

0177

BOX:

352

FOLDER:

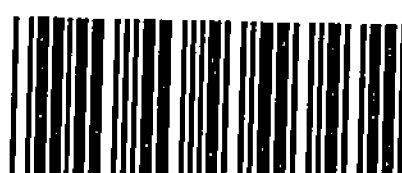
3311

DESCRIPTION:

Talavita, Antonio

DATE:

04/01/89



3311

POOR QUALITY
ORIGINAL

0178

Witnesses:

Thomas McNally
Walter J. Smith
Officer Patrick Reagan 6th

Counsel,
Filed
Plends,
188
April 17/89

THE PEOPLE
vs.
Antonio Salavita
Assault in the First Degree, Etc.
(Sections 217 and 218, Penal Code).

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. degra
J. A. F.

POOR QUALITY
ORIGINAL

0179

Police Court—First District.

CITY AND COUNTY
OF NEW YORK, } ss.

of No. 115. Mott Street,

being duly sworn, deposes and says, that
on Sunday the 24th 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 M O Pally

J. Murphy

POLICE JUSTICE.

POOR QUALITY
ORIGINAL

0180

Sec. 193-200.

CITY AND COUNTY } ss.
OF NEW YORK, }

First District Police Court.

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 ~~his~~ Talavita
~~mark~~

Taken before me this

24

day of

March

1888

John W. [Signature]

Police Justice.

POOR QUALITY
ORIGINAL

0181

BAILED,
No. 1, by _____
Residence _____
Street _____
No. 2, by _____
Residence _____
Street _____
No. 3, by _____
Residence _____
Street _____
No. 4, by _____
Residence _____
Street _____

466
Police Court—*First* District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Thomas M. McElly
115. West

1. Antonio Salavita

2 _____

3 _____

4 _____

Offence *Felony*
Assault

Dated *March 25th* 188*9*

Jord Magistrate.

Magar Officer.

8th Precinct.

Witnesses *Thomas J. Kearney*

No. *178. West* Street.

2. Walter Smith 174 West

Dr. John J. Kearney Street.

115. West Street.

No. *200* Street.
RECEIVED
MAR 28 1889
DISTRICT CLERK

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* 188*9* *J. Thompson* 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 ~~h~~ to be discharged.

Dated _____ 188 _____ 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 *him* the said *Thomas McNally*
with a certain *knife*

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 *him* the said
Thomas McNally
with a certain *knife*

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 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 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 Palavita*
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.

0 184

BOX:

352

FOLDER:

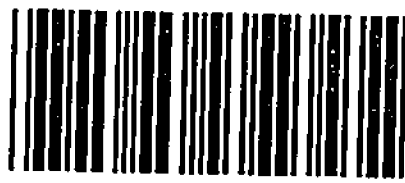
3311

DESCRIPTION:

Taugney, Patrick

DATE:

04/09/89



3311

POOR QUALITY
ORIGINAL

0185

Witnesses:

Off. Henry Goodrich

Counsel,
Filed, *9* day of *April* 188*9*
Pleads, *Chazy* 10

THE PEOPLE,

vs.

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

Patrick Duganey
March 28/93

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

JOHN R. FELLOWS.

District Attorney.

Recd 201

A True Bill.

A. M. Arby
Foreman.

70 118

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 Tanguy

The Grand Jury of the City and County of New York, by this indictment, accuse *Patrick Tanguy* 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 Tanguy* 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.

May 11/89 District Attorney.

A True Bill.

Wm. H. Kirby
J. M. J. - Foreman
H. J. J.

Witnesses

W. H. Kirby
J. M. J. - Foreman
H. J. J.

W. H. Kirby

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
of *April*

1st day
188 *9*

John E. Allen M.D.

Wm. J. Swanwick

Police Justice

POOR QUALITY
ORIGINAL

0 190

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

E. J. Leelan

No.

811 West 1st

No.

\$ to answer

also 70 cents daily

20% skins

POOR QUALITY
ORIGINAL

0 19 1

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

H District Police Court.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

day of

June

1889

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 45-9 W. 42nd St
did then & there keep, have & take for sale
three quarts of skinned mink 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 1889

[Signature] POLICE JUSTICE.

POOR QUALITY
ORIGINAL

0 193

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 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, &
The within named

POOR QUALITY
ORIGINAL

0194

BAILED.

No. 1, by *John R. Broughton*
Residence *1105 1/2 W 121 St.*

No. 2, by _____
Residence _____
Street _____

No. 3, by _____
Residence _____
Street _____

No. 4, by _____
Residence _____
Street _____

Witnesses _____
No. _____
Street _____

No. _____
Street _____

No. _____
Street _____

No. _____
Street _____

APR 1 1889
RECEIVED
DISTRICT ATTORNEY'S OFFICE

THE PEOPLE, &c.,
ON THE COMPLAINT OF
John G. Allen
464 West 44 St.
Charles Seels

Dated *April 2nd* 1889

Offence *U.S. Sanitary Co.*

Police Court--- *4* District *1500*

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* 1889 *and* _____ Police Justice.

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

Dated *April 2nd* 1889 *and* _____ 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 _____ 1889 _____ 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**

0196

SECOND COUNT:

(§ 186, Sanitary Code

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

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

Counsel,

Filed,

Pleads,

1889

THE PEOPLE,

vs.

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

B

Shanks Dickler

copy

JOHN R. FELLOWS.

District Attorney.

A True Bill.

[Signature]
Foreman.

[Signature]

Witnesses

[Signature]

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.