

0441

**BOX:**

357

**FOLDER:**

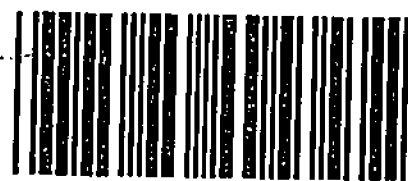
3361

**DESCRIPTION:**

Nesbit, James

**DATE:**

06/17/89



3361



POOR QUALITY  
ORIGINAL

0442

No. 138

Counsel,

Filed

day of

1889

Pleads,

THE PEOPLE

vs.

R

James H. H. H.

Grand Larceny, Fifth Degree,  
(From the Person.)  
[Sections 528, 580, 582 Penal Code].

JOHN R. FELLOWS,

District Attorney.

A True Bill.

*Wm. H. H.*

Foreman.

June 17/89.

*James H. H.*

Pen one n/v

Witnesses:



POOR QUALITY  
ORIGINAL

0443

Police Court— District.

Affidavit—Larceny.

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

Henry Matthews  
of No. 37 Atlantic St. Jersey City Street, aged 26 years,  
occupation Mechanic being duly sworn

deposes and says, that on the 1<sup>st</sup> day of June 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 nighttime, the following property, viz:

One box containing a pair of  
Shoes of the value of One  
dollar and seventy five cents

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 James Nesbitt (now here) and

another man not arrested who were

acting in concert for the reasons

that at about the hour of eleven

o'clock P.M. deponent was standing

in North street and had the box

containing said shoes, under his

arm. That said man not arrested

seized said box from under

deponent's arm and threw said

box to the defendants here who

ran away with said box in his possession.

Henry Matthews

Sworn to before me this 2<sup>nd</sup> day of June 1889

Police Justice.



POOR QUALITY  
ORIGINAL

0444

Sec. 193-200.

CITY AND COUNTY } ss.  
OF NEW YORK,

District Police Court.

*James Nesbitt* 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.

*James Nesbitt*

Question. How old are you?

Answer.

*34 years*

Question. Where were you born?

Answer.

*Ireland*

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

Answer.

*No home*

Question. What is your business or profession?

Answer.

*Laborer*

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*

*James Nesbitt*

Taken before me this

day of

1889

Police Justice.



0445

POOR QUALITY  
ORIGINAL

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

Police Court No. 1  
District 194

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Henry Matthews  
137 West 11th St  
New York City

Offence \_\_\_\_\_

Dated June 2 1889

Megan Magistrate

Shantley Officer

Precinct 6

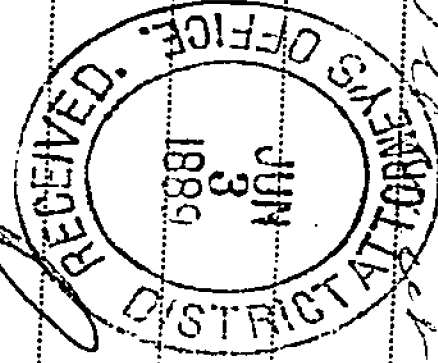
Witnesses

No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_

No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_

No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_

No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_



\$500 to answer

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 June 2 1889 \_\_\_\_\_ 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

0446

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*James Nesbit*

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

*James Nesbit*  
of the CRIME OF GRAND LARCENY in the *first* degree, committed as follows:

The said

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

*two shoes of the value of one  
dollar each, and one box of  
the value of ten cents*

*Henry Matthews*  
of the goods, chattels and personal property of one *Henry Matthews*  
on the person of the said *Henry Matthews*  
then and there being found, from the person of the said *Henry Matthews*  
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

0447

SECOND COUNT—

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

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

The said

James Nesbit  
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,

two shoes of the value of one  
dollar each, and one box of the  
value of ten cents

of the goods, chattels and personal property of one

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

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

James Nesbit  
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.