

0124

**BOX:**

**354**

**FOLDER:**

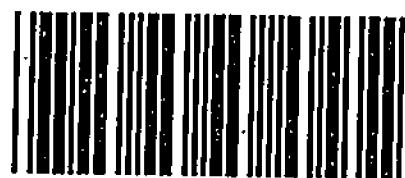
**3332**

**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. 165 West 1st St. P

John Maress

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

JOHN R. FELLOWS,

District Attorney.

Pr May 15 1884  
pende or Pen 10 mas  
PB M.

A True Bill.

*[Signature]*

Foreman.

POOR QUALITY  
ORIGINAL

0 126

Police Court- 63 - District.

Affidavit-Larceny.

City and County } ss.:  
of New York,

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

deposes and says, that on the 15 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 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  
Charges 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 10th Street on the day in question  
White deponent was in a liquor  
store 26 Street and deponent had  
some money in his hand and the  
said deponent snatched from deponent  
hand the above money and ran away  
with it. Max Rottowski

Sworn to before me, this 9 day  
of May 1889  
J. Anderson  
Police Justice.

POOR QUALITY  
ORIGINAL

0127

Sec. 193-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*July*  
District Police Court.

*John Nearess* 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 Nearess*

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*

*July 11/13*

Taken before me this

day of

188

*John Nearess*  
Police Justice.



POOR QUALITY  
ORIGINAL

0128

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

Police Court 967 3rd St  
District 6th

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Max Rothman  
19 2nd St  
John Hennes

Offence Larceny from  
the person

Dated May 9 1889

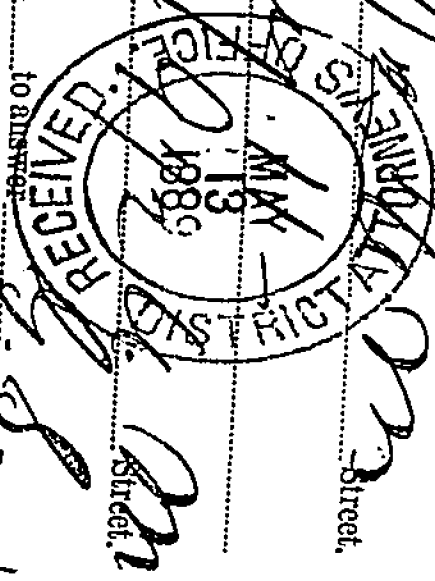
Magistrate  
P. J. Lane  
Officer  
Precinct

Witnesses

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

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

No. \_\_\_\_\_  
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 Max Rothman

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 1889 P. J. Lane 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 h to be discharged.

Dated \_\_\_\_\_ 1889 \_\_\_\_\_ Police Justice.

POOR QUALITY  
ORIGINAL

0129

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 *fifteenth*  
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

0131

off in bulk

Dec 10 1897



POOR QUALITY  
ORIGINAL

0132

Police Court—4 District.

Affidavit—Larceny.

City and County } ss.:  
of New York,

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 (now 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 then 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 Electrician of No. 23 1/4 Recines Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Mate Schulz

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 under-  
signed 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 61<sup>st</sup> St.

Question. What is your business or profession?

Answer.

Domestic

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

April 1894

Police Justice.



0135

2  
3  
4

Officer \_\_\_\_\_

Dated \_\_\_\_\_ 188

White Magistrate.

Capt. \_\_\_\_\_ Officer.

203 Precinct.

Witnesses \_\_\_\_\_

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

District

*Offerer*

*Dated*.....188.....*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 November

Moses November

officer Reap

Counsel,

Filed

Pleads

1889

day of May

Grand Larceny Second degree.  
[Sections 528, 531 —, Penal Code].

THE PEOPLE

no. 5000. 28.

no. 1. P

Samuel November

JOHN R. FELLOWS,

District Attorney.

72 May 16/89

Incorporated PL.

Ben 11 m15

A True Bill.

Edward November  
District Attorney

May 16/89

POOR QUALITY  
ORIGINAL

0141

Police Court—

*3rd* District.

Affidavit—Larceny.

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

of No. *44 Essex* *Joseph November* Street, aged *21* years,  
occupation  *Sailor*  being duly sworn  
deposes and says, that on the *23rd* day of *April* 188*9* 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 defendant  
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 defendant.  
That at twelve P. M. on said  
day deponent awoke and found  
that said property had been  
stolen and carried away, and  
that the defendant had left*

POOR QUALITY  
ORIGINAL

0142

the premises. That deponent 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 hour of 11  
o'clock A. M. and had not  
returned. That the defendant  
did not thereafter return and  
deponent caused his arrest on  
the night of the 5<sup>th</sup> instant.

That deponent is informed by  
Officer Reager, here present, that  
when the defendant was searched  
at the Marine 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  
6<sup>th</sup> day of May 1889

Joseph H. <sup>X</sup> November  
Mint

J. M. O'Brien

Police Justice

POOR QUALITY  
ORIGINAL

0143

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 33 years, occupation Police officer of No. 11<sup>th</sup> Precinct Street, being duly sworn deposes and

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

Sworn to before me, this 6<sup>th</sup>

day of May 188 9

Michael J. Reap

J. M. Platten

Police Justice.



POOR QUALITY  
ORIGINAL

0144

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

3 District Police Court.

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

Question. What is your name?

Answer. *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

day of

*May*

188

*McQuinn*

Police Justice.

POOR QUALITY  
ORIGINAL

0145

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

Police Court--- District

3-4660

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Joseph Warrick  
44 Essex St  
Samuel Warrick

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

Offence

Larceny  
Jail

Dated

May 6 1889

Magistrate

McIntire

Officer

Reaper

Witnesses

Michael J. Reaps

No. 11

Michael J. Reaps

No. 44

Reaper

No. 44

Reaper

No. 44

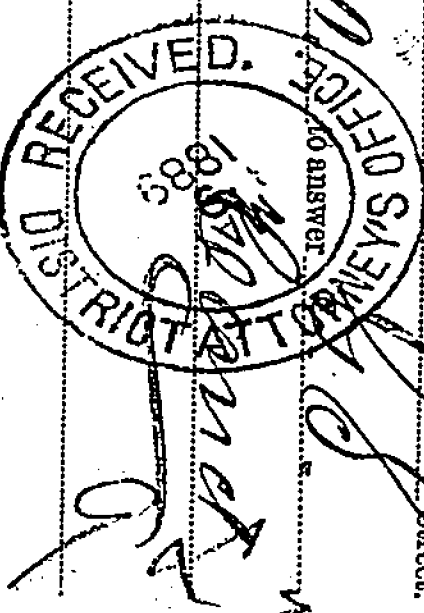
Reaper

No. 44

Reaper

No. 44

Reaper



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 May 6 1889 J. W. Parsons 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

0146

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 com-  
plainant'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

2

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**

0149

3

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**

0 150

4

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**

0 15 1

5

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, S A M U E L N O V E M B E R 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**

0 152

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. Bellows,  
District Attorney