

0253

BOX:

518

FOLDER:

4718

DESCRIPTION:

Gallagher, Hugh

DATE:

04/10/93



4718

0254

BOX:

518

FOLDER:

4718

DESCRIPTION:

Sherman, Charles

DATE:

04/10/93



4718

0255

Witnesses:

Wm. J. Weller

Counsel,

Filed

Pleading

day of April 1893

THE PEOPLE

vs.

Stugh Sillagher

Charles Sherman
both com. April 1891

DE LANCEY NICOLL,

District Attorney.

No. 2 - Jud. acquitted R.M.

A TRUE BILL.

James Dwyer

Joynan

April 25 1893

Wm. J. Weller

Pend on Pet. of Weller
April 23 1893

Grand Larceny, *Sections 828, 831, 832*
[Sections 828, 831, 832
Penal Code.]

109
Wm. J. Weller
April 1893

0256

Police Court 4 District.

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

Michael Haley

of No. 515 E. 70th Street, aged 26 years,
occupation Horse Dealer being duly sworn

deposes and says, that the premises No. about 525 E. 74th Street, 19 Ward
in the City and County aforesaid the said being a Frame Stable Building

and which was occupied by deponent as a Stable
and in which there was at the time a human being, by name

were **BURGLARIOUSLY** entered by means of forcibly breaking the
lock on the door leading to said stable

on the 6 day of April 1893 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

set of harness of the value of fifty dollars. One horse and

the property of deponent
and deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen and carried away by

Joseph Gallagher and Charles Sherman

for the reasons following, to wit: that deponent securely locked and
fastened the door leading to said stable about 9 P.M.
on the night of the 6th of April 1893 and the above
described property were then in said stable. About ten
o'clock P.M. on the said 6th day of April
deponent went again to said stable and found that
it had been broken open and the said horse and
set of harness had been taken away. Deponent next
saw said horse and harness in Jersey City State of

0257

New Jersey and was there informed by the Pleas
authorities of Jersey City that the said horse and
harness was found in the custody of the two
defendants Gallagher and Sherman who are now
held in custody in the State of New Jersey.
Defendant has seen said property identifies it
as the same stolen from his stables - and prays
that these two aforesaid named defendants be
held apprehended for the burglary of the same -

Sworn to before me this }
7th day of April 1893 } Michael Haley,
Police Justice

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
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 1888
Police Justice.

I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1888
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 1888
Police Justice.

Police Court, District

THE PEOPLE, etc.,
on the complaint of

vs.

1
2
3
4

Offence—BURGLARY.

Dated 1888

Magistrate.

Officer.

Clerk.

Witnesses,
No. Street,

No. Street,

No. Street,

No. Street,

§ to answer General Sessions.

0258

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
..... 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,..... 189..... Police Justice.

*I 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.

0259

Police Court--- *W 4* District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Michael Haley
515 E. 701
vs.
Joseph Gallagher
Charles Sherman

Langham
Offense

3.....
4.....

Dated, 189

James Magistrate.

Officer.

Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

\$..... to answer.....

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
Hugh Gallagher
and
Charles Sherman

The Grand Jury of the City and County of New York, by this indictment, accuse
Hugh Gallagher and Charles Sherman
of the CRIME OF GRAND LARCENY IN THE *second* DEGREE, committed
as follows:

The said *Hugh Gallagher and Charles Sherman, both*

late of the City of New York, in the County of New York aforesaid, on the *sixth*
day of *April* in the year of our Lord one thousand eight hundred and
ninety-*three*, at the City and County aforesaid, with force and arms,

one horse of the value of thirty
dollars and one set of harness
of the value of ten dollars

of the goods, chattels and personal property of one

Michael Haley

then and there being found, then and there feloniously did 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 their dignity.

SECOND COUNT—

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

Hugh Gallagher and Charles Sherman
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said *Hugh Gallagher and Charles Sherman, 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,

one horse of the value of thirty dollars and one set of harness of the value of ten dollars

of the goods, chattels and personal property of one

Michael Haley

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, taken and carried away from the said

Michael Haley

unlawfully and unjustly did feloniously receive and have; the said

Hugh Gallagher and Charles Sherman

then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, taken and carried 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 their dignity.

DE LANCEY NICOLL,

District Attorney.

0262

BOX:

518

FOLDER:

4718

DESCRIPTION:

Garlick, Theodore

DATE:

04/14/93



4718

POOR QUALITY ORIGINAL

Witnesses:

A. Edelson
Off Bureau
Sam Gilliam
234 Grand
Symonds St
1st Ave 75th

~~W. Roseberry
C. E. [unclear]~~
Counsel,

Filed 14 day of April 1893

Pleas, Guilty
THE PEOPLE

24
301 574
sailor

Theodore Garlick

Part I
April 26

DE LANCEY NICOLL,
District Attorney.

Part 3. May 9, 93 - B.S.W.

A TRUE BILL.

Samuel Dwyer
Foreman.

Part 3. May 25, 93
Tried and Convicted
Burg 3rd deg
Jan 17, 93
29

Burglary in the Third Degree
[Section 498, § 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100]

0264

POOR QUALITY ORIGINAL

Witnesses:

A. S. Edelson
Off Burus

Counsel,

Filed *17* day of *April* 189*3*

Pleads, *Guilty* 17

THE PEOPLE

vs.

24
301274
tailor

Theodore Garlick

Post T
April 26

Burglary in the Third Degree
Section 498, O.C., N.Y.S., § 100.1

DE LANCEY NICOLL,
District Attorney.

Part 3. May 10, 1893. B.S.C.

A TRUE BILL.

Samuel Dwyer
Foreman.

Part 3. May 25, 1893

Tried and convicted
Burg 3 & 2nd

June
Jan 17, 1893

0265

Mount Fair Lodge, No. 336, I. O. O. F.



Meets every Friday at No. ~~69~~ 69 St Mark's Place

HENRY H. GUTTMAN, Secretary,

1484 Second Ave New York, May 26th 1893.

To his Honor Judge Fitzgerald City.

At a stated meeting held on May 26th it was resolved that

whereas Theo Garlick has been a member of above Society for 15 years & whereas it is personally known to the members of above Society that said Theo Garlick, during that time, has made an honest living for himself & familie and whereas said Theo Garlick has been found guilty of a crime. It is hereby resolved that we the members of above Society believe that said Theo Garlick has committed no crime intentionally, and we respectfully ask the court to exercise its utmost clemency, by suspending sentence. In behalf of the 225 members of above Society

Henry H. Guttman Secy

The undersigned, citizens and business men of the City,
 County and State of New York, do hereby certify that we
 have known Theodore Garlick for many years past as an
 honest, industrious and worthy citizen.

We believe that he has always conducted his business
 honestly and we respectfully ask the Court to exercise its
 utmost clemency in the disposition of his case.

Dated May 1893.

Name	Business	Address
Henry H. Gutman	Furniture	1484. 2 Ave
George Green	Clothier	28-30 W. Broadway
H. Gold	Wholesale Shoes	1586 Park Ave
Ch. Broner	M. of cigars	1519 1th Ave
S. Baranowitz	Retired	185 E. 93rd St
M. H. Rudin	Wholesale Tobacconist	1098 3 St
Emmanuel Lipkowitz	Cigar manufacturer	375 E. 4th St
H. Reuss	Shoe Goods	21 Ave B.
Paul Kelian	Shoemaker	212. 7 St.
Sol. Kirschberg		64 Grand St
M. Mahlon	Painter	49 South St
Joseph High	Jeweller	99 E 4th St
L. Bauer	Shoe Goods	lots capts & Bond
Max Harris	Furniture Goods	166 Orchard St
Richard de Vries	Carpenter	175 E. 87
M. Kraus	Mechanic Taylor	347 E 57
Isaac Raphael	Hats	14 Broadway
L. Klein	Wholesale Hosiery	64 2 Ave
S. Ginzburg	Books	214 Eldridge

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Henry J. Pappas. 49. 26. March
Albany, N.Y. 213 E 7 St
Cand. Keller No 99 Chestnut St
M. E. Brown manufacturer of Inf. Clocks 400 E 75 St

The undersigned citizens and business men of the City,
County and State of New York, do hereby certify that we
have known Theodore Garlick for many years past as an
honest, industrious and worthy citizen.

We believe that he has always conducted his business
honestly and we respectfully ask the court to exercise
its utmost clemency in the disposition of his case.

Dated May 1898.

<u>Name</u>	<u>Business</u>	<u>Address</u>
Jos. Rosegarten	glass flor	147-4 2 nd Ave
Louis Cohn	Merchant Tailor	323 E 74 th St
H. Mummacher	Print Shop	1431-1 st Ave
J. Frenzenberg	Printer	1406 2 nd Ave
Adolph M. Fischl	Shoemaker	1426 1 st Ave
O. Leichter	Cutter	404 E 75 th St
H. Morse	Toy Shop	1369 1 st Ave
Diedrich Cordes	Liquor Store	1429 1 st Ave
Mrs. Hoffmeyer	Wear Taylor	210 E 74 th St
Simon W. Levy	Dry Goods	1443-1 st Ave
Morris Epstein	Dry Goods	1443-1 st Ave
Louis Brill	Hatter	1450 1 st Ave
Adolph Coffer	Dry Goods	1457 1 st Ave
Harry Zelezny	"	1319 1 st Ave
Jules Guissart	Salesman	335 E 77 th St
John Duffy	"	214 E 76 th St
Christopher M. Carr	Mason	1420 Ave A
J. Flamm	Shoemaker	1449 1 st Ave
Max Orlof	"	1447 1 st Ave
Bernard Kohn	"	1442 1 st Ave

Josef Gleuck 1418 Dry good Store
 Siegler Brothers Columbus Liquor Store
 George Rice 1414 2nd Ave.
 M. Stern 1408 2nd Ave.
 Lester Keger 1400-2nd Ave Groceries
 Henry Feldmann Dry Goods 1400-2nd Ave.
 R. L. Friedler Salesman for Austria Nichols &
 Wholesale Grocers 57 to 61 Hudson St
 J. Epstein 1425 - 2nd Ave.
 M. Hahn 1398 2nd Ave
 A. Lewin 1978 2nd Ave
 Edward Mahoney Liquor Store 1394. Ave A
 J. Papp painter plaster
 and paper hanger 211 E. 76 St
 Herta Rothstein 1101 E 77 St
 Fred Müller Candy Store 1425th Ave
 Julius Besthoff 1429 2nd Ave Dry good Store
 A. Rehl 1433 2nd Ave Snow Store
 M. Greenwald milk store 304 E 74 St
 Adolph Pasternak Butcher 302 E 74 St
 Leopold Marcus Grocer 315 East 74 St
 Leopold Braun Liquor Store 317 E 74 St
~~Unknown~~ 42 St 418
 Moritz Reckly 367 E 62
 M. Levy Cloaks 66 Grand St.
 Michael M. Reshen Carpenter & Builder
 255 E 74th St
 Morris Goldberg 210 E 74
 Max Leblach E 74 St Barber
 Wm. Wolff 250 E 74th St. St. Real Estate
 M. Feldman 250 E. 74 St.

The undersigned, citizens and business men of the City, County and State of New York, do hereby certify that we have known Theodore Garlick for many years past as an honest, industrious and worthy citizen.

We believe that he has always conducted his business honestly and we respectfully ask the Court to exercise its utmost clemency in the disposition of his case.

Dated May 1895.

<u>Name</u>	<u>Business</u>	<u>Address</u>
Francis Wall	Liquor	1420 2 nd Ave
Francis Watson		370 E 74 th St
W. R. Van Voorhis		122 West Lexon Ave
W. P. Brydun	Law	402 E 64 th St
Geo. Smith		402 E 64 th St
Edw. Delaney		247 E. 77 th St
James J. Mahony		311 E 101 st St
Charles A. Bayler		340 E 74 th St
Frank Brock		1432 a 2

0272

The undersigned citizens and business man of the City,
County and State of New York, do hereby certify that we
have known Theodore Garlick for many years past as an
Honest, industrious and worthy citizen.

We believe that he has always conducted his business
honestly and we respectfully ask the court to exercise
its utmost clemency in the disposition of his case.

Dated May 1893.

Name	Business	Address
Max Katz	Very Goods	401 E 73 rd St
G. H. Jaeger	Butter and Oil	231 E 73 rd St
Gen. A. H. H. H. H.	Apothecary	1396 - 2 nd Ave.
J. J. Bettman		242 East 71 st St.
D. Epstein	M.D.	181 East 2 nd St.
A. C. Embeck	Druggist	259 E. 72 nd St.
Jacques Collatcher	Real Estate	303 E 72 nd St.
Samuel Jacobs		153 E 71 st St.
Jan. Lustig	Publisher	218 East 75 th St.
S. Epstein	M.D.	304 E 73 rd St.
H. D. L. L.		331 E. 77 th St.
Henry Meyer	Lyons	1431 2 nd Ave.
Albert Cohen		248 East 74 th St.
Rev. Herman Lustig	Minister of 72 nd St. Temple	171 E. 77 th St.

As I have received reliable information as to Mr. Garlick's honesty
I respectfully request this Court to exercise its clemency in
dealing with this case.

Jacob Cohen 225 E 79th street

Herman Shapiro 304 E. 73rd St

WHEREAS THEODORE GARLICK is one of the Charter members of Charles Dickens Lodge No. 160 , K.of P., and has been since about 13 years a tireless and honest worker for the welfare of the lodge and Order .

WHEREAS In all his dealings and transactions during said period he was always upright and honest ; with great energy he always succeeded in making a honest living and properly supporting his family which now consists of his wife and children .

WHEREAS Neither in private or business life has he ever done an act which would give rise to even the shadow of a doubt as to his integrity ; he always was and is fair , upright and generous in all his dealings and always true to the right and to his friends; and for these reasons he has always been held in the highest esteem by his brethren who honored him with the highest gift to wit; Chancellor Commander of the Lodge .

WHEREAS Said Garlick was recently indicted and on the 25th day of May 1893 before his Honor Judge Fitzgerald convicted of the crime of Burglarly . And

WHEREAS we are morally convinced that said Garlick did not commit the crime laid to his charge nor is he guilty of the crime of Burglarly or any other crime .

THEREFORE be it ,

RESOLVED That we the Charles Dickens Lodge No. 160 K.of P. at a Special meeting assembled do hereby unanimously express our utmost confidence in Brother Theodore Garlick , and relying upon and judging from his career of 13 years

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unbroken and unmarred by any incident which would tend to raise the suspicion of a doubt as to his character , and judging further from his tireless and noble work which he performed without any reward , interest or hope or reward or interest in behalf of his brethren and his fellow men we do hereby declare our unbounded faith in his perfect innocence. And be it further ,

RESOLVED that a copy of these resolutions be delivered to the Counsel of Brother Garlick to be used by him in behalf of said Brother in any manner that he may deem fit and proper.

Dated , New York May 30th 1893.

Samuel Jankovits
Active Chancellor Commander
of Charles Wickens Lodge No. 960 N.Y.C.
Max Reichner Hof R. S.

Jonas Hochs Secy.
Herman Baum. Prelate

0275

W. General Coe

The People

vs.

Theodore Earlrick



COURT OF GENERAL SESSIONS

-----x

THE PEOPLE OF THE STATE OF NEW YORK

Against

THEODORE GARLICK

-----x

CITY AND COUNTY OF NEW YORK SS:

PATRICK H. DELAHANTY, being duly sworn deposes and says:

I am a graduate of the New York Law School and clerk in the office of James W. Osborne Esquire.

Several days prior to the 25th day of May 1893, Judge Alfred Steckler came into the office of Mr. Osborne and requested me to say to Mr. Osborne that he desired the case of the People against Garlick to be placed on the calendar for Thursday May 25th.

I told Judge Steckler that I would inform Mr. Osborne of his desire.

Upon Mr. Osborne's coming into the office I told him what disposition Judge Steckler desired to be made of the case of the People against Garlick and thereafter Mr. Osborne sent the papers down stairs with directions that they be placed on the calendar for Thursday May 25th.

Sworn to before me this 1st day of ~~May~~ ^{June} 1893.

Patrick H. Delahanty

Ray Winger
Notary Public
N.Y.C.

COURT OF GENERAL SESSIONS

THE PEOPLE OF THE STATE OF NEW
YORK.

56
27
83

against

THEODORE GARLICK

AFFIDAVIT

DE LANCEY NICOLL,

DISTRICT ATTORNEY,

No. 32 CHAMBERS ST.,

NEW YORK CITY.

0277

COURT OF GENERAL SESSIONS

-----x

THE PEOPLE OF THE STATE OF NEW YORK

Against

THEODORE GARLICK

-----x

CITY AND COUNTY OF NEWYORK SS:

JAMES W. OSBORNE, being duly sworn deposes and says:

I am a Deputy Assistant District Attorney for the City and County of New York, and represented the People in the above entitled case, and during the 25th day of May 1893, had charge of the calendar in Part III of the above court.

On the ~~Week~~ ^{prior to May 25th 1893} day of May 1893, the above case appeared on the calendar ~~and~~ at the request of Judge Steckler who said he was anxious that the case should be tried I agreed to place to place the same upon the calendar again as soon as it could be prepared for trial and I also agreed that the case should appear on some day when ^{Steckler} the judge did not hold court. One of the days was a Thursday.

Some days after that I fixed, with Judge Steckler, upon Thursday May 25th as the day for the trial of the above case.

At the opening of the court on that day Charles Steckler, a partner of Judge Steckler, was in court, as was also another representative of Judge Steckler's firm, and I informed said representative that the case would be

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moved for trial and that I would wait for Judge Steckler as long as I reasonably could and would place a short case on for trial first and give the judge an opportunity to be in court. I understood his representative to say that that course would be satisfactory. I thereupon placed upon trial the defendant in another case, which case lasted until about ²⁰ minutes after twelve o'clock, whereupon the above case was called for trial.

Upon the case being moved for trial Judge Steckler's representative stated that the Judge would be over in a few minutes and requested the court to wait. The court informed said representative that the court could not suspend business because of the absence of Judge Steckler but that inasmuch as Judge Steckler expected to be over in a few minutes a jury might be impannelled, and a court officer was sent to inform Judge Steckler of the situation. The jury was impannelled and sworn whereupon Judge Steckler appeared in court, apologized for being late, made no objection to proceeding with the trial, made no request that a new jury be sworn, took no exception to the court's requiring the defendant to proceed to trial and made no effort to challenge any of the jury.

Prior to the impannelling of the jury the court assigned special counsel to assist Judge Steckler's representative in proceeding with the case and the said jury were accepted by said representative and said special counsel.

Sworn to before me
this 12th day of May 1893.

Jas. W. Osborne
J. Henry Wagner Notary Public

COURT OF GENERAL SESSIONS

THE PEOPLE OF THE STATE OF NEW
YORK.

against

THEODORE GARLICK

AFFIDAVIT

DE LANCEY NICOLL,

DISTRICT ATTORNEY,

No. 82 CHAMBERS ST.,

NEW YORK CITY.

0280

N.Y. Court of General Sessions.

-----:
The People &c :
against :
Theodore Garlick:
-----:

DEFENDANT'S BRIEF ON MOTION FOR A NEW TRIAL.

There was no evidence to connect the defendant with the burglary and there was no evidence that he was present at the burglary, nor that he aided or abetted in its commission.

There was no evidence that he was an accessory, either before or after the fact of the commission of the burglary.

No one can be held as a principal or as an accessory unless there is evidence showing that he was present at the time of the commission of the crime or knew of its commission.

In other words there could be no conviction for burglary in this case unless the people proved that the defendant was present at the time of the commission of the burglary that he broke in or assisted in breaking in the plaintiffs premises, or that he aided and abetted those that committed the burglary.

The mere possession of the stolen property is not sufficient to convict the defendant of the burglary. In cases of burglary, the mere possession of the stolen goods, unaccompanied with other suspicious circumstances, is not even prima facie evidence of the burglary, although it may be of the larceny.

People v Frazier 2 Wheelers Crim Cases 55

In the case of the People v Davis 1 Parkers Crim Reports 447 it was held, that where a burglary is connected with a larceny, mere possession of the stolen goods without other evidence of guilt is not to be regarded as prima facie or presumptive evidence of the burglary

This is a Supreme Court, General Term, authority

Point 11.

Even if it should be held that the possession of the property raised a presumption, the explanation of the defendant that he purchased the same from a man named Rosenbaum in Baxter Street was such an explanation as required the direction of the court to acquit.

"If the party give a reasonable and probable account of the way in which he became possessed of the property, as by stating the name of the person from whom he obtained it, and such party is known to be a real person, it is then incumbent upon the prosecutor to show that such account is false. But if the account given be unreasonable or improbable on the face of it, then the accused must prove its truth, or otherwise he will not be relieved from the pressure of the general rule of presumption.

Therefore when a man was indicted for stealing a piece of wood, ~~xxxxxxx~~ which was found five days after the theft in his shop and he stated that he had bought it from a person whom he named, and who lived about two miles off, it was held that the prosecutor was bound to show that the account was false

Reg v Smith 2 C & K 207

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R v Evans 2 Cox C.C.270

R v Dibley 2 C.K. 383

A new trial should be granted.

Alfred Steckler,

Of counsel for the defendant.

Point III

In the absence of any regulation to the contrary, actual engagement of counsel in the trial or argument of a cause in another Court at the same time, is good ground for claiming a postponement.

Rice v Melendy 36 Iowa 166

An exception lies to the refusal of the application to postpone, *on account of actual engagement of counsel*

Howard v Free an 3 Abb Pr N.S.292

Gallaudet v Steinmetz 6 Abb N.C. 224

Gregg v Howe 37 Super Ct 420.

CITY AND COUNTY OF NEW YORK, ss.,
being duly sworn, deposes and says: that he is _____ years of age, and a clerk in
the office of ALFRED & CHARLES STECKLER, the attorneys for the _____
in this action; on the _____ day of _____ 189 at No. _____
in the City of New York, he served the annexed _____

upon _____ the _____ therein
by delivering to, and leaving with _____ personally _____

_____ true cop thereof _____

Deponent further says that he knew the person so served to be _____

Sworn to before me this
day of _____ 189

N. Y. General Sessions Court.

The People Plaintiff,

AGAINST
Shescler Garlick Defendant.

Deft's Brief on Motion
for new trial

ALFRED & CHARLES STECKLER,
called to clear up account Attorneys,
PULITZER BUILDING,
CORNER PARK ROW AND FRANKFORT ST., NEW YORK CITY.

Due and timely service of a copy within
_____ and indorsed notice of
entry is hereby admitted
Dated, N. Y., _____ 189

Atty.

To _____ Esq.
_____ Atty.

Sir: Please take notice that the within is a
true copy of an _____
this day duly filed and entered in the office of
the clerk of _____

in this action.
Dated, N. Y., _____ 189
Yours, etc.,

ALFRED & CHARLES STECKLER,

Attorneys for _____
To: _____ Esq.,

Atty. for _____

0285

At a Trial Term of the CITY COURT
OF NEW YORK, held at the City Hall
in the City of New York, on the 25th
day of May A. D. 1893

Present,

Mr. Justice Joseph E. Newberger

Annie Handel

against

Emma Shaw

Verdict.

The Court charge the Jury, who say that they find a verdict for the
Plaintiff and assess the damages at the sum of \$ 50. 57. allowance
Motion for a new trial made and denied
30 days stay of execution after notice of entry of Judgment,
60 days to make and serve a case.

(Extract from the Minutes.)

John B. McGoldrick Clerk.

0286

I, Joseph E. Newburger, one of the Justices of the City Court of New York, do hereby certify, that Alfred Steckler Esq., was engaged before me as counsel for the plaintiff in the action of Annie Handel against Emma Shaw.

That a jury was empanelled in said action on Wednesday the 24th day of May 1893 and the trial proper began on Thursday morning May 27th 1893 at ten A.M. and said Alfred Steckler was actually engaged before me in the trial of said action from ten oclock up to about twenty minutes after twelve oclock in the afternoon of said day.

Dated New York May 29th 1893

Joseph E. Newburger

IN SENATE
JANUARY 1894

For the City and County of New York

----- :

The People &c :

against :

Theodore Garlick :

----- :

City and County of New York, ss:-

Theodore Garlick being duly sworn deposes and says:-

That he is the defendant herein.

That prior to the 25th day of May 1893 he was present in the Court of General Sessions at least twice with all his witnesses ready for the trial of the indictment herein, but that at neither time was the District Attorney ready to proceed.

That deponent after his indictment herein retained Alfred Steckler Esq as his counsel to defend him on said indictment and fully and fairly stated the facts of his defence to his said counsel.

That his said counsel was alone cognizant of the facts of his defence and deponents counsel was ready to proceed to trial upon the previous occasions before referred to.

That on Thursday the 25th day of May 1893 between 12 o'clock noon and half past twelve o'clock on said day in the absence of deponents said counsel Alfred Steckler, the District Attorney called this deponent for trial on the indictment herein, in the Court of General Sessions of the Peace for the city and county of New York, in Part III thereof before Mr Justice Fitzgerald, and although Mr Stecklers clerk informed the Court and District Attorney that his

0288

said counsel Alfred Steckler was then and there actually engaged in the trial of a cause in the City Court, the Court ordered the trial to proceed on the indictment herein and the jury were sworn and duly empanelled to try this deponent upon said indictment in the absence of his said counsel Alfred Steckler.

That after the jury had been empanelled and duly sworn, and the District Attorney was opening the case for the prosecution deponents counsel came into Court and proceeded with the trial.

Sworn to before me, this

29th day of May 1893.

Max Meyer
Commissioner of the
New York City

Theodore Garlick

Court of General Sessions of the Peace
for the City and County of New York

-----:

The People &c :

against :

Theodore Garlick :

-----:

City and County of New York,ss:-

Alfred Steckler being duly sworn deposes and
says:-

That he is the counsel for Theodore Garlick the defendant
herein.

That the defendant duly informed ^{deponent} of the nature of his
defence and what his witnesses ^{were} expected to prove and depon-
ent has been ready from the time of his retainer to proc-
eed ^{with} to the trial of the indictment herein.

That on Wednesday the 24th day of May 1893 deponent bec-
ame actually engaged in the trial of a cause of Annie
Hadel against Emma Shaw in the City Court of New York Part
III thereof, before Honorable Joseph B. Newburger one of the
Justices of said court and a jury.

That the jury was duly empanelled to try said cause
of Hadel against Shaw before said Justice Newburger on the
24th day of May 1893 and the trial proper began on ten
oclock ~~of~~ the morning of the 25th day of May 1893.

That deponent was actually engaged in the trial of
said cause before Mr Justice Newburger as the counsel for
the plaintiff in said action, and Andrew D. Parker Esq was
the counsel for the defendant in said action.

that while this deponent was thus engaged in the trial of said cause before Mr Justice Newburger he was informed by some one who was sent from the Court of General Sessions to deponent while he was trying the said case in the City Court, that the case of Theodore Garlick was called for trial before Mr Justice Fitzgerald.

Deponent sent word that he was actually engaged and could not try the case of Theodore Garlick until the case he was actually engaged in was disposed of.

That deponent was actually engaged from ten oclock on the morning of the 25th of May until up to about twenty minutes after twelve oclock of said 25th day of May 1893 and that immediately upon the retiring of said jury of said action ~~in~~ in the City Court after the charge of the court deponent forthwith left the Court Room of the City Court and went to Part III of the General Sessions the place of trial of the said Theodore Garlick.

That when deponent reached the said General Sessions a jury had already been empanelled and sworn to try Garlick and the District Attorney was opening the case for the prosecution.

Sworn to before me, this
29th day of May 1893

Albert Stebbins

Max Myer
Commissioner of the
new York City

Court of General Sessions of the Peace
for the City and County of New York

-----:
The People &c :
against :
Theodore Garlick :
-----:

City and County of New York, ss:-

Max Myers of said city being duly sworn deposes and says:-

That he is a clerk in the office of Alfred Steckler counsel for the defendant herein.

That on Thursday May 25th 1893 when the case of Theodore Garlick was called for trial before his Honor Mr Justice Fitzgerald in the Court of General Sessions Part III deponent informed the Court and District Attorney that Mr Steckler was then actually engaged in the trial of a cause in the City Court before Mr Justice Newberger and a jury.

That the justice ordered the trial to proceed and a jury was empanelled and sworn in the absence of Alfred Steckler the counsel for Theodore Garlick and after the jury had been sworn and as the District Attorney was opening the case Mr Steckler came into court.

Sworn to before me, this
29th day of May 1893

Max Myers

Joseph Steiner
Notary Public
New York County (97)

0292

CITY AND COUNTY OF NEW YORK, ss.,
being duly sworn, deposes and says: that he is _____ years of age, and a clerk in
the office of ALFRED & CHARLES STECKLER, the attorneys for the _____
in this action; on the _____ day of _____ 189 at No. _____
in the City of New York, he served the annexed _____

upon _____ the _____ therein
by delivering to, and leaving with _____ personally _____

_____ true cop thereof _____

Deponent further says that he knew the person so served to be _____

Sworn to before me this
day of _____ 189

N.Y. General Sessions Court.

The People v

Plaintiff,

AGAINST

Theodore Garlick
Defendant.

Affidavit as to

*Actual Engagement
& Extract from Minutes*

ALFRED & CHARLES STECKLER,
Attys. Steckler, of App. Counsel
PULITZER BUILDING,

CORNER PARK ROW AND FRANKFORT ST., NEW YORK CITY.

Due and timely service of a copy within
_____ and indorsed notice of
entry is hereby admitted

Dated, N. Y., _____ 189

Atty.

To _____ Esq.

Atty.

Sir:
Please take notice that the within is a
true copy of an _____
this day duly filed and entered in the office of
the clerk of _____

in this action.
Dated, N. Y., _____ 189

Yours, etc.,
ALFRED & CHARLES STECKLER,

Attorneys for _____

To: _____ Esq.,
Atty. for _____

0293

Doc

Sec. 192.

District Police Court.

Undertaking to Appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before *Thomas Hegan* a Police Justice of the City of New York, charging *Geo Garlick* Defendant with the offense of

Imprison
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, *Geo Garlick* Defendant of No. *1470* Street, by occupation *Manufacturer* and of No. *24th* Street, by occupation a *Merchant* Surety, hereby jointly and severally undertake that the above-named *Geo Garlick* Defendant shall personally appear before the said Justice, at the *3* 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 *ten* Hundred Dollars.

Taken and acknowledged before me this *3* day of *Jan* 189*9*

Geo Garlick
Francis Price
Police Justice.

0294

City and County of New York, ss:

M. J. [Signature]
Subscribed before me
681
e

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 ever and above the amount of all his debts and liabilities,
and that his property consists of The Green Bay Store
1470
Broadway, New York
Four
thousand Dollars free and
Clear

Francis O'Hill
James O'Hill

District Police Court.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Undertaking to Appear during
the Examination.

Taken the day of 189

Justice.

0295

Police Court— 3 District.

City and County } ss.:
of New York,

of No. 21 Amagans Maham S. Edelen Street, aged 29 years,
occupation Manufacturer Cloaks being duly sworn
deposes and says, that the premises No. 94 & 96 Canal Street, 10 Ward
in the City and County aforesaid the said being a fire store brick
building
and which was occupied by deponent as a cloak manufacturing
and in which there was at the time a human being, by name

were **BURGLARIOUSLY** entered by means of forcibly breaking the
locks of a door leading from the
hallway of said premises into deponent's
floor

on the 16 day of March 1888 on the night time, and the
following property feloniously taken, stolen, and carried away, viz:

One hundred and sixty three
pairs of jackets of the value
of about five hundred dollars

the property of Deponent
and deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen and carried away by

Theodore Garlick
(number)

for the reasons following, to wit: from the fact that
at the hour of 6 P.M. on said
date deponent left said premises
securely locked and fastened and
on deponent's return to said premises
on the 17th inst deponent discovered
that said premises had been entered
in the manner described above.

0296

Said defendant was arrested by
Officer William Burns of the 11th Precinct
and a number of Ladies Jacket
were found in the possession of said
defendant. Depoant has since seen
the property found in the possession
of said defendant and fully and positively
identifies the same as part of the property
taken stolen and carried away from
Depoant's possession. Depoant is further
informed that said defendant had
attempted to sell a number of other
Jackets also the property of depoant

known to before me this A. S. Eckhart
27 day of March 1893

[Signature] Police Justice

Dated 1888 Police Justice

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

Dated 1888 Police Justice

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

Dated 1888 Police Justice

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

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

Police Court, District, Office—BURGLARY.

THE PEOPLE, &c.,
on the complaint of

vs.

1. _____
2. _____
3. _____
4. _____

Dated 1888
Magistrate.
Officer.
Clerk.

Witnesses, _____
No. _____ Street,
No. _____ Street,
No. _____ Street,
\$ _____ to answer General Sessions.

0297

Sec. 198-200.

3

1882
District Police Court.

City and County of New York, ss:

Theodore Garlick 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. *Theodore Garlick*

Question. How old are you?

Answer. *44 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *301 East 74th St, 7 years*

Question. What is your business or profession?

Answer. *Manufacturer*

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*
Theodore Garlick

Taken before me this *30*
day of *March* 189 *5*

Police Justice.

0298

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 Alfred Owen

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, Nov 21 1893 [Signature] Police Justice.

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

Dated, Nov 31 1893 [Signature] Police Justice.

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

Dated, _____ 189 _____ Police Justice.

0299

Ex March 31st 1895
1:30 P.M.
\$1000.00 bail
[Signature]

BAILED,

No. 1, by *Simon S. Kumpinsky*

Residence *32 West* Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court, *3* District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Abraham S. Peterson
vs.
Theodore Paulis

2 _____
3 _____
4 _____

[Signature]
Offense

Dated, *Mar 30* 189*5*

Morgan Magistrate.

Ben V. Holley Officer.

110 Precinct.

Witnesses *B. J. McLaughlin*

No. *695 Bway* Street. *(Brooklyn)*

Sam. Gilligan

No. *259 Grand* Street.

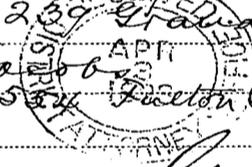
Mr. Jones

No. *554 Fulton St* Street. *(Brooklyn)*

400 to answer *Gis.*

[Signature]

[Signature]



COURT OF GENERAL SESSIONS, PART III.

----- x
 :
 The People of the State of New York, :
 :
 against : Before
 : Hon. James Fitzgerald
 Theodore Garlick. : and a jury.
 :
 :
 ----- x

Indictment filed Apl. 14, 1893.

Indicted for burglary in the third degree.

New York, May 25, 1893.

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

For the People,

Asst. District Atty. James W. Osborne;

For the defendant,

Mr. Alfred Stechler.

ABRAM S. EDELSTEIN, a witness called for the People, being duly sworn, testified as follows:

I live at No. 21 Edlridge Street. I am a manufacturer of ladies' cloaks at 94 and 96 Canal Street. My place of business is on the first floor. On March 16th. I closed up my place as usual, locking all the doors at six o'clock in the evening. I left about \$1500 worth of cloaks in my store when I locked it up. On the following morning about 3 o'clock an officer came to my house and woke me up. I accompanied the officer to my store in Canal Street and found that the door had been broken in. The locks were broken off. I examined my stock and found that 163 ladies' cloaks of the value of about \$500

2.

had been stolen. I saw nothing of any of my property until the 27th. day of March when I was passing the store of E.J. McLoughlin, 695 Broadway, Brooklyn, E.D. In the window of his store I saw two jackets, which I recognized as mine. I went in the store and had a conversation with the proprietor. In consequence of that conversation I came back to that store at about four o'clock in the afternoon. While waiting for the defendant to come I saw an expressman deliver a package containing 48 jackets at the store of McLoughlin. I examined those jackets and found them to be part of the property that had been taken from my store on the night of the 16th. of March. I also found some of my property in Mr. Gilligan's store on Grand Street. The defendant came to the store of McLoughlin in Brooklyn at about four o'clock on the afternoon of March 27th. and was placed under arrest by an officer. I heard him tell the officer that he bought the cloaks from a man doing business at 18 Baxter Street by the name of Rosenbaum. I recovered the fifty jackets which were found at McLoughlin's store in Brooklyn.

Cross-examination:

I tried to find Rosenbaum. I went to 18 Baxter Street, but was informed by his wife that he had gone away. I have never seen Rosenbaum since that time. I went to Garlick's house in 74th. Street and there found six of my cloaks under some goods on top of a bureau. I am positive in my identification of those goods as my property.

3.

BERNARD J. McLOUGHLIN, a witness for the People, being duly sworn, testified as follows:

I am in the dry goods business at 695 Broadway Brooklyn. On the 27th. of March the defendant came into my store at about two o'clock. He showed me some ladies' cloaks and asked me if I wished to buy them at a bargain. He said they were a side line; that the party who owned them wanted cash very badly and if I could pay cash for them he would sell them to me very cheap. I finally made a bargain with him to purchase fifty of the jackets at 90 cents apiece. He left two with me as a sample, and in the afternoon an expressman delivered 48 others. At four o'clock in the afternoon the defendant came and presented me his bill for fifty jackets at 90 cents -- \$45. While the defendant was absent from my store the complainant and a detective officer came there and had a conversation with me. At the time the defendant returned with his bill I said to him: "I want you to take 5% off of this". He told me he could not do it; that he would not take anything off. I asked him what was his reason for selling the goods so cheap and he told me they were a side line.

Cross-examination:

He told me he was selling the goods for somebody else on commission. He gave me a bill in his own name. At first I only offered the defendant 75 cents each for the cloaks and I considered that a fair price for them.

4.

WILLIAM BURNS, a witness for the People, being duly sworn, testified as follows:

I am a police officer connected with the 11th. Precinct. I went to the premises of the complainant on the morning of the 17th. of March and found the door burst open and the lock hanging down. On the afternoon of the 27th. of March I went to McLoughlin's store in Brooklyn in company with the complainant. When the defendant came to the store with his bill I placed him under arrest and took him to the Eldridge Street Station. He told me he had bought the cloaks from a man named Rosenbaum at 18 Baxter Street. I have been to 18 Baxter Street several times since but have been unable to find Rosenbaum.

Cross-examination:

I heard McLoughlin ask the defendant to take 5% off the goods and heard the defendant refuse to do so. I went with the complainant to the defendant's house and there found six jackets on top of a bureau along with some other goods.

LOUIS GLASS, a witness for the People, being duly sworn, testified as follows:

I live at 25 Market Street. I am a cutter in the employ of the complainant. I saw the jackets in question in the Eldridge Street Station House and identified them. I have made a great many similar jackets and I am positive that these belong to the complainant.

5.

SAMUEL J. GILLIGAN, a witness for the People, being duly sworn, testified as follows:

I am in the dry goods business at 237, 239 and 241 Grand Street. The name of the firm is the New York Cloak Company. About March 24th. the defendant sold me some jackets which were afterwards identified by the complainant as his property. He came up to me and told me he had some goods he would like to sell me at a low price. He displayed his goods and wanted a dollar and a quarter apiece for them. I purchased some at that price and some at 75 cents. I considered \$1.25 a fair price for the goods he sold me.

DEFENSE.

THEODORE GARLICK, the defendant, being duly sworn, testified as follows:

I am a married man and live at 301 East 74th Street. I am in the clothing business. I manufacture children's cloaks and once in awhile I buy job lots and sell them. I have an office at 66 Grand Street. One day during my absence from the office a message was left on the slate for me to call on Rosenbaum at 18 Baxter Street. I went to Rosenbaum and bought 80 ladies' cloaks at 80 cents apiece. I had no knowledge that these were stolen goods. As soon as I had purchased them I started out among the different dry goods stores in New York and Brooklyn and endeavored to sell them. I sold 50 to Mr. McLoughlin as he

6.

has testified. I also sold some of them to Mr. Gilligan and the remainder were found in my house by the officer. I have never been arrested before in my life. I have had dealings with all the leading dry goods houses in the City of New York.

Cross-examination:

I do not remember telling the officer that I bought 56 coats. I am certain that I bought 80. I have a sewing machine in my house and I employ Italians to do work on the cloaks outside in their own homes. I had known Rosenbaum for about eight years. I have not seen him since this trouble arose over these cloaks.

JOSEPH ADELSON, a witness for the defendant, being duly sworn, testified as follows:

I have an office at 66 Grand Street. The defendant has a desk room in my place. I remember the fact of Mr. Rosenbaum coming to the office during the absence of the defendant and leaving a message on a slate for him.

SIMON KAPINSKY, of No. 32 Hester Street, Henry Fox of 21 Meserole Street Brooklyn, and Francis O'Neil of 301 East 74th. Street New York City testified to the good character of the defendant.

The jury returned a verdict of guilty of burglary in the third degree.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Theodore Garlick

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

Theodore Garlick

of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said

Theodore Garlick

late of the *10th* Ward of the City of New York, in the County of New York aforesaid, on the *sixteenth* day of *March*, in the year of our Lord one thousand eight hundred and ninety-*three* in the *night* time of the same day, at the Ward, City and County aforesaid, a certain building there situate, to wit, the *factory* of one *Abraham S. Edelson*

there situate, feloniously and burglariously did break into and enter, with intent to commit some crime therein, to wit: with intent the goods, chattels and personal property of the said *Abraham S. Edelson* in the said *factory* 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 their dignity.

SECOND COUNT—

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

Theodore Garlick

of the CRIME OF *Grand* LARCENY in the second degree, committed as follows:

The said *Theodore Garlick*

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, in the *night* time of said day, with force and arms,

one hundred and sixty-three jackets of the value of three dollars each

of the goods, chattels and personal property of one *Abraham S. Edelson*

in the *factory* of the said *Abraham S. Edelson*

there situate, then and there being found, in the *factory* aforesaid, then and there feloniously did 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 their dignity.

THIRD COUNT:

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

Theodore Garlick

of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

Theodore Garlick

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, with force and arms, at the Ward, City and County aforesaid,

one hundred and sixty - three jackets of the value of three dollars each

of the goods, chattels and personal property of

Abraham S Edelson

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen from the said

Abraham S Edelson

unlawfully and unjustly did feloniously receive and have; (the said

Theodore Garlick

then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, 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.

0309

BOX:

518

FOLDER:

4718

DESCRIPTION:

Gencey, Albert

DATE:

04/11/93



4718

03 10

Witnesses:

Off Hersh
Geo. Svorich

116

Counsel,

Filed

Pleads

11
day of April 1893
M. J. Smith

THE PEOPLE

vs.

Albert Sency

Grand Larceny, second Degree,
[Sections 828, 831, Penal Code.]

Part 3 May 5 93

DE LANCEY NICOLL,

District Attorney.

Old Bill
Part 4 April 25 93

A TRUE BILL.

Samuel Dwyer
Foreman.

Part 3. May 5 93 -
Tried and acquitted.

0311

Police Court 3 District.

1912

Affidavit—Larceny.

City and County } ss.
of New York,

of No. 95 Columbia Street, aged 20 years.
occupation Iron worker.

deposes and says, that on the 29th day of March 1893 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in day time, the following property, viz:

Three pawn tickets representing one watch, one ring, one chain and one locker. The whole of the value of above seventy dollars

\$ 70 ⁰⁰/₁₀₀

the property of Deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and carried away by Albert Ruby (nowhere)

from the fact that deponent had pawn tickets in a trunk in deponent's room number 73 Gowick Street when deponent boarded he missed said tickets.

Deponent is informed by Officer Hesch that he arrested the defendant and that he found a locker in the possession of defendant that deponent was identified said locker as the property of deponent which he had pawned and which one of said tickets had represented. Deponent therefore charges the defendant with having stolen said property and prays that he be held to answer
w/ for services

Sworn to before me, this 3 day of March 1893

Police Justice

[Signature]

0312

Sec. 198-200.

3 District Police Court. 1882

City and County of New York, ss:

Albert Gausy 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. *Albert Gausy*

Question. How old are you?

Answer. *36 years*

Question. Where were you born?

Answer. *Hungary*

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

Answer. *247 Stanton Street 5 months*

Question. What is your business or profession?

Answer. *Painter*

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*

Albert Gausy

Taken before me this *10* day of *March* 189*3*

Police Justice.

0314

By March 30th 1893
2 P.M. *[Signature]*

Police Court--- 287 3rd District. 363

THE PEOPLE, &c.,
ON THE COMPLAINT OF

W. Szorovich
85 Columbia
Albert Geisen
2 _____
3 _____
4 _____
Offense *Larceny*

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated, *March 30th* 1893

Hoyne Magistrate.

Has on Officer.

13 Precinct.

Witnesses *Call the officer*

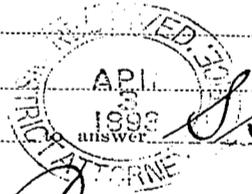
No. _____ Street.

Joseph Friedman
No. *344 E Houston* Street.

No. _____ Street.

\$ *500* answer *SS*

Com *gt*



03 15

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against
Albert Genesi

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

Albert Genesi

of the CRIME OF GRAND LARCENY IN THE *second* DEGREE, committed as follows:

The said *Albert Genesi*

late of the City of New York, in the County of New York aforesaid, on the *29th* day of *March* in the year of our Lord one thousand eight hundred and ninety ~~three~~, at the City and County aforesaid, with force and arms,

three written instruments and evidences of contract of the kind called pawn-tickets (a more particular description whereof is to the Grand Jury aforesaid unknown) of the value of thirty dollars each

of the goods, chattels and personal property of one *Joseph Szorich*

then and there being found, then and there feloniously did 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 their dignity.

SECOND COUNT—

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

Albert Genesey

of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said *Albert Genesey*

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,

three written instruments and evidences of contract of the kind called pawn-tickets (a more particular description whereof is to the Grand Jury aforesaid unknown) of the value of thirty dollars each

of the goods, chattels and personal property of one

Joseph Gorich

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, taken and carried away from the said

Joseph Gorich

unlawfully and unjustly did feloniously receive and have; the said

Albert Genesey

then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, taken and carried 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 their dignity.

DE LANCEY NICOLL,

District Attorney.

0317

BOX:

518

FOLDER:

4718

DESCRIPTION:

Gerstenfeld, Solomon

DATE:

04/13/93



4718

03 18

BOX:

518

FOLDER:

4718

DESCRIPTION:

Isler, Abraham

DATE:

04/13/93



4718

0319

Witnesses:

Counsel,

Filed

Pleads,

THE PEOPLE

vs.

Solomon Gerstenfeld

and

Abraham Isler

DR LANCEY NICOLL,

District Attorney.

M.P. on recon. Court City.
Indict. dis. R.B.H.

A TRUE BILL.

Samuel Dwyer
Foreman.

Jan 2 - May 1, 1893.

J. L. Smith and Acquitted

Grand Larceny,
(From the Person.)
Degrees
[Sections 828, 830, 832 Penal Code.]

1893

13 day of *April*

1893

Paul

A

0320

Police Court

J

District.

Affidavit-Larceny.

City and County }
of New York, } ss:

Lenny Bendet

of No. 114 E 115th Street, aged 21 years,
occupation Domestic being duly sworn,

deposes and says, that on the 26 day of March 1893 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the pos-
session of deponent, in the night time, the following property, viz:

and

One plain gold ring. and
one gold ring set with diamonds
together of the value of eighty
six dollars.

the property of Deponent.

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloniously taken,
stolen and carried away by

Solomon Gerstenfeld
(now here) and Abraham Isler not
arrested. From the fact that the said
Gerstenfeld was engaged to be married
to deponent, and on said date at
about the hour of 7 o'clock P.M. the
defendant Gerstenfeld took deponent to
his brother in laws saloon at the corner
of Attorney & Broome streets - where they
had a drink deponent calling for
soda water. and after taking said
drink deponent became dizzy. the
defendant Gerstenfeld then took
deponent to the defendant Islers
home in Delancey st. near Pitt st. and

of
Subscribed before me this
1893
Police Justice

after deponent and Gerstenfeld arrived at Isler's house. The Isler requested deponent to let him see said rings.

Telling deponent that he wanted to get rings like them. at the same time removing said rings from deponent's hand. and as soon as the Isler got possession of said rings he gave them to the defendant Gerstenfeld who placed them in his fingers. deponent then demanded the return of her rings. but both Isler and Gerstenfeld refused to return them to deponent.

Gerstenfeld then took deponent again to the saloon at the corner of Brown and Attorney streets - where he deserted deponent.

Wherefore deponent charges the said Solomon Gerstenfeld (now here) and the said Abraham Isler not arrested, with being in company with each other and acting in concert together, and feloniously taking stealing and carrying away said property from the person of deponent.

Feni: Berules

Sworn to before me
this 8th day of April 1893

C. E. Sumner Jr
Police Justice

0322

5

Sec. 198-200

District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

Solomon Gostenfeld

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 sees 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.

Solomon Gostenfeld

Question. How old are you?

Answer.

30 years

Question. Where were you born?

Answer.

Austria

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

Answer.

20 Clinton St - Two years

Question. What is your business or profession?

Answer.

Clothing Cutter

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 -
Solomon Gostenfeld*

Taken before me this

day of

1893

John J. Murphy

Police Justice.

0323

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

Abraham Isler

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 sees 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. *Abraham Isler*

Question. How old are you?

Answer. *25 years*

Question. Where were you born?

Answer. *Austria*

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

Answer. *235 Delancey St - Six months*

Question. What is your business or profession?

Answer. *Cloak maker*

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*

Abraham Isler

Taken before me this

day of

April 1899

John J. Sumner

Police Justice.

0324

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

Defendants

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

Dated, *April 8th* 189 *3* *B. E. Sumner* Police Justice.

I have have admitted the above-named

defendants

to bail to answer by the undertaking hereto annexed.

Dated, *April 5* 189 *3* *B. E. Sumner* 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.

0325

399

Police Court, 5 District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Fanny Bendix
114 E. 115
Sol Gerstenfeld
Abraham Isler

offense
Harmony Bell

Dated, April 8th 1893

Simms Jr Magistrate.
Levy Officer.
Court Precinct.

Witnesses

No. BO Street.

No. BO Street.

No. Each Street.

\$ 1000 to answer G.S.

Beuel



BAILED,

No. 1, by Juda Rimbun

Residence 230 Delancy Street.

No. 2, by Juda Rimbun

Residence 230 Delancy 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

Solomon Gerstenfeld and Abraham Isler

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

Solomon Gerstenfeld and Abraham Isler

of the CRIME OF GRAND LARCENY in the first degree, committed as follows:

The said Solomon Gerstenfeld and Abraham Isler, both

late of the City of New York, in the County of New York aforesaid, on the 26th day of March in the year of our Lord one thousand eight hundred and ninety-three, in the night-time of the said day, at the City and County aforesaid, with force and arms,

one ^{finger} ring of the value of eleven dollars, and one other finger ring of the value of seventy-five dollars

of the goods, chattels and personal property of one Henri Bendet on the person of the said Henri Bendet then and there being found, from the person of the said Henri Bendet then and there feloniously did 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 their dignity.

[Signature]

SECOND COUNT—

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

Solomon Gerstenfeld

of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said *Solomon Gerstenfeld*

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,

one finger ring of the value of eleven dollars, and one other finger ring of the value of seventy five dollars

of the goods, chattels and personal property of one *Femi Bendet*

by one Abraham Isler and

by a certain ^{other} person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, taken and carried away from the said *Femi Bendet*

unlawfully and unjustly, did feloniously receive and have; the said

Solomon Gerstenfeld

then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, taken and carried 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 their dignity.

DE LANCEY NICOLL,
District Attorney.

0328

BOX:

518

FOLDER:

4718

DESCRIPTION:

Giller, Marks

DATE:

04/12/93



4718

0329

Witnesses:

Samuel Gaultier

179

Counsel,

Filed 12th day of April 1893

Pleads,

THE PEOPLE

vs.

B

Markes Siller

F

Burglary in the Third Degree. Section 498, N.Y. Code 1880.

DE LANCEY NICOLL,

District Attorney.

County of New York

A TRUE BILL.

Samuel Siller
Foreman.

F. April 26/93

0330

Police Court District

City and County of New York ss.:

Samuel Franklin

of No. 64 Stanton Street, aged 27 years, occupation Cutter, being duly sworn

deposes and says, that the premises No. 64 Stanton Street, 10th Ward

in the City and County aforesaid the said being a four story brick dwelling first floor front rooms west side and which was occupied by deponent as a dwelling

and in which there was at the time ^{no} human being, by name

were BURGLARIOUSLY entered by means of forcibly bursting open the door leading from the hallway ~~into~~ into deponent's apartment.

on the 6 day of April 1893 in the day time, and the following property feloniously taken, stolen, and carried away, viz:

A quantity of clothing and silver ware of the value of two hundred dollars. (\$200.00)

the property of deponent and deponent further says, that he has great cause to believe, and does believe, that the aforesaid BURGLARY was committed and the aforesaid property taken, stolen and carried away by

Wm. Geller. (arrested)

for the reasons following, to wit: deponent found the

deponent in the said apartment and the premises

broken into as aforesaid sworn to before me Samuel Franklin this 7th day of April 1893

Charles N. Linton
Police Justice

0331

Sec. 198-200.

3 District Police Court. 1892

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

Marks Giller 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. *Marks Giller*

Question. How old are you?

Answer. *26 years*

Question. Where were you born?

Answer. *Poland*

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

Answer. *184 Chryatie Street, 3 months.*

Question. What is your business or profession?

Answer. *Dealer*

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

Answer. *I am not guilty
M^{rs} Marks Giller
man*

Taken before me this 7th day of April 1892
Charles W. Winter
Police Justice.

0332

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, Apr 7 1890 Charles N. Linton Police Justice.

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

Dated, Apr 9 1890 Charles N. Linton 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.

0333

Police Court--- 3 District. 393

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Samuel Muller
64 *Stanton*
Mumford

2
3
4

Offense *Carrying*

BAILED,

No. 1, by *M. Rudolf Herz*

Residence *968 Boston Avenue* Street.

No. 2, by *M. Rudolf Herz*

Residence *968 Boston Avenue* Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated, *April 17* 189 *3*

Director Magistrate.

Conway Officer.

..... Precinct.

Witnesses *Luce Brown*

No. *68 Stanton*

No. *Lena Feld*

No. *68 Stanton*

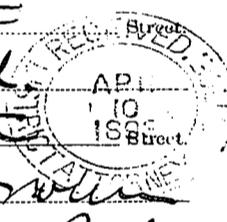
No. *Lophia Brown*

No. *68 Stanton* Street.

\$ *1000* to answer.

Director

Director



Director
9/22

0334

COURT OF GENERAL SESSIONS, PART /

(1708)

THE PEOPLE

INDICTMENT

vs.

For

Marks Giller

not found

To

M

M. Rudolph Henry

No.

918 Boston Ave Street.

The indictment against the above-named defendant, for whose appearance you are bound, has been placed upon the Calendar for *filed* at the Court of GENERAL SESSIONS of the Peace, at the Sessions Building, adjoining the New Court House in the Park of the said City, on the *13* day of APRIL instant, at eleven o'clock in the forenoon.

If the defendant is not produced at that time, your bond will be forfeited.

DE LANCEY NICOLL,

District Attorney.

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

THE PEOPLE OF THE STATE OF NEW YORK
against
Marks Giller

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

Marks Giller

of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said *Marks Giller*

late of the *10th* Ward of the City of New York, in the County of New York aforesaid, on the
sixth day of *April* in the year of our Lord one
thousand eight hundred and ninety-*three*, with force and arms, in the *day*-time
of the same day, at the Ward, City and County aforesaid, the dwelling house of one

Samuel Franklin

there situate, feloniously and burglariously did break into and enter, with intent to commit some
crime therein, to wit: with intent the goods, chattels and personal property of the said *Samuel*
Franklin in the said dwelling 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
their dignity.

SECOND COUNT—

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

Marko Giller

of the CRIME OF *Grand LARCENY in the second degree* committed as follows:

The said

Marko Giller

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,
at the Ward, City and County aforesaid, in the *day* - time of said day, with force and arms,

divers articles of clothing and wearing apparel, of a number and description to the Grand Jury aforesaid unknown, of the value of one hundred dollars, and divers articles of silver ware, of a number and description to the Grand Jury aforesaid unknown, of the value of one hundred dollars

of the goods, chattels and personal property of one

Samuel Franklin

in the dwelling house of the said

Samuel Franklin

there situate, then and there being found, from the dwelling house aforesaid, then and there feloniously did 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 their dignity.

De Lancey Nicoll,
District Attorney

0337

BOX:

518

FOLDER:

4718

DESCRIPTION:

Gilman, Gilbert J.

DATE:

04/24/93



4718

0338

Witnesses:

Samuel Navrosetki
Off. Secuarian

Counsel,

Filed *Sept 3* day of *April* 1893

Pleas, *Magistry*

THE PEOPLE

vs.

Silbert J. Silman

vs. Robbery, Degree, (Sections 224 and 220, Penal Code.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Samuel Navrosetki
Foreman.

Part 3. May 1/93
Tried and convicted
G.R. 22 deg.

Ed. R. of J. J.

COURT OF GENERAL SESSIONS, PART III.

----- x
 :
 The People of the State of New York, :
 :
 against : Before
 : Hon. James Fitzgerald
 Gilbert J. Gilman. : and a jury.
 :
 ----- x

Indictment filed April 24, 1893.

Indicted for robbery in the first degree.

New York, May 1, 1893.

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

For the People,

Asst. District Atty. E. S. Weeks;

For the defendant,

Mr. J. C. Costello.

SAMUEL NAVYESKI, a witness for the People, being duly sworn, testified as follows:

I live at 130 Munroe Street. I am a cigar manufacturer. On the 18th. of April of this year I had a gold watch and chain in my vest pocket. Between eight and nine o'clock in the evening I went into a saloon at the corner of Adam and Division Streets. I saw the defendant in there. The defendant took my watch out of my pocket and I caught him by the hand. I held him tight and he knocked me in the head. Another man who was present hit me in the chest and anotherki kedme. I asked him to give me back my watch and chain, but he had taken it out of his pocket with one hand and turned it over to another one of the party. The other man who had the watch ran

0340

2.

away. I am sure the defendant is the man.

Cross-examination:

The watch was worth \$55. I am agent for a party who lives at 4 Essex Street. I peddle cigars around the city. I remember signing an affidavit in the Police Court. I think it was about nine o'clock at night when this happened. I am sure I had my watch because I looked to see what time it was. This whole occurrence did not take five minutes. The prisoner was in front of me and another man was behind me when the watch was taken out of my pocket. I am positive it was the defendant who took the watch out of my pocket. The prisoner wanted to run away but I held him fast and turned him over to a policeman.

JAMES GILMARTIN, a witness for the People, being duly sworn, testified:

I am a police officer attached to the 7th. Precinct. On the 18th. of April this year my post was on Rutgers Street from Division to South. At about half past eight my attention was directed to a crowd surrounding the complainant in Canal Street. I went to the crowd and I found the complainant having hold of the prisoner. He accused him of having stolen his watch. The prisoner denied it. I asked him: "Did you take this man's watch?" He said no. I searched him but found nothing on him. The complainant was cut and blood was streaming down his face.

4.

companion of the defendant. I have never been convicted of any crime in my life.

GILBERT J. GILMAN, the defendant, being duly sworn, testified:

I live at 82 Park Street. I was out of employment for about a month before the time of my arrest. Previous to that I was working in a restaurant in South Street. I had nothing whatever to do with the stealing of the complainant's watch. When the officer came up he asked me why I struck the complainant. I told him I struck him in order to free myself; that as I was walking along the street this man grabbed hold of me and said I had taken his watch. Quite a crowd of people gathered round and I wanted to get away. I admit that I struck the man, but I did not take his watch or have anything to do with taking it.

Handwritten notes in left margin:
Gilbert J. Gilman
82 Park Street
South Street
1891

Cross-examination:

I have never gone by any other name than that of Gilbert J. Gilman. I was never known by the name of Ford. In 1891 I got three months in the City Prison under the name of Michael Colligan. Other than that I have never been convicted.

I had no acquaintance with the man who came up to me on that evening and handed me a package of cigarettes. I was very much surprised when the man came up and took hold of me, and that is the reason I struck him.

The jury returned a verdict of guilty of grand larceny in the second degree.

0342

Police Court - 3rd District.

CITY AND COUNTY }
OF NEW YORK, } ss

Samuel Navvsky
of No. 187 Madison Street, Aged 49 Years

Occupation Agent being duly sworn, deposes and says, that on the 18th day of April 1893, at the 7th Ward of the City of New York, in the County of New York, was feloniously taken, stolen, and carried away, from the person of deponent by force and violence, without his consent and against his will, the following property, viz:

A watch of the value of Fifty five dollars

of the value of _____ DOLLARS,

the property of defendant and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away, by force and violence as aforesaid by

Gilbert J. Gelman and Robert Barron both now here, who were in company with each other and acting in concert for the reasons that said watch was attached to a chain and worn on deponent's person. Deponent was walking along Canal Street and was in a crowd and the defendants jostled and pushed deponent and a hand was placed in the region of deponent's vest pocket and deponent grabbed the hand and then defendant held deponent and

day of

Sworn to before me, this

188

Police Justice.

0343

Toe said watch from deponents' person; deponent seized Gilman and held him fast and thereupon said Barron struck deponent to compel deponent to release said Gilman

Sworn to before me } Samuel Navias }
the 19 April, 1893 }

Amud H. B.

Police Justice

Dated _____ 188__ Police Justice.

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

Dated _____ 188__ Police Justice.

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

Dated _____ 188__ Police Justice.

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of committed, and that there is sufficient cause to believe the within named

It appearing to me by the within depositions and statements that the crime therein mentioned has been

Police Court, _____ District, _____

THE PEOPLE, &c.,
on the complaint of _____

vs.

1. _____
2. _____
3. _____
4. _____

Offence—ROBBERY.

Dated _____ 188__

Magistrate. _____
Officer. _____
Clerk. _____

Witnesses, _____
No. _____ Street, _____
No. _____ Street, _____
No. _____ Street, _____
§ _____ to answer General Sessions.

0344

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Herbert J. Gelman 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. *Herbert J. Gelman*

Question. How old are you?

Answer. *17 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *Refused*

Question. What is your business or profession?

Answer. *Work in brass foundry*

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*
Herbert J. Gelman

Taken before me this *19* day of *April* 188*8*
Amador
Police Justice.

0345

Sec. 198-200.

B District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Robert Barron 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. Robert Barron

Question. How old are you?

Answer. 24 years

Question. Where were you born?

Answer. New York

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

Answer. 103 Monroe St. 7 years

Question. What is your business or profession?

Answer. Fish dealer

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

Answer. I am not guilty
Robert Barron

Taken before me this 19
day of April
1889
Charles R. Kelly
Police Justice.

0346

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

defendants

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, *each* and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail

Dated, *April 19* 189 *3* *[Signature]* Police Justice.

I 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.

0347

Police Court--- 3 District. 429

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Samuel Navoy
182 Madison
Gilbert Gelman
Robert Barron

Offense Robbery

3
4

Dated, April 19 1893

Magistrate.

Officer.

Practising.

Witnesses as to Robert Barron

DISMISSED

No. 21 18 Street.

FOREMAN

Morris Rosenberg

No. 11 Rutgers Street.

to answer

316

Chas. P. ...

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

Gilbert J. Gilman

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

Gilbert J. Gilman

of the CRIME OF ROBBERY in the first degree, committed as follows:

The said Gilbert J. Gilman

late of the City of New York, in the County of New York aforesaid, on the eighteenth day of April in the year of our Lord one thousand eight hundred and ninety-three, in the time of the said day, at the City and County aforesaid, with force and arms, in and upon one Samuel Navasky in the peace of the said People then and there being, feloniously did make an assault; and

one watch of the value of fifty-five dollars

of the goods, chattels and personal property of the said Samuel Navasky from the person of the said Samuel Navasky, against the will and by violence to the person of the said Samuel Navasky, then and there violently and feloniously did rob, steal, take and carry away, the said Gilbert J. Gilman being then and there aided by an accomplice, actually present, whose name is 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.

De Lancey Nicoll District Attorney

0349

BOX:

518

FOLDER:

4718

DESCRIPTION:

Gleason, James

DATE:

04/05/93



4718

0350

BOX:

518

FOLDER:

4718

DESCRIPTION:

Whalen, Michael

DATE:

04/05/93



4718

0351

Witnesses:

Off. Mariae.

20

Counsel,

Filed

Pleads,

day of *April* 1893

THE PEOPLE

vs.

James Gleason

and *R*

Michael Whalen

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

David Deuphin

Foreman.

April 27 1893

Read July 24

B. P. 2 1893

Exhibit in the Third Degree.
Section 498, [Section 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510]

0352

Police Court 2nd District.

City and County }
of New York } ss.:

of No. 235 West 19th Street, aged 31 years,
occupation Bar-tender being duly sworn

deposes and says, that the premises No 88-9th Avenue Street,
in the City and County aforesaid, the said being a four story brick
Building
and which was occupied by deponent as a Liquor Store
~~and in which there was at the time a barman being, by name~~

were **BURGLARIOUSLY** entered by means of forcibly breaking open
and pushing in, the fanlight, over the front
doors of said store,
on the 31 day of March 1883 in the Night time, and the
following property feloniously taken, stolen, and carried away, viz:

Good and lawful money of the United States
of the amount of seven dollars. and a
loaded revolver. of the amount and
value of ten dollars

the property of William Powell. and in deponent's care + custody.

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen, and carried away by
John Reason & Michael Melan both now here, and
while acting in concert with each other,

for the reasons following, to wit: that about the hour of one o'clock
A.M. of said date, deponent securely closed and
fastened said Liquor store, and at that time
said fanlight was also securely closed and fastened
and at that time said sum of money was lying
on a marble slab, behind the bar in said store,
and said revolver was lying alongside where said
money was located, and after seeing said store
securely closed and fastened deponent went away.

0353

and that about the hour of 4.30 o'clock A.M. defendant was notified at his residence No 235 West 19th Street - that said store had been broken into, and that he immediately went to said store, and discovered said fanlight broken in, and that he then missed the aforesaid property - and that defendant is informed by Officer James Martin, that about the hour of 3 o'clock A.M. of said date, he found the defendants in company with each other in said store, and that he then discovered said fanlight open, and that on the defendant Whelan's person he found the sum of seven dollars and a loaded revolver, and that defendant has seen the said revolver found on the person of the defendant Whelan by said Officer - and fully recognizes the same as his property - and as the aforesaid revolver stolen from said store on said date - defendant therefore asks that said defendants may be held to answer

Frank Butterby -

Sworn to before me this }
 31 day of March 1893 }

Police Justice

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Burglary

Dated 188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No. Street.

0354

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

aged _____ years, occupation _____ of No. _____

16 Precinct Police

James Martin
Police Officer

Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of

Frank Patterson

and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this _____ day
of _____ 189 _____

31
March

James Martin

John P. ... Police Justice.

0355

Sec. 193-200

CITY AND COUNTY } ss.
OF NEW YORK }

District Police Court.

James Gleason 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. *James Gleason*

Question. How old are you?

Answer. *21 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *13-10 - Avenue - 3 Months*

Question. What is your business or profession?

Answer. *Labourer*

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*
James Gleason

Taken before me this
day of *March* 19*15*
John H. [Signature]
Police Justice.

0356

Sec. 193-200.

2 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Michael Melan 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 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. Michael Melan

Question. How old are you?

Answer. 21 years -

Question. Where were you born?

Answer. W. J.

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

Answer. 340 East 33 Street - 4 Months

Question. What is your business or profession?

Answer. Cart. Driver

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

Michael Melan

Taken before me this

day of March

1893

John W. ...

Police Justice.

0357

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 March 31 1893 John M. [Signature] 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.

0358

Police Court---

364
District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Frank Battersby
235 p. 11. 19
James Gleason
Michael Melan

Burglary
Offence

3
4
Dated March 31 1893
Voorhis Magistrate.
Martin Officer.
16 Precinct.

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Witnesses

No. Street.

No. Street.

No. Street.

\$ 1000 Cash to answer
G. L. Martin
Burglary



0359

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

THE PEOPLE OF THE STATE OF NEW YORK

against
James Gleason
and
Michael Whalen

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

James Gleason and Michael Whalen

of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said *James Gleason and Michael Whalen, both*

late of the *16th.* Ward of the City of New York, in the County of New York aforesaid, on the
thirty-first day of *March,* in the year of our Lord one
thousand eight hundred and ninety-*three* in the *right*-time of the same day, at the
Ward, City and County aforesaid, a certain building there situate, to wit, the *store* of
one *William Purcell*

there situate, feloniously and burglariously did break into and enter, with intent to commit some
crime therein, to wit: with intent the goods, chattels and personal property of the said *William*
Purcell in the said *store*
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 their dignity.

SECOND COUNT—

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

James Gleason and Michael Whalen

of the CRIME OF *Petit* LARCENY

committed as follows:

The said

James Gleason and Michael Whalen, both

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, in the *night* time of said day, with force and arms,

the sum of seven dollars in money, lawful money of the United States of America, and of the value of seven dollars, and one pistol of the value of three dollars

[Large decorative flourish]

of the goods, chattels and personal property of one

~~*Frank Butterby*~~
William Purcell

in the

stone

of the said

William Purcell

there situate, then and there being found, in the *stone* aforesaid, then and there feloniously did 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 their dignity.

De Laurey Nicoll
District Attorney

0361

BOX:

518

FOLDER:

4718

DESCRIPTION:

Goldstein, Jacob

DATE:

04/14/93



4718

0362

BOX:

518

FOLDER:

4718

DESCRIPTION:

Scope, Samuel

DATE:

04/14/93



4718

0363

POOR QUALITY ORIGINAL

Witnesses:

Alfred Schneider

Counsel:

Filed:

day of

1893

Plead:

200
17
THE PEOPLE

vs.

Jacob Solustein
and
Samuel S. ...

Section 489
Fugitive in the Third Degree.

De Lancey Nicoll
DE LANCEY NICOLL,

District Attorney
District Attorney.

A TRUE BILL.

Samuel ...
Foreman.
April 20 1893

Bob
Tried & convicted
S. P. Dyess 6 mo
R. M.

0364

POOR QUALITY ORIGINAL

Witnesses:

Edw. Schneider

500
~~*Edw. Schneider*~~

Counsel,

Filed

day of

April 1893

Pleads

THE PEOPLE

vs.

Jacob Solenstein
and
Samuel Scobie

Edw. Schneider
Burglary in the Third Degree.

[Section 498, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

19
Edw. Schneider

A TRUE BILL.

David Dwyer
April 20/93 Foreman.

(Not)
Tried & acquitted
S. P. Dyess 6 mo.
B.M.

The People
 Jacob Goldstein
 and Samuel Teope

Court of General Sessions Part I
 Before Judge Martine. April 20. 1883
 Indictment for attempt at burglary.

Louis Stange, sworn and examined.
 I live at 169 Division St. and keep a shop
 at No. 165 ~~the~~; my business is the tailor business.
 on the fourth floor, room No 8. I closed
 up my room, 165-Division street on the
 night of the 11th of April about ten o'clock
 I locked the door with three locks; two of
 the locks are patent locks and that
 lock was outside. That locked with a bar
 I have got two bars; they are half a
 yard long. The lock now shown me
 is the lock that was on the door that
 night. I locked that lock before I went
 away and the staple that held it
 was whole. There were no marks or
 scratches on the door. I came back
 to 165-Division St. at six o'clock in
 the morning. I found everything broken.
 the bar that hung on the door was
 broke. I did not see the lock then.
 I had goods in the place worth
 from seven to nine hundred dollars.
 Cross-Examined. I have been in the tailor
 business twelve or fifteen years. I
 have been at 165-Division street
 about nine months. I left the place

on the night in question about ten o'clock and went home. I have workmen in my place; they leave at seven o'clock in the night. There is only one door that enters the shop. There is no other way of getting into that place only by that door. I put two locks on that door myself, patent locks; ~~the~~ closes up and latches itself and the door is opened with a key from the outside. The watchman told me of the breaking in the morning. I went in to see if any of my goods were missing, but I found none missing. The lock was broke and the door was broke a little, I don't know with what; they scratched it where the lock is, near the lock. The patent locks were not broken. The door was fastened when I got there with the patent locks; the padlock was broken. I did not find the lock. Moses Gavera, sworn and examined. I am a watchman for two shops at 165 Division Street. Stang's shop is one of the shops that I am watchman for on the fourth floor. On the night of the 11th of April what time did you go to sleep? At twelve o'clock I go to

sleep and at four o'clock I am getting up. Were you asleep at about half past one o'clock on the night of this occurrence?

Yes, I was sleeping. I was awoken by the breaking of the lock, the noise woke me up. I slept in another shop and I heard the noise. I slept next door to Mr. Stamp's shop. I immediately got up. I opened the door and I ran toward them and they ran away up stairs. I heard their steps. I did not know how many there were. It was quite dark. I don't know where they ran to, but they ran up instead of running down. There are two flights up stairs to the roof. You did not go to the roof? No, I did not run after them. I commenced to halloo in that shop where I slept; the boss also sleeps in the same shop; he came out, he thought it was a fire or something. I went around to the other shop. There were other watchmen. They came out with bars of iron and they were standing watching to see if anybody comes down. When I saw the other men watching then I went down to the street for a policeman; then

a policeman came. Officer Snyder came first and another later on. I tried to open the door of Mr. Stamp and I could not. I saw that one lock was broke off and the other two were fast yet. I saw the lock was missing from the place, but I did not know where it was.

Cross

Examined. I have been watchman eight months; since I came to this country. In Russia I was in a flour mill. Where I slept is No. 8. and Mr. Stamp's shop is No. 7, the same floor. What sort of a noise did you hear? It was the breaking of a padlock woke me up; I heard that something was breaking, some sharp clash, and then I ran out. When I ran up to the door then I heard people run away. I know Mr. Stamp since January, I knew him before, but I have only been a watchman for his shop since January. I am still a watchman for him. I told him that the lock was broken off his shop. My boss was standing with a broom in his hand and two others had iron bars when they opened

the doors of their shops.

Michael B. Snyder, sworn and examined
 I am attached to the 12th precinct and was
 on the 11th of April. I had a tour of duty
 from twelve to six. I arrested those two
 young men. My beat was on Hester
 and Division street and one side of
 Norfolk street. No. 165 Division street is
 in another precinct. About one or half
 past one o'clock my attention was called
 to the premises 165 Division street. I heard
 loud cries of hallooing and ran over to
 165 Division st. I heard commotion in
 the building. I went in and got up on
 the fourth floor out on the landing I saw
 Moses Gavera and all that I could
 hear was, "Burrows up stairs". I went
 up to the top floor and I noticed the
 skuttle half way open. I walked on the
 roof and crunched over in the corner
 I found those two men. There was a
 chimney on each side; there was
 a water tank in one corner and
 in the other a kind of ^{cap} elevator covered
 with tin with a wheel in it on the
 top of the elevator shaft. I found the
 defendants right alongside the elevator
 on the side exposed to the hatchway
 because ~~was~~ ^{was} on the back

there was nothing but the cap on the edge of the building. They were down about that position (showing) with their coats over their heads; one was standing alongside the other in Indian file. I went over to them and grabbed them. I was assisted by officers Baker and Manning; they had come up about this time. I took Samuel Scope and Manning took Goldstein. I searched around the roof and found this iron bar; it is part of a hinge; it was near where they were standing. I then went down stairs to the floor of Mr. Stang and examined the door of his premises and found breakage at the side of the door. I found this padlock on the floor right by the door; the staple was broken. I had the piece of iron with me and fitted the sharp end into the marks on the door and it fitted exactly. The defendants told me they could not speak English I asked them what they were doing, and they shrugged their shoulders. I speak a little German and I tried that on them, but they did not give me any answer.

Jacob Goldstein, sworn and examined in his own behalf testified. I am working for an Express; on the 11th of April I was working. I earned \$1.75 that day from Charlie Lewis and Jake Cohen; they paid me the money. I work with the other defendant. You are charged with going into this man's place at 165 Division Street in this city and breaking off the lock of his door with the intent to commit a burglary, did you do that? I did not break that lock. Were you sober that night? I was intoxicated and I do not know how I came to that place. In the evening I had some whiskey and beer and the mixed drinks made me intoxicated.

Cross Examined. I don't remember how I got there. Do you remember that you did not break the door? Because I never did such a thing. I have been always working. I never went into that kind of business. What were you standing with your coat over your head for? I was lying on the roof. I cannot speak English. Officer Jacobs arrested me once, I was innocent. I was discharged.

Samuel Scopé sworn and examined. I am 19 years old. I am doing odd jobs for expressmen. I have been in America three years. I understand some English but I cannot speak it. You are charged with being on the 11th of April 1913 with Goldstein at 165 Division street with the intent to commit a burglary? I don't know anything about it. When I finished work I took the horse to the stable. I went with the boss. I had a candle and I put it in my pocket, and when I came out I met the other defendant on the corner of Norfolk and West 2nd St. He had a moving job and the man whom we moved gave us money to buy beer. Then the other defendant treated and I treated. I don't know what happened afterwards I got so drunk. I did not know what was going on about me. They found \$1.40 on me in the station house.

Cross Examined. I don't recollect whether the policeman found a candle in my pocket.

Charles Lewis, an expressman, testified that the defendants worked for him and he could not say anything against them. The jury rendered a verdict of guilty.

0373

Testimony in
the case of
Jacob Goldstein
and
Samuel Scipe

filed April
1893
20 J.

0374

Police Court 3rd District.

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

of No. 165 Division Street, aged 27 years,
occupation Tailor being duly sworn

deposes and says, that the premises No. 165 Division Street, 7th Ward
in the City and County aforesaid the said being a factory building; a half
of the fifth floor of
and which was occupied by deponent as a factory
~~and in which there was at the time a human being, by name~~

Attempted to be
were BURGLARIOUSLY entered by means of forcibly removing ^{one of the}
pad locks used in fastening the
door leading into said portion of the
loft

on the 11th day of April 1893 in the night time, ~~and the~~
~~following property feloniously taken, stolen, and carried away, viz:~~

with intent to commit
some crime therein

~~The property of~~

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY ^{was attempted to be} was committed and the aforesaid property taken, stolen and carried away by

Jacob Goldstein and Samuel Scope
(both now here)

for the reasons following, to wit: that the doors and windows
leading into said portion of the building
above described ^{were securely locked and fastened} ~~and deponent has~~
since found the staple broken and
the pad lock removed although said
place had not been entered. That
a large quantity of clothing was in
said loft. Deponent is informed by
Moses Gavera (now here) a watchman

0375

in said building that at about the hour of 1.30 a.m. he was in the adjoining workshop on the same floor and heard said break and entry attempted and gave the alarm to attract the police. Deponent is informed by Officer Michael B. Snyder (now here) of the 15th Precinct that he went to said building and found the defendants in company with each other on the roof of said building crouched in a manner to hide themselves.

Sworn to before me }
the 12th April, 1893 }

Louis Strong

Charles Linton
Police Justice

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 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 _____ 1893
Police Justice.

I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated _____ 1893
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 _____ 1893
Police Justice.

Police Court, _____ District,

THE PEOPLE, &c.,
on the complaint of _____

vs.

1. _____
2. _____
3. _____
4. _____

Offence—BURGLARY.

Dated _____ 1893

Magistrate. _____

Officer. _____

Clerk. _____

Witness, _____
No. _____ Street, _____

No. _____ Street, _____

No. _____ Street, _____

§ _____ to answer General Sessions.

0376

1021

CITY AND COUNTY }
OF NEW YORK, } ss.

Michael B. Snyder

aged *31* years, occupation *Police officer* of No. *12 Precinct*

12 Precinct Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of *Louis Stang*

and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this *12* day } *Michael B. Snyder*
of *April* 189 *3* }

Charles N. Latorre Police Justice.

0377

1921

CITY AND COUNTY }
OF NEW YORK, } ss.

Moses Gavera

aged *42* years, occupation *Watchman* of No.

165 Division Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of *Louis Stany*
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this *12* day } *Moses Gavera*
of *April* 189 *3* } *man*

Police Justice.

0378

Sec. 198-200.

1882
District Police Court.

City and County of New York, ss:

Jacob Goldstein 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. *Jacob Goldstein*

Question. How old are you?

Answer. *28 years.*

Question. Where were you born?

Answer. *Russia.*

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

Answer. *Astoria St. 8 1/2 months*

Question. What is your business or profession?

Answer. *Labourer*

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
Jacob Goldstein
murder*

(embued)

Taken before me this
day of *April*
189*3*
Charles J. Justice
Police Justice.

0379

Sec. 198-209.

District Police Court. 1882

City and County of New York, ss:

Samuel Scopi 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. *Samuel Scopi*

Question. How old are you?

Answer. *19 years*

Question. Where were you born?

Answer. *Russia*

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

Answer. *53 Orchard St. 3 years*

Question. What is your business or profession?

Answer. *Labrador*

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*
Samuel Scopi
Scopi

Taken before me this *19* day of *July* 189*3*
Charles J. ...
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, *Each* and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated, *April 12* 189*3* *Charles N. Lester* Police Justice.

I 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

Police Court--- 3 / 405 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Louis Stang
165 Division
Jacob Goldstein
Samuel Scope

Offense
Bury Corp

3
4

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated, April 12 1893

Taintor Magistrate.

Snyder Officer.

12 Precinct.

Witnesses

Moses Gavera

No. 165 Division Street.

Call officer

No. Street.

No. Street.

\$ 1000 to answer G.S.

Bon



0382

402
Court of General Sessions of the Peace
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Jacob Goldstein
and
Samuel Scope

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

Jacob Goldstein and Samuel Scope
of the crime of attempting to commit
of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said

Jacob Goldstein and Samuel Scope, both

late of the 7th Ward of the City of New York, in the County of New York aforesaid, on the
eleventh day of *April* in the year of our Lord one
thousand eight hundred and ninety-*three*, with force and arms, in the *right*-time
of the same day, at the Ward, City and County aforesaid, the dwelling-house of one
certain building there situate, to wit:
the factory of one Louis Stang
there situate, feloniously and burglariously *attempt to* break into and enter, with intent to commit some
crime therein, to wit: with intent the goods, chattels and personal property of the said *Louis*
Stang in the said *factory* dwelling-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
their dignity.

De Lancey Nicoll
District Attorney