

0988

BOX:

389

FOLDER:

3628

DESCRIPTION:

Neuman, Samuel

DATE:

03/27/90



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0989

BOX:

389

FOLDER:

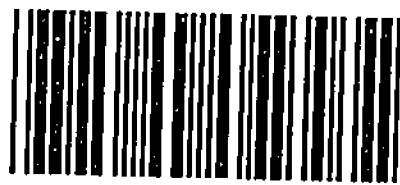
3628

DESCRIPTION:

Hart, Thomas

DATE:

03/27/90



3628

0990

Witnesses:

James Ogden

W. Abbott

Counsel,

Filed, 27 day of March 1890

Pleadings

THE PEOPLE,

vs.

P

Samuel Newman

and

Thomas Hart

Forgery in the Second Degree.
(Sections 511 and 521, Penal Code.)

JOHN R. FELLOWS
Notary Public 16/90
District Attorney.

Spred & Limited of
second ground

A True Bill. Emma Red

John R. Fellows
Notary Public 16/90

April 16/90

Foreman.

Spred & Limited

Carthage Co.

27

The People vs. Thomas Hart Court of General Sessions. Part I
 Before Judge Cowing. April 16. 1890.
 Indictment for forgery in the second degree.

William O. Abbott sworn. I remember that the boy Hart was brought into the bank the following Saturday after Newman was brought. Detective Flynn and Mr. Ogden brought him. Newman was locked up. I had no conversation with Hart that morning. I think the check was in the Police Court at the time. I asked detective Flynn in Hart's presence what the boy had to say? He said the boy acknowledged that he wrote the check that was drawn on the National Broadway bank in favor of Latham, Alexander & Co for \$72.32 signed George W. Reynolds. Hart did not say anything when the defendant told me that. Detective Flynn asked me to go to the Police Court with him, but I was too busy to go then. I went the following morning, Sunday. I had no conversation with Hart then, but I heard him tell the judge that he wrote the check. I am sure Mr. Ogden and detective Flynn were in Court when he acknowledged that. The check was produced in the Police Court that Sunday morning.
 Cross Examined. My best recollection is.

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that the check was attached to the papers. I do not remember that the check was shown to Hart at any time or any place in my presence; he never acknowledged to me that he wrote the check. I was on duty in the bank when the boy Newman presented the check; he did not tell me that the boy who gave him the check was in the Park; he told me that he came from Latham, Alexander & Co. I kept the check and the boy Newman left; the next I heard was that Hart and Newman were arrested. I am familiar with Mr. Reynolds' handwriting. The signature on the check does not look anything like his. Latham Alexander & Co. are not depositors in our bank.

George H. Reynolds sworn. I know the boy Hart, not by that name, I know him as a messenger boy; he has done messages for me from my office No. 40 Wall St.; he has gone to the Broadway National bank to draw money for me. I am a depositor in that bank. I don't know of any other George H. Reynolds who is a depositor there. I did not write the check now shown me nor the signature. I never authorized

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anybody to sign such a check for me.
 Cross Examined. I saw the boy Hart five
 or six times before the arrest. I do not
 think I sent him uptown somewhere on
 49th st. about the 9th of March. I did not
 send him anywhere on the 8, 9th or 10th
 of March. I remember to have sent a
 boy a message, but I do not remember
 whether he was the one, he may have
 been. On two or three occasions I have
 sent a boy to do some errand and stop
 at the bank and draw some money
 on his way back. I cannot tell the date
 when I sent him to the bank with a
 check to be cashed. I only know I was
 away from the city from the 8th to the 20th
 of March. I was in Chicago.

The check was offered in evidence.

William Flynn sworn. I am an officer
 and arrested Hart at 29 Murray St. on
 Saturday the 22nd of March. I took him from
 the District Office around to the Broadway
 bank and from that to the Station house.
 We then locked him up; there was no
 Court in the afternoon, and the following
 morning I took him over to the Land's
 police Court. Judge Gorman had it attached
 to the other "affidavit" and he detached

0994

it and showed it to the boy and asked him if he signed that check (People's exhibit A) and he said, yes. I saw Mr. Ogden, the District Superintendent, in the office; he stated to me that this was the boy, and the boy was asked if he had signed it? First he denied it and then he said he signed it out of fun. Mr. Ogden asked him if he had given it to the other boy and he said, yes, out of fun. Cross Examined. He admitted signing it on Saturday morning in the District Office and he also admitted signing it to the Judge. He told me he wrote the check in the bank a few days before but he did not say the date. He said he used to go messages for Mr. Reynolds all the time. He did not tell me that there was quite a line up at the teller's window. I never had the check in my possession. The only time I was present when the check was shown to the defendant was when I saw Judge Gorman detach it from the papers in the Newman case. I saw the Judge hold the check in his hand and he showed it to the defendant. I never said that Newman

0995

got the check from him and promised him half of the money. Hart did not deny before Judge Gorman that that check was signed by him and that he gave it to Newman. Hart's mother was with him when I arrested him in the office No. 29 Murray street. I did not arrest Newman. Jonathan Oden sworn. I am manager of the Mutual District Telegraph Co. in this city; we had the boy Hart in our employ during part of the month of March; he was not working for the company on the 18th. I was waiting for five or six days to catch him to lock him up. On or about the 18th of March there came to my knowledge through the teller of the Broadway bank that one of our boys had presented a check there for payment which was claimed to be a forgery. The check now shown me is the one. The teller told me the number of the boy and I found out it was Newman. I think it was on the 20th Hart's mother came for his money. I told her we could not pay the wages to the boy but I did not tell her the evidence I had against him. because I wanted to see the boy and talk to him.

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myself on the subject. I told her she had better bring the boy over and we would pay him his money as we had nothing against the boy. She brought him over that Saturday morning. Mr. Flynn was there. I had sent for him; and he arrested him. I had a conversation with Hart about the check. I accused him of making the check and he said he made it for fun and that he gave it to Newman for fun. I went to Court on Sunday morning; the Judge asked Hart if he made the check and he said, 'yes'.

Cross Examined. Hart had been absent before his mother came to our place. I think she told me she was unaware of his absence. I do not remember her telling me that the boy was sick. We have the addresses of all the boys but we do not follow up the absentees, for we have seven hundred of them. I knew Newman had implicated him in this forgery. I had Hart's address in the office; we did not send to his house. Hart was in the service of the company several months; he was a pretty good boy - very few complaints of any kind.

0997

The Case for the Defence
Thomas Hart sworn. I live at 483 Smith
St. South Brooklyn. I am a messenger boy
I live with my mother, brother and three
sisters; my father is dead. I worked for the
Mutual District Messenger Co. not quite
four months. I have seen the check shown
me before. Mr. Reynolds sent me to West
49th St. with a note, and he gave
me a check on the National Broadway
bank; he told me to get an answer
to the note if I could and stop into
the bank on my way back and get
the money for the check, the amount
was \$72.13. Then I went into the bank
there was quite a line at the paying
teller's window waiting for checks to be
cashd or having certified. I went
over to the desk where there were blank
checks. I wrote the name George W.
Reynolds and the amount on another
blank check. I did not mean to get
any money on it or do anything
with it. I merely wrote it to pass the
time until they were ready. The
crowd was just getting away on the
line. I passed in the check Mr. Rey-
nolds gave me and I got the money.
I immediately put it in my pocket!

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and brought it back to the gentleman I went back to the office and Newman saw me holding the check in my hand. I was going to tear it, he snatched it away from me. I don't know what he did with it after that. I made no arrangements with him to get the money. I did not know anything about Latham and Alexander; all I wrote was George H. Reynolds and the amount on the check. I never saw the piece of paper that is attached to the check before. Judge Gorman held a check in his hand. I did not quite understand what he said to me. I said in the police station that I wrote the name on the check and the amount. Latham and Alexander keep an office right next to our office. I worked for them but not the same time that Mr. Reynolds sent me. George H. Reynolds recalled. The check now shown me has my correct signature on it.

Thomas Hart recalled. I have never been arrested before. At the time I wrote Mr. Reynolds's name on that check I did not intend to defraud anybody.

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Cross Examined. I cannot say exactly when this occurred at the bank, but it was between the 1st and the 9th of the month. I scribbled the name George H. Reynolds. I was not in the Park with Newman; he told a lie when he said I was. I wrote the ~~word~~ ^{figures} \$72.32 on the check.

Bridget Hart recalled. My boy was home sick a few days and I took care of him. I remember going to the office with him on Saturday.

George H. Reynolds recalled by Dist. Atty. I heard the boy Hart testify that he went to the bank for me and that he copied out a check for \$72.32 and put my name to it. I know I drew no check for \$72.32 or \$69.87 or \$63 during the month of March. Whenever I sent the boy for any money it was for a small amount for personal expenses - an even amount of dollars \$25, \$50, or \$75 and not any number of cents. I have looked over the stubs of my check book and ^{did not} find any check of that amount. The boy has been to 49th St. to deliver a check for me. The jury rendered a verdict of guilty.

1000

4. ~~5.00~~
4. ~~10.00~~
12. ~~6.00~~
1890

Testimony in the
case of
Thomas Hart

filed

March

1890.

To the Court

*Court of
General Sessions*

The People:

vs

Thomas Hart

PENAL CODE, §

100-64

**Report of the New York Society
for the Prevention of Cruelty
to Children.**

ELBRIDGE T. GERRY,
President, &c.,

100 East 23d Street,
NEW YORK CITY.

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1003

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 1

DISTRICT.

William O. Abbott

of No. 237 Broadway Street, aged 38 years,

occupation Paying Teller, being duly sworn deposes and says

that on the 20th day of March 1890

at the City of New York, in the County of New York deponent made

complaint against Samuel Newman charging him with Forgery and in said complaint or information deponent recites the fact that said Newman has confessed to deponent that he uttered ~~said~~ ^{the} check at the request and solicitation of Thomas Hart and recites facts implicating said Hart in making, forging and uttering said check and said Hart being now present deponent avers that said Hart ~~he~~ made a defendant in said Complaint

Wm O Abbott

Sworn to before me, this

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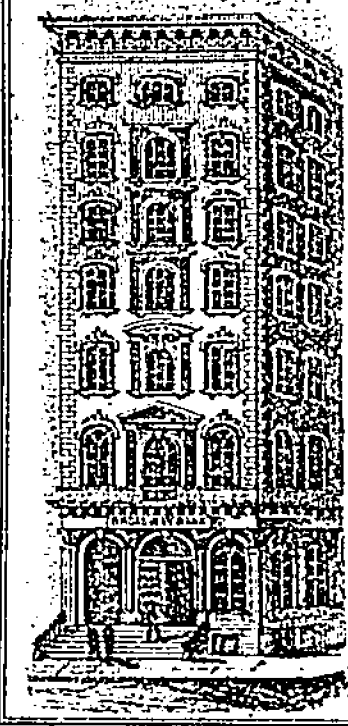
day

of March

1890

John J. Morrison
Police Justice.

1004



No. 1004

New York, N.Y. ^{Replied by 1/16/90} March 18 1890

National Broadway Bank

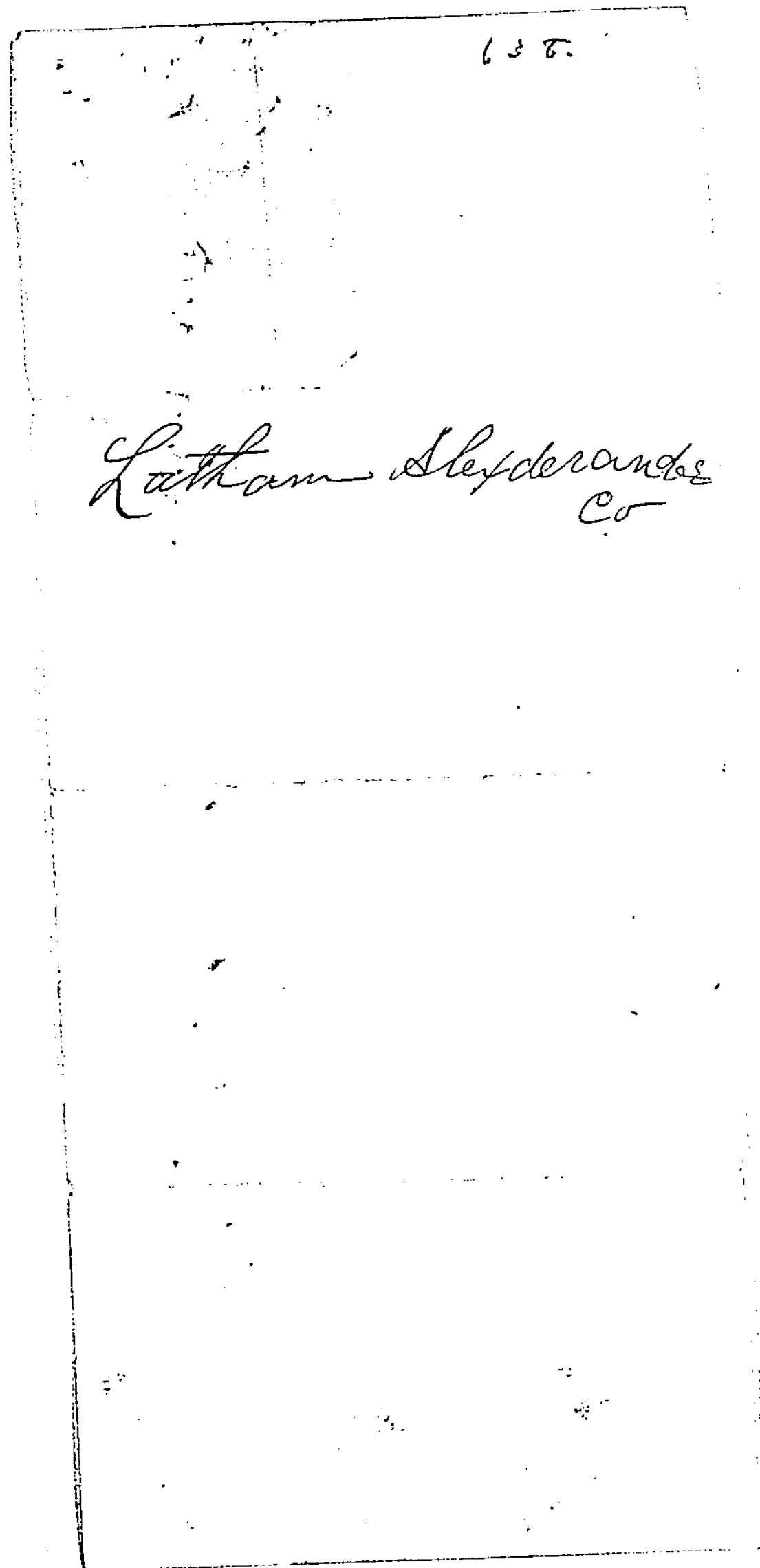
Pay to the order of Latham Alexander & Co
Seventy two ⁹²/₁₀₀ Dollars

\$ 72.92

Geo A Reynolds

ETWIN J. KERN, STATIONER & BANK PRINTER, N.Y.

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Police Court, / District.

City and County } ss.
of New York,

William O. Abbott

of No. 237 Broadway Street, aged 38 years,

occupation Paying Teller being duly sworn, deposes and says,

that on the 18 day of March 1890, at the City of New

York, in the County of New York, Samuel Newman (now

here) with intent to defraud did feloniously make, forge and utter or willingly aid and assist to make forge and utter a certain writing purporting to be the act of another by which a pecuniary demand purports to have been created in violation of Section 511 of the Penal Code of the State of New York. Deponent alleges that on said day the defendant presented the annexed check at the National Broadway Bank where deponent is the paying teller, to be paid or cashed. Said check was purported to be drawn by George H. Reynolds, a dealer of said bank, drawn to the order of Rachael Alexander and Company for the sum of Seventy two ³²/₁₀₀ Dollars, Dated March 18th 1890, which check bears the endorsement of the payees. Deponent being familiar with the handwriting and signature of said Reynolds at once discovered that said signature was a counterfeit and not the signature of said Reynolds. The defendant in open Court after being informed of his rights acknowledged and confessed that he presented said check for payment to deponent as aforesaid and further that on the 14th instant deponent was in company with District Telegraph Messenger No. 1568, who name as deponent is informed by Jonathan

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Ogden (now here) is Thomas Hart, and that he defendant saw said Hart make and write said check and give it to the defendant with instructions to present the same at said Bank and in the event of success in obtaining said money the defendant would keep a half of the amount and give the other half to said Hart.

Wherefore deponent charges the said Hart with making and forging said check and the defendant Newman with willingly aiding and assisting in uttering the same

Sworn to before me }
this 20th March, 1890 }

J. O. Abbott

John Newman
Police Justice

Dated 1888 Police Justice.

guilty of the offence within mentioned, I order he to be discharged.

I have being no sufficient cause to believe the within named

Police Justice.

1888

Dated

I have admitted the above named

to bail to answer by the undertaking hereto annexed.

Police Justice.

1888

Dated

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.

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

Police Court-- District.

THE PEOPLE, &c.,
OF THE COMPLAINT OF

vs.

1.

2.

3.

4.

Offence,

Dated

1888

Magistrate.

Officer.

Clerk.

Witnesses.

No.

Street,

No.

Street,

No.

Street.

\$

Sessions

to answer

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CITY AND COUNTY }
OF NEW YORK, } ss.

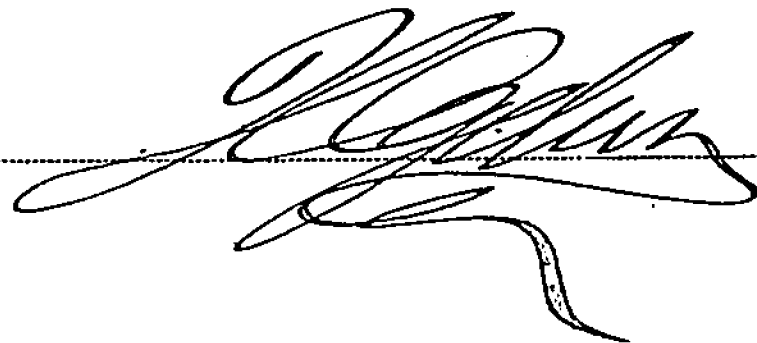
aged 47 years, occupation clerk of No.

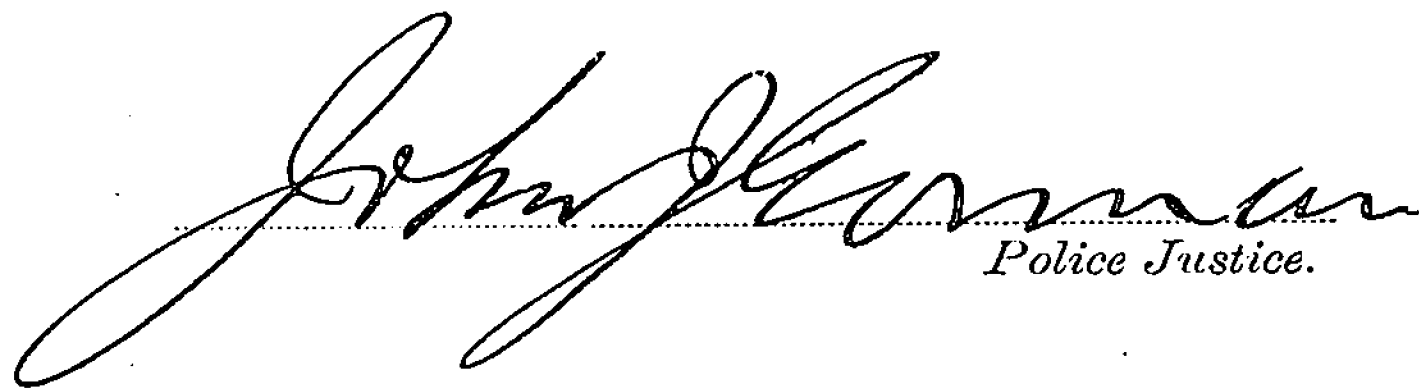
29 Murray Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of William O. Abbot

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

Sworn to before me, this 20th
day of March 1890




Police Justice.

1009

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

Samuel Newman 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 Newman*

Question. How old are you?

Answer. *17 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *108 Monroe Street 6 months*

Question. What is your business or profession?

Answer. *Messenger Boy*

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*
Sam. Newman.

Taken before me this

20th

day of

March

1890

Thomas J. Brennan
Police Justice.

10 10

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

Thomas Hart 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.

Thomas Hart

Question. How old are you?

Answer.

15 years

Question. Where were you born?

Answer.

Brooklyn N.Y.

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

Answer.

483 Smith St. Bklyn

Question. What is your business or profession?

Answer.

Messenger

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

Thomas Hart.

Taken before me this *23*
day of *March* 188*2*

Police Justice.

1011

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, DISTRICT.

Edward J. Connor

of No. 12 Dr. Police Court Street, aged years,

occupation Officer being duly sworn deposes and says

that on the 19 day of March 1890

at the City of New York, in the County of New York he arrested

Samuel Newman (now being charged with forgery). Deponent has been unable to produce an important witness in Court and deponent asks that the defendants be held for examination to enable deponent to procure the attendance of said witness

Edward J. Connor

Sworn to before me, this 19 day

of March 1890

John W. McLaughlin
Police Justice.

10 12

Police Court-- District.

THE PEOPLE, & c.

ON THE COMPLAINT OF

Ed. J. O'Connor

vs.

Samuel K. Cronan

AFFIDAVIT.

Dated *March 19* 188*9*

Gorman Magistrate.

O'Connor Officer.

Witness,

.....

.....

.....

.....

.....

Disposition,

.....

.....

\$5000 bail for E
2.6.11 March 19
1/90

17. u.s. 108 moved

10 13

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 *March 20th* 1890 *John J. Herman* Police 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.....

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.

March, 23 1890 *John J. Herman* 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.

10 14

Police Court---*First* District. ⁴⁶³

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William A. Abbot
237 Bway
Samuel Newman
Thomas Hart

Jurgens
Offence.

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated *March 20th* 188*90*

Gorman Magistrate.

~~*Chambers*~~ Officer.

Court Precinct.

Witnesses *also Flynn*

John A. Ogden Street.

H. A. Kim

No. *100 East 23rd* Street.

W. H. Reynolds

No. *40 Wall St* Street.

378 to answer.

Call 408 2

10 15

27

The People
vs. Samuel Newman } Court of General Sessions. Part I
Jointly indicted for forgery in the second degree. Before Judge Cowing. April 16. 1890.

William O. Abbott, sworn and examined.
I am paying teller in the National Broadway bank and was so on the 20th of March. I remember seeing the defendant Newman on that day; he came into the bank about two o'clock in the afternoon. He presented the check now shown to me and said he wanted the money; this little ticket was attached to it at the time. I saw at a glance it was a forgery. I asked him what he wanted? He said he wanted money. I asked him where he came from? He said he came from Latham, Alexander & Co. I asked him were they bankers in Wall St. and he said, yes. I asked him who gave him the check and he said their cashier. I asked him again where he was when the cashier gave him the check. He said in the office at the cashier's desk. I told him to go right back to his manager, that I had kept the check and if anybody was waiting in Latham and Alexander's office

10 16

for the money to arrest them and I would telephone them. I next saw the defendant at the Broadway bank on the following day; he was brought there by Mr. Ogden, the manager of the ^{Metropolitan} District Telegraph Co.. I had a conversation with him. I asked him where he got the check, I asked him if he wrote the check. He said, No. I asked him if he knew that that was not Mr. Reynolds's signature, and he said, Yes, he said he saw another boy write it. I do not think he told me where; he said the other boy's name was Hart. He did not tell me where the boy Hart was on the day he went in the bank to get the money from me. I am familiar with the signature of George H. Reynolds, who is a depositor in our bank; it is not a good imitation of his signature.

The check was offered in evidence.

George H. Reynolds swore. I am a depositor in the Broadway National bank. I know of no other George Reynolds being a depositor there. (People's Exhibit No. 1 shown to the witness

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The signature on this check is not mine I never authorized anybody to make that signature. It does not look anything like my signature.

Jonathan Ogden sworn. I am assistant manager of the Mutual ^{District} ~~Assistant~~ Mass. ~~paper~~ Co. in this city. The executive office is 29 Murray St. We had the defendant Newman in our employ during the month of March 1890. I have heard the testimony of Mr. Abbott the paying teller. I remember going to the Broadway bank on the 20th of March last with this boy Newman. Before I brought him to the bank I had a conversation with him concerning a certain check - Then I went in to our branch office No. 10 Hall St. I was informed by the Manager that the paying teller of the Broadway bank had been there with a forged check which had been presented by one of our boys; the check was there, he handed me the check I saw Mr. Reynolds' signature on it, and I immediately took the boy up to the Broadway bank, and on the way up to the bank I asked him about it. I told him he had better tell me the truth, and he stated to me that

10 18

he had received the check from the boy Hart, another employee of the Company.

Did he tell you anything about where Hart was on that day when he presented the check? Yes, he said that Hart had given him the check, Hart was in the Park waiting for him smoking a cigarette on the bench opposite to the bank. I saw the defendant afterward at the Tombs Court. He told me the same story there in presence of Officer O'Connor. Cross Examined - I could not tell you how long the defendant had been in the employ of the Co. I do not keep a record of the time - quite some time. He has been a fairly good boy while in our employ; the day of this occurrence he reported back for duty I believe. I think he was arrested the next day.

Edward J. O'Connor sworn. I am a police officer attached to the Tombs police Court in this city. I remember the 20th of March when Newman the defendant was brought there. I had a conversation with him there in regard to the check, people's Exhibit No 1; he told me he got the check from another boy. I do not

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think he mentioned his name; he told me that this boy promised him half the money if he would go to the bank and get it cashed. He did not tell me where the boy was.

Samuel Newman, sworn and examined in his own behalf testified. I am going on 18 years old, I reside at 108. Munroe st. with my father and mother. I remember the day that I took the check to the bank. I was going on a message, I was going up Broadway and Park Place and met this Hart; he came over to me and handed me the check; he said to me I should go over there; he showed me the bank and I should get it cashed. So I did go over and I gave it to Mr. Abbott; he said to me it was forged; he questioned me and told him. So he told me I should go back and tell the Manager about it. I went back; and that time it was my time to go off; it was half past three and I went off. The next morning I went back to work at ten o'clock. The Manager called me over, he said he wanted to see me. He asked me about this check. I told him and he

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told me I should wait, Mr. Ogden wanted to see me. I went on a call and came back. Mr. Ogden was there and I was called over; he questioned me and I told him. He said I shall tell him the truth I told him everything that happened; he told me I should wait till he came back. He took me down to the bank and then to the main office. We saw the President; he asked me where I got the check. I told him I got it off a young boy in the employ of the Company. Then we went back to the main office and I told the Superintendent. He asked me the same thing. I told him I got it off a boy, John Hart. I did not know his name first. I knew his number. The Superintendent looked in the book and saw it was John Hart. He asked me if I knew him before? I said, no, only as I was working at the telegraph. I waited there till three o'clock and then I was told to go to the main office, that the Superintendent wanted me. Mr. Abbott was there, and I was brought down to the Police Station. The next thing I knew I was brought to the Limbo before

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Judge German. I did not know when I received that check that it was forged; that slip of paper was on it when I received it. Cross Examined. I do not remember having told anybody that I saw Hart write that check some time before I went to take it in. I do remember telling some one that Hart was waiting in the Park for me. I do not remember telling any one that Hart told me he would give me half the money when I got it out of the bank. The only thing Hart said was—he promised to give me something for the message. I did not say anything to the paying teller except when he asked me where I came from I told him from the firm. I told the paying teller a lie. I did not tell the officer that Hart promised to give me anything. That is not true or it is a mistake on his part. Hart called me by my number when he handed me the check and said I should go over to the bank and get it cashed; he said nothing to me about the little tag on the check. Hart told me to say at the bank that somebody in Alexander's gave me the check. Before he gave me

the check he asked me where I was going. I told him I was going on an errand for a party. So he says, if I can do him a favor? I said, yes; so he gave me this check, and he said if they asked me who sent me I should say Latham and Alexander sent me. So I went over. I used to work for Latham and Alexander a couple of days. I went over to the bank, and there was a man busy talking to the paying teller and I waited. I gave him the check, and he said I should wait. So he asked me where I came from. I told him Latham and Alexander. That was a lie. He went in the back room and he came back to me and told me the check was forged. He asked me where I worked and I told him. I knew Hartby right since he worked as a mutual district messenger boy. I did not know that he was not working at that time; he had a uniform cap on; he had a citizens coat on. I am not positive if he had his pants or not. I never spoke to Hart before this day that he handed me the check. In the conversation I had with him in

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the telegraph office I informed him I had been working for Latham and Alexander; he knew that I had been employed as messenger by that firm. I cannot give any reason for lying to the paying teller. I was going to tell him I got the check from a boy in the Park when he walked away. I did not know that Hart was ever in the employ of Latham and Alexander. I did not know George H. Reynolds. I did not tell Judge Gorman in the Police Court that I got the check from Hart on the Saturday before that and that I had seen him write it. I remember saying in the Police Court that Hart had a number of checks from which he pulled out this one, and that was on the Saturday previous to this Tuesday.

Phillip Schnittman sworn. I am a barber and know Newman six or seven years. I know plenty of people who know him; his character has always been good. Samuel Newman sworn. I am the father of the defendant; he has always been a good boy. Jonathan Ogden recalled. The defendant has been in our employ about four months; his character was not very good for truth. The jury rendered a verdict of guilty. He was sent to the Elmira Reformatory.

1024

Testimony in the
case of
Samuel Newman
filed March
1890

1025

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 Neuman
and
Thomas Hart

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

Samuel Neuman and Thomas Hart
of the CRIME OF FORGERY IN THE SECOND DEGREE, committed as follows:

The said Samuel Neuman and Thomas Hart, both

late 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, with force and arms, at the City and
County aforesaid, feloniously did forge, and cause and procure to be forged, and willingly
act and assist in the forging a certain instrument and writing, to wit: an
order for the payment of money
of the kind called bank cheques
which said forged bank cheque
is as follows, that is to say:

No. 21.44.

New York March 18 1890

The National Broadway Bank

Pay to the order of Latham Alexander & Co.

Seventy two $\frac{32}{100}$ — — — — — Dollars
\$72 $\frac{32}{100}$

Geo. A. Reynolds

with intent to defraud, 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.

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SECOND COUNT:—

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

Samuel Neuman and Thomas Hart
of the CRIME OF FORGERY IN THE SECOND DEGREE, committed as follows:

The said

Samuel Neuman and Thomas Hart, both

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, did feloniously utter, dispose of and put off as true, a certain forged instrument and writing, *to wit:*

an order for the payment of money, of the kind called bank cheque
which said forged bank cheque
is as follows, that is to say:

No. 2144 New York March 18 1890
The National Broadway Bank
Pay to the order of Latham Alexander & Co.
Seventy-two $\frac{32}{100}$ — — — — — Dollars
 $\$72 \frac{32}{100}$ Geo. A. Reynolds

with intent to defraud *they* the said *Samuel Neuman*
and Thomas Hart then and there well knowing the same to be
forged, 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.

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BOX:

389

FOLDER:

3628

DESCRIPTION:

Nolan, James J.

DATE:

03/28/90



3628

TORN PAGE

1028

Selling on Sunday.

29th

Counsel,

Filed

28 day of March 1891

Pleads,

Magistrate

THE PEOPLE

vs.

James J. Nolan

VIOLATION OF EXCISE LAW
(Selling on Sunday, Etc.)
III Rev. Stat. (7th Edition), page 1083, Sec. 21 and
page 1083, Sec. 5.]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

John Sam. Rhoads

Foreman.

to the Court of Sessions
for their consideration and disposition.

M. W. M. 1891.

Page 2

Witnesses:

Off Roach

1029

TORN PAGE

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 J. Nolan

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

of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE, ON SUNDAY, committed as follows:

The said

James J. Nolan

late of the City of New York, in the County of New York aforesaid, on the *twenty seventh* day of *May* in the year of our Lord one thousand eight hundred and *Eighty eight*, at the City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain intoxicating liquors and certain wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did sell as a beverage to one

and to certain other persons whose names *[redacted]* said unknown, against the form of the Statute in such case made, 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

James J. Nolan
of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

James J. Nolan

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place so licensed as aforesaid unlawfully did not close and keep closed, and on the said day the said place so licensed as aforesaid unlawfully did then and there open, and cause and procure and suffer and permit, to be open, and to remain open, 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.