

0124

BOX:

354

FOLDER:

3332

DESCRIPTION:

Nearess, John

DATE:

05/15/89



3332

POOR QUALITY ORIGINAL

0125

Witnesses:

May Patterson
Officer Lane

Counsel,

Filed 15 day of May 1884

Pleads,

THE PEOPLE

W. W. H. H. P.

John Heiness

Grand Larceny, Second Degree.
(From the Person.)
[Sections 528, 587 Penal Code].

JOHN R. FELLOWS,

District Attorney.

Pr May 15 1884
penal code Pen 10 mas
R.B.H.

A True Bill.

Edward W. ...
Foreman.

POOR QUALITY ORIGINAL

0 125

Police Court 3 District.

Affidavit—Larceny.

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

of No. 19 Sterling Street, aged 44 years,
occupation Barman

deposes and says, that on the about 15 day of March 1889 being duly sworn

York, in the County of New York, was feloniously taken, stolen and carried away from the possession

person of deponent, in the Day time, the following property, viz:

Good and lawful money
of the United States of the amount
less of the value of ten dollars

the property of Frank Wolf and Isaac and
Charles of this deponent

and that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,
and carried away by John Pearson (Kushie) from
the post hut on the day in question
while deponent was in a liquor
store 26 Sterling street deponent had
some money in his hand and the
said defendant snatched from deponent
some the above money and ran away
with it Max Rottowski

Sworn to before me, this 9 day
of May 1889
Max Rottowski
Police Justice.

POOR QUALITY ORIGINAL

0127

Sec. 193-200.

J. J.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

John Neares 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 Neares*

Question. How old are you?

Answer. *22 years of age*

Question. Where were you born?

Answer. *Germany*

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

Answer. *65 Forsyth St. 5 months*

Question. What is your business or profession?

Answer. *Peddler*

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. *The Complainant gave me the ten dollar bill to get change, and as he owed me the sum of twelve and a half dollars I, therefore, kept the bill*
Prof 1/15

Taken before me this

day of

May

188

3

J. J. [Signature]
Police Justice.

POOR QUALITY ORIGINAL

0120

BAILED,

No. 1, by _____
Residence _____ Street _____

No. 2, by _____
Residence _____ Street _____

No. 3, by _____
Residence _____ Street _____

No. 4, by _____
Residence _____ Street _____

Police Court... *961* *3rd St*
District... *14*

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Max Rothman
19 23rd St
John Lewis

2 _____
3 _____
4 _____

Offence *Larceny from the person*

Dated *May 9* 188*9*

W. J. Lawrence
Magistrate
Precinct _____

Witnesses _____

No. *911* Street *10*
Ed. Kelly

No. _____ Street _____
500 Street *8*



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 *W. J. Lawrence*

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 *May 11* 188*9* *W. J. Lawrence* Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

POOR QUALITY ORIGINAL

0 129

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 Nearess

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

John Nearess of the CRIME OF GRAND LARCENY in the second degree, committed as follows:

The said John Nearess

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

one promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury notes), of the denomination and value of ten dollars; one promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as Bank Notes), of the denomination and value of ten dollars; one United States Silver Certificate of the denomination and value of ten dollars; one United States Gold Certificate of the denomination and value of ten dollars

of the goods, chattels and personal property of one Max Rathowski on the person of the said Max Rathowski then and there being found, from the person of the said Max Rathowski 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

0130

BOX:

354

FOLDER:

3332

DESCRIPTION:

Newman, Mary

DATE:

05/22/89



3332

POOR QUALITY ORIGINAL

0131

Witnesses:

Kate Coburn
Offe in Court

Counsel
Filed
Pleads,
15th day of May 1889
Chyquity

Grand Larceny Second degree
[Sections 528, 531, 532 Pennl Code]

THE PEOPLE

vs.

Mary Newman

JOHN R. FELLOWS,

District Attorney.

A True Bill

Edward M. ...
Foreman.

June 7/89

W. ...

W. ...
June 10/89

10

POOR QUALITY ORIGINAL

0132

Police Court 4 District.

Affidavit—Larceny.

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

of No. 614 - Lexington Avenue Street, aged 40 years,
occupation Keep House being duly sworn
deposes and says, that on the 21 day of March 1889 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:

Three ladies waists & one piece
of satin valued at thirty-
five 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 Mary Newman (name here)

for the reasons following to-wit:
On the said date the said de-
fendant was employed by de-
ponent as domestic, and de-
ponent having missed the said
property she is informed by
Detective Cuff when present
that when he Cuff accused the
defendant of stealing said prop-
erty she (defendant) admitted
stealing said property, which
property defendant handed to
said Cuff. Deponent has since seen
the said property and identifies the
same.

Kate C. Schultz

Sworn to before me, this

day

Police Justice

POOR QUALITY ORIGINAL

0133

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 40 years, occupation Detective of No. 23rd Recines Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Walter Schultz

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

Sworn to before me, this 15 day of March 1889

A J White
Police Justice.

POOR QUALITY ORIGINAL

0134

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name.

Answer. *Mary Newman.*

Question. How old are you?

Answer. *19 years.*

Question. Where were you born?

Answer. *Virginia*

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

Answer. *41 West 61st St.*

Question. What is your business or profession?

Answer. *Remishe*

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.*

Mary Newman

Taken before me this

day of

[Signature]

Police Justice.

POOR QUALITY ORIGINAL

0135

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

95
 Police Court
 District
 412

THE PEOPLE, &c.,
 ON THE COMPLAINT OF

John E. Smith
John E. Smith
Mary Bernard
 Offence _____

Dated *May 15 9.*
 188

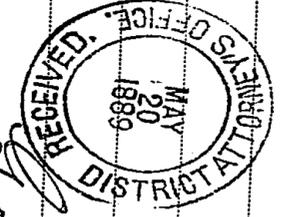
White
 Magistrate

White
 Officer

White
 Precinct

White
 Street

White
 Street



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 _____

Referred
 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 surety.

Dated *May 15* 1889 *White* Police Justice.

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

Dated _____ 1889 _____ 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 _____ 1889 _____ Police Justice.

POOR QUALITY ORIGINAL

0 136

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Mary Newman

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

Mary Newman

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

The said

Mary Newman

late of the City of New York, in the County of New York aforesaid, on the twenty first day of March in the year of our Lord one thousand eight hundred and eighty-nine, at the City and County aforesaid, with force and arms,

three waists of the value of ten dollars each and one piece of satin of the value of five dollars

of the goods, chattels and personal property of one

Kate C. Schultz

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.

POOR QUALITY
ORIGINAL

0137

SECOND COUNT—

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

Mary Newman

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

The said Mary Newman

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

three waists of the value
of ten dollars each, and
one piece of satin of the value
of five dollars

of the goods, chattels and personal property of one Kate C. Schultz

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

Kate C. Schultz

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

Mary Newman

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.

0138

BOX:

354

FOLDER:

3332

DESCRIPTION:

November, Samuel

DATE:

05/13/89



3332

0139

BOX:

354

FOLDER:

3332

DESCRIPTION:

November, Samuel

DATE:

05/13/89



3332

POOR QUALITY ORIGINAL

0140

Witnesses:

Joseph Novinger
Moses Novinger
officer Reap

Counsel, *Reap*
Filed *13* day of *May* 188*9*
Pleads *Guilty*

THE PEOPLE
no. *500* ss. *P*
Samuel Novinger
Grand Larceny Second degree.
[Sections 528, 531 —, Penal Code.]

JOHN R. FELLOWS,
District Attorney.

72 May 16 1889
Ina Novinger PL
Den 11 mis R.B.M.
A TRUE BILL.
Edward Novinger
District Attorney

May 16

POOR QUALITY ORIGINAL

0141

Police Court 3rd District. Affidavit—Larceny.

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

of No. H 4 Essex Joseph November Street, aged 21 years,
occupation Sailor being duly sworn

deposes and says, that on the 23rd day of April 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 night time, the following property, viz:

One gold watch and gold chain
attached, in all of the value
of ninety (90) 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 Samuel November,
New York, for the reasons following,
to wit: That said deponent
slept in the same room with
deponent, in said premises, at
the time aforesaid. That said
watch and chain was then
in a bureau in said room
where deponent had placed it
in the presence of the deponent.
That at 6 o'clock P. M. on said
day deponent awoke and found
that said property had been
stolen and carried away and
that the deponent had left

Subscribed and sworn to before me this
1887
Police Justice

POOR QUALITY
ORIGINAL

0142

the premises. That deponents further
then informed deponent that the
defendant had taken the Key of the
room and the Key of the
Water Closet and had gone out
of the room at the house of St
Johns A. M. and had not
returned. That the defendant
did not thereafter return and
deponent caused his arrest on
the night of the 5th instant.

That deponent is informed by
officer Reager, here present, that
when the defendant was searched
at the Sturish house the Keys
now here shown were found
concealed up the sleeve of
his Coat, which Keys are the
Keys of the room and closet
aforesaid.

Sworn to before me this
6th day of May 1889

Joseph H. X
Mint November

J. M. O'Connell

Police Justice

POOR QUALITY ORIGINAL

0143

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 33 years, occupation Michael J. Reape
Police officer of No.

11th Precinct Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Joseph Stambor
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 6th
day of May 1889

Michael J. Reape

J. M. Platt
Police Justice.

POOR QUALITY ORIGINAL

0144

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Samuel November 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 November*

Question. How old are you?

Answer. *20 years of age*

Question. Where were you born?

Answer. *Austria*

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

Answer. *20 Essex Street, 4 days*

Question. What is your business or profession?

Answer. *Sailor*

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 did not steal the watch and chain*

his
Samuel X November
mark

Taken before me this *6* day of *May* 188*5*
J. M. Puritians
Police Justice.

POOR QUALITY ORIGINAL

0145

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

Police Court--- 3-11-660
 District

THE PEOPLE, &c.
 ON THE COMPLAINT OF

Joseph Rosenberg
44 East 5th St
New York

1
 2
 3
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 5
 6
 7
 8
 9
 10
 11
 12

Offence Larceny
1st

Dated May 6 1889

William Magistrate.

Rogers Officer.

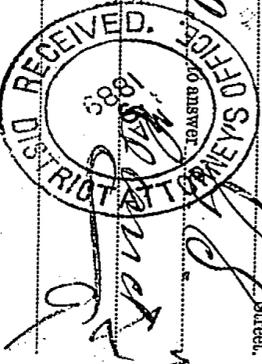
11 Precinct.

Witnesses Michael J. Rogers

No. 11 Paul M. M... Street _____

No. 44 Rosenberg Street _____

No. 1100 W. J. ... Street _____



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 May 6th 1889 W. J. ... Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

**POOR QUALITY
ORIGINAL**

0 146

X-----X
:
:
: The People :
:
: v. :
:
: Samuel November. :
:
X-----X

POOR QUALITY ORIGINAL

0147

COURT OF GENERAL SESSIONS.

-----X
 The People :
 v. :
 Samuel November, : Tried May 16th, 1889, before
 Indictment filed *May 13, 1889.* : The Hon. Randolph B. Martine
 Indicted for grand larceny-: and a Jury.
 in the second degree. :
 -----X

Assistant District Attorney Fitzgerald, for the People.

Jacob Berlinger, Esq., for the Defense.

J O S E P H N O V E M B E R, the complainant, testified that he lived at 44 Essex Street. He was an operator in a tailor store by trade. On the 23d of April he owned a gold watch and chain. He had had it only one day. He got it on the 22d of April. It was a large gold watch and chain. He paid ninety dollars for it. Samuel November was a cousin of his. On the night of April 23d the defendant slept at his the complainant's, house at 44 Essex Street. They slept in the same room on the top floor of the house. The rooms

**POOR QUALITY
ORIGINAL**

0148

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were occupied by the witness, his father and mother and brother, and the defendant. The defendant did not live there, but slept there overnight. He got there about ten o'clock at night. He, the complainant, came home about half past ten o'clock and put his watch under his pillow. The defendant was then lying on a bed on the floor. He, the complainant, asked the defendant if he was able to wind up a watch, and the defendant said that he was. He, the complainant, wound it up before he put it under his pillow. It was a stem-winding watch. Then the complainant went to bed. The four men slept in the same room and the complainant's mother slept in the adjoining room. He, the complainant, locked the door before he went to bed. When he awoke in the morning at about six o'clock the defendant was gone. He missed his watch and chain. He immediately went to look for the defendant. He did not know where the defendant lived at the time. Two weeks later the defendant was arrested. He, the complainant, asked the defendant about his watch and chain, and he said that he didn't take it. Nothing but the watch and chain were missed from the house.

Under Cross Examination, the witness testified that

**POOR QUALITY
ORIGINAL**

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he knew that the father and mother of the defendant lived in the rear house at 44 Essex Street, but he also knew that the defendant did not live with them. He had never had any quarrel with the defendant. He bought the watch from a Pedlar named Yuma Recht. He did not pay cash for it. He paid thirty dollars down and agreed to pay ten dollars a month. He told the pedlar of his loss, because the pedlar knew the defendant and he thought the pedlar could tell him where the defendant lived.

M O S E S N O V E M B E R testified that he was the father of the complainant. He, the witness, his wife and two sons, occupied two rooms on the top floor at 44 Essex Street. He had known the defendant since his childhood. The defendant was a son of the witness's brother. The defendant did not live with his parents. On the night of the 23d of April the defendant came in about ten o'clock and asked him, the witness, to let him sleep there that night, because he was not on good terms with his mother, and he, the witness, told him that he might remain. He saw the complainant take off and wind up his watch and put it under his pillow. At four o'clock on the following morning we woke up and saw Samuel November, the defendant, going out of the door. He

**POOR QUALITY
ORIGINAL**

0150

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unlocked the door and went out. He asked November where he was going and he said he had to go downstairs. The defendant did not return. He, the witness, fell asleep again and did not wake up again until his son, the complainant, was dressing. Before the defendant went out he took the keys of the water closet in the yard from a nail where they were hanging. He, the witness, did not know where the defendant lived at that time. He knew that he was learning the trade of an operator.

O F F I C E R M I C H A E L J. R E A P testified that he was attached to the Eleventh Precinct. The defendant was brought into the station house by the defendant's sister. She saw him in the Bowery and took him to the station house on Sunday, May 5th at about eight o'clock or half past eight. She said that her brother had lost his watch and chain and she would go and get her brother, and the defendant sat down in the back room until the complainant came. He, the witness, took the prisoner out in front of the desk, and the complainant and the defendant had a fight in front of the desk and he had to lock up the complainant as well as the defendant. The complainant had reported the loss of the watch and chain at the desk of the station house two

**POOR QUALITY
ORIGINAL**

0151

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weeks before. The defendant said that he knew nothing about the watch and chain. He searched the defendant, and found a bunch of keys in the lining of his coat, and the complainant identified them as belonging to his, the complainant's rooms at 44 Essex Street.

For the Defense, SAMUEL NOVEMBER testified that he did not steal his cousin's watch. He worked as an operator on a machine at 20 Essex Street at the time of his arrest. He hurried away on the morning of April 24th to get to Brooklyn to go to work in Grand Street. It was an Italian place. He could not remember the name of his employer. It was a clothing factory. He went to the water closet before he went away and forgot to return the keys. He had never been arrested before in his life. He did not live with his mother, because his mother was mad with him.

Under Cross Examination, he testified that he saw the watch and chain in his cousin's possession and his cousin did ask him if he could wind up a watch, and he said he could do it. The complainant's sister, a girl of fifteen or sixteen, met him in the Bowery and charged him with stealing her brother's watch and chain, and he told her he would have her arrested if she didn't keep

**POOR QUALITY
ORIGINAL**

0152

6

quiet, and she wouldn't keep quiet, and then he said they had better go to the station house. She held onto him and he said, "You don't need to hold on me. I will not run away. I will go with you to the station." But she held onto him until they got to the station. He was then boarding at Essex Street, but it never occurred to him to step down to his uncle's house at 44 Essex Street, half a block away, and give up the keys.

POOR QUALITY
ORIGINAL

0 153

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 November

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

Samuel November

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

The said

Samuel November

late of the City of New York, in the County of New York aforesaid, on the twenty-third day of April in the year of our Lord one thousand eight hundred and eighty-nine, at the City and County aforesaid, with force and arms,

one watch of the value of sixty dollars, and one chain of the value of thirty dollars,

of the goods, chattels and personal property of one

Joseph November

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