

03 13

BOX:

483

FOLDER:

4413

DESCRIPTION:

Adami, John

DATE:

06/02/92



4413

0314

309
retired
Court ofayer and Terminer.

Counsel,

Filed,

Pleads,

THE PEOPLE

vs.

B
John Adams

VIOLETION OF EXCISE LAW.
[Ill. Rev. Stat. (7th Edition), page 1988, § 21, and
page 1989, § 6.]
Selling on Sunday, Etc.

DE LANCEY NICOLL.

June 22 / 89 District Attorney.

Indictment dismissed

A TRUE BILL.

Foreman.

Witness:

It appearing to my satisfaction
from the accompanying affidavits
and Certificates that the within
named defendant John Adams
departed this life at the City
of New York on or about the
28th day of April 1891, &
whereby recommend that his
bail be discharged & the in-
dictment dismissed.

Dated NY June 21st 1892

Respectfully

Chas. E. Sumner
Deputy Ass't Dist Atty

Gunning Bedford

Acting Dist Atty

June 22nd 92

03 15

Excise Violation-Selling on Sunday.

POLICE COURT- 3 DISTRICT.

City and County } ss.
of New York,

of No.

7th Precinct Henry Mehuels Street,
of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 7th day
of December 1889 in the City of New York, in the County of New York,

at premises No. 80 Pike Slip Street,

John Adams (now here)
did then and there SELL, CAUSE, SUFFER and permit to be sold, and GIVEN AWAY under his
direction or authority strong and spirituous liquors, wines, ale and beer, being intoxicating liquors,
to be drunk as a beverage contrary to and in violation of the statute in such case made and provided.

WHEREFORE, deponent prays that said John Adams
may be arrested and dealt with according to law.

Sworn to before me, this 7 day
of December 1889

Henry C. Richards

C. M. Jones
Police Justice.

0316

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, ss.

3 District Police Court.

John Adams 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 *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 *h* waiver cannot be used
against *him* on the trial.

Question. What is your name?

Answer. *John Adams*

Question. How old are you?

Answer. *43 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *80 Pike Slip 2 years*

Question. What is your business or profession?

Answer. *Bar tender*

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
demand trial by jury
John Adams*

Taken before me this
day of *March*

188

[Signature]
Police Justice.

03 17

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 *one* 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 *Dec 7* 18 *90*.....*Police Justice.*

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

Dated *Dec 7* 18 *90*.....*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.*

03 18

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Selling on Sunday
Police Court District.

THE PEOPLE, &c
ON THE COMPLAINT OF

Henry Michael

John Adams

2

3

4

Dated DEC 7 1890

Hogan Magistrate.

Michael Officer.

7 Precinct.

Witnesses

No. Street.

No. Street.

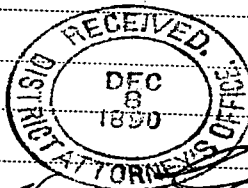
No. Street.

No. Street.

No. Street.

\$ 100 to answer

Bail



0319

20 Form II.

1501

NEW YORK, June 21, 1892

A Transcript from the Records of the Deaths Reported to the Health Department of the City of New York.

COUNTY OF NEW YORK.

STATE OF NEW YORK.

CITY OF NEW YORK.

CERTIFICATE AND RECORD OF DEATH

No. of Certificate,

15250

This is to certify that I, John Amedi, Coroner, in and for the City and County of New York, have, this 30 day of April, 1891, viewed the body of deceased found at 80 Pike St. in the Ward of said city and county; that I have held an inquest upon the said body, and that the verdict of the jurors is that he came to his death by Inquest pending

Daniel Hanly, Coroner.

I hereby certify that I have viewed the body of the deceased, and from ey and evidence, that deceased died on the 28th day of April, 1891, at 4 P. M., and that the cause of his death was shot while suffering from the 80 Pike St. (Suicide)

Place of Burial, CatharineDate of Burial, April 30, 1891Undertaker, W. J. Burial Co.Residence, 351 Broome StIrish April 28, 1891.P. C. Douline, M. D.
Medical Attendant at Inquest.

Date of Death.	Name.	Age.	Color.	Single, Married or Widowed.	Occupation.	Place of Birth.	How long in U. S. if foreign born.	How long resident in New York City.	Father's Name.	Father's Birthplace.	Mother's Name.	Mother's Birthplace.	Place of Death.	Last place of Residence.	Class of Dwelling (A tenement being a house occupied by more than two families).	Direct cause of Death.	Indirect cause of Death.	Date of Record.
<u>April 28, 1891</u>	<u>John Amedi</u>	<u>43 years</u>	<u>White</u>	<u>Married</u>	<u>Portlander</u>	<u>Ireland</u>	<u>15 years</u>	<u>"</u>						<u>80 Pike St</u>		<u>No above</u>		<u>April 30, 1891.</u>

A True Copy.

C. Goldman
Chief Clerk

NOTICE.—In issuing this transcript of record, the Health Department of the City of New York does not certify to the truth of the record transcribed. The seal of the Board of Health attests only the correctness of the transcript, and no inquiry as to the facts reported has been provided for by law.

0320

COURT OF OYER & TERMINER

-----X

The People &c.

Agst.

John Ademi

-----X

City and County of New York, SS:

Henry Evers being duly sworn deposes and says that he is the bondsman for the above named defendant, John Ademi who was indicted by the Grand Jury of the City and County of New York on the 2nd day of June 1892, for a violation of the Excise Law;

That he knows the person named in the Certificate of Death hereto annexed to be the identical person named and described in this indictment and for whom he is bond man.

Sworn to before me this

21st day of June 1892.

Henry Evers

John J. Buckley
Com of Deeds N.Y. Co.

0321

GOUVERNEUR HOSPITAL.

Department of Public Charities and Correction,
Gouverneur Slip and East River.

W. F. DONOVAN, M. D.,
House Surgeon.

NEW YORK,

189

To whom this may concern
This certifies that
John Ademi was admitted into
this Hospital April 28 1891 suffering
from a Pistol Shot Wound of head
+ died same day April 28/91.

W. F. Donovan M. D.
House Surgeon

George Spren

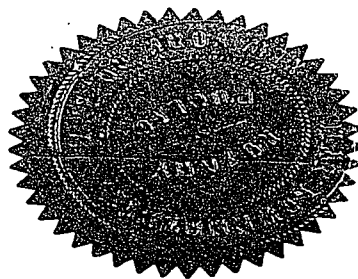
E. Charles Bacon

City of New York

County of New York

That the 16th day of June, 1892, the above parties appeared before me

Notary Public in and for the State of New York



0322

Coroner's Office.

TESTIMONY.

"Verdict"

"That she said John Amadi, came to his death by Pistol shot wound of the head self inflicted, during mental aberration at 80 Pike Street April 28th 1891."

A. True Copy

Chas. J. Reynolds
Clerk

Inquest May 6th 1891
Before David Hawley
Coroner.

Taken before me

this day of

188

CORONER.

0323

GOUVERNEUR HOSPITAL.

Department of Public Charities and Correction,
Gouverneur Slip and East River.

W. F. DONOVAN, M. D.,
House Surgeon.

NEW YORK, 6/7 1892

This is to certify that John Ademi
was admitted to this Hospital.
Apr 28/91 suffering from pistol
shot wound of head & died
three hours after admission
from effect of wound of brain
Respectfully
W. F. Donovan M.D.
House Surgeon.

Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

John Adams

The Grand Jury of the City and County of New York, by this indictment, accuse
John Adams
of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE, ON
SUNDAY, committed as follows:

The said

John Adams

late of the City of New York, in the County of New York aforesaid, on the *seventh*
day of *December* in the year of our Lord one thousand eight hundred and
ninety-*—*, at the City and County aforesaid, the same being the first day of the week,
commonly called and known as Sunday, with force and arms, certain intoxicating liquors, and certain
wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of
whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one
gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown,
unlawfully did sell, as a beverage to one

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

SECOND COUNT—

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

John Adams
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

John Adams

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

DE LANCEY NICOLL,

District Attorney.

0325

BOX:

483

FOLDER:

4413

DESCRIPTION:

Adams, John

DATE:

06/02/92



4413

0326

Witnesses:

Counsel,

Filed

2 day of June 1892

Pleads, *Argued*

THE PEOPLE

vs.

John Adams

May 22 93

VIOLATION OF EXCISE LAW.
(Selling on Sunday, Etc.)
[III. Rev. Stat. (7th Edition), page 1083, Sec. 21, and
page 1084, Sec. 22.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Lucius Catlin

Foreman.

0327

487

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

John Adams

The Grand Jury of the City and County of New York, by this indictment accuse
John Adams
of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE, ON
SUNDAY, committed as follows:

The said

John Adams
late of the City of New York, in the County of New York aforesaid, on the *34th*
day of *January* in the year of our Lord one thousand eight hundred and
ninety-*two*, at the City and County aforesaid, the same being the first day of the week,
commonly called and known as Sunday, with force and arms, certain intoxicating liquors and certain
wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of
whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one
gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown,
unlawfully did sell as a beverage to one *Jacob W. Fass*

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

SECOND COUNT—

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

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

DE LANCEY NICOLL,

District Attorney.

0328

BOX:

483

FOLDER:

4413

DESCRIPTION:

Albert, Henry Dennis

DATE:

06/02/92



4413

0329

B. 196. 2 C.

Coroner's Office, New York County.

INQUEST INTO THE DEATH

- of -

John CHARLES FUCHS.

Before
HON. M. J. B. MESSEMER,
and a Jury.

New York, May 13th, 1892.

-----:o:-----

THE CORONER: He was thirty-five years of age, and a native of Germany; on the 11th of May I viewed the body at the 19th Precinct Station House, I found a wound of the chest near the right shoulder ; this wound was rather tri-angular in shape, and it looked as if the knife after being inserted in the body was twisted. I learned that a man by the name of Albert Danee had stabbed him; I went down to see him and found he could speak nothing but French; I had a conversation with him and he told me he was a peddler of greens, and had a basket in which this knife was ; he used this knife paring off some parts of the greens ; and the deceased had thrown himself on him and fallen on him purposely, and then in self protection he had stabbed this man. The knife that was used was this. (Coroner shows the knife to the Jury.)

-----:o:-----

OFFICER HUGH JONES, of the 19th Precinct duly sworn:

By the Coroner:-

Q When was your attention drawn to the case? A. I was

(1)

going up Seventh Avenue, and I noticed a large crowd coming down the Avenue, and I seen the prisoner in company with two other men, one of them beckoned his hand to me and I went over and I found out he had stabbed a man on Seventh Avenue and 25th Street.

Q Who told you that? A. One of the men that had hold of him.

Q Who was this man? A. William J. McGowan; I went back and seen the man lying on the side walk, and I then handed the prisoner to Officer McNees of the 18th Precinct: I asked him who stabbed him but the man was unable to speak it happened about 4.30 o'clock on the 70th of May this year; it happened on the side walk there - that is all I know about it.

-----:o:-----

ARMAND REGARDEAN, duly sworn:

I live in West 26th Street, and I am a truckman in business for myself; I did not see the stabbing; all I know about it is I caught the man; I was standing on the corner of 26th Street, and Seventh Avenue, it was on the South East corner - it was the day before yesterday I think - .

Q What time in the day? A. It was I guess about half past four o'clock in the afternoon. I was standing there with my back turned to him, and I heard somebody say, there is something the matter; I turned around and walked up, and I seen this man that is dead fall over a boot-black's chair; on 25th Street; somebody said, "That is the man."

and I ran after him, and I caught him and gave him to the Officer.

Q Is that the man there? (Indicating to the prisoner)

A. Yes, sir.

Q Did he offer any resistance? A. Not much, very little.

Q Did he have the knife then? A. No, sir; I did not see any knife - I seen him throw away the basket before.

Q Did he say anything to you? A. No, sir.

Q Did you ask him any questions? A. No, sir.

Q You did not? A. No, sir.

-----:o:-----

JOHN BOLLINGER, duly sworn:

By the Coroner:-

Q Where do you live? A. No. 365 25 th Street- and my occupation is cook in the Hotel Metropole.

Q You saw this stabbing? A. I did not.

Q What do you know about it? A. Me and Julius Henke, we went into the saloon at 25th street and Seventh Avenue kept by Philip Kaufmann, we went in there for about five minutes -

Q What day was this? A. Last Tuesday afternoon; it was about half past three o'clock we were in there about five minutes - when Charlie Fuchs he came in; he was a good friend to me; I had not seen him for some time, and we shook hands there and Julius Henke asked him if he would take a drink with us, and Charlie Fuchs took some beer; after that I asked him if he would play a game of pool and Fuchs said yes, and another man was with us, his name was Bennoit; we commenced to play pool, we three together -

Henke didn't play - he only looked at us; we played about two games, and after that Bennoit said, I got to go to work now; he must be there at half past four o'clock; we were at the door a little while longer, and we had another drink; after we went out, on the South East corner of the street and we stood there about two minutes and Charlie said, "I guess I want to go home" - that is what Fuchs said and Henke said, "Why don't you come a few blocks with us, and he said "if you are going to treat somewhere I will come with you." We went across the street and in that place there is a barber shop there somewhere - and right in front of the barber shop we met that man there with the basket between 25th and 26th Streets and Seventh Avenue; I was walking on the left hand side and Julius Henke was in the center, and Fuchs on the right-hand side; Charlie Fuchs kicked that man's basket with his right foot - me and Henke left - he was only fooling there - he was always fooling there, he always used to joke; then we went away me and Henke; we went about five or six steps when we turned around and when I turned around, Charlie Fuchs had a hold of the peddler's arm - and pulled him around like this - then I turned around and Henke was walking right ahead.

Q Would you recognize the man now? A. Yes, sir.

Q Is that the man there? A. Yes sir; then I turned around again and walked away, I thought they were only fooling; I walked five or six steps up the Avenue, near the corner of 26th Street I turned around - about six or seven steps from the corner - and when I turned around Charlie Fuchs had his hand up like that, and the peddler put his knife in the basket. I turned around and I said

"That man had a knife - he didn't see the knife any more.

Q Could you say this was the knife? A. It was a knife like this one.

Q You cannot say that this is the one? A. No; but it was such a knife.

Q Did you say this is the man that stabbed him - which caused the last witness to run after him - you were the one that made that remark? A. I said something like that.

Q That is what caused the last witness to run after him and caught him - is that right? A. Yes, sir; I guess so.

Q What occurred after that? A. He put that knife back in the basket again; his basket was like this he put the knife in the basket ^{back} again like this, just at that time he stood at the same place there. After that Charlie Fuchs turned around and came up to me and I left Hancke and went up to Fuchs and when I saw him I said, "Charlie you are scratched here". He was only scratched as if with a nail-Fuchs didn't say anything to me.

Q Did the blood spurt out? A. Then I seen this wound here the blood came out - here, it was cut and the thing was hanging out - I moved his coat like this and the blood ran down his legs; then I kept hold of him; and then I went up to the murderer, and I caught Charlie Fuchs by the arm and took him with me and all at once he commenced to stagger, and near the saloon there - there is a boot black's chair and he wanted to catch hold of it there and he fell back and I caught him in my arms and some other men

came along then and caught hold of him - and we put him down on the side walk.

Q Could he speak? A. No, he didn't speak - we put him down on the side walk - at the same time that murderer he jumped around us and went down 23rd Street; I let Charlie Fuchs down on his face like this, and ran after the murderer - he ran down the side walk and I ran across the street and in the middle of the block somebody knocked him down, I couldn't see it right because there were wagons standing there and when I came around the trucks somebody had him in his hand, I caught hold of him by the collar too, and we gave him to a policeman on the corner.

Q Then what became of the body? A. I couldn't tell you any more, when I came back where Hancke stood he said he must go to work now, and then somebody said, "That poor fellow is dead;" then we went up to the corner of 26th Street and down 26th Street we went up to the Hotel Metropole; by the car and we told our Chef what happened, and he said, you can work until eight o'clock and then you can go to the Police station and report yourself. Two detectives came up there and we told them all about it; and the next morning we went to the 30th Street station house - that is all I know about the case.

CHARLES KAISER, duly sworn:

I live No. 269 Seventh Avenue; I keep a saloon there.

BY THE CORONER:-

Q Did you see the stabbing? A. No, sir; but I was

at the end of the bar talking to some friends of mine right next to the door, and all at once I seen Charlie Fuchs trying to get into my place, he put his foot *in* my door and I saw the blood come out of the legs of his pants and he fell over the boot-black's chair. I said, "I guess that fellow is done for." I looked, and I saw the cut right here, and I rung up a messenger call for the ambulance, by the time the ambulance came the man was dead. When he fell there I jumped beside the door, and I seen this man that stabbed him; I saw his vegetable basket behind the boot black's stand, and I saw the other men running after him.

Q Is that the man that threw his basket away? A. Yes, sir; afterwards I kept looking around and we looked into his basket and we found his knife in his basket; it was driven up to the hilt in his body - that is the identical knife; three or four officers took the body on a stretcher, and took him to the station house.

-----:o:-----

JULIUS HENCKE, duly sworn:

I live No. 238 Seventh Avenue; my occupation is cook and I am employed in the Hotel Metropole; myself and John Bollinger, was in a saloon in Kaufman's - and Charlie Fuchs came in and Bollinger asked him how are you - and I didn't see him for a long time; we took a drink together and after that another fellow came in, and he said to Charlie Fuchs if he would play a game of pool with him, and they played pool and I looked at it when it was finished we took another drink, and we went out and walked up Seventh Avenue.

At 25th Street the peddler came with that basket, and Charlie Fuchs gave him a kick in his basket, and John Bollinger and I walked up together, and I thought they were fooling and myself and Bollinger walked up near 26th Street and Seventh Avenue, and sometimes we looked around, and I saw the old fellow there.

Q You did not see him stab the man? A. No, sir; I did not see him stab the man.

Q You did not see him put the knife back in the basket?

A. No, sir; John Bollinger told me he seen the knife.

By a Juror:-

Q This peddler, did he walk right along minding his own business? A. Yes, sir; and Charlie Fuchs when he passed him kicked his basket, we kept on walking on Seventh Avenue.

Q What did the peddler say to him? A. I don't know.

Q Did he kick the basket more than once? A. I don't know I only seen him once that he kicked the basket.

-----:o:-----

JOHN CAREY, duly sworn:

I am a special officer of the 19th Police Precinct; about 4.40 P. M. May 10th last, I went up to the station house and I saw Officer Jones bring the prisoner to the station house; something was said to me and from that I went up to 263 Seventh Avenue, and there I saw the body of the deceased lying on the side walk in a pool of blood; I made an investigation and came back to the station house again shortly after six o'clock; I received at that saloon the

basket and the knife; I saw the prisoner at the station house, and through an interpreter I asked him his name, his age, his occupation and residence which he gave me; I showed him the basket which had blood on it, a willow basket an ordinary market basket with the handle across, and I asked him how the blood came there and he said he didn't know; he said it was his basket and wanted me to take care of it for him; I showed him the knife and asked him whose knife was that, and he said it was mine - that is the knife I stabbed him with - "I stuck him with" - he said, "That is the knife I stuck him with."

(Witness consults memorandum.)

I asked him "What do you want done with this basket?" "I want you to take care of it for me". "How did the blood come there?" "I don't know". "What do you want done with this knife?" "It is my knife, cut my head off with it." Then again he said, "That is my knife - and with that I stuck him - two or three attacked me in the barber shop there that is why I stuck him." The barber shop is on 26th Street near Seventh Avenue. These questions were asked through an interpreter in the presence of Officer Doran who is present here. I found a trail of blood in front of 277 to 268 where his body lay on the side walk.

-----:o:-----

OFFICER GEORGE A. DORAN, duly sworn:

I am a special officer of the 19th Precinct; last Tuesday afternoon about 4.30 o'clock I saw the prisoner here, he came to the station house in the custody of Officer Jones.

Officer Carey and I went down there and found the deceased lying on the side walk dead; we made an investigation and got all those witnesses names and Officer Carey received the basket and knife from Mr. Kaiser. We went back to the station house about six o'clock, and Officer Carey asked the prisoner some questions and he answered them; there was blood on the basket and on the prisoner's right hand and on his sleeve some blood.

By Counsel:-

Q You say this testimony was given through an interpreter?

A. Yes, sir.

Q Who is he? A. Mr. Bell.

Q You say there was some blood on his cuffs? A. No, the cuff of his coat here.

Q Right or left? A. Right hand sleeve.

Q Is that the coat he has on now? A. I didn't notice that - yes, it is the same coat.

Q How long after his arrest did you see him? A. About ten minutes.

Q You saw the body? A. Yes, sir.

Q It had not been removed from where it was? A. No, sir.

-----:o:-----

LEO. FISCHEl, duly sworn:

I keep a barber shop on Third Avenue, No. 291.

BY THE CORONER:-

Q Did you see this stabbing? A. No, sir.

Q What do you know about? A. I saw the two people

walk from the middle of the block to the corner, and this dead man walked in to the liquor saloon and he came out and fell over the boot-black's chair; and the other fellow, I guess he was too weak - ~~he was too weak~~, to run away - the other fellow the policeman caught him on the corner and gave him to the Policeman; that is all I know about it, he went into the liquor store and came out and fell over the boot black's chair.

By Counsel:-

Q You say this man was too weak - what do you mean by that? A. I mean the dead man was too weak - I know that they had a little talk together on the corner.

Q Who did? A. This fellow on the corner with Mr. Fuchs I seen him a couple of times, he went in there and came right out and fell right over the blacking chair.

Q Did you see him talk to this man before? A. Before that? -

Q How was it caused or how -? A. I was across the street with a friend of mine that is sick, he said, "I suppose somebody got stabbed."

Q What is his name? A. His name is Cohen, he is a sick fellow; he was sitting at the window and he said I supposed somebody got stabbed. I walked over and I seen from the window they had a little talk together - and he raised his hand he was too weak to fight, maybe.

Q How do you know he was too weak? A. I think so.

Q What makes you think so? A. I don't know.

Q You have no reason to think that he was too weak then?

A. People came around and he went into the liquor saloon and came out and fell over the chair.

Q Did you see this man afterwards? A. He ran away - and they caught him, somebody caught him - I don't know his name.

Q You did not see them quarreling or fighting together?

A. I seen them - they didn't fight.

Q Just only talking? A. Yes, sir.

Q You saw nothing of the stabbing? A. No, sir.

Q You did not see Fuchs get hold of this man at all?

A. I did not - I seen him come from the middle of the block.

Q With whom? A. With the prisoner, they went to the corner and they had a little talk and they went into the saloon and all at one he ran away, and the people caught him, and in that time he came out and fell over the chair.

Q He was lifted from where he fell? A. They brought the other man the prisoner, to the corner, they caught him at the corner.

-----:o:-----

OFFICER CAREY, (Recalled.)

There was blood on the prisoner's right hand, and on his ~~right~~ right sleeve; and on the willow basket which he said was his and this knife which he said was his.

By Counsel:-

Q Was there any more blood on it than now? A. There was.

Q How did it come off? A. Evidently by handling it it laid on the desk at the station house, and it was handled

by a number of reporters and officers and it was wrapped up in paper, and it has been handled since that time.

Q Did he state to you about having any quarrel with this man previous? A. He said through an interpreter.

Q Who was he? A. Mr. Isaac Bell.

Q Where does this man keep? A. His residence is at Fifth Avenue.

Q Was he sent for? A. No, not that I know of, he was there, and through him - how he came there I don't know I found out he could speak to the prisoner.

Q Was this at Seventh Avenue or at the station house?

A. At the station house.

Q Otherwise you had no conversation with this man?

A. No, sir.

Q. The testimony you give here is through an interpreter?

A. Yes, sir; except what I know of my own knowledge.

-----:o:-----

(The Coroner reads the Autopsy
which was sworn to by Dr. Conway.)

-----:o:-----

John
VERDICT: We find that Charles Fuchs, came to his death on May 10th, 1892, from stab wounds inflicted by Henry Dennis Albert, at Seventh Avenue, between 25th and 26th Streets, about 4.30 P. M.

-----:o:-----

0342

STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, ss.

AN INQUISITION,

Taken at the house of *Coroners Office*
 No. 27 Chambers Street, in the 6th Ward of the City of
 New York, in the County of New York, this 13th day of May
 in the year of our Lord one thousand eight hundred and 92 before
 M. J. S. Messmer *John* Coroner,
 of the City and County aforesaid, on view of the Body of *Charles Fuchs*

Eight Upon the Oaths and Affirmations of
 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
John Charles Fuchs came to his death, do
 upon their Oaths and Affirmations, say: That the said *Charles Fuchs*
 came to his death by *one* May 10th 1892.
 from stab wounds inflicted by *Henry Dennis*
Albert, at Seventh Avenue between 25th and 26th
 Streets, about 4³⁰ P.M.

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>John Peters</i>	831 - Greenway St
<i>J. C. Gervin</i>	21 - 1 st Ave
<i>Garv Bryle</i>	1218 - 5 th Ave
<i>John Hurck Jr</i>	1224 3 rd Ave
<i>F. Muthorn</i>	443 West 13 th St
<i>John D. Kattenhorn</i>	931 - 6 Ave
<i>L. L. L. L.</i>	1222 3 rd Ave
<i>P. Helfert</i>	718 Washington St

M. J. S. Messmer

CORONER, E. S.

0343

Coroner's Office.

TESTIMONY.

*See file
up
May 8th 92*

An autopsy made on the body of John Charles Fuchs, aged 22y. 7m. 22d. native of Alsace, France., at 524-6th Ave on Monday May 9th 1892 at 3³⁰ P.M. showed following results,

An external view of the body showed deceased to have been a tall muscularly developed man about 6ft 6 in height. On right thigh near the hip joint was a cut about $1\frac{1}{4}$ inches in length, which had penetrated skin only. On left shoulder a cut $1\frac{1}{2}$ inch and about 1 inch deep into the deltoid muscle. On the right side was a cut $2\frac{1}{2}$ inches long commencing about the lower border of the middle of the collar bone and extending downwards. On opening the cavity of the chest the latter wound was found to ^{have} been penetrating one, the instrument causing it having cut the integuments, the intercostal cartilage between 1st & 2^d ribs, the second rib partly through & having turned, split up the rib above an inch and a half passing into & cutting the right lung to a depth of an inch & a half. All organs of body were normal. Brain normal. The cause of death was Hemorrhage from stab wound of chest.

Taken before me

this 13th day of May 1892

J. J. Messer

Wm. A. Conway

CORONER.

0344

TESTIMONY.

I have made

M. D., being duly sworn, says:

of the body of
now lying dead at

and from such

and history of the case, as per testimony, I am of opinion the cause of
death is

Cause of death submitted in
written minutes of autopsy

M. D.

Sworn to before me,

this

day of

189

R. B. Messer

CORONER.

0345

MEMORANDA.

AGE			PLACE OF NATIVITY	WHERE FOUND	Date When Reported
Years	Months	Days			

Germany

107 W. 1st St. May 1, 1922

Residence 738 Seventh St.

A terrible wound. Knife must have been twisted deep in the chest.

At residence
See P. 101
291 W. 1st St.
St. Paul
360 W. 1st St.
Public Health
235 W. 1st St.

Corn
Single

Body remains
not yet taken
at the
Cathedral

St. Paul
St. Paul
St. Paul

St. Paul
St. Paul
St. Paul

St. Paul
St. Paul
St. Paul

St. Paul
St. Paul
St. Paul

St. Paul
St. Paul
St. Paul

St. Paul
St. Paul
St. Paul

St. Paul
St. Paul
St. Paul

St. Paul
St. Paul
St. Paul

St. Paul
St. Paul
St. Paul

St. Paul
St. Paul
St. Paul

St. Paul
St. Paul
St. Paul

St. Paul
St. Paul
St. Paul

St. Paul
St. Paul
St. Paul

St. Paul
St. Paul
St. Paul

0346

M. J. B. M.

No.

Quar.

189

AN INQUISITION

On the VIEW of the BODY of

John

Charles Tuchs

whereby it is found that he came to
his death by

Shock

from

Homicidal Stab.

Wound of the Right

Breast at Shoulder.

Inquest taken on the 13th day
of May 1892 before

MICHAEL J. B. MESSEMER, Coroner.

0347

Coroner's Office,

CITY AND COUNTY }
OF NEW YORK, } SS.

Henry Dennis Albert 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—*Henry Dennis Albert*

Question—How old are you?

Answer—*34 year*

Question—Where were you born?

Answer—*France*

Question—Where do you live?

Answer—*178 Bleeker St*

Question—What is your occupation?

Answer—*Peddler*

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

By advice of counsel I have nothing to say.

Henry Dennis ^{his} X Albert
(mark)

Taken before me, this *15th* day of *May* *1882*
W J Messers

CORONER.

0348

MEMORANDA.

AGE			PLACE OF NATIVITY	WHERE FOUND	DATE When Reported
35 Years	Months	Days	Germany	19 Premier Station Store	May 11/92

0349

Ind. Quar 675-1892
HOMICIDE.

AN INQUISITION. 660

On the VIEW of the BODY of
John Charles Fuchs

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

Henry Lewis Albert

Inquest taken on the *13th* day
of *May* — *1892*

before

M. J. D. Messener Coroner.

Committed

Bailed

Discharged

Date of death



Jeff Meeker

COURT OF GENERAL SESSIONS, PART I.

----- x
 :
 The People of the State of New York, :
 :
 against : Before
 : Hon. Fred'k Smyth,
 Henry Denis Albert. : and a Jury.
 :
 :
 ----- x

Indictment filed June 2, 1892.

Indicted for murder in the first degree.

New York, July 7, 1892.

A P P E A R A N C E S:

For the People,

Asst. District-Atty. John M. McIntyre;

For the Defendant,

Robert J. Haico, Esq.

J O H N P O L L I N G E R, a witness called on behalf of the
 People, being duly sworn, testified as follows:

I am a cook and live at 366 West 35th. Street.
 I am employed at the Hotel Metropole. I knew the de-
 ceased Charles Fuchs in his lifetime. On the 10th. day
 of May I met Charles Fuchs at Kaufmann's saloon No. 257
 7th. Avenue between 24th. and 25th. Streets. Julius
 Henke was with me. We had two glasses of beer to drink.
 We played two games of pool and we went out of the saloon
 about twenty minutes past four. We walked up Seventh
 Avenue to the corner of 25th. Street. We stayed there
 for about two or three minutes and we asked Charley Fuchs
 if he wanted to come along with us up to the Hotel Metro-
 pole. He said, "If you are going to treat somewhere I

0351

2.

will go with you." I said, "All right". Then we crossed 20th. Street and walked up Seventh Avenue. In front of a barber shop kept by Mr. Frey there was a man with a large basket on his left arm. That man was the defendant. As we approached the deceased kicked the basket. Then the defendant turned round with his basket. Hencke and I walked about six or eight steps and when I turned round I saw the defendant having hold of Fuchs' arm, and Fuchs had hold of his arm. They pulled each other around on the sidewalk. I walked up pretty near 20th. Street. I turned round again and I saw the deceased put a knife into his basket. I saw Charley Fuchs with his hands in the air, and I saw the defendant put the knife back. I said to Fuchs: "Look out for that knife". I told him he had a knife in his hand. I was about a block away from him and I shouted that at him. Charley Fuchs came to the corner of 20th. Street. I saw blood on the left side of his collar and also on his neck. I moved his coat and I saw blood running down his leg on to the sidewalk. We all turned around then and walked to where the pedaler stood with his basket in front of the barber shop. There Fuchs commenced to stagger, and I caught hold of him with my both hands to hold him. He fell back, catching hold of a boot-black's chair. We laid him down on the sidewalk there in front of the barber shop. I saw the defendant run down to Seventh Avenue towards 25th. St. I ran after him, but I did not see him when he was caught.

3.

A policeman brought him back to where the deceased was.
I then took the car up to 42nd. Street.

Cross-examination:

I am 26 years of age. I was born in Alsace.
The deceased was also born there, I believe. I had known him working in several hotels in this city, and at country places. I had not seen him in six months before the 10th. day of May last. On that afternoon I met him in Mr. Kaufmann's saloon. We played pool and had three or four drinks together. There was no disturbance or quarrel that I saw between the deceased and the defendant before the deceased kicked the basket. The defendant was walking along peacefully at the time the basket was kicked.

EDWARD F. E. L., a witness called on behalf of the People, being duly sworn, testified as follows:

I am an insurance broker residing at 247 Fifth Avenue. On the afternoon of the 10th. of May I acted as interpreter at the 30th. Street Station House. I spoke French to the defendant. I asked him if he had stabbed the deceased. The dead man was lying there on the floor alongside of him. The defendant was very much excited. The first thing I asked him was: "What do you know about this?" He said he didn't know anything. Then I asked him the direct question if he had killed the man, and he said that he did. I showed him the knife and I said: "Was it with that knife?" He said yes. He said: "Give

4.

me that knife. That is my knife". I says: "What do you want to do with it?" He made no reply. He said: "I am lost", and begged me to stab him with the knife.

Cross-examination:

I am not positive of the exact words I used on that occasion. I am positive that the defendant said: "I am lost". He was trembling and crouching.

JOHN POLLOCKER, re-called:

Further cross-examination:

I saw the defendant put the knife back into his basket. Before that I saw it raised in the air. I did not see the knife strike the deceased. I was some distance away at the time this occurred. After the deceased kicked the basket he stabbed him. Myself and Hencke continued walking on. After we reached the corner of 20th. Street we turned around and it was then I saw the knife raised in the hand of the defendant. When we got back to Fuchs he began to stagger from loss of blood. This was almost in front of the door of Hayser's saloon. When I saw him stagger I shouted "Police. Murder!".

JULIUS HENCKE, a witness for the People, being duly sworn, testified as follows:

I live at 238 Seventh Avenue. On the 10th. day of May I was a cook at the Hotel Metropole. I knew Charles Fuchs in his lifetime. On the 10th. of May I was

0354

5.

in company with the last witness Bollinger in Kaufmann's saloon, 25th. Street and 7th. Avenue. After we had been in there about twenty minutes the deceased Fuchs came in. We had a drink together. John Bollinger and Charley Fuchs played pool together for about twenty minutes. Then we had another drink and went out. This was about twenty minutes past four. When we reached the corner of 25th. Street and 7th. Avenue I saw the defendant coming down the avenue with a basket on his arm. As we approached him Fuchs kicked the basket. We continued on walking until we reached the corner of 25th. Street. We turned around and I saw that the defendant and the deceased clinched and were taking hold of each other and pulling each other to and fro. Then Charley Fuchs joined us at 25th. Street, and John Bollinger remarked to Fuchs that he had a scratch on his neck. I also saw the scratch. I saw that he had a hole in his coat. I did not see any blood. In a few minutes the deceased fell down in front of Kayser's saloon. When he fell down I was at the corner. When the policeman came John Bollinger said: "We have to go to work". And we went to work. We left the deceased with the police officer.

Cross-examination:

I had known Charley Fuchs for three years before this time. I know that he worked in Philadelphia and Washington. He came back from Philadelphia and was out of work for about three weeks. At the time Fuchs

0355

3.

kicked this basket the defendant was walking down Seventh Avenue close to the building. He was not interfering with anybody. The defendant did not say anything to Fuchs before he kicked the basket. He was silently walking down the avenue. At the time I looked around they were pulling each other. I didn't see him have any knife in his hand when I looked around. When the deceased kicked the defendant's basket the defendant immediately stopped. I only saw the defendant when they brought him back again from 25th. Street. I was a witness before the Coroner. I am not positive of the testimony I gave before the Coroner.

P A T R I C K M c N I E C E, a witness for the People, being duly sworn, testified as follows:

I am a police officer connected with the 16th. Precinct. On the 10th. day of May my post was on West 25th. Street from 7th. to 10th. Avenues. Between four and five o'clock in the afternoon I was standing on the corner of 25th. Street and Seventh Avenue. I saw this defendant on the northeast corner. I had just arrived on the southeast corner of 25th. Street and Seventh Avenue when I noticed something ^{occurring} on the northeast corner of 25th. St. and Seventh Avenue. It was like fooling or skylarking. One man held a basket in his hand and the other man was trying to pull it from him or catch hold of it, and he pulled him a few paces apparently on the sidewalk and let it go. A few moments elapsed and I saw him catch hold of

7.

it again, haul it and drag it. It might be a minute or two elapsed and I saw the man with the basket raise his hand about three times, as though he was going to strike with it. A moment might have elapsed when I saw this man, who was catching the basket, stagger and fall to the sidewalk. I started in the direction of where this man fell, and when I got there I saw blood running down along his leg on the sidewalk. On the way there I saw the man with the basket drop the basket and turn the corner of 25th. Street and Sixth Avenue. I ran after him and caught him in the custody of two young men. I took charge of the man and asked him what he cut the deceased for. He muttered something that I could not understand. I brought him back to where the deceased lay and called an ambulance. There was a little blood on the defendant's hands when I arrested him.

Cross-examination:

I have been on the Force twelve years. When I first noticed these two men I was on the southwest corner of 25th. Street and Seventh Avenue. These two men were on the northwest corner of 25th. Street and Seventh Avenue. One of them was the defendant. From where I was standing I could see everything that took place. The deceased attempted to pull the basket away from the defendant twice. He continued pulling at it for a few minutes. He seemed to follow the defendant two or three paces and then pulled him towards him a few paces. He was about to catch the

8.

basket the third time when he fell. When the deceased fell the defendant dropped the basket and started to run. He was caught by two young men and turned over to me. I saw the defendant raise his hand over his head while the two men were standing together.

L E O F I S C H E L, a witness called on behalf of the People, being duly sworn, testified as follows:

I live at 291 Seventh Avenue. I am a barber at that place. On the 10th. of May about four o'clock in the afternoon I was visiting a sick friend of mine who lives on Seventh Avenue between 28th. and 29th. Streets. I was sitting in his window on the first floor. My attention was attracted to two men across the street. I saw Fuchs and this defendant standing on the opposite side of the street. Fuchs held the hands of the defendant. I went downstairs and went across the street. I saw the deceased go towards the barber-shop, but he fell beside a boot-black's chair. I remained there until the man died.

Cross-examination:

I was up one flight of stairs at the time I was looking out of the window. I saw the man fall first in front of Mr. Kayser's saloon. I did not notice a basket on the defendant's arm. I thought that the deceased went into Kayser's saloon, but when I got over there I found that he fell before he got in.

9.

C H A R L E S K A Y S E R, a witness called on behalf of the People, being duly sworn, testified as follows:

I live at 269 Seventh Avenue. I keep a store at 263, which is on the northeast corner of Seventh Avenue and 26th Street. On the afternoon of the 10th. of May I saw the defendant pass my store at about half past four o'clock. I was standing at the end of the counter next the door. The deceased came along with two or three friends of his and he wanted to get in. He says: "Come boys and have a drink." He put his foot on the door and I saw blood running out of the leg of his pants. As soon as he tried to get inside he turned around to call them, and he fell over the bootblack's chair. I saw the defendant drag his basket which contained onions and vegetables and run away. My lunchman picked up the basket. I found a knife in it wrapped up in a sack.

Cross-examination:

I have kept this saloon for seven years. I have frequently seen this defendant pass my store with his basket of vegetables on his arm. He always appeared peaceable to me. I did not hear the deceased speak after he said: "Come boys and let us have a drink". The deceased was in my place about a week before he was killed and he was skylarking with some men in there. I have always observed the defendant to be peaceable and quiet.

10.

A R M A N D P I C A R D E A U, a witness called on behalf of the People, being duly sworn, testified as follows:

I live at 131 West 20th. Street. I am a truckman with my stand corner of 20th. Street and 7th. Avenue. On the afternoon of the 10th. of May I was standing on the opposite corner where this trouble was. I did not see the defendant until the crowd commenced to call that there was some trouble and my attention was attracted. I saw this defendant drop his basket and then run through 25th. St. I ran after him and caught him in 25th. Street. I ran about half a block in 25th. Street before I caught him. I turned him over to Officer Jones. I saw blood on his hands when I caught hold of him. I did not see the deceased.

Cross-examination:

The defendant was running down 25th. Street at the time I caught him. He threw his basket away in front of Kayser's saloon. I saw the witness Hollinger there at the time. I had never seen the defendant before. I do not believe that I knew the deceased Fuchs.

H U G H J O N E S, a witness called on behalf of the People, being duly sworn, testified as follows:

I am a police officer connected with the 19th. Precinct. On the 10th. of May I was in the neighborhood of 7th. Avenue and 24th. Street. On that afternoon at about half past four o'clock I was standing on the corner

12.

W I L L I A M A . C O N W A Y, a witness called on behalf of the People, being duly sworn, testified as follows:

I am a Deputy Coroner. I made the autopsy on the body of the deceased. On the right thigh near the hip-joint there was a cut about an inch and a quarter in length, which had penetrated the skin only. On the right side there was a cut two and a half inches long commencing about the lower border of the middle of the collar-bone and extending downward. On opening the cavity of the chest the latter wound was found to be a penetrating one, the instrument causing it having cut the intercostal cartilage between the first and second ribs. It was an incised wound made by some sharp instrument. The cause of death was hemorrhage.

Cross-examination:

I think the direction of the blade must have been downward. The person making it must have had his arm raised.

J O H N C A R E Y, a witness called on behalf of the People, being duly sworn, testified as follows:

I am a police officer connected with the 19th. Precinct. I received the basket which is produced in evidence from Officer McNiece at the corner of 25th. Street and Seventh Avenue. There was blood on the edge of it. I received the knife from Mr. Kayser. There was blood on the blade. I had no conversation with the defendant, as I

14.

G E O R G E R I V O I R E, a witness for the defendant, being duly sworn, testified as follows:

I am an awning-maker living at 125 Clinton Place. I am acquainted with the barber at 269 Seventh Avenue. I was at his place of business on the 10th. of May to put up an awning. On that afternoon while putting up the awning I saw a man turn the basket of the defendant upside down. The defendant picked up his vegetables which had been thrown out of the basket. I saw the deceased kicking the defendant's basket and throwing out the vegetables again. For a second time the defendant gathered his vegetables and his knife and when he had them all in the basket the deceased hit him a blow in the face. Then at that time he gave him a blow with the knife. Then again the deceased hit him on the face, caught hold of him by the neck and shook him. The deceased walked towards 26th Street and the defendant walked the other way quietly. Then the deceased Fuchs came back with one of his friends and ran after the defendant. Whilst his friend was telling this man that he had wounded him, the deceased fell down and died. I was at the door of this barber shop and when the defendant passed he begged my pardon for touching me with the basket. I was fixing the pulleys of Mr. Frey's awning on this day.

Cross-examination:

I have been in this country eleven years. I

15.

came from Lyons. I kept a restaurant at one time at 117 West 23th. Street.. On the afternoon in question I was putting up an awning for Mr. Frey the barber. The defendant came into the barber-shop to sell some vegetables to Mr. Frey. When he went out I saw him go towards West 23th. Street. I did not see anybody kick the basket on the corner of 23th. Street and 7th. Avenue. I saw the man kick his basket. That man was Fuchs the deceased. I am positive that he kicked it and overturned it twice. I saw some other young men there, but they did not interfere with the defendant. I saw the deceased strike the defendant on the neck with his fist. At that time the defendant was in the act of picking up the knife, and after receiving this blow with his fist he gave the deceased a blow with the knife. I was about ten feet away from the men at that time. I told the defendant after he had done this to go away and he started away towards 23th. Street. The basket was on his arm at the time it was kicked by the deceased. I did not see the defendant throw the basket in the gutter before he ran away. I saw the deceased fall down on the street and saw his friends come back. I saw Fuchs hold the defendant by the collar and shake him. This was all before the defendant stabbed the deceased. I only saw the defendant strike the deceased with the knife once.

C. H. A. R. L. E. S. K. A. Y. S. E. R., recalled:

I know Officer McNiece. I saw the officer on that day after the defendant fell. I stood right outside of my door and tried to keep the crowd away. I was about four feet from the door at the time I saw the incidents I have related.

E. U. G. E. N. E. K. O. Y., a witness called on behalf of the defendant, being duly sworn, testified as follows:

I live at 117 West 30th. Street. I am acquainted with Mr. Kayser. I have known the defendant Albert about two years. He has a good reputation for peace and quietness.

Cross-examination:

I have been in places where the defendant sold greens. I never saw him drunk and I never heard of his being in any trouble.

M. I. C. H. A. E. L. J. E. E. S. S. E. R., a witness for the People, being duly sworn, testified:

I am one of the Coroners of the City of New York. I went to the 30th. Street Station House for the purpose of examining the body of Charles Fuchs. I had a conversation with the defendant in French. I said: "How did this murder take place?" He said: "A man unknown to me threw himself upon me, and I stabbed him in self-defense" I said: "Where did you carry the knife?" He said: "In a

basket. I had some greens in the basket and I had this knife which I used for paring the greens".

FRANCIS FREY, a witness for the defendant, being duly sworn, testified as follows:

I keep a barber shop at 209 Seventh Avenue. The witness Kivoire was at my place on the afternoon of the 10th. of May repairing some pulleys on my awning. The job was just about finished at half past four in the afternoon. I know this defendant. He is a peddler of greens. I have dealt with him. His reputation for peace and quietness is good.

EDMUND GARRETT, a witness for the defendant, being duly sworn, testified:

I live at 245 West 35th. Street. I have been acquainted with the defendant about a year and a half. I know other people that know him. His character for peace and quietness is good.

EUGENE STEIN, a witness for the defendant, being duly sworn, testified:

I live at 123 West 26th. Street. I am acquainted with the defendant at the bar for about a year and a half. I have seen him peddling oysters and vegetables. His reputation for peace and quietness is good. I have of-

ten seen the knife just produced here in the possession of the defendant in his basket. I did know the deceased Charles Fuchs in his lifetime. He was a quarrelsome man. He was particularly quarrelsome when he was drunk.

Cross-examination:

Fuchs was a cook by occupation. I know that he worked in Philadelphia, in New York and at Chicago. He was a good-natured man when he was drunk.

M A R I O N M O N T I G M E N, a witness for the defendant, being duly sworn, testified:

I reside in 23rd. Street. I know the defendant Alberts for about a year and a half. I have bought vegetables and fish from him at different times. I have seen him carry the knife which is now produced. He always used to prepare and clean the fish which I bought from him with that knife. His character for peace and quietness is good as far as I have observed him.

Cross-examination:

It was after this killing that I heard the people talk about his character.

J O H N C A R E Y, recalled:

On the 10th. of May after I returned to the Station House I saw this defendant. I examined him in the back room. I took his clothes off and I observed no marks of violence upon his person. I went to the corner

0366

19.

of 25th. Street and Seventh Avenue and I traced blood from No. 277 to No. 285 along the avenue. On the line of the Avenue from the point at which I started to the point which I reached, I found no greens or vegetables on the sidewalk.

The Jury returned a verdict of "guilty of manslaughter in the first degree".

Indictment filed June 2 1892.

COURT OF GENERAL SESSIONS

Part I.

THE PEOPLE &c.

against

HENRY DENIS ALBERT.

Abstract of testimony on

trial, New York, July

7th 1892.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Henry Dennis Albert

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

— Henry Dennis Albert —

of the CRIME OF MURDER IN THE FIRST DEGREE, committed as follows:

The said *Henry Dennis Albert*,

late of the City of New York, in the County of New York aforesaid, on the *fourth* day of *May*, — in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, with force and arms, in and upon one *John Charles Enders*, in the peace of the said People then and there being, wilfully, feloniously and of *his* malice aforethought did make an assault; and *he* the said *Henry Dennis Albert*, *do*.

the said *John Charles Enders*, with a certain *knife* — which *— he, —* the said *Henry Dennis Albert* in *his* right hand then and there had and held, in and upon the *breast* — of *— him, —* the said *John Charles Enders*, — then and there wilfully, feloniously and of *his* malice aforethought, did strike, stab, cut and wound, giving unto *him* the said *John Charles Enders* then and there with the *knife* aforesaid, in and upon the *breast* of *— him, —* the said *John Charles Enders*, one mortal wound of the breadth of one inch, and of the depth of six inches, of which said

0369

mortal wound *he* the said *John Charles Tucker*, at the City
and County aforesaid, from the day first aforesaid, in the year aforesaid, until the
day of ~~in the same year aforesaid, did languish, and~~
languishing did live, and on which said ~~day of~~
~~in the year aforesaid, the said~~
~~at the City and County aforesaid, of the said mortal~~
~~wound did die.~~

Then and there died.

AND SO THE GRAND JURY AFORESAID do say: That the said
Henry Dennis Abbott, Junr.
the said *John Charles Tucker*, in the manner and form, and by
the means aforesaid, wilfully, feloniously and of *his* malice aforethought, did kill
and murder, 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.

0370

BOX:

483

FOLDER:

4413

DESCRIPTION:

Alexander, Leslie

DATE:

06/02/92



4413

0371

Witnesses:

Counsel,

Filed, 2nd day of June 1897-

Pleads, *Amended*

THE PEOPLE

vs.

Leslie Alexander

VIOLATION OF EXCISE LAW.
(Keeping Open at Unlawful Hours.)
[III. Rev. Stat. (7th Edition), page 1889, Sec. 5.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Julius Cather

Foreman.

0372

488

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Leslie Alexander

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

Leslie Alexander

of the crime of KEEPING OPEN, BETWEEN THE HOURS OF ONE AND FIVE O'CLOCK IN THE MORNING, a place licensed for the sale of strong and spirituous liquors, wines, ale and beer, committed as follows:

The said

Leslie Alexander

late of the City of New York, in the County of New York aforesaid, on the 25th day of May in the year of our Lord one thousand eight hundred and ninety-*one*, 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 between the hours of one and five o'clock in the morning of the said day, and between the said hours of the said day, to wit: at the hour of *two* o'clock in the morning of the said day, the said place so licensed as aforesaid unlawfully did then and there open and cause and procure, and suffer and permit, at the time aforesaid to be open and to remain open, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,
District Attorney.

0373

BOX:

483

FOLDER:

4413

DESCRIPTION:

Altero, Mary

DATE:

06/17/92



4413

0374

Witnesses:

Raphael Lergo
Off W C Andrews

#147

Counsel,

Filed

day of June 2

1892

Pleads,

Magally 71

38

scandals THE PEOPLE

83 Elizabeth

189.

Mary Altero

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

De LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Francis Higgins

Sub 2 - June 23, 1892.
Reads Assault 3rd Degree.

Foreman.

Law 171 B.

0375

PALACE PHARMACY,
108 VARICK ST., COR. BROOME ST.,
NEW YORK.

88 VARICK STREET

Dr.
8-10 1-4, after 5
except Mondays, Wednesdays
and Fridays, 8-10 after 5.

Dr. Wm. Keen

131 Mott St

June 10/92

This nice Certify that Mr Gorfa
who is suffering from 2 stab
wounds is now out of all danger
& will be able to appear in Court
in 2 days.

Dr Wm Keen

85 Varick St
N. Y. C.

0376

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, DISTRICT.

of No. 6th Precinct John J. McAndrew
 occupation Patrolman Street, aged 30 years,
 that on the he arrested being duly sworn deposes and says,
 day of _____ 188

at the City of New York, in the County of New York, Mary Alger
 charged with felonious assault upon Raphael
 Gergo. As said Gergo is unable to appear in
 Court to testify as a result of the injuries inflicted
 him by said assault, Defendant prays that the
 said Mary be committed to await the result
 of Gergo's injuries

John J. McAndrew

Sworn to before me, this

of

1889

day

John J. McAndrew
 Police Justice.

0377

Police Court, _____ District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.
Mary Giza Algeri

AFFADAVIT.

*Held to answer the
charge of injury to
Rebecca Assault.*

Dated *June 8* 1892
M. M. Magistrate.

_____. Officer.

Witness, _____

Disposition, *Committed without*
bond 4 June 10. 9 am
500 bond 5 June 14 5Pm

0378

Police Court— District.

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

of No. 131 Mott Street, aged 29 years,
occupation Barber being duly sworn

deposes and says, that on the 7 day of June 1892 at the City of New
York, in the County of New York, Canal

he was violently and feloniously ASSAULTED and BEATEN by Mary Algers
(now late) who did feloniously cut and stab
deponent twice in the right leg with a
pair of scissors then and there held in
her hand—

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 14 day }
of June 1892 } Raffaele Gorga

Police Justice.

0379

(1335)

Sec. 198—200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

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

Question. What is your name?

Answer. *Mary Altero*

Question. How old are you?

Answer. *29*

Question. Where were you born?

Answer. *Italy*

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

Answer. *85 Elizabeth Street. 6 Months*

Question. What is your business or profession?

Answer. *Housekeeper*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.*

Mary F. Altero
mark

Taken before me this

17

day of

*April**1892*

Police Justice.

0380

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, *June 14* 189 *2* *W. M. ...* Police Justice.

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

Dated,.....189 Police Justice.

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

Dated,.....189 Police Justice.

0381

729

Police Court, District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Raphael Gingo
131 Main St
Mary Rogers Alters

Assault
Fulw
Offense.

BAILED,

No. 1, by.....

Residence..... Street.

No. 2, by.....

Residence..... Street.

No. 3, by.....

Residence..... Street.

No. 4, by.....

Residence..... Street.

Dated, June 14, 1892

M. C. M., Magistrate.

McAndrews, Officer.

Precinct.

Witnesses.....

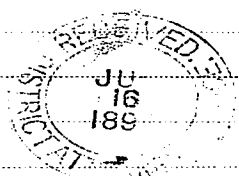
No. Street.

No. Street.

No. Street.

\$ 1000 to answer G. J.

Committed



Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Mary Altens

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

Mary Altens
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said

Mary Altens
late of the City of New York, in the County of New York aforesaid, on the *seventh*
day of *June* in the year of our Lord one thousand eight hundred and
ninety-*two*, with force and arms, at the City and County aforesaid, in and upon
the body of one *Raphael Gorgo* in the peace of the said People
then and there being, feloniously did make an assault and *her* the said
Raphael Gorgo with a certain *scissors*

which the said

Mary Altens
in *her* 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 *Raphael Gorgo*
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

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

The said

Mary Altens
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
Raphael Gorgo in the peace of the said
People then and there being, feloniously did wilfully and wrongfully make another assault,
and *him* the said *Raphael Gorgo*
with a certain *scissors*

which the said

Mary Altens
in *her* 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.

De Lancey Nicoll
District Attorney

0383

THIRD COUNT—

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

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

The said

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

which the said

in right hand then and there had and held, in and upon the
of the said

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

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.*

0384

BOX:

483

FOLDER:

4413

DESCRIPTION:

Anderson, Edward J.

DATE:

06/21/92



4413

Witnesses:

Wm. Schneider

Chas. Henn

Counsel,

Filed

21 day of June 1892

Pleas,

by Guilty in

THE PEOPLE

vs.

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

22

HH 2/8/92

signed

Edward J. Anderson

DE LANCEY NICOLL,

District Attorney.

Part II

June 27 1892

A TRUE BILL.

Francis Higgins Foreman.

Part 2 - June 27, 1892.

Indictment and Verdict of
Assault, 3rd Degree

Per 1900

0386

Police Court— 3 — District.City and County } ss.:
of New York, }

of No. 621 East 11 Street, aged 29 years,
 occupation coal merchant being duly sworn
 deposes and says, that on the 17 day of June 1882 at the City of New
 York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Edward Anderson
 (now dead) who pointed and aimed
 a loaded revolver at the
 deponent, and discharged the
 same.

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 18 day }
 of June 1882 }

Charles N. Lantz Police Justice.

William Schroeder

William Schroeder

0387

(1335)

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

3- District Police Court.

Edward Anderson being duly examined before the undersigned 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. *Edward Anderson*

Question. How old are you?

Answer. *22 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *441 E 18 St 22 years*

Question. What is your business or profession?

Answer. *Beer*

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.*
Edward Anderson

Taken before me this *18*

day of *June* 189*2*

Charles H. Stearns

Police Justice.

0388

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, *June 15* 189 *Charles K. Smith* Police Justice.

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

Dated, 189 Police Justice.

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

Dated, 189 Police Justice.

Ivor Kew
644 E11

The People
vs.

Edward J. Anderson

Court of General Sessions. Part 2
Before Judge Fitzgerald. June 27 1892.
Indictment for assault in the first degree.
Wm Schroder sworn and examined.
I live 620 East Eleventh street and lived there
on the 17th of June last. I saw the defendant
on that night in front of my own door
between nine and ten o'clock in the evening.
There were a good many people around
among whom were Daniel Kennell, Charlie
Hennin and Gus Lipman. There were none
of my children around there that hour of
the night. I saw the defendant at six
o'clock that same morning as I was
going out to work. I saw him about ten
o'clock and then again about five in the
afternoon. My child was there during the
day but she was not there when I saw
him at five o'clock. I had no conversation
with him when I met him at five o'clock.
I had a conversation with him at half past
nine o'clock at night. I went over and talked
to him like a man. I said to him, he
was no man to go to work to kick a
young one, and then he attempted to
pull out a revolver. I had not seen
him kick the young one, but I
made that remark to him in

consequence of something I had heard when I got home. He put his hand behind and as he did I shoved him and I ran away and he ran after me. I ran into No. 619; there is a saloon there, and the defendant after me. The door was open and I ran behind the bar which is toward the back of the saloon. I fell down the trap hole, which is about two feet from the end of the bar. When I fell down the trap door I heard the report of a pistol. Valentine Strauss was in the saloon at the time. When I came out of the cellar Anderson was not in the saloon. I saw him the next morning in his place of business 621 East Eleventh St. I had no conversation with him. I had him arrested. I don't know the name of the officer who arrested him. Did you see the defendant as you went in the trap door No. I did not.

Valentine Strauss, sworn and examined. I live at 619 East Eleventh St. and lived there on the 19th of June last. I saw Schroeder run in my place and the defendant followed him and fired a shot at him. My son went down in the cellar to get something; the cellar door was

opera and Schroeder ran behind the bar. I saw the pistol in the hand of the defendant when he shot at him; he ran right out; that is all I know about it.

Cross examined. When Anderson ran into the store I was sitting by a table with my daughter. The defendant ran after Schroeder and fired at him. The trap door is behind the bar. Anderson was three or four feet from the bar when he fired in front of the bar. Schroeder was down in the hole when Anderson fired or he might have killed him. How many seconds about intervened between the time that Schroeder went into the trap hole and the defendant came in? That was half a minute I guess, it was quick work.

Patrick Farrell sworn and examined. The defendant was not arrested by me but by an officer on post who handed him over to me. Officer Clifford searched him but no pistol was found. Had a conversation with the defendant the next day going to court. He told me that fellow (the complainant) was a big fellow and that he struck him first and that is the reason why he wanted to defend himself. I did not go into

the premises of Mr. Strauss to examine them. I did not examine the floor or the ceiling, Valentine Strauss recalled. I could not find the shot, I did not see where the shot went to I did not know if there was a ball in the pistol or not.

He looked in the cellar and could not find it and we could find no mark on the floor. How far behind Schroeder was the defendant at the time when he ran in? About four or five feet. As soon as the defendant came in he fired at Schroeder who was down in the cellar. How many feet is it from your store door to the cellar door?

That is about nine feet, and the defendant was four or five feet behind him when they ran in. Both were running fast, and as soon as he fired he ran out again. The defendant fired across the counter. I saw Schroeder when he came up out of the cellar. I don't know where the defendant lives. Schroeder lives next door to me No. 621. I did not see the defendant any more that night. I knew these men before; they were neighbors of mine.

Edward J. Anderson, sworn and examined in his own behalf testified: I am twenty-two years old, I am not married. I live with my mother and am in the cigar business and have a card room attached. I have known him four or five months; he has been in my place frequently. Prior to the 17th of June I never had any trouble with him; he played cards in my place. Did you at any time kick this man's child? No sir. Tell the jury what took place that day in reference to the child? A crowd of children were playing in front of the door and looking in the cigar store and I was annoyed with them all day long. I chased them away. I did not kick any of them though. This man's wife came down and she charged me with kicking the child. I told her I did not kick the child. She would not have it. I said I did not, and in order to have no argument with her I told her the best thing she could do was to get a policeman and get me arrested if she thought I kicked the child. With that a policeman came along and he heard her say that she did not

give a damn for any policeman, that
 she would get some one better than a
 policeman. I went up as far as the
 corner and stayed up there about
 an hour. I came down again and closed
 up the store and was just going home
 when this man tackled me; he got hold
 of me by the lappels of the coat, and
 he says I was no more to kick his
 child. I says, I did not kick the
 child. He says, "you did." So he got
 hold of me by the throat and he
 hit me in the mouth and loosened
 my teeth. He hit me three or four
 times; he got hold of me by the throat
 and he ran away afterwards. I did
 not run after him. I fired the
 shot right in the minute in the
 air, not in the store, outside of the
 store. As soon as he released me
 I fired the shot in the air. He was
 inside at the time; it is only two steps
 I don't know whether he was in the trap
 door or not, for I did not go in the
 saloon. I just merely wanted to frighten
 him away so that he would not
 go at me any more. Have never
 been arrested before charged with any offence

Cross Examined. Did I understand you to say that
 when you fired at this man you held
 the pistol so the ball would not hit him?
 I fired it in the air, yes sir. How long
 had you had that pistol? About two weeks.
 It was loaded all the time since I
 bought it; it had ordinary cartridges, leaden
 bullets. I heard the testimony of Mr. Strauss.
 4) He swears that you ran into that
 saloon, rushed up against that bar
 and fired at this fellow who disappeared
 through the trap door? Mr. Strauss, I take
 it knows nothing about it at all.
 That is not true. I did not go inside
 of the saloon at all. That is as true
 as all the other things I have stated.
 I had this talk with Mr. Schweder at
 about half past eight o'clock Tuesday even-
 ing. I was arrested Saturday morning
 as I was opening up the place. I had
 the pistol at home that morning. I
 always carried it from the store to
 where I live. I was robbed of cigars.
 I carried it for two weeks. I had no per-
 mit to carry a pistol. I used to carry it
 to the store every morning since I
 had it. I left it home this morning to
 clean it up. I know a fellow named
 Phillip Schultz; he did not take that

pistol away from me the Monday previous.
 Mary Anderson sworn. I am a widow;
 The defendant is my son and he is pretty
 much my main support. This is the first
 time he was ever in trouble. I never
 heard anybody say anything against him.

Richard Anderson sworn. I am a brother
 of the defendant and am in the cigar
 business. I never knew of my brother being
 in trouble before this; he has always been
 a good young man and supported his
 mother.

Attorney
 Q

William Schroeder recalled by District
 I heard the testimony of the defendant
 He swears that on the night of the 17th
 of June you came up to him on the street,
 took him by the collar, struck him several
 blows and loosened his teeth, is there
 any truth in that? Not one word.

I went up to him, got hold of him and
 said, "you are no man"; with that he
 put his hand right away in his pocket.
 Somebody standing alongside of me said,
 "Look out, he has got a pistol." Then I
 let go and went my way.

The jury rendered a verdict of
 guilty of assault in the third degree.
 The defendant was sentenced to the
 penitentiary for one year.

0398

Testimony in the
case of
Edward J. Anderson
filed June

1892

20 1/2

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Edward J. Anderson

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

Edward J. Anderson
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said

Edward J. Anderson

late of the City of New York, in the County of New York aforesaid, on the day of *June* in the year of our Lord one thousand eight hundred and ninety-*two*, with force and arms, at the City and County aforesaid, in and upon the body of one *William Schroeder* in the peace of the said People then and there being, feloniously did make an assault and to, at and against the said *William Schroeder* a certain pistol then and there loaded and charged with gunpowder and one leaden bullet, which the said *Edward J. Anderson* 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 *him* the said *William Schroeder* 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

Edward J. Anderson
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

Edward J. Anderson

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 *William Schroeder* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and to, at and against the said *William Schroeder*

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

Edward J. Anderson

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.

0400

BOX:

483

FOLDER:

4413

DESCRIPTION:

Anderson, William

DATE:

06/02/92



4413

Witnesses:

Counsel,

Filed

2 day of June 1892

Pleads,

THE PEOPLE

vs.

P

William Anderson

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

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Leland A. Atkin
Foreman.

George S. Sneyd
S. P. Sneyd smd
RBM

0402

Police Court—

2 District.

CITY AND COUNTY } ss.
OF NEW YORK, }

of No.

occupation

on the

in the County of New York,

he was ~~violently~~ ASSAULTED and BEATEN by

Street, aged

years,

being duly sworn, deposes and says, that

1882 at the City of New York,

in the County of New York,

he was ~~violently~~ ASSAULTED and BEATEN by

when struck deponent a violent blow on the arm with a club which he then held in his hand deponent was in uniform and in the discharge of his duty 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 the above assault, &c., and be dealt with according to law.

Sworn to before me, this

day of

1882

Edward C. Neill

Police Justice.

0403

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK, }

2 District Police Court.

William Anderson 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.

William Anderson

Question. How old are you?

Answer.

32 years

Question. Where were you born?

Answer.

San Francisco

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

Answer.

344 W. 44th St. 1 year

Question. What is your business or profession?

Answer.

Hostler

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
William Anderson
Prisoner*

Taken before me this

22

day of

1882

Police Justice.

0404

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

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of Five Hundred Dollars, 1000 and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated, May 22 1894 Police Justice.

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

Dated, 189 Police Justice.

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

Dated, 189 Police Justice.

0405

624

Police Court,

District.

THE PEOPLE, &c.
ON THE COMPLAINT OF

Carroll Offield
vs.
Mr. Marston

Offense, Fel
Assault

2
3
4

Dated,

May 22 189*4*

Magistrate.

Officer.

Precinct

Witnesses

No

Street.

No.

Street.

No.

Street.

\$ *500* to answer

G. S.

Can

Rec'd

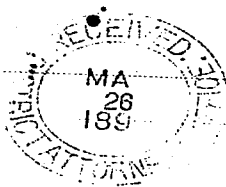
BAILED,

No. 1, by.....
Residence..... Street.

No. 2, by.....
Residence..... Street.

No. 3, by.....
Residence..... Street.

No. 4, by.....
Residence..... Street.



Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

William Anderson

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

William Anderson

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

The said

William Anderson

late of the City and County of New York, on the *twenty second* day of
May in the year of our Lord one thousand eight hundred and
ninety-*two*, at the City and County aforesaid, in and upon one

Edward O'Neil

in the peace of the said People then and there being, feloniously did wilfully and wrongfully
did make an assault; and the said

William Anderson

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

William Anderson
in *his* right hand then and there had and held, the same being then and there
a weapon and an instrument likely to produce grievous bodily harm, *from*, the said
Edward O'Neil then and there feloniously did wilfully and
wrongfully strike, beat *him* 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

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

The said

William Anderson

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid,
at the City and County aforesaid, in and upon the said

Edward O'Neil

in the peace of the said People then and there being, feloniously
did wilfully and wrongfully make another assault; and the said *William Anderson*
the said *Edward O'Neil*
with a certain *club*;

which *he* the said *William Anderson*

in *his* right hand then and there had and held, in and upon the
arm of *him* the said *Edward O'Neil*
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 *Edward O'Neil*
to the great damage of the said *Edward O'Neil*
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.*

0408

BOX:

483

FOLDER:

4413

DESCRIPTION:

Andres, Philip

DATE:

06/07/92



4413

0409

Witnesses:

Counsel,

Filed

day of

1892

Pleads,

Not Guilty (Aug 11)

THE PEOPLE

vs.

B

Philip Andres

REC'D

AUG 11/92

11

VIOLATION OF EXCISE LAW.
(Selling on Sunday, Etc.)
U.S. Rev. Stat. 17th Edition, page 1882, Sec. 21, and
page 1883, Sec. 22

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Francis Higgins

Foreman.

F. J. [Signature]

04 10

Excise Violation-Selling on Sunday.

POLICE COURT- 9 DISTRICT.

City and County } ss.
of New York,

of No. 7th

Henry Herlich
Pravnic

Street,

of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 13 day

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

at premises No. 36

Henry
Philip Andre

Street,

(now here)

did then and there SELL, CAUSE, SUFFER and permit to be sold, and GIVEN AWAY under his direction or authority strong and spirituous liquors, wines, ale and beer, being intoxicating liquors, to be drunk as a beverage contrary to and in violation of the statute in such case made and provided.

WHEREFORE, deponent prays that said Philip Andre
may be ~~arrested and~~ dealt with according to law.

Sworn to before me, this 13 day

of 1889

1889

Henry Herlich
Police Justice.

0411

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK.

Philip Andrew 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. *Philip Andrew*

Question. How old are you?

Answer. *28 years*

Question. Where were you born?

Answer. *Romania*

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

Answer. *No 126 West 25th St New York*

Question. What is your business or profession?

Answer. *Particular*

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*

Philip Andrew

Taken before me this

day of

[Signature]
Police Justice.

04 12

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

One Hundred Dollars, I order that he be held to answer the same and he be admitted to bail in the sum of the City Prison of the City of New York, until he give such bail.
Dated Dec 13 1891 Police Justice.

I have admitted the above-named Defendant
to bail to answer by the undertaking hereto annexed.
Dated December 13 1891 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 18 Police Justice.

0413

BAILED.

No. 1, by Herman Sugar
Residence 41 Essex Street.

No. 2, by Israel Lebowitz
Residence 228 Henry Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Selling on Sunday. 3 1532
Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Henry Henrich

Philip Andrius

2 _____
3 _____
4 _____

Dated Dec 13 1891

Duffy Magistrate.

Henrich Officer.

7 Precinct.

Witnesses _____

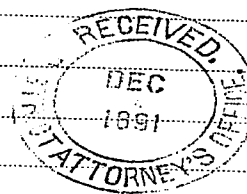
No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ 100 to answer yes

Bailed



Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Philip Andres

The Grand Jury of the City and County of New York, by this indictment accuse
of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE, ON
SUNDAY, committed as follows:

The said *Philip Andres*

late of the City of New York, in the County of New York aforesaid, on the *thirteenth*
day of *December* in the year of our Lord one thousand eight hundred and
ninety-*one*, at the City and County aforesaid, the same being the first day of the week,
commonly called and known as Sunday, with force and arms, certain intoxicating liquors and certain
wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of
whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one
gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown,
unlawfully did sell as a beverage to one

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

SECOND COUNT—

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

Philip Andres
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 *Philip Andres*

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

DE LANCEY NICOLL,

District Attorney.

04 15

BOX:

483

FOLDER:

4413

DESCRIPTION:

Arrato, Francisco

DATE:

06/02/92



4413

0416

FI 9 1900

Witnesses:

Archie Brown

off. cl. Laugher

It appearing by the within affidavits that it is impossible to secure the at-

tendance of *Archie Brown* a material and necessary witness for the People and without whose evidence a conviction cannot be had, I therefore respectfully recommend that the

defendant herein.....

be discharged on his own recognizance.

N. Y. *Jan 8* 1899

James W. ...
District Attorney.

Counsel,

Filed *Jan 18* 1899

Pleas,

THE PEOPLE

vs.

B

Frances Arato

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

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Archie Brown

Paul discharged

Discharged on his own

recog on motion of DA

W. M. M.

Jan 18 1899

0417

Police Court— / District.

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

of No. 15 Roosevelt Street, aged 32 years,
occupation Best Block being duly sworn

deposes and says, that on the 1 day of May 1892 at the City of New
York, in the County of New York, in Roosevelt Street.

he was violently and feloniously ASSAULTED and REBELLIOUSLY
MURDERED (now here) who feloniously and
stabbed defendant in the chest with a
knife then and there held in his hand.

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 28 day }
of May 1892 } Imato Bruno
mark

Police Justice.

04 18

(1335)

Sec. 198—200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Francisco Arata 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. *Francisco Arata*

Question. How old are you?

Answer. *210 years*

Question. Where were you born?

Answer. *Italy*

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

Answer. *13 Roosevelt St. 7 years*

Question. What is your business or profession?

Answer. *House Keeper*

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, the complainant hit the top of my finger.*

his
Francisco Arata
mark

Taken before me this

day of

Myrtle 1884

Police Justice.

04 19

This is to certify that Mr. Donato
Bruno, living at #15 Roosevelt St. is
under my treatment for wound
produced by knife. I can testify
that the said Mr. Bruno cannot
live his house yet.

New York May 13th 1892

J. Rosapeto M. D.
3 Elizabeth St

0420

Sec. 192

John

District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before *Daniel J. McCallum* a Police Justice
of the City of New York, charging *Francisco Amato* Defendant with
the offence of *Francisco Amato*

and he having been brought before said Justice for an examination of said charge, and it having been made
to appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and
the hearing thereof having been adjourned.

We, *Francisco Amato* Defendant of No. *13* *Room*
Street; by occupation a *Roomkeeper*
and *Michael Ruram* of No. *15* *Street*
Street, by occupation a *Landlord* Surety, hereby jointly and severally undertake
that the above named *Francisco Amato* Defendant
shall personally appear before the said Justice, at the *John* District Police Court in the City of New York,
during the said examination, or that we will pay to the People of the State of New York the sum of
Hundred Dollars.

Taken and acknowledged before me, this *22*day of *May*

1892

Michael Ruram POLICE JUSTICE.

*Francisco X Amato**Michael Ruram*

0421

CITY AND COUNTY } ss.
OF NEW YORK, }

Michael Reader
City of New York
Police Justice,
1892

Sworn to before me, this

21st

the within named Bail and Surety being duly sworn, says, that he is a resident and holder within the said County and State, and is worth Twenty Hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of Room No 10 (Rear) Street in the

City of New York valued at Twenty Five thousand
dollars above in value

Michael Reader

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Underlying to appear
during the Examination.

Taken the day of 18

Justice.

0422

HOUSE OF RELIEF, N. Y. H.

Report of Ambulance Call.

Date, ^{May} ~~April~~ 1, 1892.
 Call..... 15 Roosevelt
 Time..... 7 Arrival 7¹² Return 7³⁰.
 Name..... Burns Donald Age 32
 Condition 22 Nativity Ita City 12 pr.
 Residence..... 15 Roosevelt
 Occupation..... Bootblack
 Friends..... wife
 Diagnosis..... Flat War 7 Cerebra
 Property..... Driver Fane
 Surgeon.

0423

HOUSE OF RELIEF,
N. Y. H.

Report of Ambulance Call.

Date, *May 1*.....189*2*
Call.....*H. 9 Pleasant*
Time *7¹⁰*.....Arrival *7³⁴*.....Return *8*.....
Name *Francis Rata*.....Age *40*.....
Condition *27*.....Nativity *Italy* City.....
Residence.....*13 Roosevelt*.....
Occupation.....
Friends.....
Diagnosis *Hematis camp*.....
Hematis.....
Property.....Driver.....
Dr. Stevenson.....Surgeon.

0424

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, 1 DISTRICT.

John M. Laughlin
 of the 4 Precinct Police Street, aged 33 years,
 occupation *Officer* being duly sworn deposes and says,
 that on the 1st day of May 1892
 at the City of New York, in the County of New York, he arrested

Francisco Aurato (nonpresent) on a
 charge of assault on complaint of
Bonato Brunce

Deponent says that said Complainant
 is confined to the house suffering from
 stab wounds and asks that said
 defendant be committed for
 Examination to await the
 result of said Complainant's injuries
John M. Laughlin

Sworn to before me this

2

day

of

May

1892

John M. Laughlin
 Police Justice.

0425

Police Court, 1 District.

THE PEOPLE & c.,
ON THE COMPLAINT OF

vs.

Francesco Amati

AFFADAVIT

Dated

May 2 18*92*

Magistrate.

McLaughlin Officer.

Witness,

Disposition,

*Good bond to await result
of inquiring.
May 6. 2 PM
May 14. 9 AM
" 26. 9:30*

0426

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

John 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, *May 28* 189 *[Signature]* Police Justice.

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

Dated, *May 28* 189 *[Signature]* Police Justice.

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

Dated, _____ 189 _____ Police Justice.

0427

Police Court---

District.

THE PEOPLE, &c.
ON THE COMPLAINT OF

Anato Bruno
15 - Roosevelt
1 Francisco Anata

2
3
4

Offense. *Assault*
baton

BAILED,

No. 1, by *Michael Rindan*
Residence *15 Oliver* Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

Dated,

May 28

1892

Magistrate.

Duffy
McLaughlin Officer.

Precinct.

Witnesses

M. Gaborsole
15 Elizabeth

No. Street.

D. Longelle
15 Roosevelt St.

No. Street.

\$ *500* to answer *G.D.*

Bailed

Asst. (4-1)



0428

PART III.

THE COURT ROOM IS IN THE SECOND STORY.
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.]

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 *Donato Bruno*
of No. *15 Rensselaer* Street *9 Sullivan*

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 New Criminal Court Building on Centre Street, between Franklin and White Streets, in the Borough of Manhattan of the City of New York, on the *5* day of *JANUARY* 189*9*, at the hour of 10 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

Sanctus Amati
Dated at the Borough aforesaid, in the County of New York, the first Monday of *JANUARY* 189*9*
in the year of our Lord 189

ASA BIRD GARDINER, District Attorney.

0429

Court of General Sessions.

THE PEOPLE

vs.

Frances Arrato

County of New York,
Borough of Manhattan } ss.:
of the City of New York,

Hugh McJadden
118 White

being duly

Street,

sworn, deposes and says: I reside at No.

Borough of Manhattan, in the City of New York. I am a County Detective in the office of the

District Attorney of the County of New York.

On the

day of

1900, I called at

15 Roosevelt St.

the alleged

residence

of

Donato Bruno

the complaint herein, to serve him with the annexed subpoena, and was informed by

the housekeeper of 15 Roosevelt St. the alleged residence of
15 Roosevelt St. some time ago to where to her (the housekeeper)
unknown.

I made further inquiries of the families living in the
neighborhood of 15 Roosevelt St. and they (the families) could
not give any information of the whereabouts of Donato Bruno.
I also looked in the City Directory and the name
Donato Bruno does not appear.

That deponent has exercised all diligence and effort to ascertain the present whereabouts of said witness and has been unable to find the same and has no further means of ascertaining the same.

Sworn to before me, this

of

January 1900

day

William H. Brudenbach
Notary Public N.Y.C.

Hugh McJadden
County Detective.

0430

Court of General Session

THE PEOPLE on the complaint of

Donato Bruno

v.s.

Francesco Arrato

Offense:

Affidavit of

Hugh M. Fadden

County Detective.

FAILURE TO FIND WITNESS.

ASA BIRD GARDINER,
District Attorney.

0431

PART III.

THE COURT ROOM IS IN THE SECOND STORY.

☒ 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.]

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 *M. Tatolade*

of No. *15 Elizabeth* Street.

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 New Criminal Court Building on Centre Street, between Franklin and White Streets, in the Borough of Manhattan of the City of New York, on the *7* day of *JANUARY* 189*8*, at the hour of 10 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

Francisco Amato

Dated at the Borough aforesaid, in the County of New York, the first Monday of *1898* in the year of our Lord 189

ASA BIRD GARDINER, *District Attorney.*

0432

Court of General Sessions.

THE PEOPLE

vs.

Francesco Arrato

County of New York,
Borough of Manhattan
of the City of New York. } ss.:

Darius J. Smith
52 West

being duly
Street,

sworn, deposes and says: I reside at No. *52 West* Street,
Borough of Manhattan, in the City of New York. I am a Subpoena server in the office of the
District Attorney of the County of New York. On the *4th* day of *January*

1900, I called at *15 Elizabeth St.*

the alleged *Residence*

of

M. Gatolesole

the complaint herein, to serve him with the annexed subpoena, and was informed by

the parties doing business on the different floors of 15 Elizabeth St.
That no person by the name of M. Gatolesole ever worked
for any of the aforesaid parties

I also made further inquiries in the neighborhood
of 15 Elizabeth St. and from the people living or doing
business there knew nothing of any person by the name of
M. Gatolesole

I also looked in the City Directory and
the name M. Gatolesole does not appear

Sworn to before me, this

3rd

day

of

January

1900

Darius J. Smith

Subpoena Server.

William H. Bordenick

Clerk Public

N. Y. County

0433

Court of General Sessions.

THE PEOPLE, on the complaint of
M. Gatolsale
vs.
Francisco Arrate Offense:

Affidavit of
Darius F. Smith
Subpoena Server.

FAILURE TO FIND WITNESS.

ASA BIRD GARDINER,
District Attorney.

0434

PART III.

THE COURT ROOM IS IN THE SECOND STORY.

127 If this Subpoena is disobeyed, an attachment will immediately issue.

128 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.]

CVf
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 *B. Dogode*
of No. *15 Rensselaer* Street.

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 New Criminal Court Building on Centre Street, between Franklin and White Streets, in the Borough of Manhattan of the City of New York, on the *5* day of *JANUARY* *1890*, at the hour of 10 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

In re Seneca
Dated at the Borough aforesaid, in the County of New York, the first Monday of *JANUARY* in the year of our Lord 189

ASA BIRD GARDINER, District Attorney.

Sullivan

0435

Court of General Sessions.

THE PEOPLE

vs.

Frances Arrato

County of New York,
Borough of Manhattan } ss.:
of the City of New York,

Hugh McEadden

being duly
Street,

sworn, deposes and says: I reside at No. *118 White*

Borough of Manhattan, in the City of New York. I am a County Detective in the office of the
District Attorney of the County of New York. On the *4th* day of *January*

1900, I called at *15 Roosevelt Pl.*

the alleged *Residence*

of

D. Dogoda

the complaint herein, to serve him with the annexed subpoena, and was informed by

the housekeeper of 15 Roosevelt Pl. the alleged residence of D. Dogoda, that the aforesaid D. Dogoda had left 15 Roosevelt Pl. some time ago, for where gone to her (the housekeeper) unknown.

I made further inquiries of the families living in the neighborhood of 15 Roosevelt Pl. and they (the families) could not give any information of the whereabouts of D. Dogoda.

I also looked in the City Directory and the name D. Dogoda does not appear.

That deponent has exercised all diligence and effort to ascertain the present whereabouts of said witness and has been unable to find the same and has no further means of ascertaining the same.

Sworn to before me, this

6th

day

of

January

1900

William H. Broderick

Notary Public N.Y.C.

Hugh McEadden
County Detective.

0436

Court of General Sessions.

THE PEOPLE on the complaint of

R. D. Ogden
U.S.

Francesco Amato
Offense:

Affidavit of

Hugh McFadden
County Detective.

FAILURE TO FIND WITNESS.

ASA BIRD GARDINER,
District Attorney.

7

474

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Francisco Arato

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

Francisco Arato
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said

Francisco Arato

late of the City of New York, in the County of New York aforesaid, on the *first*
day of *May* in the year of our Lord one thousand eight hundred and
ninety-*two*, with force and arms, at the City and County aforesaid, in and upon
the body of one *Donato Bruno* in the peace of the said People
then and there being, feloniously did make an assault and *him* the said
Donato Bruno with a certain *knife*

which the said

in *his* *Francisco Arato* 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 *Donato Bruno*
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
Francisco Arato
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

Francisco Arato

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

which the said

in *his* *Francisco Arato* 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.

0438

THIRD COUNT—

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

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

The said

Francisco Arce
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 *Ronald Bruno*
Bruno in the peace of the said People then and there being, feloniously
did wilfully and wrongfully make another assault and *him* the said
with a certain *knives* *Ronald Bruno*

which *he* the said *Francisco Arce*
in *his* right hand then and there had and held, in and upon the
chest of *him* the said *Ronald Bruno*
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 *Ronald Bruno*
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.

0439

BOX:

483

FOLDER:

4413

DESCRIPTION:

Augsburg, Henry

DATE:

06/02/92



4413

0440

281 Madison Jan 13

Court ofayer and Tennine

Counsel,

Filed,

Pleads,

day of June 1893

THE PEOPLE

vs.

B

Henry Augsburg

VIOLATION OF EXCISE LAW.
Selling on Sunday, Etc.
[Ill. Rev. Stat. (7th Edition), page 1989, § 21, and
page 1989, § 6.]

DE LANCEY NICOLL

District Attorney.

June 27
Dec. 4/92

A TRUE BILL.

Per S. Dec. 11/1893.

Foreman.

7 or less

0441

Excise Violation-Selling on Sunday.

POLICE COURT- 3 DISTRICT.

City and County } ss.
of New York,

of No. 14th Street Street,

of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 26 day
of October 1889 in the City of New York, in the County of New York,

at premises No. 270 Avenue A Street,

Henry Augsburg (now here)
did then and there SELL, CAUSE, SUFFER and permit to be sold, and GIVEN AWAY under his
direction or authority strong and spiriltuous liquors, wines, ale and beer, being intoxicating liquors,
to be drunk as a beverage contrary to and in violation of the statute in such case made and provided.

WHEREFORE, deponent prays that said Henry Augsburg
may be arrested and dealt with according to law.

Sworn to before me, this 27 day }
of October 1889 } Joseph Reiser

Q. A. Gan Police Justice.

0442

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK,

3 District Police Court.

Henry Augsburg 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.

Henry Augsburg

Question. How old are you?

Answer.

30 years

Question. Where were you born?

Answer.

Russia

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

Answer.

220 Avenue A 1.4 week

Question. What is your business or profession?

Answer.

Paloon Keeper

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 demand trial by jury

Henry Augsburg

Taken before me this
day of *April* 189*8*

Police Justice

0443

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 *one* 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 *October* 18 *90* *John J. [Signature]* Police Justice.

I have admitted the above-named.....

to bail to answer by the undertaking hereto annexed.

Dated.....

Defendant
October 27 1890 *John J. [Signature]* 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.

0444

BAILED.

No. 1, by Jacob Kunzmann
Residence 157 1st Ave Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

(n 21) Selling on Sunday 1654
Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Joseph Riser
vs.

Henry Augsburg

2 _____
3 _____
4 _____

Office Cyber
Violations

Dated Oct 27 1890

Hofman Magistrate.

Riser Officer.

14 Precinct.

Witnesses _____

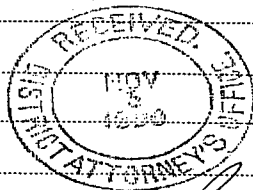
No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ 100 to answer A. S.

Bailed



Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Henry Augsburg

The Grand Jury of the City and County of New York, by this indictment, accuse
of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE, ON
SUNDAY, committed as follows:

The said *Henry Augsburg*

late of the City of New York, in the County of New York aforesaid, on the *twenty fifth*
day of *October* in the year of our Lord one thousand eight hundred and
ninety-*eight*, at the City and County aforesaid, the same being the first day of the week,
commonly called and known as Sunday, with force and arms, certain intoxicating liquors, and certain
wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of
whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one
gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown,
unlawfully did sell, as a beverage to one

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

SECOND COUNT—

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

Henry Augsburg
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 *Henry Augsburg*

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

DE LANCEY NICOLL,

District Attorney.