

0380

**BOX:**

388

**FOLDER:**

3618

**DESCRIPTION:**

Getz, Max

**DATE:**

03/06/90



3618

0381

Witnesses;

*Samuel G. Herold*

Counsel,  
Filed  
Pleads,

*6 March 1890*

THE PEOPLE

vs.

*Max Gatz*

*Grand Larceny Second degree.*  
[Sections 529, 53 / —, Penal Code].

JOHN R. FELLOWS,  
District Attorney.

A True BILL.

*John R. Fellows*

Foreman.

*March 6/90*

*Charles G. Gatz*

*John R. Fellows*

0382

Police Court—

3rd District.

Affidavit—Larceny.

City and County } ss.  
of New York,

of No. 97 Greene Street, aged 37 years,

occupation Merchant being duly sworn

deposes and says, that on the 3 day of February 1880 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:

Two overcoats valued at seventy dollars

the property of

Repsent

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,

Max Goetz & working from the fact that the defendant after being informed of his rights admits and confesses to having stolen said property and to having the same.

Simon S. Hirschberg

Sworn to before me, this

day

of February 1880

Charles W. Smith Police Justice.



0383

Sec. 193-200.

CITY AND COUNTY  
OF NEW YORK, } ss.

3  
District Police Court.

*Max Gatz*  
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.

*Max Gatz*

Question. How old are you?

Answer.

*17 years.*

Question. Where were you born?

Answer.

*Germany*

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

Answer.

*96 Bowring St. Newark*

Question. What is your business or profession?

Answer.

*Banker*

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 guilty.*

*Max Gatz*

Taken before me this

day of *February* 1883

*Charles H. Smith*

Police Justice.

0384

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.....

*Reford m*  
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 24* 18 *91* *Charles N. Smith* Police Justice.

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

Dated.....18.....Police Justice.

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

Dated.....18.....Police Justice.



0385

BAILED,

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

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

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

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

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

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

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

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

Police Court---

3336 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Simon Hishberg*  
97<sup>th</sup> Street  
*Mar Gutz*

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

Dated *July 24 90* 188

*Debuter* Magistrate.

*Kelly* Officer.

*ix* Precinct.

Witnesses \_\_\_\_\_

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

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

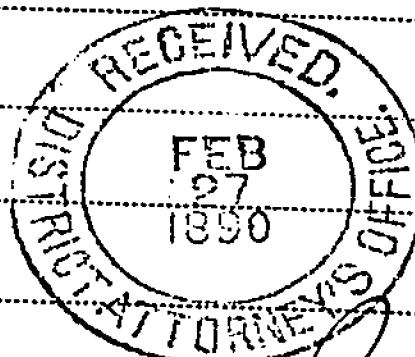
No. \_\_\_\_\_ Street.

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

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

\$ *5.00* to answer *95*

*Can* *gh*



0386

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Max Getz*

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

*Max Getz*

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

The said

*Max Getz*

late of the City of New York, in the County of New York aforesaid, on the *third* day of *February* in the year of our Lord one thousand eight hundred and *ninety*,  
, at the City and County aforesaid, with force and arms,

*two overcoats of the value  
of thirty-five dollars each*

of the goods, chattels and personal property of one

*Simon Schreckberg*

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. Feltows,  
District Attorney.*

0387

SECOND COUNT—

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

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

The said

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,

of the goods, chattels and personal property of one

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

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

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.



0388

**BOX:**

388

**FOLDER:**

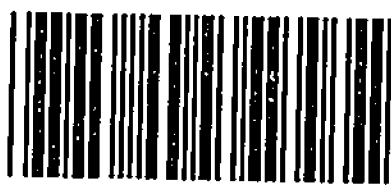
3618

**DESCRIPTION:**

Goldstein, Moritz

**DATE:**

03/24/90



3618

0389

Witnesses:

Delacy Gordon  
Ally Chas. Relfang  
Richardson Mack  
Key sept in  
open Court  
PA

150 X  
Henry Ruppert  
196.  
N. H. Sarawahn

Counsel, 2  
Filed day of March 1890  
Pleads *Magistry*

THE PEOPLE  
vs.  
Maurice Bolstein  
Grand Larceny, Second Degree.  
[Sections 528, 537 — Pennl Code]

JOHN R. FELLOWS,  
apl 16  
District Attorney.

A True Bill.  
*John R. Fellows*

Part 2 - April 16/90 Foreman.  
Jury and Corvidet

24/12/90  
April 20/90  
PA



0390

Police Court Third District.

Affidavit—Larceny.

City and County  
of New York, ss.

of No. 58 Hester Betsy Gordon  
Street, aged 21 years,  
occupation Domestic being duly sworn

deposes and says, that on the 10<sup>th</sup> day of March 1890 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:

Twenty Five  
Dollars, in good and  
lawful current Bills of  
the United States of the  
sum and value of \$35.

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

Morty Goldstein now  
here, in the following  
manner to wit: On said  
night and date Deponent  
called to see Ag Lewis at  
42 & Chrystie Street New York  
City, and in said Lewis'  
room met said Defendant.  
Deponent took said money  
from her pocket and put it  
on a table to count. When  
there said Defendant grabbed  
said money and ran off with  
the same. Wherefore Deponent now  
charges said Defendant with taking,  
stealing and carrying away said  
property and prays that he be dealt with  
the law.

Sworn to before me, this

of March 1890

(day)

Charles Stein

Police Justice.

0391

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK, ss.

3 District Police Court.

being only 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.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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,  
she gave me the money to  
buy two (2) tickets for Canada  
Morty Goldstein  
J. Mark

Taken before me this

day of May 1899

Charles W. J. J. J.

Police Justice.



0392

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 *Mar 13* 18*90* *Charles N. Linton* Police Justice.

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

Dated 18 Police Justice.

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

Dated 18 Police Justice.

0393

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Police Court

428 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

2

3

4

Date

189

Magistrate.

Officer.

Precinct.

Witness

No.

Street.

No.

Street.

No.

Street.

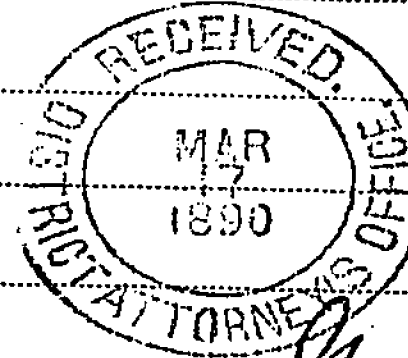
\$

300

to answer

U. S.

Cour





0394

COURT OF GENERAL SESSIONS.

T H E P E O P L E

-VS-

M O R I T Z      G O L D S T E I N

Indictment filed March 24th, 1890.

Indicted for Grand Larceny in the  
second degree.

Before  
Hon. Frederick Smyth,  
and a Jury.

APPEARANCES :

Assistant District Attorney for the People;

Mr. Sarason for the defense:

BETSEY GORDON testified that she lived at 84 Bayard Street. On March 10th, 1890 the defendant was in Ida Lewis's house at 27 Orchard Street. She, the complainant, had \$35 on that day and it was upon a table in Ida Lewis's house, and the defendant snatched it up and ran out. It was about 9 o'clock in the evening. The money was in bills and there was also a silver quarter of a dollar and two cents. While she was counting the money, the defendant snatched the money and ran away. Three days later she met him in the street and had him arrested. In the station house, the defendant was asked why he took the money, and he said that he

0395

-2-

was engaged to marry her, the complainant, and that she gave him the money to buy tickets for their wedding tour. The fact was that she did not give him the money for this purpose, or any other purpose, and she had since married another man. She had never recovered her money, but the defendant's parents had offered to restore her money. The money was taken from her at 8 Chrystie Street, to which house she had just moved with Ida Lewis. Under cross examination the complainant testified that she had known the defendant for one year. She had been employed as a servant at 27 Orchard Street and several other places including No. 5 Hester Street and No. 3 Orchard Street. Since her marriage she had moved to 84 Bayard Street. The defendant and his family lived at 5 Hester Street, when she, the complainant lived there. The money that was stolen was made up of two ten dollars bills and three five dollar bills. She earned the money as wages and saved it. She kept the money on deposit in the savings bank at the corner of Canal Street and Bowery. She drew the money on the day previous to the larceny. She drew \$32 and had \$5 in her possession at that time. As soon as the money was stolen from her she went to the police station and made a complaint. The defendant was acquainted with Miss Lewis but she did not expect to meet the defendant at Miss Lewis's room. Miss Lewis was in the room at the time



0396

-3-

the money was stolen. It was not a fact that she had the defendant's pocket book in her possession still, or that she had a pawn ticket for the defendant's silver watch. She drew all of her money she had in the saving bank and surrendered her bank book at that time. The defendant had taken her bank book out of the closet where she kept it, and had tried to draw the money, but could not. That was done a day or two before. She did not give him the bank book and ask him to draw the money for her. After she drew the money she kept it in her pocket and laid it on the table to count it, just before the defendant snatched it up from the table and ran out. She was counting the money because she was about to buy some bedding, and Ida Lewis was to accompany her to make the purchase. She ran out alone, after the defendant, Ida Lewis not accompanying her.

Ida Lewis testified that she lived at 8 Chrystie Street on March 10th, 1890. Both the complainant and the defendant were in her room on that evening. She saw the money in the possession of the complainant. The complainant had had the money in a pocket book, and took it out to count. She, the witness, did not know whether the complainant gave the money to the defendant or not, but the defendant took it up from the table and went out, and the complainant followed him out. The complainant had been in the habit of keeping

0397

-4-

her savings bank book in the witness's rooms, in a closet.

Under cross examination the witness testified that she was married, and that she had moved since the larceny to 29 Orchard Street. She, the witness, did not hear what the complainant and the defendant were saying to each other, just before the larceny, because she was not paying any attention. They left the room almost together.

Officer Charles R. Young testified that he belonged to the 11th Precinct. He arrested the defendant, in Chrystie Street, upon the complainant's complaint, on or about March 13th. He told the defendant what the charge was against him, speaking to the defendant in German. He told the defendant that he was charged with stealing \$30 from the complainant. The defendant denied the charge. The defendant said that he had got \$28 from the complainant, to buy two tickets to go to Canada, and that he thought that he might as well keep the money, and he bought a silver watch, gave five dollars to his wife and the rest of the money he gave to his folks. He said that he had paid \$16 for the watch. He, the witness, took the watch from the defendant. He found the watch in the defendant's possession.

For the defense Moritz Goldstein, the defendant, testified that he had known the complainant about six months. He formed her acquaintance when she was a visitor at his



0398

-5-

father's house. He did not snatch \$35 or any money from the complainant. She lent him money. She first lent him \$5 and later \$28. He used to meet her two or three times a week in the house at 5 Hester Street, where he lived at the time. He lived on the floor below her. They use to go out walking together in the evening. On the Saturday previous to his arrest she came to his rooms and said, "Moritz I will give you \$28, so that you may buy tickets to go to Canada." She told him that she was going to the bank to draw the \$28 and that he should wait until she returned. When she came back she said to him, "Come upstairs with me." They went to Ida Lewis's room and she gave him the money. He then went back to his own rooms and gave his wife \$9 of the money, and with the other \$18 he bought a watch. And he spent \$1 for his own pleasure. He met her in the street several days later and she asked him where the tickets were. He told her that he had spent the money, but would return it on the following week. Then she got angry and went away. On the following day she met him again and said, "Moritz, give me at least \$10." He, the defendant, said, "Wait. I will go to fetch it." He went to his father and asked for \$10, but his father said that he had no money. He returned to the complainant and told her that he could not get the \$10, but that he would give it to her next week. She the com-

0399

-6-

plainant, then said, "If you don't give me to-night I'll fix you." He, the defendant, was 22 years of age, was married and had one child. He had never been charged with any offense before.

Samuel Levin testified that he was engaged in the cloak business and the defendant had worked for him off and on for about six years. The defendant's character was good. He, the witness, lived in the house adjoining the defendant's parents. He knew the complainant.

ABRAHAM GOLDSTEIN testified that he was the father of the defendant Moritz Goldstein. A day or two before the arrest the complainant, came to his, the witness's room and said, "Why, Mr. Goldstein I gave money to your son, and now he does not give it back to me." He, the witness, said, "I don't if you gave him any money. What kind of money did you give him?" She said, "I gave him money and now he has no money to give back to me." He, the witness, said, "I am sick now. You did not ask any advice of me when you gave him the money and I cannot help you now. Be patient. To-morrow I hope to get up, and then I will see my son and ask him all about that money." In the evening she returned and asked him for \$10. He, the witness, said, "I will tell my son to go and borrow some money somewhere and give it to you."



0400

-7-

Hannah Taputschky testified that she lived at 5 Hester Street and she knew the complainant and the defendant. The complainant had been living with her as a servant. The complainant told her that she had lent \$4 to the defendant. The complainant also told her that she had gone around with the defendant several times. She also saw the defendant and the complainant together in the hall way and on the stairs.

Malke Goldstein testified that the complainant told her that she had given the defendant \$28, and she was begging the defendant to return the money to her, and he would not give it to her. This occurred on the day before the arrest. The complainant also said that if the defendant did not give her \$10 she would have him arrested. The defendant's character was good.

Minnie Goldstein testified that she was the wife of the defendant, and had known the complainant before her marriage. The complainant had often visited her, the witness's rooms. The complainant told her that she had given the money to the defendant and intended to go away with him. The complainant told her this after the defendant was arrested.

Yetta Koplin testified that on the day of the arrest she heard the complainant ask the defendant for \$10 but the defendant said that he did not have the money, but would give it to her as soon as he got it.

0401

COURT OF GENERAL SESSIONS OF THE PEACE, OF THE CITY AND COUNTY  
OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Moritz Goldstein

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by  
this indictment, accuse

Moritz Goldstein

of the CRIME OF GRAND LARCENY IN THE second DEGREE,

committed as follows:

The said

Moritz Goldstein

late of the City of New York, in the County of New York aforesaid, on the tenth  
day of March in the year of our Lord one thousand eight hundred and  
ninety, at the City and County aforesaid, with force and arms, in the  
night time of the same day, divers promissory notes for the payment of money, being  
then and there due and unsatisfied (and of the kind known as United States Treasury  
Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the  
payment of and of the value of

thirty-five

dollars; divers other promissory notes for the payment of money, being then and there due  
and unsatisfied (and of the kind known as Bank Notes), of a number and denomination  
to the Grand Jury aforesaid unknown, for the payment of and of the value of

thirty-five

dollars; divers United States Silver Certificates of a number and denomination to the Grand  
Jury aforesaid unknown, of the value of

thirty-five

dollars; divers United States Gold Certificates of a number and denomination to the  
Grand Jury aforesaid unknown, of the value of

thirty-five

dollars; ~~divers coins of a number, kind and denomination to the Grand Jury aforesaid~~  
~~unknown, of the value of~~

~~of the goods, chattels and personal property of one~~

Betty Gordon

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.*