

0177

BOX:

352

FOLDER:

3311

DESCRIPTION:

Talavita, Antonio

DATE:

04/01/89



3311

POOR QUALITY ORIGINAL

0178

Witnesses:

Thomas McNally
Walter J. Smith
Officer Patrick Keegan 6th

Counsel,
Filed
Pleads,

1889

THE PEOPLE

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

vs.
Antonio Salavita

JOHN R. FELLOWS,
District Attorney.

11-Part 3
12-Part 3

A TRUE BILL

April 17 Part 3 Foreman

Part 17 April 17/89
Ind and convicted Assault 3d
Pen 2 months. depe

J. J.

POOR QUALITY ORIGINAL

0179

Police Court First District.

CITY AND COUNTY OF NEW YORK, } ss.

Thomas McNally

of No. 115. Motto Street,

being duly sworn, deposes and says, that on Sunday the 25th day of March in the year 188 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by _____

Antonio Talavita, (now here) who willfully cut and stabbed deponent in the left shoulder with a knife then and there held in the hands of the said Talavita, causing a painful wound

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 25th day of March 1889

Thos McNally

J. Murray Bond POLICE JUSTICE.

POOR QUALITY ORIGINAL

0180

Sec. 193-200.

First District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Antonio Talavita 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. Antonio Talavita

Question. How old are you?

Answer. 32. Years

Question. Where were you born?

Answer. Italy

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

Answer. 104. Mott Street

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
Antonio Talavita
~~his~~
~~mark~~

Taken before me this

day of

March

1888

J. W. [Signature]

Police Justice.

POOR QUALITY ORIGINAL

0181

Police Court... *Seeb* District. 466

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Thomas W. Kelly
115. 5th

1. Antonio Salavita

2.

3.

4.

Offence *Felony*
Assault

Dated *March 25th* 1889

Jord Magistrate.

Boyan Officer.

8th Precinct.

Witnesses *Thomas J. Stearns*

No. *178* *Heater* Street.

2 Walter Smith 174 Heaters

Dr. John J. ... Street.

115. 5th Street.

No. *200* Street.
RECEIVED
128
1889

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 *Twenty* 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 *March 25th* 1889 *J. Thompson* Police Justice.

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

Dated _____ 1889 _____ Police Justice.

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

Dated _____ 1889 _____ Police Justice.

POOR QUALITY ORIGINAL

0182

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Antonio Palavita

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

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

The said Antonio Palavita

late of the City of New York, in the County of New York aforesaid, on the twenty-fourth day of March in the year of our Lord one thousand eight hundred and eighty-nine, with force and arms, at the City and County aforesaid, in and upon the body of one Thomas McNally in the peace of the said People then and there being, feloniously did make an assault and with a certain knife the said Thomas McNally

which the said Antonio Palavita 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 Thomas McNally 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

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

The said Antonio Palavita

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 Thomas McNally in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and with a certain knife the said Thomas McNally

which the said Antonio Palavita in his right hand then and there had and held, the same being a weapon and an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully strike, beat, cut, stab and wound, against the form of the statute in such case made and provided, and against the Peace of the People of the State of New York and their dignity.

**POOR QUALITY
ORIGINAL**

0 183

THIRD COUNT—

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

Antonio Salavita

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

The said *Antonio Salavita*

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

which *he*, the said *Antonio Salavita*
in *his* right hand then and there had and held, in and upon the *shoulder*
of *him* the said *Thomas Mc Nally*

then and there feloniously did wilfully and wrongfully strike, beat, stab, cut, bruise and
wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrong-
fully inflict grievous bodily harm upon the said *Thomas Mc Nally*

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.

0184

BOX:

352

FOLDER:

3311

DESCRIPTION:

Taugney, Patrick

DATE:

04/09/89



3311

POOR QUALITY ORIGINAL

0185

Counsel,
Filed, 9 day of April 1889
Pleads, Chicago, 10

VIOLATION OF EXCISE LAW
(Keeping Open on Sunday)
(III Rev. Stat. (7th Edition), Page 1980, Sec. 5.)

THE PEOPLE,

vs.

Patrick Danegney
March 23/93

Sent to the Court of Special Sessions for trial, by request of Counsel for Defendant.

JOHN R. FELLOWS,

District Attorney.

Perf 201

A True Bill.

A. M. Kirby
Foreman.

Witnesses:
W. Henry Barber

70118

**POOR QUALITY
ORIGINAL**

0 186

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Patrick Taugney

The Grand Jury of the City and County of New York, by this indictment, accuse *Patrick Taugney* 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 *Patrick Taugney* late of the City of New York, in the County of New York aforesaid, on the *third* day of *March* in the year of our Lord one thousand eight hundred and eighty-*nine*, 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 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.

JOHN R. FELLOWS,

District Attorney.

0187

BOX:

352

FOLDER:

3311

DESCRIPTION:

Teers, Charles

DATE:

04/25/89



3311

POOR QUALITY ORIGINAL

0188

Counsel,

Filed, 25 day of April 1889
Pleads,

THE PEOPLE,

vs.

Charles Seers

ADULTERATED MILK.

(Chap. 183, Laws of 1884, Section 1, as amended
by Chap. 577, Laws of 1886, Section 1; Section 186,
Sanitary Code, and Section 575 of the N. Y. City
Consolidation Act of 1882.)

JOHN R. FELLOWS,

District Attorney.

John R. Fellows
John R. Fellows
Plead, *Quality*

A True Bill.

John R. Fellows
John R. Fellows
John R. Fellows
John R. Fellows

Witnesses

John R. Fellows
John R. Fellows

John R. Fellows

J. R.

POOR QUALITY ORIGINAL

0 189

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

John E. Allen

of No. 301 Mott Street, in the City of New York, being duly sworn, says that he is over the age of twenty-one years, and is a Sanitary Inspector of the Board of Health therein, especially detailed to the inspection of Milk; that on the *6th* day of *March* in the year 188*9*

at premises number *459 W 42nd St* in the City of New York, the said premises being a place where Milk was then kept for sale, one *Charles Leers* unlawfully did then and there keep, have and offer for sale three quarts of impure and unwholesome Milk, which had been and was then and there watered, adulterated, reduced and changed by the addition of water or other substance, or by the removal of cream therefrom, and that such impure, unwholesome, watered, adulterated, reduced and changed Milk was then and there, by the said *Charles Leers*, unlawfully held, kept and offered for sale in violation of the provisions of the Sanitary Code then and there and at all times thereafter in force and operation, and especially in violation of the provisions of a section and ordinance of such Sanitary Code which was duly passed and adopted by the Board of Health of the Health Department of the said City of New York, and by said Health Department at a meeting thereof, duly held in said city, on the twenty-third day of February, 1876, in the manner and language following, to wit:

“ Resolved, That, under the power conferred by law upon the Health Department, the following “additional section to the Sanitary Code for the security of life and health be, and the same is hereby, “adopted and declared to form a portion of the Sanitary Code.

“ “ No Milk which has been watered, adulterated, reduced or changed in any respect by the “addition of water or other substance, or by the removal of cream, shall be brought into, held, kept “or offered for sale at any place in the City of New York, nor shall any one keep, have or offer for “sale in the said city any such Milk.”

That said ordinance was thereafter duly published once a week, for two successive weeks, in the *City Record*, a daily official newspaper and journal published in said city, to wit, in the issues of such newspaper of the twenty-fourth day of February, 1876, and also of the second day of March, 1876, and that said ordinance was, at all times alleged herein, in full force and operation in said city and county.

Sworn to before me the *1st* day }
of *April* 188*9* }

John E. Allen M.D.

[Signature]

Police Justice

POOR QUALITY ORIGINAL

0190

Police Court, 4th District.

THE PEOPLE, & c.,
ON THE COMPLAINT OF
John P. Peem
vs.
Charles Leero

Affidavit, violation of Section 186 of the Sanitary Code.

Dated.....188 .

Justice.

Officer.

Witnesses C. J. Leelan

No. 8114 Must

No.

§ to answer.....

also FO wants daily

20% skins

POOR QUALITY ORIGINAL

0 19 1

Sec. 198-200.

H District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Charles Teers 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. *Charles Teers.*

Question. How old are you?

Answer. *36 years.*

Question. Where were you born?

Answer. *New York.*

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

Answer. *459 West 42nd St. 2 months.*

Question. What is your business or profession?

Answer. *Milk dealer.*

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 if held I demand a trial by jury.*

Charles Teers

Taken before me this *2nd* day of *April* 188*9*
E. O. M. N.
Police Justice.

POOR QUALITY ORIGINAL

0 192

Sec. 151.

CITY AND COUNTY }
OF NEW YORK, } ss.

Police Court 4th District.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by John E. Allen

of No. 301 Mott Street, that on the 6th day of March

1889 at the City of New York, in the County of New York,

Charles Lewis 145-9 W. 43rd St
did then & there keep, have & take for sale
three quarts of skinned milk in violation
of Sec. 126 of the Sanitary Code

Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to answer the said complaint.

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant and bring him forthwith before me, at the 4th DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 1st day of April 188 9

[Signature]
POLICE JUSTICE.

POOR QUALITY ORIGINAL

0193

POLICE COURT ^{4th} DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John C. Allen

vs.

Charles Peers

Warrant-General.

Dated..... 188

Magistrate.

Ketchum Officer.
Charles Peers

The Defendant *Charles Peers* taken, and brought before the Magistrate, to answer the within charge, pursuant to the command contained in this Warrant.

Officer.

Dated *April 2* 1889

This Warrant may be executed on Sunday or at night.

Police Justice.

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

Dated..... 188

Police Justice.

age 36 yrs. No 459, N-42, Sr

The within named

POOR QUALITY ORIGINAL

0194

BAILLED,

No. 1, by *John R. Broughton*
Residence *1039 W 121st St*

No. 2, by _____
Residence _____
Street _____

No. 3, by _____
Residence _____
Street _____

No. 4, by _____
Residence _____
Street _____

19 / *US* / *1500*
Police Court--- *4* District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John G. Allen
469 West 42nd St
Charles Lewis

1 _____
2 _____
3 _____
4 _____
Offence *W. Laundry Co.*

Dated *April 2nd* 188*9*

James Magistrate
Ketchum Officer
Conner Precinct

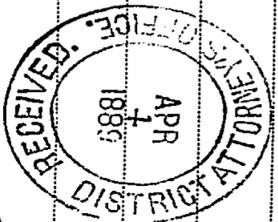
Witnesses

No. _____
Street _____

No. _____
Street _____

No. _____
Street _____

\$ *100* to answer
Charles Lewis



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

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

Dated *April 2nd* 188*9* *and Conner* Police Justice.

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

Dated *April 2nd* 188*9* *and Conner* 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.

POOR QUALITY ORIGINAL

0 195

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

THE PEOPLE OF THE STATE OF NEW YORK,
against

Charles Teers

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

Charles Teers

(Chap. 183, Laws of 1885, § 1, as amended by Chap. 577, Laws of 1886, § 1.)

The said *Charles Teers*

late of the City of New York, in the County of New York aforesaid, on the *sixth* day of *March* in the year of our Lord one thousand eight hundred and eighty-*nine*, at the City and County aforesaid, did unlawfully expose for sale three quarts of unclean, impure, unhealthy, adulterated and unwholesome milk (the same not being skimmed milk produced in the said County), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

**POOR QUALITY
ORIGINAL**

0195

SECOND COUNT:

(§ 186, Sanitary Code

And the Grand Jury aforesaid, by this indictment, further accuse the said
Charles Teers
of the CRIME OF VIOLATING THE SANITARY CODE OF THE BOARD OF HEALTH OF THE
HEALTH DEPARTMENT OF THE CITY OF NEW YORK, committed as follows:

The said *Charles Teers*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, at the City and County aforesaid, did unlawfully keep, have and offer for sale,
three quarts of milk which had been and was then and there watered, adulterated, reduced
and changed by the addition of water and other substances to the Grand Jury aforesaid
unknown, and by the removal of cream, against and in violation of the Sanitary Code of
the Board of Health of the Health Department of the City of New York, duly adopted
and declared as such at a meeting of the said Board of Health, held in said city on the
second day of June, 1873, as amended in accordance with law, and particularly in viola-
tion of a certain ordinance thereof, to wit: the one hundred and eighty-sixth section of
said code, which is as follows, that is to say:

“No milk which has been watered, adulterated, reduced or changed in any respect
by the addition of water or other substance, or by the removal of cream, shall be brought
into, held, kept, or offered for sale at any place in the City of New York; nor shall any
one keep, have or offer for sale in the said city any such milk.”

Which said section and ordinance above set forth was, by a certain resolution, duly
passed and adopted by the said Board of Health and by said Health Department, at a
meeting thereof duly held in said city on the twenty-third day of February, 1876, added
to and made a part of the said Sanitary Code aforesaid, and adopted and declared to
form a portion thereof, pursuant to the authority and power conferred by law upon the
said Board, and which said ordinance was thereafter duly published once a week, for two
successive weeks, in the *City Record*, a daily official newspaper and journal published
in the said city, to wit: in the issues of such newspaper of the twenty-fourth day of
February, 1876, and also of the second day of March, 1876, and which said Sanitary Code
so amended and altered was then and there, at the time of the committing of the offense
hereinabove alleged, in full force and operation, and was by law declared to be binding
and in force in said city, and which said section and ordinance above set forth was then
and there in full force and virtue, having been in nowise altered, amended or annulled by
said Board of Health, against the form of the Statute in such case made and provided,
and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,
District Attorney.

0 197

BOX:

352

FOLDER:

3311

DESCRIPTION:

Tischler, Marks

DATE:

04/16/89



3311

POOR QUALITY ORIGINAL

0198

Bendish

Counsel,
Filed, 16 day of April 1889
Pleads, Chittenden 17

THE PEOPLE,

vs.

B
Shanks Dickler

appearing

VIOLATION OF EXCISE LAW
(Keeping Open on Sunday)
[III Rev. Stat. (7th Edition), Page 1889, Sec. 5.]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

AM. W. J.
Foreman.

W. J.

Witness
Chittenden

**POOR QUALITY
ORIGINAL**

0 199

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Marks Tischler

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

Marks Tischler

late of the City of New York, in the County of New York aforesaid, on the *tenth* day of *March* in the year of our Lord one thousand eight hundred and eighty-*nine*, 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 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.

JOHN R. FELLOWS,

District Attorney.