

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
Henry Young and
Frank L. Van Alstyne

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

Henry Young and Frank L. Van Alstyne

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

The said Henry Young and Frank L. Van Alstyne, both

late of the City of New York, in the County of New York aforesaid, on the twenty fifth day of March, in the year of our Lord one thousand eight hundred and ninety-two, in the night time of the said day, at the City and County aforesaid, with force and arms, in and upon one Joseph B. Allen,

in the peace of the said People then and there being, feloniously did make an assault; and the sum of four hundred and ninety dollars in money, lawful money of the United States of America, and of the value of four hundred and ninety dollars,

of the goods, chattels and personal property of the said Joseph B. Allen, from the person of the said Joseph B. Allen, against the will and by violence to the person of the said Joseph B. Allen, then and there violently and feloniously did rob, steal, take and carry away, the said

Henry Young and Frank L. Van Alstyne, and each of them being then and there aided by an accomplice, actually present to wit: each by the other:

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.

James M. [Signature]

1002

BOX:

496

FOLDER:

4531

DESCRIPTION:

Zerbts, Joseph

DATE:

09/28/92



4531

1003

BOX:

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FOLDER:

4531

DESCRIPTION:

Hunt, John

DATE:

09/28/92



4531

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300

Counsel, *W* day of *Sept* 189*2*
Filed

Pleads, *guilty*

THE PEOPLE

vs.

Joseph Gerba

vs

John Thurb

[Section 498, Burglary in the Third Degree.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Sept 28/92

James K. Kelly

Foreman.

Part 3 Oct 3/92

W2 1 Pleads guilty

Part 3 - Oct 5/92

Pleas attempted

Oct - S.P. 295-

RSM

Witnesses:

W. H. ...

COURT OF GENERAL SESSIONS-Part III.

-----x
 The People of the State of New York, : Before Hon. Ran-
 : dolph B. Martine,
 : and a Jury.
 JOHN HUNT, impleaded with Jos. Zwertz :
 -----x

Indictent filed September 28th 1892.

Indicted for burglary in the 3rd degree.

N e w Y o r k, October 5th 1892.

APPEARANCES: For the People Assistant District At-
torney Vernon M. Davis.

For the defendant Mr. J. Mayo.

NATHAN SOLOMON, a witness for the People, sworn, testified:

I live at 175 Allen street. I kept a jewelry store there on the 22nd of September 1892. That is a six story building. I live on the same floor as my store. I w went to sleep in the room back of the store on that night. I securealy locked and fastened all the doors and windows of my premises. I closed up at eight o'clock and went out to the Theatre. I came back at half past ten. I found that my place had been broken into I found the rear door in the store broken in. I had about ten thousand dollars worth of jewelry in the store on that night.

CROSS EXAMINATION:

I have been in that business there eight months. Th door that was broken went into the rear--my sleeping a- partments.. In the station house the Captain asked Hunt to tell the truth; he said he did not know anything about it.

GEORGE SMITH, a witness for the People, sworn, testified:

I am a police officer attached to the 11th precinct. I know the premises 75 Allen street. I was in the vicinity of those premises on the 22nd of September 1892 about nine o'clock in the evening. Another detective came to the station house and informed me that there was going to be a burglary committed. I went with him and stood in a doorway opposite the premises 75 Allen street. At about half past nine o'clock we saw the prisoner, Zertz and another man come along; they stood for a minute or two in front of the doorway of the jewelry store. I saw the prisoner and Zwertz enter the hallway; they remained in there probably five minutes and then came out rapidly. The third man was standing outside; he would look into the hall occasionally while the other two men were in there. The three men then walked towards Grand street. We arrested them. They did not seem to know what we were talking about when we told them we were arresting them for attempting to commit a burglary. We went back, examined the hallway and found a door at the rear broken open; there was marks of an instrument on the door.

CROSS EXAMINATION:

The defendant was asked by the Captain if he had been arrested before and he denied it; he afterwards admitted on Officer Mooney's statement that he knew he had been sent up before. I do not know who conveyed the information to this other detective that this burglary was about to be committed. We did not catch the third man.

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We did not arrest the men at first because we were waiting until the burglary was accomplished.

CHARLES A. PLACE, a witness for the People, sworn, testified:

I am an officer attached to the 113th precinct. I am the detective referred to by the last witness. I was in his company on the opposite side of the street. I saw everything that he has stated in relation to the two defendants and a third man. We watched the place and saw the two defendant go into that hallway, remain in there five minutes, come out. We arrested them but were not able to catch the third man. On the return of the proprietor we had him look through his store but he was not able to discover that anything was missing. I saw marks of some instrument on the rear door. I did not see the two men working at the door. All I know is that they were in that hallway; while in there the man who was at the door would look in occasionally and then would look up and down the street. Officer Mooney and myself found a jimmy in the hallway after we put the prisoners in the station house and returned to the store. Officer Mooney has the jimmy. He is not here today.

JULIUS BLENDOL, a witness for the People, sworn, testified:

I live at 75 Allen street. I saw three men talking together at eight o'clock at our door on the night in question. They did nothing else that I saw but talk.

The defendant pleaded guilty to an attempt at burglary in the third degree.

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Police Court 3 District. . .

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

Nathan Solomon
of No. 75 Allen Street, aged 33 years,
occupation Keep a jewelry store being duly sworn
deposes and says, that the premises No. 75 Allen Street, 10th Ward
in the City and County aforesaid the said being a dwelling house the
ground floor of which
and which was occupied by deponent as a jewelry store
and in which there was at the time a person being, by name

were **BURGLARIOUSLY** entered by means of forcibly breaking the
side door leading from the hallway

on the 22nd day of September 1889 on the night time, and the
~~was feloniously~~ was attempted to be
following property feloniously taken, stolen, and carried away, viz:

A large quantity of jewelry of the
value of about Five thousand dollars

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

Joseph Berpts and John Hunt (both now
here) who were in company with each other

for the reasons following, to wit: that said store was securely
locked and fastened and a large
quantity of jewelry was therein. Deponent
found said door broken open and
is informed by William J. Mooney (now
here) a police officer that at about the
hour of ten o'clock in the night time
he saw the defendant in company
with each other and their actions being

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suspicious he watched them and saw them enter the hallway of said premises and shortly thereafter they ran out of the house and he, Mooney, arrested them and inspected them and premises and found broken and entered as aforesaid

Sworn to before me
this 23rd September, 1895
[Signature]
Police Justice

Nathan Solomon

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars and be committed to the Warden and Keeper of the City Prison
of the City of New York, until he give such bail.
Dated 1888
Police Justice.
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1888
Police Justice.
There being no sufficient cause to believe the within named
guilty of the offence within mentioned, I order he to be discharged.
Dated 1888
Police Justice.

Police Court, District, Office—BURGLARY.
THE PEOPLE, &c., on the complaint of
1. 2. 3. 4.
Dated 1888
Magistrate.
Officer.
Clerk.
Witnesses, No. Street, No. Street, No. Street, \$ to answer General Sessions.

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CITY AND COUNTY }
OF NEW YORK, } ss.

1921

William J. Morrey
aged *35* years, occupation *Police Officer* of No. *11*

Princeton Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of *Matthew Solomon* and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this *23* day of *Sept* 189*9* by *William J. Morrey*

[Signature]
Police Justice.

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Sec. 198-200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

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

Question. What is your name?

Answer.

Joseph Gerbts

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.

Marion N. J. 2 years.

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

Joe Gerbts

Taken before me this 23 day of Sept 1891

Police Justice.

[Signature]

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Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK } ss:

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

Question. What is your name?

Answer. *John Hunt*

Question. How old are you?

Answer. *24 years.*

Question. Where were you born?

Answer. *Holland*

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

Answer. *25 Bowery, N.Y. 2 mos.*

Question. What is your business or profession?

Answer. *Button Hole-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.*
John Hunt

Taken before me this *23* day of *April* 189*2*

[Signature]
Police Justice.

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

Police Court, 3 District, 3504 1197

THE PEOPLE, &c.,
 ON THE COMPLAINT OF

William Johnson
John Allen
Frank Roberts
John Smith

Offense Burglary

Dated Sept 23 1892

Stegau Magistrate.
Edw. Murray & Sons Officer.

Witnesses Call. Officers Precinct 11

No. John Allen Street _____
 No. 75 Allen Street _____

No. _____ Street _____
 \$ 2000 to answer Ed.

COMMITTED

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 they be held to answer the same, and they be admitted to bail in the sum of Twenty Hundred Dollars, each and be committed to the Warden and Keeper of the City Prison of the City of New York, until they give such bail.

Dated, Sept 23 1892 [Signature] Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Joseph Gerbts
and
John Hunt

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

Joseph Gerbts and John Hunt

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

The said

Joseph Gerbts and John Hunt, both

late of the 10th Ward of the City of New York, in the County of New York aforesaid, on the
22nd day of September in the year of our Lord one
thousand eight hundred and ninety-two in the night-time of the same day, at the
Ward, City and County aforesaid, a certain building there situate, to wit, the store of
one

Nathan Solomon

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 Nathan
Solomon in the said store
then and there being, then and there feloniously and burglariously to steal, take and carry away,
against the form of the statute in such case made and provided, and against the peace of the
People of the State of New York and their dignity.

De Lancey Nicoll,
District Attorney