

0696

BOX:

535

FOLDER:

4874

DESCRIPTION:

Yaunaco, Nicholas

DATE:

09/18/93



4874

0697

POOR QUALITY ORIGINAL

Witnesses:

John Martin

The Complt cannot be found
I have had the case a dozen
times on the calendar & the
Complt never appeared. Both
he & I were injured in a
row & went to the hospital
where both recovered
from the injuries. There
is an affd. by Jas. Smith
supra & I have verified
a plidgr substantiating
these facts.

I recommend defts
discharge on his own
recognizance
April 1894 Stephen J. O'Hare
Dadistally

Counsel,

Filed

day of

1893

Pleads,

Not guilty in
THE PEOPLE

vs.

B

Nicholas Younger.

April 18/94

Paul Discharged

DE LANCEY NICOLL,

District Attorney.

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

A TRUE BILL.

John P. Boonmurdale
Foreman.

See aff. as to absence of Complt.
Part I. April 11/94 O'Hare

No 204
Complainant does not live at address
of San Francisco CA

0698

2207

SUBPCENA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

In the Name of the People of the State of New York.

To John J. Dooley
of No. 114 E 34 Street

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the day of April 1894 at 10.30 o'clock in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

Nicholas Formano
Dated at the City of New York, the first Monday of April

in the year of our Lord 1894

JOHN R. FELLOWS, District Attorney.

PART I.

THE COURT ROOM IS IN THE SECOND STORY AND FRONTING THE PARK.
If this Subpcena is disobeyed, an attachment will immediately issue.
Bring this Subpcena 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.]

0699

GLUED PAGE

District Attorney or one of his Assistants.
was not there brought out, please state the same to the
Magistrate, or if a fact which you think material
you know of more testimony than was produced be-
fore the Magistrate, please send timely word to the District
Attorney's Office.
to remain, and you prefer another day,
to the District Attorney, in the Court.
may save time.
inquire in the District Attorney's
Office on for trial, and no reason

Court of General Sessions.

THE PEOPLE

John F. Dockery

vs.

Nicholas Yonance

City and County of New York, ss:

James Smith being duly
328 East 37th St

sworn, deposes and says: I reside at No. *328 East 37th St*
Street, in the City of New York. I am a Subpoena server in the office of the District Attorney of
the City and County of New York. On the *19* day of *April* 189*4*,
I called at *104 E 36th Street*

the alleged *Residence* of *John F. Dockery*
the complainant herein, to serve him with the annexed subpoena, and was informed by

*The lady of the house that no such
person as John F. Dockery lives there
and was never known at this house*

Sworn to before me, this *18th* day
of *April* 189*4*

James Smith
Subpoena Server.
John J. Madden
Commissioner of Deeds
N.Y.C.

Court of General Sessions.

THE PEOPLE, on the Complaint of

John J. Dockrey

vs.

Offence:

Nicholas Yermana

~~DE JURE~~

District Attorney.

John A. Sellers

Affiant of

James Smith

Subpoena Server.

Failure to Find Witness.

0700

0701

Department of Public Charities and Correction.

FORDHAM HOSPITAL,

New York, Aug 16 1893

To Justice residing

John Dochery has been suffering from Peritonitis the result of a stab wound of the abdomen. He is now out of danger and Convalescing.

His condition at present justifies me in saying he will be able to appear in Court about Monday next Aug 21/93

Respectfully
George A. Elliott M.D.

0702

Department of Public Charities and Correction.

FORDHAM HOSPITAL

New York,

August 15 1893

To Justice Presiding

There is a probability
that John D. O'Leary will
be able to appear
in court next week.

Respectfully,
Geo. A. Everett M.D.
House Surgeon

0703

Department of Public Charities and Correction.

FORDHAM HOSPITAL,

New York, Aug 8 1893.

To His Honor

The condition of
Dockerty is such
that he will be unable
to appear in Court for
the next few days.

Geo St. Elliott

M. D.

per RML

0705

Department of Public Charities and Correction.

FORDHAM HOSPITAL,

New York, Aug. 5th 1897.

To His Honor
The P. M. 6th Dist Ct

The two patients
here:

Dockery &
Nicolas
(Surname unknown) will
not be able to attend
Court until Monday
in any case.

Geo H. Elliott
M.D.

RMB

0706

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, 6th DISTRICT.

Michael Crowley -

of the 34th Precinct Office Street, aged 58 years,
occupation Police Officer being duly sworn deposes and says
that on the 4th day of August 1893

at the City of New York, in the County of New York Nicholas Yarmaco (now
here) and John J. Dockery (in hospital) did
as deponents is informed and verily believes
arouse and beat each other that they
were both confined in the Hospital, from
the result of same injuries - and since
John J. Dockery is still unable to appear
in court the said Nicholas Yarmaco charges
the said John J. Dockery with striking him upon the
head with a club and the said John J. Dockery
charges Nicholas Yarmaco with stabbing him in the
abdomen with a knife -

Michael Crowley

Sworn to before me, this 8th day

of August 1893
Charles W. Winter Police Justice.

0707

Page 41

Police Court-- 6th District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Michael Rowley -
vs.

- 1 John J. Dockery
- 2 Nicholas Yarmack

AFFIDAVIT.

Arrest

Dated Aug 8th 1893

Sanitar Magistrate.

Anthony 34th Officer.

Witness:

Disposition:

Committed without bond
to await result of inquest
\$1000 bail to await
result of inquest - C.W.S.

0708

Police Court 6th District.

CITY AND COUNTY OF NEW YORK, } ss.

John F. Sweeney -
of No. 104 E. 36th Street,

age 37 years - occupation Foreman being duly sworn, deposes and says, that
on Friday the 4th day of August
in the year 1893 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Nicholas Gammaco
(now true) who cuts and stabbed
deponent in the belly with
the blade of a knife which
knife he the same deponent
then and there held in his
hand, that deponent was
so violently and feloniously assaulted
and beaten as aforesaid with

~~with~~ the felonious intent to take the life of deponent, & 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 21st day }
of August 1893 } John F. Sweeney

Charles J. Santos POLICE JUSTICE.

0709

Sec. 198-200.

6th

District Police Court.

1882

City and County of New York, ss!

Nicholas Gammaco - 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. *Nicholas Gammaco*

Question. How old are you?

Answer. *38 years.*

Question. Where were you born?

Answer. *Italy*

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

Answer. *Hoffman St. 2 years.*

Question. What is your business or profession?

Answer. *Laborer*

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

Answer. *I am not guilty of the charge*

Nicholas Gammaco
mark

Taken before me this 29th day of August 1893

Charles W. Fairbanks Police Justice

0710

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 Alfred Clark

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

Dated August 21st 1893 Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

0711

Page 41
Police Court--- 6th District. 899

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John J. Sweeney
104 vs. E. 36

- 1 Michael Yarmaco
- 2 _____
- 3 _____
- 4 _____

Offence Armed
Felony

Aug 28
BAILED,
No. 1, by Shos. Walsh
Residence S. E. Cor. Hoffman & 187th Street.
No. 2, by _____
Residence _____ Street.
No. 3, by _____
Residence _____ Street.
No. 4, by _____
Residence _____ Street.

Dated August 21st 1893
Samston Magistrate.

Michael Crowley Officer.
34th Precinct.

Witnesses Samuel Martin
No. 184th + 3^d Avenue Street.
Officer Michael Crowley
No. 34th Precinct Street.
Peter Mc Bride
No. 2281 Louillard Street.
\$ 800 to answer for

Bailed
Chas
District Court
1893

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Nicholas Yamaes

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

Nicholas Yamaes

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

The said Nicholas Yamaes

late of the City of New York, in the County of New York aforesaid, on the fourth day of August in the year of our Lord one thousand eight hundred and ninety-three, with force and arms, at the City and County aforesaid, in and upon the body of one John F. Blockey in the peace of the said People then and there being, feloniously did make an assault, and him the said John F. Blockey with a certain knife

which the said Nicholas Yamaes 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 F. Blockey 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

Nicholas Yamaes

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

The said Nicholas Yamaes

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 F. Blockey in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and him the said John F. Blockey with a certain knife

which the said Nicholas Yamaes 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

Nicholas Yamaeo

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

The said *Nicholas Yamaeo*

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 F. Hockrey* 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* *John F. Hockrey*

which *he* the said *Nicholas Yamaeo* —

in *his* right hand then and there had and held, in and upon the *stomach* — of *him* the said *John F. Hockrey*

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

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

DE LANCEY NICOLL,
District Attorney.