

0835

BOX:

419

FOLDER:

3877

DESCRIPTION:

Gaimari, Raffaele

DATE:

12/15/90



3877

0836

Witnesses:

Officer Crystal

153

L. Barker

Counsel,

Filed *19* day of *Dec* 18*90*

Pleads *Guilty*

THE PEOPLE

vs.

Raffaele Gaimari

CONCEALED WEAPON.

(Section 410, Penal Code).

JOHN R. FELLOWS,

District Attorney.

Jan 12, 1891
Jan 16, 1891

A True Bill.

John R. Gaimari

Foreman.

Part 2 - Jan. 22, 1891

True and Acquitted

0837

Police Court, District.

City and County of New York ss.

Thomas Crystal
of No. 12th Avenue Street, aged _____ years,
occupation Detective being duly sworn, deposes and says,
that on the 2^d day of October 1889, at the City of New
York, in the County of New York, Raphael Gamare

(now here) did unlawfully carry
concealed on his person,
with intent to use against
another, that dangerous
instrument, to wit: a still
and he also had in his
possession a loaded
revolver, in violation
of Section 1410 of the
Penal Code of the State
of New York.

Sworn to before me
This 2^d day of October 1890
Thomas Crystal

A. J. White
Police Justice

0030

Sec. 198-200.

1st
District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK.

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

Question. What is your name?

Answer.

Raffae Gaimari

Question. How old are you?

Answer.

50 years.

Question. Where were you born?

Answer.

Italy

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

Answer.

32 Madison St. N.Y.C.

Question. What is your business or profession?

Answer.

Shoe-maker

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

Answer.

*I am not guilty
Raffae Gaimari*

Taken before me this

day of

Sept 1888

Police Justice.

0839

Police Court
1634
District

THE PEOPLE, Ac.,
vs. THE COMPLAINT OF

James J. [unclear]
Robert [unclear]

BAILED,
No. 1, by *Joseph [unclear]*
Residence *341 [unclear]* Street

No. 2, by _____
Residence _____ Street

No. 3, by _____
Residence _____ Street

No. 4, by _____
Residence _____ Street

Dated *Oct 28 1890*

White
Comptroller

Witnesses
Mrs. Semel [unclear]
Henry [unclear]
Direct



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

Kleinfeld

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

Dated *Oct 28 90* *A. J. White* Police Justice.

I have admitted the above-named *White*

to bail to answer by the undertaking hereto annexed.

Dated *Oct 28 90* *A. J. White* Police Justice.

There being no sufficient cause to believe the within named

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

Dated _____ 18 _____ Police Justice.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Raffaele Gaimari

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

Raffaele Gaimari
of a FELONY, committed as follows:

The said *Raffaele Gaimari*
late of the City of New York, in the County of New York aforesaid, on the *28th*
day of *October* in the year of our Lord one thousand eight hundred and
~~eighty-ninety~~ at the City and County aforesaid, with force and arms, feloniously did
furtively carry, concealed on his person, a certain ~~instrument and weapon of the kind~~
~~commonly known as~~ *dirk, dagger and dangerous knife*
with intent then and there feloniously to use the same against some person or persons 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
Raffaele Gaimari
of a FELONY, committed as follows:

The said *Raffaele Gaimari* 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, feloniously did possess a certain ~~instrument~~
~~and weapon of the kind commonly known as~~ *dirk dagger and*
dangerous knife by him then and there concealed, and furtively carried on his person,
with intent then and there feloniously to use the same against some person or persons 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.

JOHN R. FELLOWS,
District Attorney.

0841

BOX:

419

FOLDER:

3877

DESCRIPTION:

Gallagher, Thomas

DATE:

12/15/90



3877

0842

Witnesses;

Hellie McQuinn
Officer Farrington
Miss Walsh

Sum to the year
275 or 274 Pacific
St - Co Union Ave
J.C. Kelly former

#155 LeBarber v
Counsel,
Filed 15 day of Dec 18 90
Pleads, Guilty 16

27 THE PEOPLE
198
Thomas Gallagher
Grand Larceny 2nd Degree.
(From the Person.)
[Sections 588, 590 - Penal Code].

JOHN R. FELLOWS,
District Attorney.

A True Bill.

William Van Kesteron
Foreman.
Sub 2 - Dec. 18, 1891
Pleads Grand Larceny 2nd Degree

3 400 8 200 5 P.
J.J. Dec. 22

Police Court— District.

Affidavit—Larceny.

City and County }
of New York, } ss.

of No. 40 Greenwich Street, aged 26 years,
occupation Married being duly sworn

deposes and says, that on the 1 day of December 1890 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 time, the following property, viz:

of Louis Brownell he at the time being stupidly drunk, in the night time the following property, viz: One silver case watch, one chain, one one dollar bill and one Rail Road ticket on the Star Line Rail Road from White Plains all of the value of five dollars

the property of said Louis Brownell was here

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 Thomas Gallagher known here

from the fact that while deponent was walking along the Bowery near Bayard street at the hour of 8:30 P.M. she saw said Gallagher in company with said Brownell, that said Gallagher was in the act of searching said Brownell and that he took from the possession of said Brownell the articles before mentioned that deponent found in the possession of said Gallagher said property and compelled said Gallagher to return it to Brownell when deponent caused the arrest of Gallagher Allie McCluskey

Sworn to before me, this 2 day of December 1890
of Thomas Gallagher
Police Justice.

0044

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Thomas Gallagher

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

Question. What is your name?

Answer.

Thomas Gallagher

Question. How old are you?

Answer.

27 years

Question. Where were you born?

Answer.

Id.

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

Answer.

25 Monroe St.

Question. What is your business or profession?

Answer.

I am worker

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
Thomas Gallagher.*

Taken before me this

day of

August 1888

Police Justice.

0845

Police Court... 1896
District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John McQuinn
40-89 Broadway
Thomas Gallagher

Offence *Larceny*
Below

Dated *Dec 2 1896*

W. H. ...
Magistrate.

Augustus ...
Officer.

Louis ...
Witness.

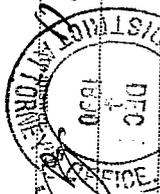
Ed ...
Witness.

White ...
Witness.

Henry ...
Witness.

107 ...
Street.

No. *1571*
Street.



Commitment

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 *Dec 2 1896* *A. J. ...* Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Thomas Gallagher

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

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

The said Thomas Gallagher,

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

\$1.00 one promissory note for the payment of money, of the kind commonly called United States Treasury Notes, of the denomination and value of one dollar; one promissory note for the payment of money of the kind commonly called Bank Notes, of the denomination and value of one dollar; one United States Gold Certificate, of the denomination and value of one dollar; one United States Silver Certificate, of the denomination and value of one dollar;

one watch of the value of eight dollars, one chain of the value of one dollar, and one piece of paper of the value of one cent

of the goods, chattels and personal property of one Louis Brownell on the person of the said Louis Brownell then and there being found, from the person of the said Louis Brownell 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. Galloway, District Attorney

0847

BOX:

419

FOLDER:

3877

DESCRIPTION:

Gibson, Robert

DATE:

12/02/90



3877

0040

Witnesses:

Officer Muckalland

#207

Kane v

Counsel,

Filed

day of

1890

Pleads,

THE PEOPLE

vs.

Robert J. Gibson

Grand Larceny, 3rd Degree.

[Sections 538, 539 — Penal Code.]

19
11/07/17
Muckalland

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Walter A. Mendenhall
Dec 3/90 Foreman.

Pleaded G. J. 2nd deg
Elmwood Ref. R.B.M.

Police Court - 2d District.

Affidavit - Larceny.

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

Arabella Monty

of No. 349 W 36th Street, aged 28 years,
occupation Dressmaker being duly sworn

deposes and says, that on the 21 day of November 1887 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 overcoat, and one inside Coat
and good and lawful money of the United States of the amount and value of thirty three dollars all of the value of forty seven 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 Robert J. Gibson (name true)

Deponent says that said defendant boarded with her and on said date she missed said property that she accused him of taking the same and he acknowledged and confessed in the presence and hearing of John

Sworn to before me this 21 day of Nov 1887
Police Justice

0850

Munkholland that he took
the aforesaid property

Swear to before me
this 28 day of Nov 1890
Arabella her Monty
x mark
James D. Keenan Police Justice

CITY AND COUNTY }
OF NEW YORK, } ss.

John Mulholland
aged 31 years, occupation Detective Supt of No. 300 Mullers
Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Arabella Morley
and that the facts stated therein ~~on information of deponent~~ are true of deponents' own
knowledge.

Sworn to before me, this 28
day of Nov 1928 *John Mulholland*

[Signature]
Police Justice.

0852

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK.

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

Question. What is your name?

Answer.

Robert J. Gibson

Question. How old are you?

Answer.

19 years

Question. Where were you born?

Answer.

N-S

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

Answer.

110 W 17. St / 1 week

Question. What is your business or profession?

Answer.

Machinist

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 took the coat and money and plead guilty to that
Robert Gibson*

Taken before me this

day of *Jan* 188*8*

J. J. Kelly
Police Justice.

0853

Police Court--- 2
District. 1989

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Quadrilla Morarty
349 - 42nd St
Rd. & Gibson

Offence *Larceny*
Felony

BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

No. 5, by _____
Residence _____ Street.

No. 6, by _____
Residence _____ Street.

No. 7, by _____
Residence _____ Street.

No. 8, by _____
Residence _____ Street.

Dated *Jan 28, 90*

D. O. Reilly Magistrate.

John Humbelton Officer.

E. O. Sergeant.

Witnesses *Agustin*

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

§ 1000 to answer *Agustin*



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 *Two* 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 *Jan 28, 1890* *De Lee Reilly* Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Robert J. Gibson

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by

this indictment, accuse Robert J. Gibson

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

The said Robert J. Gibson,

late of the City of New York, in the County of New York aforesaid, on the 21st day of November in the year of our Lord one thousand eight hundred and ninety, at the City and County aforesaid, with force and arms, in the day time of the same day, divers 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 a number and denomination to the Grand Jury aforesaid unknown, for the

#33.00 payment of and of the value of thirty-three

dollars; divers other promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as Bank Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the payment of and of the value of

thirty-three dollars; divers United States Silver Certificates of a number and denomination to the Grand Jury aforesaid unknown, of the value of

thirty-three dollars; divers United States Gold Certificates of a number and denomination to the Grand Jury aforesaid unknown, of the value of

thirty-three dollars; divers coins of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of

thirty-three dollars, one overcoat of the value of eight dollars and one coat of the value of six dollars

of the goods, chattels and personal property of one Arabella Monty 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.

0855

BOX:

419

FOLDER:

3877

DESCRIPTION:

Goldstein, Louis

DATE:

12/23/90



3877

0856

Witnesses:

Gunnis Harkobinitch
Officer Cohen

#134

A. S. Levy

Counsel,

Filed

23 day of Dec 1890

Pleads,

THE PEOPLE

vs.

Louis Goldstein

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

JOHN R. FELLOWS,

Part I
Jan 6 1891

District Attorney.

A True Bill.

Thos J. Kuffenbender
Jan 6 1891 Foreman.
Plead & Acquitted

0857

Police Court— 3 — District.

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

Harris Haskelwritch
of No. 46 Essex Street, aged 24 years,
occupation Paper Box maker being duly sworn
deposes and says, that on the 21 day of December 1887 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by
Louis Goldstein (now here)
who did cut and stab this
deponent four times, to wit:
three times on the head and
once on the face with the
blade of a knife which he
then held in his hand

*88 Sullivan St
Sun + Broom St*

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

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

Sworn to before me, this 21 day of December 1887
of 46 Essex Street
Harris Haskelwritch
his
[Signature]
Police Justice.

0050

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Louis Goldstein*

Question. How old are you?

Answer. *31 years*

Question. Where were you born?

Answer. *Russia*

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

Answer. *88 Ludlow St - Meyer*

Question. What is your business or profession?

Answer. *Tailor's operator*

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*

Louis Goldstein
mgy

Taken before me this *31*
day of *Sept* 19*37*
Police Justice

0859

BAILED,

No. 1, by _____
 Residence _____ Street _____

No. 2, by _____
 Residence _____ Street _____

No. 3, by _____
 Residence _____ Street _____

No. 4, by _____
 Residence _____ Street _____

Police Court District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

*James H. K...
 John G...
 Geo. ...*

Offence

Tell. Assault

Dated *Dec 21 1890*

Magistrate

Officer

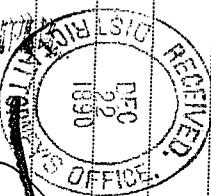
Witnesses

No. _____ Street _____

No. _____ Street _____

No. _____ Street _____

\$ *3000* to answer



Boyer

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

Dated *Dec 21* 18 *90* *J. H. Duffy* Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

Court of General Sessions of the Peace
 in and for the City and County of New York
 The People
 vs
 Louis Goldstein

City and County of New York for

Nathan S. Coy being duly sworn says that he is the Attorney for the defendant in the above action. That he was not informed of the trial of this case until today about 10 A.M.; that deponent has prepared for trial, and has seen and conversed with five witnesses for the defence, all of whom, will testify as they have informed deponent, that defendant had no knife or weapon with him when the occurrence complained of took place, and that each of said witnesses saw the occurrence, and saw the complaining witness attack the defendant. That such witnesses are necessary and material and without them it will be unsafe to proceed to trial and defendant's liberty is thereby endangered. That deponent did not subpoena the witnesses and because he did not know of the trial taking place today, that all the witnesses are working men,

deponent does not know where they work, he has taken their statements which are now in his office, and their names are on the statements, as are also their addresses, but he does not remember their names without the statement, and if the Court desires can send his clerk, who is used in Court for the statements to prove deponents good faith in making this application. Deponent does not know where these witnesses work, only where they live and must subpoena them this evening. Deponent will be ready to try the case tomorrow without fail. No previous application for this order has been made, and deponent positively swears that from the statements to him made by defendant and his witnesses that the defendant has a good and substantial defence herein.

Given to be fore and this

5th day of July 1891

Julius Kaiser

Owner of Reeds
N.Y.C.

J. W. Levy

0862

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Louis Goldstein

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

Louis Goldstein
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said *Louis Goldstein*

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

which the said *Louis Goldstein* in *his* right hand then and there had and held, the same being a deadly and dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, stab and wound,

with intent *him* the said *Harris Haskolowitch* thereby then and there feloniously and wilfully to kill, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said *Louis Goldstein* of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *Louis Goldstein*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said *Harris Haskolowitch* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and *him* the said *Harris Haskolowitch* with a certain *knife*

which the said *Louis Goldstein*

in *his* right hand then and there had and held, the same being a weapon and an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully strike, beat, cut, stab and wound, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

John R. Fellows,
District Attorney.

THIRD COUNT -

And the Grand Jury aforesaid, by this indictment, further accuse the said
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

late of the City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, at the City and County aforesaid, with force and arms, in and upon the said
in the peace of the said People then
and there being, feloniously did wilfully and wrongfully make another assault, and
the said

with a certain

which the said

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

then and there feloniously did wilfully and wrongfully strike, beat, stab, cut, bruise and
wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrong-
fully inflict grievous bodily harm upon the said

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

JOHN R. FELLOYS,
District Attorney.

0864

BOX:

419

FOLDER:

3877

DESCRIPTION:

Gombert, John

DATE:

12/08/90



3877

0865

BOX:

419

FOLDER:

3877

DESCRIPTION:

Gombert, George

DATE:

12/08/90



3877

0866

Witnesses:

Julius Coulter
Affirm. Fees

Counsel,

Filed

day of Dec 18 90

Pleads

THE PEOPLE

vs.

John Tombert
and
George Tombert

Grand Larceny Second degree.
[Sections 538, 537, Penal Code.]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

William H. Coulter
Dec 9/90 Foreman.

Both plead guilty
Both S. P. 2 yrs - P.B.M.

#68

25
53871/24
facts

25
53871/31

Police Court 2 District.

Affidavit—Larceny.

City and County } ss:
of New York, }

Julia Coulter
of No. *538 west 39th* Street, aged *21* years,
occupation *Carpet Factory* being duly sworn,
deposes and says, that on the *26* day of *November* 189*0* 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 Green Dress, One Gray Skirt,
One Green Pairt, One Black Blazer Jacket,
One pair Shoes, One Plush Sack, One
Shoulder Cape, One White flannel Blouse,
and a pocketbook containing a
silver coin of the United States issue
of the value of fifty cents, all of the
said property of the amount and
value of seventy five dollars (\$*75.00*)*

the property of *Deponent*

Sworn to before me this

J. J. [Signature]

Police Justice.

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 Gombert and George Gombert*
(both now here), while acting in concert
with each other, from the following
facts to wit: that the said property
was hanging on a rack in a room
on the second floor of the aforesaid
premises, and deponent further says
that she saw the said property on the
aforesaid date, about the hour of 12.40
P.M. when she left the said room and
went to work, and that at that time
said defendants were sitting in the
front room on the second floor, and
deponent is further informed by *Henry
Schick* of No *538 west 39th* Street, that he

left the said premises, in company with his wife, about the hour of 12:55 P.M., leaving the said defendants in the front room of the aforesaid premises. And deponent is further informed by Henry Schick that he returned to the said premises about the hour 1:45 P.M. and found the said defendants gone, and the said property missing.

And deponent further says that the said defendants failed to return to said premises, and that she has been unable to find them until she caused their arrest.

2
Subscribed and sworn to before me this 2nd day of August 1934
Julia Coulter
J. J. [Signature]

[Faint handwritten scribbles]

0869

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 25 years, occupation Painter of No. Henry Schick

538 west 39 Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Julia Bonster and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 2 day of December 1890 } Henry Schick

[Signature]
Police Justice.

0870

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

John Lambert

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

Question. What is your name?

Answer. *John Lambert*

Question. How old are you?

Answer. *26 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *None*

Question. What is your business or profession?

Answer. *Painter*

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

Answer.

*I am not guilty
John Lambert.*

Taken before me this
day of *November*

[Signature]
Police Justice

0871

Sec. 108-200.

2

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

George Lambert

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

Question. What is your name?

Answer. *George Lambert*

Question. How old are you?

Answer. *23 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *None*

Question. What is your business or profession?

Answer. *Drum*

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
George Lambert*

Taken before me this

Day of *December* 188*8*

[Signature]
Police Justice

0872

BAILABLE

No. 1, by _____
Residence _____
Street _____

No. 2, by _____
Residence _____
Street _____

No. 3, by _____
Residence _____
Street _____

No. 4, by _____
Residence _____
Street _____

Police Court... 2
District... 1495

THE PEOPLE, &c.,
ON THE COMPLAINT OF
John Swartz
George Embert
Lucery

Offence _____

Dated December 2 1890

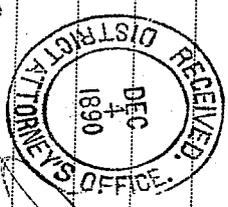
Duffy Magistrate
Precinct 20

Witnesses _____
Street _____

No. _____
Street _____

No. _____
Street _____

No. 570
to answer _____
Street _____



Clawson

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

guilty thereof, I order that he be held to answer the same and (he) be admitted to bail in the sum of five 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 December 2 1890 Duffy Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

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 Gombert
and
George Gombert

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

John Gombert and George Gombert

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

The said John Gombert and George Gombert, both

late of the City of New York, in the County of New York aforesaid, on the 26th day of November in the year of our Lord one thousand eight hundred and ninety,

at the City and County aforesaid, with force and arms,

one dress of the value of thirty dollars, one skirt of the value of ten dollars, one waist of the value of five dollars, one jacket of the value of five dollars, one pair of shoes of the value of four dollars, one saccue of the value of ten dollars, one cape of the value of five dollars, one blouse of the value of five dollars, one silver coin of the United States of the kind called half dollars, of the value of fifty cents and one pocketbook of the value of fifty cents

of the goods, chattels and personal property of one Julia Coulter

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. Bellows
District Attorney.

SECOND COUNT—

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

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

The said

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

of the goods, chattels and personal property of one

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

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

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.

0875

BOX:

419

FOLDER:

3877

DESCRIPTION:

Earl, Daniel

DATE:

12/03/90



3877

0876

BOX:

419

FOLDER:

3877

DESCRIPTION:

Gross, Samuel

DATE:

12/03/90



3877

0877

Witnesses:

Chas. Keegan
Officer Reup

Read for
W. J. F.
Rep. Encls.
Boring new structure -
left hand side

Counsel

Filed

day of

188

at

THE PEOPLE

vs.

Samuel Gross
and
Daniel Earl

Plaintiff in the THIRD DEGREE
Grand Jurors, in City of
(Section 498, 506, 524, 531, 538)

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Wm. Van Funcher
Dec 12/90 Foreman.

Spec. Committee of
Jury
Chas. Keegan
Both Elmira P. B. M.

0878

Witnesses:

Chas. Keener.
Officer Reup.

Read for
Voyt.
Rep. Grib.
Brewer and Hackett -
left hand side

#119
Clerk
Counsel
Filed day of Dec 1889
P. No. 4

THE PEOPLE

vs.
Samuel Gross
and
Daniel Earl

Partly in the THIRD DEGREE
Grand Jurors, L. M. Dyer, C. J. B. B.

H. H. Hackett

JOHN R. FELLOWS,
District Attorney.

A True Bill.

Wm. Van Fursche
Dec 12/90 Foreman.

Spec. Committee of
J. J. Dwyer
Mr. W. H. Dwyer
Both Elmira P. O. N. Y.

0879

Police Court - 3 District.

City and County of New York, ss:

Charles Keener of No. 100 Ludlow Street, aged 44 years, occupation Jew Smith being duly sworn

deposes and says, that the premises No. 100 Ludlow Street, 10 Ward in the City and County aforesaid the said being a five story brick tenement house the fifth floor and which was occupied by deponent as a dwelling apartment and in which there was at the time a human being, by name

were BURGLARIOUSLY entered by means of forcibly breaking the lock on the door of said apartments and forcing said door open.

on the 20th day of November 1889 in the day time, and the following property feloniously taken, stolen, and carried away, viz:

Three Suits of Clothes one over Coat one box of Cigars one Opera Glass one breast pin one Razor one chain one set of Razors a quantity of bed clothes and three dollars in gold and lawful money of the United States - the whole valued at Eighty six dollars \$86 00

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

Samuel Gross and Daniel Earl.

for the reasons following, to wit: Deponent securely locked and bolted the doors of said premises at the hour Eight A.M. on said date at the hour of Five P.M. on said date deponent found said place broken open and said property was missing. Officer Reas arrested the defendants who after being informed of their rights admitted having committed

Said offence in company with two other boys & segment thereof charges the defendants with having Burglariously entered said premises and having taken carried away and stolen said property and things that they be held to answer Charles E. Deemen

For the reasons following to wit:

[Handwritten signature]
Shorn to paper in this case of March 1890
J. H. Deemen

[Mirrored/Inverted text from reverse side of page]

Dated 1888 Police Justice

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

Dated 1888 Police Justice

I have admitted the above named by the underwriting fibro annexed.

Dated 1888 Police Justice

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.

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 guilty of the offence within mentioned, has been

District		Magistrate		Officer		Clerk		Witnesses	
No.	Street	No.	Street	No.	Street	No.	Street	No.	Street
1									
2									
3									
4									

Police Court, New York

[Inverted text from reverse side of page]

0001

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Samuel Cross

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

Question. What is your name?

Answer. *Samuel Cross*

Question. How old are you?

Answer. *18 years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *104 Essex Street 7 years*

Question. What is your business or profession?

Answer. *Adventurer*

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

Answer. *I am Guilty therefore
am found of as Samuel Cross.*

Taken before me this
day of *March* 1881

[Signature]
Police Justice

310
310
13/81

310

0002

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss.

District Police Court.

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

Question. What is your name?

Answer.

David Earl

Question. How old are you?

Answer.

18 years

Question. Where were you born?

Answer.

New York

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

Answer.

65 Willow Avenue Hoboken N.J.

Question. What is your business or profession?

Answer.

Passmaster's Worker

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

Answer.

*I am guilty there was
for of us David Earl*

Taken before me this
day of *November* 1938

Police Justice.

[Signature]

0003

Police Court... **B** District 1963

THE PEOPLE, Ec.,
ON THE COMPLAINT OF

Colombo Felice
105 - 108th St.
Brooklyn N.Y.

1. *Frank Green*
2. *Samuel Carl*

Offence *Burglary*

Dated *Nov 25* 18*90*

Arthur Magistrate
Frank Officer

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



Witnesses _____ Street _____
No. _____ Street _____
No. _____ Street _____
No. _____ Street _____
\$ *1000.* to answer

Sam
11/25/90

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

Defendants

guilty thereof, I order that *the 2* be held to answer the same and *the 1* be admitted to bail in the sum of *ten* Hundred Dollars and be committed to the Warden and Keeper of the City Prison, of the City of New York, until *the 1* give such bail.

Dated *Nov 25* 18*90* *[Signature]* Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

26

The People. Court of General Sessions. Part I
 Samuel^{no} Gross Before Judge Martine. December 11. 1890
 jointly indicted with Daniel Earl for burglary in
 the third degree and grand larceny in the second
 degree.

Charles Kenner, sworn and examined. I
 live at 100 Ludlow St. I am a tinsmith and
 lived there on the 24th of Nov., top floor front
 I had four rooms. One window looks out on
 the street; there is two windows in the front
 room and one window in the kitchen; two
 windows look out on the street. I have two
 bed rooms. I have furniture in the front
 room. I sleep in one of the bed rooms and
 in the other one my children sleep. My
 house is next to the corner. One of the
 windows looks out on Delancey St. I have
 two doors from the hall - one goes into
 the kitchen and another goes into the living
 room. I live there with two sons, one is
 17 and the other is going on 16. On the
 24th of Nov. I left my rooms ~~at~~^{half past}
 six in the morning. I closed the rooms
 I have two locks on the door and I locked
 them when I left. I had property there. A suit
 of clothes was lying in the bureau belonging
 to me worth \$35; two suits of clothes of my
 boys were taken and both were worth \$25
 or \$30; my overcoat, which was hanging

between the two bed rooms. I paid \$21.50 for it. The bureau was broken open. An opera glass, belonging to my son, was stolen, worth about four dollars; also a breast pin of my wife worth three or four dollars, a razor worth a dollar, a box of dominoes worth 40 cents, a mouth harmonica. I returned about 20 minutes past six in the evening. I went to put my key in the lock and it was unlocked and when I put my hand on it the whole thing, the screws and the lock fell down; that was the door of the living room. I went into the room and lit the lamp and found out I was robbed, everything was upside down. I found that all the property I have described was gone and a wash basket. I also missed a box of cigars belonging to my son and a lodge regalia worth \$3.50 - also a pair of ear rings and my wife's hair which was in an envelope. My wife died last year. I went up to the Station house and told the Sergeant about it and he gave me an officer to investigate the case and the officer came. He found the door was broke and the iron bar was ~~in the hall~~ ^{in the hall} along side of the door. The officer went out and arrested the two defendants that night. (Gross and Earle.)

I did not see them that night and the first time I saw them was in the Essex Market Police Court. They pleaded guilty before the judge; they said they done it. I saw some of the property there. Officer Reap had it. (The harmonica, the opera glass and the razor were shown to the complainant, and he identified them as his property). There was a two dollar bill in the pocket book which was in the bureau drawer. I did not see the defendant at my house on that day. I never saw him before I saw him in the Police Court.

Cross Examined. The officer showed me the silver badge and the gold brooch

Michael J. Reap swore. I belong to the Central Office now and was an officer of the 11th precinct. I arrested Gross and Earle on the 24th of Nov. on the complaint of the son of the complainant. I went to a place in Hester St; a saloon, where the two boys (Gross and Earle) and several others were in. I forget the number; they were playing pool. I went there about 8 1/2 or 9 o'clock. The five or six who were in there ran out. I caught Gross and Earle. I was in citizen's clothes and I searched them both in the station house. I found the property here produced on Earle; the complainant's son was along with me at the time. I

asked him if that was his property, and he said it was. I asked Earle where he got the property. I searched Gross, but there was no property found on him which the father and the son could not identify. Earle said that he and four or five boys went there and they bursted in the place; he said he got the property in 100 Ludlow st. I asked Gross and he said he was along with him. I asked him what made him run when I went into this place? He said he met three or four boys and they took him along with them, that they went into the place and ransacked it. I asked him what became of the other property? He said, "they did not let me have anything to do with that - the other two boys carried it out in a basket and I do not know where they went with it." That is about all I had to say to Gross. Earle told me in the presence of Gross that they went in, three or four boys went in and took the stuff and the other two boys took the basket and put the stuff in the basket and carried it down Delancey street. They were locked up and I went out to look for the other two parties and could not find them. Before I made the arrest I went

to the place and examined it. I found the locks broken off, two holes in the door and a bar standing alongside of the door; one hole was above the lock and the other below it. When I walked into the saloon Earle and the rest of them were playing pool and the defendant was sitting down on a chair. I caught hold of him and they all ran out. I grabbed him and I caught Earle in the hallway. I took them to the Police Court and the clerk took the complaint; he asked them what they had to say. Gross got up and made ^{the} same explanation to the Judge as he did in the station house. He said, "I met three or four boys and went to the place but did not go in, I stood at the door. He said he was along with these boys. The Clerk asked him if he was guilty, and he said 'yes'; he asked both of them; they were fetched up together.

Cross Examined. When I went into the saloon and caught hold of the defendant the rest of them flew; this defendant did not run. I had hold of him, and when the others commenced to run I ran him along with me. I made him run. He was asked at the Essex Market Police Court whether he was with the other boys and he said, yes. He had no lawyer there. Is it not a fact

Jury

that he said he knew nothing about this except that these boys must have taken those things and that he met them and went to this saloon with them in Nester St. I did not understand him to say that. I understood him to say that he went with the boys and stood at the door. He said he went to the saloon with them. I found on the person of the defendant a couple of keys and two dollars and one cent and a button hook. I saw Gross sign his name in the Police Court and he answered all the questions that were put to him. There may have been questions asked of him there which I did not hear. When I arrested Gross I asked him about the case. He said he was along with the other boys. They met him and took him to a house in Ludlow Street, he did not know the number. He told me he stood at the door and that those three boys went up stairs and came down with a clothes basket, two of them went through Delaney St. and he and Earle came down through Ludlow St. towards Brown St. He said they got in there and got a lot of stuff but he was not with them, he stood at the door. That is about all I recollect. He said about the same thing

to the Police Magistrate. I think he said in the Police Court that he was 18 years of age. He said he was guilty. I heard that word used by him.

By Counsel Q Did he say that he was guilty of being with those boys? I could not say whether he meant with the boys; guilty with those boys, he said, "I am guilty."

Q Are you now in a position to swear that he did not say that he was guilty of being with those boys? No, I am pretty certain he did not say, 'I was with those boys,' he said, 'I am guilty.' I am certain that he did not say he was guilty with the boys in the Police Court. He had no lawyer there to defend him. The judge asked him if his father was there or anybody belonging to him. He looked around and said, 'No, I do not think he knows I am arrested.' He said he did not have anything to do with the stealing of the articles, but those boys fetched him down with them. He denied being in the room, he said he was outside of the room in the hallway, down in the street in the hall door. Asst. Dist. Atty. Davis stated that was the case for the people, after which the Court adjourned for the day.

Friday, December 12th 1920.

Officer Keap recalled by Mr. Davis. I was present in the Police Court when Gross was arraigned and the complaint made against him. It was read to him and it was after that he affixed his signature to it.

Samuel Gross, sworn and examined in his own behalf testified. I think I am 18 years old. I cannot exactly tell. I have never been arrested before this charged with crime. I was never in the premises of Charles Kenner No. 100 Ludlow Street. At the time I was arrested I lived at No. 104 Essex St. with my father. I worked for Lord and Taylor, but at the time of my arrest I was out of employment and had been three weeks. I worked a short time for Mr. Davidson, a shoe man in Canal St. I was not with any of the boys who broke into the rooms of Charles Kenner, No. 100 Ludlow Street. I did not know that any boys had broken into that place, and none of the boys ever gave me any property that they had stolen from the place. I was arrested about 8 o'clock at night in a billiard saloon and keys and money were found on me. I got the money from my father to buy a pair of pants and the keys were my own. It is not claimed that these premises were entered by Keys? [Mr. Davis: No.]

The Court.

Cross Examined by Mr. Davis: I signed the paper now shown me in the Police Court. Judge Hogan was on the bench and Officer Reap was there and Mr. Kenner. I heard what he (Mr. Kenner) said about the premises having been broken into and that he lived at 100 Ludlow St. and that the premises were entered by breaking the lock. I think he said that had been done on the 24th of November. I heard him state what had been stolen from him, clothing, a box of cigars, an opera glass, a breast pin, a razor. I did not hear him speak of how the premises had been entered nor of the iron bar. I did not see the iron bar. The complaint which Mr. Kenner made was not read to me. I remember I was asked my name, age, where I was born, where I lived and what my business was. I said I was going to school up to the last two or three months. I was out of work. In answer to the question what I had to say about the charge I did not answer. "I am guilty; there were four of us." I do not remember that the paper was read in my presence. I was told I was there on a charge of burglary, breaking into the premises No. 100 Ludlow St. but I was not

told that before I signed this paper. The clerk made out the paper and gave it to me to sign. He says, "Sign your name." I took up the pen and signed my name. That is as true as any thing else I have stated here. I have been out of work and my father gave me the money which the officer found upon me. The officer is wrong when he said that I told him I waited at some door. I went into the pool room with Earl. I cannot recollect what time it was—between seven and eight o'clock. I was over to Jersey city with him before that. I went over with him at ten o'clock in the morning to No. 65 Willow Avenue, Jersey city to see his parents; it was about three o'clock when we started for New York and we got over here in the neighborhood of four o'clock. I think we crossed Barclay ferry and then we started to walk home. I could not exactly tell the streets, but we walked through the markets up through Canal street to the Bowery. I think we passed through Broadway to Grand St. and through Mester St. when we were stopped by two boys. I think it was

around six o'clock. We remained in their company about a quarter of an hour on the street and then the four of us went into the pool room on West St. and it was there we were arrested. I do not remember telling anybody that I stood at the door while the others went in. I was not standing at any door. I did not tell the officer I stood near any door. I never went near the house where the burglary was committed and don't know anything about it. I met Earle in the morning about a quarter to ten on the corner of Delancey and Essex St. I was coming from down town after looking through the papers for a situation. I stopped on the street and conversed with him five minutes and then went over to Jersey. He asked me to go over with him. I had \$2.40 in my pocket. Earle paid the fare there and back. I took dinner over at Earle's house. I did not buy the pantaloons. I wanted my father to go with me; he is a shoe pedlar. I saw an opera glass, a razor, a pin and \$1.00 taken from Earle. I knew Earle about two months. I knew him from the street I lived on; he worked

at passermenter work. I was surprized to see this property taken from him; he did not say anything to me about it. I dont know where No. 100 Ludlow St is. I was in the grammar school at 129th St. and 10th Ave. and afterward in the Hebrew orphan asylum.

Samuel Kears sworn. I am a furrier at 79 Mercer St. and am a member of the firm of Rosenthal and Kean. I know Samuel Gross twelve years. He is very honest and his parents are honest. I would be willing to give him employment.

Michael Rosenthal sworn. I am a furrier at 79 Mercer St. I have known the defendant two years. I think he is very honest.

Jacob Davidson sworn. I am a dealer in shoes at 164 Canal St. I know the defendant since he came from the orphan asylum two or three years. He has worked for me six months as an errand boy; he was honest when he was with me; he went to Lord and Taylor's after he left me.

Barnet Frankel, Aaron Top and Mary Graves testified to his good character.

Isaac Gross, the father, testified that he gave the boy \$2.40 to buy a pair of pants.

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

0096

Testimony in the
case of
Samuel Gross

filed
Dec. 1896

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against Samuel Gross and Daniel Earl

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

Samuel Gross and Daniel Earl

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

The said Samuel Gross and Daniel Earl, both

late of the Tenth Ward of the City of New York, in the County of New York aforesaid, on the 24th day of November in the year of our Lord one thousand eight hundred and eighty-ninety, with force and arms, in the day - time of the same day, at the Ward, City and County aforesaid, the dwelling house of one Charles Kenner

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 Charles Kenner in the said dwelling house then and there being, then and there feloniously and burglariously to steal, take and carry away, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

SECOND COUNT—

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

Samuel Gross and Daniel Earl

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

The said *Samuel Gross and Daniel Earl, both*

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

three coats of the value of eight dollars each, three vests of the value of three dollars each, three pair of trousers of the value of four dollars each pair, one overcoat of the value of fifteen dollars, fifty cigars of the value of five cents each, one opera-glass of the value of three dollars, one breast-pen of the value of five dollars, one razor of the value of one dollar, one chain of the value of five dollars, one set of regalia of the value of five dollars, a quantity of bed-clothes, (a more particular description whereof is to the Grand Jury aforesaid unknown, of the value of five dollars and the sum of three dollars in money, lawful money of the United States of America and of the value of three dollars, of the goods, chattels, and personal property of one

in the dwelling house of the said

Charles Kenner

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.

John R. Fellows,
District Attorney

THIRD COUNT.

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

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

The said

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,

of the goods, chattels and personal property of

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

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

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.

0900

BOX:

419

FOLDER:

3877

DESCRIPTION:

Gunn, Philip

DATE:

12/12/90



3877

Witnesses:

James Mansfield
Officer Rice

#130

John

Counsel,

Filed

day of

1890

Pleads,

12 Dec 90
Not guilty N

THE PEOPLE

vs.

Philip Gunn

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

JOHN R. FELLOWS,

District Attorney.

Off Sec. Term 1891

A True Bill.

William K. Kennelme

Foreman.

Part III January 5, 1891 -
defendant discharged on
his own recog.

upon reading the
withdrawal &
after examining the
complainant, I
ask that the
defendant be
discharged on his
own recognizance

Jan 6th 91 G.S.D.
A.D.C.

New York General Sessions.

PEOPLE ON MY COMPLAINT,
VERSUS

Philip Gunn

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself. But from a desire on my part to do justice to the prisoner believing that the matter occurred through his having drunk a little more than he should. I believe at the time he stabbed me he had no intention of hurting me, as he could have taken my life had he desired to do so, and believing him to be sufficiently punished. I would be glad of his release, as I have always known him to be a honest, hardworking man

I am to before me this } James Morahan
 5th Day of January 1891 }
 Thos A. McGuire
 Commissioner of Deeds
 N.Y.C.

Police Court 14 District.

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

of No. 617 First Avenue Street, aged 27 years,
occupation Driver being duly sworn
deposes and says, that on the 8th day of December 1890 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Philip
Gunn (now here) who cut and
stabbed deponent once in the
back with a knife which he
then and there held in his hand.
Deponent further says that such
assault was committed

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

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

Sworn to before me, this 9 day }
of December 1890 } James Monahan
W. Monahan Police Justice.

0904

Sec. 198-200.

4

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Philip Gunn*

Question. How old are you?

Answer. *28 years old*

Question. Where were you born?

Answer. *New York City*

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

Answer. *No 24 3 East 34 St. New York*

Question. What is your business or profession?

Answer. *Driver*

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

Answer. *I am not guilty*
Philip Gunn
maker

Taken before me this

day of *April* 188*8*

Amsharov

Police Justice.

0905

PAIDED.

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Police Court--- *H* District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James M. Minton
611 1/2 Ave.
Philip Spinn

1
2
3
4

Dated

Stein
W. M. Minton
W. M. Minton
Officer.
Precinct.

Witnesses

No.

Street.

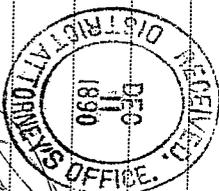
No.

Street.

No.

Street.

\$ _____ to WARDEN



Levy
Levy

Offence of

Assault
Delony

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

Defendant

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *ten* Hundred Dollars, and be committed to the Warden and Keeper of

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

Dated *Dec 9* 18 *90* *W. M. Minton* Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Philip Gunn

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this indictment, accuse

Philip Gunn

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

The said Philip Gunn

late of the City and County of New York, on the eighth day of December, in the year of our Lord one thousand eight hundred and eighty-ninety, with force and arms, at the City and County aforesaid, in and upon one

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

with a certain knife which he the said

Philip Gunn in his right hand then and there had and held, the same being then and there a weapon and an instrument and weapon likely to produce grievous bodily harm, him, the said James Monahan then and there feloniously did wilfully and wrongfully strike, beat, cut, stab, bruise and wound, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

John R. Fellows, District Attorney

SECOND COUNT—

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

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

The said

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

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

the said

with a certain

which the said

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

then and there feloniously did wilfully and wrongfully strike, beat bruise and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said to the great damage of the said

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

JOHN R. FELLOWS,

District Attorney.