

0148

BOX:

395

FOLDER:

3676

DESCRIPTION:

Grippentrog, William

DATE:

05/19/90



3676

POOR QUALITY ORIGINAL

0149

#181

Counsel,
Filed *19 May 1890*
Pleads,

VIOLATION OF EXCISE LAW.
(Selling without License.)
[III, R. S. (7th Ed.), page 1981, § 13, and
of 1888, Chap. 340, § 5].

THE PEOPLE

vs.

B
William Sippert

JOHN R. FELLOWS,

District Attorney.

L. J. Fenwick, 1890.

A True Bill.

Chas. S. Roberts

Foreman.

for Pleading on
May 30 1890.

Witnesses:

Off. Geo. H. Smith 6 47

POOR QUALITY ORIGINAL

0150

#181

Counsel,
Filed *19 May 1990*
Pleads,

VIOLATION OF EXCISE LAW.
(Selling without license.)
[III, R. S. (7th Ed., page 1981, § 13, and
of 1888, Chap. 840, § 6].

THE PEOPLE

vs.

B
William Sippert

JOHN R. FELLOWS,

District Attorney.

L. F. Fennell, Jr. 1890.

A True Bill.

Charles D. Fennell

Foreman.

for Pleading on
May 30 1890.

Witnesses;

Off Geo. H. Smith 6 Dec

POOR QUALITY ORIGINAL

0151

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am guilty of the same crime
as the court of General session
by jury*

William Grippentrog

Taken before me this
1888
D. W. Smith
Police Justice

POOR QUALITY ORIGINAL

0152

BAILED,

No. 1, by *George D. Anderson*

Residence *118 1/2 East 10th St New York*

No. 2, by _____

Residence _____

No. 3, by _____

Residence _____

No. 4, by _____

Residence _____

Police Court No. *1043* District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

George D. Anderson
William J. ...
Offence *... ..*

Dated *July 8* 188*8*

Samuel ... Magistrate.

Samuel ... Officer.

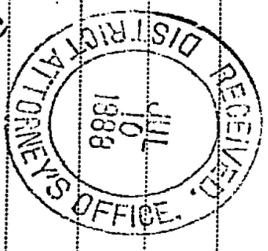
6 Precinct.

Witnesses _____

No. _____ Street _____

No. _____ Street _____

No. _____ Street _____



No. *100* Street _____
to answer *...*

Samuel ...

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 *July 8* 1888 *Solomon Blumenthal* Police Justice.

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

Dated *July 8th* 1888 *Solomon Blumenthal* Police Justice.

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

Dated _____ 1888 _____ Police Justice.

POOR QUALITY ORIGINAL

0 153

Excise Violation—Selling Without License.

POLICE COURT— / DISTRICT.

City and County } ss.
of New York,

of No. 100th Avenue George Smith Street,
of the City of New York, being duly sworn, deposes and says, that on the 7th day
of July 1886, in the City of New York, in the County of New York, at
No. 26 Duane Street,
William Grippentog (now here)

did then and **THERE SELL, CAUSE**, suffer and permit to be sold, under his direction and authority,
strong and spirituous liquors, wines, ale and beer, being intoxication liquors, in quantities less than
five gallons at a time, to be drunk in the house or premises aforesaid **WITHOUT HAVING A**
PROPER LICENSE THEREFOR contrary to and in violation of the statute in such case made
and provided that said deponent paid the
deponent a glass of beer and
received five cents therefor.

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

Sworn to before me, this 7th day

of July 1886 George W. Smith
Oliver B. Smith
Police Justice.

POOR QUALITY ORIGINAL

0154

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 Grippentrog

The Grand Jury of the City and County of New York, by this indictment, accuse
William Grippentrog
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS AND WINES
WITHOUT A LICENSE, committed as follows:

(III. Revised Statutes, 7th edition p. 1081 Section 13).

The said *William Grippentrog*

late of the City of New York, in the County of New York aforesaid, on the *seventh*
day of *July* in the year of our Lord one thousand eight hundred and
eighty-*eight*, at the City and County aforesaid, certain strong and spirituous
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 strong
and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, in
quantity less than five gallons at a time, to *George W. Smith* and to

certain *other* persons whose names are to the Grand Jury aforesaid unknown, without
having a license therefor, as required by law, contrary to the form of the Statute in such case
made and provided, and against the peace and dignity of the People of the State of New York.

(Laws of 1883, chapter 340 section 5) SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said
William Grippentrog
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, ALES, WINE AND
BEER WITHOUT A LICENSE, to be drank upon the premises, committed as follows:

The said *William Grippentrog*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, at the City and County aforesaid, and at the premises there situate, known as
number *twenty-six Duane Street*

certain strong and spirituous liquors, and certain ales, wines and beer, 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 strong and spirituous liquor to the Grand Jury
aforesaid unknown, unlawfully did sell to *George W. Smith* and to

certain *other* persons whose names are to the Grand Jury aforesaid unknown, to be
drank upon the premises aforesaid, without having a license therefor, as required by law,
against the form of the Statute in such case made and provided, and against the peace of
the People of the State of New York and their dignity.

John R. Feltows,
District Attorney.

0155

BOX:

395

FOLDER:

3676

DESCRIPTION:

Grossman, Abraham C.

DATE:

05/22/90



3676

POOR QUALITY ORIGINAL

0156

226. P. n. Sept 14, 1890

Counsel,

Filed *Sept 14* day of *Sept* 1890

Pleas, *Abraham C. Grossman*

THE PEOPLE

vs. *B.*

Abraham C. Grossman

F. 112

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Charles S. Edwards

Foreman.

Nov 7 1893

Columbian

Witnesses:

Officer Nelson

James Lewis

55 West St

**POOR QUALITY
ORIGINAL**

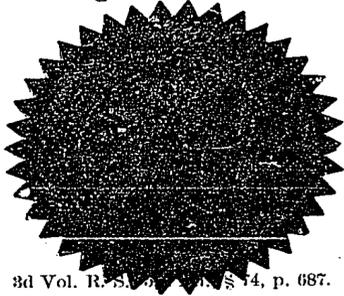
0 157

(116)

I, JOHN SPARKS, Clerk of the Court of General Sessions of the Peace and Clerk of the Court of Oyer and Terminer in and for the City and County of New York (each being a Court of Record, having a common seal), do certify that the annexed is a copy of *an order of the Court*

forfeiting the recognizance of Abraham D. Grossman as entered in the records,

now on file in the Clerk's Office, and that the same has been compared by me with the original, and is a correct transcript therefrom, and of the whole of such original.



3d Vol. R.S. of N.Y. § 74, p. 687.

GIVEN UNDER my hand, and attested by the seal of the said Court, this *fifteenth* day of *April* in the year of our Lord one thousand eight hundred and ninety *one*,

John Sparks

0158

POOR QUALITY
ORIGINAL

Holden in and for the City and County of New York,
at the City Hall of the said City, on
the 17th day of September in the year of
our Lord one thousand eight hundred and ninety

Present

The Honorable Rufus B. Cowing

City Judge of the City of New York.

Justice
of the
Sessions.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Abraham C. Grossman

On Indictment for Violation of Excise
Law (filed 23 May 1890)

The Defendant not appearing, and Morris Block
his surety not bringing him forth to answer to this Indictment, pursuant
to the condition of their recognizance: On motion of the District Attorney,
It is Ordered by the Court, that the said Recognizance be and the same
is hereby forfeited: And it is further Ordered, that the said Recogni-
zance, together with a certified copy of this Order, be filed in the office
of the Clerk of the City and County of New York, and that Judg-
ment be entered thereon, according to law, against the said

Abraham C. Grossman the
Defendant above named, and the said Morris Block
his surety, for the several sums set forth in
said Recognizance.

A true Extract from the Minutes.

[Signature]
CLERK OF COURT.

POOR QUALITY
ORIGINAL

0159

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

An indictment having been found on the 23 day of
May 1890, in the Court of General Sessions of the Peace,
of the City and County of New York, charging Abraham C
Grossman with the crime of Violation of the Law
and he having been duly
admitted to bail in the sum of \$100
hundred dollars:

We Abraham C Grossman defendant,
residing at No. 85 West
and Morris Block
No. 270 Delancey Street,
Street,

, surety, hereby jointly and severally
undertake that the above-named Abraham C Grossman
shall appear and answer the indictment above mentioned, in whatever Court it may be
prosecuted, and shall at all times render himself amenable to the orders and process
of the Court; and, if convicted, shall appear for judgment, and render himself in
execution thereof; or if he fail to perform either of these conditions, that we will pay to
the people of the State of New York the sum of \$100
hundred dollars.

Taken and acknowledged before me, }
this 9 day of June 1890, }
Abraham C Grossman Principal.
Morris Block Surety.

Randolph B. Martin
Judge General Sessions

POOR QUALITY ORIGINAL

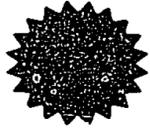
0 150

State of New York,
CITY AND COUNTY OF NEW YORK, } ss.

I, Morris Black the surety mentioned
in the annexed undertaking to answer, do hereby authorize and empower any
Policeman of the City of New York, or any detective,
or either of them, in my name, place, and stead, to take, seize and
surrender the said *Abraham Goldstein*, (in the said
undertaking held as defendant,) to the Court wherein he is bound to
appear for trial, or deliver him to the custody of the authorities of said city
and county, in my exoneration as surety therein.

Dated *April 15* 1891

Morris Black Surety.



Certified Copy

NEW YORK
Court of General Sessions of the Peace.

Reconizance to Answer.

THE PEOPLE, ETC.,
ON THE COMPLAINT OF

vs.

Abraham Goldstein

Taken the *23* day of *May* 1890

Approved as to Form and Sufficiency.

Dated *23* day 1890.

W. H. Hall

District Attorney.

Identified by

Filed *7* day of *June* 1890.

Wm. A. C. ...

POOR QUALITY ORIGINAL

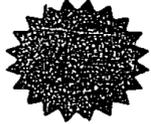
0161

State of New York,
CITY AND COUNTY OF NEW YORK. } ss.

J. Morris Roca the surety mentioned
in the annexed undertaking to answer, do hereby authorize and empower any
Policeman of the City of New York, or any detective,
or either of them, in my name, place, and stead, to take, seize and
surrender the said *Abraham Goldstein*, (in the said
undertaking held as defendant,) to the Court wherein he is bound to
appear for trial, or deliver him to the custody of the authorities of said city
and county, in my exoneration as surety therein.

Dated *April 15* 1891

Morris Roca Surety.



Certified Copy

NEW YORK

Court of General Sessions of the Peace.

THE PEOPLE, ETC.,
ON THE COMPLAINT OF

Recognition to Answer.

vs.
Abraham Goldstein

Taken the *22* day of *May* 1890

Approved as to Form and Sufficiency.

Dated *23* day 1890.

W. H. Bell
District Attorney.

Identified by _____

Filed *7* day of *June* 1890.

Wm. H. Bell
District Attorney

POOR QUALITY
ORIGINAL

0 162

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Abraham C. Grossman

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

Abraham C. Grossman
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 *Abraham C. Grossman*
late of the City of New York, in the County of New York aforesaid, on the *twenty-eighth* day of *April* in the year of our Lord one thousand eight hundred and ~~eighty~~ *sanety*, 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.

JOHN R. FELLOWS,

District Attorney.

0163

BOX:

395

FOLDER:

3676

DESCRIPTION:

Gruber, Philip

DATE:

05/21/90



3676

0164

BOX:

395

FOLDER:

3676

DESCRIPTION:

Witte, Harriet

DATE:

05/21/90



3676

POOR QUALITY ORIGINAL

0166

People
vs
Gardner
&
Fitzo

THE PEOPLE OF THE STATE OF
NEW YORK

Defendants
against

Philip Gardner

et al.

*Dr. Bernard
Levinson*

JOHN R. FELLOWS,

DISTRICT ATTORNEY,

No. 32 CHAMBERS STREET,

NEW YORK CITY.

Court of General Sessions.

The People
vs.
Philip Gruber and
Harriet Witte

It is hereby stipulated that the testimony of Dr. Royal W. Perry be taken before trial and that his deposition may be read at the trial of the within indictment with the same effect, as if the said Dr. Perry were examined in the presence of the defendants and the jury.

Dated New York, June 5, 1890.

Henry L. Coleman
Counsel for Dea
John R. Fellows
District Attorney

City and County of New York, ss.
Royal W. Perry, being duly sworn, says, he is a practicing physician and holds at the present time and did hold on the 15th of April, 1890, the position of House Surgeon at

POOR QUALITY
ORIGINAL

0168

Pelleuse Hospital in New York city. That shortly after dinner on said 15th of April, Frank Witte, the complainant herein, was brought to said Hospital. At said time the said Witte had lost a considerable amount of blood, and his face, neck and his clothes were covered all over with blood. That on examination of his body deponent found a bullet wound in his neck ^{on the right side} at the posterior triangle, just anterior to the ~~trapezoid~~ ~~muscle~~ muscle. That he pushed the said wound inward, upward and forward for a about two inches. That the said wound penetrated into the mouth of said Witte, opening there just to the right of the uvular muscle. That in deponent's opinion the bullet was fired through the neck, as aforesaid, into the mouth and must have passed out of the mouth. That he applied ~~a~~ antiseptic

POOR QUALITY
ORIGINAL

0170

aforsaid opinion. That de-
ponent saw around the said
neck wound blue spots, which
~~seemed~~ looked like powder
marks. That the nature of the
said wound indicated that
the revolver was fired off
side ways, namely, that
if the revolver was fired by
a person other than the said
patient, the said person
must have stood at the right
side, a little back of the said
patient.

Sworn to before me }
this 5th of June, 1890 }

Royal Watson Pinney M.D.
Edward Grose
Notary Public
City and County of New York

POOR QUALITY ORIGINAL

0171

1000 May 1 - 10:00 am
P. 10. am
1000 May 30 2 1/2 pm

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

Police Court... 3 by District.

THE PEOPLE, vs.,
DORRIS COMPLAINT OF
MURDER
MURDER OF
MURDER OF
1. ~~William Miller~~
2. ~~Harriet White~~
3. _____
4. _____
Offense assault
felonious

Date April 16th 1890
Magistrate Patterson

Witnesses
Wm. Brown Officer.
Wm. Green Precinct.

No. _____
Mr. C. A. Ramsey Street _____
No. _____
William Miller Street _____

No. _____
Comptroller Street _____
Wm. Miller
RECEIVED
MAY 8 1890
DISTRICT ATTORNEY
OFFICE

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 Harriet White

Harriet White Defendant
guilty thereof, I order that he be held to answer the same and ~~be committed to the Warden and Keeper of the City Prison, of the City of New York, until he is lawfully discharged~~

Dated May 2nd 1890 J. M. Patterson Police Justice.

I have admitted the above-named _____
to bail to answer by the undertaking hereto annexed.
Dated _____ 18 _____ Police Justice.

There being no sufficient cause to believe the within named _____
guilty of the offence within mentioned, I order h to be discharged.
Dated _____ 18 _____ Police Justice.

POOR QUALITY ORIGINAL

0172

STENOGRAPHER'S MINUTES.

Third District Police Court.

THE PEOPLE, &c., IN COMPLAINT OF
Frank Witte
 VS.
Philip Gumber
Hanner Witte

BEFORE HON.
J. M. Patterson
 POLICE JUSTICE,

188

APPEARANCES: { For the People, *Byorn*
 For the Defence, *Moay* } 1887

I N D E X.

WITNESSES.	Direct Ex.	Cross Ex.	Re-Direct.	Re-Cross.
<i>Frank Witte</i>	1	14		
<i>Officer Fraser</i>	15	20		
<i>Chie Gumber</i>	21	28		

M. J. Seacey
 Official Stenographer.

POOR QUALITY ORIGINAL

0173

D.C.

DISTRICT POLICE COURT.

THE PEOPLE,
ON COMPLAINT OF
Frank Witte
agst. *Harriet Witte*
Philip Gruber

Examination had *May 1* 188*9*
Before *Jacob M. Patterson* Police Justice.

I, *M. J. Creacy* Stenographer of the *Third* District Police Court, do hereby certify that the within testimony in the above case is a true and correct copy of the original Stenographer's notes of the testimony of *Frank Witte* and all herein as taken by me on the above examination before said Justice.

Dated *May 7th* 188*9*

M. J. Creacy
Stenographer.

M. Patterson
Police Justice.

POOR QUALITY ORIGINAL

0174

Dep. Gork May 2nd 1890
Third District Police
Court
Hon. Jacob M. Patterson
Presiding.

Frank Witte }
Philip Gruber } Deponents
Harriet Witte } Assaues.

Frank Witte being
duly sworn deposes and
says

Q. How old are you?
A. 30 years.

Q. How long have you
been married?
A. Not quite, (5)

5 years, I had
two children, and
I buried one, I
have one living about

Q

Q. 20 months old
Have you lived with your wife since you were married?

A. Yes Sir,

Q. How long do you know Gruber?

A. Two or three

Q. years, intimate with him?

Q. A. No specially was he visiting your house?

Q. A. Yes Sir, How long did he board there?

Q. A. About two (2) months.

Q. Never board there before that?

Q. A. No Sir
You said yesterday

Q

3

that you had your senses?

Q. Yes Sir, You did not lose your senses?

A. Yes Sir,
Q. You say there are (3) trees now there?

A. Yes Sir,
Q. And you were in the front room?

A. Yes Sir,
Q. And you had a conversation with Gruber a few moments before that?

A. Yes Sir,
Q. You told him to leave the house?

A. Yes Sir,
Q. He told you he would go?

A. Yes Sir
(3)

H

Q This conversation occurred in the front room?

A Yes Sir, he came to the window

Q He left Grou?

A Yes Sir

Q Where did he go?

A In the kitchen my wife was sitting at the breakfast table, I drank coffee

Q You all eat breakfast together?

A No, he (Grouber) eat first, I drank my coffee alone

Q Where did (he) (Grouber) sleep?

A Q With my wife
Q Did you see him sleep with your wife?

5

Q. Yes Sir, I was on the chair while he slept with my

Q. Wife— You felt a sting in your neck?

A. Yes Sir, I saw my wife and Gubert go out

Q. Did you say you did not know where your wife was?

A. I saw my wife going out, he was the last man out

Q. You saw him going out the door?

A. Yes Sir, after they went out I laid down

Q. Was it not

6

Your wife who, told him (Gruher) he must go?

Q. No, I told him, Did you say yesterday, and is it not true now that you told your wife she must tell him (Gruher) to go?

A. I told her, but she did not tell him, she was too thick with him

Q. Did he (Gruher) go to you and say your wife told him, he must go, and you said, he could go at night?

A. No, I told him to go, I wanted him to leave the room,

7

Q. He did not tell me
he was going away

Q. Did you ever have
any trouble in Jersey

A. Yes Sir, property
matter

Q. Do you go to
Jersey now?

A. I can go there
at any time

Q. When did
you see there when

A. You were there last
My brother in

law

Q. Were you charg-
ed with perjury?

A. No Sir,
Q. Did you ever try to
commit suicide?

A. No Sir,
Q. Were you in the water
at Central Park?

4

POOR QUALITY
ORIGINAL

0181

L

Q I was with one foot
Did the Police take
you out?

A The Police did

Q Did you try to
shoot yourself?

A I did
not try to shoot myself

Q Did your wife
take a pistol away
from you?

A No Sir,
Did you ever try to
shoot your wife?

Q Did you threaten to
kill her?

A No Sir,
Did she ever take a
weapon from you?

A No Sir,
Q Did you ever attempt
to take your own

9

Q. life?
A. No Sir,
Q. Will you swear you
did not fire this
shot into your own
head?

A. No, I did not
have any pistol in
my hand.

Q. Do you know
who shot you?

A. I do not know
Q. Do you believe your
wife had anything to
do with the shooting
of you?

A. I think there
was a plan laid to
get away with me,
or get me out of the
way.

Q. How long were
you in the floor?

9

10

before the Policeman came?

A. I had my senses I did not see the pistol

Q. Was anyone in the room after you were shot?

A. No, I was alone till the Officer came

Q. The moment you were shot, Guber went out?

A. My wife went out first and he (Guber) followed after her

Q. Who went out first?

A. They ^{two} went out together, I saw him (Guber) he was the

11

11

Q. last man out.
Did you say that you saw him (Gruber) going out the door?

A. I saw her dress as she was going out, she had the baby and a white wrapper

Q. Did you see Gruber go out?

A. Yes Sir,
Q. They you were standing?

A. Yes Sir,
Q. Then you laid down?

A. Yes Sir,
Q. In what part of the room?

A. In the middle of the room

Q. Did you look
11

12

Q. Look around the room
A. I did
Q. Did you get a pillow
A. There was no pillow
I did not see any
pistol. When the Officer
came in I was on my
hands and knees, I went
into the kitchen, I
handed him (Officer)
the bullet, I caught
it from my mouth
after I laid down,
while I was on my
hands and knees. The
bullet came ^{out} of my
mouth. I never saw
the pistol till I
saw it in court
yesterday.
Q. You are cer-
-tain of that?
A. Yes Sir

12

13

Q. Did you ever live at No 109 - 4th St? and did you ever have a pistol there?

A. No Sir, Did you fire two (2) shots at yourself there?

A. Never, I never had a revolver in my pocket, I never fired one off, or used a knife; never did any one any harm,

Q. Did you ever live in Norfolk St?

A. Yes Sir, my Aunt is housekeeper there

Q. Did you ever try to shoot yourself there?

A. No Sir, Where in Norfolk St

13

POOR QUALITY
ORIGINAL

0 187

14

Q. 118, Was your wife and Aunt present when the wife was taken from you?

A. No Sir, Was she not the wife now, that she took away from you?

A. No, I never attempted to commit suicide, Why should I, I swore to before me this ^{year} day of May 1890

Police Justice

14

POOR QUALITY
ORIGINAL

0188

15

Q. Officer Fraser of the
14th Precinct, being a
duly sworn depos^{er}

Q. Do you remember
the date of this shooting
A. Yes Sir, my atten-
-tion was called by
an Officer who came
from the Stationhouse
(Officer Nieman)

Q. Do you know
where he got his in-
-formation, did you
see the wife (Mrs. Witte)
in the Stationhouse?

A. No, it was on
my post

Q. Had that
Officer been up stairs
in the house?

A. No, I was the
first one in, I came to
the door of No 255

15

16

on the first floor,
and asked if anything
occurred there, and
the Housekeeper said
there was shooting up
stairs, I looked in the
door

Q. What door?

A. The door that lead
into the kitchen of White
apartments and Dan
White on the floor

Q. Where?

A. In the rear back
room, supposed to be
a front room, it was
not in the kitchen,
I saw him lying and
his head turned, I
said to a citizen hold
this door, then I ran
and met Officer
Kiernan and told

16

POOR QUALITY
ORIGINAL

0190

117

him to send for an
Ambulance. I went
back to the house and
Brecken had hold of
the door, and Whitte
was on the inside, ^{and}
he said don't ^{and}
go in, I went in
I saw Whitte standing
up, all blood, and he
handed me the bullet,
I sat him on a chair,
I saw him getting
weak I got two (2)
pillows and put his
head on them, I
said what is the matter
and he said "The
Yumber hit me on the
head with a hammer,"
I laid him, I laid
him on the pillows,
I went in the front

117

POOR QUALITY
ORIGINAL

0191

18

room and picked up
a revolver. He laid
about four feet from
the wall and between
him and the wall laid
the revolver.

Q. That was
was when you first
met in?

A. That was
when I came back,
he was standing up
in the kitchen and I
then laid him down
after questioning him
two or three times.

Q. When
you met in the front
room, how far was the
pistol from the door
leading to the backroom?

A. About ten feet.
It was about twelve
18

Q. feet square the picture
was pretty near the
window?

A. Not two feet
from the window, I took
the revolver and then
I wrestled the wife
next door, across the
hall, and took her
to the Station house
with her baby, she
gave the baby up to
her Aunt, the Captain
told me to put on my
citizens clothes, I did
so, and went to No
114 - 4th St. at his
mother's residence
got him in the rear
house, he Grouber was
sitting on a lounge,

Q. And he Grouber

POOR QUALITY
ORIGINAL

0193

Q

Q. go towards you?
A. No, he said "I
was going to the Station
house," the wife was
then in the Station
house, I took him to
the Station house and
Officer Dissert met me
It was his wife who
went to the Station
house and reported
the shooting.

Q. That is
all you know?

A. That is all.

Present before me
this 1st day of May 1890

Police Justice

20

POOR QUALITY
ORIGINAL

0194

Priscilla Gruber, being
fully sworn deposes ^{and}
says, I live at No 114
Hth St, I used to
live with Whitte, I
boarded with him
since he moved there
not quite a month.

Q. How many rooms
did they have?

A. Three, I

sometimes occupied
the front room and
sometimes the kitchen,
I had a Blanket ^{and}
Pillow to cover myself,
He (Whitte) sometimes
slept on a chair and
then he would go to
bed with his wife, I
never slept with his
wife, I took her for
a respectable woman

Q.

Q.2

Q. Do you remember the shooting?

A. I remember that, Q. What was the first conversation you had with Witte,

A. That morning he did not go to work. I asked why, he said, I do not feel good. Then he read the Sunday World and sent his wife down for Tuesday World, when he read that he got up, I do not know whether he told her (Mrs Witte) to tell me to leave or not. His wife said I should leave as Frank said so, I went up and

Q.2

23

B told him that his wife said I should leave the house, he would not say any thing, I said I am going, then he said do not go then, go this evening, he sat on his trunk, and he scratched his trunk, he put his name on a turtle, then he must have got his trunk open, he had his trunk locked.

Q Tell what hap-
-pened that day?

a. When his wife would go into the front room he would go, so when he told me that morning as I went in the kitchen

24

and getting the paper
to read he went to
the window, I turned
my back, and then
I heard a bang, I
saw him drop and then
I went down stairs and
reported to the House-
keeper then Mrs Witte
and myself walked
down

Q. She did not go
into in to see her
husband?

A. No Sir, I was
dumbfounded, I did
not know where I
was,

Q. She did not go
back in the room?

A. No, she went
with me to the Station
house, she said "go

24

25

tell my Aunt that
Frank has shot him-
-self" I went to his
Aunt and to his
Brother in law, then I
went to my Mother and
told my friends, when
the Officer came I
was in the rear house,
I asked the Officer to
come in, he said is
your name Gruber, I
said yes, and Captain
McCallough said, "What
did you want to shoot
that man for" I said
I did not.

Q. Did you shoot
that man (Witte)?

A. No sir,

Q. Did you ever carry
a Pistol?

A. Never

25

26

Q. Do you know of your own knowledge whether he ever attempted to shoot himself?

A. Yes Sir, when he went in the yard of 109 ~ 11th St where he used to live and fired three shots.

Q. How long ago was that?

A. I cannot tell. He was working for his brother in law.

Q. You cannot tell how long ago that was?

A. I think it was one year and a half ago.

Q. Was he living there then?

A. I cannot tell

26

Q 7

Q. Any of his relatives there?

A. No Sir
Q. What were you doing there?

A. I was with the boss
Q. Do you mean to say, you saw him trying to shoot himself and I looked around and saw in the yard

Q. How far was he back from the street or alley, when you saw him?

A. I saw him, I saw the pistol in his hand I thought he would try to kill one of us

Q. Do you know of any other time he

Q 7

Q. & A.

Q. Shot himself?
A. Yes Sir
Q. Did you ever see him
have a knife?

A. He always
carried one

Q. What kind?

A. He showed me one
time a dagger and
he said he got it
in Texas, his mother
in law has it

Q. Have you a
mother living?

A. Yes Sir, and
brother and sister, I
agree with my
brother. I never had
anything to do with
him (Witte) His wife
hid away the knives, I
heard this. His wife told
me

POOR QUALITY ORIGINAL

0202

Police Court Third District.

City and County of New York, }
}

of No. 255 East 10th Street, aged 30 years,
occupation Porter being duly sworn

deposes and says, that on 15 day of April 1898 at the City of New York in the County of New York,

he was violently and feloniously ASSAULTED & ~~BEATEN~~ by

Philip Guber and Harriet Witte
both now here, who did
feloniously shoot, wound
deponent in the neck and
mouth on said date, in a
room on the fourth floor
of premises at 255 East 10th
Street New York City, and
deponent believes that
said wound was caused by
a shot from a revolver,
exploded by, and held in the
hand of said Philip Guber,
while the said Harriet Witte
was in said apartments
deponent charges said
deponents with acting in
collusion and concert, in
the commission of said
felonious assault deponent

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

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

Sworn to before me, this 20th day
of April 1898

Frank Witte

M. Patterson Police Justice.

POOR QUALITY ORIGINAL

0203

CITY AND COUNTY OF NEW YORK, ss. POLICE COURT, 3 DISTRICT.

Michael Dissert
of No. 14 Greener Street, aged 47 years,
occupation. Carpenter being duly sworn deposes and says
that on the 15 day of April 1890
at the City of New York, in the County of New York.

Sworn to before me, this

189

day

Philip Truber and Harriet
Witte (both now here) were
arrested by a policeman for
feloniously assaulting,
kicking and mauling
one Frank Witte, at 42 1/2
East 10th Street on said
date, and as said Frank
Witte is now in Hospital
because of said assault.
Deponents ask that the

Police Justice.

POOR QUALITY ORIGINAL

0204

Bara Gruber and Harriet Witte be held to await the result of said assault
Prompts before me } Michael Biserh
this 16th day of April 1890 }

John Beaman, Police Justice

Police Court District.

THE PEOPLE, & C.,
ON THE COMPLAINT OF

vs.
Paul Gruber
and
Harriet Witte

Date April 16 1890

John Beaman Magistrate.

do hereby certify that the above named parties
did appear and were duly sworn and their
depositions taken and the same are on file in my
office.

Witness,
John Beaman

Police Justice.

Order of Paul Gruber

Disposition, Ex. Apr 19

10. AM

April 21

2 1/2 P.M

April 23 - 2 1/2 P.M

POOR QUALITY
ORIGINAL

0205

Sellew Hospital

April 22-1880

This is to certify that Frank
Mittes injuries are improving
every day but he will not be
out of danger for a week at
least

Wm Royal W. Panning
House Surgeon

POOR QUALITY
ORIGINAL

0206

April 21 - 1864
This certifies that Frank Inten
wounds are doing nicely and his
general condition is about the
same

Dr Royal W. Pringle
Bellevue Hospital

POOR QUALITY
ORIGINAL

0207

Pellum Hospital

April 18-1890

This certifies that Frank Gittes
injuries of neck are steadily
improving but that he is still
in a dangerous condition

Dr Royal W. Quincy

POOR QUALITY
ORIGINAL

0208

Belleve Hospital

April 16-1898

This certifies that Frank Wite
is in a dangerous condition this
morning. The wound goes from the
right side of his neck through
into the mouth. He has lost also a
large amount of blood.

Dr. J. W. Penning

POOR QUALITY ORIGINAL

0209

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Philip Gruber 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 Gruber*

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. *255 East 10 Street 1 month*

Question. What is your business or profession?

Answer. *None*

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*

Philip Gruber

Taken before me this

2

day of *March* 1932
W. M. Munnick

Police Justice

POOR QUALITY ORIGINAL

0210

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Harriet Witte

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 her, that the statement is designed to enable her or 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. *Harriet Witte*

Question. How old are you?

Answer. *23 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *255 East 10 Street 1 month*

Question. What is your business or profession?

Answer. *Keep House*

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 see not guilty*

Mrs. Harriet Witte

Taken before me this

day of

May 1887

Wm. C. Sullivan

Police Jus

POOR QUALITY ORIGINAL

0211

0

COURT OF GENERAL SESSIONS.

-----x	
T h e P e o p l e	: Before
against	: Hon. James Fitzgerald
Philip Gruber and Harriet Witte.	: and a Jury.
-----x	

Indictment filed May 21, 1890.

Indicted for assault in the first degree.

Tried June 18 & 19, 1890

APPEARANCES.

Assistant District Attorney Bedford, for the People.

Messrs. Coleman and Osborne, for the Defense.

F R A N K W I T T E, the complainant, testified that he was a married man and that the woman defendant, Harriet Witte, was his wife. He had been married to her about five years, and had had two children. On the 15th of April, 1890, he was living with his wife at 255 East 10th Street, on the fourth floor. Gruber, the male defendant, took his meals there, but did not sleep there. He, the complainant, never gave Gruber permission to sleep there. On the 15th of April, at about half past six o'clock in the morning he, the complainant, left his home, reaching his place of

**POOR QUALITY
ORIGINAL**

0212

2

business at about seven o'clock. He left his wife at the breakfast table. Gruber was not there then. He, the complainant, had ordered him out of the house on the Sunday before. He, the complainant, returned to his home at about 10 o'clock, on the morning of April 15th. He opened the door leading from the hallway into the kitchen with his latch key. When he entered the room, he saw his wife and Gruber in a compromising situation. His wife then sat down at the kitchen table, and Gruber sat on the other side of the table. He, the complainant, upbraided his wife and asked his wife what had become of her wedding rings and she replied that they were all right. He, the complainant, then walked into the front room of the apartment, which was the sitting room. He left his wife and Gruber in the kitchen. He, the complainant, walked up and down the sitting room several times, and then returned to the kitchen and ordered Gruber out. Gruber made no reply. He and Mrs. Witte conversed in an undertone, and he, the complainant, did not hear what they said. Then he, the complainant, returned to the sitting room and Gruber followed him to that room and said that he would make it all right with him, the complainant. He, the complainant, said that he did not want Gruber to make anything right -- that he only wanted peace with his wife. He, the complainant, then went to

**POOR QUALITY
ORIGINAL**

0213

3

0 the window of the sitting room, resting his head against the window pane, and looked out. Suddenly he felt a stinging pain in his neck -- in the back of his neck. The bullet broke the bones in his neck and came out of his mouth. He, the complainant, picked up the bullet and handed it to the police officer when he came in, several minutes later. As soon as he felt the stinging pain, he turned right around and saw Mrs. Witte and Gruber running out of the kitchen door. As he was going out, Gruber stopped and fixed the latch of the door so that no one could open it from the outside. I He, the complainant, despite his wounds, never lost consciousness. He bled profusely from his mouth, and crept on his hands and knees into the kitchen, trying to reach the kitchen door. As he reached the door the police officer entered. He spat the bullet out into his hand, after he was wounded. The police officer took him, the complainant, back into the sitting room and laid him down on the floor again, an ambulance came, and he was taken to Bellevue Hospital. He was under treatment there for 15 days.

Under cross-examination, the complainant testified that when he felt the sting upon his neck, he heard the report of a pistol. He did not see his wife catch up the baby from the cradle, and wrap it up in a blanket and run.

**POOR QUALITY
ORIGINAL**

0214

4

He, the complainant, had been in the far West, and had carried the Government mails. He had also carried the mails in Jersey. He was not engaged in cattle herding in the West. He had worked on the Gulf, Colorado, and Santa Fe Railroad as a spiker. He was not then married to his present wife. He had not carried a pistol in the West or at any other time of his life. He was employed in a wine and liquor store -- Frank & Co., at 1127 Broadway. He worked down stairs in the wholesale department, filling, corking, and packing bottles. He received \$10.50 a week. He did not work on that morning, but he turned back before he got to his place of business and went home again, because he believed there was something wrong going on at home.

Officer Michael Bissert testified that he was attached to the 14th precinct. He arrested the male defendant, Gruber, at 117 East 4th Street, in the rear house, at about half past one on the afternoon of April 15th. He took the defendant, Gruber, to Bellevue Hospital and asked the complainant if he could identify him. The complainant said, "Yes, that is Gruber." He, the witness, asked the complainant, "Is he the one that shot you?" The complainant replied, "I don't know whether it is him. It is either he or my wife." Then the complainant said that there was no one in his rooms, at the time he was shot, except Gruber,

**POOR QUALITY
ORIGINAL**

0215

5

Mrs. Witte and himself. The complainant also said that he suspected that there was something wrong between Gruber and his wife. He had asked his wife every morning for a week before disputing to send Gruber away, and she promised to do so. When he returned to his home from his work, evenings, he noticed that Gruber was still there, and he did not go to work on the morning of April 15th, and returned to his home, because he wished to find out what was going on. He, the witness, asked the complainant if he shot himself and he said no. He also asked the complainant if he ever carried a pistol, and he said that he had never done so. Gruber and Officer Fraser were present at this conversation. Officer Fraser arrested Mrs. Witte.

Officer William S. Fraser testified that he belonged to the 14th Precinct. He testified also that he arrested Mrs. Witte in the rooms across the hallway from Witte's rooms, on the fourth floor of No. 255 East 10th Street, on April 15th, about fifteen minutes past 12 in the afternoon. She was in the rooms of a Mrs. Murphy. He, the witness, was standing in front of the public school near Witte's house when he was informed of the shooting. He went up to Witte's rooms, and saw him lying on his back in his sitting room. His face and the body of his white shirt were covered with

**POOR QUALITY
ORIGINAL**

0216

6

blood. He, the witness, sent for an ambulance and returned to the room. Witte was then standing up, and handed him, the witness, the bullet with which he was shot. He, the witness, laid the complainant on the floor, pending the arrival of the ambulance, and went into the front room -- the sitting room -- and found the revolver with which the complainant was shot, about 18 inches from the door of the bedroom opening into the sitting room. After the complainant was taken away in the ambulance, he, the witness, arrested Mrs. Witte and took her to the station house.

Under cross-examination, the witness testified that when he found the revolver there were four loaded cartridges in the cylinder and one that had been discharged. The hammer of the pistol was resting upon the empty cartridge shell. He found powder marks on the neck of the complainant.

For the defense, William Shepherd testified that he lived at Bridgeport, Connecticut, and that he was in business at 93 East 4th Street. Gruber, the defendant, had been in his employ for about a year and a half, and he had known Gruber for about four or five years. Gruber had worked for his, the witness's, uncle before he worked for him, the witness. Gruber's character, according to the witness's knowledge, was good.

POOR QUALITY
ORIGINAL

0217

7

Under cross-examination witness testified that he had a lithographing establishment.

Reuben Shepherd testified that he lived at 101 East 4th Street, and was a japanner and decorator. He had known Gruber six or seven years, and knew that his reputation for peace and quietness was good.

Carl Werner testified that he lived at 127 East 4th Street, and was a shoemaker. He had known the defendant Gruber from boyhood, and knew that his character was good.

Conrad Miller, of 96 East 4th Street, testified that he kept a cigar and candy store. The defendant Gruber was a customer of his, that he knew nothing more about him.

Charles Meyers, of 111 East 4th Street, testified that he had known the defendant Gruber, for about ten years, and had associated with him intimately. He, the witness, was a candy maker. He was in the habit of going out once or twice a week with Gruber. He had never seen Gruber have a pistol.

Louis Gruber testified that he was a brother of the defendant. The witness had occupied the same bed with his brother, at their home, until recently. He had never seen

POOR QUALITY
ORIGINAL

0218

8

O a revolver in his brother's possession.

Under cross-examination the witness testified that his brother had lived at home from his birth until a short time before the shooting, when he, the witness, and the defendant Gruber had a quarrel and the defendant Gruber left the house and went to board with the Witte's.

Jacob Richle testified that he was a builder. He had known Mrs. Witte, the female defendant, for about twelve years, and was her uncle. Her character for peace and quiet was good. She was a working girl before her marriage, and had made a good wife, to his knowledge.

Under cross-examination the witness testified that he had not lived with the Witte's, and was not living with them at the time of the shooting.

Frederick Landenberger, of 211 East 78th Street, testified that he was in the silk trimming business, at 19 Bond Street. He had known Mrs. Witte for about twelve years and she had been in his employ for seven or eight years. She was one of the best work-women that he had ever had in his employ, and was peaceable and quiet.

Louisa Frank, of 300 Broome Street, testified that she had known the defendant Mrs. Witte, for about twelve

**POOR QUALITY
ORIGINAL**

0219

9

years, and her character for peace and quietness was good. She, the witness, remembered when Mr. and Mrs. Witte lived in a house in Norfolk Street of which, the witness, was the janitress. They had some trouble there which she, the witness, heard was due to the ill temper of the husband.

Philip Gruber, the defendant, testified that he had boarded at 255 East 10th Street, with the Witte's, for about fifteen days before April 15th, the day of the shooting. He had both slept and eat there. Witte knew perfectly well that he slept there. On the morning of the 15th of April he, the defendant, went into the kitchen, at about six o'clock, to get his breakfast. Witte was in bed at the time and his wife asked him why he did not go to work, and he replied that it was none of her business. Then he, the defendant, asked Witte why he did not go to work and Witte replied that he did not feel well. After awhile, Witte got up and went into the kitchen and began to read the Sunday World. Then Witte told his wife that he, Gruber, must leave the house, and she told him, Gruber, that Frank, Witte, the complainant, said that he must leave. Then he, the defendant, got up and said to the complainant that he was going away. The complainant made no reply. He, the defendant,

**POOR QUALITY
ORIGINAL**

0220

10

then started to pack up his clothes and the complainant said, "Don't go now. Go to-night. Let's play cards to pass away the time." Then the complainant went into the sitting room and sat down on his trunk, and pulled out his pocket knife and began to scratch his trunk with it. There was a little turtle in the room, and the complainant scratched his name on the turtle's back and he, the defendant, laughed at the complainant, and went back to the kitchen, and began to read the morning paper. Suddenly he, the defendant, heard the report of a pistol. He turned and saw the complainant fall upon his back. He said to him, "Frank, Frank, what did you do?" Then he, the defendant, went out to find the housekeeper, and told her what had happened. The housekeeper told him to report it to the police station. As he, the defendant, was about to leave the house, Mrs. Witte came down stairs and asked where he was going. He told her that he was going to the station house to report what had happened. She said that she would go with him, and they started off together, Mrs. Witte carrying the baby in her arms. The baby was partly dressed, and was wrapped up in a blanket. On the way to the station house Mrs. Witte said, "Gruber, you go down and get my aunt. Tell her, and bring her up right away." Instead of going down to the station house, he, Gruber, went down to Mrs. Witte's aunt, Mrs. Frank, who lived

**POOR QUALITY
ORIGINAL**

0221

11

in Broome Street. They took a car and rode up to 10th St. and he, Gruber, told Mrs. Frank to go and attend to the complainant, while he, Gruber, went to tell the complainant's brother-in-law about what had happened. Then he, Gruber, went over to his mother's house, which was on the opposite side of 4th Street from the complainant's brother-in-law's house. Five minutes afterwards two police officers came and arrested him, Gruber. After his, Gruber's arrest, Captain McCullagh asked him why he shot the complainant. He, Gruber, said that he did not shoot the complainant. Then Captain McCullagh said that the complainant's wife charged him with shooting her husband. He, Gruber, said that she could not have said anything of the kind. Then Captain McCullagh brought out Mrs. Witte and asked her why she had said that he, the defendant, had shot her husband. Mrs. Witte replied, "No, sir, I didn't say that." He, Gruber, was a member of the 12th Regiment, N. G. S. N. Y. He, Gruber, had taken Mrs. Witte and her aunt, Mrs. Frank, to a reception of the Regiment, but it was with the consent of the complainant. The defendant then denied that the complainant had caught Mrs. Witte and himself in a compromising situation on the morning of April 15th, and he also denied that he had shot the complainant, or that he had seen Mrs. Witte shoot him. He had never carried a pistol in his life.

**POOR QUALITY
ORIGINAL**

0222

12

Harriet Witte, the co-defendant, testified that she was twenty-four years of age and had been married to the complainant, Witte, for about five years. She had one child living. She had never been charged before with any offense. She then denied all of her husband's testimony as to the occurrences of the morning of April 15th, and corroborated the co-defendant, Gruber's version of what occurred on that morning. She added that her husband was a very jealous man, and they had had frequent quarrels on that account. Nothing improper had ever occurred between Gruber and herself. In Norfolk Street, about five years before the shooting, where they then lived, after a quarrel, Witte went into the back room behind the grocery that they then kept, and attempted to kill himself with a dagger. She took the dagger away from him before he could carry out his purpose. He was in the habit of drinking, and was under the influence of liquor on the morning of April 15th. He kept whiskey in the house all the time.

POOR QUALITY ORIGINAL

0223

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 Gruber and
Harriet Witte

The Grand Jury of the City and County of New York, by this indictment, accuse
Philip Gruber and Harriet Witte
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said Philip Gruber and Harriet Witte, both
late of the City of New York, in the County of New York aforesaid, on the
fifteenth day of April, in the year of our Lord
one thousand eight hundred and eighty-nine, with force and arms, at the City and County
aforesaid, in and upon the body of one Frank Witte
in the peace of the said People then and there being, feloniously did make an assault and
to, at and against him the said Frank Witte
a certain pistol then and there loaded and charged with gunpowder and one leaden
bullet, which the said Philip Gruber and Harriet Witte
in their right hands 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 Frank Witte
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
Philip Gruber and Harriet Witte
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said Philip Gruber and Harriet Witte, both
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 Frank Witte in the peace of
the said People then and there being, feloniously did wilfully and wrongfully make
another assault, and to, at and against him the said
Frank Witte
a certain pistol then and there charged and loaded with gunpowder and one leaden bullet,
which the said Philip Gruber and Harriet Witte
in their right hands 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.

JOHN R. FELLOWS,
District Attorney.

0224

BOX:

395

FOLDER:

3676

DESCRIPTION:

Gunyon, Caleb

DATE:

05/27/90



3676

POOR QUALITY ORIGINAL

0225

781.
Jm. Gullough
26) Bay
Counsel,
Filed day of May 1890
Pleads, C. H. H. H.

THE PEOPLE
vs.
Caleb Gungyon
[See. 505, Court Code]

JOHN R. FELLOWS,
District Attorney.
June 12/90 Part 3
A TRUE BILL.

Chas. S. Boardman
Part III June 2/90 Forenoon.
Pleads Guilty - Misadventure
[Handwritten notes]
Pen 6 mo.

Witnesses:
Officer Lyman

I recommend that a
plea of misadventure
be accepted under § 505
Penal Code - eliminating
from the plea of guilty the
former direction per contra
the indictment
June 12/90 J. H. H. H.
Court District City

POOR QUALITY
ORIGINAL

0226

State of New York
County of Kings 3^d Sd.

The Jurors of the People the State
of New York in and for the body of
the County of Kings upon their oath,
Present.

That John E. Melton and
Charles Jones late of the City of Brook-
lyn in the County of Kings aforesaid,
on the fourteenth day of November in
the year of our Lord one thousand
eight hundred and seventy seven with
force and arms, by means of forcibly
bursting and breaking an outer door
about the hour of seven o'clock in the
night time of the same day, at the City
and County aforesaid, the dwelling
house of George Morrell then situated
feloniously ~~and~~ ^{and} burglariously did break
into and enter, whilst there was then
there some human being to wit: one
Fannie Morrell within the said dwelling
house, by the said John E. Melton and
Charles Jones then and there intending
to commit some crime ^{therein} to wit: the goods,
and chattels and personal property
of George Morrell in the said dwelling

POOR QUALITY
ORIGINAL

0227

house then and there being, then and there,
feloniously, and burglariously, to steal,
take and carry away, against the
form of the Statute in such case made
and provided, and against the peace
of the People of the State of New York
and her dignity;

And the Jurors aforesaid, upon their
oaths aforesaid do further present:
That afterwards to wit; on the day and
in the year aforesaid, at the City and
County aforesaid the said John E.
Mellon and Charles Jones late of the
City and County aforesaid, thirteen
spoons of the value of two dollars
each, one Knife of the value of two
dollars - of the goods, Chattels and
personal property, of one Elizabeth
Morrell, thirteen spoons of the value
of two dollars each, one Knife of
the value of two dollars, one watch
of the value of ten dollars, one watch
Chain of the value of ten dollars of
the goods, Chattels and personal property
of the said George Morrell in the said
dwelling house, then and there being,
then and there feloniously, did steal,
take and carry away, against the

POOR QUALITY
ORIGINAL

0228

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,

Wm. B. Burt
District Attorney

Endorsed - 2883 - E. Mutton withdraws
plea of not guilty, and pleads guilty to
Grand Larceny from dwelling house
Dec. 10/77. Filed 28th day of Nov. 1877
Pleas not guilty Dec. 3/77 - Wm. Burt
District Attorney - Attributed
to Wm. F. Jones - Jones sentenced
to Penitentiary for eight years,
Mutton to Penitentiary for five years

POOR QUALITY ORIGINAL

0229

At a Court of Sessions.

holden in and for the County of Kings, in the Court House in the City of Brooklyn,
on the *Tenth* day of *December* in the year of
our Lord one thousand eight hundred and ~~eighty nine~~ *seventy seven*

PRESENT:

The Honorable HENRY A. MOORE, County Judge of the County of Kings.
Andrew M. Hibben Esq.
~~JOHN McMAHON, Esq.~~
~~CHARLES A. CONRADY, Esq.~~
Gilbert H. Wickham Esq. } Justices of the Sessions
of the County of Kings.

INDICTED FOR

The People of the State of
New York.

vs.

Charles Jones
impld. &c

Burglary first degree and
Grand Larceny from Dwelling House

AND CONVICTED *of Grand Larceny*
from Dwelling House

by the Verdict of a Jury.

Whereupon it is ORDERED and ADJUDGED by the Court, that the said

Charles Jones

for the offence aforesaid, whereof he is convicted, be imprisoned in the Penitentiary and Work
House of the County of Kings, for the term of *Eight Years*

A True Extract from the Minutes.

Benjamin J. York Clerk.

POOR QUALITY ORIGINAL

0230

Kings County Court of Sessions.

Copy of Judgment

THE PEOPLE
OF THE STATE OF NEW YORK,
AGAINST
Charles Jones.

Dated *December 10th* 18*97*

PENITENTIARY.

8 YEARS — MONTHS

POOR QUALITY ORIGINAL

0231

State of New York, }
County of Kings, } ss.:

I, BERNARD J. YORK, Clerk of the Court of Sessions in and for the County of Kings (said Court being a Court of Record having common law jurisdiction, a clerk and seal), do hereby certify that the annexed is a copy of the minutes of conviction of Charles Jones with the sentence of the Court thereon as entered in the minutes of the said Court of Sessions, kept by me, and now in my custody as Clerk, and the same has been compared by me with the original and is a correct transcript therefrom, and of the whole of such original, and that the annexed copy of the indictment, on which such conviction has been had, has been compared by me with the original, and that the same is a correct transcript therefrom, and of the whole of such original; and I do further certify that no record of the Judgment on such conviction has been signed and filed.



Given under my hand and attested by the seal of the said Court this Eleventh day of June in the year of our Lord one thousand eight hundred and ~~eighty~~ ninety.

Bernard J. York
Clerk.

POOR QUALITY ORIGINAL

0232

*Account of the
Court of King's
The King &c
God
Charles Jones
Copy of the original*

[Faint handwritten notes]

POOR QUALITY ORIGINAL

0233

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, DISTRICT.

Michael J. Lyman of No. 100 West 12th Street, aged 24 years, occupation Police Officer being duly sworn deposes and says that on the 9th day of May 1890 at the City of New York, in the County of New York...

Officer S. Cunningham (nowhere) did feloniously take in his possession a certain Burglars instrument commonly called a jimmy. From the fact that defendant arrested the said Cunningham in Mott Street having in his possession said jimmy, Department of Justice says that the said Cunningham has been twice convicted for the crime of Burglary Department. Therefore prove that the said Cunningham may be held in violation Section 108 of the Penal Code Michael J. Lyman

Sworn to before me this 11th day of May 1890 by Michael J. Lyman Police Justice

POOR QUALITY ORIGINAL

0234

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Caleb Gunning 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.

Caleb Gunning

Question. How old are you?

Answer.

37 Years

Question. Where were you born?

Answer.

New York

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

Answer.

79. Essex St. N. Y.

Question. What is your business or profession?

Answer.

Laborer

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

Answer.

I am not guilty

Caleb Gunning

Taken before me this

day of

May

1887

H. J. McMillan

Police Justice.

POOR QUALITY ORIGINAL

0235

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

Police Court...
 District...
 1744

THE PEOPLE, &c.,
 ON THE COMPLAINT OF

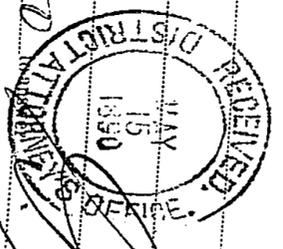
Michael J. ...
James G. ...
James G. ...

Dated *May 15* 18*90*

Magistrate
 Officer

Witnesses *Det. ...*
Central Office

No. *2000*
 Street *...*



Good done 4 May 13 1890

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 *Twenty* Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated *May 12* 18*90* *...* Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

POOR QUALITY ORIGINAL

0236

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

THE PEOPLE OF THE STATE OF NEW YORK,
against

Roderic Symington

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

Indictment accuse *Roderic Symington* of a Felony,

of the crime of

as a ~~SECOND OFFENSE~~, committed as follows:

Heretofore, to wit: at a court of General Sessions of the Peace, holden in and for the City and County of New York, at the City Hall, in the said City of New York,

on the *seventh* day of *February*, in the year of our Lord, one thousand eight hundred and *seventy one*,

before the Honorable *John W. Bradwell, Recorder of the City of New York*,

and Justice of the said Court, the said *Roderic Symington*

by the name and description of *Roderic Symington*

was in due form of law convicted of *a Felony*

to wit: *Grand Jurorship*

upon a certain indictment then and there in the said Court depending against *him*

the said *Roderic Symington* by the

name and description of *Roderic Symington*

as aforesaid,

for that *he*

then *late* of the *First Ward*

POOR QUALITY ORIGINAL

0238

And Thereupon, upon the conviction aforesaid, it was considered by the said Court of General Sessions of the Peace, and ordered and adjudged that the said Robert Symonds by the name and description of Robert Symonds as aforesaid, for the felony and against the peace whereof he was so convicted as aforesaid, be imprisoned in the State Prison at hard labor for the term of two years as by the record thereof doth more fully and at large appear.

And the said Robert Symonds, late of the City of New York, in the County of New York aforesaid, having been so as aforesaid convicted of the said felony and against the peace in manner aforesaid, afterwards, to wit: on the ninth day of May in the year of our Lord one thousand eight hundred and ninety at the City and County aforesaid, with force and arms, did unlawfully have in his possession, a certain Rod and implement adapted, designed and commonly used for the commission of felony and treason, and called a "gimmick", under circumstances evincing an intent to use and employ the same in the commission of some crime to the against the laws of the State in and case made and provided, and against the peace of the People of the State of New York, and their dignity.

J. P. Kellogg,
Attorney