

0884

**BOX:**

447

**FOLDER:**

4127

**DESCRIPTION:**

Vercruysse, Gustave

**DATE:**

08/05/91



4127

Witness:

*Mr. L. Smith*  
*Off. Clerk*

Counsel,

Filed

Day of

18

Pleas

*Myself*

THE PEOPLE

vs.

*Gustave Vercauteren*

[Sections 224 and 22 & Penal Code].  
Robbery, degree.

*John J. Sullivan*  
~~John J. Sullivan~~

District Attorney.

*Aug 11/91*

*Present Counsel of*

A True Bill.

*Robby Day*

*Wm. Madams*

Foreman.

*11/91*  
*Aug 11/91*

*James R. P.*

*1006*  
*J. B. ...*

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Police Court-- 2 District.

CITY AND COUNTY }  
OF NEW YORK, } ss

Thomas L. Smart  
of No. 338 West 15 Street, Aged 49 Years  
Occupation Engraver being duly sworn, deposes and says, that on the  
1st day of August 1887, at the 14 Ward of the City of New York,  
in the County of New York, was feloniously taken, stolen, and carried away, from the person of de-  
ponent by force and violence, without his consent and against his will, the following property, viz:

One double case gold watch of the  
value

of the value of Eighty 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 force and violence as aforesaid by

Gustav Veremuse, four men, and four  
unknown men, who were arrested from the  
fact that at about the hour of 6 o'clock PM  
on said date deponent was in Grand Street  
and the said watch was in the lower left hand  
pocket of deponent's vest and attached to  
the said vest by a chain. The defendant  
Veremuse, and the said four unknown men  
threw deponent down and assaulted deponent  
and one of the said unknown men took  
the said watch out of the said pocket.  
Therefore deponent charges the defendant  
Veremuse and the aforesaid four unknown  
men with the robbery aforesaid and prays that  
they be dealt with in the law directs  
Thomas L. Smart

Sworn to before me, this  
1st day of August 1887  
John S. Kelly  
Police Justice

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Sec. 109-200.

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District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

*Gustav Verreyse* 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.

*Gustav Verreyse*

Question. How old are you?

Answer.

*17 years*

Question. Where were you born?

Answer.

*France*

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

Answer.

*154 West 77th St. Manhattan*

Question. What is your business or profession?

Answer.

*Shoemaker*

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 G. Verreyse*

Taken before me this  
day of *July* 19*17*  
*[Signature]*

Police Justice.

0000

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

*Alfred...*

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *Twenty 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 *August 9* 18 *91* *John S. Kelly* 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.

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Police Court--- District. *1006*

THE PEOPLE &c  
ON THE COMPLAINT OF

*Thos L. Smart*  
*338 vs. 1215-11*  
*Justus Vermyer*

*Robbery*  
Officer

2  
3  
4

BAILED.

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Dated *August 7 1891*

*Kelley* Magistrate.

*Smyth* Officer.

..... Precinct.

Witnesses *Michael Castillo*

No. *54 Spring* Street.

*Charles K Kessel*

No. *400 West 36* Street.

No. .... Street.

\$ *2,500* .....

*Mrs*

Court of General Sessions.

People vs. Gustav Verkruyser.

Indictment for Robbery.

Tried August 11th, 1892.

THOMAS L. SMART testified: Is a wood engraver. Lives at 338 West 15th street. My place of business is at 96 Fulton street. On the 1st of August last I left my place of business about 4:30 with a friend, with the intention to go over and say Good bye to another mutual friend who was going out of town. I left him at the corner of Dey and Fulton. I walked up Greenwich St. until a man came up and asked what time of day it was, and I told him. It was on Greenwich street about five o'clock. It was a double cased gold watch worth about \$80. It was in my left-hand vest pocket. As I looked back I saw a number of young men following, I should say about ten. The street ahead seemed deserted and so I turned into Light. I walked to pretty near Canal, near St. John's Lane. At that point they attacked me, a number of young men; they attacked me from the side and from behind. I called on a citizen for help, and he came to my rescue. Then they kept on following me and my friend insisted on my taking a car/ we kept

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I  
on till we got to Mercer Street. There a herd of them  
kpxk attacked me in such a way that they beat me in-  
sensible and robbed me of my watch, and from that time  
I was insensible. I am black and blue under my cloth-  
ing all over. The pocket was completely torn out. (see  
an exhibit) I recognize the defendant as one of the  
party that followed me. I saw him in Laight street by  
the corner, and he was one of the party that threw me  
down and kicked me and beat me into insensibility. I  
am positive of that. He was one of the party that attack-  
ed me.

CROSS EXAMINATION: The first T saw of this had  
was when T got to about the corner of Laight and Canal.  
There were so many that I can not tell whether he was  
one of the party that assaulted me the first time or not  
but he was one of those following me. I am sure of that  
I was assaulted on the corner of Mercer and Howard.  
Then and there, not before, I lost my watch, when T was  
knocked down. I had had my hand this way (indicating) on  
my watch; but at this time T was rendered unconscious  
and lost control of my hand and I lost my watch. I  
had not been drinking very much that day; T was not  
drunk. My friend was trying to put me on the car at the

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corner I had had two or three drinks that day, whiskey  
soups; that is all I had. I was a little "How-come  
you so."

MICHAEL COSTELLO testified I live at 57 Spring  
Street, that is near Marion. On the 1st of August last  
I was coming home from my work; I was near St John's Lane  
when I saw four or five young fellows around this man.  
I never saw the man before in my life. One of them  
asked what time it was and he said (pulling out his watch)  
it is half past five. We asked me to see him in a  
car and to get him away from that crowd. I said, "Where  
do you live?" He said, "I live in 15th street., between  
8th and 9th Avenue." I took him by the arm and he  
got hold of his watch like that (indicating), and I was  
pulling him across Canal street when four of them got  
their hands together and made a rush on us and carried  
us to the middle of the car track. Then I told him we  
would keep on Canal street as far as Broadway, and we  
would get an officer at some place. We asked me if  
we would not put him on a car. These fellows came in a mass  
at the corner of Mercer street and Howard; there were  
four of them, the defendant was one of them. One of

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them said, "You are a damned son of a bitch," and knocked me clean over. I made a grab for the one that knocked me over. While they had me down they had this man's watch taken away from him. The fellow that took the watch ran towards Canal street. The three others went through Howard into Crosby street. I followed this one and the officer overhauled him. I was the first man that got knocked down. The defendant was one of the men that struck me. I did not see him touch the complainant.

CROSS EXAMINATION: I was once arrested, when I had to defend myself; that is all. I got a month. I had not been drinking. The ~~defendant~~ complainant was not sober; he had a little down, but he was well able to take care of himself. I did not know that there is a policeman on the corner of Canal, near Broadway, all the time. I was working down in Harris street that day.

BERNARD H. SMYTH, police officer, testified:

Arrested the defendant at South Fifth Avenue and Broome street: he was running at the time away from Broadway through Broome street. I saw Michael Costello that day in Mercer Street near Howard, lying on the street; that is all I saw him. I saw the complainant about ten feet from him. The complainant's clothes

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were torn and disordered, and he was bleeding from several cuts in the face. The defendant asked me when I arrested him, what I was running after him for, and I asked him what he was running for, and he said some boys were chasing him. That is all he said. The complainant saw him, also Michael Costello. Before Costello knew which was the prisoner he pointed him out as the one that assaulted him. The complainant was not in a condition to know anything, unconscious almost, and bleeding. I can't say whether the man was drunk or knocked senseless. I have been three years on the force. I smelt liquor on the complainant. Costello was perfectly sober. I do not know Costello.

The DEFENDANT testifies: I live at 157 West 27th street, with my father and mother. The last place I had was in the trunk business, with George Mortimer & Co., 359 Canal Street. I left there Saturday at about half past four. I was working there the day of my arrest. Before that I worked for Semon Bache & Co., glass dealers, at Desbrosses and Greenwich. Worked for them about two months. Worked for Adolph Reu about three years. Have never been convicted of crime for anything at all.

When I got home from work, I worked down at the corner of Canal street and West Broadway, I seen Mr. Smart

on the car-track. Two young men picked him up and put him on a stoop; he was all dirty and drunk; and after that the young men walked away, and this man Costello picked him up. After that the man said, "Where is my watch." Costello asked me to help this man, and I said, No, I won't help him as long as he is asking for his watch. Then I walked ahead to buy some fruit. I walked away. That is all I know. I walked right down Broadway to Broome street and was arrested. I was not near the corner of Light and Canal that day. I went no further than West Broadway and Canal. There were plenty of people in that neighborhood that day.

Cross Examination. I left my work that day about half past four. Saw the complainant at the corner of Canal and West Broadway. After I bought the fruit I wanted to take the Greene St. car; the Seventh Avenue car; my friend Charles Houston that was with me says, "Take the Broadway. He is not here, but he lives in Perry street; I could not tell the number. We were on Canal street when we said that. We seen Costello and complainant walking, and two other fellows were in front. We wanted to see what these two fellows were up to, and we went through Mercer street to Howard. All I seen Mr. Smart was on the ground and Costello was on the other side. Then we walked up to Broadway and from

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Broadway turned down to Broome we did not take a car because there was none passing at that moment. No car overtook us. There was no car at Broadway and Broome. My friend said we would walk down Broome. We had walked as far as South Fifth Avenue. I was arrested when I was walking along. I was running when T was arrested, we were felling with each other, boxing, felling with each other; I had run away from him about two blocks. My friend did not come up to the officer and tell him he was chasing you. I swear T did not strike Costello.

REDIRECT: I have known Charlie about a year, have met him about ten times in that year. I was to work all that day. From 4:30 to 5:30 I was on the corner of Canal and South ~~xxxxxxx~~ Fifth Avenue; then we went and stood by that man Smart about half an hour. I saw no crowd around Smart. I am 17 years old.

I did not help to take this man's watch. These other boys around Smart I had never seen before.

JOSEPHINE VERKUYSER testified: The defendant is my son; has always lived with me. He has been a good boy

OFFICER RECALLED: I was standing on the corner of

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Canal and Broadway, and I heard cries of murder, help.  
 I went to the corner of Broadway and Howard street, and  
 I saw those people together in a heap in the street.  
 After they cleared away a little I saw Mr. Costello in  
 one place, Mr. Smart in another and four young men. I  
 saw ~~these~~ <sup>this</sup> young men, and the prisoner actively engaged  
 with Costello, and I singled him out, chased and cap-  
 tured him. I had seen him and this defendant clinched.

*Confidential*  
*Part 1*

*Costello*

*Smart*

*Four young men*

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Court of General Sessions  
Part 1

People

Gustav Verkerper

Robbery

trial Aug 11/91

Aug 5/91

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Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*Augustus Veremyse*

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

*Augustus Veremyse*

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

The said *Augustus Veremyse*,

late of the City of New York, in the County of New York aforesaid, on the *first*  
day of *August*, in the year of our Lord one thousand eight  
hundred and *ninety-one*, in the *day* time of the said day, at the City and  
County aforesaid, with force and arms, in and upon one *Thomas D. Smart*,  
in the peace of the said People, then and there being, feloniously did make an assault, and

*one watch of the value of fifty*

*dollars,*

*[Large handwritten flourish]*

of the goods, chattels and personal property of the said *Thomas D. Smart*,  
from the person of the said *Thomas D. Smart*, against the will,  
and by violence to the person of the said *Thomas D. Smart*,  
then and there violently and feloniously did rob, steal, take and carry away, *the said*  
*Augustus Veremyse* *being*, then and there  
*aided by an accomplice actually*  
*present, whose name is to the Grand*  
*Jury aforesaid as yet 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.

*Deane Hill,*  
*Attorney*

0900

**END OF  
BOX**