

0853

**BOX:**

299

**FOLDER:**

2851

**DESCRIPTION:**

Garon, Mary

**DATE:**

03/27/88



2851



0054

BOX:

299

FOLDER:

2851

DESCRIPTION:

Murtha, Patrick

DATE:

03/27/88



2851



POOR QUALITY  
ORIGINAL

0055

Witnesses

Chas. Clement

Off Breneman

Counsel,

Filed

27 day of March 1888

Pleads

Guilty

THE PEOPLE

Grand Larceny in the second degree.  
(MONEY.)  
(Sec. 528 and 53 / Penal Code.)

near judge  
in court  
Mary Garon  
Patricia Murtha

JOHN R. FELLOWS,  
District Attorney.

A True Bill.

Part III of the 6/88

Foreman  
C. B. Wright

W. B. 2 1/2 1/5 10 mo.

W. B. 2 1/2 1/5 10 mo.

W. B. 2 1/2 1/5 10 mo.



POOR QUALITY  
ORIGINAL

0056

COURT OF GENERAL SESSIONS-Part III.

-----  
The People of the State of New York,  
against

Mary Garron and Patrick Murtha

: Before Hon. R. B.  
:  
: Martine and a  
:  
: Jury.

-----  
Indictment filed March 27th 1888.

N E W Y O R K, April 10th 1888.

APPEARANCES: for the People Asst. Dist. Atty. Bedford

For the defendant W. S. McPheeters, Esq.

CHARLES CLEMENT, a witness for the People, testified:

I live at No. 96 Willet St. On the morning of the 18th of March about 3 o'clock, I was walking along the Bowery and I was accosted by this defendant Mary Garron. She asked me if I would go upstairs with her. I went with her to No. 42 Great Jones St. to her room undressed myself and went to bed. I had forty five dollars in money and a diamond pin worth \$25. The diamond pin was in my neck tie and the money was in the pocket of my pantaloons which were lying on a chair. I was in bed about two hours when this defendant Patrick Murtha came into the room and said "God Damn you what are you doing in here with my wife"? I told him I did not know it was his wife; and he said he had a mind to give me a good licking. I got up and went out in the street and when I got there I found that my diamond pin and my money was all gone. I asked the man for the pin, and said I did not care for the money as I could earn it again; that the pin was a present from my mother. I told him I would call an officer and



**POOR QUALITY  
ORIGINAL**

0057

2

have him arrested and she said "If you do that I will kill y-ou". I am positive that this is the woman with whom I went to the house; and that this is the man who came into the room .

**CROSS EXAMINATION:**

I am a bartender by occupation. I was coming home from a ball when I met this woman. I had several drinks of beer and whiskey on the night of this affair. The woman spoke to me first . I followed these defendants to a saloon at No. 355 Bowery and remained there for fifteen minutes before I called an officer.

JOSEPH BRERETON, a witness for the People, testified;

I am a police officer. On the morning of the 18th of March I was on duty in the neighborhood of No. 355 Bowery. I saw this woman about seven o'clock in the morning. I told her that this complainant accused her of taking \$45. and a diamond pin; she said she never took it . She said that this complainant never had that amount of money in his life. In the evening before I had seen this woman walking up and down the Bowery. The pin was found in the saloon No. 355 Bowery where this woman was arrested .

**CROSS EXAMINATION:**

This complainant was like a man who had been drinking when he reported his loss to me on the Bowery.

**D E F E N C E**

MARY GARRON, a witness for the Defendants, testified;

I was on the Bowery about three o'clock on the



**POOR QUALITY  
ORIGINAL**

0050

3

morning of March 18th and I did not meet this defendant at that hour. I did meet him about seven o'clock on that morning in a saloon No. 355 Bowery where he was drinking with four or five men. I was not in bed with him as he states. I did not take his money or his pin and know nothing about them.

**CROSS EXAMINATION:**

This man Patrick Murtha is not my husband; I am only slightly acquainted with him. I live at No. 42 Great Jones St. where I have a furnished room. I was not in that house on the night of the 18th of March; I was in this saloon No. 355 Bowery.

**PATRICK MURTHA, a defendant, testified:**

I was not at No. 42 Great Jones St. on the night of the 18th of March. I did not see the complainant that evening. I was not in company with Mary Garron. I did not take this man's pin or money and know nothing whatever of it. I was searched in the station house and all that was found on me was 65 cents.

**CROSS EXAMINATION:** I am a waiter. I never was arrested in my life.

The jury found the prisoner **GUILTY** of Grand larceny in the second degree.



POOR QUALITY  
ORIGINAL

0059

Indictment filed Mar. 27 1888

COURT OF GENERAL SESSIONS

Part III.

The People &c.

against

Mary Garron and Patrick

Murtha .

Abstract of testimony on

trial April 16th 1888.



POOR QUALITY  
ORIGINAL

0050

To His Honor the Judge  
Before your Honor

Gracious Sir, I  
would say to you  
that I know who  
took the money from  
the man, it was a man  
who all the time was  
in the hat and cap  
and he must be the  
factor and a very  
important thing is  
that he is a man  
who will be seen  
I must have told this  
before the judge and  
before the jury and  
before the public and  
before the law.

Yours truly  
J. M. G. G. G.



POOR QUALITY  
ORIGINAL

0051

Police Court 3<sup>rd</sup> District.

Affidavit—Larceny.

City and County } ss.  
of New York.

of No. 96 Mallett Street, aged 28 years,  
occupation Barkeeper being duly sworn

deposes and says, that on the 18 day of March 1888 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 the Day time, the following property viz :

One Diamond  
Scarf Pin of the value of  
Twenty Five Dollars and  
forty five dollars in good and  
lawful current bills and  
Coin of the United States all of  
the total value of Seventy Dollars  
(\$70.) 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 Harry Geron and  
Patrick Murphy both now here

in the manner and for the  
reason following. To wit, at  
about Three o'clock on Monday  
morning March 18<sup>th</sup> last past,  
Deponent met said Geron  
on the Bowery near Houston  
St. and Deponent and said  
Harry Geron went to No 42  
Great Jones and in a room  
went to bed for the purpose  
of Copulation and carnal in-  
tercourse; Deponent had been  
in bed with said Harry Geron

Sworn to before me, this

1888

day  
Police Justice.



POOR QUALITY  
ORIGINAL

0862

for about two hours, when the said defendant Martha entered said room and saying "God damn you, you are in bed with my wife", then Martha dragged defendant out of the bed, and took defendant to No 355 Bowery defendant gave said money and coin for the last time before he went to bed with said Mary seven, and defendant misst said money and coin while on his way to No 355 Bowery. And now therefore defendant charges said defendant with taking stealing and carrying away said property and prays that they be dealt with as the law directs.

Sworn to before me } Leas. Hunt.  
this 19<sup>th</sup> day of Apr 1888

J. W. Patterson Police Justice

Dated 1888 Police Justice

guilty of the offence within mentioned, I order he to be discharged.

There being no sufficient cause to believe the within named

Dated 1888 Police Justice

I have admitted the above named

to bail to answer by the undertaking hereto annexed.

Dated 1888 Police Justice

of the City of New York, until he give such bail.

Heured 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.

Dated 1888

Magistrate.

Officer.

Clerk.

Witnesses,

No. street.

No. Street,

No. Street,

No. to answer Sessions.



POOR QUALITY  
ORIGINAL

0063

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT, 3 DISTRICT.

of No. 14 President Street, aged years,  
occupation Police Officer being duly sworn deposes and says,  
that on the 18 day of March 188

at the City of New York, in the County of New York, Dependent  
Arrest a Mammie Gearon, (an Irish woman)  
on the Complaint of Charles  
Klement who informs Dependent  
that he met Mr. Sam Mignin  
on the Bowery about the hour of  
one Am and with her he went  
to an assignation House 42  
Great Jones Street and remained  
with her till 6 o'clock Am.  
Dependent further says that Mr.  
Sam Klement informs him

Sworn to before me, this  
of 188

Police Justice



0064

David C. Day of Museum District

*Disposition,...*



POOR QUALITY  
ORIGINAL

0065

Sec. 198—200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name.

Answer.

*Maxim Goran*

Question. How old are you?

Answer.

*22 years*

Question. Where were you born?

Answer.

*Israel*

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

Answer.

*46 Great Dover Street, New York*

Question. What is your business or profession?

Answer.

*House Keeper*

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

Answer.

*I am not guilty*

*Maxim Goran*  
*work*

Taken before me this

day of

*June*

1888

*John Williams*  
Police Justice.



POOR QUALITY  
ORIGINAL

0066

Sec. 198-200.

3<sup>d</sup> District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Patrick J. Murtha* being duly examined before the under-  
signed 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.

*Patrick J. Murtha*

Question. How old are you?

Answer.

*29 years*

Question. Where were you born?

Answer.

*New York City*

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

Answer.

*73 E. 100th Street, New York*

Question. What is your business or profession?

Answer.

*Waiter*

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*

*Patrick J. Murtha*

Taken before me this

day of *Sept* 19*19*

188*8*

*John P. Murtha*

Police Justice.



POOR QUALITY  
ORIGINAL

0067

Police Court-  
District.

449

THE PEOPLE, &c.,  
OF THE COUNTY OF

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Offence

Dated

188

Magistrate

Officer

Precinct

Witnesses

No.

Street

No.

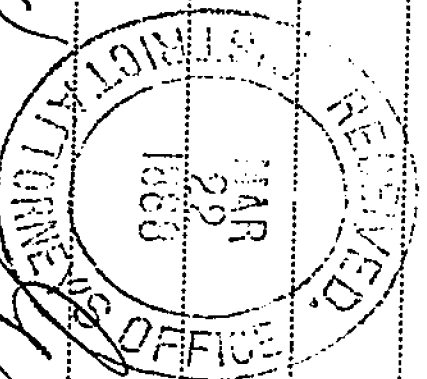
Street

No.

Street

\$

to answer



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 Fifteen 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 Mar 19<sup>th</sup> 1888 Wm. J. Patterson Police Justice.

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

Dated 188 Police Justice.

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

Dated 188 Police Justice.



POOR QUALITY  
ORIGINAL

0068

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Mary Gerson and  
Selinda G. Murtha*

The Grand Jury of the City and County of New York, by this indictment, accuse  
*Mary Gerson and Selinda G. Murtha*  
of the crime of GRAND LARCENY IN THE *second* DEGREE, committed as follows:

The said *Mary Gerson and Selinda G.  
Murtha, both* —

late of the City of New York, in the County of New York, aforesaid, on the *eighteenth*  
day of *March*, in the year of our Lord one thousand eight hundred and eighty *eight*,  
at the City and County aforesaid, with force and arms, in the *day* — time of  
the same day, *one* promissory note for the payment of money, being then  
and there due and unsatisfied (and of the kind known as United States Treasury notes), of  
the denomination of twenty dollars, and of the value of twenty dollars — ;  
*three* promissory notes for the payment of money, being then and there due and  
unsatisfied (and of the kind known as United States Treasury notes), of the denomination of  
ten dollars, and of the value of ten dollars *each* ; *five* promissory notes for the  
payment of money, being then and there due and unsatisfied (and of the kind known as United States  
Treasury notes), of the denomination of five dollars, and of the value of five dollars *each* ;  
*ten* promissory notes for the payment of money, being then and there due and unsatisfied  
(and of the kind known as United States Treasury notes), of the denomination of two dollars, and  
of the value of two dollars *each* ; *ten* promissory notes for the payment  
of money, being then and there due and unsatisfied (and of the kind known as United States Treasury  
notes), of the denomination of one dollar, and of the value of one dollar *each* ;  
*one* promissory note for the payment of money (and of the kind known as bank notes),  
being then and there due and unsatisfied, of the value of twenty dollars — ; *three*  
promissory notes for the payment of money (and of the kind known as bank notes), being then and  
there due and unsatisfied, of the value of ten dollars *each* ; *five* promissory notes for the  
payment of money (and of the kind known as bank notes), being then and there due and unsatisfied,  
of the value of five dollars *each* ; *one* United States Silver Certificate of the



POOR QUALITY  
ORIGINAL

0069

denomination and value of twenty dollars — ; ~~Three~~ United States Silver  
Certificates of the denomination and value of ten dollars ~~each~~ ; ~~Five~~ United  
States Silver Certificates of the denomination and value of five dollars ~~each~~ ; ~~Five~~  
United States Silver Certificate of the denomination and value of two dollars ~~each~~ ;  
~~Five~~ United States Silver Certificate of the denomination and value of one dollar  
~~each~~ ; ~~one~~ United States Gold Certificate of the denomination and value of  
twenty dollars — ; ~~Three~~ United States Gold Certificates of the denomination  
and value of ten dollars ~~each~~ ; ~~Five~~ United States Gold Certificates of the  
denomination and value of five dollars ~~each~~ ; and divers coins, of a number, kind and  
denomination to the Grand Jury aforesaid unknown, of the value of ~~Five dollars~~,  
~~and one ready piece of the value of~~  
~~Twenty five dollars.~~

of the proper moneys, goods, chattels and personal property of one

— ~~Charles Stewart~~ — 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.

JOHN R. FELLOWS,  
District Attorney.



0070

**BOX:**

299

**FOLDER:**

2851

**DESCRIPTION:**

Geismar, Alexander

**DATE:**

03/23/88



2851



0071

POOR QUALITY  
ORIGINAL

No. 292

Counsel,  
Filed **23** day of **March** 188**8**  
Pleads,

Grand Larceny, First Degree,  
(DWELLING HOUSE.)  
[Sections 528, 580, 584 Penal Code].

THE PEOPLE

vs.

P

Alexander Seimmar

JOHN R. FELLOWS,

District Attorney.

A TRUE BILL.

*(Signature)*

*(Signature)* Foreman,  
St. Paul, Minn.  
Grand Jury  
March 23, 1888

clerk of court.

Witnesses:

*W. McGrade*

*James Lamberton*

*Ar. A. C. 174*  
*Got the money*

*See you may*  
*the deft. has*  
*connection*

*77*



POOR QUALITY  
ORIGINAL

0072

Police Court—

15th District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

Max Bernstein

of No. 235 Broome Street, aged 28 years,

occupation Baker & Coffee Saloon being duly sworn

deposes and says, that on the 19th day of January, 1888, 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 the night time, the following property viz

One single cased gold watch and  
one gold chain together of the value  
of Fifty 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 Alexander Geismar (where

from the fact that defendant was in the

employ of deponent on or about said date

as a dish washer and on or about said

date deponent missed said watch and

chain from a box in the sleeping room

in said apartment adjoining the kitchen

and deponent admitted and confessed

to deponent in the presence of Officer

Arch McGrade of the 10th Precinct Police

that he did take steal and carry away

said watch and chain

Max Bernstein

Sworn to before me, this  
16th day of  
January, 1888

John J. McGrade  
Police Justice.



POOR QUALITY  
ORIGINAL

0073

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 32 years, occupation Police Officer of No. 16th Street, being duly sworn deposes and  
The 10th Precinct Police says, that he has heard read the foregoing affidavit of Max Bernstein  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this

day of

16th  
March 183

Hugh J. McGrade

J. J. Hall  
Police Justice.



POOR QUALITY  
ORIGINAL

0074

Sec. 198—200.

1st District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

Alexander Grisman being duly examined before the under-  
signed 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 to 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.

Alexander Grisman

Question. How old are you?

Answer.

17 years

Question. Where were you born?

Answer.

Germany

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

Answer.

297 5th St 4 weeks

Question. What is your business or profession?

Answer.

Laborer

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

Answer.

I am guilty  
Alexander Grisman

Taken before me this

day of

188

Police Justice.



POOR QUALITY  
ORIGINAL

0075

BAILLED,  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_

Police Court District 15446

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Mark W. Bernstein  
635 W. 10th St.  
New York City

Alexander Bernstein  
635 W. 10th St.  
New York City

2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

Offence \_\_\_\_\_

Dated March 1st 188 \_\_\_\_\_

Michael Magistrate

10th Precinct

Witnesses \_\_\_\_\_

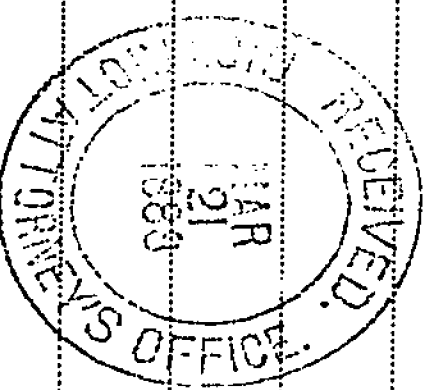
No. \_\_\_\_\_ Street \_\_\_\_\_

No. \_\_\_\_\_ Street \_\_\_\_\_

No. \_\_\_\_\_ Street \_\_\_\_\_

\$1000.00 to answer \_\_\_\_\_

Committed to \_\_\_\_\_



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 \_\_\_\_\_ 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 1st 188 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.



POOR QUALITY  
ORIGINAL

0075

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Alexander Geismar*

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

*Alexander Geismar*

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

The said

*Alexander Geismar*

late of the *South* Ward of the City of New York, in the County of New York  
aforesaid, on the *nineteenth* day of *January* in the year of  
our Lord one thousand eight hundred and eighty-eight in the night time of the same day,  
at the Ward, City and County aforesaid, with force and arms,

*One watch of the value of forty  
dollars, and*

*One chain of the value of ten  
dollars*

of the goods, chattels and personal property of one

*Max Bernstein*

in the dwelling-house of the said

*Max Bernstein*

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.



POOR QUALITY  
ORIGINAL

0077

SECOND COUNT—

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

Alexander Geismar

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

The said Alexander Geismar

late of the Ward of the City of New York, in the County of New York  
aforesaid, on the nineteenth day of January in the year of  
our Lord one thousand eight hundred and eighty eight at the Ward, City and County  
aforesaid, with force and arms,

One watch of the value of  
forty dollars,  
and one chain of the value  
of ten dollars.

of the goods, chattels and personal property of one Max Bernstein

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

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

Alexander Geismar

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.

JOHN R. FELLOWS,  
District Attorney.



0078

**BOX:**

299

**FOLDER:**

2851

**DESCRIPTION:**

Giblin, Charles

**DATE:**

03/28/88



2851



POOR QUALITY  
ORIGINAL

0079

Witnesses:

Off. - O'Hara  
Valentine Guelz  
Maggie Guelz

Presented by Mr. J. H. [unclear]  
No. 346 [unclear]  
C. P. [unclear]  
Counsel,  
Filed, 28 day of March 1888  
Pleads, [unclear] (29)

THE PEOPLE

MURDER IN THE FIRST DEGREE.

Charles Giblin

22d June 88  
sentenced to be executed  
on Friday Aug 17/88

JOHN R. FELLOWS,

RANDOLPH B. MARTINE,

Ordered by the District Attorney,  
Jury and Foreman for trial

A True Bill.

June 15/88

(Signed) [unclear]

June 21, 1888.  
Foreman.  
Pried and convicted  
Murder in the 1st degree

25



POOR QUALITY  
ORIGINAL

0000

People Ex 10

Sept 26/89

In the Matter  
of the Application of Charles Giblin  
to the Governor of the State of New York  
for the Exercise of Executive Clemency.

City and County of New York, ss:

Abraham Suydam, being  
duly sworn, says as follows, to wit:

I was of counsel for the applicant above-named,  
and defended him at his trial for murder in the  
first degree in the Court of Oyer and Terminer in  
the City and County of New York, before the Honorable  
George F. Barrett, Justice. I refer to the printed re-  
cord of the trial for the elucidation of statements  
herein after made.

During the trial there was some informal dis-  
cussion between Judge Barrett, the District Attorney  
and myself, concerning the question of proof as to the  
character of the bill uttered by the defendant in  
the bakery of Nicholas Goetz. The District Attorney  
expressed a disposition to call witnesses to prove  
that the bill was counterfeit. I said that I should  
object to such evidence, upon the ground that the  
utterance of the bill and its rejection by Valentine  
Goetz were fully completed acts before any act of  
violence was committed by any one, and therefore  
the character of the bill could not affect the de-  
gree of the homicide, and the question whether



POOR QUALITY  
ORIGINAL

0001

the bill was in fact genuine or counterfeit was wholly immaterial to the issue.

Judge Banett, according to my recollection, seemed inclined to take the same view of the question. I do not remember that he said that he would exclude such evidence, but, as I recollect, he intimated that it would be better not to offer it.

The District Attorney, either in obedience to the intimation of Judge Banett, or for some other reason, concluded not to offer any testimony as to the genuineness of the bill. The bill itself was admitted in evidence and was inspected by the jury, but no witnesses were called to testify as to its character.

I make this affidavit at the request of the District Attorney, by whom I am informed that the question of proof as to the character of the bill had been discussed before the Governor, upon the hearing of this application. I make the affidavit with some reluctance, because I was of counsel for the applicant, although it does not seem to me that any of the facts which I have stated ought to prejudice the application. I desire to say that in my opinion, from all my knowledge of the whole case, the present application for executive clemency is worthy of a favorable consideration.

Subscribed and sworn to

Abraham Shepard

before me this 16th day of September 1889.

*William H. Sawyer*  
Notary Public



**POOR QUALITY  
ORIGINAL**

00002

The People  
Resp't,

v.

June 28th, 1889.

Charles Giblin,  
Appl't.

WILLIAM F. HOWE, for Appellant.

McKENZIE SIMPLE, for Respondent.

GRAY, J.

The defendant was convicted at a Court of Oyer and Terminer, held in and for the city and county of New York, of the crime of murder in the first degree, for the killing of Madeline Goelz. From the sentence of death pronounced upon him he has appealed to this court; alleging various grounds in support of his appeal. The indictment was drawn in common-law form, and in one count charged the killing to have been done wilfully, feloniously and with malice aforethought. The defendant objected that such an indictment was not sufficient to sustain the conviction of the defendant for the offense of murder in the first degree while engaged in the commission of the felonious assault upon Valentine Goelz. He argues that the offense is defined by the statute in the alternative, as consisting of separate acts, and the indictment should have stated the circumstances constituting the offense according to the third alternative provision of section 183 of the Penal Code, which makes the killing of a human being murder in the first degree, when committed, without a design to effect death, by a person engaged in the



**POOR QUALITY  
ORIGINAL**

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commission of, or in an attempt to commit a felony. The objection to the indictment is untenable. A conviction of murder in the first degree under such an indictment is sustained by proof of a killing in the perpetration of a felony: People v. Conroy, 97 N. Y., 62; People v. Willett, 102 id., 254.

If the indictment contains a plain and concise statement of the act constituting the crime and the proof as to the manner in which it was perpetrated, brings it within one of the statutory definitions of murder in the first degree, the requirements of the law are sufficiently met. The various statutory changes in the definition of what may constitute the crime of murder have not affected, and have not been held to affect the ordinary common-law counts in indictments for murder.

The evidence warranted the finding of the jury as to the guilt of the prisoner. He did not deny the killing, but claimed that it was done in self-defense. None of the witnesses of the occurrence testify to any fact, which we think tends to corroborate, or to give color of truth to, his claim. They all agree upon the material facts and the evidence compels the mental conviction that the prisoner was committing an unprovoked and unwarrantable assault upon Valentine Goelz, the husband of the deceased. In her attempt to aid her husband in his resistance to the assault upon him, she received her death-wound from the pistol in the prisoner's hands.



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ORIGINAL**

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The testimony is abundant to establish that after the defendant's tender of the five-dollar bill, in payment of his purchases, and when it was asserted to be a counterfeit by Valentine Goelz, defendant drew his pistol upon Goelz, demanding, with a threat, change for the bill. During the scuffle which ensued between them, and after several shots had been fired, two of which had struck Goelz, the deceased came into the store and at once rushed to her husband's assistance. She seized hold of defendant from behind and endeavored to rescue her husband. Holding his hand behind him the defendant fired at her and the bullet entered her abdomen, inflicting the wound from which she died on the day following. In the testimony of the police officer, who was drawn to the spot by the cries of the parties, we have a valuable corroboration of the case for the prosecution. He testified that he arrested the defendant, and, upon bringing him over to where the wounded woman lay, she identified him as the person who shot her and said, "He shot my husband and he shot me. I was trying to pull him away from my husband." This testimony is of considerable weight as characterizing the attitude of the parties, and it was given immediately after the affray.

The pistol was never found, and, from the evidence, it is fairly inferable that it was stolen by a bystander. Several of the members of the Goelz family testified that Valentine Goelz did not own a pistol, and there was evidence of a belt to hold a pis-



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ORIGINAL**

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tol and ammunition being found at defendant's house;  
and from which the pistol was missing.

After a careful consideration of the record, we are of opinion that not only was the evidence ample to sustain the verdict, which the jury rendered, but that such a verdict was the only conclusion to which a fair and rational mind could come upon the case as it was developed.

The appellant alleges errors in the admission of evidence. We think none of the exceptions to be well taken. Upon the defendant's cross-examination the District Attorney was permitted to interrogate him as to the possession of certain dies and plates, and also as to whether he had not visited an engraver, for the purpose of obtaining a die for the figure five. He denied the visit, but admitted the possession of the dies and plates, which he endeavored to account for by stating that they were owned by him for innocent purposes. It was permissible to impeach the defendant's credibility by showing facts which would connect him with a nefarious occupation. It is an office of cross-examination to exhibit the improbabilities of the Witness' story, and, in this case, we do not think that the prosecuting officer exceeded the proper bounds, in his endeavor to show that the defendant was not of such a character as to command entire confidence in his statements. No other exceptions call for our consideration.

The defendant had a fair trial and the case



**POOR QUALITY  
ORIGINAL**

0005

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was submitted to a jury in a charge explaining the law  
ably and clearly and presenting the facts fully, fairly  
and dispassionately.

The judgment should be affirmed.

All concur, except Finch, J., absent.

A copy. H. E. Sickels, Reporter, per C.



POOR QUALITY  
ORIGINAL

0007

*N. Y. Court of Appeals*

THE PEOPLE OF THE STATE OF  
NEW YORK.

*against*

*Charles E. Eicklin*

*Opinion of Gray J. of -  
pending judgment*

JOHN R. FELLOWS,

DISTRICT ATTORNEY,

No. 32 CHAMBERS STREET,  
NEW YORK CITY



POOR QUALITY  
ORIGINAL

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At a Special Term of the Supreme  
Court held in and for the City  
and County of New York, at the  
County Court House in the said  
City and County, on the 19th day  
of August, 1909.

P R E S E N T:

Hon. GEORGE C. BARRETT,

Justice.

-----X  
The People of the State of New York :  
against :  
Charles Giblin. :  
-----X

An order having heretofore been made requiring  
the District Attorney of this City and County to show  
cause before a Special Term of this Court why a new  
trial should not be granted the above named defendant  
upon the ground of newly discovered evidence, and due  
and timely service of said order and of the affidavits  
upon which the same was granted having been made upon  
the said District Attorney, and the said motion coming  
on this day before the Court to be heard, now, upon  
reading and filing the affidavits of Thomas Giblin,  
Mary Nelson, Fannie Nelson, Jessie Nelson, James Lee,  
Valentine Goolz, Nicholas Goolz, Mary Goolz, Maggie  
Goolz, Theodore Jacobs, Mary Jacobs, William O'Hara,  
George Wittmann, Patrick F. Hart and George W. Norton,  
and after hearing William F. Howe, Esquire, counsel for



**POOR QUALITY  
ORIGINAL**

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the defendant on behalf of the said motion, and Andrew  
D. Parker, Deputy District Attorney, in opposition  
thereto, and due deliberation being had thereon, it is

O R D E R E D, That the said motion for a new  
trial be and the same hereby is denied.



POOR QUALITY  
ORIGINAL

0090

*New York Supreme Court*

THE PEOPLE OF THE STATE OF  
NEW YORK.

*against*

*Charles Lillie*

*Order denying motion  
for a new trial*

JOHN R. FELLOWS,

DISTRICT ATTORNEY,

No. 32 CHAMBERS STREET,  
NEW YORK CITY



①  
Brief

① Charles Giblein is on trial  
for the murder of Mathew  
Gibb.

The Indictment is a simple indictment  
for murder in the 1<sup>st</sup> degree -

The Defendant is not on  
trial for passing counterfeit  
money -

But the fact that Defen-  
-dant did pass a five  
dollar Counterfeit bill is  
admissible on the trial as  
being part of the Res Geste -

All that occurred - all  
that was said & done in  
the Bakery shop from the time  
the prisoner entered, until  
he was arrested is part of the  
Res Geste and admissible -



2

(2)

The Lightness of a relevant  
circumstance is no argument  
for keeping it from the jury,  
and in case of murder, Every-  
thing pertinent is let in.

See Estes - Rector

19 Wendell

569

Kennedy v. People 39 N.Y. 254.

Penal Code Sec 183. Says

"The killing of a  
"human being, (unless it is excu-  
"sable or justifiable), is murder  
"in the first degree,  
"when com-  
"mitted by a person engaged  
"in the commission of, or in,  
"an attempt to commit a felony  
"either upon or affecting the  
"person killed, or otherwise -

Sub-division 3 of Sec 183

Penal code cites abundant cases  
all holding - That when a  
person is engaged in felony  
Intent is not necessary to  
constitute murder.



3.

(3)

Therefore,

If defense set up  
That Giblin never intended  
to kill, main or unaided  
Madeline Goly - it cannot  
avail -

Because, Giblin, had  
already shot Valentine Goly  
three times, and when  
the wife tried to separate  
the prisoner from her  
husband - they were  
divorced and Giblin was  
in the act of committing  
a felony - to wit attempting  
to kill the husband -

Again - It is an Elementary  
principle of law -

That he  
who commits an unlawful  
act must abide by all  
the consequences ensuing  
therefrom -

Giblin committed  
an unlawful act when he  
shot Goly & therefore assuming  
without conceding, that the



4

(4)

shot that killed Maddie Goby was purely accidental, still the law holds Giblin responsible just the same as if he deliberately shot & killed Maddie Goby - for he must take all the consequences flowing from an unlawful act -

Giblin is not on trial for committing a felonious assault upon Valentine Goby - nor is there any count in the indictment for said assault.

But unquestionably we can prove the assault all the same - for it is part of the Res Gestae, the assault on Goby immediately preceding the murder of Maddie Goby.

Maddie Goby, the decd., and wife of Valentine Goby, was perfectly justified in what she did - in fact it was her duty as well her prerogative -



(5)

What are the facts in this case?

Madeline Goly - after her husband had been shot three times - wounded & bleeding - without any weapons - She saw him clinked with Giblin -

She rushed towards Giblin placed her hands upon him to separate them, when Giblin put the pistol behind his back, pointed it and fired, the bullet entered the abdomen of Madeline Goly causing her death -

3 See 205 - Paul Cole would have justified Madeline Goly in defense of her husband to have killed Giblin on the spot -

All the witnesses for the People swear positively, that it during all the trouble and the shooting, no strangers were in the Bakery Shop



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⑥

That after the shooting was all over, there were several rushed in & some one stole the pistol.

Now. Should by perjured witnesses, the defence prove that Giblin was acting in self defence viz. that Goly (who by the way will swear he never owned or carried or fired a pistol in his life) attacked Giblin & that Giblin got the pistol away from Goly and shot him in self defence - and accidentally shot Madeline Goly causing her death -

This defense cannot stand for a moment & I cite the People v. Shorter 2. N. Y.

Shorter's case - Holds that one, to be in a position to set up - Self defence - must be without fault himself -

Giblin was full of fault



7

⑦

He came there with a bad  
\$5 bill with the intent to  
cheat and defraud Gily.

Giblin bought a paltry  
amount of cake - twenty-  
cents worth and then  
tendered a counterfeit five  
dollar bill -

Giblin unquestionably  
had the counterfeit

Because, Officer Scanlon  
searched Giblin's premises  
424 W. 55<sup>th</sup> St and there found  
counterfeit implements of a  
most suspicious character -

Implements that no honest  
man would have in his  
possession - also a pistol belt - this  
proves that it was <sup>pistol</sup> Giblin's. - Again Officer Scanlon  
says that Giblin admitted  
knowing Waters, whom Police  
is well known to the Police as  
a Counterfeiter -

The fact of a  
Pistol Belt being found in  
Giblin's room is a circumstance  
to show that the Pistol used was Giblin's.



Defence

As well as I can learn what  
the defence will be - is simply  
this -

Its foundation stone will be  
perjury -

I defence will deny the  
pistol belonged to Giblin

II

Defence will claim the pistol  
belonged to Goly

III Defence will prove that  
there was a dispute about the  
\$5 counterfeit bill.

IV

The dispute grew hot,  
Goly drew a pistol on Giblin.

V

During a great struggle  
Giblin succeeded in getting  
the pistol - during the struggle  
Goly and his wife were both  
accidentally shot -

VI

That Giblin had no idea  
that the bill was a counterfeit



(9)

This I believe will be the  
defense -

which can easily be  
riddled on X<sup>th</sup> and thrown  
to the winds in summarizing up

Because - all the facts  
circumstances and surroundings  
of this fearful murder, demon-  
strate upon all doubt that  
this defense is absolutely false.

I believe also that the  
defense will attempt to prove  
that Goly the husband of  
Doe - is a rough and a  
bouncer -

In the 1<sup>st</sup> place the  
character of Goly is no part of the  
Res. Justice -

The character of the  
party attacked or killed cannot be  
proved until the Evidence proves that  
Githin was acting in self defense &  
that he knew the character of Goly to be bad

Offense's case of Park

Presiding - if I haven't <sup>attacked</sup> ~~permitted~~ the defense to prove  
the character of Goly - we have nothing to prove ~~that~~  
it is excellent.



POOR QUALITY  
ORIGINAL

0900

G. H. H. (over)  
called &  
wanted a  
figure 5.  

---

about 2013  
mostly like  
it happened  

---

L.H. H. H.  
only made



**POOR QUALITY  
ORIGINAL**

0901

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SUCCESSOR TO WOODRUFF & CO.  
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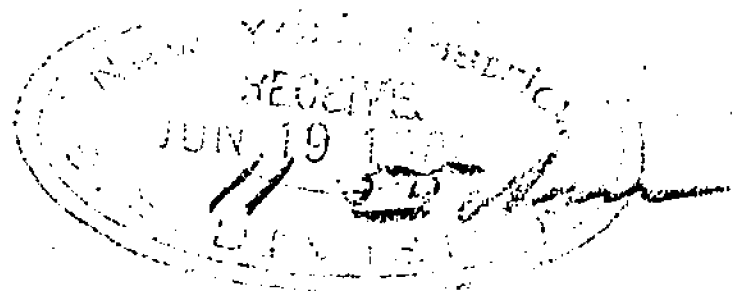
★ HOTEL CHECKS & KEY CHECKS ★



POOR QUALITY  
ORIGINAL

0902

U. S. Treasury Department.



Office  
of the  
U. S. Treasury  
at New York  
N. Y.  
June 19, 1902

John M. Jones  
To be here at 2 P.M.  
with bill



POOR QUALITY  
ORIGINAL

0903

Widow for People

✓ Valentin Goly

May Goly

Maggie Goly

Passive Nelson

Nicholas Goly

~~Officer to the~~

Tony Scherab

Officer O'Hara

John Scanlon - Secret Service

John Cohen -

James H. Murphy

Ferdinand Blum - 90 years old



People Vs Charles Giblin

List of Witnesses

~~Henry Murphy~~ 153 W. Houston  
~~Valentine Guelz~~ 162 Pearl  
~~Mary Guelz~~ "  
~~Mary Guelz~~ "  
~~Henry Guelz~~ "  
~~Nicholas Guelz~~ "  
~~Joseph Guelz~~ "  
 Ferdinand Blenley "

Mrs Wechelsbaum 106 10 Ave Not found

Henry Cohen 48 Barman Left  
 James H Murphy 162 West  
~~Fanny Nelson~~ "  
~~Joseph Schvab~~ "  
 Ferdinand Blenley 90 Napoleon St



**POOR QUALITY  
ORIGINAL**

0905

*Rebba*

*Charles G. Allen*

*See if Wilson  
for the people*



**POOR QUALITY  
ORIGINAL**

0906

## New York Court of Appeals.

THE PEOPLE OF THE STATE OF NEW  
YORK.

*against*

CHARLES GIBLIN.

Brief and Points  
for  
Respondents.

### Statement of Facts.

This is an appeal of the defendant, Charles Giblin, from sentence of death pronounced upon him by the Court of Oyer and Terminer, held in and for the City and County of New York, on the twenty-fifth day of June, 1888, in accordance with the verdict of a jury convicting him of the crime of murder in the first degree for the killing of one Madeleine Goelz, who died in the City and County of New York on the sixteenth day of February, 1888, as charged in the indictment herein, from the effects of a pistol shot wound in the abdomen, inflicted by the defendant between seven and eight o'clock in the evening of the fifteenth day of February, 1888.

The indictment was drawn in common law form, charging the killing to have been done wilfully, maliciously and with malice aforethought.



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The theory of the prosecution in the trial court was that the killing was done while the defendant was engaged in the perpetration of a felony upon the person of one Valentine Goelz. The defendant, upon the trial, admitted the killing, but claimed that it was done in self-defense.

To sustain the charge of the indictment, the prosecution proved that the deceased was a young woman in the prime of life, and the wife of the said Valentine Goelz, a young German, who occupied a small grocery in one of the basement stores of a building in the City of New York known as 162 West Houston street. The building was a double four-story and basement flat-house. The basement was arranged and used for both store and residence purposes. The most westerly of these stores, four in number, was occupied as a grocery store by the said Valentine Goelz. The one adjoining this was occupied as a small bakery by one Nicholas Goelz, brother of the said Valentine. These two stores were separated by a thin partition wall, and in the rear of each store was a door opening upon a basement hall running from the rear of the stores to the rear of the building. On each side of this hall were the rooms used for dwelling purposes by the respective families of the two brothers.

The defendant also resided in the City of New York, but in a remote and distant quarter. He had formerly and for many years lived at Worcester, in the State of Massachusetts, where for most of the time he followed the trade and occupation of a wire drawer.

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On the eighteenth of October, 1887, about four months prior to the day laid in the indictment as the day of the homicide, he took up his residence at No. 424 West Fifty-fifth street, in the City of York, and there he continued to reside until arrested for the killing of the said deceased. During all this period of his residence in New York it appears from the evidence that the defendant was not engaged in any lawful or honest employment. According to his own testimony, he left home, where he was well and favorably known, with two hundred dollars in money, and spent all of his time between the eighteenth of October, 1887, and the fifteenth of February, 1888, in industrious but fruitless search for work. The tragic occurrence resulting in the death of Madeleine Goelz, the wife of Valentine Goelz the grocer, took place in the shop aforesaid of Nicholas Goelz the baker, on the evening of the fifteenth of February, 1888, between seven and eight o'clock, as aforesaid, and under the following circumstances:

Nicholas, the baker, having retired for the night, leaving his wife, Mary, and his sister, Maggie Goelz, in charge of his bakery, the defendant, armed with a loaded pistol, entered the shop for the purpose of passing upon the inexperienced and unprotected women whom he saw there, a counterfeit and spurious five-dollar note, which he had in his possession. To that end, he addressed Maggie Goelz, the baker's sister, who was then behind the counter, and after asking the prices of various articles, purchased from her pies and confectioneries, aggregating in price the sum of thirty cents, exceeding by ten cents the amount of the small change in his possession, and offered in payment to the said Maggie Goelz a five-dollar bill which was of such doubtful appearance as to arouse her suspicions.



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ORIGINAL**

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Receiving the bill from the defendant, Maggie first showed it to the baker's wife, Mary, who was seated near the stove in the rear of the shop, and acting upon her advice took it to her brother Valentine, the grocer, who was then in his grocery store. Thereupon Valentine, having examined the five-dollar bill and suspecting that it was counterfeit, returned to the bakery with his sister Maggie. Holding in his hand the five-dollar bill in question, and addressing the defendant, who was then seated near the stove, about fifteen or eighteen feet from the front door, Valentine asked him if he was the man from whom his sister had received the bill, and then asked him where and from whom he had gotten the bill, and if he did not know that it was counterfeit. In answer to these inquiries the defendant said he was the man from whom Maggie Goelz received the bill, that he had gotten it at a saloon in Twenty-third street, and that he did not know any more about counterfeits than the stove at which he was sitting. During this colloquy the defendant did not once look Valentine in the face, but kept his eyes fixed constantly on the floor. After answering thus he arose from his seat and took from his waistcoat pocket some small change, which he said amounted to about twenty cents, and was not enough to pay for the goods he had purchased. After some hesitation he turned and walked toward and within two or three feet of the door. Then, turning again, he drew from his right overcoat pocket a loaded pistol with which he was armed and, aiming it at Valentine, demanded from him the change, saying to him in ruffian slang, "Change, or there you go." Realizing the peril of his situation, and that he must either disarm the defendant or be killed, Valentine, without a moment's hesitation, advanced upon him. True to his word, the defendant commenced to fire, and in quick and rapid suc-

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cession, fired two shots before the advancing Valentine could reach him. The first shot entered Valentine's mouth near the right corner and came out below his chin. The second shot entered his right shoulder. Wounded and bleeding, the brave Valentine still advanced and seized and grappled with the defendant before he could fire again. While Valentine was struggling for the possession of the weapon the defendant fired a third and a fourth shot. The third shot was aimed at Valentine's head, but missed its aim and buried itself in the wall opposite, the powder in its flash burning Valentine's face. The fourth shot was aimed at Valentine's stomach, but in the struggle, it, too, missed its aim and imbedded itself in the wall.

Prior to the firing of the third shot the only persons present in the bakery were Valentine Goelz, the defendant Giblin, Maggie Goelz the sister, and Mary Goelz, the wife of Nicholas Goelz. The firing had, however, aroused Valentine's wife, Madeleine, and his clerk, Tony Schwab, and they arrived about the time of the third shot. As soon as she entered Madeleine rushed, regardless of the danger, to the assistance and rescue of her husband, and, seizing the defendant from behind, endeavored, by holding him fast, to interfere with the free use of the pistol, and thus prevent him from shooting Valentine, and but for her timely help the fourth shot would, in all likelihood, have proved fatal, aimed as it was at close range at Valentine's stomach.

Finding himself powerless in her strong grasp, the defendant turned his weapon upon her and fired a bullet into her abdomen. Madeleine at once relaxed her hold, and, staggering to the counter, leaned thereon for support, telling her husband that she was shot. By that time Nicholas, the baker,



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ORIGINAL**

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was awakened from his sleep, and with the assistance of Tony Schwab and his brother Valentine, succeeded in overpowering the defendant and preventing his escape. Maggie and Mary Goelz then went into the street, and by their cries of "Murder" soon attracted an officer, who, coming upon the scene, arrested the defendant and took him to a station. Before the policeman arrived a crowd had gathered, some entering the shop. Among them came a young man who demanded the release of the defendant, saying that he had done nothing. When the policeman appeared this young man departed, and either he or some one else made away with Giblin's pistol, thus rendering it manifest that he was not alone, but accompanied by confederates who had been watching and waiting without. Indeed, Valentine, in his testimony, says that when he first advanced upon Giblin he noticed two or three young men looking in from the outside. As soon as the officer entered Madeleine told him that Giblin had shot her. The defendant, however, protested his innocence, stating that he had been set upon and attacked by the several members of the Goelz families; that he, Giblin, was wholly unarmed, and that he had done the shooting with a pistol drawn by Valentine, and which he had taken from him after a desperate struggle. He also told the officer then and there that he had fired in self-defense, believing his life to be in danger. This version of the affair the defendant adhered to on the trial in testifying as a witness in his own behalf, and this his own testimony, coupled with testimony of previous good character given by witnesses who came from his former home in Massachusetts to testify in his behalf, was substantially all the testimony on the part of the defense. The value of the testimony of the witnesses to character was weakened if not completely destroyed on cross-examination by the District Attorney, it being thereby made

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to appear that their acquaintance with the defendant was so slight as to render impossible any just estimate of his true and real character in respect to the traits involved.

From the effect of the wounds thus inflicted by the defendant upon Madeleine Goelz she died about noon of the following day, February 16th, 1888. The falsity of the defendant's pretence as to the capture by him of the pistol in question after a desperate struggle with Valentine Goelz, is exposed and made unmistakably manifest by the concurrent testimony of all the members of the Goelz families to the effect that Valentine had never owned a pistol at all, and by the evidence of the discovery in Giblin's house of a pistol belt and ammunition, and equally manifest is the falsity of the defendant's testimony as to the reason and purpose of his visit to the shop of Nicholas Goelz. His house, it will be remembered, was in such a distant and remote quarter of the city that it is preposterous and unreasonable to suppose, as the defendant claimed, that he should have stopped there on his way home to purchase pies and crullers, I believe for his family. It is likewise too preposterous to be believed that the defendant, after a residence of four months in the City of New York, devoted to walking the streets in industrious search for honest employment should have been so ignorant of streets, courses and distances as to have wandered into West Houston Street on his weary walk from Park Row, which is east of Broadway and the City Hall, to his home and family at 424 West Fifty-fourth Street.

Upon the evidence thus submitted for their consideration, the jury found the defendant guilty as charged in the indictment.



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ORIGINAL**

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From the sentence of death delivered upon the verdict of the jury the defendant has appealed to this Court, and for grounds of appeal alleges as follows, viz.:

That inasmuch as the indictment is in common law form, no conviction thereon could be had upon evidence showing that the killing was done in the perpetration of a felony (Fol. 90).

That the Court erred in admitting in evidence the five dollar note in question (Folios 302, 358, 368).

That the Court erred in allowing the District-Attorney on motion of defendant to ask him if he knew then who one Waters was and what his history (Fol. 462.)

That the Court erred in allowing the District-Attorney to interrogate the defendant touching the possession by him on the day laid in the indictment of certain dies and plates (Folios 466 and 467).

That the Court erred in admitting in evidence the dies and plates thus identified by defendant upon cross-examination, (Fol. 403).

That the Court erred in allowing the District-Attorney upon cross-examination of defendant to ask him if he had not called upon an engraver in the city of New York, and requesting him to make for him (the defendant) a die of the figure 5 such as was used upon a bank bill (Fol. 472 and 475).

That the Court erred in allowing the District-Attorney upon cross-examination of defendant to ask defendant where he had gotten the five dollar bill in question (Fol. 476).

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That the Court erred in allowing the District Attorney upon cross-examination of defendant to interrogate defendant touching an attempt made by him previous to the homicide in question to pass a five dollar counterfeit note at another baker's shop (Folios 480, 482 and 484).

#### POINT I.

CONVICTION OF MURDER IN THE FIRST DEGREE, UNDER AN INDICTMENT CHARGING THE CRIME IN COMMON LAW FORM IS SUSTAINED BY EVIDENCE OF A KILLING IN PERPETRATION OF A FELONY.

People *vs.* Conroy, 97 N. Y., 62.  
People *vs.* Willett, 102 N. Y., 254.  
People *vs.* Cox, 80 N. Y., 500.  
People *vs.* Fitzgerald, 37 N. Y., 413.  
People *vs.* Kennedy, 39 N. Y., 245.  
People *vs.* Enoch, 13 Wend., 159.

#### POINT II.

THE COURT DID NOT ERR IN ADMITTING IN EVIDENCE THE FIVE DOLLAR BILL IN QUESTION.

It had been identified as the bill tendered by the defendant to the woman in charge of the bakery upon the evening in question, and was as much part of the *res gestal* as was the pistol or weapon with which the crime was committed. Of course it was immaterial upon the question of guilt or innocence whether the bill was counterfeit or genuine.



**POOR QUALITY  
ORIGINAL**

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The prosecution recognized this view, and acting upon it did not offer any evidence tending to show whether the bill was or was not counterfeit.

**POINT III.**

THE COURT DID NOT ERR IN ALLOWING THE DISTRICT-ATTORNEY ON CROSS-EXAMINATION OF THE DEFENDANT TO ASK HIM IF HE KNEW WHO ONE WATERS WAS AND WHAT HIS HISTORY (Fol. 462).

This was merely preliminary to an inquiry which was foreclosed by the defendant's answer denying all knowledge in that regard. Even if it was error, it was rendered *absque injuria* by the answer.

**POINT IV.**

THE COURT DID NOT ERR IN ALLOWING THE DISTRICT-ATTORNEY TO INTERROGATE THE DEFENDANT UPON CROSS-EXAMINATION TOUCHING THE POSSESSION BY HIM ON THE DAY LAID IN THE INDICTMENT, OF CERTAIN DIES AND PLATES (Folios 466 and 467), NOR IN ADMITTING IN EVIDENCE THE DIES AND PLATES THUS IDENTIFIED BY THE DEFENDANT (Fol. 483).

The office of this line of examination was to impeach the defendant's credit as a witness by showing that he was a counterfeiter—having in his pos-

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sion the implements of his nefarious trade. Now, the defendant explained that they were intended for lawful and innocent purposes, and that may be true. If so, then the line of inquiry was not hurtful to the defendant, and he cannot complain. But the question as to the propriety of the line of examination does not depend upon the question as to whether the examination upon this point did or did not result successfully to the prosecution.

**POINT V.**

FOR THE SAME REASONS IT WAS PROPER FOR THE COURT TO ALLOW THE DISTRICT-ATTORNEY TO ASK THE DEFENDANT ON CROSS-EXAMINATION IF HE HAD NOT CALLED UPON AN ENGRAVER IN THE CITY OF NEW YORK, AND REQUESTED HIM TO MAKE FOR HIM (THE DEFENDANT) A DIE OF THE FIGURE 5, SUCH IS USED UPON BANK BILLS (Folios 422 and 475).

**POINT VI.**

FOR THE SAME REASON IT WAS PROPER FOR THE COURT TO ALLOW THE DISTRICT-ATTORNEY, UPON CROSS-EXAMINATION OF THE DEFENDANT, TO QUESTION HIM CONCERNING A PREVIOUS ATTEMPT (WHICH HE DENIED) TO PASS A FIVE DOLLAR COUNTERFEIT NOTE AT ANOTHER BAKERY SHOP (Folios 480, 482 and 484).



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ORIGINAL**

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**POINT VII.**

THE CONVICTION AND SENTENCE SHOULD  
BE AFFIRMED.

Respectfully submitted,

JOHN R. FELLOWS,  
*District Attorney.*

McKENZIE SEMPLE, *Assistant  
of Counsel.*



POOR QUALITY  
ORIGINAL

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R. T. IRVINE, M.D., PHYSICIAN.

State of New York, Sing Sing Prison,  
Medical Department,

Sing Sing, N.Y., Jan. 31<sup>st</sup> 1894

Hon. J. B. Fellows

Dist. Atty.

N.Y. City

Dear Sir - Owing to instructions  
given lately by S. Chamber I am not allowed  
to Report the health of any convict - I have some  
time ago made a report on Giblin's case and is now  
on file in Gov. Flower's office. Since making that  
report there is not much change in Giblin's  
case except for the worse and I do not think  
he will ever recover

Yours truly

R. T. Irvine M.D.  
Sing Sing Prison



**POOR QUALITY  
ORIGINAL**

09 14

Court of General Sessions, City and County of New York.

-----x  
The People &c.

vs.

Charles Giblin.  
-----x

:  
:  
: Notice of Motion.  
:  
:

To John R. Fellows, Esq.,

District Attorney &c.,

Dear Sir:

You will please take notice that on Monday the 11th day of June instant, at eleven o'clock in the forenoon, or as soon thereafter as counsel can be heard, at a Court of General Sessions of the Peace to be held in and for the City and County of New York at the City Hall of the City of New York, in Part <sup>2</sup> ~~One~~ of the said Court, upon the affidavit of which a copy is hereto annexed, and upon all the papers heretofore filed and the proceedings heretofore had in this action, I shall move that this action be dismissed, and if that motion be denied, that the defendant be discharged upon his own recognizance, and if that motion be denied, that this action may be set down for trial peremptorily upon a day to be fixed by the Court.

Dated the 8th day of June A. D. 1888.

Yours truly,

Ambrose H. Purdy,

Of Counsel for Defendant,

No. 280 Broadway,

New York City.



POOR QUALITY  
ORIGINAL

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COURT OF GENERAL SESSIONS, CITY AND COUNTY OF NEW YORK.

Court of General Sessions, City and County of New York.

-----X  
The People &c. :

vs. :

Charles Giblin. :

Affidavit on Motion to Discharge.

-----X  
City and County of New York, Ss:

Ambrose H. Purdy, being duly

sworn, says as follows, to wit:

I am of counsel for Charles Giblin, the defendant above-named.

An indictment against the said defendant for murder in the first degree was filed in this Court on the 28th day of March last. The defendant has never been brought to trial upon the said indictment. The trial thereof has not been postponed upon the application of the defendant, and he has in no way caused any delay in the trial thereof. No good cause has ever been shown why the said indictment shall not be dismissed. And no sufficient reason has ever been shown why this action should be continued from term to term.

I make this affidavit for the purpose of applying to this Court for such relief as the defendant is entitled to in pursuance of Sections 668 and 669 of the Code of Criminal Procedure.

Subscribed and sworn to

before me this 8th day

of June A. D. 1888.

*A. H. Purdy*

*J. May Langdon*  
*Norway Purce*  
*Henry & My Co*



POOR QUALITY  
ORIGINAL

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*Peoples Exhibit #2*

Court of General Sessions.

The People &c.

VS.

Charles Giblin.

Affidavit & Notice of Motion.

Ambrose H. Purdy,  
Of Counsel for Defendant,  
No. 280 Broadway  
New York City.

*June 19/88*

To John F. Feltows, Esq.,

DISCIPLES, &c.



*John F. Feltows*



POOR QUALITY  
ORIGINAL

0917

NEW TRIAL DENIED.

NEW YORK SUPREME COURT.  
CHAMBERS.

THE PEOPLE against CHARLES GIBLIN.

BARRETT, J.—I have gone over these affidavits with all the care which is called for by the present grave and painful circumstances. But looked at in the most considerate light, there is nothing in these affidavits which would justify the granting of a new trial. It is impossible to resist the conclusion that this application is the last resort of a hopeless defense. The falsity and shallowness of what is erroneously called newly discovered evidence are abundantly demonstrated not only by the people's proofs, but by the character of the affiant's statements. The witness who was examined on the trial gives a very lame and improbable excuse for not telling what she now says was the whole truth, while the new witness—her sister—is overwhelmed, not only by the people's affidavits as to her character, her conflicting statements and the actual facts, but also by the unreasonable nature of her evidence.

Upon all this testimony, pro and con, the verdict could not well have been different. Indeed, the case would have been worse for the prisoner if, by the introduction of this testimony, the prosecution had been enabled to rebut with the evidence now submitted.

It will not do, after a fair trial and an affirmance of a verdict of guilty by the Court of last resort, to permit a convict to reopen the entire case upon trivial grounds and suspicious testimony.

The law requires that the newly discovered evidence should not be cumulative, and should be such as, if before received, would probably have changed the verdict. It also requires that the failure to produce such evidence upon the trial should not have been owing to the prisoner's want of diligence. None of these conditions exist in the present case. I do not, however, desire to rest my judgment upon either the cumulative nature of the testimony nor upon any question of diligence.

The testimony under consideration could not, under all the facts and circumstances disclosed, have carried weight—much less conviction—to any fair or reasonable mind.

It is, therefore, because of the utter improbability of this testimony, the fatal reticence of the witness when she should have spoken, the consciousness of her falsity evinced by the prisoner in the delay which ensued after she did speak, as well as the affirmative evidence of unworthy motives, conflicting declarations and downright fabrication, that the motion should be denied.

My judgment is therefore placed upon the distinct ground that on this evidence the verdict would not probably have been changed, and indeed that a change would scarcely have been possible.

The application must, therefore, be denied.

Filed August 31, 1889.



**POOR QUALITY  
ORIGINAL**

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-----X  
The People &c.

Agst.

MURDER.

Giblin

~~~~~X

Statements of Witnesses, taken before Asst. Dist.  
Attorney Bedford, 11th day of April, 1888.

VALENTINE GOELZ, I kept the grocery and my brother kept a bakery. The two communicated in the rear. On the evening of the 15th of February, about half-past seven, after having my supper, I came out to the grocery store. My sister Maggie came over and asked my opinion about a five dollar bill, that was being passed on her by some fellow in the bakery. (Many times she came over before and asked me about bills, if she was not sure about them ) Just as soon as she showed me the bill, I seen it was a counterfeit - the worst bill I had ever seen. So my sister Maggie asked me if I would not come over with her and tell the young man so. I took the bill and went over with it to the bakery store. When I came over he was sitting in front of the stove warming his hands. I asked him if he was the man that had the five dollar bill, and he said "yes". So I asked him where he got the five dollar bill from, he said, "in 23rd Street in a saloon." So I asked him if he knows the saloon yet, he said "He thinks he does". He said: "Why?"



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I said: "Don't you know young man, that bill is a counter-  
feit?" He said: "I don't know no more about a counter  
feit than that stove." After he said that he got up  
turned himself around; pulled out some money out of his  
vest pocket, and said: "I got twenty cents; that is all the  
change I got, and that aint enough to pay for the goods,"  
and he put it back again, but did not offer to pay for  
the goods. He turned around a couple of time towards the  
door, and then he looked at my face, before, he never  
looked at my face. Just as quick as he got up in front  
of the door -- the door is like that (indicating) and  
opens this way (indicating) he stood back of the door,  
and said: "Change, or there you go" . When he got back  
of the door, he went in his overcoat pocket and pulled  
out, and said "Change, or there you go!" pointing a pistol  
at my head. I was at a distance of ten or twelve feet.  
I had the counterfeit bill in my hand. He did not ask me  
for it at all. Just as quick as he said "change, or there  
you go", I was struck, I did not know what to make out of  
it, I thought the safest way was to run in upon him. I  
started in like that (indicating) The first bullet  
struck me in the chin, and came out back here -- in the jaw-  
I got up three or four feet towards him, tried to catch  
him, and the second bullet went in here - in the right  
shoulder. Then I got up to him. As quick as I got to him  
I wanted to get hold of the revolver. I clinched with  
him. I got his head right under my arm. He tried to get  
the revolver into my face with his right hand, but I



POOR QUALITY  
ORIGINAL

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gave his hand a push with my left hand, as he had the muzzle right up to my left eye. I pushed his hand away and the bullet just grazed me, and the powder burned my face. He then went back again and aimed the fourth shot at my side. It passed me and went into the wall. Between the third and fourth shots, my wife having heard the shooting came running out. I was clinched with him at that time. She came and my Clerk, Tony Schwab, they came together. My wife went around behind him and tried to get him away from me. He turned around the fifth shot went into her stomach - he put his arm back and shot her right in the stomach. She hallooed out, "I am shot". I took him further up. He was trying to get away all he could. I got him further back and Tony Schwab helped me. I got him back as far as the last table. He had the revolver and he put it on the table. My brother came out when the fifth shot was fired, in his under clothes. He did not know me any more. I got him further back in the store. When I seen the crowd come in I told my clerk Tony Schwab to lock my store. He went over and locked it and when he opened the door, the prisoner was trying to get out by the back door. At that time another fellow came in from the crowd, and said, "what do you want from that man; let him go". I said get away from here, and he went back again. I saw a stranger take the pistol and would recognize him if I saw him again.

When the man came in to pass the counterfeit bill and until he shot my wife, there were in the store up to that



**POOR QUALITY  
ORIGINAL**

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time my sister, my sister-in-law, my clerk, Tony Schwab,  
my brother came out, myself and my wife, six in all.  
Fanny Nelson ran for an officer and got him. The officer  
came in I had him arrested.

I never had a pistol in my life. Never had one in the  
grocery store and never shot one. Neother did my brother



**POOR QUALITY  
ORIGINAL**

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①

MAGGIE GOELZ, I am the sister of Valentine. I attended to the bakery store and was there on the night in question. I saw the prisoner come in, he bought 20 cents worth of cakes from me, I did them up in a bag and put it on the counter. He did not take it. He handed me a bill, which I took. I put it back again on the counter, and said: "that is not a good bill. Then he took it in his hand, and said: "don't you know no more about money; that "is good" and laughed kind of, and handed it to the counter again. Then I took it and went back to my sister-in-law, Mary Goelz, and asked her if it was good. She said "no" I said, I had better go over and ask Valentine Goelz. I then went over. I asked Toney Schwab, the clerk, he said it was not good. Then I showed it to Valentine, he said it was one of the worst counterfeits he ever seen. I says, will you speak to the man. Well, he says, I will go over with you, he came over with me, The prisoner sat by the stove warming himself. My brother asked him where he got the five dollar bill from, He said: "Somewhere in 23rd street, in a saloon". So my brother says, "Can you find the "party when you go up, where you got it from?" He said, "May be, if I got in the street, I can find it". and he asked, "Why?" Then my brother said: "Don't you know young "man that five dollar bill is a counterfeit?" And he says "I don't know any more about counterfeits money than the "stove. I stood next to him. Then he got up and took



**POOR QUALITY  
ORIGINAL**

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(2)

some money out of his vest pocket, I did not see how much, and says, "I have not enough to pay for the goods". Then he was up by this time. He turned himself around towards the door, and when he was near the door he took his revolver out of his right-hand overcoat pocket, and said: "Change or there you go". As soon as I seen the revolver, there was no time before the first shot went off - the second and third. My brother went at him and took hold of him. His wife came in when the third shot was fired. She was back of him. I saw him shoot Mrs. Goelz, and she said: "I am shot" - after the five shots were fired off.

From the time that the prisoner entered until Mrs. Goelz was shot there were in the room, my sister-in-law Mary Goelz, my sister-in-law Madeline Goelz, my brother Valentine, Tony Schwab, myself and the prisoner. The strangers came in after the last shot was fired

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**POOR QUALITY  
ORIGINAL**

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MARY GOELZ'S STATEMENT.

I was sitting at the stove sewing when the prisoner came in. He bought twenty cents worth of cakes when he came in, handed my sister-in-law Maggie Goelz, a five dollar bill. She refused it, and returned it again. She said it was not good. He says: "Don't you know better than that", and put it back again to her, and then she took it and showed it to me, and I said it was bad. He heard me. The prisoner was about twelve feet away from me. She said, I will go and show it to Valentine. Valentine came over with it to the prisoner. He asked him where he got the bill, and he said he got in 23rd Street in a saloon. He asked him, "do you know where the place is where you got it from?" He said: "May be", and said, "why?" Valentine says: "Don't you know the bill is bad?" He says: "I don't know any more about bad money than the stove". He then got up, took some change out of his vest pocket, and said he didn't have enough to pay for the goods, turned around went to the door, put his right-hand in his overcoat pocket, drew a revolver, pointed it at Valentine Goelz, and said: "Change, or there you go!" Then there was three shots fired. I was behind the counter. He was struck by the jaw, and his face was bloody. Valentine went for the prisoner and then they clinched. Then there was a little pause between. So Tony Schwab and Valentine's wife came in. They both came together. Madeline Goelz (Valentine's wife) got behind the prisoner, and tried to get him away. She got shot in the stomach. I saw her shot, and she showed me



**POOR QUALITY  
ORIGINAL**

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in the stomach. When she went past me she said: "Oh, Miss. Goetz, I am shot". She pulled up her jersey, and I saw the blood. She then left the room. Then the crushed themselves back in the back part of the store. As they were going back the prisoner laid the revolver on the last table in the store. I left the place and halloped for the police, at the door. I did not see any onexxxxxx take the pistol. The police came and arrested him.



POOR QUALITY  
ORIGINAL

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1

OFFICER WILLIAM O'HARA, 15th Precinct.

On the 15th of February I was on duty. I heard a woman crying "murder", I ran towards the cry, and met her coming towards me. She says, there is a man in the bakery, and he is shooting the people. I then ran there. Immediately after I got in, there was quite a number of strangers there. The shooting was all over when I got there. When I entered, Valentine Goelz was bleeding from a wound in his chin. He was in a clinch with the prisoner Giblin.. His wife was at the end of the bakery counter. She was facing the door - she was leaning on the counter with her left elbow on the counter, holding her stomach with her right-hand. Valentine, said: "I am shot". His wife said: " I am shot too". I took the prisoner and searched him for the revolver. I did not find it. I took him in front of both Mr. and Mrs. Goelz, for them to identify him. They both told me that he was the man that had shot them.. I asked her, where she was shot. She lifted up her jersey and showed me the wound in her stomach. She said: "I tried to save my husband"; she said "That is the man that shot my husband and shot me; he shot me while I was trying to save my husband". The prisoner said nothing at this time. I searched the premises thoroughly for the revolver but could not find any. On the way to the Station House, the prisoner admitted doing the shooting, and said the revolver did not belong to him.; they had him in a scuffle down on the floor, he found the revolver lying on the floor., and

a lie



POOR QUALITY  
ORIGINAL

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*II  
even if this  
he takes no  
interest what  
for shooting*

then used it in self-defense. He told me that he thought the bill was good, and that these people were trying to rid him of the bill and would not give it back to him, and it made him desperate to think that he should be deprived of it.



POOR QUALITY  
ORIGINAL

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*Examination of  
Witnesses of G.S.A.*

THE PEOPLE OF THE STATE OF  
NEW YORK,

*against*

*Giblin*

*Shakernest of  
Witnesses.*

JOHN R. FELLOWS,

DISTRICT ATTORNEY,

No. 32 CHAMBERS STREET,

NEW YORK CITY.



POOR QUALITY  
ORIGINAL

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# STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, SS.

## AN INQUISITION,

Taken at the house of Coroners' Office

No. 67 Park Row Street in the 4<sup>th</sup> Ward of the City of

New York, in the County of New York, this 7<sup>th</sup> day of March

in the year of our Lord one thousand eight hundred and 88 before

Ferdinand Levy Coroner,

of the City and County aforesaid, on view of the Body of Madaline Gaely

lying dead at

Upon the Oaths and Affirmations of

Twelve good and lawful men of the State of New York, duly chosen and sworn, or affirmed and charged to inquire, on behalf of said people, how and in what manner the said

Madaline Gaely came to her death, do upon their Oaths and Affirmations, say: That the said Madaline Gaely came to her death by

Shock from Penetrating Pistol shot wound of the abdomen inflicted by a pistol in the hands of Charles Giblin at 162 W. Houston St. on Feb'y 15/88.

In Witness Whereof, We, the said Jurors, as well as the CORONER, have to this Inquisition set our hands and seals, on the day and place aforesaid.

### JURORS.

|                                            |                              |
|--------------------------------------------|------------------------------|
| R. A. Hutchinson 1399 B'way                | Henry Macker 737 1/2 E. Ave  |
| L. Muller 731-7 Ave                        | J. G. Anderson 1488 Broadway |
| R. D. Wilson 1307 B'way                    | David Rosenbaum 1385 B'way   |
| John W. Sullivan 14 E. 11 <sup>th</sup> St | F. Schell 1464 D. Way.       |
| John Miller 753-7 Ave                      | H. A. Donelson 1283 B'way    |
| Louis H. Houghton 52 Mac Dougall           |                              |
| Mr. J. Boze 720 Seventh Ave.               |                              |

Ferdinand Levy

CORONER, T. S.



POOR QUALITY  
ORIGINAL

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Coroner's Office.

TESTIMONY.

Autopsy -

Friday, February 17<sup>th</sup> 1888 at P.M.  
At 162 Houston St.

Madeline Golez, White, age 24 years - 19 days <sup>Married</sup>  
Said to have died February 16<sup>th</sup> 1888

Representative married; body that of healthy  
well nourished woman.

One and half inches to left of median line and  
three inches above navel there is a pen-  
etrating pistol-shot wound of abdomen.  
The outer edge of the wound abraded -

Upon opening the abdominal cavity  
found it filled with dark colored  
fluid which consisted of blood, serum  
& contents of duodenum (small intestine  
1" part) the fluid had an acid smell, the  
intestines were matted together with fresh fibrin.  
The bullet was found to have passed  
inwards, backwards and downwards, through  
anterior border of liver, duodenum 1 1/2  
inches below pylorus, and lower posterior  
surface of kidney lodging in psoas muscle  
at base of true pelvis.

Other organs normal.

Cause of death: Penetrating pistol shot  
wound of abdomen above described

Taken before me

this 16<sup>th</sup> day of February 1888

Fredrick Drey

CORONER.

W. T. Anderson, M.D.

Coroner's Physician



POOR QUALITY  
ORIGINAL

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Coroner's Office,

CITY AND COUNTY }  
OF NEW YORK, { ss.

Charles Giblin being duly examined before the undersigned, according to law, on the annexed charge, and being informed that he was at liberty to answer or not, all or any questions put to him, states as follows, viz. :

Question—What is your name?

Answer—Charles Giblin

Question—How old are you?

Answer—23 years

Question—Where were you born?

Answer—Ireland

Question—Where do you live?

Answer—424 W. 53<sup>rd</sup> St

Question—What is your occupation?

Answer—Wire-drawer

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

By advice of counsel I have nothing to say.

Charles Giblin  
This signature marked  
Peoples exhibit #4  
B. J. Dumas  
Sept 24/89

Taken before me, this 7 day of March 1888

Ferdinand Levy CORONER.



POOR QUALITY  
ORIGINAL

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MEMORANDUM.

| AGE.                         | PLACE OF NATIVITY. | WHERE FOUND.       | DATE,<br>When Reported. |
|------------------------------|--------------------|--------------------|-------------------------|
| 24 Years. — Months. 19 Days. | 162 W. 11          | 162 W. Houston St. | Feb. 16/88              |

519 — 1888.

HOMICIDE.

AN INQUISITION

On the VIEW of the BODY of

Madeline Galt

whereby it is found that she came to  
her Death by the hands of

Charles Gillette

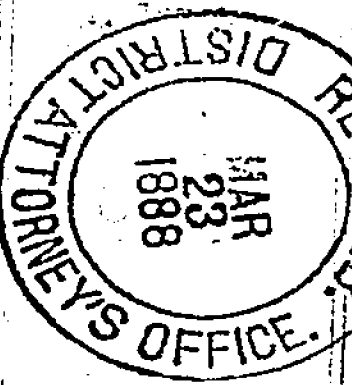
Inquest taken on the 7th day  
of March 1888  
before

Jeremiah J. Corcoran, Coroner.

Committed

Obit

Discharged



Date of death February 16/88.



POOR QUALITY  
ORIGINAL

0933

TO THE CHIEF CLERK.

PLEASE SEND ME THE PAPERS IN THE CASE OF

PEOPLE

*April 11/16*  
*ff*  
Charles <sup>vs.</sup> Giblin  
murder 1<sup>st</sup> degree  
List of  
Additional In-  
-portant witnesses  
to be subpoenaed  
for the trial  
District Attorney.

Fannie Melrose  
299 Bleeker St  
Henry Murphy  
183 West Houston St

Henry Cohen  
48 Cassine St

TO THE CHIEF CLERK.

PLEASE SEND ME THE PAPERS IN THE CASE OF

PEOPLE

<sup>vs.</sup>  
Charles Giblin  
murder  
Ferdinand Olenky  
90 Nassau St

Tony Schuch  
District Attorney  
162 W. Houston  
Vic Gady -  
brother of Valentine  
Gady - 162 W.  
Houston



POOR QUALITY  
ORIGINAL

0934

before being taken to court.  
He has also tried to pass a counterfeit  
five Dollar bill, while purchasing a revolver  
from M. Feldstein Cor. of Murray & West  
St. a week before he shot Mrs. Goetz.

Yours respectfully, A. Citizen.  
I would give my name & address, but  
must decline to do so now, on account  
of sickness, and for fear, that his gang  
he associated with, would do me bodily  
harm.

Should you need my services as a  
citizen, please let me know through  
the Evening Daily News.

A. Citizen

New York, Oct. 2<sup>nd</sup> 1881.

To the Hon. John R. Fellows, District Attorney  
for the county New York.

Sir! I believe I am able to give a few  
interesting points in the case of Giblin  
the murderer. If the records of the United  
States court would be searched, it would  
be found, that the same Giblin, was ar-  
rested for passing counterfeit money, under  
the name of Smith in January or Febru-  
ary 1880. It will also be found that  
the Hon. Benedict Judge of the United States  
Court, discharged him with suspended sentence  
because Giblin looked very young, produced  
by getting cleanly shaved, every time



**POOR QUALITY  
ORIGINAL**

0935

Supreme Court  
City & County of New York

The People

vs.

Charles Giblin

On the annexed affidavits and on the case on appeal herein, let the District Attorney of the County of New York show cause at a Special Term of the Supreme Court to be held at the chambers thereof at the New Court House in the City of New York, on the 10th day of August, 1889, at half past ten o'clock in the forenoon of said day or as soon thereafter as counsel can be heard, why a new trial should not be granted subdivision VII of Section 465 and pursuant to herein pursuant to section 466 of the Code of Criminal Procedure, on the ground of newly discovered evidence set forth in the affidavits hereto annexed. Sufficient reason existing therefor, service of this order and the affidavits upon which it is based, on or before the 12th day of August, 1889, shall be deemed due and timely service thereof.

Dated this 10th day of August, 1889.

*Geo. L. Brynhaug*



**POOR QUALITY  
ORIGINAL**

0936

Court of Oyer & Terminer held in &  
For the City & County of New York

-----  
The People,  
vs.

Charles Giblin  
-----

City & County of New York, ss:

I, Charles Giblin, being first duly sworn  
according to law, do depose and say:

I am now confined in the Tombs Prison under  
the sentence of death, which sentence is fixed for  
August 25th, 1889.

I was convicted at the Court of Oyer & Terminer  
held in and for the City and County of New York on the  
25th day of June, 1888, before the Hon. George C. Barrett  
and a Jury of the crime of murder in the first degree,  
charged with killing one Madeline Goeltz.

That I have appealed from the said conviction  
to the Court of Appeals.

That the conviction was affirmed.

Feeling as I do the awful position in which I  
am placed, I solemnly aver that what I testified to on  
my trial before the Hon. George C. Barrett and a Jury  
was in every respect true. I did not have a pistol in  
my possession when I entered the store of Nicholas  
Goeltz on the night of the homicide. On my trial I  
was defended by counsel assigned by the Court, who did  
all in his power to secure my acquittal.



**POOR QUALITY  
ORIGINAL**

0937

Several months after my conviction, a woman called upon me at the Tocks, and told me that she saw Mrs. Nelson, the mother of Fannie Nelson and Gussie Nelson, the former of whom testified on my trial on behalf of the People.

Mrs. Nelson informed me that her daughter Fannie knew more than what she testified to on the trial, and that her daughter Gussie saw the whole occurrence on the night of the killing. Mrs. Nelson told me that her conscience worried her; believing as she did from the statements made to her by her two daughters that I was innocent, she was determined to call upon me at my cell, and tell me what they knew, and to do what she could to bring their evidence in full before the Court.

I never knew Mrs. Nelson or either of her daughters, and never spoke to them until after my conviction. I never knew of the existence of Mrs. Nelson or her daughter, Gussie, and never knew that they were in possession of such important testimony until a long while after my conviction.

That there is no Court of Oyer & Terminer now in session, as I am informed by my counsel.

I am about to make an application to this Court for a new trial upon the ground of newly discovered evidence, and as the date of my execution is fixed for the 23rd instant, I ask that an order be made requiring the District Attorney to show cause at an early date why said new trial should not be granted me, and for



**POOR QUALITY  
ORIGINAL**

0938

such other and further relief in the premises as to the  
Court shall seem just.

Sworn to before me this

10th day of August, 1889.

CHARLES GIBLIN

JOSEPH W. MOSE,

Notary Public,

N.Y. Co.



POOR QUALITY  
ORIGINAL

0939

New York Court of Oyer & Terminer.

-----  
The People etc. :

vs. :

Charles Giblin :

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

I, Gussie Nelson, being duly sworn, do depose  
and say:

I reside at No. 229 Bleeker Street in the  
City of New York, and am 20 years of age.

During the month of February, 1888, and for  
some time prior to that date, I resided with my mother  
and sister at No. 132 West Houston Street, occupying  
the front apartments directly over the grocery store  
of Valentine Goeltz and the bakery store of Nicholas  
Goeltz.

On the night of the 15th of February, 1888,  
a little after seven o'clock, I happened to pass the  
door leading into the entry of Nicholas Goeltz's store.

I heard Valentine Goeltz exclaim, "Go, you Irish  
son of a bitch, you cannot have this bill; get out of here  
just as quick as you can, or I will kick you out."

The door being open, I looked into the store and saw  
the defendant walking towards the front door. The  
defendant as he reached this door, turned around and  
said, "I will bring in the officer" and said something  
about his property. Goeltz then said, "Here is your bill  
come back and don't make any fuss over it." Giblin  
walked back to where Valentine Goeltz was standing. The

100-3  
-2-102



POOR QUALITY  
ORIGINAL

0940

6-20-36  
Ch  
3-16-36  
3-24-36  
3-36-36

latter thereupon struck the defendant on the head with his fist. The defendant started towards the door to go out, whereupon Maggie Goeltz and Mrs. Nicholas Goeltz caught hold of him. Tony Schwab (Valentine Goeltz's clerk) at that moment rushed past me where I was standing. He also seized Giblin, and together with Valentine Goeltz, Maggie Goeltz and Mrs. Nicholas Goeltz, began to kick and strike the defendant. At this point I went into the store. Nicholas Goeltz also rushed out, clad only in his underclothes, and he also seized Giblin, who was being kicked and beaten by all present of the Goeltz family, including Tony Schwab. He was struggling very hard to get away from them, at the same time saying "For God's sake and don't murder me; keep the bill if you want it." I saw Valentine Goeltz put his hand in his breast and take out a pistol. The defendant struck Goeltz's arm, and the pistol fell to the floor. I then saw Giblin fall to the floor from the effect of a blow delivered by the said Tony Schwab. Valentine Goeltz and the defendant struggled on the floor for the possession of the pistol, which Giblin held in his hand when he got on his feet again. Giblin's face was covered with blood from the beating administered by Valentine Goeltz, Maggie Goeltz, Mrs. Nicholas Goeltz, Tony Schwab and Madeline Goeltz, the latter of whom had come in the store during the progress of the quarrel. I then heard a shot fired; very soon after another shot was fired, and then two more. As the last shot was fired Valentine Goeltz twisted the pistol out of the defendant's hand, and put it on a table behind his (Goeltz's) back. Tony Schwab then picked up the pistol and put it in his



POOR QUALITY  
ORIGINAL

0941

6) 57  
pocket, and then ran back and helped the others to again kick and beat the defendant, who was pulled back in the rear of the store. About ten minutes after the shots were fired a policeman came in and took the defendant into custody. The Goeltz's then went back in the rear of the store, and I heard Valentine Goeltz say to Tony Schwab, "Tony, have you my revolver?" Tony answered, "Yes; why?" Valentine Goeltz exclaimed, "Damn the son of a bitch, I am now sorry I didn't give him his bill. Look out for the copper, or he will take the revolver away from you."

6) 57  
I had on one occasion previous to the above mentioned altercation, seen a pistol in the grocery store of Valentine Goeltz. He usually kept the weapon in a cash drawer.

6) 57  
I knew that my sister Fannie was to be used as a witness on the part of the People. I told my mother before the trial what I knew about Valentine Goeltz and the shooting. I never expected, but honestly believed, that when Valentine Goeltz took the witness stand at the trial, he would tell the truth about the shooting in every respect, and it was not until after the verdict of the jury that I was informed of what Valentine Goeltz swore on the trial. My mother went down to see the defendant at the Tombs, and I went down afterwards and told him all I knew, as hereinbefore sworn to.

I never knew the defendant, or spoke to him until I called upon him at the Tombs after his conviction.

GUSSIE NELSON

Sworn to before me this  
8th day of August, 1889.



POOR QUALITY  
ORIGINAL

0942

New York Court of Over & Seiner.

-----  
The People, etc. :

vs. :

Charles Giblin  
----- :

City & County of New York, ss:

I, Fannie Nelson being duly sworn, do depose  
and say:

I am 18 years of age, and I reside at No. 299  
Bleecker Street in this City.

I was examined as a witness for the People  
on the trial of the above named defendant in the above  
Court.

I was not interrogated either by the District  
Attorney or by the counsel for the defendant with ref-  
erence to the full scope of what I knew about the shoot-  
ing. Before I was cross-examined on the witness stand  
by the defendant's counsel, I never had a conversation  
either with the defendant or his counsel, and they were  
unfamiliar with the testimony I was about to give.

Knowing as I now do the defendant to be under  
sentence of death, and conscie~~ous~~ious of the fact that  
what I know about the shooting may do the defendant  
some good, I desire, in the interests of justice, to add  
the following statement. (which is true in every respect  
to the testimony I gave on the trial.

18-242  
I saw a revolver on one occasion before the  
shooting, when I went into the store of Valentine Goeltz  
on business. The revolver was in the money drawer be-



**POOR QUALITY  
ORIGINAL**

0943

72  
-V-12  
hind the counter: A clerk of the said Valentine Goeltz  
by the name of Tony Schwab showed it to me; after the  
shooting I also saw the revolver in the said store in  
the same drawer.

The reason that I did not tell the District  
Attorney when I was on the witness stand the  
additional facts herein sworn to, was because I was not  
interrogated by him in reference thereto.

sworn to before me this

6th day of August, 1889.

FANNIE NELSON

Joseph F. Moss,

Notary Public,

N.Y.C.



0944

believing as I did after the defendant was found guilty of murder in the first degree, that from what my daughters had told me that the defendant was innocent of that crime, I called upon the said Charles Giblin, the defendant, at the Tomba prison, and told him of what my daughters had informed me. I have heard read the affidavits of my daughters, Gussie and Fannie, and the statements therein contained are in substance

[illegible]



**POOR QUALITY  
ORIGINAL**

0945

precisely as they informed me.

Lucy X Nelson

Sworn to before me this  
8th day of August, 1889.

her mark

Joseph E. Moss

Notary Public,

N.Y. Co.



POOR QUALITY  
ORIGINAL

0946

Court of Oyer & Terminer in &  
For the City and County of New York

-----  
The People etc. :

vs. :

Charles Giblin  
----- :

City and County of New York, ss:

I, James Fay, being first duly sworn according  
to law, do depose and say:

I am over age, and I reside at No. 197 West  
Houston Street, this City.

I am a steamfitter by trade.

On the evening of February 15th, 1888, I was  
standing in front of the liquor store owned by John  
Maher, No. 161 West Houston Street, and about the  
hour of seven o'clock I saw the defendant, Charles  
Giblin, come along West Houston Street from Macdougal  
Street, and go into the store of Nicholas Goeltz, No.  
162 West Houston Street.

He was alone at the time, and when he came  
from the corner of Macdougal Street he was alone.

There was nobody in the company of Charles Gib-  
lin that night.

JAMES FAY

Sworn to before me this  
8th day of August, 1889.

JOSEPH F. MOSS,

NOTARY PUBLIC,

N.Y.Co.



POOR QUALITY  
ORIGINAL

0947

STATE OF NEW YORK,  
STATE AND COUNTY OF NEW YORK, } ss.:

..... being duly  
sworn, says that he resides at No. .... Street, in the City of  
New York; that he is ..... years of age; that on the ..... day of  
18 .., at Number ..... in the City of  
New York, he served the within ..... on  
the ..... by leaving a copy thereof with .....

Sworn to before me this

day of

18 }

N. D. Cooper & Co.

The People &c.

Plaintiff,

against  
Charles Gulson

Defendant.

Affidavits and  
order to prosecute

HOWE & HUMMEL,

Attorneys for Defendant

87 & 89 CENTRE ST., New York City.

Due and timely service of cop of the within

hereby admitted

this

day of

Attorney.

To Hon. Just. Freeman

Pres. Ct. of App.

City of New York



12 Possession of metal plates -  
Cybela was a war leader in  
Mocana -  
W. 8. G. 12 was (possessed) of a novel  
3 - ~~How should we know it~~  
Lung Lam - Amant Amant  
G. 12 is all tempered  
Paper - full of many books in my hand  
M. 3 - 12. 12. 12. 12. 12. 12.



0949

P R E S E N T:

Justice.

An order having heretofore been made requiring the District Attorney of this City and County to show cause before a Special Term of this Court why a new trial should not be granted the above named defendant upon the ground of newly discovered evidence, and due and timely service of said order and of the affidavits upon which the same was granted having been made upon the said District Attorney, and the said motion coming on this day before the Court to be heard, now, upon reading and filing the affidavits of Charles Giebin, Isaac Nelson, Francis Nelson, James Nelson, James Fay, Valentine Goolz, Nicholas Goolz, Mary Goolz, Maggie Goolz, Theodore Jacobs, Mary Jacobs, William O'Hara, George Wittham, Patrick F. Hunt and George W. Norton, and after hearing William F. Howe, Esquire, counsel for



**POOR QUALITY  
ORIGINAL**

0950

the defendant on behalf of the said motion, and Andrew  
D. Parker, Deputy District Attorney, in opposition  
thereto, and due deliberation being had thereon, it is

O R D E R E D, That the said motion for a new  
trial be and the same hereby is denied.

*also*

*Accepted  
for  
Recording  
City*



POOR QUALITY  
ORIGINAL

0951

New York Supreme Court

THE PEOPLE OF THE STATE OF  
NEW YORK.

against

Charles Lelievre

Order denying motion  
for a new trial

JOHN R. FELLOWS,

DISTRICT ATTORNEY,

No. 32 CHAMBERS STREET,

NEW YORK CITY



**POOR QUALITY  
ORIGINAL**

0952

U. S. TREASURY DEPARTMENT,

SECRET-SERVICE DIVISION,

OFFICE OF CHIEF,

WASHINGTON, D. C., Sept. 13th, 1889.

Mr. Wm. Travers Jerome,

Deputy Asst. Dist. Attorney,

New York City.

Sir.-

In forwarding the evidence in case of Charles Giblin, yesterday, I now find that I neglected to include the One Dollar Silver certificate, raised to a Five, which was taken from Charles Giblin, by officer O'Hara, on Wednesday, February 15th, 1888.

Enclosed find same, which please return to this office when of no further service to you.

// John P. Brooks, an Agent of this Service, who has charge of the New York District, reports for February 16th, 1888, as follows:

// From the news-papers, I learn, that last evening a man named, Charles Giblin, had attempted to pass a counterfeit five dollar note upon Mr. and Mrs. Ballentyne Goelz, of #162 West Houston Street, and because he, (Giblin) could not get Goelz to give him back the note, he, (Giblin) shot both Goelz and his wife.

// I therefore directed Assistant McManus to get a look at the alledged counterfeit note.

// McManus returned and reported that Charles Giblin, the assassin and counterfeiter gave his address as number 424 West 55th, Street.



**POOR QUALITY  
ORIGINAL**

0953

The same number as was given by John Waters, who recently ordered from the Moss Engraving Company a head and bust of General Grant, very similar to the one on the new five dollar silver certificate.

// In ordering this, Waters gave this address in care of Giblin.

// McManus did not see Giblin, but saw the note and said it was a one dollar silver certificate, raised to a five, that Giblin had been taken before his victim to be identified, at #162 West Houston Street and as McManus knew Waters, (having seen him the day he gave an order at Moss & Company) I directed him and Assistant Scanlon to get a look at Giblin, and then to search the house, #424 West 55th, Street.

// Upon their return, they reported, that it was not Waters who shot Mr. and Mrs. Goelz, but that Giblin admits that he knows Waters, and that they searched Giblin's house and in an album they found a tin-type of the drawing of Grant's bust, that Moss & Company had sent to Waters, in care of Giblin. They also found several pieces of metal, into which standard dollars had been driven, evidently intended for models to make counterfeit dollars from; which shows the guilt and intentions of Waters and Giblin and there were numerous articles found that showed there had been experimenting in the direction of counterfeiting going on in Giblin's house.

// Scanlon says, Mrs. Giblin had been to see her husband this morning, and returned an hour before he and McManus got there and from



**POOR QUALITY  
ORIGINAL**

0954

the way everything was tossed about, he judged she had been getting every particle of evidence she could get out of the way.

" She made an attempt to hide the articles captured by Scanlon and McManus.

" I directed Scanlon to properly mark and inventory everything found by them and to turn it over to the police who has charge of the case.

" As Mrs. Goelz has since died, everything should be furnished to show Giblin's guilty knowledge of the note he was trying to pass at the time he committed the dastardly murder.

" I then directed McManus to stop at Mercer Station House, and notify the Captain of what he learned about Giblin."

Respectfully,

*John S. Bell*

Chief.



POOR QUALITY  
ORIGINAL

0955

Handwritten text in a rectangular box, likely a list or ledger. The text is written in a cursive script and is mostly illegible due to the poor quality of the original document. The text appears to be organized into columns, possibly representing dates, names, and amounts. Some legible fragments include "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".



POOR QUALITY  
ORIGINAL

0956

Treasury Department

OFFICE OF THE SECRETARY.

OFFICIAL BUSINESS.

Any person using this envelope to avoid the payment of postage on private matter of any kind, will be subject to a fine of Ten Hundred Dollars.

Mr. Wm Travers Jerome,  
Deputy Asst. Dist. Attorney,  
New York City



POOR QUALITY  
ORIGINAL

0957

Court of Oyer & Terminer held in and  
for the City and County of New York.

-----  
The People :

vs :

Charles Gibling. :  
-----

City and County of New York ss.

I, Charles Gibling, being first duly sworn,  
according to law, do depose and say.

I am now confined in the Tombs Prison under the  
sentence of death, which sentence is fixed for August  
23d, 1899.

I was convicted at the Court of Oyer & Terminer  
held in and for the City and County of New York on  
the 25th day of June, 1899, before the Hon. George C.  
Barrett and a jury, of the crime of murder in the first  
degree, charged with killing one Nicholas Goetz.  
That I have appealed from the said conviction to the  
Court of Appeals. That the conviction was affirmed.

Feeling as I do the awful position in which  
I am placed, I solemnly aver that what I testified to  
on my trial before the Hon. George C. Barrett and a  
jury was in every respect true. I did not have a  
pistol in my possession when I entered the store of  
Nicholas Goetz on the night of the homicide. On my  
trial I was ~~represented~~ defended by counsel assigned by  
the Court, who did all in his power to secure my ac-  
quittal.



**POOR QUALITY  
ORIGINAL**

0958

2

Several months after my conviction, I was called upon me at the Tombs, and told me that she was Mrs. Nelson, the mother of Annie Nelson and Fannie Nelson (the former of whom testified on my trial on behalf of the People).

Mrs. Nelson informed me that her daughter Fannie knew her that she testified to on the trial, and that her daughter Fannie saw me while the occurrence on the night of the killing. Mrs. Nelson told me her conscience worried her; believing as she did from the statements made to her by her two daughters that I was innocent, she was determined to call upon me at my cell, and tell me what they knew, and to do what she could to bring their evidence in full before the court.

I never knew Mrs. Nelson or either of her daughters, and never spoke to them until after my conviction. I never knew of the existence of Mrs. Nelson or her daughter Fannie, and never knew that they were in possession of such important testimony until a few weeks after my conviction.

That there is no Court of Oyer and Terminer now in session, as I am informed by my counsel.

I am about to make an application to this court for a new trial upon the ground of newly discovered evidence, and as the date of my execution is fixed for the 28d instant, I ask that an order be made requiring the District Attorney to show cause at an early day why said new trial should not be granted me, and for such



**POOR QUALITY  
ORIGINAL**

0959

3

order and further relief in the premises as to the  
Court shall seem just.

Sworn to before me this :  
: Charles Gibson.  
10th day of August, 1880 :

Joseph P. Ross,

Notary Public, N. Y. C.



**POOR QUALITY  
ORIGINAL**

0960

New York Court of App. Term 1st.

-----  
The People etc. :  
                  : against  
Charles Criblin. :  
-----

City and County of New York ss.

I, Cassie Wilson, being duly sworn, do depose  
and say:

I reside at 14. 2nd. Bleeker Street in the  
City of New York, and am 20 years of age.

During the month of February, 1933, and for  
some time prior to that date, I resided with my mother  
and sister at No. 132 West Houston Street, occupying  
the front apartments directly over the grocery store of  
Valentine Goetz and the bakery store of Nicholas Goetz.

On the night of the 15th of February, 1933,  
a little after seven o'clock, I happened to pass the  
door leading into the entry of Nicholas Goetz's store.  
I heard Valentine Goetz exclaim, "Go, you Irish son of  
a bitch, you cannot have this bill; get out of here  
just as quick as you can, or I will kick you out."  
The door being open, I looked into the store and saw  
the defendant walking towards the front door. The  
defendant, as he reached this door, turned around and  
said, "I will bring in an officer," and said something  
about his property. Goetz then said, "Here's your  
bill, come back and don't make any fuss over it."



**POOR QUALITY  
ORIGINAL**

0961

2

Giblin walked back to where Valentine Goolz was standing. The latter charged struck the defendant on the head with his fist. The defendant ran towards the door to go out, whereupon Maggie Goolz and Mrs. Nicholas Goolz caught hold of him. Tony Schwab (Valentine Goolz's clerk) at that moment rushed past me when I was standing. He also seized Giblin, and together with Valentine Goolz, Maggie Goolz and Mrs. Nicholas Goolz, began to kick and strike the defendant. At this point I went into the store. Nicholas Goolz also rushed out, clad only in his underclothes, and he also seized Giblin, who was being kicked and beaten by all present of the Goolz family, including Tony Schwab. He was struggling very hard to get away from them, at the same time saying, "For God's sake and don't murder me; keep the bill if you want it." I saw Valentine Goolz put his hand in his breast and take out a pistol. The defendant struck Goolz's arm, and the pistol fell to the floor. I then saw Giblin fall to the floor from the effect of a blow delivered by the said Tony Schwab. Valentine Goolz and the defendant struggled on the floor for the possession of the pistol, which Giblin held in his hand when he got on his feet again. Giblin's face was covered with blood from the beating administered by Valentine Goolz, Maggie Goolz, Mrs. Nicholas Goolz, Tony Schwab and Madeline Goolz, the latter of whom had come in the store during the progress of the quarrel. I then heard a shot fired, very soon after another shot was fired, and then two more.



**POOR QUALITY  
ORIGINAL**

0962

5

As the last shot was fired, Valentine Goolz twisted the pistol out of the defendant's hand, and put it on a table behind his (Goolz's) back. Tony Schurb then picked it up, displayed the gun in his pocket, and then ran back and helped the others to run in kick and beat the defendant, who was pulled back in the rear of the store. About ten minutes after the shots were fired a policeman came in and took the defendant in custody. The Goolzes then went back in the rear of the store, and I heard Valentine Goolz say to Tony Schurb, "Tony, have you my revolver?" Tony answered, "Yes--why?" Then the Goolz exclaimed, "Dam the son of a bitch, I am now sorry I didn't give him his bill. Look out for the copper, or he will take the revolver away from you."

I had on one occasion previous to the above mentioned altercation seen a pistol in the grocery store of Valentine Goolz. He usually kept the weapon in a cash drawer.

I knew that my sister Lucile was to be used as a witness on the part of the People. I told my mother before the trial what I knew about Valentine Goolz and the shooting. I never expected, but honestly believed that when Valentine Goolz took the witness stand at the trial, he would tell the truth about the shooting in every respect, and it was not until after the verdict of the jury that I was informed of what Valentine Goolz swore on the trial. My mother went down to see



**POOR QUALITY  
ORIGINAL**

0963

the contents in the combs, and I were then instructed and told that all I saw, as a rainbow was shown to me.

I never knew of the nature, or scope to him until I got back upon him to the House after his conviction.

[illegible]

James E. 0885,

of the Public,

1. 2. 10.



**POOR QUALITY  
ORIGINAL**

0964

New York Court of Oyer & Tenor.

-----X  
The People etc. :  
against :  
Charles Giblein. :  
-----X

City and County of New York ss.

I, Jennie Nelson, being duly sworn, do depose  
and say:

I am 16 years of age, and I reside at No. 299  
Bleecker Street in this city.

I was examined as a witness for the People  
on the trial of the above named defendant in the  
above court.

I was not interrogated either by the District  
Attorney or by the counsel for the defendant with  
reference to the full scope of what I knew about the  
shooting. Before I was cross-examined on the witness  
stand by the defendant's counsel, I never had a conver-  
sation either with the defendant or his counsel, and  
they were not present with me when the testimony I was about to  
give.

Knowing, as I now do, the defendant to be under  
sentence of death, and conscious of the fact that what  
I knew about the shooting may do the defendant some  
good, I desire, in the interests of justice, to add  
the following statement (which is true in every respect)  
to the testimony I gave on the trial.

I saw a revolver on one occasion before the



**POOR QUALITY  
ORIGINAL**

0965

2

shooting, when I went into the store of Valentino Goolz on business. The revolver was in the money drawer behind the counter. A clerk of the said Valentino Goolz by the name of Tony Schwab showed it to me; after the shooting I also saw the revolver in the said store in the same drawer.

The reason why I did not call the District Attorney when I was on the witness stand the additional facts herein sworn to, was because I was not authorized by him in reference to same.

Sworn to before me this :  
6th day of August, 1939 : Miss Annie Nelson.

Joseph P. Moss,

Notary Public,

N. Y. Co.



POOR QUALITY  
ORIGINAL

0966

New York Court of Oyer & Terminer.

-----X  
The People etc. :  
                  : against :  
Charles Giblin. :  
-----X

City and County of New York ss.

Mary Wilson, being duly sworn, deposes and says: I am a widow and reside at No. 1200 Blooming Street with my two daughters, Fannie and Cassie, who have made affidavits herein. Before the conviction of the said defendant, I never knew him or spoke to him. Both of my daughters, Cassie and Fannie, told me all they knew with reference to the shooting. At the time of the trial I fully believed that Valentine Gould, the husband of the deceased, who was used as a witness by the People, would tell the truth in every respect with reference to the shooting, and it was not until after the verdict of the jury that I was informed to the contrary.

Believing as I did after the defendant was found guilty of murder in the first degree, that from what my daughters had told me that the defendant was innocent of that crime, I called upon the said Charles Giblin, the defendant, at the House Prison, and told him of what my daughters had informed me. I have heard read the affidavits of my daughters, Cassie and Fannie, and the statements therein contained are in substance



**POOR QUALITY  
ORIGINAL**

0967

precisely as they informed me.

Sworn to before me this : : her  
8th day of August, 1889 : : Lucy H. Nelson.  
mark

Joseph P. Ross,

Notary Public,

N. Y. Co.



POOR QUALITY  
ORIGINAL

0968

Court of Oyer & Terminer in and  
for the City and County of New York.

-----X  
The People etc. :

v. :

Charles Ciblin. :  
-----X

City and County of New York ss.

First

James Ray, being duly sworn, according to law  
do depose and say:

I am over age and I reside at No. 107 West  
Houston Street, this city. I am a steam fitter by  
trade. On the evening of February 15th, 1888, I  
was standing in front of the liquor store owned by  
John Scher, No. 161 West Houston Street, and about  
the hour of seven o'clock I saw the defendant Charles  
Ciblin, come along West Houston Street from MacDougal  
Street, and go into the store of Nicholas Gels, No.  
161 West Houston Street. He was alone at the time and  
when he came from the corner of MacDougal Street he  
was alone. I heard the shots fired and the noise of  
a quarrel. There was nobody in the company of Charles  
Ciblin that night.

Sworn to before me this :  
: James Ray.  
5th day of August, 1888. :

Joseph F. Ross,

Notary Public,

N. Y. Co.



POOR QUALITY  
ORIGINAL

0969

*Board of Supervisors*

THE PEOPLE OF THE STATE OF  
NEW YORK.

against

*Charles G. Giblin*

*Copy of  
Affidavits for Release*

JOHN R. FELLOWS,  
DISTRICT ATTORNEY,  
No. 32 CHAMBERS STREET,  
NEW YORK CITY



**POOR QUALITY  
ORIGINAL**

0970

To Hon. John R. Fellows,

District Attorney of the City and County of  
New York.

-----  
In the matter of Charles Gibling :  
James Nolan, now under sentence of :  
death in the City Prison and sentenced :  
to be executed on Friday, the 23rd inst. :  
-----

PLEASE TAKE NOTICE that I, as counsel for  
the condemned, will at eleven o'clock on Wednesday  
morning, the 21st inst., make application to His Excell-  
ency, Hon. David B. Hill, Governor of the State of New  
York, for a commutation of the punishment of the above  
men.

Dated this 19th day of August, 1889.

Yours respectfully,

WILLIAM F. HOWE.

To  
*John R. Fellows Esq*  
*District Attorney*



POOR QUALITY  
ORIGINAL

0971

STATE OF NEW YORK, }  
STATE AND COUNTY OF NEW YORK, } ss.:

..... being duly  
sworn, says that he resides at No. .... Street, in the City of  
New York; that he is ..... years of age; that on the ..... day of  
18....., at Number ..... in the City of  
New York, he served the within ..... on  
the ..... by leaving a copy thereof with .....

Sworn to before me this  
day of

18

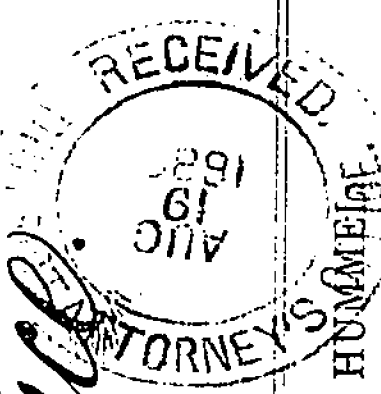
N. D.

In the matter of *James  
Guthrie and James  
Hann*

*now under*

*sentence of death in the  
City Prison and sentenced to  
be executed on Friday the  
23<sup>rd</sup> instant.*

*Notice*



HOWE & HUMPHREY

Attorneys for Defendants

87 & 89 CENTRE ST., New York City.

Due and timely service of cop of the within  
hereby admitted

this day of

18

Attorney.

To *Wm John P. Leeves*

*prosecutor*

*City of New York N.Y.*



POOR QUALITY  
ORIGINAL

0972

*Specimen  
to be returned*

U. S. Treasury Department.

Extract from Report for Feb. 16<sup>th</sup> 1888

At 12<sup>00</sup> o'clock noon as directed, I went to No 162 West Houston St. & thence to Jefferson Dist. Prison to see one Chas. L. Giblin, arrested the night previous for a murderous assault committed in an attempt to pass an alleged Cft. \$5.00 Note. Asst. M<sup>r</sup> Mannes accompanied me and through him it was learned that Giblin was a confederate of one John Waters a person who recently tried to obtain from the "Moss Engraving Co. a plate for the "Head of Genl Grant." Also that the note in question was not a Cft. but a genuine One dollar Silver Certificate raised to a Five. It was at first supposed Giblin & Waters might be one & the same person, but on seeing him <sup>who had seen Waters in Moss' Eng. Co.</sup> Asst. M<sup>r</sup> Mannes said that Giblin was not Waters. We had a conversation with Giblin in jail and he acknowledged having been acquainted with Waters, but declared he had not seen him for about



POOR QUALITY  
ORIGINAL

0973

U. S. Treasury Department.

2

several weeks, He <sup>(bibliu)</sup> also declared he knew nothing about the character of the note he tried to pass on Maggie or Madeline Goetz at No 162 W. Houston St. We left him & went to his home at No 424 W. 55<sup>th</sup> St. and made a search of his rooms, second floor, rear house. We found there a woman who said she was his wife, and that she had been home about one hour, after visiting him in jail. It was therefore an hour late to expect to find anything but we made a search. I found a Wood cut for back border of some sort of note of the size of a Bank Note with a head in centre, One Confederate States Ten dollar note, Five pieces of sheet copper, each bearing the imprint of a Silver dollar, rather indistinct, as though sunk gold with a blow, One piece sheet lead same impression, One piece Rubber, same,



POOR QUALITY  
ORIGINAL

0974

U. S. Treasury Department.

I also found a <sup>3</sup> Tin Type of "Head of Genl Grant" which was subsequently identified as coming from the Moss Engraving Co. <sup>sent by them to Waters, care of Hibbin</sup> McManus found some pieces of paper bearing part of the legend on a Five dollar Silver Certificate written with lead pencil and an attempt at imitation of the letters on said note, and a leather belt with pockets for cartridges and revolver, the Cartridge pockets being partly filled with empty shells. These things we took possession of "x c x c."

Mr. McManus subsequently turned over to Capt. Bogan of 15<sup>th</sup> Police Precinct, all this evidence.

James J. Scanlon



POOR QUALITY  
ORIGINAL

0975

People  
Charles Gillin  
murder

Extract  
Report for Feb. 16<sup>th</sup> 1882  
officer J. Scanlon



POOR QUALITY  
ORIGINAL

0976

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Charles Fiddin*

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

of the CRIME OF Murder in the First Degree, committed as follows:

The said *Charles Fiddin*, —

late of the City of New York, in the County of New York aforesaid, on the *fifteenth* day of *January*, in the year of our Lord one thousand eight hundred and eighty-*eight*, at the City and County aforesaid, with force and arms, in and upon one *Maddie Fiddin*, in the peace of the said People then and there being, wilfully, feloniously, and of *his* malice aforethought, did make an assault, and the said *Charles Fiddin*, a certain pistol then and there charged and loaded with gunpowder and one leaden bullet, which said pistol the said *Charles Fiddin* — in *his* right hand then and there had and held, to, at, against, and upon the said *Maddie Fiddin*, — then and there feloniously, wilfully, and of *his* malice aforethought, did shoot off and discharge, and the said *Charles Fiddin*, — with the leaden bullet aforesaid, out of the pistol aforesaid, then and there by force of the gunpowder aforesaid, shot off, sent forth, and discharged, as aforesaid, *over* the said *Maddie Fiddin* in and upon the *breast* of *his* the said *Maddie Fiddin*, then and there feloniously, wilfully, and of *his* malice aforethought, did strike, penetrate, and wound, giving to *her* the said *Maddie Fiddin*, then and there, with the leaden bullet aforesaid, so as aforesaid discharged, sent forth, and shot out of the pistol aforesaid, by the



POOR QUALITY  
ORIGINAL

0977

said *Charles Fiddin*, in and upon the *abdomen*, of  
the said *Maddeline Fiddin*, one mortal wound of the breadth  
of one inch, and of the depth of six inches, of which said mortal wound *she* the  
said *Maddeline Fiddin*, at the City and County aforesaid,  
from the said *fourteenth* day of *February*, in the  
year aforesaid, until the *sixteenth* day of *February*, in the same year  
aforesaid, did languish, and languishing did live, on which said *sixteenth*  
day of *February*, in the year aforesaid, the said *Maddeline*  
*Fiddin*, at the City and County aforesaid, of the said mortal wound did die.

And so the Grand Jury aforesaid do say: That the said *Charles*  
*Fiddin*, *her* —

the said *Maddeline Fiddin*, in the manner and form, and by  
the means aforesaid, wilfully, feloniously, and of *his* malice aforethought, did kill,  
and murder, against the form of the Statute in such case made and provided, and against the  
peace of the People of the State of New York and their dignity.

*John R. Fellows,*

District Attorney.



0978

**BOX:**

299

**FOLDER:**

2851

**DESCRIPTION:**

Gies, John

**DATE:**

03/19/88



2851



POOR QUALITY  
ORIGINAL

0979

Witnesses:

Chas. J. Wood  
Richd. W. Davidson

Counsel,

Filed

Pleads,

19 March 1888  
L. J. G. Wood  
L. J. G. Wood

THE PEOPLE

my  
17. N 30  
#30 28.  
P  
John Gies

Grand Larceny, 5th Degree  
(From the Person.)  
[Sections 528, 530, 550 Penal Code].

JOHN R. FELLOWS,

72 N. 33/88 District Attorney.  
Pleads & L. J. G. Wood

Elmira Ref. P. B. M.

A True Bill.

(Hayes, O. W.)

Foreman.



POOR QUALITY  
ORIGINAL

0980

Police Court—2<sup>a</sup> District.

Affidavit—Larceny.

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

Charles J Hall

of No. 713 Ninth Avenue Street, aged 39 years,  
occupation Carpenter Layer being duly sworn

deposes and says, that on the 11 day of February 1888 in the City of New

York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
and person of deponent, in the night time, the following property viz :

One gold Watch & Chain with Lock  
attached of the value of one hundred  
& sixteen 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 John Gies (now here)

Deponent says that he was walking along  
Ninth Avenue between 22<sup>a</sup> & 23<sup>a</sup> Streets in  
said City at the about the 8.40 P.M. on  
said date when said deponent walked  
up to deponent and snatched said  
property from the pocket of the vest then  
and then ran him and ran away

C. J. Hall

Sworn to before me, this  
of Feb 1888

18 day

Samuel P. Smith Police Justice.



POOR QUALITY  
ORIGINAL

0981

Sec. 198-200.

2a

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*John Gies* 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.

*John Gies*

Question. How old are you?

Answer.

*19 years*

Question. Where were you born?

Answer.

*New York*

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

Answer.

*509 W 30th St*

*1 month*

Question. What is your business or profession?

Answer.

*Welder*

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

Answer.

*I am not guilty*

*John Gies*

Taken before me this

day of

*Feb*

188

*David J. Hall*  
Police Justice.



POOR QUALITY  
ORIGINAL

0982

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

Police Court 2 District 294

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Charles E. Hall

713 1/2 Avenue  
1 John Eric

Offence Larceny from the  
Person in the night time

Dated 18 Feb 1888

A. O. Reilly Magistrate.

James B. Officer.

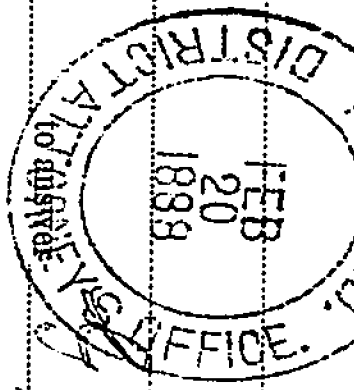
Witnesses Richard Van Schuylen

North East Ave 97th St.

Patrick O'Brien = 10 Rue

204 West 10th St.

No. 15110 Street.



Charles E. Hall

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

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

Dated Feb 18 1888 Samuel J. Phillips 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 h to be discharged.

Dated ..... 1888 ..... Police Justice.



POOR QUALITY  
ORIGINAL

0983

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against  
*John Giles*

The Grand Jury of the City and County of New York, by this indictment, accuse  
*John Giles*  
of the CRIME OF GRAND LARCENY in the *First* degree, committed as follows:

The said

*John Giles*

late of the City of New York, in the County of New York aforesaid, on the *eleventh*  
day of *February* in the year of our Lord one thousand eight hundred and  
eighty *eight*, in the *night* time of the said day, at the City and County  
aforesaid, with force and arms,

*One watch of the value of seventy  
five dollars,  
One chain of the value of twenty  
five dollars, and  
One locket of the value of six-  
teen dollars*

of the goods, chattels and personal property of one *Charles J. Hall*—  
on the person of the said *Charles J. Hall*  
then and there being found, from the person of the said *Charles J. Hall*  
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.



**POOR QUALITY  
ORIGINAL**

0984

SECOND COUNT—

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

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

The said

*John Gies*  
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 watch of the value of seventy  
five dollars,  
One chain of the value of twenty  
five dollars, and  
One locket of the value of sixteen  
dollars*

of the goods, chattels and personal property of one

*Charles J. Hall*

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

*Charles J. Hall*

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

*John Gies*

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.

JOHN R. FELLOWS,

District Attorney.



0985

**BOX:**  
299

**FOLDER:**  
2851

**DESCRIPTION:**  
Gilbert, Daniel

**DATE:**  
03/22/88



2851



0986

BOX:

299

FOLDER:

2851

DESCRIPTION:

Harlon, George

DATE:

03/22/88



2851



0987

**BOX:**

**299**

**FOLDER:**

**2851**

**DESCRIPTION:**

**Roberts, Edward**

**DATE:**

**03/22/88**



2851



0988

POOR QUALITY  
ORIGINAL

Witnesses:

Robert Bernas  
of Hudson

No. 257  
Counsel, *Barlow*  
Filed 22 day of March 1888  
Pleads, *Not guilty*

*1st*  
THE PEOPLE  
vs.  
Daniel W. Gilbert  
*1st*  
George B. Harlan  
*2nd*  
Edward Roberts

Burglary in the THIRD DEGREE  
(Section 498, 506, 528, 532 and 550)  
*Not Larceny and receiving*

JOHN R. FELLOWS,  
District Attorney.  
Ordered to N. Y. Court of  
Oyer and Terminer for trial  
*April 9th*

A True Bill.  
*May 1st 1888*  
Foreman.  
April 12. 1888  
All pleas R. O. G.  
No. 1. & 3. 1. Y. 2nd grade  
No. 2. 3. Y. State prison  
*Apr*



POOR QUALITY  
ORIGINAL

0989

Police Court

District

City and County } ss.:  
of New York,

of No. 214 Eldridge Street, aged 36 years,  
occupation Carrier being duly sworn

deposes and says, that the premises No. 214 Eldridge Street, 13 Ward

in the City and County aforesaid the said being a five story brick

tenement house, the first floor

of which was occupied by deponent as a dwellings

and in which there was at the time a human being, by name

were BURGLARIOUSLY entered by means of forcibly unlatching

and breaking the front window

fastenings

on the 10<sup>th</sup> day of March 1888 in the light time, and the  
following property feloniously taken, stolen, and carried away, viz:

One Opera  
Glass, one Harmonium, one  
clock and one Album, all of  
the total value of twelve dollars  
\$ 12.)

the property of Complainant

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

Daniel Gilbert, George B. Barton  
and Edward Roberts (all now here)

for the reasons following, to wit: On said night and

date at about eight o'clock

deponent locked, bolted and

effectually closed said dwelling,

and living room, at

half past eight o'clock on

said night and date when

deponent returned, he found

that his place had been



POOR QUALITY  
ORIGINAL

0990

Burglariously entered and the  
said property taken, stolen and  
carried away and for the  
reason that some of said  
property was found in the  
possession of said Gilbert and  
Agia Harlow, and as the said  
Roberts was seen in their company  
Deponent therefore charges said  
three defendants with Burglary  
and Larceny and for the further  
reason that they admitted and  
confessed in open Court that  
they were guilty of said charges;  
Deponent prays that they be  
dealt with as the Law directs  
Shown to before me } Robert Bever for  
this 3<sup>rd</sup> day of Mar 1888 } Police Justice  
J. M. Peterson

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 mentioned, I order he to be discharged.  
Dated 1888 Police Justice.

|                                         |                             |
|-----------------------------------------|-----------------------------|
| Police Court,                           | District,                   |
| THE PEOPLE, &c.,<br>on the complaint of |                             |
| 1                                       | 23.                         |
| 2                                       |                             |
| 3                                       |                             |
| 4                                       |                             |
| Dated                                   | 1888                        |
| Magistrate.                             |                             |
| Officer.                                |                             |
| Clerk.                                  |                             |
| Witnesses,                              |                             |
| No.                                     | Street,                     |
| No.                                     | Street,                     |
| No.                                     | Street,                     |
| \$                                      | to answer General Sessions. |



POOR QUALITY  
ORIGINAL

0991

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

3 District Police Court.

*Amel Gilbert* 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* is waiver cannot be used  
against *h* on the trial.

Question. What is your name.

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*not*  
*Amel* ~~*Amel*~~ *Guilty*  
*D.W. Gilbert.*

Taken before me this

day of

188

Police Justice.



POOR QUALITY  
ORIGINAL

0992

Sep. 198-200.

30

District Police Court.

CITY AND COUNTY }  
OF NEW YORK } ss.

*George B. Harlow* 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 *h* 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.

*George B. Harlow*

Question. How old are you?

Answer.

*57 years of age*

Question. Where were you born?

Answer.

*New York City*

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

Answer.

*I have no home*

Question. What is your business or profession?

Answer.

*Porter*

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.

*Am not guilty*  
*George B Harlow*

Taken before me this

day of

188

Police Justice.



POOR QUALITY  
ORIGINAL

0993

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK } ss.

3 District Police Court.

Edward Robert being duly examined before the under-  
signed 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.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

not  
guilty  
Edward Robert

Taken before me this

day of

188

Police Justice.



0994

No. \_\_\_\_\_ Street \_\_\_\_\_

No. 1562 Street 7th

Court

to answer \_\_\_\_\_

MAR 15 1888  
RECEIVED.  
U.S. DISTRICT ATTORNEY'S OFFICE.

THE PEOPLE, &c  
ON THE COMPLAINT OF

Offence

Dated 7/10/20 188 J.P. Hutter 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.*



POOR QUALITY  
ORIGINAL

0995

## Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*David W. Fiddell*  
*George B. Mardon*  
*and Edward Roberts*

The Grand Jury of the City and County of New York, by this indictment, accuse *David W. Fiddell, George B.*

*Mardon and Edward Roberts* —

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

The said *David W. Fiddell, George B.*  
*Mardon and Edward Roberts, all*

late of the *Twentieth* Ward of the City of New York, in the County of New York  
aforesaid, on the *fourth* day of *March*, in the year of our Lord one  
thousand eight hundred and eighty-*nineteen*, with force and arms, in the  
*night* time of the same day, at the Ward, City and County aforesaid, the  
dwelling house of one *Robert Berendson*. —

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 *Robert Berendson*. —

— 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.



POOR QUALITY  
ORIGINAL

0996

SECOND COUNT—

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

*Daniel W. Fiddell, George Madison*  
*and Edward Roberts —*

of the CRIME OF *Pelvic* LARCENY — , committed as follows:

The said *Daniel W. Fiddell, George*

*Madison and Edward Roberts, all*

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 opera glass of*

*the value of four dollars, one*  
*harmonium of the value of two*  
*dollars, one clock of the value of*  
*three dollars, and one album*  
*of the value of three dollars,*

of the goods, chattels, and personal property of one *Robert Berendys,*

in the dwelling house of the said *Robert Berendys. —*

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.



POOR QUALITY  
ORIGINAL

0997

THIRD COUNT.

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

*Daniel W. Tipton, George B. Madon & Edward Roberts*

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

The said *Daniel W. Tipton, George B. Madon and Edward Roberts*, all

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 opera glass of the value of  
four dollars, one harmonica of  
the value of two dollars, one book  
of the value of three dollars, and  
one album of the value of  
three dollars. —*

of the goods, chattels and personal property of *Robert Berens*. —

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

unlawfully and unjustly, did feloniously receive and have ; (the said *Daniel W.*

*Tipton, George B. Madon & Edward Roberts*

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.

JOHN R. FELLOWS,  
District Attorney.



0998

**BOX:**

299

**FOLDER:**

2851

**DESCRIPTION:**

Gilliland, William

**DATE:**

03/06/88



2851



POOR QUALITY  
ORIGINAL

0999

*C. J. McNamee*  
Counsel,  
Filed *6* day of *April* 188*8*  
Pleads, *May 26* *5.5.88*  
*THE PEOPLE* vs. *William J. Gilliland*  
vs. *William J. Gilliland*  
Grand Larceny in the *first* degree,  
(MONEY.)  
(Sec. 528 and 550, Penal Code.)

JOHN R. FELLOWS,

*April 17/88* District Attorney.

*Queen's Counsel of*  
*Peter Larceny*  
A TRUE BILL,  
*April 17/88* Pen 2nd.  
(*May 2, 1888*)

Foreman.

*17* *Reverend*

Witnesses;

*M. McDonald*

*off Carey*



621

The People  
Wm J. Gilliland  
Indictment for grand larceny in first degree.  
Michael M. Donnell sworn. I live at  
224 West Eighteenth street and lived there a  
week. I am a painter and know the def  
endant. I saw him on the 29<sup>th</sup> of January last  
I met him in McGroten Bros. Eighteenth  
st. and Seventh avenue in this city. I went  
up to the prisoner's room at 219 West Nineteenth  
st. I went asleep with ~~my~~ my pants on and  
he took thirteen dollars out of them. I felt  
him take it. I did not stop him because  
I thought he would give it back to me the  
next morning; he is a friend of mine.  
He did not tell me the next morning that  
he had taken it; he went out with me  
I told him. I missed the money and he  
said I might probably find it in some  
place I had been in the night before. I had  
a conversation with him after that about  
it. He said he knew nothing about it.  
that I would get it in some place I was  
in the night before. I went around the  
next morning, that was Tuesday. I went  
to bed that night between eleven and twelve  
o'clock. There was nobody else in bed with  
me. The money was in my pocket when  
I went to bed. It was not there when I got up



POOR QUALITY  
ORIGINAL

1001

Cross Examined. I met the prisoner this night about eleven o'clock; previous to that I had been in Genet's liquor store corner of Seventeenth St. and Seventh Ave. I had several drinks previous to meeting him. I was under the influence of liquor at the time. I asked him to have a drink and we had two or three. I had \$17.20 when I met the prisoner. I am sure of that. I did not state to the defendant that I had been in a house of prostitution. I did not visit Mr. Keilly's Saloon Nineteenth St. and Seventh Ave. I did not ask the defendant to take me home and did not say to him that I had no place to go to. I and the defendant got up the same time that morning. I went to Hammonds' liquor store also in Eighteenth St. and Eighth Ave. and had drinks there. I had three dollars when I went in there; we had one drink there; the defendant had money in there but I do not know how much. I could not say if it is a fact that he ordered drinks of the bar tender and offered eighteen cents in payment and said he would have to hang him up for the balance. I was in his company until the afternoon. I left him down at Sixteenth St. between Eighth and Ninth avenues.



I saw Terence McConnell once, I had a conversation with him on the morning of the 30th of January. I did not say to him that I lost some money but did not know where I lost it. I offered a torn one dollar bill in payment for drinks. I was paid off on Saturday night. I was not with the defendant on Sunday night over half an hour. The defendant took thirteen dollars out of a pocket book and left four dollars in it.

The Case for the Defence  
Terence McConnell sworn. I am a liquor merchant and know the defendant and complainant. I remember the 30th of January and saw them both on that day. They came into my place and the complainant asked the defendant if he was going to do anything? He put his hand in his pocket and pulled out 10 cents and left it on the bar and said that was all he was worth. They had a drink and stood talking for a few minutes and went out as far as the door and came back again and Mr. McConnell asked to have another drink and he put his hand in his pocket and pulled some bills out of his pocket and he handed me a one dollar bill torn in two halves. I pasted it and gave him his change and in the mean time I heard them



talking that he lost a ten dollar bill but I did <sup>keep him</sup> not charge Gilliland with it; he did not know where he lost it. They were feeling very well after having some drinks.

Hannah Kelly sworn. I know the defendant and complainant. I saw M'Donnell last January; he came in with Gilliland to our house, Gilliland ~~said~~ <sup>went</sup> me out for a glass of beer and while he was out M'Donnell said to me that Gilliland had taken fifteen dollars from him.

Mr. J. Gilliland sworn. I reside in 209 West Nineteenth St. and am a paper hanger and decorator. I have known the complainant three years and a half; we were always friendly; on the 27<sup>th</sup> of January I went into this saloon to have a glass of beer. M'Donnell said, "Halloo, old Scotty, I am glad to see you". He said he had been away in Canada. He asked me to have a drink and I did not refuse, and after a while we had another drink. By the Court. Did you take this man's money? A No. Did you had not anything to drink today have you? A. All right. (The witness was evidently under the influence of liquor.)

The jury rendered a verdict of guilty of petty larceny with a recommendation to mercy.



POOR QUALITY  
ORIGINAL

1004

Testimony in the  
case of  
Mr. J. Gilliland

filed March  
1888.



POOR QUALITY  
ORIGINAL

1005

Police Court—

2<sup>nd</sup> District.

Affidavit—Larceny.

City and County } ss.:  
of New York,

Michael W. O'Donnell

of No. 112 West 18<sup>th</sup> Street, aged 35 years,  
occupation Painter being duly sworn

deposes and says, that on the 29<sup>th</sup> day of January 1888 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 the night time, the following property viz:

Thirteen Dollars good and lawful  
money.

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 William Gilliland known here

from the fact that upon said  
date deponent was laying in  
dependant bed in a room in  
premises 209 West 19<sup>th</sup> Street with  
his clothes on his person and  
that the dependant did thrust  
his hand in the side pocket of  
deponent's pantaloons and  
abstract said money therefrom  
and afterward stated to deponent  
that he would return said  
money

Michael W. O'Donnell

Subscribed before me, this

29<sup>th</sup> day

of January 1888

Police Justice.



POOR QUALITY  
ORIGINAL

1006

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

William Gilliland

Question. How old are you?

Answer.

42 years

Question. Where were you born?

Answer.

Ireland

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

Answer.

209 W 19<sup>th</sup> St. New York

Question. What is your business or profession?

Answer.

Teacher

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

Answer.

I am not guilty  
Wm J. Gilliland

Taken before me this

day of

188

Police Justice.



POOR QUALITY  
ORIGINAL

10007

BAILED,  
No. 1, by *Alburt*  
Residence *27 Chambers St.*  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_

B. O. *11 2 317*  
Police Court District

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*Michael W. St. John*

*112 West 16th St.*

*Wm. R. R. R. R.*

*Wm. R. R. R. R.*

*Wm. R. R. R. R.*

*Wm. R. R. R. R.*

*Wm. R. R. R. R.*

*Wm. R. R. R. R.*

*Wm. R. R. R. R.*

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*Wm. R. R. R. R.*

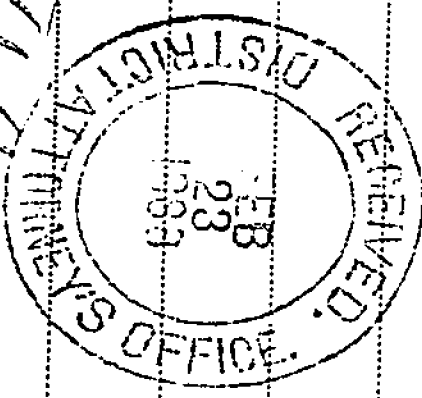
*Wm. R. R. R. R.*

*Wm. R. R. R. R.*

*Wm. R. R. R. R.*

*Wm. R. R. R. R.*

*Wm. R. R. R. R.*



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 *July 20* 188 *8* *H. White* Police Justice.

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

Dated *July 21* 188 *8* *H. White* Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.



POOR QUALITY  
ORIGINAL

1000

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*William J. Fiddland*

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

*William J. Fiddland*

of the crime of GRAND LARCENY IN THE *First* DEGREE, committed as follows:

The said *William J. Fiddland*,

late of the City of New York, in the County of New York, aforesaid, on the *29th* day of *January*, in the year of our Lord one thousand eight hundred and eighty *eight*, at the City and County aforesaid, with force and arms, in the *month* time of the same day, ~~promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury notes), of the denomination of twenty dollars, and of the value of twenty dollars~~ ; *one* promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury notes), of the denomination of ten dollars, and of the value of ten dollars ~~—~~ ; *two* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury notes), of the denomination of five dollars, and of the value of five dollars *each* ; *six* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury notes), of the denomination of two dollars, and of the value of two dollars *each* ; *thirteen* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury notes), of the denomination of one dollar, and of the value of one dollar *each* ; ~~promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty dollars~~ ; *one* promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of ten dollars ~~—~~ ; *two* promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars *each* ; ~~— United States Silver Certificate of the~~



**POOR QUALITY  
ORIGINAL**

1009

~~denomination and value of twenty dollars~~ ; *one* United States Silver  
Certificate of the denomination and value of ten dollars ; *two* United  
States Silver Certificates of the denomination and value of five dollars *each* ; *six*  
United States Silver Certificates of the denomination and value of two dollars *each* ;  
*thirteen* United States Silver Certificates of the denomination and value of one dollar  
*each* ; ~~United States Gold Certificate of the denomination and value of~~  
~~twenty dollars~~ ; *one* United States Gold Certificate of the denomination  
and value of ten dollars ; *two* United States Gold Certificates of the  
denomination and value of five dollars *each* ; and divers coins, of a number, kind and  
denomination to the Grand Jury aforesaid unknown, of the value of *thirteen*  
*dollars.*

of the proper moneys, goods, chattels and personal property of one *Michael*  
*McDonnell*, on the person of  
*the said Michael McDonnell*, then and there being  
found, ~~from the person of the said Michael McDonnell~~, 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.

JOHN R. FELLOWS,  
District Attorney.



10 10

**BOX:**

**299**

**FOLDER:**

**2851**

**DESCRIPTION:**

**Goering, Frank**

**DATE:**

**03/07/88**



2851



POOR QUALITY  
ORIGINAL

10 11

WITNESSES:

*Off. Waldman*

No. 60

Counsel,

Filed 7 day of March 1888  
Pleads *Not Guilty (8)*

Violation of Excise Law.  
(Selling on Sunday, &c.)  
[U.S. Rev. Stat. (7th Edition), page 1983, Sec. 21, and  
page 1989, Sec. 5.]

THE PEOPLE,

vs.

*B.*  
*Frank Goring*

*Rec'd March 21*  
*1888*

RANDOLPH B. MARTINE,

*Attorney at Law*  
*District Attorney.*

A True Bill.

*Wm. C. Carey*

Foreman.

*Mr. C. C. 2/88*  
*Transferred to C. C. 2/88*  
*by Consent.*  
*Part III June 29/88*  
*referred.*



POOR QUALITY  
ORIGINAL

10 12

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

Plaintiffs

against

*Frank Goering*

Defendant.

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

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

*Sumner Baldwin*

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

SECOND COUNT:

And the Grand Jury aforesaid, by this indictment, further accuse the said defendant of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

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

*John R. Fellows*  
**RANDOLPH B. MARTINE,**

District Attorney.



10 14

**END OF  
BOX**