

0588

BOX:

455

FOLDER:

4187

DESCRIPTION:

Valeti, James

DATE:

10/20/91



4187

POOR QUALITY ORIGINAL

0589

Witnesses:

Pella Beers

Off Todd

Aug Beers

Dr W.H. ...

23rd March 1891

I have made a special examination of the defendants side of this case & have come to the conclusion that he told the truth at the last trial. Affiants are files herewith which convince me of defendant's innocence & unreliability of complainant's word. I have personally examined each affiant & am satisfied as to their good standing. I therefore recommend the dismissal of this indictment.

Dec 24th 1891.

D.M. Davis
Surrey in Dept
the above

Wm. L. ...

Counsel,

Filed 20 day of Oct 1891

Pleas, ...

THE PEOPLE

vs.

James Valetti

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

DE LANCEY NICOLL,

District Attorney.

Part 3, December 7, 1891.

Tried and jury discharged

A TRUE BILL.

...

Foreman,

Part 3 Dec 27 1891.
only names of writ
city, indict, dis, P.M.

POOR QUALITY ORIGINAL

0590

Witnesses:

Beela Beers

Off Todd

Aug Beers

Dr W.H. Orles

238. West 127th

I have made a special examination of the defendants side of this case & have come to the conclusion that he has the truth at the last trial. Affidants are filed herewith which convince me of defendant's innocence & unreliability of complainant's word. I have personally examined each affiant & am satisfied as to their good standing. I therefore recommend the dismissal of this indictment.

Dec 28th 1891.

Wm. Davis

I concur in report the above

W.D. Roney
C. G. H. K.

Counsel,

Filed 20 day of Oct 1891

Pleads, 23rd July 23

THE PEOPLE

vs.

James Valetti

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

DE LANCEY NICOLL,

District Attorney.

Part 3. D. December 7, 1891.

Trind and jury discharge

A TRUE BILL.

Signature

Foreman:

Part 3 Dec 27 1891.

only names of first city, indict, dis

of file see

In the matter of the People }
vs Jor Velti }

State of New York }
City and County of New York } s.d.

Thomas Ballance
and Mary Jane Ballance, being duly
sworn, according to law, depose and
say: That they are man and wife and
reside at ~~at number~~ 100 Lawrence Street,
New York City, on the third floor of said
premises. Mrs Mary Jane Ballance for
herself, deposes and says - That she was in
said building on October 15th, 1891, at
the hour of the alleged shooting at
the complainant by the prisoner, Jor Velti.
That she was at said hour and time
of alleged shooting standing in the
hall of the second floor of said build-
ing, and says that at no time prior or
at, or after the hour of the alleged
shooting did she hear any pistol
shot or shots, and says further, that, had
any pistol been discharged by any
one she would most readily and
easily have heard the same, and
verily believes that no pistol was
discharged by said prisoner Velti, or
by anyone on said day or hour
as alleged by complainant herein.

deponent says further that the hall
where she was standing, as aforesaid
is directly over and above the place
in said premises at the rear of said
house where said alleged shooting
took place, and is positive that no
shot was fired by the said Velti or
by anyone on the said day of
the alleged shooting. as said premises,
deponent says further that she believes
the charge against said prisoner is wholly
false and untrue, and that his im-
mediate discharge from custody and
return to his family would be a
simple act of justice.

Mary J. Ballance
Thomas Ballance

Sworn to before me

on this 21st day of December 1891,

David Anderson

Notary Public (100)
N. Y. Co.

POOR QUALITY
ORIGINAL

0593

People
vs
Joe Velt

affidavits of
Karl & Mary Ballance
assault

State of New York }
City & County of New York } S. R.

New York, December 20th 1891.

To Judge Martine.

of Court of Sessions

being duly sworn deposes & says - I, John Theiss
that he is living at No. 57 Manhattan Street
N.Y. City, and am owner of the
100 Lawrence Street, N.Y. City.
I know that Mr & Mrs Beers, formerly
tenants of mine at said number
on the day & at the time of the
alleged shooting at complainant
Mrs Beers by the prisoner, Joe Velti,
at said number, were at time
very disorderly & noisy people and
that Mrs Beers was particularly
so, that I was obliged to get
rid of her & family as tenants
& would believe that the charge
made by her against the prisoner
is wholly false & untrue & that
the prisoner is a quiet & peaceful
citizen, a tenant of mine, living
with & providing for his young
wife & family & do respectfully
petition your Honor that the prisoner
Velti be promptly released from cus-
tody & be exonerated from this false

and contemptible charges which Mrs Beers, the complainer, that wicked woman, has made against the prisoner Velti, and thus deprived his family of support & comfort. I again respectfully request that you Honor grant this request and thus do a simple act of justice & allow Velti to return to his family & support them.

Sworn to before me this }
21st day of December 1891 }

David Anderson
Notary Public 100
St. N.Y. Co.

John Hirsch

owner of 100 Lawrence
Street. N.Y. City

people
of
Velti
Arrest.

Arrest
John Hirsch
owner of 100 Lawrence
St. N.Y. City.
was alleged assault.

In the matter of The People }
vs Joe Velti }

State of New York }
City and County of New York } ss.

Louis Schurder
and Elizabeth Schurder, being duly
sworn, according to Law depose and
say, that they are man and wife
and resided with their family at
No 100 Lawrence Street, New York City,
on the 15th day of October, 1911, the day
of the alleged attempt to shoot Mrs
Beers, the complainant, and were at
the hour of the alleged shooting at
said Mrs Beers by Joe Velti, the pris-
oner, in their apartments in said
100 Lawrence Street, on the fourth floor,
and their said rear windows were
open, and that if any pistol
shot or shots were fired, as alleged,
they would easily and readily
have the reports of the pistol, and
they say further say that they do
not believe any pistol shot or shots
were fired or discharged by the pris-
oner or any one at said hour on said
day at said 100 Lawrence Street, as the
place in the yard where said shooting
is alleged to have occurred is directly
under the rear windows of the apartments.

POOR QUALITY
ORIGINAL

0597

of the deponents.
Deponents say further that they be-
lieve that the prisoner Joe Velti is
wholly innocent of the charge, and
that his prompt discharge would
be simple justice.

Louis Schwenker
Elizabeth Swanson
Ely W. W. W.

Sworn to before me
on this 21st day of December 1891.
David Anderson
Notary Public (100)
N. Y. Co.

POOR QUALITY ORIGINAL

0598

People
of
for Vets

affidants of
Louis Elizabeth
Schneider
Assault

POOR QUALITY
ORIGINAL

0599

State of New York
City and County of New York, S.S.

New York December 11th 1891.

We the undersigned
tenants of the premises No. 100 &
102 Lawrence Street and neighbors
hereby testify to the good
and peaceful character
of Mr. Jim Vali, the Italian,
who is now innocently
prisoned in the Tombs, through
the false accusation of Mrs
Beer. - We petition for
release and exoneration
of such a false & contemptible
charge, which that vile and
wicked woman Mrs Beer
has brought upon him and
his family.

Mrs. Louis Schwender
Mrs. E. Schwender.

POOR QUALITY
ORIGINAL

0600

Thomas Ballance
Mrs M. Ballance
Mary J. Ballance

POOR QUALITY
ORIGINAL

0501

W. H. OYLER, M. D.
238 West 124th Street.

New York, Oct 22 1891

This is to certify that
I examined the left arm
Mrs Bella Beer of 100
Lawrence Street, & found
her in a very delicate
condition due to some
becoming a mother, I found
upon examination the com-
mencing of her confinement.
I think it exceedingly
dangerous to move her now.

W. H. Oyler M. D.,
238 West 124th St.

POOR QUALITY ORIGINAL

0602

Police Court _____ District.

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

Mrs Bella Beve
of No. *100 Lawrence* Street, aged *35* years,
occupation *Museum* being duly sworn
deposes and says, that on the *15* day of *October* 18*97* at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by *Jim Vitti*
(unknown) who did unlawfully and
unlawfully point aim and
discharge two shots from
a revolving pistol at the
body of deponent.



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. B

Sworn to before me, this *16* day
of *October* 18*97*

Bella
Bella X Beve
Mark

A. J. [Signature]
Police Justice.

016 017
010
Mary

POOR QUALITY ORIGINAL

0603

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Jim Valetti 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. *Jim Valetti*

Question. How old are you?

Answer. *28 Years*

Question. Where were you born?

Answer. *Italy*

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

Answer. *100 Lawrence Street*

Question. What is your business or profession?

Answer. *Shoemaker*

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*

Jim X. Valetti
Mark

Taken before me this
day of

[Signature]
1891
[Signature]
Police Justice

POOR QUALITY ORIGINAL

0604

BAILED,

No. 1, by _____
Residence _____
Street _____

No. 2, by _____
Residence _____
Street _____

No. 3, by _____
Residence _____
Street _____

No. 4, by _____
Residence _____
Street _____

Residence _____
Street _____

Police Court District.

THE PEOPLE, &c.,
OF THE COMPLAINANT OR

Bella Rosen
vs. *Stamys*

1 *Wm. Vallet*
2 _____
3 _____
4 _____
8 _____

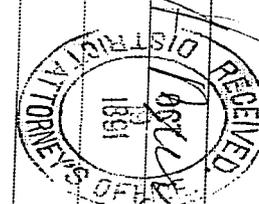
Offence *Warrant Felony*

Dated *Oct 16* 1891

Wm. Stark
Magistrate

Witnesses *J. M. ...*
Precinct *30*

No. _____
Street _____
No. _____
Street _____
No. _____
Street _____



No. *11000*
to answer *St.*
Street _____

1321

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

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

Dated *Oct 16* 1891 *A. J. White* Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

POOR QUALITY ORIGINAL

0605

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

473

THE PEOPLE OF THE STATE OF NEW YORK

against

James Valetti

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

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

The said James Valetti

late of the City of New York, in the County of New York aforesaid, on the fifteenth
day of October in the year of our Lord one thousand eight hundred and
ninety-one, with force and arms, at the City and County aforesaid, in and upon the body of
one - Bella Beers in the peace of the said
People then and there being, feloniously did make an assault and to, at and against her
the said Bella Beers a certain pistol then and there
loaded and charged with gunpowder and one leaden bullet, which the said James
Valetti in his right hand then and there had and
held, the same being a deadly and dangerous weapon, wilfully and feloniously did then and there
shoot off and discharge with intent her the said Bella Beers
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

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

The said James Valetti

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 Bella
Beers in the peace of the said People then and there being,
feloniously did wilfully and wrongfully make another assault, and to, at and against her
the said Bella Beers

a certain pistol then and there charged and loaded with gunpowder and one leaden bullet, which the
said James Valetti

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 shoot
off and discharge, against the form of the statute in such case made and provided, and against the
peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,
District Attorney.