

0405

BOX:

405

FOLDER:

3754

DESCRIPTION:

Albers, Frank J.

DATE:

08/08/90



3754

0406

POOR QUALITY ORIGINAL

56.

Witnesses;

L. Rudolph
off appeal

Secus pro officin

W. Edwards

Property Returns
repts. Ch. Perry
good - Fair
offence

FW

Counsel,

Barbier

Filed

8 day of Aug 18 90

Pleads;

Not Guilty

THE PEOPLE

vs.

Frank J. Albers

Grand Larceny Second degree.
[Sections 528, 531, 532, Penal Code].

JOHN R. FELLOWS

District Attorney

A True Bill.

Edward A. Fox

Aug. 15, 1890 Foreman.

Pleads G. L. 2 day

Wsp. Inst. 1890
Aug. 20-1890

0408

Police Court— 4 — District.

Affidavit—Larceny.

City and County }
of New York; } ss.

of No. 271 East 93 Street, aged 35 years,
occupation Keypuncher being duly sworn

deposes and says, that on the 25 day of July 1890 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 day time, the following property, viz:

One double case gold watch
and one plated chain together
of the value of about Forty Dollars
(H. Hoop)

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 Frank Albers (now here)

from the fact that on said date deponent had the said property in a bureau in her house at 271 East 93 St. This defendant was stopping with deponent and was in deponent's room when deponent had the said property. Deponent saw the said property on the 23 day of July, and when deponent looked for the said property she missed it and immediately suspected the defendant and caused his arrest. Deponent is informed by Police Officer Michael O'Connell of the 18 Precinct Police that he, the officer, arrested the defendant

Subscribed and sworn to before me this 18th day of July 1890

Police Justice

0409

Police Court— 4 District.

Affidavit—Larceny.

City and County }
of New York; } ss.

of No. 221 East 23 Street, aged 35 years,
occupation Keyp House being duly sworn

deposes and says, that on the 25 day of July 1890 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 day time, the following property, viz:

One double case gold watch and one plated chain together of the value of about Forty Dollars (\$40.00)

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 Frank Allers (now here)

from the fact that on said date deponent had the said property in a bureau in her house at 221 East 23 St. This defendant was stopping with deponent and was in deponent's room where deponent had the said property. Deponent saw the said property on the 23 day of July, and when deponent looked for the said property she missed it and immediately suspected the defendant and caused his arrest. Deponent is informed by Police Officer Michael O'Connell of the 18 Precinct Police that he, the officer, arrested the defendant

Sworn to before me, this 25th day of July 1890

Police Justice

and found a person called representing
 the said property in the defendant's
 possession. Deponent further says
 that she has since seen and fully
 identified the said property as hers
 and charges the defendant with
 feloniously taking, stealing and
 carrying away the said property
 and prays that he be held and
 dealt with as the law directs.

Given before me
 this 7th day of May 1890, Liberia Randolph.

Charles S. J. J. J.
 Police Justice

0411

CITY AND COUNTY }
OF NEW YORK, } ss.

Michael Oppelt
Police Officer

aged _____ years, occupation _____ of No. _____
1st Precinct Police Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of *Liberta Rudolph*

and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this *26* day of *July* 18*90* } *Michael Oppelt*

Charles McIntosh
Police Justice.

0412

Sec. 193-200.

✓ District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Frank Albers being duly examined before the under-
signed according to law, on the annexed charge; and being informed that it is his right to
make a statement in relation to the charge against him; that the statement is designed to
enable him if he see fit to answer the charge and explain the facts alleged against him
that he is at liberty to waive making a statement, and that his waiver cannot be used
against him on the trial.

Question. What is your name?

Answer. Frank Albers

Question. How old are you?

Answer. 18 yrs old

Question. Where were you born?

Answer. New York City

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

Answer. 1021 East 23rd St. 3 days

Question. What is your business or profession?

Answer. Actor

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

Frank J. Albers

Taken before me this

10/10/1901
Charles J. Hamilton

Police Justice.

0413

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

Defendant

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

Dated *July 7th* 18 *90* *Charles Hamilton* 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.

0414

1154

Police Court--- 4 District.

THE PEOPLE &c.,

vs. THE COMPLAINT OF

Liberta Randolph
11221 vs. East 23
Frank Albers

Offence
Larceny
Theft

2
3
4

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated July 7th 1890

Taintor Magistrate.

Oppelt Officer.

18 Precinct.

Witnesses sua officio

No. Street.

\$1000 to answer

Robert

G

0415

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Frank J. Albers

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

accuse *Frank J. Albers*

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

The said

Frank J. Albers

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

one watch of the value of thirty-five dollars, and one chain of the value of five dollars

of the goods, chattels and personal property of one

Leberta Randolph

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.

04 16

SECOND COUNT—

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

Frank J. Albers
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY committed as follows:

The said *Frank J. Albers*

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,

one watch of the value of thirty-five dollars, and one chain of the value of five dollars

of the goods, chattels and personal property of one *Leberta Randolph*

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

Leberta Randolph

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

Frank J. Albers

then and there well knowing the said goods, chattels and personal property to have been feloniously stolen and carried away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,
District Attorney.

0417

BOX:

405

FOLDER:

3754

DESCRIPTION:

Anderson, Martin

DATE:

08/05/90



3754

0418

21. More

Witnesses:

Matthew J. Galy

Counsel,

Filed

5 day of Aug 18 90

Pleads,

THE PEOPLE

vs.

H
Martin Anderson

Grand Larceny, Second Degree.
[Sections 528, 537, — Penal Code].

JOHN R. FELLOWS,

District Attorney.

A True Bill

Samuel J.

Foreman.

Aug 6, 1890

Pleads P. L.

R. C. Mecting

LL

0419

Police Court—

3

District.

Affidavit—Larceny.

City and County }
of New York, } 55.

Harris Rosenman
of No. 141 Orchard Street, aged 22 years,
occupation Driver being duly sworn

deposes and says, that on the 19th day of July 1890 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 day time, the following property, viz:

Good and lawful money of the United States to the amount and of the value of twenty eight dollars. (\$28.00)

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

Martin Anderson
(now here) from the fact that at the hour of 8.15 A.M. said date deponent went into the free bath at the foot of Stanton St. Deponent undressed and left his pants on, in the pocket of which was a purse containing said sum of money. in a room. and at the time that deponent undressed this defendant was in the same room with deponent and while deponent was in the water. this defendant dressed himself and left the bath. and after deponent had dressed deponent discovered

Subscribed to before me this 19th day of July 1890

Police Justice

0420

that said sum of money had been taken out of deponent's purse and was missing. Deponent followed the defendant and caused his arrest. and after his arrest he the defendant returned to deponent the sum of twenty four dollars. and at the station house the defendant gave the other four dollars to Officer Mathew J. Daly of the 19th Precinct - Police in deponent's presence. and he the said defendant admitted and confessed in open Court in the presence and hearing of deponent and Officer Daly that he had feloniously taken stolen and carried away said sum of money. Wherefore deponent prays the said defendant may be held and dealt with according to law.

Served to deponent
 this 19th day of July 1890 } Harris & Peman
 Attorneys
 P. G. Puffly
 Police Justice

0421

3

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

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

Question. What is your name?

Answer. *Martin Anderson*

Question. How old are you?

Answer. *14 years old*

Question. Where were you born?

Answer. *Germany*

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

Answer. *110 E. 4th St New York*

Question. What is your business or profession?

Answer. *Sign box maker.*

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

Answer.

I am guilty,

Martin Anderson

Taken before me this

day of

[Signature]
Police Justice.

0422

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 Smith

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 *July 19* 18 *94* *G. H. [Signature]* 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.

0423

Police Court---

3

District

1117

THE PEOPLE &c.
ON THE COMPLAINT OF

Harris P. Roman
141th St. Co. Charles
Martin Anderson

Office
Laruey J. J. J.

2
3
4

BAILED.

No. 1, by
Residence Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

Dated July 19 1890

Henry Magistrate.
Mathew F. Ronly Officer.

Witnesses

No. 40 West 10th Street.

No. 100 East 23 Street.

No. 500 9th Street.

to answer

com

AT
MAY

0424

Court of General Sessions

- People -
- agt -
Martin Anders

REPORT OF THE NEW YORK SOCIETY FOR
THE PREVENTION OF CRUELTY
TO CHILDREN.
100 EAST 23D STREET.

New York, July 21 1890

CASE NO. 50613 OFFICER Bailey
DATE OF ARREST July 19
CHARGE

in larceny -

AGE OF CHILD Fifteen years
RELIGION Catholic

FATHER Henry

MOTHER

RESIDENCE Dep-mother Katie
No. 110 E. 4th St

AN INVESTIGATION BY THE SOCIETY SHOWS THAT The boy
is a vagrant in his habits -
has been arrested for va-
grancy - he never works, or
assists his parents in any
way.

All which is respectfully submitted,

To Court atty

Harry E. Strickling
assn. Supt.

0425

50613

Court of
General Sessions

People

apb

Martin Anders.

Mr. Anders

PENAL CODE, ^{ss}

**Report of the New York Society
for the Prevention of Cruelty
to Children.**

ELBRIDGE T. GERRY,
President, &c.,

100 East 23d Street,

NEW YORK CITY.

0426

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

THE PEOPLE OF THE STATE OF NEW YORK,
against

Martin Anderson

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by

this indictment, accuse *Martin Anderson*

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

The said *Martin Anderson*

late of the City of New York, in the County of New York aforesaid, on the *nineteenth*
day of *July* in the year of our Lord one thousand eight hundred and
seventy, at the City and County aforesaid, with force and arms, in the
day time of the same day, divers promissory notes for the payment of money, being
then and there due and unsatisfied (and of the kind known as United States Treasury
Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the
payment of and of the value of *twenty-eight*

\$28.00
100
dollars; divers other promissory notes for the payment of money, being then and there due
and unsatisfied (and of the kind known as Bank Notes), of a number and denomination
to the Grand Jury aforesaid unknown, for the payment of and of the value of
twenty-eight

dollars; divers United States Silver Certificates of a number and denomination to the Grand
Jury aforesaid unknown, of the value of *twenty-eight*

dollars; divers United States Gold Certificates of a number and denomination to the
Grand Jury aforesaid unknown, of the value of *twenty-eight*

dollars; divers coins of a number, kind and denomination to the Grand Jury aforesaid
unknown, of the value of *twenty-eight dollars*

of the goods, chattels and personal property of one *Harris Roseman*
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.

JOHN R. FELLOWS, *District Attorney.*

0427

BOX:

405

FOLDER:

3754

DESCRIPTION:

Anketell, Alfred

DATE:

08/19/90



3754

193.

Counsel, _____
Filed 19 day of Aug 1890

Pleads, _____

by THE PEOPLE
vs. _____
vs. _____
I
Alfred Imhertell

[Section 528, and 532, Penal Code].
(False Pretenses).
LARCENY.

JOHN R. FELLOWS,
District Attorney.

A True Bill.

James J. ...

Aug. 19, 1890 For emanc.

Pleads, Guilty
C. W. ...

Witnesses:

Mary M. Costley
J. J. Green

and for complainant

0429

Police Court— 2 District.

Affidavit—Larceny.

City and County }
of New York, } ss.

Mary McCarthy
of No. 557 Greenwich Street, aged 22 years,
occupation Housekeeper being duly sworn

deposes and says, that on the 24 day of July 1890 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 day time, the following property, viz:

Four
dollar in good and lawful
money of the United States
\$4-

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 Alfred Ankatell (now

here) under the following circumstances: The defendant learned that deponent owed the firm of B. M. Cowperthwaite & Co. for furniture and that a payment thereon was due on said date. The defendant came to deponent on said date and pretended that he was the agent of the firm of B. M. Cowperthwaite & Co. to receive said instalment of four dollars. Relying upon said false representation deponent paid to the defendant the sum of four dollars on account of deponents debt to B. M. Cowperthwaite & Co.

Sworn to before me, this 18 day of _____ 1890
Police Justice.

0430

Deponent is now informed by Walter
E. Ord now Sec. who represents
the said firm of B. M. Cowperthwaite
& Co., that the defendant did not
pay over the said money to the
said firm, and that the said
defendant, had no authority to
collect the said money from deponent.
Deponent therefore charges that the
defendant unlawfully collected
the said money from deponent and
that defendant feloniously appropriated
the said money to his own use. Defendant
offered to return said money to deponent to day

Sworn to before me this 15 day
of August 1880

[Signature]
Police Justice.

[Signature]
Walter E. Ord
Sec.

0431

CITY AND COUNTY }
OF NEW YORK, } ss.

Walter E. Bird

aged 27 years, occupation Credit Club of No.

205 Park Row Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of May Mc Carthy

and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 15 day of August 1890 }
Walter E. Bird

Police Justice.

0432

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Alfred Ankatell

Question. How old are you?

Answer. 42 years

Question. Where were you born?

Answer. Ireland

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

Answer. 145 Philip St. Jersey City N.J.

Question. What is your business or profession?

Answer. Agent

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

Answer. I am not guilty; and
I demand a trial by
jury
Alfred Ankatell

Taken before me this 15
day of August 1892
Do See with Police Justice.

0433

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 Pinkalee

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

Dated Aug 1890 *So. J. C. Smith* 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.



0434

Police Court 2 1259 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Mary Mc Carthy
(35) vs. Edmund
Alfred Antkall

Office
Sweeney
Mis

2
3
4

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated August 15 1890

O. Reilly Magistrate.

James E. Frier Officer.

Precinct.

Witnesses _____

No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ 300 to answer J.D.

Committee



0435

GRAND JURY ROOM.

PEOPLE

vs.

A. C. Kato

Mary A. Barry
vs. Green

I am not guilty

0436

PART I.

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

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

To See Recorder Smith

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

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

To Off Connor

of No. Street

Bring property, if any, in this case. 11

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 22 day of 1890, at the hour of 11 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

Charles Schwed

Dated at the City of New York, the first Monday of in the year of our Lord 1890.

JOHN R. FELLOWS, District Attorney.

0437

Should the case not be called on for trial, and no reason assigned in Court please inquire at the District Attorney's Office about it, and you may save time.

If inconvenient to remain, and you prefer another day, state this early to the District Attorney in the Court.

If ill when served, please send timely word to the District Attorney's Office.

If you know of more testimony than was produced before the Magistrate, or if a fact which you think material was not there brought out, please state the same to the District Attorney or one of his Assistants.

on Vacation

C. D. S.

W. D. S.

W. D. S.

0438

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
AGAINST

Alfred Anselmi

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

Alfred Anselmi

of the CRIME OF *Swindling* LARCENY, —
committed as follows:

The said *Alfred Anselmi*,

late of the City of New York, in the County of New York aforesaid, on the *twenty fourth*
day of *July*, — in the year of our Lord one thousand eight hundred and
eighty ninth, at the City and County aforesaid, with force and arms, with intent to
deprive and defraud *one Mary Mc Carthy, who was*
then and there indebted to a certain firm
then and there doing business in and by the
name and style of B. M. Comperthwaite and
Company, in the sum of four dollars, —
of the proper moneys, goods chattels and personal property hereinafter mentioned, and of
the use and benefit thereof, and to appropriate the same to *his* own use, did then and
there feloniously, fraudulently and falsely pretend and represent to *the said*
Mary Mc Carthy,

That *the said Alfred Anselmi* was
then and there the agent of the said firm
of B. M. Comperthwaite and Company, and
was then and there authorized and
empowered by the said firm to collect
and receive from her the said Mary
Mc Carthy the said sum of four
dollars for and on account and behalf
of the said firm. —

0439

And the said Mary Mc Carthy —

then and ~~there~~ believing the said false and fraudulent pretenses and representations so made as aforesaid by the said Alfred Antkoff —

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

Alfred Antkoff the sum of four dollars in money, lawful money of the United States of America and of the value of four dollars,

of the proper moneys, goods, chattels and personal property of the said Mary Mc Carthy —

And the said Alfred Antkoff — did then and there feloniously receive and obtain the said proper moneys, goods, chattels, and personal property, from the possession of the said Mary Mc Carthy

by color and by aid of the false and fraudulent pretenses and representations aforesaid, with intent to deprive and defraud the said Mary Mc Carthy —

of the same, and of the use and benefit thereof, and to appropriate the same to his own use

Whereas, in truth and in fact, the said Alfred Antkoff was not then and there the agent of the said firm of P. M. Romperthwaite and Company, and he was not then and

0440

there authorized or empowered by the
said J. J. to collect or receive from her
the said Mary Mc Parbury the said sum
of four dollars, for or on account or
behalf of the said J. J.

And Whereas, in truth and in fact, the pretenses and representations so made
as aforesaid by the said alleged Annetell
to the said Mary Mc Parbury was and were
then and there in all respects utterly false and untrue, as she the said
alleged Annetell
at the time of making the same then and there well knew

And so the Grand Jury Aforesaid, do say that the said
alleged Annetell
in the manner and form aforesaid, by the means aforesaid, the said proper moneys, goods,
chattels and personal property of the said Mary Mc Parbury
then and there feloniously did STEAL, against the form of the Statute in such case made and
provided, and against the peace and dignity of the said people.

JOHN R. FELLOWS,
District Attorney.

0441

BOX:

405

FOLDER:

3754

DESCRIPTION:

Attanasio, Vincenzo

DATE:

08/13/90



3754

0442

POOR QUALITY ORIGINAL

Witnesses:

Dr. H. A. Hauboldt
A. Cimino
Geo. Poppe
Philip Breda

I have carefully examined all the witnesses herein, as well as some who were not produced upon the hearing before the Coroner. I cannot, in all the testimony procurable, discover the slightest indication of felonious intent upon the part of the defendant; on the contrary, the whole testimony points to the conclusion that the shooting was accidental, and that deceased was a wanton aggressor.

I consequently recommend that the indictment be dismissed.

August 15/90.

W. D. Barker
D. J. H.

No. 110

26. 4/16

Counsel,

Filed 13 day of Aug 1890

Pleas, Not Guilty (14)

THE PEOPLE

vs.

Vincenzo Ottanaris

4th floor

JOHN R. FELLOWS,

District Attorney.

Man and wife
1891-1892-1893, 1894

A TRUE BILL.

James A. Ferr.

Aug 18/90

on his of. duty Foreman.
Inspector. See
Memor. addressed
sumon F. J.

0443

2

IN THE CORONER'S COURT OF THE CITY & COUNTY OF NEW YORK.

INQUEST IN THE MATTER OF : BEFORE
THE DEATH OF : HON. FERDINAND LEVY,
EDWARD MCGEDDY.: AND A JURY. CORONER,

NEW YORK CITY, TUESDAY, JULY 15TH, 1890.

For Vincenzo Attanasio, the accused, appeared MR.
REGINALD S. DURRANT, representing the firm of HOWE &
HUMMEL, of 89 Centre Street.

J O H N C R I N N I O N

a police officer, sworn and examined.

BY THE CORONER:

Q. To what Precinct are you attached? A. The
15th.

Q. Now, officer, tell the Jury what you know of
this case? A. On the evening of the 8th of July I
was on post on West 3rd Street from Broadway to 6th
Avenue. I was standing on the corner of Green about
7.10 when a citizen came up and told me that there was a
man stabbed on the corner. I didn't wait to hear any

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more but ran down and followed the crowd and went after the crowd through Wooster and through Fourth and saw this young man (the prisoner) standing surrounded by a dozen or two men near South Fifth Avenue, and when I got within about twenty-five feet of him Mr. Poppe, a witness in the case, caught him from behind and held him until I took the revolver off him. He had this revolver in the right hand pocket of his coat. I took him before McGeddy and asked him if this was the man that shot him and he identified him, and on the way back to where McGeddy was lying I asked this young fellow why he done it and he says "He pushed me on the sidewalk." (The revolver referred to was here produced by witness). There was two shots fired from it.

----- oxo -----

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G E O R G E P O P P E

sworn and examined.

BY THE CORONER:

Q. Where do you live? A. 215 Wooster Street.

Q. Tell us what you know of this shooting in question? A. On Tuesday night about seven o'clock----

Q. (Interposing) It was the 8th? A. Yes, the 8th----I heard a little noise outside and I came out of my office and I stood in front of the door and I saw this prisoner over on the other side with his hand in his pocket pulling out a revolver and this party that got shot hollered "Look at that big pop he's got; see me take it away from him," and with that he ran over and this fellow pointed the revolver at him and he jumped back and he caught hold of him by his neck and they got to wrestling for possession of the revolver and this young fellow had his right hand around here (indicating) and shot him and afterwards he fired another shot and I found the bullet on the sidewalk. Then he walked off and I followed him along from the corner of

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South Fifth Avenue and Third and I caught him on the corner there, the corner of South Fifth Avenue and Fourth and I turned him over to Officer Crimmion.

-----oxo-----

W I L L I A M B O H A N

sworn and examined.

BY THE CORONER:

Q. Where do you reside ? A. 329 West 26th St.

Q. What were you doing down at Wooster Street that night ? A. Me and McGeddy and five other boys were sitting on the stoop drinking beer. We were going to get a pint of beer.

Q. What were you doing way down in Wooster Street ; you were in Wooster Street ? A. Yes, sir.

Q. You live up in West 26th Street ? A. Yes, sir.

Q. What were you doing down in Wooster Street ?

A. I was down there with the boys.

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Q. What were you doing there? A. I was sitting on the stoop.

Q. Couldn't you sit on a stoop uptown and drink beer? A. Yes, I suppose I could.

Q. Well, go ahead? A. And this prisoner was passing and McGeddy called him over and hit him.

Q. Hit the prisoner? A. Yes, sir.

Q. Why? A. I don't know.

Q. Did they have words? A. I aint sure. I seen him hit him, and he went across the Street and called McGeddy over to him and went like this (illustrating) and he pulled out a revolver and McGeddy wanted to take it from him and he couldn't and he shot it in his side. Another boy named Clark ran over and tried to get it from him and he shot a shot at him and he hit him in his hand.

Q. McGeddy struck the prisoner before he shot?

A. Yes, sir.

Q. Did he go right up to him and strike him?

A. No, sir.

Q. How was it? A. He was looking at him and

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he called him over and asked him what he was looking at.

Q. Did he call him some name? A. No, sir. After he hit him he says "Go on home, you Guinea," and he hit him in the nose and made his nose bleed.

Q. What kind of man was McGeddy? A. He was pretty strong; about as big as me.

Q. Hit him and made his nose bleed without any provocation? A. I couldn't say it was without provocation.

Q. Did this prisoner say anything to him to cause him to strike him; had this prisoner insulted your friend McGeddy? A. No, sir; that man was passing about his business.

Q. And McGeddy went up to him? A. No, he didn't go up to him. He sat on the stoop and called the prisoner up to him and hit him. When the prisoner came over he says "What are you looking at?" and he hit him.

Q. How much beer had McGeddy been drinking? A. We had two pints of beer before he was shot.

Q. How many did you have uptown? A. Didn't have

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any.

BY MR. DURRANT:

Q. You say they were both struggling for possession of the revolver when it went off and McGeddy was shot by that revolver in the side? A. Yes, sir.

Q. How close to the body of the dead man was the revolver at the time it went off? A. It was quite close to the body.

Q. It was not held out or pointed, but close against the body? A. Close against the body.

Q. Touching the body when it went off? A. Yes, sir.

-----oxo-----

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J A M E S H. I R V I N G

sworn and examined:

BY THE CORONER:

Q. Where do you reside? A. 75 Bank Street.

Q. Did you see this shooting? A. I did not, sir, but I was standing at the corner of Third and Wooster Streets about 7 o'clock that evening, I had just come out of the saloon, when I heard two shots fired and it attracted my attention. I ran across the Street and I saw this young man, the prisoner, coming diagonally over from what they call Stewart's stable. He had something in his hand. I couldn't say whether it was a gun, revolver or knife. He was placing it in his pocket.

Q. You did not see the shooting? A. I did not. I merely picked the deceased up.

-----OXO-----

F R E D E R I C K B R E D E

sworn and examined.

BY THE CORONER:

Q. Where do you reside? A. 235 Wooster St.

Q. What did you see of this shooting? A. I was sitting on the stoop at 237 Wooster Street about 7 o'clock at night and I seen the prisoner passing up and his nose was bleeding and when he got to 239 stoop he turned around and he winked at McGeddy. McGeddy got up and he walked across towards the other side of the street. When the prisoner got as far as the track he turned around and winked at him again. Then the prisoner went to the other side of the Street. McGeddy came across to the other side of the Street too. When McGeddy got into the track the prisoner took his revolver out of his coat pocket, it seems to me.

Q. Tell us what you saw, not what seems to you.

Did you see the prisoner have a pistol in his hands?

A. Yes, I seen him have it.

Q. Did you see McGeddy try to get it away from him?

A. Yes, sir.

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Q. Did they have a scuffle for the possession of that pistol? A. Yes, they did.

Q. And during that scuffle was the shot fired?

A. Yes, sir.

Q. In other words, did you see the prisoner point the pistol at him? A. He done it when McGeddy was on the track yet.

Q. It didn't go off? A. No.

Q. And it went off during the scuffle? A. During the scuffle; yes, sir.

BY MR. DURRANT:

Q. Now you have heard the testimony of Bohan who said this:-----did you see this: "The pistol was not held out or pointed, it went off in the struggle and was then, at the time it went off, touching McGeddy's body?"

A. That is correct.

-----oxo-----

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W I L L I A M B O H A N

recalled and examined.

BY THE CORONER:

Q. Who was McGeddy; are any of his relatives here ?

A. No, sir; not now.

Q. What was he doing ? A. He was a plumber
by trade; he wasn't working at the time.

Q. Was McGeddy drunk at the time ? A. Yes, sir;
he was.

Q. Were you ? A. No, sir; I was sober.

-----OXO-----

C H A R G E .

THE CORONER: Gentlemen of the Jury, the medical
testimony is that death was due to a pistol shot wound
of the abdomen.

Now, gentlemen, that is all the evidence in this
case. The Jury cannot pass upon the cause of death.

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if they desire to express an opinion upon anything else they may do so. There is no doubt about one thing. We might just as well come to the point direct. Your verdict will be that this man came to his death from pistol shot wound of the abdomen at the hands of this prisoner. If you think the evidence is so that you can add that it was done during a scuffle or during great provocation, you can do so. It may help the prisoner some in the future proceedings in this case. I am free to say, and I will be very frank about it, that I do not think there is enough evidence to convict him of anything, or if anything of a very slight degree of manslaughter. There is surely not enough to convict him of the crime of murder. You may proceed to draw your verdict. Do you wish to leave it just as it is, or do you wish to add that the pistol was accidentally discharged during the scuffle between the deceased and the prisoner.

At this point the Jury without retiring rendered the following:

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V E R D I C T.

We, the Jury, find that Edward McGeddy came to his death from a pistol shot wound of the abdomen accidentally inflicted by Vincenzo Attanasio during a scuffle between deceased and said Vincenzo Attanasio at the corner of Wooster and ^{West} Third Streets on July 8th, 1890.

ADJOURNED.

-----OXO-----

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STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, ss.

AN INQUISITION,

Taken at the house of *Coroners Office*
No. *67* Park Row Street, in the *4th* Ward of the City of
New York, in the County of New York, this *15* day of *July*
in the year of our Lord one thousand eight hundred and *90*.

before *Ferdinand Levy* Coroner,
of the City and County aforesaid, on view of the Body of *Edward M Gaddy*

Eight good and lawful men of the State of New York, duly chosen and
sworn or affirmed and charged to inquire, on behalf of said people, how and in what manner the said
Edward M Gaddy came to his death; do
upon their Oaths and Affirmations, say: That the said *Edward M Gaddy*

came to his death by
from a pistol shot wound of the abdomen
accidentally inflicted by Vincenzo At-
tanasio, during a scuffle between deceased
and said Vincenzo Attanasio, at the corner
of Hooster and West 3^d Streets, on July 8th
1890.

In Witness Whereof, We, the said Jurors, as well as the CORONER, have to this Inquisition,
set our hands and seals, on the day and place aforesaid.

JURORS.

- | | |
|--|---|
| <i>J. Weber 1691-9th Ave</i> | <i>Fred. P. Henke 222 St - 131st St</i> |
| <i>J. M. Muffin 1113 North Ave</i> | <i>1113 North</i> |
| <i>John. Murray 1653-9th Ave</i> | <i>W.D. Miller cor 71 St & 9th Ave</i> |
| <i>C. Simon 1726-9th St</i> | |
| <i>John. Bodin 1715 9th St</i> | |
| <i>N. Schaenborn 7851-9th Ave</i> | |

Ferdinand Levy
CORONER, E. S.

0457

From *St Vincent Hospital.*

New York, *July 17* 1890

To Coroners.....

Sir:

Please hold an inquest on the body of

Name: *Etho McGeddy.* Residence: *none*

Age: *18* years *—* months *—* days. Admitted *Tues* day, *July*

Father..... *8* th 1890, at *7:30* o'clock *P.* M.

Nativity,.....; of

Mother..... By *Ambulance*

in U. S.,..... in City. From *Wester St. n. Spring*

Civil Bond:..... Occup.:..... Examined by Dr. *Humbold*

Suffering from symptoms of *Penetrating stab*
gunshot wound of abdomen

Said Injuries said to have been received *during an*
altercation on said night

Laparotomy.

Death took place *Wednesday, July 9* th 1890 at *4* o'clock *P.* M.

The Autopsy revealed *that ball had passed through*
stomach & 9 places in intestines and
lodged in muscles of back.

Remarks:.....

A. N. Humbold M. D.

HOUSE SURGEON PHYSICIAN.

- Ad. F. State the day of the week.
- Ad. A. State whether by *Ambulance or Friends*.
- Ad. B. State whether from a *Precinct or a Residence* and give the name.
- Ad. C. State whether from *Natural Causes* or from *Shock* (conscious or unconscious) due to *Injuries*, and if so, give *name, place, date, number, character and Extent* of Injuries, always stating where indicated, whether *right or left*.
- Ad. D. State *when, where, how*, by what *means or persons* received, also whether *Accidental, Suicidal or Homicidal*; in falls, the distance, location and place; in *Burns and Scalds* the *circumstances* attending the same; in *runover* cases, the line of *Street Car, Railroad or Conveyance*; in *Weapons*, the character of the same, &c., &c., always giving such information as will lead to an accurate knowledge of the case and facilitate judicial inquiry and justice.
- Ad. E. State *name, date, place, character and results* of any *operation or amputation* performed.
- Ad. F. Give a short resume of the *Autopsy* with the *Pathological Diagnosis* and the *Cause of Death* at the End.
- Ad. G. State here any important facts not embodied in the above statements.

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MEMORANDA.

AGE			PLACE OF NATIVITY	WHERE FOUND	Date When Reported
18	Years	Months	Days	U.S.	St Vincent Tobago, Jan 9 th 1900

Homicide by penetrating
bullet shot wound
abdomen.

India

Prison - Vindabyg Oplanasia
arrested by 15th Regiment

0459

F. L.

Jury

No.

Quar.

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AN INQUISITION

On the VIEW of the BODY of

Edward M. Gidley

whereby it is found that he came to
his death by

Inquest taken on the _____ day
of _____ 189 before

FERDINAND LEVY, Coroner.

✓

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Coroner's Office,

CITY AND COUNTY }
OF NEW YORK, } ss.

Vincenzo Attanasio 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—*Vincenzo Attanasio*

Question—How old are you?

Answer—*18 years*

Question—Where were you born?

Answer—*Italy*

Question—Where do you live?

Answer—*51 Oliver St*

Question—What is your occupation?

Answer—*Barber*

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

I am not guilty

Vincenzo Attanasio

Taken before me, this *15th* day of *July* 18*90*

Ferdinand E...

CORONER.

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MEMORANDA.

AGE			PLACE OF NATIVITY	WHERE FOUND	DATE When Reported
18 Years			U.S.	Andrews Hoopline	July 9/90

William B. ... 829 W 26th

Thomas ... 452 W 52
James ... 412 E 18th

110
129. 1890
HOMICIDE.

AN INQUISITION, 1211

On the VIEW of the BODY of
Edward McSheedy

whereby it is found that he came to
his Death by the hands of

James ... Attorney

Request ... on the
of July 15th day
1890

Richard ... Attorney.

Committed
Obtained
Discharged
Date of death
80.



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William Boston 229 W 26th

110
Ind. Dec. 17th 1890

HOMICIDE.

AN INQUISITION.

On the VIEW of the BODY of

Edward McLeady

whereby it is found that he came to

his Death by the hands of

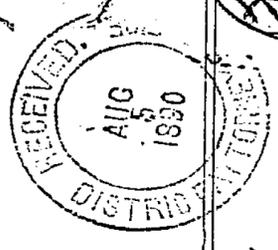
Chicago Atanasio

Thomas Clark, 412 W 32nd
James Bogen, 412 E 18th

Inquest taken on the
of *Jeffrey* 15th day
before 1890

Archie McLeady
Coroner.

Committed
Bailed
Discharged
Date of death



B.D.

MEMORANDA.

AGE	PLACE OF NATIVITY	WHERE FOUND	DATE When Reported
18 Years Months Days	M.A.	<i>St. Louis, Mo. July 9/90</i>	<i>July 9/90</i>

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STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, SS.

AN ANTE-MORTEM INQUISITION,

Taken at St. Vincent's Hospital No. 11th Street, in the 9th Ward of the City of New York, in the County of New York, this 9th day of August in the year of our Lord one thousand eight hundred and Ninety before Michael Meserve, Coroner, of the City and County aforesaid, on view of the Body of Edward McGady

at Upon the Oaths and Affirmations of six good and lawful men of the State of New York, duly chosen and sworn, or affirmed and charged to inquire, on behalf of said people, how and in what manner the said Edward McGady was injured, do, upon their Oaths and Affirmations, say: That the said Edward McGady came to his injuries consisting of a pistol shot wound of the abdomen from the pistol in the hands of a man unknown to the jury at 10:30 PM on July 8/90

In Witness Whereof, We, the said Jurors, as well as the CORONER, have to this Inquisition set our hands and seals, on the day and place aforesaid.

JURORS.

- J. J. Dooly, M.D.
A. K. Atherton
Robert E. Willis
H. P. ...
Lawrence ...
John V. Welch

Michael Meserve

CORONER, L. S.

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City and County of New York, ss.

Statement of Edward McEady now lying dangerously wounded at St. Vincent's Hospital in the 1st Ward of said City and County, on the 9th day of July 1887

Question.—What is your name?

Answer.—Edward McEady

Question.—Where do you live?

Answer.—I have no home

Question.—Do you now believe that you are about to die?

Answer.—I do not know

Question.—Have you any hope of recovery from the effects of the injury you have received?

Answer.—Yes

Question.—Are you willing to make a true statement, how, and in what manner, you came by the injury from which you are now suffering?

Answer.—I was shot on Houston St. corner West 2^d St. by an Italian. I do not know his name or where he lives or what he works at. He had a mustache. He spoke English well. I should judge him to be about 35 years of age. I interferred with him. He was passing. I was drunk and closed him. He fell down in the gutter. He then shot me. I think he was about 7. 25 then July 9. 80. He shot me. The Italian may have been only 20 years of age

Edward ^{his} McEady
mark

0466

3rd Quar 123. 1890

AN ANTE-MORTEM INQUISTION

On the VIEW of the BODY of

Edward Mc Gady
whereby it is found that he was
injured by an unknown
man at Nooster

W. S. This is a July
pic at 7. 20 PM
by being shot in
Halsteden

Taken on the 9th day
of July 1890
before

J. J. Mesmer Coroner.

Committed
Buried
Discharged

W.D.

Ambulance found
him at West 8th Street

man seen /
the witness /
interviewed /
by the
hall /
at /
have /
will /
Companion /

Chandler
Henslow

18 Years.	Months.	Days.
		25
AGE.	PLACE OF NATIVITY.	WHERE FOUND.
		Mr. Vincent's Shop

MEMORANDA.

0467

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Vincenz Antonaris

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this

indictment, accuse *Vincenz Antonaris* —

of the crime of *manslaughter* —

committed as follows:

The said *Vincenz Antonaris*,

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

eight day of *July* in the year of our Lord one thousand
eight hundred and ninety *_____*, at the City and County aforesaid,

*in and upon one Edward Mc Reddick,
willfully and feloniously made an assault,
and a certain pistol then and there charged
and loaded with gunpowder and one leaden*

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Bullet, which the said Vincenz Attanasio in
his right hand then and there held, to, at,
against and upon the said Edward McFadden,
then and there negligently and feloniously did
shoot off and discharge, and the said Vincenz
Attanasio, with the leaden bullet aforesaid,
out of the rifle aforesaid, then and there by
force of the gunpowder aforesaid, shot off,
sent forth and discharged, as aforesaid, into
the said Edward McFadden, in and upon the
abdomen of him the said Edward McFadden
then and there negligently and feloniously
did strike, penetrate and wound, giving to
him the said Edward McFadden, then
and there, with the leaden bullet aforesaid,
so as aforesaid discharged, sent forth and
shot out of the rifle aforesaid by the said
Vincenz Attanasio, in and upon the
abdomen of the said Edward McFadden,
one mortal wound, of which said mortal
wound the said Edward McFadden

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afterwards, to wit: on the nineteenth day of
July, in the year aforesaid, at the City
and County aforesaid, did die,

And so the Respondent aforesaid
do say: that the said Vincenzo Avarasio,
from the said Edward Mc Riggley, in the
manner and form, and by the means
aforesaid, willfully and feloniously
did fail and default, against the form
of the Statute in such case made
and provided, and against the peace
of the People of the State of New York,
and their dignity.

John R. Bellows,

Attorney.

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BOX:

405

FOLDER:

3754

DESCRIPTION:

Auber, Max

DATE:

08/21/90



3754

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288. *Stetler*

Counsel,
Filed *21* day of *Aug* 188*9*
Pleads, *For Guilty (20)*

Assault in the Second Degree.
(Section 218, Pennl Code).

THE PEOPLE

vs.

Max Amber

JOHN R. FELLOWS,
District Attorney.

Sept 11 P.M.

A True Bill.

Charles J. ...

Foreman.

*On recon. find. guilty
indict. P.M.
I Aug 1889*

Witnesses:

~~John~~
Rebecca Beck
Open Bone

*After examination
of this case, I have come
to the conclusion that
a conviction cannot be
obtained herein for want
of proof. The trouble arose
out of a recent labor strike
& great crowd of workmen
went to complain to pre-
sides to induce her husband
to join the strike, and one of
the parties was carried so far
by excitement to assault the
complainant. That the assai-
ltant is not positive that
the defendant was the person who
assaulted her.*

*I see her affidavit made before me
& therefore, I have and the ob-
served of the within indictment
dated A. D. September 11, 1889
Always by case
My Examination of the
The above recd. by me
*Charles J. ...**

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Court of General Sessions

The People
against
Max Tuber

City and county of New York, ss:
Rebecca Beck, being duly sworn,
says, that on the 23rd of July, 1890,
about a hundred persons broke
violently into my rooms, 227
Rivington Street. That one of the
said persons assaulted me with
a stone and broke a finger of
my left hand; but I am not
positive that the said assault
upon me was committed by
the defendant herein. The reason
why I caused the arrest of the
defendant herein, was that he
was among the last to leave
my house and that we there-
fore could arrest him. I have
never positively asserted that
it was the defendant herein
who assaulted me, and the
statement which I made in

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the Police Court at the time, when
the defendant was arraigned,
there, is identical with the ~~state~~
arrest contained in this affi-
davit. I can neither read ^{write or speak} English
Sworn to before me } Rebecca Deck
this 11th of September 1890 } O O O
her marks

Edward Grosse
Notary Public
City and county of New York

0474

THE PEOPLE OF THE STATE OF
NEW YORK

against

Marc Rubell

Affidavit

JOHN R. FELLOWS,

DISTRICT ATTORNEY,

No. 33 CHAMBERS STREET,

NEW YORK CITY.

0475

Police Court— 3 District.

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

Rebecca Beck

of No. 227 Princeton Street, aged 38 years,
occupation Keeps House being duly sworn

deposes and says, that on the 23 day of July 1889 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Max Auber
in the following manner to wit:
Said defendant came to the apartment on
the 3rd floor of aforesaid premises
and struck deponent on the body and
hand with a stone thereby breaking
a finger on deponents hand and
causing painful wounds

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

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

Sworn to before me, this 23 day
of July 1889

[Signature]
Police Justice

Rebecca Beck
Deponent

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District Attorney's Office.

PEOPLE

vs.

Max Ruben

Rebecca Beck
off Bowe

Samuel J. [unclear]

0477

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Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Max Auber 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. *Max Auber*

Question. How old are you?

Answer. *20 years*

Question. Where were you born?

Answer. *Russia*

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

Answer. *84 Columbia Street Brooklyn*

Question. What is your business or profession?

Answer. *Tailor*

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

*Max Auber
his Auber
Auber*

Taken before me this
day of

Police Justice

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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.....

De Fundano
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 *July 23* 18*94*..... *[Signature]* 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.

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Police Court--- 3 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Rebecca Brock
227 vs. Livingston St.
Max Auber

Offence
Fel. Assault

Dated July 23rd 1880

Duffy Magistrate.

Boyer Officer.

Precinct.

Witnesses

No. Garside
Houston St. near Ludlow Street.

No. Edward Hall

No. Street.

No. to answer

Bailed

Bond renewed Aug. 25/90

BAILED,
No. 1, by Victor Steiner
Residence 105 Delaney Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

0480

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Max Amber

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this indictment, accuse

Max Amber

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

The said *Max Amber*

late of the City and County of New York, on the *twenty-third* day of *July*, in the year of our Lord one thousand eight hundred and ~~eighty~~ *ninety*, with force and arms, at the City and County aforesaid, in and upon one

Rebecca Beck
in the peace of the said People then and there being, feloniously did wilfully and wrongfully make an assault; and the said *Max Amber*

with a certain *stone* which *he* the said

Max Amber
in *his* right hand then and there had and held, the same being then and there a ~~weapon~~ and an instrument ~~and weapon~~ likely to produce grievous bodily harm, *her*, the said *Rebecca Beck* then and there feloniously did wilfully and wrongfully strike, beat, bruise 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.

SECOND COUNT—

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

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

The said Max Auber

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 Rebecca Beck

in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault; and the said Max Auber the said Rebecca Beck with a certain stone which he the said Max Auber in his right hand then and there had held, in and upon the body and hand of her the said Rebecca Beck

then and there feloniously did wilfully and wrongfully strike, beat, bruise and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said Rebecca Beck to the great damage of the said Rebecca Beck against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,
District Attorney.