and known as Sunday, with  
force and arms, certain strong and spirituous liquors and certain wines, to wit: One  
gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, one  
gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one  
gill of lager beer, and one gill of a certain strong and spirituous liquor to the jurors  
aforesaid unknown, unlawfully did sell, as a beverage, to one~~

~~contrary to 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.~~

**BENJ. K. PHELPS, District Attorney.**

0014

**BOX:**

12

**FOLDER:**

149

**DESCRIPTION:**

Adler, Regina

**DATE:**

05/18/80



149

0015

Third District Police Court.

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

of the 10<sup>th</sup> Precinct Police Edgar B. Van Buskirk Street,

of the City of New York, being duly sworn, deposes and says, that on the 22

day of March 1879, at the City of New York, in the County of New York,

at No. 189 Eldridge Street,

Regina Adler  
did sell, or caused, suffered or permitted to be sold, or exposed for sale, under his direction or authority, strong or spirituous liquors or wines, to be drunk in his house or premises aforesaid, in quantities less than five gallons at a time, contrary to and in violation of the Excise Laws of the State of New York, entitled "An Act to Suppress Intemperance and to Regulate the Sale of Intoxicating Liquors," passed April 16, 1857.

Sworn to before me, this 22  
day of March 1879 }

Edgar B. Van Buskirk.

Wm. Murray

POLICE JUSTICE

0016

170  
Police Court—Third District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Edgar B. VanBuren  
vs.

Regina Adler

MISDEMEANOR.

Violation Excise Laws.

Dated the

22



1879

17 Murray

Magistrate.

VanBuren Officers.

Witness

Bailed \$ 100 to Ans., G. S.

By

Henry Freimuth

287 Eldridge Street.



00 17

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

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
*in and for the body of the City and County of New York, upon  
their Oath, present:*

That

*Regina Adler*

late of the *Seventeenth* Ward of the City of New York, in the County of  
New York, aforesaid, on the *twenty second* day of *March* in the year  
of our Lord one thousand eight hundred and *eighty seven*, at the Ward,  
City and County aforesaid, certain strong and spirituous liquors, and certain wines, to  
wit: one gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of  
whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of  
beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor, to the  
jurors aforesaid unknown, unlawfully did sell, in quantity less than five gallons at one  
time, to one

*Edgar B. Van Buckirk*

; without having a  
license therefor, as required by law, contrary to the form of the statute in such case made  
and provided, and against the peace and dignity of the People of the State of New York.

~~SECOND COUNT.—And the Jurors aforesaid, upon their Oath aforesaid, do further  
present: THAT the said~~

~~late of the Ward, City, and County aforesaid, then and there being a person duly  
licensed according to law to sell spirituous liquors and wines on the day  
and in the year aforesaid, at the Ward, City and County aforesaid, the same  
being the first day of the week, commonly called and known as Sunday, with  
force and arms, certain strong and spirituous liquors and certain wines, to wit: One  
gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, one  
gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one  
gill of lager beer, and one gill of a certain strong and spirituous liquor to the jurors  
aforesaid unknown, unlawfully did sell, as a beverage, to one~~

~~contrary to 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.~~

**BENJ. K. PHELPS, District Attorney.**

0018

**BOX:**

12

**FOLDER:**

149

**DESCRIPTION:**

Albers, Peter

**DATE:**

05/25/80



149

0019

335

1877  
May 26.

Day of Trial

Counsel,

Filed 25 day of May 1880

Pleads

THE PEOPLE

Violation of Excise Law.

*Wm. H. H. H.*  
vs.

*B*  
*John Albers*

BENJ. K. PHELPS,

District Attorney.

A True Bill.

*May 26*

Foreman.

0020

At a Court of General Sessions of the Peace,

Held in and for the City and County of New York,  
at the City Hall of the said City, on Friday  
the 28<sup>th</sup> day of May in the year of  
our Lord one thousand eight hundred and ~~seventy~~ *Eighty*

Present

The Honorable Rufus B. Loring } Justice  
City Judge of the City of New York. } of the  
Sessions.

THE PEOPLE OF THE  
STATE OF NEW YORK,  
vs.

Peter Albers

On Indictment Violation Excise Law  
filed May 25, 1880.

The Defendant not appearing, and Hermann Schumaker  
his surety not bringing him forth to answer to this Indictment, pursuant to  
the condition of their recognizance: On motion of the District Attorney,  
It is Ordered by the Court, that the said Recognizance be and the  
same is hereby forfeited: And it is further Ordered, that the said  
Recognizance, together with a certified copy of this Order, be filed in the  
office of the Clerk of the City and County of New York, and that  
Judgment be entered thereon, according to law, against the said

Peters Albers the  
Defendant above named, and the said Hermann  
Schumaker his surety, for the several sums set forth in  
said Recognizance.

At true Extract from the Minutes.

John Sparks

CLERK.

0021

CITY AND COUNTY } ss.  
OF NEW YORK,

The People of the State of New-York, To the Sheriff,  
Deputy Sheriffs, and Police~~men~~ of the City and County of New  
York, GREETING:

We Command You, and each of you. That you take  
the bod y of

*Peter Albers*

who stand INDICTED before our Justices of our Court of General Sessions of the  
Peace, in and for the said City and County, for *Violation of Excise Law*

and *him* forthwith bring before our said Justices, in the said City and County.  
to be dealt with according to law.

WITNESS, Hon. *Rufus B. Cowing* City Judge  
of our said City, this *26<sup>th</sup>* day of *May* in the  
year of our Lord one thousand eight hundred and seventy-*eighty*

BY THE COURT,

*John Sparks* Clerk.

BENJAMIN K. PHELPS,  
District Attorney.

0022

**N. Y. General Sessions of the Peace.**

**THE PEOPLE**  
**Of the State of New-York,**  
*against*

*Peter Albers*

B. K. PHELPS, *District Attorney.*

**BENCH WARRANT.**

*Issued May 26<sup>th</sup> 1880*

*I understand that*  
*Peter Albers is in*  
*business in Chicago*

*Off J. Nolan*  
The officer executing this process will make his  
return to the Court forthwith.

*H. K. P. Secy*

0023

Police Court—Fourth District.  
CITY AND COUNTY } ss.  
OF NEW YORK.

VIOLATION OF EXCISE LAW.

RECOGNIZANCE TO ANSWER.

BE IT REMEMBERED. That on  
in the year of our Lord, 1879

the 23 day of March  
of No. 73 New Chambers  
and Herman Schumaker Street, in the City of New York

of No. 73 New Chambers Street, in the said City,  
personally came before the undersigned, one of the Police Justices in the City of New York, and acknowledged  
themselves to owe to the PEOPLE OF THE STATE OF NEW YORK, that is to say: the said

Peter Albus  
the sum of One Hundred Dollars, and the said

Herman  
the sum of One Hundred Dollars, separately, of good and lawful money of the State of New York, to be  
levied and made of their respective goods and chattels, lands and tenements, to the use of said People, if default  
shall be made in the condition following, viz:

WHEREAS, the said Peter Albus was charged, before the  
undersigned, Police Justice as aforesaid, on the oath of John J. Nolan  
with Misdemeanor, for having, on the 23 day of March 1879, in the City  
and County of New York, aforesaid, sold and disposed of strong, spirituous and intoxicating liquors, in a quantity less than  
five gallons thereof, and in violation of the law in such cases made and provided.  
AND WHEREAS, he has been brought before said Justice to answer said charge, and upon examination of the whole matter,  
pursuant to the statute, it appearing to said Justice that the said Offence has been committed, and that there is  
probable cause to believe said defendant to be guilty thereof; and the said offence being bailable by said Justice, he did  
thereupon order the said defendant to find Sufficient Bail in the sum of One Hundred Dollars, for his appearance at  
the next Court of General Sessions, to be held in said City and County, to answer to any indictment to be preferred against  
him for said offence.

Peter Albus shall personally appear  
at the next Court of General Sessions, to be held in said City and County, on the First Monday of April  
next, to answer to any indictment that may be preferred against him for said offence, and abide the order of the said  
Court, and not depart therefrom without leave, then this Recognizance to be void; otherwise to remain in full force.

Taken and acknowledged before me, }  
the day and year aforesaid.

Police Justice

P. Albus  
Herman Schumaker

0024

CITY AND COUNTY OF NEW YORK ss.

*Norman Schumaker*

the within named Bail, being duly sworn, says that he is a *free* holder in said

City, and is worth **Two Hundred Dollars, (\$200)** over and above the amount of all his debts and liabilities; and that his property consists of

*One house and lot of land known as No 83 New Chambers Street And is worth ten hundred dollars above all legal liabilities Thomas Hamster*

New York General Sessions.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

against

*Peter Allen*

Recognition to Answer—Violation Excise Law

Taken this

*27* day of *March* 18*79*

JUSTICE.

*Smith*

Filed

*23* day of *April* 18*79*



0025

POLICE COURT—FIRST DISTRICT.

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

*John J. Nolan*  
a Policeman of *14<sup>th</sup>* Police Precinct, being duly sworn, deposes and says, that on  
Sunday, the *30* day of *March* 18*79* at the City of New York,  
in the County of New York.

*Peter Albers* now present  
at No. *73 New Chambers* Street, (a place for the public sale of intoxicating  
liquors), did keep said place open, and did expose for sale, ~~and did sell~~ intoxicating  
liquor, or wine, viz.: \_\_\_\_\_ to be drank as a beverage, in violation of the  
Excise Law.

Wherefore deponent prays he may be held to answer according to law.

*John J. Nolan*

Subscribed to, filed  
91 day of March 1879

0026

335

Police Court—First District.

THE PEOPLE, &c.

ON THE COMPLAINT OF

John J. Nolau

Peter Albers

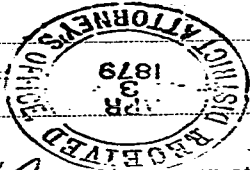
APPENDIX—VIOLATION OF EXCISE LAW.

Dated 31 March 1879

Smith Justice

Nolau Officer

WITNESS:



\$ 100. to answer at Court of General Sessions.

Bailed by Herman Schumaker

No. 83 New Chamber Street.

0027

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

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
*in and for the body of the City and County of New York, upon  
their Oath, present:*

That

*Peter Albers*

late of the *fourth* Ward of the City of New York, in the County of  
New York, aforesaid, on the *thirtieth* day of *March* in the year  
of our Lord one thousand eight hundred and ~~eighty~~ *eighty nine*, at the Ward,  
City and County aforesaid, certain strong and spirituous liquors, and certain wines, to  
wit: one gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of  
whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of  
beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor, to the  
jurors aforesaid unknown, unlawfully did sell, in quantity less than five gallons at one  
time, to one

*John J. Nolan*

; without having a  
license therefor, as required by law, contrary to the form of the statute in such case made  
and provided, and against the peace and dignity of the People of the State of New York.

SECOND COUNT.—*And the Jurors aforesaid, upon their Oath aforesaid, do further  
present: THAT the said*

*Peter Albers*

late of the Ward, City, and County aforesaid, then and there being a person duly  
licensed according to law to sell spirituous liquors and wines on the day  
and in the year aforesaid, at the Ward, City and County aforesaid, the same  
being the first day of the week, commonly called and known as Sunday, with  
force and arms, certain strong and spirituous liquors and certain wines, to wit: One  
gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, one  
gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one  
gill of lager beer, and one gill of a certain strong and spirituous liquor to the jurors  
aforesaid unknown, unlawfully did sell, as a beverage, to one

*John J. Nolan*

contrary to 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.

**BENJ. K. PHELPS, District Attorney.**

0028

**BOX:**

12

**FOLDER:**

149

**DESCRIPTION:**

Aliano, Antonis

**DATE:**

05/13/80



149

0029

154

Day of Trial

Counsel,

Filed 13 day of

1880

Pleads

THE PEOPLE

vs.

B

Antoin Alans

Violation of Excise Law.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

*(Handwritten signature)*

Foreman.

Perk Mrs Mary H. 1880

pleads 2. 6 and

Fines \$30.00

0030

POLICE COURT—FIRST DISTRICT.

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

a Policeman of 14th Police Precinct, being duly sworn, deposes and says, that on the 28th day of December 1879 at the City of New York, Sunday  
in the County of New York,

Antonio Aliano now present  
at No. 95 Crosby Street, (a place for the public sale of intoxicating  
liquors), did keep said place open, and did expose for sale, and did sell, or give away, intoxicating  
liquor, or wine, viz.: beer to be drank as a beverage, in violation of the  
Excise Law.

Wherefore deponent prays he may be held to answer according to law.

James McQuinn

Sworn to, this

before me,

29th day of March 1879  
Wm. J. McQuinn Police Justice.

0031

154

888

Police Court—First District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*James McQuinn*

14<sup>th</sup>

*Antonio Aliano*

Dated

*December 24<sup>th</sup>* 1879

*McQuinn* Justice

*James McQuinn* Officer.

WITNESS:

14



\$ *100* to answer at Court of General Sessions.

Bailed by

*William B. Banta*

No.

*1406* Street.

AFFIDAVIT—VIOLATION OF LAWS LAW.

0032

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

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
*in and for the body of the City and County of New York, upon  
their Oath, present:*

That

*Antonio Aliano*

late of the *fourteenth* Ward of the City of New York, in the County of New York, aforesaid, on the *twenty eighth* day of *December* in the year of our Lord one thousand eight hundred and *eighty seven*, at the Ward, City and County aforesaid, certain strong and spirituous liquors, and certain wines, to wit: one gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor, to the jurors aforesaid unknown, unlawfully did sell, in quantity less than five gallons at one time, to one

*James McGuire*

; without having a license therefor, as required by law, contrary to the form of the statute in such case made and provided, and against the peace and dignity of the People of the State of New York.

SECOND COUNT.—*And the Jurors aforesaid, upon their Oath aforesaid, do further present: THAT the said*

*Antonio Aliano*

late of the Ward, City, and County aforesaid, then and there being a person duly licensed according to law to sell spirituous liquors and wines on the day and in the year aforesaid, at the Ward, City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain strong and spirituous liquors and certain wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the jurors aforesaid unknown, unlawfully did sell, as a beverage, to one

*James McGuire*

contrary to 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.

**BENJ. K. PHELPS, District Attorney.**



0033

**BOX:**

12

**FOLDER:**

149

**DESCRIPTION:**

Alzheimer, Solomon B.

**DATE:**

05/28/80



149

0034

Filed 28 day of May 1880  
Pleads

THE PEOPLE  
vs.  
*John D. McKim*  
Obtaining Goods by False Pretences

BENJ. K. PHILIPS,  
District Attorney.

A TRUE BILL.  
*(Signed) J. K. Philips*  
1880  
The above named defendant has been with drawn, & the case is dismissed.  
The court has no request to be made, & I do not think that any further action is warranted.

0035

CITY AND COUNTY }  
OF NEW YORK, } ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
in and for the body of the City and County of New York, upon  
their Oath, present:

That

*Solomon B. Altheimer*

late of the First Ward of the City of New York, in the County of New York, aforesaid  
on the *Eighteenth* day of *July* in the year of our Lord  
one thousand eight hundred and seventy *nine*, at the Ward, City and County  
aforesaid, with force and arms, on the day and year last aforesaid, with intent feloni-  
ously to cheat and defraud one *Dwight Fox*

did then and there feloniously, unlawfully, knowingly, and, designedly, falsely pretend  
and represent to *Dwight Fox and Rose Fox spouses*

*Carrying on business in the City of New York  
under the firm name and style of Charles  
Fox's South Company*

That *He the said Solomon B. Altheimer*  
*was then and there a merchant of great*  
*wealth and responsibility, that he was*  
*a member of a certain firm known as*  
*G. L. and S. B. Altheimer, who carried*  
*on business in Saint Louis in the State of*  
*Missouri, that the said firm had a*  
*paid up capital clear of all incumbrances*  
*amounting to the sum of seventy five*  
*thousand Dollars, and that the same*  
*was then and there deposited in money*  
*in Bank. And that he the said Solomon*  
*B. Altheimer had paid in as his share*  
*of the cash capital of said firm the*  
*sum of twenty five thousand Dollars*

And the said

*David Fox*

then and there believing the said false pretences and representations so made as aforesaid by the said

*Solomon B. Altheimer*

and being deceived thereby, was induced, by reason of the false pretences and representations so made as aforesaid, to deliver, and did then and there deliver to the said

*Solomon B. Altheimer*

*Forty eight hundred caps of the value of thirty seven and one half Cents each*

of the proper moneys, valuable things, goods, chattels, personal property and effects of the said

*firm of Charles Fox & Son and Company*

and the said *Solomon B. Altheimer* did then

and there designedly receive and obtain the said

*Forty eight hundred caps of the value of thirty seven and one half Cents each*

of the said

*David Fox*

of the proper moneys, valuable things, goods, chattels, personal property and effects of the said

*Charles Fox & Son and Company*

by means

of the false pretences and representations aforesaid, and with intent feloniously to cheat and defraud the said

*Charles Fox & Son and Company*

of the same.

*Whereas and in truth and in fact the said Solomon B. Altheimer was not then and there a merchant of great wealth and respectability, but on the contrary was wholly irresponsible, bankrupt and insolvent. And whereas in truth and in fact the said firm of S. Land & S. B. Altheimer did not then and there have a paid up Capital of twenty five thousand Dollars, but on the contrary had no paid up Capital whatsoever.*

*Capital whatsoever.*

And Whereas, in truth and in fact, the said *Solomon B. Althemer* had not then and there contributed the sum of twenty five thousand dollars to the capital of said firm, nor had he contributed any sum of money whatsoever to the capital of said firm. And whereas in truth and in fact the said firm did not have the said capital in money in any bank, nor did they have any capital in any bank whatsoever.

And Whereas, in truth and in fact, the pretences and representations so made as aforesaid, by the said *Solomon B. Althemer* to the said *Darius* was and were in all respects utterly false and untrue, to wit, on the day and year last aforesaid, at the Ward, City, and County aforesaid.

And Whereas, in fact and in truth the said *Solomon B. Althemer* well knew the said pretences and representations so by *him* made as aforesaid to the said *Darius* to be utterly false and untrue at the time of making the same.

And so the Jurors aforesaid, upon their oath aforesaid, do say, that the said *Solomon B. Althemer* by means of the false pretences and representations aforesaid, on the day and year last aforesaid, at the Ward, City and County aforesaid, feloniously, unlawfully, falsely, knowingly and designedly, did receive and obtain from the said *Darius*

*Forty eight hundred cups of the value of thirty seven and one half Cents each*

of the proper moneys, valuable things, goods, chattels, personal property, and effects of the said

*Charles W. Phelps* with intent feloniously to cheat and defraud *him* of the same, 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.

**BENJ. K. PHELPS, District Attorney.**

0038

Filed 28 day of May 1850

Pleas

THE PEOPLE

vs.

*Solomon B. Adams*

Obtaining Goods by False Pretences

BENJ. K. PHELPS,

District Attorney.

A True Bill.

*Wm. H. Cady*

1851 May 28  
The Supreme Court of the State of New York  
this defendant has been  
withstand. I think no  
further action should be  
taken in this case for  
reasons specified in my  
letter to Mr. Phelps  
28 May 1851

0039

Fake Pretenses

There indictment was found May 28, 1880 for obtaining a quantity of gloves of the value of \$625 of the complainant - A requisition was obtained from the Governor of this State on the Governor of Maryland for the extradition of the Defendant. He was never arrested - Last Fall District Attorney Rollins acting on information which he had received that the requisition had been unpaid, caused a writ to be applied to the Governor of this State to recall the Requisition.

Within the past few months application has been made to some of our Agents to have this writ apply to the Governor to renew the Requisition - It is only within a few days past the complainant has applied to me in person to have the Requisition renewed. After examining into the facts of the case & after hearing the complainant's statements, I am of opinion that the public interests do not demand that I should ask the Governor of this State to renew the Requisition.

John McKean

Ansbur Aug 31/82

Dist Atty

0040

People

At the same time

Decision of  
District Attorney  
and to all persons  
connected to  
renew Regulations  
for remainder of  
Dept.

1892 Aug 31



THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
in and for the body of the City and County of New York, upon  
their Oath, present:

That

*Solomon B. Altheimer*

late of the First Ward of the City of New York, in the County of New York, aforesaid  
on the *fourteenth* day of *June*, ——— in the year of our Lord  
one thousand eight hundred and seventy-*nine*, at the Ward, City and County  
aforesaid, with force and arms, on the day and year last aforesaid, with intent feloniously to cheat and defraud one —

*Jacob Adler* ———

did then and there feloniously, unlawfully, knowingly, and designedly, falsely pretend and represent to *Robert Lewy who was then and there a clerk salesman and servant of the said Jacob Adler* ———

That *he the said Solomon B Altheimer was then and there a merchant of great wealth and responsibility,*

*That he was a member of a certain firm known as E L & S B Altheimer, who carried on business in Saint Louis in the State of Missouri. That the said firm had a paid up capital clear of all incumbrances, amounting to the sum of seventy five thousand dollars, and that the same was then and there deposited in money in Bank — and that he the said Solomon B Altheimer had paid in as his share of*

0042

the cash capital of said firm the sum  
of twenty five thousand dollars —

And the said *Robert Levy*.

then and there believing the said false pretences and representations  
so made as aforesaid by the said

*Solomon B Altheimer*

and being deceived thereby, was induced, by reason of the false pretences and represen-  
tations so made as aforesaid, to deliver, and did then and there deliver to the said

*Solomon B Altheimer*.

Twelve hundred gloves of the value of  
fifty cents each —

of the proper moneys, valuable things, goods, chattels, personal property and effects  
of the said *Jacob Adler* —

and the said *Solomon B Altheimer* — did then  
and there designedly receive and obtain the said

Twelve hundred gloves of the value of  
fifty cents each,

of the said *Robert Levy*

of the proper moneys, valuable things, goods, chattels, personal property and effects  
of the said *Jacob Adler* —

by means  
of the false pretences and representations aforesaid, and with intent feloniously to cheat  
and defraud the said *Jacob Adler* —

of the same.

Whereas in truth and in fact he the said  
*Solomon B Altheimer* was not then and there  
a merchant of great wealth <sup>and responsibility</sup>  
but on the contrary was wholly irresponsible  
bankrupt and insolvent,

And whereas in truth and in fact the said  
firm of *S L & S B Altheimer* did not then  
and there have a paid up capital of  
twenty five thousand dollars, but on

the contrary had no paid up Capital  
 whatsoever

And Whereas, in truth and in fact, the said Solomon B Altheimer  
 had not then and then Contributed the  
 sum of Twenty five thousand dollars to  
 the Capital of said firm, nor had he  
 Contributed any sum of money whatsoever  
 to the Capital of said firm.

And whereas in truth and in fact the said  
 firm did not have the said Capital in money  
 in any bank, nor did they have any Cap-  
 ital in any Bank whatsoever

And Whereas, in truth and in fact, the pretences and representations so made as  
 aforesaid, by the said Solomon B Altheimer  
 to the said Robert Levy was and were  
 in all respects utterly false and untrue, to wit. on the day and year last aforesaid, at  
 the Ward, City, and County aforesaid.

And Whereas, in fact and in truth the said Solomon B Altheimer  
 well knew the said pretences and representations so by him made as aforesaid to  
 the said Robert Levy.  
 to be utterly false and untrue at the time of making the same.

And so the Jurors aforesaid, upon their oath aforesaid, do say, that the said  
 Solomon B Altheimer by means of the false pretences  
 and representations aforesaid, on the day and year last aforesaid, at the Ward, City  
 and County aforesaid, feloniously, unlawfully, falsely, knowingly and designedly, did  
 receive and obtain from the said Robert Levy

Twelve hundred gloves of the value of  
 fifty cents each.

of the proper moneys, valuable things, goods, chattels, personal property, and effects of  
 the said Jacob Adler

with intent feloniously to cheat and defraud him of the same, 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.

BENJ. K. PHELPS, District Attorney.

0044

Filed 28<sup>th</sup> day of May 1880  
Plends

THE PEOPLE  
28.  
Obtaining Goods by False Pretences  
*Anna Dickerson*

BENJ. K. PHELPS,  
District Attorney.

A True Bill.  
*(H. J. Cady)*  
J. P. 1881  
The above named defendant has been with or without the reason of the above named letter to the above named I do not think that any further action should be taken in this case.

0045

**BOX:**

12

**FOLDER:**

149

**DESCRIPTION:**

Amter, Bertha

**DATE:**

05/18/80



149

0046

173

Day of Trial

Counsel,

Filed

1880

Pleads

1st day of May  
1st July 19

THE PEOPLE

vs.

B

Betha Carter

Violation of Excise Law.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

May 1st 1880

Foreman.

0047

Third District Police Court.

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

of Edgar Van Buskirk Police Street,  
of the City of New York, being duly sworn, deposes and says, that on the January 8<sup>th</sup>  
day of February 1880, at the City of New York, in the County of New York,  
at No. 175 Delaplace Street,  
Bortha Auster

did sell, or caused, suffered or permitted to be sold, or exposed for sale, under his direction or authority, strong or spirituous liquors or wines, to be drunk in his house or premises aforesaid, in quantities less than five gallons at a time, contrary to and in violation of the Excise Laws of the State of New York, entitled "An Act to Suppress Intemperance and to Regulate the Sale of Intoxicating Liquors," passed April 16, 1857.

Sworn to before me, this 9  
day of February 1880

Edgar Van Buskirk

John C. Flannery

POLICE JUSTICE

0048

173



Police Court, Third District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Edgar Van Burskirk*  
*11<sup>th</sup> St.*  
*Bertina Hunter*

MISDEMEANOR.  
Violation Excise Laws.

*10*  
Dated the *9<sup>th</sup>* day of *July* 18*80*

*Flannery* Magistrate.

*Van Burskirk* Officers.  
*10*

Witness.....

Bailed \$ *100* to Ans., G. S.

By *Marcus Swinn*

*13 3<sup>rd</sup> Ward* Street.



0049

CITY AND COUNTY } ss.:  
OF NEW YORK,

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
*in and for the body of the City and County of New York, upon  
their Oath, present:*

That

*Bertha Amter*

late of the *twelfth* Ward of the City of New York, in the County of New York, aforesaid, on the *eight* day of *February* in the year of our Lord one thousand eight hundred and eighty *two*, at the Ward, City and County aforesaid, certain strong and spirituous liquors, and certain wines, to wit: one gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor, to the jurors aforesaid unknown, unlawfully did sell, in quantity less than five gallons at one time, to one

*Edgar B. Van Burskirk*

; without having a license therefor, as required by law, contrary to the form of the statute in such case made and provided, and against the peace and dignity of the People of the State of New York.

SECOND COUNT.—And the Jurors aforesaid, upon their Oath aforesaid, do further present: THAT the said

*Bertha Amter*

late of the Ward, City, and County aforesaid, then and there being a person duly licensed according to law to sell spirituous liquors and wines on the day and in the year aforesaid, at the Ward, City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain strong and spirituous liquors and certain wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the jurors aforesaid unknown, unlawfully did sell, as a beverage, to one

*Edgar B. Van Burskirk*

contrary to 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.

**BENJ. K. PHELPS, District Attorney.**

0050

**BOX:**

12

**FOLDER:**

149

**DESCRIPTION:**

Ancelin, Robert

**DATE:**

05/18/80



149

0051

75  
Day of Trial  
Counsel,  
Filed 18 day of May 1880  
Pleads

Violation of Excise Law.

THE PEOPLE

vs.

Robert Ancelin  
B

BENJ. K. PHELPS,  
District Attorney.

A True Bill.

*Wm. J. May*

Foreman.

Part for May 19. 1880

plead. guilty

Fined \$5.00

Had a license which  
expired. Made application  
for another. arrested  
herein. Has given  
out of bonds.

May 19. 70  
*Wm. J. May*

0052

POLICE COURT 2 DISTRICT.STATE OF NEW YORK,  
CITY AND COUNTY OF NEW YORK, } ss.

of the 29th Precinct Max F. Schnittberger  
 of the City of New York, being duly sworn, deposes and says, that on the 5 day  
 of March 1880 in the City of New York, in the County of New York,  
 At Premises 144 No. 25

a place where intoxicating liquors and wines are kept for sale, and sold as a beverage,  
Albert Anceelin (now here) did then and there expose for sale, and did sell, caused  
 suffered, and permitted to be sold and given away, under his direction or authority, strong and spirituous liquors,  
 wines, ale and beer, being intoxicating liquors, in quantities less than five gallons at a time, to be drunk in the  
 house or premises aforesaid, contrary to and in violation of law: having no license therefor

WHEREFORE, deponent prays that the said Albert Anceelin may  
 be arrested and dealt with according to law.

Sworn to before me this

6 day  
 of March 1880

Max F. Schnittberger  
Mercutio O. Baumgardner Police Justice.

0053

175  
Police Court, 22

District. 213

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*W. Schmittberger*

vs.

*Robert Arcelini*  
16

Violation of Excise Law.

Dated 6 day of March 1880

*Buttoring* Magistrate.

*Schmittberger* Officer.

Witness,

Bailed \$ 100 to Ans. S. J.

By *John Simon*

103 6th Avenue Street.



0054

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

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
*in and for the body of the City and County of New York, upon  
their Oath, present:*

That

*Robert Ancelin*

late of the *seventeenth* Ward of the City of New York, in the County of  
New York, aforesaid, on the *fifth* day of *March* in the year  
of our Lord one thousand eight hundred and eighty *\_\_\_\_\_*, at the Ward,  
City and County aforesaid, certain strong and spirituous liquors, and certain wines, to  
wit: one gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of  
whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of  
beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor, to the  
jurors aforesaid unknown, unlawfully did sell, in quantity less than five gallons at one  
time, to one

*Max J. Schmittberger*

; without having a  
license therefor, as required by law, contrary to the form of the statute in such case made  
and provided, and against the peace and dignity of the People of the State of New York.

~~SECOND COUNT.—And the Jurors aforesaid, upon their Oath aforesaid, do further  
present: THAT the said~~

~~late of the Ward, City, and County aforesaid, then and there being a person duly  
licensed according to law to sell spirituous liquors and wines on the day  
and in the year aforesaid, at the Ward, City and County aforesaid, the same  
being the first day of the week, commonly called and known as Sunday, with  
force and arms, certain strong and spirituous liquors and certain wines, to wit: One  
gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, one  
gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one  
gill of lager beer, and one gill of a certain strong and spirituous liquor to the jurors  
aforesaid unknown, unlawfully did sell, as a beverage, to one~~

~~contrary to 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.~~

**BENJ. K. PHELPS, District Attorney.**

0055

**BOX:**

12

**FOLDER:**

149

**DESCRIPTION:**

Andell, John

**DATE:**

05/25/80



149

0056

Day of Trial

Counsel,

Filed 25 day of

May 1880

Pleads Not Guilty.

THE PEOPLE

28.

Violation of Excise Law.

John Andell

BENJ. K. PHELPS,

District Attorney.

James J. Hagedorn

A True Bill.

May 11 1880

Foreman.

Wm. H. Hagedorn  
Wm. H. Hagedorn  
Wm. H. Hagedorn  
Wm. H. Hagedorn



0057

Fourth District Police Court.

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

*John B M Laughlin*  
of No. *the 22nd Avenue*  
Street, \_\_\_\_\_ being duly sworn, deposes and says,  
that on Sunday, the *24* day of *Aug* 187 *9*  
at the City of New York, in the County New York,  
he saw *John Anderson*  
sell and expose for sale, at his premises, No. *785 10th*  
*Avenue* ~~premises~~ and intoxicating liquors, in violation of the law in such cases  
made and provided *John B. M. Laughlin*

Sworn before me, this *24* day of *Aug* 187 *9*

Police Justice.

0058

706  
POLICE COURT, FOURTH DISTRICT.

THE PEOPLE  
ON THE COMPLAINT OF

John B. M. Langhorne  
22

vs.

AFFIDAVIT.

Violation of Sunday Liquor Law.

Dated the 25 day of August 1879

W. H. P. Magistrate.

M. Langhorne Officer

22

Witnesses

Bailed \$ 100 to Ans.

G. S.

By

Philip Schaefer

530. Mt. St. Street

0059

CITY AND COUNTY } ss.:  
OF NEW YORK,

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
*in and for the body of the City and County of New York, upon  
their Oath, present:*

That

*John Andell*

late of the *twenty second* Ward of the City of New York, in the County of New York, aforesaid, on the *twenty fourth* day of *August* in the year of our Lord one thousand eight hundred and *eighty seven*, at the Ward, City and County aforesaid, certain strong and spirituous liquors, and certain wines, to wit: one gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor, to the jurors aforesaid unknown, unlawfully did sell, in quantity less than five gallons at one time, to one

*John B. McLaughlin*

; without having a license therefor, as required by law, contrary to the form of the statute in such case made and provided, and against the peace and dignity of the People of the State of New York.

SECOND COUNT.—*And the Jurors aforesaid, upon their Oath aforesaid, do further present: THAT the said*

*John Andell*

late of the Ward, City, and County aforesaid, then and there being a person duly licensed according to law to sell spirituous liquors and wines on the day and in the year aforesaid, at the Ward, City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain strong and spirituous liquors and certain wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the jurors aforesaid unknown, unlawfully did sell, as a beverage, to one

*John B. McLaughlin*

contrary to 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.

**BENJ. K. PHELPS, District Attorney.**

0060

**BOX:**

12

**FOLDER:**

149

**DESCRIPTION:**

Anderson, John

**DATE:**

05/11/80



149

0061

Day of Trial,

Counsel,

Filed // day of May

Pleads

THE PEOPLE

vs.

2

John Anderson

BENJ. K. PHELPS,

District Attorney

A True Bill.

*Wm. H. H. H. H.*

Foreman.

Part No May 12, 1880

pleads R.D.G.

S.P. 3 1/2 years

BURGLARY-THIRD DEGREE AND  
RECEIVING STOLEN GOODS.

David Rosenberg of No 528 2<sup>nd</sup> Ave  
 being duly sworn deposes and says -  
 That on the evening of April 30<sup>th</sup> 1880  
 the premises occupied by him and his  
 partner Meir Mendel Meyer were burglariously  
 entered by breaking off the iron bars of  
 the window of said premises and the  
 following articles then in ~~the~~ charge as  
 pawnbrokers were carried away -  
 One gold watch of the value of Ten dollars  
 One gold ring of the value of Six dollars  
 and one gold ring of the value of One dollar  
 + 25<sup>c</sup> = 125<sup>c</sup> - and other jewelry and  
 diamonds all of the value of one thousand  
 dollars the same at the time being in  
 charge of deposit and Meir Mendel Meyer  
 who were at the above date carrying on  
 business at the above number as pawnbrokers -  
 That this deposit ~~does~~ has probable cause  
 to suspect and does suspect that said  
 property was feloniously taken stolen and  
 carried away by John Anderson (nowhere)  
 for the good reason that deposit is informed  
 by Thomas Adams an officer attached to  
 the Central Office that he arrested the  
 said Anderson with a quantity of jewelry  
 on his person which deposit identifies as  
 property ~~stolen~~ and carried away from  
 his premises - wherefore deposit ~~respects~~

0063

Said John Anderson may be held to answer  
and death with as to law direct

Sworn to before me } David Rosenberg  
this 6th day of May 1880 }  
J. J. Gorman

Police Justice

Witness

Mary Henderson	283 E 29
Esther Sidden	403 E 17
Rosanna Weston	239 E 29
Mary Callahan	331 E 28-

Thomas Adams an Officer of the Central  
Office being duly sworn deposes and says  
Arrested John Anderson in the Room  
and found on his person the property  
identified by the above witnesses as belonging  
to them and a quantity of other property  
identified by David Rosenberg as having  
been possessed with him and others from him

Sworn to before me } J. J. Gorman  
this 6th day of May 1880 }  
J. J. Gorman  
Police Justice

0064

Police Court—First District.

CITY AND COUNTY } ss.  
OF NEW YORK.

*John Anderson* being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer.

*John Anderson*

Question. How old are you?

Answer.

*24 Years*

Question. Where were you born?

Answer.

*N. S.*

Question. Where do you live?

Answer

*197 or 196 Broadway St.*

Question. What is your occupation?

Answer.

*Carpenter*

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

Answer.

*I received the goods that were found on me but I know nothing of the burglary*

*John Anderson*

Taken before me, this

day of

Police Justice.



0065

COUNSEL FOR COMPLAINANT.

Name .....  
Address, .....

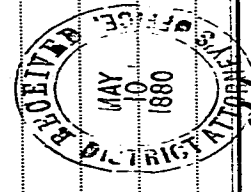
COUNSEL FOR DEFENDANT.

Name .....  
Address, .....

Police Court—First District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*David Rosbury*  
*529 2nd am*  
*John Anderson*



Dated *May 6* 1880

*Smith* Magistrate.

*James P. O.* Officer.

Clerk.

Witnesses:

*Mary Hendricks 243 E 29 st*  
*Barbore Sadden #103 E 17 st*  
*Rosanna Weston 239 E 29 st*  
*Mary Callahan 331 E 28 st*

*5000* to answer *Y S*

at Sessions *Y S*

Received at Dist. Atty's office *Y S*

BAILED

No. 1, by .....

Residence, .....

No. 2, by .....

Residence, .....

No. 3, by .....

Residence, .....

No. 4, by .....

Residence, .....

No. 5, by .....

Residence, .....

No. 6, by .....

Residence, .....

0066

DISTRICT ATTORNEY'S OFFICE,

New York, ..... 188

205 E 92<sup>nd</sup> St where the  
Palmer's parents live.  
Shrewsbury.

Some watches were taken  
up there. It is said detec-  
tives got them.

Paid det 12<sup>th</sup>

Found the

Stanton 4 son E of orchard  
Tide in rear house.  
were in 3<sup>rd</sup> & 4<sup>th</sup> boxes.

Each of the women has a  
gold ring.

---

Dutch Harmon

Norman Palmer

---

Palmer comes back a week  
from the night

0067

DISTRICT ATTORNEY'S OFFICE,

New York, ..... 188

John Anderson

Sent day before yesterday

34. 6m.

just out of Port + driving gun

2 Palmers away now.

Nelson in the one of them

bro in law

Sold to a jew in Division St

Goldfabe. 113 Div.

a week ago.

Some watches

Some to a man in Chatham

St. Blake Baron of Chatham

Silver Store.

up to 24 Second St.

where one of Palmers lives

Wm. A. Miller

144 Forsyth St

P & H moved in with couple of women

0068

DISTRICT ATTORNEY'S OFFICE,

New York, \_\_\_\_\_ 188

The four men

Bob Clifford is 4<sup>th</sup>

199 Forsyth St  
197 or 199

1st Perement from Stanton  
West side - going up.

0069

Purgatory on 508  
2nd ave.

0070

DISTRICT ATTORNEY'S OFFICE,

New York, ..... 188

Tree of the Staff at Grandmother  
On 10th Ave + 110th St.

3 gold watches  
1 diamond pin  
Gold rings.  
old woman Joe out to walk  
old man is blind.  
Thing, concealed in cellar.

More near 29. 2nd St  
woman has bracelets on  
Mary Palmer  
alias  
Mary Nixon.  
Lizzie Adams  
~~Lizzie Adams~~  
Lizzie "Push"

Emma Palmer 29 2nd St.  
has bracelets on.

CITY AND COUNTY } ss.  
OF NEW YORK,

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
in and for the body of the City and County of New York,  
upon their Oath, present:

That

*John Anderson*

late of the *twenty first* Ward of the City of New York, in the County of  
New York, aforesaid, on the *thirtieth* day of *April* in the  
year of our Lord one thousand eight hundred and ~~seventy~~ *eighty*, with force and  
arms, at the Ward, City and County aforesaid, the *prisoners* of  
*David Rosenberg*

there situate, feloniously and burglariously, did break into and enter, the same being a  
building in which divers goods, merchandise, and valuable things were then and there  
kept for use, sale and deposit, to wit: the goods, chattels, and personal property here-  
inafter described, with intent the said goods, chattels, and personal property of the said

*David Rosenberg*

then and there therein being, then and there feloniously and burglariously to steal, take  
and carry away, and

*One watch of the value of ten dollars -  
One ring of the value of six dollars -  
One other ring of the value of one dollar  
and twenty five cents*

*Divers articles of jewelry and precious  
stones (a more particular description of  
which is to the jurors aforesaid unknown  
and cannot now be given) of the value  
of five thousand dollars -*

of the goods, chattels, and personal property of the said

*David Rosenberg*

so kept as aforesaid in the said *prisoners* then and there being, 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.

0072

And the Jurors aforesaid, upon their oath aforesaid, do further present:  
That the said

*John Anderson*

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,

One watch of the value of ten dollars  
One ring of the value of six dollars -  
One other ring of the value of one dollar  
and twenty five cents -  
Given articles of jewelry and precious  
stones (a more particular description of  
which is to the jurors aforesaid unknown  
and cannot now be given) of the value  
of five tens and dollars

of the goods, chattels and personal property of *David Rosenberg*

by a certain person or persons, to the Jurors aforesaid unknown, then lately before  
feloniously stolen of the said

*David Rosenberg*

unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have  
(the said

*John Anderson*

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.

**BENJ. K. PHELPS, District Attorney.**



0073

**BOX:**

12

**FOLDER:**

149

**DESCRIPTION:**

Archel, Michael

**DATE:**

05/13/80



149

0074

Day of Trial

Counsel

1880

Filed 13 day of May

Plends c'tol Gully -

THE PEOPLE

vs.

Violation of Excise Law.

Michael Archer

BENJ. K. PHELPS,

District Attorney.

A True Bill.

(May 13, 1880)

Foreman.

The accused is Guilty, as  
in the coming at present =

file a

0075

**First District Police Court.**

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

of No. the 14<sup>th</sup> Precinct Police Thomas D Mitchell Street,  
of the City of New York, being duly sworn, deposes and says, that on the 24  
day of February 1880, at the City of New York, in the County of New York,  
at No. 10 Jersey Street,  
Michael Archel now present

did sell, or caused, suffered or permitted to be sold, under his direction or authority, strong or spirituous liquors  
viz: stale lager beer  
or wines, to be drunk in his house or premises aforesaid, in quantities less than five gallons at a time, contrary to  
and in violation of the Sections 13 and 14 of the Act of the Legislature of the State of New York, entitled "An  
Act to Suppress Intemperance and to Regulate the Sale of Intoxicating Liquors," passed April 16, 1857.

Sworn to before me, this 24  
day of February 1880 }

[Signature]  
POLICE JUSTICE.

Thomas D Mitchell

0076

10 Jersey St: 50. Italy

14/6 Police Court—First District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Thomas D Mitchell

14/6  
os. Michael Archel

WISDEMEANOR,  
Selling Liquor, &c, without Licence.

Dated the 24 day of Feby 1880



Kilbreth Magistrate.

Mitchell Officers.

Witness John Farrell 312 Bowery

Bailed \$ 100 to Ans.

By Gus seppe & Sarniolta

91 Broome Street.

Bailed

0077

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

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
*in and for the body of the City and County of New York, upon  
their Oath, present:*

That

*Michael Archel*

late of the *fourteenth* Ward of the City of New York, in the County of  
New York, aforesaid, on the *twenty-fourth* day of *February* in the year  
of our Lord one thousand eight hundred and eighty \_\_\_\_\_, at the Ward,  
City and County aforesaid, certain strong and spirituous liquors, and certain wines, to  
wit: one gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of  
whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of  
beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor, to the  
jurors aforesaid, unlawfully did sell, in quantity less than five gallons at one  
time, to one

*Thomas D. Mitchell*

; without having a  
license therefor, as required by law, contrary to the form of the statute in such case made  
and provided, and against the peace and dignity of the People of the State of New York.

SECOND COUNT.—*And the Jurors aforesaid, upon their Oath aforesaid, do further  
present: THAT the said*

late of the Ward, City, and County aforesaid, then and there being a person duly  
licensed according to law to sell spirituous liquors and wines on the day  
and in the year aforesaid, at the Ward, City and County aforesaid, the same  
being the first day of the week, commonly called and known as Sunday, with  
force and arms, certain strong and spirituous liquors and certain wines, to wit: One  
gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, one  
gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one  
gill of lager beer, and one gill of a certain strong and spirituous liquor to the jurors  
aforesaid unknown, unlawfully did sell, as a beverage, to one

contrary to 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.

**BENJ. K. PHELPS, District Attorney.**

0078

**BOX:**

12

**FOLDER:**

149

**DESCRIPTION:**

Arret, Adolph

**DATE:**

05/25/80



149

0079

Day of Trial

Counsel,

Filed 25 day of

1880

Pleads

THE PEOPLE

vs.

Joseph Art B

Violation of Excise Law.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

(H. H. H. H. H.)

Foreman.

Part in May 26, 1880

pleads 2nd Count

Thud 430

0080

**Fourth District Police Court.**

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

*John B. McLaughlin*  
of No. *the 22<sup>nd</sup>* Precinct Police

*Street,* being duly sworn, deposes and says,

that on Sunday, the *29<sup>th</sup>* day of *June* 187 *9*

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

he saw *Adolph Herut.* (*nowhere*)

sell and expose for sale, at his premises, No. *1427* West *50<sup>th</sup>* Street

spirituons and intoxicating liquors, in violation of the law in such cases

made and provided

*John B. McLaughlin*

Police Justice.



0081

245  
POLICE COURT—FOURTH DISTRICT.

THE PEOPLE, &c.  
ON THE COMPLAINT OF

Edm R. McLaughlin

22 vs.

Adolph Hengeman

AFFIDAVIT.  
Violation of Sunday Liquor Law.

Dated the 20<sup>th</sup> day of June 1879



Duffy Magistrate.

McLaughlin Officer.

Witnesses

Bailed \$100 to Ans.

Answered

By

438 N 3rd St  
1432 W 5th

Street.

0082

CITY AND COUNTY } ss.:  
OF NEW YORK,

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
in and for the body of the City and County of New York, upon  
their Oath, present:

That

Adolph Aort

late of the *twenty second* Ward of the City of New York, in the County of  
New York, aforesaid, on the *twenty ninth* day of *June* in the year  
of our Lord one thousand eight hundred and *eighty second*, *nine*, at the Ward,  
City and County aforesaid, certain strong and spirituous liquors, and certain wines, to  
wit: one gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of  
whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of  
beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor, to the  
jurors aforesaid unknown, unlawfully did sell, in quantity less than five gallons at one  
time, to one

John B. McLaughlin

; without having a  
license therefor, as required by law, contrary to the form of the statute in such case made  
and provided, and against the peace and dignity of the People of the State of New York.

SECOND COUNT.—And the Jurors aforesaid, upon their Oath aforesaid, do further  
present: THAT the said

Adolph Aort

late of the Ward, City, and County aforesaid, then and there being a person duly  
licensed according to law to sell spirituous liquors and wines on the day  
and in the year aforesaid, at the Ward, City and County aforesaid, the same  
being the first day of the week, commonly called and known as Sunday, with  
force and arms, certain strong and spirituous liquors and certain wines, to wit: One  
gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, one  
gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one  
gill of lager beer, and one gill of a certain strong and spirituous liquor to the jurors  
aforesaid unknown, unlawfully did sell, as a beverage, to one

John B. McLaughlin

contrary to 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.

**BENJ. K. PHELPS, District Attorney.**

0083

**BOX:**

12

**FOLDER:**

149

**DESCRIPTION:**

Asher, Adolph S.

**DATE:**

05/26/80



149

0004

In this case the Comptroller  
and much draw charge.  
I have made a very thorough  
examine of Dept & Comptroller.  
The Comptroller was primarily at  
fault. He is much larger  
than Dept - a very 16 years  
old. Dept's character is  
excellent and is much  
for his employees also  
have had time with them  
for more than his years.  
He now has an opportunity  
to take a position in Georgia  
and as he that his Dept  
he discharges. I recom-  
mend that it be done.

D. P. Phelps

Aug 3. 1887

Out Dubuque.

376  
C. Stecker  
Filed 26 day of May 1880  
Pleads Not Guilty

THE PEOPLE

vs.

Adolph S. Ascher

Felony Assault and Battery.

BENJ. K. PHELPS,

District Attorney.

Part 170 May 3. 1887

Bail discharged

A True Bill.

W. H. Phelps

Foreman.

0085

**TORN PAGE(S)**

0086

New York General Sessions.

PEOPLE, ON MY COMPLAINT,  
*versus*

*Adolph S. Acker*

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself. I have been informed that the prisoner has hitherto borne a good character, and as we both are to blame, me as much as the other.

Witness -

*H. P. Murray*

*Carrie W. Murray*

0087

Form

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

Police Court—First District.

*James Wymbs*  
of No. *323 - First Avenue* Street, being duly sworn, deposes and says,  
that on the *22* day of *May* 18*80*  
at the City of New York, in the County of New York, he was violently and feloniously assaulted and  
beaten by *Adolph B. Ash*

now present.  
*who did willfully and maliciously cut or  
stab deponent on the left side of deponent's  
body the blade of a pocket knife then  
and there held in his hand*

Deponent believes that said injury, as above set forth, was inflicted by said

*Adolph B. Ash*

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

Wherefore this deponent prays that the said assailant may be apprehended and dealt with according  
to law.

*James Wymbs*

Sworn to, before me, this

day of

1880.

Police Justice.

0088

**Police Court, First District.**

CITY AND COUNTY } ss.  
OF NEW YORK.

Adolph B. Ash being duly examined before the under-  
signed, according to law, on the annexed charge; and being informed that he was  
at liberty to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer. Adolph B. Ash

Question. How old are you.

Answer. 16 years

Question. Where were you born?

Answer. Germany

Question. Where do you live?

Answer. 88 Suffolk Street

Question. What is your occupation?

Answer. Printer

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

Answer. I don't in self defend  
Adolph B. Ash

Taken before me this 22 day of

POLICE JUSTICE.

1880



0089

COUNSEL FOR COMPLAINANT:

Name

Address

Bail  
Joseph Ketchum  
210 Fulton St  
Brooklyn

COUNSEL FOR DEFENDANT:

Name

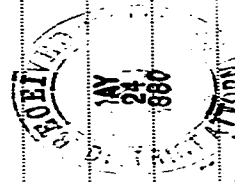
Address

Police Court—First District

Indavitt—Felonious Assault and Battery.

THE PEOPLE, &c.  
ON THE COMPLAINT OF

James Numbo  
329 King St  
Adolph J. Sch



Date, 22 Mar 1880

Magistrate  
Farrist  
14 Dec 2  
Clerk

Witnesses  
Adolph Sch  
1000

to answer  
at General Sessions  
Crim

Received at Dist. Atty's Office,

Adolph Ketchum  
210 Fulton St  
No. 1, by  
Resident

No. 2, by  
Resident

No. 3, by  
Resident

No. 4, by  
Resident

No. 5, by  
Resident

No. 6, by  
Resident

0040

CITY AND COUNTY }  
OF NEW YORK, }

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
in and for the body of the City and County of New York,  
upon their Oath, present :

That *Adolph S. Asher*

late of the City of New York, in the County of New York, aforesaid, on the  
*twenty second* day of *May* in the year of our Lord  
one thousand eight hundred and *eighty* with force and arms at the City and  
County aforesaid, in and upon the body of *James Wymbs*  
in the peace of the said people then and there being feloniously did make an assault  
and *him* the said *James Wymbs*  
with a certain *knife*  
which the said

*Adolph S. Asher*  
in *his* right hand then and there had and held, the same being a deadly and  
dangerous weapon, wilfully and feloniously did beat, strike, stab, cut, and wound  
with intent *him* the said *James Wymbs*  
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 Jurors aforesaid, upon their Oath aforesaid, do further present : That  
afterwards, to wit, on the day and in the year aforesaid, at the City and County  
aforesaid, the said *Adolph S. Asher*  
with force and arms, in and upon the body of the said *James Wymbs*  
then and there being, wilfully and feloniously did make an  
assault and *him* the said *James Wymbs*  
with a certain *knife* which the said

*Adolph S. Asher* in *his* right hand, then and there  
had and held, the same being then and there a sharp, dangerous weapon, wilfully  
and feloniously, and without justifiable and excusable cause, did then and there beat,  
strike, stab, cut, and wound, with intent to then and there wilfully and feloniously  
do bodily harm unto *him* the said *James Wymbs*  
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 Jurors aforesaid, upon their Oath aforesaid, do further present : That  
afterwards, to wit, on the day and in the year aforesaid, at the City and County afore-  
said, the said

*Adolph S. Asher*  
with force and arms, in and upon the body of *James Wymbs*  
in the peace of the said people then and there being, feloniously, did make another  
assault and *him* the said *James Wymbs*  
with a certain *knife*  
which the said

*Adolph S. Asher* in *his* right  
hand then and there had and held, wilfully and feloniously did beat, strike, stab, cut,  
and wound, the same being such means and force as was likely to produce the death  
of *him* the said *James Wymbs* with intent *him* the

And the Jurors aforesaid, upon their Oath aforesaid, do further present: That afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, the said

with force and arms, in and upon the body of the said *James Wymbs*  
then and there being, wilfully and feloniously, did make another assault and *him*  
the said *James Wymbs* with a certain *Knife* which the said  
in *his* right hand then and there had and held, the same being then and there  
a deadly weapon, wilfully and feloniously did then and there beat, strike, stab,  
cut and wound, with intent to then and there wilfully and feloniously maim *him*  
the said *James Wymbs* 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.

**BENJ. K. PHELPS, District Attorney.**

[illegible]

# A True Bill

Jan. 30 May 3, 1891

District Attorney,

BENT, K. PHILLIPS,

# THE PEOPLE

Filed 26 day of May 1880  
Plants: Star Bulb

### Felonious Assault and Battery

0092

**BOX:**

12

**FOLDER:**

149

**DESCRIPTION:**

Austin, Adrian H.

**DATE:**

05/28/80



149

0043

Counsel

*John J. ...*  
July 9  
26 June 1870

Filed

day of July 1870

Pleas

*Not Guilty - (same)*

THE PEOPLE

vs.

*B*

*Adrianus J. Austin*

RAPE.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

*Wm. J. ...*

Foreman.

*John J. ...*

August 10<sup>th</sup> 1870

*Joseph ...*  
*Adrian*

0094

Police Court Fifth District.

CITY AND COUNTY } ss.  
OF NEW YORK,

*Adrian Houston* being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to answer, or not, all or any questions put to him, states as follows, viz.:

Question. What is your name?

Answer. *Adrian Houston*

Question. How old are you?

Answer. *33 years*

Question. Where were you born?

Answer. *Ohio*

Question. Where do you live?

Answer. *316 West 40 St*

Question. What is your occupation?

Answer. *Unemployed*

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

Answer. *I am not guilty*

Taken before me, this

*25*

*W. H. Austin*

day of

*May*

18*88*

*W. G. M. Murray*

Police Justice.

0095

## POLICE COURT—SECOND DISTRICT.

STATE OF NEW YORK,  
CITY AND COUNTY OF NEW YORK, ss.House of  
Detention

232 West 4th St. Julia Farrell  
 of No 316 West 4th St. Street, being duly sworn, deposes  
 and says that on the 11 day of May 1880  
 at the City of New York, in the County of New York,

Adm'r H. B. Austin did  
 unlawfully and feloniously commit  
 Rape upon the person of deponent  
 under the following circumstances  
 to wit - That deponent was in the  
 employ of said defendant as a  
 servant - that on the day of the said  
 date defendant took his wife to  
 Philadelphia and returned to his  
 home on the said day - that on the  
<sup>morning of the 12th day of May</sup>  
~~night of the said date~~ within deponent  
 and the said defendants were the only  
 inmates of the said premises - defend-  
 ant came to the room occupied by  
 deponent as a sleeping room on the  
 fifth story of said premises - said sleep-  
 ing room being connected with the Bath  
 Room on said floor - that it was then  
 about 2 O'clock A.M. deponent was  
 then sitting up - defendant made  
 some remark about going to a Hotel  
 to sleep for the night - defendant then  
 left and deponent went to bed  
 about 15 minutes thereafter defend-  
 ant came a second time to depo-  
 nent's room having on his person  
 only a night shirt - and immediately  
 by pulled off the bed clothing and



0096

by force and violence and against  
the will of deponent laid on depo-  
nent's body and buried his face in  
deponent's face and put his tongue  
in deponent's mouth and prevented  
deponent from making an outcry  
and by force and violence held  
sexual intercourse with deponent  
and carnally knew deponent -  
that while defendant was lying on  
deponent with his tongue in deponent's  
mouth deponent endeavored to release  
himself from and pinched and scratched  
said defendant -

Julia Farrell

Sworn to before me this  
24<sup>th</sup> day of May 1880

Wm. Murray Police Justice

POLICE COURT - SECOND DISTRICT.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Julia Farrell  
Victim of Delinquent

Wm. Murray

Dated May 24, 1880  
Wm. Murray



Committed in default of \$2000 surety.

Called by Wm. J. Van Land

Wm. J. Van Land



0097

CITY AND COUNTY {  
OF NEW YORK, {

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
in and for the body of the City and County of New York,  
upon their Oath, present:

That

*Adrian H Austin.*

late of the First Ward of the City of New York, in the County of New York, aforesaid,  
on the *Eleventh* day of *May* in the year of our Lord one  
thousand eight hundred and ~~seventy~~ *eighty* at the Ward, City, and County aforesaid,  
with force and arms, in and upon one *Julia Farrell*  
wilfully and feloniously made an assault, and that the said *Adrian H*  
*Austin* her the said  
*Julia Farrell* then and there by force and with  
violence to her, the said *Julia Farrell* and against her  
will, did wilfully and feloniously ravish and carnally know  
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.

And the jurors aforesaid, upon their oath aforesaid, do further present: That the said

*Adrian H Austin*

late of the Ward, City, and County aforesaid, afterwards, to wit, on the  
day and in the year aforesaid, and at the place aforesaid, with force and arms, in and  
upon her, the said *Julia Farrell* wilfully and feloniously  
made an assault, with intent her the said *Julia Farrell*  
against her will, and by force and violence, to then and there wilfully and feloniously  
ravish and carnally know, against the form of the Statute in such case made and pro-  
vided, and against the peace of the People of the State of New York, and their dignity.

BENJ. K. PHELPS, District Attorney.

0048

**BOX:**

12

**FOLDER:**

149

**DESCRIPTION:**

Aversso, Michello

**DATE:**

05/28/80



149

0044

38<sup>2</sup>

Filed *28* day of *May* 1880  
Pleads

THE PEOPLE

vs.

*2*  
*Michelle Avers*

Felony Assault and Battery.

BENJ. K. PHELPS,

*District Attorney.*

A True Bill.

*Wm. H. Conway*  
*May 28<sup>th</sup>*  
*Foreman.*

*Per: Wm. m.*

0100

Police Court—Third District.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Micullo* *Advised* being duly examined before the under-  
signed, according to law, on the annexed charge; and being informed that he was  
at liberty to answer, or not, all or any questions put to him, states as follows, viz.:

Question.—What is your name?

Answer.—*Micullo* *Advised*

Question.—How old are you?

Answer.—*22* years

Question.—Where were you born?

Answer.—*Parigi*

Question.—Where do you live?

Answer.—*131 Elizabeth*

Question.—What is your occupation?

Answer.—*Post-Black*

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

Answer.—*He struck me with his fist,  
on the nose and struck me with  
the blacking box & tore my coat,  
I did not start him  
Micullo* *Advised* *work*

Taken before me, this

19

day of

May

1888

Police Justice

0101

Form 15.

Police Court—Third District.

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

of No. *312 Mott* Street  
being duly sworn, deposes and says, that  
on *Monday 19th* the *19th* day of *May*  
in the year 1880 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

*Michael Storrer, now here,*  
who wilfully and feloniously set their  
deponent with a sharp instrument the  
blade of a razor inserted in it and attached  
to a wooden handle, inflicting a  
wound two inches long and one half  
inch deep. Which deponent was standing  
in the corner of 14th street and Third avenue  
engaged in his occupation as a bootblack.

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

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

Sworn before me, this  
of *May* *19th* 18*80*

*B. J. Marshall*  
Police Justice

*Francisco*  
*Pomero*

0102

647  
Police Court—Third District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Mary Ann  
912 North St*

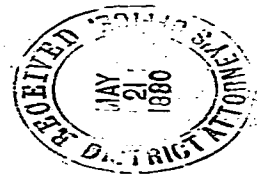
*Michelle Brown*

Dated *May 19<sup>th</sup>* 1880

*Maudie* Magistrate.

*Sullivan* Officer.  
*17<sup>th</sup>*

WITNESS:



*\$1000 to Maudie*

AMDAVIN A. & B.  
FELONIOUS.

0103

CITY AND COUNTY } ss.  
OF NEW YORK,

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
in and for the body of the City and County of New York,  
upon their Oath, present :

That *Michello Aversso*

late of the City of New York, in the County of New York, aforesaid, on the  
*nineteenth* day of *May* in the year of our Lord  
one thousand eight hundred and *eighty* with force and arms, at the City and  
County aforesaid, in and upon the body of *Francisco Romeo*  
in the peace of the said people then and there being, feloniously did make an assault  
and *him* the said *Francisco Romeo*  
with a certain *razor*  
which the said *Michello Aversso*

in *his* right hand then and there had and held, the same being a deadly and  
dangerous weapon, wilfully and feloniously did beat, strike, stab, cut, and wound  
with intent *him* the said *Francisco Romeo*  
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 Jurors aforesaid, upon their Oath aforesaid, do further present : That  
afterwards, to wit, on the day and in the year aforesaid, at the City and County  
aforesaid, the said *Michello Aversso*  
with force and arms, in and upon the body of the said *Francisco Romeo*  
then and there being, wilfully and feloniously did make an  
assault and *him* the said *Francisco Romeo*  
with a certain *razor* which the said

*Michello Aversso* in *his* right hand, then and there  
had and held, the same being then and there a sharp, dangerous weapon, wilfully  
and feloniously, and without justifiable and excusable cause, did then and there beat,  
strike, stab, cut, and wound, with intent to then and there wilfully and feloniously  
do bodily harm unto *him* the said *Francisco Romeo*  
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 Jurors aforesaid, upon their Oath aforesaid, do further present : That  
afterwards, to wit, on the day and in the year aforesaid, at the City and County afore-  
said, the said

*Michello Aversso*  
with force and arms, in and upon the body of *Francisco Romeo*  
in the peace of the said people then and there being, feloniously, did make another  
assault and *him* the said *Francisco Romeo*  
with a certain *razor*

which the said *Michello Aversso* in *his* right  
hand then and there had and held, wilfully and feloniously did beat, strike, stab, cut,  
and wound, the same being such means and force as was likely to produce the death  
of *him* the said *Francisco Romeo* with intent *him* the

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said *Francisco Romeo* 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.

FOURTH COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present: That afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, the said

*Michelle Averese* with force and arms, in and upon the body of the said *Francisco Romeo* then and there being, wilfully and feloniously, did make another assault and the said *Francisco Romeo* with a certain *razor* which the said

in *his* right hand then and there had and held, the same being then and there a deadly weapon, wilfully and feloniously did then and there beat, strike, stab, cut and wound, with intent to then and there wilfully and feloniously maim *him* the said *Francisco Romeo* 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.

BENJ. K. PHELPS, District Attorney.

Filed 28. day of May. 1880  
Pleas

THE PEOPLE

vs.

*Michelle Averese*

Felonious Assault and Battery.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

*John J. Smith*  
Foreman.  
*John J. Smith*

*Per: J. J. Smith*