

0619

BOX:

478

FOLDER:

4378

DESCRIPTION:

Alba, Louis

DATE:

05/26/92



4378

0620

POOR QUALITY ORIGINAL

Court ofayer and Terminer.

Counsel,

Filed, 16 day of May 1892

Pleads,

THE PEOPLE

VIOLATION OF EXCISE LAW. Selling on Sunday, Etc. [Ill. Rev. Stat. (7th Edition), page 1988, § 21, and page 1989, § 5.]

vs.

James P. Law
Frank
Louis Alba

DE LANCEY NICOLL

District Attorney.

A TRUE BILL.

James P. Law
Frank
Louis Alba

Foreman.

0621

POOR QUALITY ORIGINAL

2037

Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Louis Alba

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

Louis Alba

of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE, ON SUNDAY, committed as follows:

The said *Louis Alba,*

late of the City of New York, in the County of New York aforesaid, on the *twelfth* day of *June,* in the year of our Lord one thousand eight hundred and ninety-*one*, at the City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain intoxicating 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 whiskey, 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 intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did sell, as a beverage to one *James S. Smith*

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of New York and their dignity.

SECOND COUNT-

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

Louis Alba

of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said *Louis Alba,*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place so licensed as aforesaid unlawfully did not close and keep closed, and on the said day the said place so licensed as aforesaid unlawfully did then and there open and cause and procure and suffer and permit to be open and to remain open, 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.

0622

BOX:

478

FOLDER:

4378

DESCRIPTION:

Archbold, James

DATE:

05/17/92



4378

0623

POOR QUALITY ORIGINAL

Witnesses:

Wm Beck

F P Salver

Wm C. Clark

of 1892
James W. Lacey

Counsel,

Filed

day of

1892

Pleas

THE PEOPLE

Grand Larceny, (From the Person), Degree, Penna Code, Sections 528, 531

vs.
James Archbold

Dr LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Julius C. Carter

Foreman.

Subscribed and sworn to before me on the 24th day of May, 1892.
J. L. Lacey
with solemnity of conscience.

City Prison 20 days

0624

POOR QUALITY ORIGINAL

(1365)

Police Court— 5 District.

Affidavit—Larceny.

City and County }
of New York, } ss.

of No. 328 East 9th Street, aged 30 years,
occupation Labourer being duly sworn,

deposes and says, that on the 10 day of May 1892 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession

and Person of deponent, in the day time, the following property, viz:

One Silver watch
of the value of ten dollars
(\$10.00)

the property of

Repner

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen
and carried away by James Archibald Martin

from the fact that deponent is
informed by Francis P. Paulson
and Edward Emery that they
saw this defendant have this
complaint watch chain in
his hand while this complainant
was sitting on a stoop in 85th St.
New York and saw
the defendant take something
from the end of said watch
chain and put it in his pocket
and walk away and that there
after they saw this complainant
watch chain dangling. Merion

Sumner to before me this 10th day of May 1892

Police Justice

0625

POOR QUALITY
ORIGINAL

the watch.

Wherefore defendant charges this
defendant with feloniously taking
stalking and carrying away
said watch from the person of
defendant.

Sown to before me } W. P. Beck
this 10th day of May, 1892

O. G. Mead
Police Justice

0626

POOR QUALITY ORIGINAL

1877

CITY AND COUNTY }
OF NEW YORK, } ss.

Edward Crowley

aged *24* years, occupation *Driver* of No.

534 E 83rd Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of *William Beck*

and that the facts stated therein on information of deponent are true of deponent's own

knowledge.

Sworn to before me, this *10* day of *May* 189*2* } *Edward Crowley*

Cromwell
Police Justice.

1877

CITY AND COUNTY }
OF NEW YORK, } ss.

Francis P. Faulkner

aged *21* years, occupation *Plumber* of No.

1154 1st Ave Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of *William Beck*

and that the facts stated therein on information of deponent are true of deponent's own

knowledge.

Sworn to before me, this *10* day of *May* 189*2* } *F. Faulkner*

Cromwell
Police Justice.

0627

POOR QUALITY ORIGINAL

Sec. 198-200.

11 District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

James Archbold 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 sees fit, to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer. James Archbold

Question. How old are you?

Answer. 4 years old

Question. Where were you born?

Answer. Within Ireland

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

Answer. 2, 65th St New York

Question. What is your business or profession?

Answer. Bricklayer

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

Answer.

I am not guilty
James Archbold

Taken before me this
1897
District Police Justice

0620

POOR QUALITY ORIGINAL

BAILED,

No. 1, by _____
Residence _____ Street _____

No. 2, by _____
Residence _____ Street _____

No. 3, by _____
Residence _____ Street _____

No. 4, by _____
Residence _____ Street _____

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William Beck
328 South 4th St
James Wheeler

1 _____
2 _____
3 _____
4 _____

Offense Larceny from the Person

Dated May 10 1894

W. Beck Magistrate.

John R. McCarty
29 Precinct.

Witness Wm. J. Paulsen

No. 1154 1st Ave Street

Edward Bradley

No. 539 E. 5th Street

No. 1000 Street

RECEIVED
MAY 12 1894
DISTRICT ATTORNEY

571

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

_____ guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of Two 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, May 10 1894 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

0629

POOR QUALITY ORIGINAL

COURT OF GENERAL SESSIONS.

City and County of New York.

Part II.

-----x	:	
	:	
The People	:	Before the
	:	
vs	:	Hon. Rufus B. Cowing,
	:	
James Archbold.	:	and a jury.
-----x	:	

Indicted for GRAND LARCENY in the SECOND degree.

Indictment filed May 17th, 1892.

Tried May 24th, 1892.

APPEARANCES:

Assistant District-Attorney Bedford, for the People.

Charles F. Kinsley, Esquire, for the Defense.

W I L L I A M B E C K, called by the People, being duly sworn testified that he lived at No. 328 East Ninth street. He worked in Babbitt's soap factory in Washington street. On May 10th, 1892, he was in 85th street between Lexington and Third avenues. He had worked until 11 o'clock that night. He went up there to see

0630

POOR QUALITY
ORIGINAL

his cousin, who kept a saloon in 85th street. He, the witness, was tired, and sat down on a stoop and fell asleep. He was both drunk and tired. He went sound asleep. His watch, which was worth about \$10 was in his pocket. He saw the watch before he came up 85th street, because he had money in the same pocket. It was after 8 or 9 o'clock in the morning when he sat down. He knew he had the watch in his pocket within an hour. No one was near him when he sat down. An officer woke him up. When he woke up a couple of fellows were around him, and one of them said, "Look at that watch," and he, the witness, looked at it, and the chain was hanging down, and the watch was gone. The watch was stolen while he was asleep.

In cross-examination, the witness testified that he went to work at 7 o'clock in the morning. He did not remember if he was working that night from 7 o'clock in the morning, until 11 o'clock at night. All that he remembered was that it was Tuesday morning. He could not tell if he went to work at all the morning before he lost his watch. He had worked since then. He guessed he did work the morning, or the Monday before he lost

0631

POOR QUALITY ORIGINAL

his watch. It was after daylight when he sat down. He had been right across the way from where he worked all night.

F R A N C I S P. F A U L K N E R, being duly sworn, testified that he lived at No. 1, 154 First avenue. On the morning of May 10th, between 8 and 9 o'clock, he, the witness, was standing on 85th street near Third avenue, when he saw William Beck, the complainant, sitting on a stoop across the street. He, the witness, happened to look across the street and saw three men standing close to the complainant. He, the witness, saw the defendant take a watch out of the pocket of the complainant who was asleep, and wrench the watch or something from the end of the chain. The defendant put the watch in his pocket and walked up 85th street, about 100 feet and met two other men. The defendant and the other two men then walked up to Lexington avenue. At 83rd street, he, the witness, saw an officer going home and told the officer about it. The officer ran down Lexington avenue and met the defendant at 81st street, and brought him back to where the complainant was sitting asleep. The chain was hanging from the complainant's

0632

POOR QUALITY
ORIGINAL

4

pocket with nothing on it. The ring of the watch was lying at the complainant's feet. He, the witness, was sure that the defendant was the man who he, the witness saw wring something from the complainant's chain. The person who was with him, the witness, at the time, was Daniel Crowley. The two men who were with the defendant had their backs towards him, the witness, and the defendant had his face towards him, the witness.

E D W A R D C R O W L E Y, being duly sworn testified that he was a truck-driver and lived at No. 537 East 83rd street. The witness corroborated the testimony of the previous witness. He, the witness, was sure that the defendant was the man who he saw take something from the complainant's chain, while the complainant sat asleep on the stoop in 85th street.

J O H N D. M C C A R T H Y being dulysworn testified that he was an officer of the 29th precinct. He arrested the defendant near the corner of 79th street and Lexington avenue. He, the witness, searched the defendant and then brought him back to where the complainant was sitting on the stoop asleep, with his chain dangling from his vest. He, the witness, did not find

0633

POOR QUALITY
ORIGINAL

5

the watch on the defendant. The small ring that connects a watch with a chain was found on the ground in front of the complainant. When he, the witness, arrested the defendant, the defendant said nothing but "All right." In the presence of the complainant the defendant denied taking the watch. When he, the witness arrested the defendant, the defendant was walking fairly rapidly. He, the witness, did not arrest the other two men.

J A M E S A R C H B O L D, called by the defense, being duly sworn, testified, that he had been married for 21 years. He was married in the old country. He had been a bricklayer for 33 years, from the time he was eight years old. He had never been arrested, or accused of stealing anything before in his life. He did not steal the complainant's watch. All that he knew about it was that he met a man named Wall, at the corner of 75th street; they walked around looking for a job. Wall's father was foreman over a hotel in west 72nd street, opposite the Dakota flat. They were knocking about, one place and another, and they were joined by another man named Joe Garvey. They had a

0634

**POOR QUALITY
ORIGINAL**

6

glass of beer together. When they turned into 85th street, he, the defendant, saw the complainant sitting on a stoop. His watch chain was hanging down. He, the defendant, said, "Boys, something's wrong. This man has lost his watch." He, the witness, asked Wall if he knew the man, as Wall was well known in that neighborhood, because he lived in 90th street, and Wall said, "No." He, the witness, remarked, "There's the man's chain," and he happened to touch it with his fingers. The other two men walked away. He, the witness, was leaning on the rail. He over took the other two at Lexington avenue and 85th street. They walked down the avenue. At the corner of 84th street the officer came up and touched him on the shoulder and arrested him. He, the witness, said, "All right." They went back to where the complainant was sitting on the stoop. The officer said, "You were the last to leave him." He, the defendant, said, "Well, I admit all that, but I did not take his watch." He, the witness, was taken to the 88th street station house. The complainant was charged with intoxication. He, the witness, was searched on the way to the station house

0635

POOR QUALITY
ORIGINAL

7

and in the station house.

In cross-examination, the defendant testified, that he did not take the watch. He touched the chain, but did not wring the watch off, and the two witnesses who said they saw him do so, could swear as they liked. He, the witness, knew his business. When the officer took him into custody, he did not know what he was arrested for. The reason he did not awaken the complainant was that he did not know him. He, the witness, had been out of work only a short time. Five cents was all the money he had. He did not know whether the other two men waited for him, at Lexington avenue, or not, but he joined them there. He never saw the two men who were witnesses against him before in his life.

J O S E P H G A R V E Y, being duly sworn, testified that he was a bricklayer. He knew the defendant and was with him when he came through 85th street. He was with the defendant when he, the defendant, was arrested. He, the witness, knew nothing about the defendant's taking the watch from the man who was asleep on the stoop. The defendant did not pass him, the witness, the watch. He did not hear the defendant, or the

0636

POOR QUALITY ORIGINAL

other man say," Here's a man with his watch chain hanging down." He, the witness, did not say it himself. He left the other two men behind.

J A M E S G O F F, being duly sworn, testified that he was an artificial stone mason and his place of business was at No. 1,446 Second avenue. He had known the defendant since the summer of '71. The defendant's character was as good as any man's in the city.

M I C H A E L J. L A R K I N, being duly sworn testified that he was a mason and builder. He had known the defendant for the last 25 years. He had never heard his honesty questioned and his character was excellent.

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0637

POOR QUALITY ORIGINAL

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

THE PEOPLE OF THE STATE OF NEW YORK

against

James Archbold

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

James Archbold

of the CRIME OF GRAND LARCENY in the second degree, committed as follows:

The said

James Archbold

late of the City of New York, in the County of New York aforesaid, on the 10th day of May in the year of our Lord one thousand eight hundred and ninety-two, in the day time of the said day, at the City and County aforesaid, with force and arms,

one watch of the value of ten dollars

of the goods, chattels and personal property of one William Beck on the person of the said William Beck then and there being found, from the person of the said William Beck 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.

William Beck
De Lancey Nicoll,
District Attorney

0638

BOX:

478

FOLDER:

4378

DESCRIPTION:

Aubrey, Frederick C

DATE:

05/11/92



4378

0639

POOR QUALITY ORIGINAL

199.

Counsel,

Filed,

Pleads,

1893

11th day of May

THE PEOPLE

vs.

B

Frederick C. Aubrey

June 1893

DE LANCEY NICOLL,

District Attorney.

VIOLATION OF EXCISE LAW.
(Keeping Open on Sunday.)
(III. Rev. Stat. (7th Edition), Page 1089, Sec. 5.)

A TRUE BILL.

John C. Catlin

Foreman.

Witnesses:

0640

POOR QUALITY
ORIGINAL

486

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Frederick C. Aubrey

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

Frederick C. Aubrey

of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows :

The said *Frederick C. Aubrey*
late of the City of New York, in the County of New York aforesaid, on the *25th*
day of *May* in the year of our Lord one thousand eight hundred and
ninety-~~9~~, the same being the first day of the week, commonly called and known
as Sunday, being then and there in charge of and having the control of a certain place
there situate, which was then duly licensed as a place for the sale of strong and spirituous
liquors, wines, ale and bear, with force and arms, at the City and County aforesaid, the said
place so licensed as aforesaid unlawfully did not close and keep closed, and on the said day
the said place so licensed as aforesaid unlawfully did open and cause and procure and suffer
and permit to be open, and to remain open, 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.

0641

BOX:

478

FOLDER:

4378

DESCRIPTION:

Averabach, Samuel

DATE:

05/03/92



4378

0642

POOR QUALITY ORIGINAL

15
 Counsel,
 Filed *3* day of *May* 189*8*
 Pleads,
 THE PEOPLE,
 vs.
Samuel Overbach
 Grand Jurors,
 Sections 223, 224,
 Degree,
 DE LANCEY NICOLL,
 District Attorney,
 A TRUE BILL.
J. Cattin Foreman.
Wm. H. H. H.
Chas. C. H. H.
Ed. H. H.

Witnesses:

.....

.....

.....

.....

.....

0644

POOR QUALITY ORIGINAL

(1895)

Police Court— 3 District.

Affidavit—Larceny.

City and County }
of New York, } ss.

of No. 83 Orchard Street, aged 27 years,

occupation actor being duly sworn,

deposes and says, that on the 1st day of February 1892 at the City of New

York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the night time, the following property, viz:

One coat and vest of the value of fifty dollars

the property of deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and carried away by Samuel Averabach (now

here) for the reasons that on said day a person came to deponent's residence which as then at 150 Henry Street and represented to deponent's servant that he had been sent by deponent for said clothes and said servant believing said statement delivered said clothes to said man. Deponent never sent for said property or received it deponent being unsuspecting of the defendant and accused the defendant of said stealing and he acknowledged and confessed that he stole said property.

Rudolph Mark

Sworn to before me, this 29 day of February 1892
Charles W. Deane Police Justice.

0645

POOR QUALITY ORIGINAL

(1335)
Sec. 198-200.

3 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

Samuel Averabach 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. *Samuel Averabach*

Question. How old are you?

Answer. *17 years*

Question. Where were you born?

Answer. *Russia*

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

Answer. *25 Bowery. 3 months*

Question. What is your business or profession?

Answer. *Insulin*

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.*

Samuel Averabach.

Taken before me this *29*
day of *April* 189*3*
William W. ...
Police Justice.

0646

POOR QUALITY ORIGINAL

BAILLED,

No. 1, by _____
 Residence _____ Street _____

No. 2, by _____
 Residence _____ Street _____

No. 3, by _____
 Residence _____ Street _____

No. 4, by _____
 Residence _____ Street _____

Police Court... 3
 District 524

THE PEOPLE, A.C.,
 ON THE COMPLAINT OF

Judolph Mucker
837 Broadway
Samuel Greenfield

1 _____
 2 _____
 3 _____
 4 _____

Offence

Manufacture

Dated *April 29 1892*

Chaunzi Young
 Magistrate
 Precinct 11

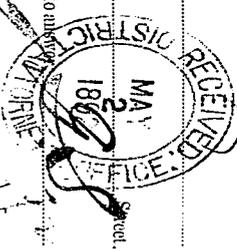
Witness *Ela Johnson*

No. *79 Canal*
 Street

Moses Stronitz

No. *191 Bell*
 Street

No. *500*
 Street



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

defendant

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

Dated *April 29 1892* - *Charles A. Smith* Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0647

POOR QUALITY ORIGINAL

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Samuel Averabach

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

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

The said *Samuel Averabach*

late of the City of New York, in the County of New York aforesaid, on the *first*
day of *February* in the year of our Lord one thousand eight hundred and
ninety-*two*, at the City and County aforesaid, with force and arms,

*one coat of the value of
thirty-five dollars and one
vest of the value of fifteen
dollars*

of the goods, chattels and personal property of one *Rudolph Marks*

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

W. Lancy Nicoll
District Attorney

0649

BOX:

478

FOLDER:

4379

DESCRIPTION:

Basr, Labish

DATE:

05/11/92



4379