

0461

**BOX:**

347

**FOLDER:**

3270

**DESCRIPTION:**

Nathan, Harris

**DATE:**

03/01/89



3270

0462

Witnesses:  
*John Adams*  
*John Thubbs*

Counsel,  
*L. H. Heston*  
Filed  
*15th March 1889*  
Pleads,  
*Chiquely &*

THE PEOPLE  
*vs. Paul vs.*  
*vs. 12*  
*Harris Nathan*  
Grand Larceny, Second Degree.  
(From the Person.)  
[Sections 528, 537 Penal Code.]

JOHN R. FELLOWS,  
District Attorney.  
*John Thubbs 7th St. N. Wash.*

**A True Bill.**

*J. R. Fellows*  
Foreman.  
*12th March 1889*  
And I committed  
with strong recommendation to the  
Pen bond.

0463

Police Court / District.

Attempt  
Affidavit-Larceny.

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

John Horn  
of No. 187 Haywood St Brooklyn Street, aged 32 years,  
occupation Salesman being duly sworn

deposes and says, that on the 22<sup>nd</sup> day of February 1889 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession and  
person of deponent, in the day time, the following property, viz:

One silver watch and chain  
attached valued together in the  
sum of Twenty 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 Harris Nathan (now here)

for the reason that on said day deponent  
was standing in a crowd in front of a  
window on the Bowery and had said  
watch in the lower left side pocket of  
the vest then worn on his person and  
part of his bodily clothing, that said  
watch was attached to a chain and  
which chain was fastened to said  
vest. Deponent saw the defendant standing  
close to deponent and deponent felt a  
tug at said chain and saw the defen-  
dant's hand on said chain and in  
the act of drawing said watch from  
deponent's pocket and had the same half-  
way out

John Horn

Sworn to before me, this 23<sup>rd</sup> day  
of February 1889

John M. ...  
Police Justice.

0464

Sec. 108-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Harris Nathan* 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. *Harris Nathan*

Question. How old are you?

Answer. *23 years*

Question. Where were you born?

Answer. *Russia Poland*

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

Answer. *212 Park Row, 8 mos.*

Question. What is your business or profession?

Answer. *Bar tender*

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*

*Harris Nathan*  
*ss.*

Taken before me this *23*

day of *Sept* 188*9*

*J. W. ...*  
Police Justice.

0465

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 July 23 1889 J. Henry Ford 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.

0466

Police Court--- / 30 / District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*John Horn*  
*187 Wafwood St*  
*Harris Kalhan*

*offence attempt*  
*received from prison*

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 *Feb 23* 1889

*Ford* Magistrate.

*Tubbs* Officer.

*10* Precinct.

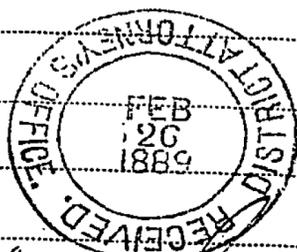
Witnesses .....

No. .... Street.

No. .... Street.

No. .... Street.

\$ *200* to answer



*[Handwritten signature]*

0467

Court of General Sessions, City & Co. of New York

The People

vs

Carrie Nathan  
Attempt at Grand Larceny, 2<sup>nd</sup> Deg.

Indictment filed, March 1, 1889.

Defend

Hon. Rufus B. Cowing  
and a Jury.

Tried, May 7<sup>th</sup>, 1889.

Appearances: Assistant District Attorney  
Jerome, for the People; Mr. Walsh, for the Defense.

John Horn, the Complainant, testified  
that, on Feb. 22<sup>nd</sup>, 1889, between 3:30 and  
4 o'clock in the afternoon, he stopped at  
the corner of Hester Street and the Bowry  
to look at a peddler exhibiting some  
tricks. There was a crowd about the  
peddler. The defendant walked up to  
him, the Complainant. He, the Compl-  
aintant, then had, in his left vest pocket,  
a silver watch, valued at \$20. It  
was attached to a buttonhole of his vest by  
a chain. His overcoat was unbuttoned,  
and his chain was exposed. Suddenly,  
he, the Complainant, felt his watch  
being drawn up from his vest pocket.  
He looked down, and saw the

①

0468

defendant's hand leaving his chain, and he felt the watch drop back again into his pocket. Then the defendant shoved up against the crowd, and looked at the exhibition of tricks, as if nothing had happened. He, the Complainant, buttoned up his coat, and stood upon the corner for several minutes. Then he crossed the street, seeing a police officer, and made a complaint. The officer told him to unbutton his coat, and stand in the crowd again, near the defendant. He did so. Nathan, however, did no more than look at him, the Complainant. Then ~~the~~ officer drove the peddler away, and scattered the crowd. Nathan crossed the street, and the officer arrested him. ~~He~~<sup>the Complainant,</sup> had drunk nothing that day.

Under cross-examination, the Complainant testified that he had never seen the defendant before he saw his hand leaving his watch-chain. He distinctly saw the defendant's hand upon his chain, and felt a tug at it. He said nothing to the defendant at that time. He looked at the defendant, and the defendant looked at him, but neither spoke.

(2)

0469

The peddler was exhibiting on the northwest corner of Hester Street and the Bowry in front of the Random and Liverpool Clothing Co's store. He kept his eye constantly on the defendant while he was waiting for a policeman, and could not be mistaken as to his identity. He saw the police officer, who was not in uniform, on the opposite of the Bowry, between Grand and Hester streets. He was walking with an officer in uniform. He first complained to the uniformed officer.

Officer Cornelius P. Tubbs testified that he arrested the defendant. On the afternoon of Feb. 22<sup>nd</sup>, 1889, between 3:30 and 4 o'clock in the afternoon, he was walking down the Bowry, with a uniformed officer, when the complainant made his complaint. The defendant was still in the crowd when the complainant pointed him out. Just then a police officer of the 6<sup>th</sup> Precinct dispersed the crowd, and the defendant crossed to the East side of the Bowry - the 10<sup>th</sup> Precinct side - and he, the witness, arrested him. He, the witness, charged the defendant with attempting to steal the

(3)

0470

Complainant's watch, but the Defendant said that he did not.

Under cross-examination, the witness testified that he asked the Defendant where he lived or worked, and what he did for a living, and the Defendant said that he was a bar-tender, and that he worked at Callahan's, on the Bowry.

For the Defense, Harris Nathan, the Defendant, testified that he was 23 years of age, and that he was <sup>born</sup> in Russian Poland. He lived at 212 Park Row, and had lived there for about eight months. He was a bar-tender by trade. He worked for Michael Callahan, who kept a saloon at 212 Bowry, corner of Doyer Street. He, the defendant, did not attempt to steal the Complainant's watch, and did not go near him. He was standing in the crowd that surrounded the peddler, who was selling flutes from a hand-cart. He, the Defendant, was never arrested before. He did not see the Complainant until after his arrest.

Under cross-examination, the Defendant testified that he left Callahan's employ a month or two before his arrest. He

(4)

0471

had been doing odd jobs since then, but for the month preceding his arrest had had no work. He had been working for about ten months previously, however, and had some money laid away. He had been living in the lodging-house over Callahan's Saloon. As he had no work, he did not get up until about 2 o'clock in the afternoon of Feb 22<sup>nd</sup>. Then he walked about, looking at the parades of the different organizations. He was alone.

~~~~~ " ~~~~~

(5)

0472

The People  
1889

Carriss Nathan

Fred. M. J. 7th St., 1889

0473

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Harris Nathau*

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

*Harris Nathau*  
*attempting the Crime of*  
of the CRIME OF GRAND LARCENY in the *second* degree, committed as follows :

The said

*Harris Nathau*

late of the City of New York, in the County of New York aforesaid, on the *twenty second*  
day of *February* 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 watch of the*  
*value of ten dollars, and*  
*one chain of the value of*  
*ten dollars*

of the goods, chattels and personal property of one *John Horn*  
on the person of the said *John Horn*  
then and there being found from the person of the said *John Horn*  
then and there feloniously did steal, take and carry away, *attempt to* 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.*

0474

**BOX:**

347

**FOLDER:**

3270

**DESCRIPTION:**

Nelson, Clara

**DATE:**

03/29/89



3270

0475

Witness:

*W. H. Lee*

Counsel,

Filed

29<sup>th</sup> day of March 1889

Pleads,

*Chitiquah, Apun*

*J. R. Fellows*

THE PEOPLE

KEEPING A HOUSE OF THE NAME, ETC.  
[Sections 322 and 385, Penal Code]

*vs  
57<sup>th</sup> Street  
B  
Clawson*

JOHN R. FELLOWS,

*John R. Fellows*  
District Attorney.

**A True Bill.**

Part III April 17/89-

Pleads Guilty.

*Sp. suspended  
Chas. H. Scott Foreman.*

0476

Sec. 322, Penal Code.

2. District Police Court.

CITY AND COUNTY OF NEW YORK } ss.

George T. Lesson  
of 15th Precinct Police, in said City, being duly sworn says  
that at the premises known as Number 13 73 Beecher Street,  
in the City and County of New York, on the 18 day of March 1889, and on divers  
other days and times, between that day and the day of making this complaint

Clara Nelson  
did unlawfully keep and maintain and yet continue to keep and maintain a House of  
Ill fame and did then, and on the said other days and times, there unlawfully procure  
and permit as well men as women of evil name and fame and of dishonest conversation to visit, frequent and come  
together for unlawful sexual intercourse, and for the purpose of prostitution and lewdness, and then and on the said  
other days and times, unlawfully and wilfully did permit and yet continues to permit said men and women of evil  
name and fame there to be and remain drinking, dancing, fighting, disturbing the peace, whoring and misbehaving  
themselves, whereby the peace, comfort and decency of persons inhabiting and residing in the neighborhood, and  
there passing is habitually disturbed, in violation of the statute in such case made and provided.

Deponent therefore prays, that the said Clara Nelson  
and all vile, disorderly and improper persons found upon the premises, occupied by said  
Clara Nelson  
may be apprehended and dealt with as the law in such cases made and provided may direct.

Sworn to before me, this 19 day of March 1889, George T. Lesson

T. J. Campbell Police Justice.

0477

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Clara Nelson*

Question. How old are you?

Answer. *27 years or so*

Question. Where were you born?

Answer. *Germany*

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

Answer. *37. East 3<sup>rd</sup> St. & Mrs*

Question. What is your business or profession?

Answer. *Kid glove 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  
and waive further examination  
and demand a trial by Jury*

*Clara Nelson*

Taken before me this  
day of *March* 188*9*

*P. J. Sullivan*  
Police Justice.

0478

Sec. 151.

Police Court 2 District.

CITY AND COUNTY OF NEW YORK, } ss. *In the name of the People of the State of New York; To the Sheriff of the County of New York, or to any Marshal or Policeman of the City of New York, GREETING:*

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by George J. Nelson of No. 15 Precinct Police Street, that on the 18 day of March 188 9, at the City of New York, in the County of New York, Clara Nelson did keep and maintain at the premises known as Number 13 73 Beecher Street, in said City, a House of Ill fame and there unlawfully procure and permit as well men as women of evil name and fame, and of dishonest conversation to visit, frequent and come together for unlawful sexual intercourse, and for the purpose of prostitution, and there unlawfully and wilfully did permit said men and women of evil name and fame there to be and remain ~~drinking, loitering, fighting~~ disturbing the peace, whoring and misbehaving themselves whereby the peace, comfort, and decency of persons inhabiting and residing in the neighborhood and there passing is habitually disturbed in violation of the statute in such case made and provided.

THESE ARE, THEREFORE, in the name of the People of the State of New York, to Command you, the said Sheriff, Marshals and Policemen, and each and every of you, to apprehend the body of the said

Clara Nelson

and all vile, disorderly and improper persons found upon the premises occupied by said Clara Nelson and forthwith bring them before me, at the 2 DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 19 day of March 188 9

David C. [Signature] POLICE JUSTICE.

0479

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

*Clara Nelson*

guilty thereof, I order that she be held to answer the same and she 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 she give such bail.

Dated *March 20* 188*9* *Tom J. Coffey* Police Justice.

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

Dated *20 Mar* 188*9* *Tom J. Coffey* 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.

0480

Police Court--- 2 421 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

George T. Leeson

vs.  
1 Clara Nelson

2

3

4

Office of the  
District Attorney  
New York

Dated Mch 19 1889

W. A. Reilly Magistrate.

Thomas D. ... Officer.

15 Precinct.

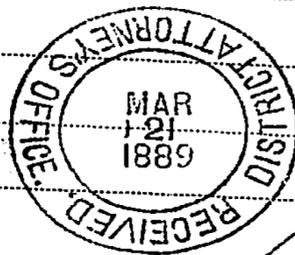
Witnesses

No. Street.

No. Street.

No. Street.

\$ 500 to answer



Handwritten signature and notes

Bailed

BAILED,

No. 1, by James Aaranson  
Residence 133 8th Avenue Street.

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

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

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

0481

Police Department of the City of New York,

Precinct No. 15

New York, April 16, 1889

Honorable R. F. Fellowes  
Dist. Attorney  
City of New York

Dear Sir

This is  
to certify that Clara  
Nelson, (formerly) of  
No. 13 Bleeker St., has  
vacated said prem-  
-ises, and has no  
connection therewith

Respectfully  
John J. Bryan  
Capt. 15<sup>th</sup> Prec.

0482

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Clara Nelson*

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

*Clara Nelson*

(Sec. 322,  
Penal Code.)

of the CRIME OF KEEPING AND MAINTAINING A COMMON BAWDY HOUSE AND HOUSE OF ILL-FAME, committed as follows:

The said

*Clara Nelson*

late of the *15th* Ward of the City of New York, in the County of New York aforesaid, on the *eighteenth* day of *March* in the year of our Lord one thousand eight hundred and eighty-*nine*, and on divers other days and times, as well before as afterwards, to the day of the taking of this inquisition, at the Ward, City and County aforesaid, a certain common bawdy house and house of ill-fame, unlawfully and wickedly did keep and maintain; and in the said house divers evil-disposed persons, as well men as women, and common prostitutes, on the days and times aforesaid, as well in the night as in the day, there unlawfully and wickedly did receive and entertain; and in which said house the said evil-disposed persons and common prostitutes, by the consent and procurement of the said

*Clara Nelson*

on the days and times aforesaid, there did commit whoredom and fornication; whereby divers unlawful assemblies, disturbances and lewd offences on the days and times aforesaid, as well in the night as in the day, were there committed and perpetrated; to the great damage and common nuisance of all the good people of the said State there inhabiting and residing, in manifest destruction and subversion of and against good morals and good manners, 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.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said

*Clara Nelson*

(Section 385,  
Penal Code.)

of the CRIME OF MAINTAINING A PUBLIC NUISANCE, committed as follows:

The said

*Clara Nelson*

late of the Ward, City and County aforesaid, afterwards, to wit: on the *eighteenth* day of *March* in the year of our Lord one thousand eight hundred

0483

and eighty-*nine*, and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, unlawfully did keep and maintain a certain common, ill-governed house, and in *her* said house, for *her* own lucre and gain, certain persons whose names are to the Grand Jury aforesaid unknown, as well men as women, of evil name and fame and dishonest conversation, to frequent and come together then and on said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women in said house, at unlawful times, as well in the night as in the day, then and on said other days and times there to be and remain, tippling, drinking, gaming, cursing, swearing, quarreling, making great noises and otherwise misbehaving themselves, unlawfully and wilfully did permit and suffer, to the great annoyance, injury and danger of the comfort and repose of a great number of persons, good citizens of our said State there residing, and passing and repassing, to the common nuisance of the said citizens, 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.

THIRD COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said

*Clara Nelson*

(Section 322  
Penal Code.)

of the CRIME OF KEEPING A DISORDERLY HOUSE, committed as follows:

The said

*Clara Nelson*

late of the Ward, City and County aforesaid, afterwards, to wit: on the *eighteenth* <sup>day</sup> of *March* in the year of our Lord one thousand eight hundred and eighty-*nine* and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, unlawfully did keep a certain ill-governed and disorderly house, the same being a place of public resort, and in the said house and place of public resort, for *her* own lucre and gain, certain persons, as well men as women, of evil name and fame, and of dishonest conversation, to frequent and come together, then and on the said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women in *her* said house, at unlawful times, as well in the night as in the day, then and on the said other days and times, there to be and remain, drinking, tippling, gambling, rioting, disturbing the peace, whoring and misbehaving themselves, unlawfully and wilfully did permit, and yet continues to permit, by reason whereof the peace, comfort and decency of the neighborhood around and about the said house were, and yet are, habitually disturbed, 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.

0484

**BOX:**

347

**FOLDER:**

3270

**DESCRIPTION:**

Nevills, Michael

**DATE:**

03/01/89



3270

0485

**BOX:**

347

**FOLDER:**

3270

**DESCRIPTION:**

Stilwell, Edward

**DATE:**

03/01/89



3270

0486

217

Witnesses:

*John P. O'Connell*  
*John P. O'Connell*  
*J. Nixon*

Counsel,  
Filed *[Signature]*  
Pleads *[Signature]*

day of *March* 188*9*

*[Section 498.506, 576, 531, 452]*  
*[Signature]*  
*[Signature]*  
*[Signature]*

THE PEOPLE

vs. P

*1* Michael Stewell  
*2* and P  
Edward Stewell

JOHN R. FELLOWS,  
District Attorney.

A True Bill.

*[Signature]* Foreman.  
day of *March* 188*9*  
*[Signature]*  
*[Signature]*  
1. *[Signature]*  
2. *[Signature]*

0487

Police Court 2 District.

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

John L. Nixon  
of No. 500 5th Avenue Street, aged 29 years,  
occupation Liquor dealer being duly sworn

deposes and says, that the premises No 500 5th Avenue Street,  
in the City and County aforesaid, the said being a three story brick  
building in part liquor store  
and which was occupied by deponent as a liquor store  
and in which there was at the time no human being, by name

were BURGLARIOUSLY entered by means of forcibly breaking  
the glass in the door of said liquor  
store by striking it with a cobble stone.

on the 23rd day of February 1889 in the Night time, and the  
following property feloniously taken, stolen, and carried away, viz:

five boxes of cigars, about four  
hundred cigars, of the value of  
twenty five dollars, and eighty two  
cents in good and lawful money  
of the United States, together of the value  
of twenty five & 2/100 dollars.  
(\$25.82)

the property of Deponent

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  
Michael Neills and Edward  
Stillwell (both now here)

for the reasons following, to wit: that at the hour of 1  
o'clock Am said date deponent  
secured, locked and fastened the doors  
and windows of his liquor store  
and left said store, leaving it in good  
repair and condition, and said property  
in said store, and at the hour of  
five o'clock Am same day deponent's  
bar-tender discovered that said store

0488

had been entered as aforesaid and said property taken stolen and carried away.

Deponent is informed by Officer Michael Phelan of the 20th Precinct Police that at the hour of 2 O'clock on said date he arrested the said defendants together and in company with each other in an alley way at No 219 W. 35th Street and at that time they the defendants had five boxes of cigars in their possession.

Deponent further says that he has since seen said cigars so found with the defendants and fully identifies them as his property.

Wherefore deponent charges the said defendants with being together and acting in concert with each other and burglariously entering said premises as aforesaid and feloniously taking stealing and carrying away said property

Sworn to before me this 24th day of July 1889 John H. Wilson

*[Signature]*

Police Court \_\_\_\_\_ District \_\_\_\_\_

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

Burglary

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

Magistrate

Officer

Clerk

Witnesses:

Committed in default of \$ \_\_\_\_\_ Bail

Bailed by \_\_\_\_\_

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

0489

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Michael Phelan*  
*Police Officer* of No.

aged \_\_\_\_\_ years, occupation \_\_\_\_\_

*20th Precinct Police* Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of

*John Nixon*

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

Sworn to before me this

*24*  
*Feb* 188*8*

*Michael Phelan*

*J. M. Duffy*

Police Justice.

0490

2

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

Michael Neville

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.

Michael Neville

Question. How old are you?

Answer.

22 years old

Question. Where were you born?

Answer.

New York

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

Answer.

691 10th Ave. 11 Man

Question. What is your business or profession?

Answer.

Driver

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

Michael Neville

Taken before me this

day of

1888

*[Signature]*

Police Justice

0491

Sec. 198-200.

2  
District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss

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

Question. What is your name?

Answer. *Edward Stilwell*

Question. How old are you?

Answer. *27 years old*

Question. Where were you born?

Answer. *New Jersey*

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

Answer. *535 W. 47th St. 2 mos*

Question. What is your business or profession?

Answer. *Driver*

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*

*Edward Stilwell*

Taken before me this

day of

188

*[Signature]*  
Police Justice.

0492

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

*Wills* *Edwards* *Michael*  
*Stellwell*

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 *July 24* 188 *J. J. [Signature]* 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.

0493

Police Court---

21

295  
District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*John P. Nixon*

*vs.*  
*Michael Merrill*  
*& Maria Stillwell*

*Duglary*  
Offence

BAILED,

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

Residence \_\_\_\_\_ Street.

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

Residence \_\_\_\_\_ Street.

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

Residence \_\_\_\_\_ Street.

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

Residence \_\_\_\_\_ Street.

3 \_\_\_\_\_

4 \_\_\_\_\_

Dated *Feb 24* 1889

*Duglary* Magistrate.

*Michael Pluman* Officer.

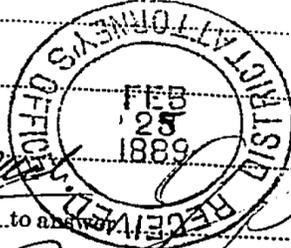
*40* Precinct.

Witnesses *Off. Michael Pluman*

No. *40th Precinct* Street.

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

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



*1000* to a party

*Om*

0494

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

*Michael Nevills* <sup>against</sup>  
*and*  
*Edward Stilwell*

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

*Michael Nevills and Edward Stilwell*

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

The said

*Michael Nevills and*  
*Edward Stilwell, both*

late of the *Twentieth* Ward of the City of New York, in the County of  
New York, aforesaid, on the *twenty-third* day of *February* in the year of  
our Lord one thousand eight hundred and eighty-~~nine~~, with force and arms, at the Ward,  
City and County aforesaid, a certain building there situate, to wit: the *store* of one

*John F. Nixon*

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

*John F. Nixon*

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.

0495

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment further accuse the said  
*Michael Nevills and Edward Stitwell*  
of the CRIME OF *Grand* LARCENY in the second degree, committed as follows:

The said *Michael Nevills, and Edward Stitwell, both*  
late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,  
at the Ward, City and County aforesaid, in the *right* time of the said day, with force and arms,  
*four hundred cigars of the value of seven cents each, and divers coins of the United States, of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of eighty-two cents,*

of the goods, chattels and personal property of one

in the *store* of the said

*John F. Nixon*  
*John F. Nixon*  
there situate, then and there being found, *in* the *store* aforesaid, 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.

0496

THIRD COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said  
*Michael Nevills and Edward Stilwell*  
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said *Michael Nevills, and*  
*Edward Stilwell, both*  
late of the Ward, City and County aforesaid, afterwards to wit: on the day and in the year afore-  
said, at the Ward, City and County aforesaid, with force and arms,

*four hundred dollars of the*  
*value of seven cents, cash*  
*and divers coins of the*  
*United States of a number,*  
*kind and denomination to the*  
*Grand Jury aforesaid unknown,*  
*of the value of eighty-two cents*

of the goods, chattels and personal property of one

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

*John F. Nixon*  
unlawfully and unjustly, did feloniously receive and have; the said

*Michael*  
*Nevills and Edward Stilwell*

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.

0497

**BOX:**

347

**FOLDER:**

3270

**DESCRIPTION:**

Niezborala, Michael

**DATE:**

03/21/89



3270



POOR QUALITY ORIGINAL

0499

Witnesses:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*He Oulman, Ohio*

Counsel,

Filed,

Pleads,

1889

THE PEOPLE

vs.

*Michael Mezbrala*

*Burglary in the second degree.*

[Section 497 Penal Code]

JOHN R. FELLOWS,

*District Attorney.*

**A True Bill.**

*April 9 - 1889*

*Blasfent Foreman.*

*Part III April 9/89 -*

*Trued and acquitted*

T.

0500

Court of General Sessions

The People

vs.  
Michael Nieborala

Indictment:

Burglary 2<sup>d</sup> degree  
§ 497 Penal Code,  
in having on the 16<sup>th</sup> of March, 1889  
in the night time feloniously broken into the pre-  
mises of Richard Bergmann, at  
No. 212 Eldridge Street, with intent  
to commit a crime therein.

Mary Bergmann, 212 Eldridge  
Street, 16 years of age, daughter  
of Richard Bergmann. On March,  
the 16<sup>th</sup>, 1889, at about ten mi-  
nutes after six o'clock in the even-  
ing, I was sitting at the table in  
the kitchen eating my supper. There  
was nobody with me. I had  
entered through the kitchen door.  
I opened it with a key. When I  
entered, my mother was inside.  
I do not know how long she had  
been there before I came. When

0501

I came home, I walked first into the back room to get some articles ~~for changing my dress~~. The kitchen is next to the store; behind the kitchen is the bedroom and then comes the back room or parlor. There is no connection between the kitchen and the store; but the other rooms are connected with each other by ordinary doors. There was no light in the said rooms at said time, except in the kitchen. The door between the kitchen and the bedroom was open. While eating my supper I heard a noise in the bedroom, as if somebody were pulling the sheets from the bed. The noise was very low, and I first believed that it was caused by a rat. After a few moments the noise grew louder and I called out: "Who is there?" There was no response, but the noise stopped. I sat still and continued eating my supper. After a little while the noise commenced again quite loud. I jumped out of my seat and

0502

room to the door, but did not  
leave the room. A boy, about  
12 years of age came into the  
kitchen at my request, and  
with him I went into <sup>bedroom</sup> the  
the boy holding the lamp. ~~At~~  
first we did not see anything,  
but after further examination,  
I saw a pair of slippers at the  
foot of the bed, hidden by the  
clothes that were hanging on  
the wall. Then I noticed that  
the slippers were on the feet of  
a human <sup>standing against the wall</sup>  
and hidden by the clothes ~~under~~  
~~the bed~~ <sup>the bed</sup>. ~~I~~ <sup>I</sup> hurried, I ran out  
of the room into the hall and  
cried for help. The boy ran out  
with me, if I remember right.  
After a few moments my father  
came, and I ran into the street  
to get a police man. On my  
return, a gentleman held a  
boy by the collar of his coat,  
and I recognized the slippers  
which he had on his feet as  
the slippers which I had seen  
~~at the foot of~~  
~~under~~ our bed. The lock to the  
kitchen door is a patent lock, which

0503

closed the door with slight excitement.  
The bed was in the same condition  
in which I had left it when  
I ~~went~~ went to work in the morn-  
ing, that is made up and smooth  
all over, except that ~~the~~ chairs  
were a little out of place. After  
our return from the Station House,  
I saw a beated wrapper, a starched  
skirt and another old summer  
dress lying on the bed, and at  
the foot of the bed was a little  
table cover, which two or three days  
before I had seen in the upper  
drawer of the bureau that stands  
in the back room. In going in-  
to the back room, we saw the fan  
light open and two pieces of  
velvet packed up, lying under  
the sofa, which several months  
ago I had seen in our trunk.  
I also found my red velvet  
sacque outside of the trunk, full  
of dirt, as if somebody had stepped  
upon it. I had put it in the  
trunk on the Thursday previous  
thereto. On the bed in the kitchen I  
found a little plush reticule

0504

which I had always kept into the trunk. I found the trunk open, and its contents in great disorder. I kept them always in good order.

Richard Bergmann, 212 Eldridge Street, Grocer. On the 10th of March, 1889, at about <sup>in the evening</sup> six o'clock I heard my daughter <sup>cry</sup> "Papa, thief!" I ran into the hallway through the rear door of the store, and on finding the kitchen door locked, I went to the door of the back room leading into the hallway. This was also locked. I heard somebody inside at the door, and to inform him that there was somebody outside, I knocked against the door with a brown stick. When reaching the kitchen door again, the defendant just came out. A gentleman that had been attracted ~~to~~ by the noise took hold of the defendant ~~who~~ and delivered him over to me. In his defense the defendant said that he merely went in to the

0505

room to see what time it was.  
His mother came on the same and  
said to him in Polish, that he  
was drunk and that he went in  
by mistake to take a sleep there.  
On our return from the Station  
House with a police officer,  
we examined our rooms and  
found them in the condition  
~~in which~~ as my daughter has  
described ~~thence~~ it. The defendant's  
mother was in the hall, when  
the defendant came out of the  
kitchen having still the milk  
in her hand, which she had  
bought in my store <sup>about</sup> a few mi-  
nutes before. ~~While she said~~  
~~she was in the store.~~ She said  
that she was greatly in the hurry.

Frank Jacobowsky, 212 Edwidge  
Street, Rahover. I moved into the  
said house on the 18<sup>th</sup> of March,  
1889. The defendant is my stepson.  
At about six o'clock in the evening  
of the 16<sup>th</sup> of March, 1889, I heard  
a great noise down stairs, I  
ran down and found my

0506

said son being beaten by the complainant with a broom stick. I asked the complainant, what my son had done, and he replied that he had slept on his bed, having put off his slipper on front thereof. He said that he had not stolen anything. The defendant had been helping his sister in moving from <sup>on say of day</sup> Fulton to Miller Street. When the defendant was placed under arrest, he was drunk.

Mina Jastgenwka, 201 Edridge Street. My husband, Albert Jastgenwka, is a tailor. The defendant has worked for us for about six months ~~when~~ He has always conducted himself properly and honestly. When I heard of the boys arrest, I went to the complainant, and had a conversation with him. He told me that the defendant had not stolen anything and that he entered his premises through the door, as the same was all ways open. His daughter had

0507

came home from work and  
was changing her dress, it being  
Sabbath evening, when she heard  
somebody snoring in the bedroom.  
Thereupon she halloed: Papa, a  
dog or a cat! He was all the  
time in the ~~bedroom~~ back room,  
because she was too scared to  
go out. The complainant took  
a broom stick to chase the cat  
out of his room. He found the  
defendant lying over his bed.  
The boy could have stolen a great  
many things, if he wanted  
to do it. He did not want to  
have prosecuted; he had beaten  
him with the broom stick, and  
considered this sufficient punish-  
ment. A good friend had ad-  
vised him to have the boy ar-  
rested, as he might have stolen  
something. The boy had filled  
his whole bed with whiskey smell.

Anna Nicholson, 212 Edridge.  
P. - Sister of the defendant. On  
the 16th of March, 1889, my brother  
came home drunk at about five

0508

o'clock. At about half past five  
o'clock he went downstairs,  
and soon thereafter I heard  
~~the~~ cries of "thief!"

COURT OF GENERAL SESSIONS.

THE PEOPLE &c.

vs.

*Michael Megard*

BRIEF OF FACTS.

For the District Attorney.

Dated *March 25* 1888  
*Edward Groves*

Deputy Assistent.

0510

Police Court— District—

City and County } ss.: *Richard Bergman*  
of New York, }  
of No. *717* *Edwidge* Street, aged *40* years,  
occupation *grocer* being duly sworn

deposes and says, that the premises No. *717* *Edwidge* Street, *10* Ward  
in the City and County aforesaid the said being a *five story brick*  
*tenement house, the store floor of*  
~~which~~ *which* was occupied by deponent as *store and dwelling*  
~~in the back room of~~ *and in which there was at the time a* *human being, by name*

*Mary Bergman*  
were BURGLARIOUSLY entered by means of forcibly *opening*  
*the gas light leading into the*  
*parlor of said dwelling*

On the *16th* day of *March* 188*9* in the *night* time and the  
following property feloniously taken, stolen, and carried away, viz:

*one table cover, one piece*  
*of velvet and one small*  
*patch or reticule, all of*  
*the total value of fifty*  
*dollars \$50.*

the property of *deponent*  
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

*Michael Miezborala (nowhere)*  
for the reasons following, to wit: *deponent's daughter*  
*locked, bolted and effectually*  
*closed said dwelling room*  
*on said night and date, at*  
*about six o'clock, and about*  
*ten minutes past six o'clock*  
*deponent found said deponent*  
*was trying to get out of said*  
*premises, and deponent.*

0511

Daughter can said Defendant  
in the bedroom of said dwelling  
concealed behind clothes hanging  
against the wall. Therefore  
Defendant now charges said  
Defendant with Burglariously  
entering said premises, and  
feloniously attempting to take  
steal and carry away said  
property and prays that he  
be dealt with as the Law  
directs.

Shown to before me Richard Borgmann  
this 17th day of May 1889  
Clerk of Justice

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 \_\_\_\_\_ 1889  
I have admitted the above named  
to bail to answer by the undertaking hereto annexed.  
Dated \_\_\_\_\_ 1889  
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.

Police Court, District, \_\_\_\_\_  
THE PEOPLE, &c.,  
on the complaint of \_\_\_\_\_  
vs.  
1 \_\_\_\_\_  
2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_  
Date \_\_\_\_\_ 1889  
Magistrate \_\_\_\_\_  
Officer \_\_\_\_\_  
Clerk \_\_\_\_\_  
Witness, \_\_\_\_\_  
No. \_\_\_\_\_ Street, \_\_\_\_\_  
No. \_\_\_\_\_ Street, \_\_\_\_\_  
No. \_\_\_\_\_ Street, \_\_\_\_\_  
\$ \_\_\_\_\_ to answer General Sessions.

05 12

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Mary Bergman*  
aged *16* years, occupation *Sales lady* of No. *717* *Bedford* Street, being duly sworn deposes and

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

Sworn to before me, this *14th*  
day of *March* 183*7* of *Mary Bergman*

*[Signature]*  
Police Justice.

0513

3

District Police Court.

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss.

*Michael Mizborala* 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.

*Michael Mizborala*

Question. How old are you?

Answer.

*16 Years of Age*

Question. Where were you born?

Answer.

*Germany*

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

Answer.

*217 Aldridge St (4 Days)*

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*

*Michael Mizborala*

Taken before me this

day of

*[Signature]*  
Police Justice.

0514

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 *Nov 19* 188*9* *[Signature]* 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.

0515

Police Court---

32 404 District.

THE PEOPLE & C...  
ON THE COMPLAINT OF

*Richard Dugman*  
*212 Eldridge st*  
*M. Miegborala*

BAILED,

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

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

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

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

3  
4  
Dated *March 11<sup>th</sup> 1889*

*Cuffey* Magistrate.  
*Gillson* Officer.  
Precinct.

Witness *Mary Dugman*  
No. *117 Cambridge* Street.

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

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

\$ *500* to answer



*mu*

05 16

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Michael Vezforda

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

Michael Vezforda

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

The said Michael Vezforda,

late of the 5th Ward of the City of New York, in the County of New York aforesaid, on the 19th day of March, in the year of our Lord one thousand eight hundred and eighty-nine, with force and arms, about the hour of six o'clock in the night time of the same day, at the Ward, City and County aforesaid, the dwelling house of one Richard Bergmann,

there situate, feloniously and burglariously did break into and enter, there being then and there some human being, to wit:

one man Bergmann,

within the said dwelling house, with intent to commit some crime therein, to wit: the goods chattels and personal property of the said Richard Bergmann,

in the said dwelling house 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,

John R. Kellogg,
District Attorney