

0329

BOX:

449

FOLDER:

4139

DESCRIPTION:

Hallen, James D.

DATE:

09/29/91



4139

0330

10.180

195

Witnesses:

Wm Jones

*see endorsement of
Indictment # 203*

Sept 91.

Counsel, *4* day of *Sept* 189
Filed *189*
Plends, *Physically*

THE PEOPLE

vs.

James A. Hallen
(vs. Jones)

[Section 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000]

DE LANCEY NICOLI,
District Attorney.

A TRUE BILL.

W. J. Berry
Foreman.

*Part 3, March 3/92 -
Indictment dismissed
Bail dismissed.*

0331

District Attorney's Office
City & County of
New York

May 7 1891

Dear Sir,

your note relative to the
witness Lucas is at hand.

a witness can not be required
to give security for his appearance
except upon proof by affidavit
that there is reason to believe he
intends to evade the process of the
court or leave the jurisdiction.

and again, the court can not
commit the witness except when he is
in the before the court. It has no
power to issue a warrant for his arrest.

He must be personally served
with a subpoena before any thing can be
done.

The thing to do is to arrange with
whomever is to try the case (I have no
further connection with it) over the
point your reply

Yours truly

Wm. J. Fox

0332

COURT OF GENERAL SESSIONS
CLERK'S OFFICE.

PEOPLE

James D. M. M. M.

for other cases

See

Sept 20th, 1891

The Rev. }
 vs. }
 John N. Johnson

Samuel A. Binion - N.Y.
 Maryland University - Navy and State
 Reserve - an officer -

I met Mr. Drury at the N.Y.
 Hotel - ~~on the 6th~~ ^{on the 6th} afternoon
 on the 6th or the 7th of the 7th (Monday). I found him

Drury at (216) Room. Suffering
 from Acute Gastritis. I remained with
 him the old night - in the morning -
 I made inquiries with reference to

a nurse. - In the afternoon of the
 2nd and 3rd. I saw Johnson.
 at the N.Y. Hotel. He said he was
 a nurse. He had a thermometer.

I typed Drury's Inspector. And I took him
 up and presented him to Mr. Drury.
 as a nurse. and at that time Mr.

Drury was in a Mercantile Convention.
 The day I said to him, I wanted a
 Report of the Patients Convention - Pulse
 Respiration - and time of feeding med.
 He said he had no water. I told
 Mr. Drury this. And asked him to

his watch - Mr. Drury gave him
 key of trunk - and I then
 presented - and Sept. I saw
 him again - ~~then~~ ^{then} ~~him~~ ^{him} - Sat.
 at 8 and 12. The nurse was
 taking care of him satisfactorily
 until Monday the 1st of July
 when he was eating Beefsteak
 at the table -

Thursday - the 12th - You found
 him up. his meals Mr. Drury
 had a \$300 Check - It was
 a check of \$300. ~~drawn upon~~
 Messers Co. Boston -

A Mrs and Sons draft, on the
 Bank of North America - To
 the order of Thayer and Drury
~~Mythia~~ ^{Mythia} ~~and~~ ^{and} ~~Guerrero~~
 by them to Mr W. H. Drury.

I put in it in an Envelope
 addressed to 22 Nassau St. to
 Mess and Co. and a letter requesting
 them to send you by express the
 \$300. That I was given - The
 came back with \$100. and
 a letter from Mr Mess of Mess
 Bros and Co - This was about

4th Run - 12th - Huson, I was
 then in Bay - I gave the Doctor
 \$50.00 the \$25.00 This was for
 payment in full for services.
 He said I will go home with a
 Bath.

Mr. McCarty, arrived here on
 26th of July - '91

Found Baron Richard on the farm -

Doctors Testimony.

his

The Hall Boy - came from
 down - Between 4 and 5 -
 on the wing of the 13th, as
 a result of this - I went to
 Mr. Drury's Room - He was
 lying in Bed - He was in
 a Semi Comatose Condition - And
 I told Dr. Love at my
 finger - The right finger of
~~my~~ Right Hand the finger
 was in Bad Condition. The
 Ours to me Dr. Dake Key and
 He went down - And found
 everything upset - And Jopsy
 Sunday - You got the patient during
 Sunday to meet his needs.
 And left McCloskey. Mrs. Drury
 asked me to look for his pulse
 this morning, I found nothing in
 the trunk - ~~The~~ ^{Friday} on Monday
 the 9th I saw the trunk open
 And saw all the things in it.

offer from for

\$46⁰⁰ on my and
 7 Penn Tickets - And 12 - or 14
Rail Road Pool Tickets -

This watch was not Mr Drings
 that he had - on = a few more
 and chain. (Tickets called for
 (1) (paid Drains Stubs - A Drains him)
 75⁰⁰ loan - Penns. at 225 Penn
 Row on the 14th. It was
 paid under - M. Clark -

(2) Ticket (Gow Hunting Case watch ^(Munich) 76)
 and chain. (52⁰⁰ loan)
 Penns. 16th - 195. Penny
 Simpsons name M. Clark -

(3) Gow Hunting Case. Watch - With
 Mr Drings Silver Belt -
 on 17th St. at Stems 3rd car
 and 19th St.
 10⁰⁰ Paid under Dring.

(4) other Tickets. are. under. Johnson.
 (1) Reprints Revolver - 28th of Jan.
 at Goshens -
 Why 12th Penns a Coat 87 cents

0338

under pressure: —

D.C. 26th. Coat and pants. Warm
H. 3.62. 437 3rd av. —
July 17th to Mr. Coats $\frac{12}{100}$

Remond McCloskey.

Employing My. Hotel. 74 years.
as night watchman in
the Hotel. Come on
at 6 — and stay till
6 —

0339

with, piece of
Hess & Co - Bunker
22 November

Thomas M. Gowan -

326 - E - 7 37 ca St.

0340

P. O. BOX 3682

In Re

The People

THE U. S. COMMERCIAL AGENCY
AND
COLLECTING COMPANY,
280 BROADWAY.

vs.

James D. Hallen

NEW YORK, April 18th 1891.

Hon. DeLancey Nicoll,
District Attorney,

Dear Sir:-

I herewith hand you the stenographer's minutes of the trial of the people against James D. Hallen for grand larceny, before Police Justice J. O'Reilly.

What I complain of in the trial of this case is that I was not permitted to take the stand and testify and produce my proofs in support of the allegations made in the complaint. J. O'Reilly said he would accept the complaint as proven, and would allow the defendant to cross-examine me on the complaint.

The defendant occupied three days in this cross-examination, asking, as you will see, a great many foolish, absurd and irrelevant questions, calculated to befog the Judge; and wound up this farce by asking the Judge to discharge him on the grounds that if any money had been stolen from anybody, it had not been stolen from the U. S. Commercial Agency & Collecting Co., but from the clients of James D. Hallen.

Justice O'Reilly discharged him, as requested, without allowing me to take the stand for redirect examination, although he had promised that I should do so when I protested against answering

0341

P. O. BOX 3682

THE U. S. COMMERCIAL AGENCY
AND
COLLECTING COMPANY,
280 BROADWAY.

In Re

..... VS.

NEW YORK,

2

the questions that Hallen put--"yes or no", but insisted upon explaining my answer so that the Judge would understand the case.

Had he permitted me to testify under either direct or redirect examination I would have shown conclusively that Mr. Hallen had no clients; but that they were the subscribers and clients of this Company; and that Mr. Hallen was paid \$25.00 a week salary by this Company to attend to the law business of its clients and subscribers; that Mr. Hallen did not receive any money from these clients; and, although he was the attorney of record, he received no compensation in fees, commissions or wages, other than the \$25. per week salary, paid him by this Company; and that he has no liens upon the suits (and no claims upon the clients) for services or costs.

I would also have proven that the money which he stole was in the shape of a check drawn by me as Treasurer of the U. S. Commercial Agency and Collecting Co. on the said Co's bank account at Lawrence, Frazier & Co.'s bank; and that said check was endorsed by Hallen and deposited by him to his credit in a little country bank at Addison, N. Y., where he had for 12 months been in the habit of depositing the amounts embezzled by him from this Company.

0342

P. O. BOX 3682

In Re

THE U. S. COMMERCIAL AGENCY
AND
COLLECTING COMPANY,
280 BROADWAY.

..... VS.

NEW YORK,

3

All that I ask is to be permitted to go before the Grand Jury that I may get this case tried by the General Sessions, where the Judges are lawyers and know what they are about; and I guarantee to produce evidence that will convict J. D. Hallen, not only of the larceny of the \$20.00 complained of before Judge O' O'Reilly, but of the larceny of a large number of smaller items, aggregating about Fifteen hundred Dollars.

This man has been stealing from his clients and employers since he was a boy; and when indicted in one city he flies to another, disguises himself, seeks employment and repeats his offences the first opportunity.

Amongst the papers left with you on Thursday were three indictments--two for grand larceny and one for forgery--and there are other indictments against him.

My object in wishing to convict him is that I may have him disbarred, and thus prevent him from doing injury to others in the future.

I would be pleased to appear before you, or any assistant of yours, with the documentary proofs of the numerous thefts referred to above, which proofs now lie before me on my desk.

Yours very respectfully,

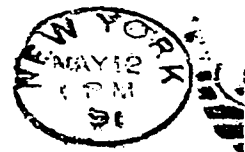
Wm. G. Jones -

0343

Swear that you have
not been in contact
with any of the
persons named below
since the date of
your departure from
the United States
on or about May 15, 1965.
If you have been in
contact with any of
the persons named
below, please state
the name of the person
and the date of contact.
VS.
If you have been in
contact with any of
the persons named
below, please state
the name of the person
and the date of contact.
If you have been in
contact with any of
the persons named
below, please state
the name of the person
and the date of contact.
If you have been in
contact with any of
the persons named
below, please state
the name of the person
and the date of contact.

0344

*District Attorney's Office,
City & County of
New York.*



*Mr. J. Alston Key
Box 1037
Mendota*

0345

Office of
Clerk of the Superior Court

St. Paul, Minn., May 2^d, 1891.

Robert T. [unclear]

Dear Sir:-

Your favor of the 30th
ult. was duly received.

In reply would state that I
have carefully examined the names
of all who were witnesses in the
case of State vs. John Q. Johnson,
and can only think of two who
would be likely to identify him, viz:
Robert L. [unclear], Esq., who at the
time of the trial was a Deputy Sheriff,
and a lawyer or witness
in our State [unclear], who would

0346

able to identify Johnson unless he
has changed very much in appearance,
and Herman Davis, of Meriden, Conn.
The latter was a policeman in Meriden
at the time of the murder.

But so many of the witnesses from
Meriden that are now dead or have
now moved that it is impossible
to consult with them for the purpose of
your purpose.

Yours truly,
Edmund Davis

SUPREME COURT OF ERRORS,
SECOND JUDICIAL DISTRICT,
NEW HAVEN COUNTY, November Term, 1874. }

STATE
vs.
JOHN R. JOHNSON. } Superior Court, January Term, 1874.

STATE OF CONNECTICUT, } ss. New Haven, 14th day of January,
County of New Haven. } A. D. 1874.

To the Honorable Superior Court of the State of Connecticut for the
County of New Haven, now in session at New Haven, in and for
said County.

The Grand Jurors of the County of New Haven from the body of
the County, duly impanelled and sworn, do on their oaths present
and inform that, at the Town of Meriden, in said County of New
Haven, on the eighth day of July, one thousand eight hundred and
seventy-two, John R. Johnson, then of said Town of Meriden, now
confined in New Haven County Jail, with force and arms, willfully,
maliciously, feloniously and of his malice aforethought, in and upon
one Johanna C. Hess of the said Town of Meriden, in the peace
then and their being, did make an assault, and with a certain knife
which he then and there in his right hand had and held, her, the said
Johanna C. Hess, then and there willfully, maliciously, feloniously
and of his malice aforethought, did strike, stab, and wound, giving
to her, the said Johanna C. Hess, by such striking, stabbing, and
wounding, with the said knife as aforesaid, in and upon the left side
of the neck of her, the said Johanna C. Hess, one mortal wound of
the breadth of one inch and of the depth of two and one-half inches,
of which said mortal wound the said Johanna C. Hess, at the Town
of Meriden, in the County of New Haven aforesaid, from the said
eighth day of July, one thousand eight hundred and seventy-two, to
the ninth day of July, one thousand eight hundred and seventy-two,
linguishing did live, and on said ninth day of July, one thousand
eight hundred and seventy-two, she, the said Johanna C. Hess, did of
said mortal wound then and there die.

And so the Grand Jurors aforesaid, on their oaths aforesaid, do
say that the said John R. Johnson her, the said Johanna C. Hess,
willfully, maliciously, feloniously, and of his malice aforethought, in
the manner and by the means aforesaid, did kill and murder, contrary
to the statute in such case made and provided, of evil example and

against the peace. And by means of the premises the said John R. Johnson did then and there become and was guilty of, and did commit, murder in the second degree.

A true bill.

SAMUEL A. MILES, *Foreman*.

STATE OF CONNECTICUT, } ss. Superior Court, April Term, 1874.
NEW HAVEN COUNTY.

STATE }
vs. } Indictment for Murder in the Second Degree.
JOHN R. JOHNSON. }

MOTION FOR NEW TRIAL.

Be it remembered, that on the trial of this case to the jury, under the plea of "not guilty," the defendant offered some evidence tending to prove, and claimed he had proved, that he was intoxicated at the time of the commission of the alleged offense, and further that he had injured his hand some three weeks prior to said date, and had been unwell since said injury, and had suffered great pain therefrom, and that his health was such that he was more easily affected by the use of intoxicating liquors; that he had been drinking on said day to such extent that he had become intoxicated; that he was provoked by the conduct of the deceased to such a degree that he was wholly beside himself and for the time being insane; that he had no intention of doing the deceased any injury prior to his becoming intoxicated, and that such intoxication was not sought for the purpose of stimulating himself to the commission of any crime; and his counsel presented to the Court a written request that the Court would give the jury upon this point the following instructions, viz:

"That if the jury find that the defendant was intoxicated at the time of the commission of the act alleged in the indictment, and was thereby in such a condition as to be unable to form a deliberate and premeditated purpose to kill any person, and was at the same time unconscious of the character and consequences of his acts, provided he had no deliberate or premeditated purpose to kill any person prior to his being intoxicated, then the jury cannot convict the defendant of any crime higher than manslaughter."

The Court instructed the jury on this point as follows:

"The law recognizes the general principle that it is wrong for a man to cloud his mind and excite his passions to evil action by the excessive use of intoxicating drink, and if he does this voluntarily, and by reason of its effect does what the law punishes as a crime, the intent to drink and the evil consequence combine and make the act a crime."

But this doctrine has important qualifications which the jury should bear in mind.

1st. It will be noted, that if the intoxication be not voluntary, that is, if one is made drunk by stratagem, or fraud, or by the act of another, it cannot be considered his own act, and hence cannot supply the criminal intent essential to make the act a crime.

2d. As the law makes a man responsible for the *immediate* and not the *remote consequences* of his acts, if excessive drinking results in any *disease of the mind*, whether permanent or intermittent, it excuses the act committed under its influence, just like any other insanity or imbecility. The law never holds a man responsible for the origin of his insanity or the origin of his loss of mental capacity.

3d. Again: In all cases where the law requires some specific intent, or some particular state of mind, as an essential element of the offense in question, then, though that specific intent or state of mind is wanting by reason of intoxication, the entire crime cannot be proved and the fact of intoxication operates as a defense.

In all cases where express malice is essential to be proved, intoxication operates as a defense.

Murder in the first degree (unless committed in the prosecution of the crimes of arson, rape, robbery, and murder) requires a deliberate and specific intent to take life, and hence a state of intoxication sufficient to render such deliberate and specific intent impossible shows that the crime charged could not have been committed.

But in murder in the second degree express malice or an actual and specific intent to murder need not be proved as an essential element of the crime.

The jury, however, must be satisfied from the evidence beyond a reasonable doubt that there was malice, but implied malice is sufficient, and malice may be implied from the cool and deliberate use of a deadly weapon, or from evidence showing a general depraved inclination to do evil, and reckless and cruel disregard of human life; the fact of intoxication, therefore, does not necessarily rebut or disprove any essential element of the crime of murder in the second degree, where it rests on implied malice, but it may have the effect to reduce the crime from murder in the second degree to manslaughter, provided the jury find that the act was committed in consequence of provocation.

Where provocation was given to the accused by the deceased, and the question is whether the fatal blow is to be attributed to the passion of anger excited by previous provocation; the fact of intoxication is to be considered by the jury, because the accused would have been more excitable under provocation, by reason of intoxication. In this case, therefore, the jury will give the accused the benefit of the actual effect of the provocation (if any) on his mind in the condition it was then in, whether from intoxication or any other cause, though the jury are satisfied that the provocation had a much greater effect on his mind by reason of intoxication.

If, therefore, the jury, upon the whole evidence, find that the mind of the prisoner in the condition it was then in, from whatever cause, was clouded by passion caused by reasonable provocation before the blood had time to cool, and that the assault was made in consequence of such provocation and not from express malice, the jury can convict the accused of no higher crime than manslaughter."

The jury returned a verdict of guilty of murder in the second degree, and the accused feeling aggrieved by the refusal of the Court to give the instructions to the jury as requested by his counsel, and by the instructions as above given to the jury, and believing that the Court erred and mistook the law, files this his motion for a new trial, and asks that the questions of law arising thereon may be reserved for the consideration and advice of the Supreme Court of Errors, to be holden at New Haven, within and for the 2d Judicial District, in this State, on the 2d Tuesday of November, A. D. 1874.

A rule to show cause is granted and the questions of law arising thereon are reserved for the advice of the said Supreme Court.

By LOOMIS, *Judge*.

At a Superior Court held at New Haven, in and for New Haven County, on the first Tuesday of April, A. D. 1874.

Present, Hon. DWIGHT LOOMIS, *Judge*.

ARTHUR D. OSBORNE, *Clerk*.

CHARLES S. SCOTT, Esq., *Sheriff*.

THE STATE }
vs. }
JOHN R. JOHNSON. }

Upon a bill of indictment laid before the Grand Jurors from the body of the county of New Haven, duly impanelled and sworn, by Eleazer K. Foster, Esq., Attorney for the State, within and for said New Haven County, charging said John R. Johnson, now confined in New Haven County goal, with the crime of murder in the second degree, as per indictment on file, and returned into Court by said Grand Jurors at the January term, 1874, endorsed "A true bill."

The prisoner appeared, and for plea said "Not guilty." And after a full hearing, the case was committed to the jury, who returned a verdict of "Guilty of murder in the second degree."

It is therefore considered by the Court, that the prisoner is guilty of murder in the second degree, in manner and form as charged in said indictment.

And thereupon the prisoner within due season moves for a new trial of said case, as on file, which motion is allowed, with stay of execution. A rule to show cause is granted, and the questions of law arising thereon are reserved for the consideration and advice of the Supreme Court of Errors, at its next term, to be held in and for the Second Judicial District, on the 2d Tuesday of November, A. D. 1874.

A true copy of record.

Attest,

ARTHUR D. OSBORNE, *Clerk*.

0350

Form No. 1.

THE WESTERN UNION TELEGRAPH COMPANY.

This Company TRANSMITS and DELIVERS messages only on conditions limiting its liability, which have been assented to by the sender of the following message. Errors can be guarded against only by repeating a message back to the sending station for comparison, and the Company will not hold itself liable for errors or delays in transmission or delivery of Unrepeated Messages, beyond the amount of tolls paid thereon, nor in any case where the claim is not presented in writing within sixty days after the message is filed with the Company for transmission.

This is an UNREPEATED MESSAGE, and is delivered by request of the sender, under the conditions named above.

THOS. T. ECKERT, General Manager.

615 NORVIN GREEN, President.

CHECK

NUMBER	SENT BY	REC'D BY	CHECK
23 Dec	10x	cl	412 Paid 28x

RECEIVED at the WESTERN UNION BUILDING, 195 Broadway, N. Y. 3/3 1891

Dated Detroit Mich 3

To Robert Townsend

C First List Attorney Sessions

Building adjoining new Court House

" or residence " New York City

It seems impossible on account of sickness in my family and an unexpected and imperative business coincidence to be in New York on the sixth. Can the case be deferred until

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CHECK

NUMBER	SENT BY	REC'D BY	CHECK
23 Dec			

RECEIVED at the WESTERN UNION BUILDING, 195 Broadway, N. Y. 1891

Dated Detroit 3

To (2)

the eighteenth when I will

surely be there answers quick
W. A. Running

clerk of the court for jury fees in the

paid (and claimed by Hallen to have been paid) to the

the sum of *thirteen & 50* Dollars to be

of *Nov* 1889 said Hallen received from this defendant

Defendant further alleges that on the said *11th*

Mr. C. C. Jones
court.

case of *Mr. C. C. Jones vs. Davidson* pending in

that one of such cases in which of said Hallen was the

attorney had charge of the litigation and motions.

company as its attorney on a regular salary and as such

agent of the said U. S. Commercial Agency & Collecting

of that the said *11th* day of *Nov* 1889 was in the

Defendant further alleges that the said Hallen on

James D. Hallen, an attorney at law of New York City.

with the following taken, stolen and carried off by

does suggest and possibly declares that the said prop-

and that this defendant has a probable cause to suspect and

the same being good and lawful money of the United States,

Witness my hand and the seal of the

court:

Association of Defendants' and claims the following prop-

was feloniously taken, stolen and carried away from the

1889, at the City of New York, in the County of New York,

being duly sworn says: that on the *11th* day of *November*

agent of the U. S. Commercial Agency and Collecting Company

WILLIAM G. JONES of New York, New York, New-

CITY AND COUNTY OF NEW YORK, : ss.

POLICE COURT, FIRST DISTRICT.

above mentioned case.

Deponent further says: that the said Hallen received and became possessed of said sum by falsely and fraudulently stating, writing and representing to this deponent that the said sum had been previously by him as such Attorney disbursed for the aforementioned purpose in said action, but that in fact said Hallen had never disbursed or paid out the said amount or any part of the same as alleged by him, but, on the contrary, said Hallen had unlawfully and feloniously kept, detained and appropriated the same to his own use, and with the intent and for the purpose of injuring and defrauding said U. S. Commercial Agency and Collecting Company. Deponent further alleges, that the said Hallen never had the said cause placed on the Calendar of the *said Court* and therefore no jury fees have been or could have been paid to the clerk by said Hallen in this case.

Sworn to before me, :

1891. :

William G. Jones

Police Justice.

WILLIAM G. JONES being duly sworn deposes and says; that at all times hereinafter mentioned he was and still is the President and Treasurer of The United States Commercial Agency & Collecting Company, a corporation organized and existing under and by virtue of the Laws of the State of New Jersey. That he is well acquainted with James D. Hallen, above-named, and who has been in the employ of deponents' Agency as the Attorney at a regular weekly salary. Deponent further alleges that on or about January 8th, 1890, the said Hallen called at this deponent's office to sign substitutions of attorney in his place as the Attorney of Record in over two hundred cases.

That at the time said Hallen separated such papers into two separate piles, of which the smaller pile numbered twenty-two cases. Deponent thereupon asked the said Hallen why he separated said papers and said Hallen replied that he "remembered these cases" referring to the papers in the smaller pile. Deponent thereupon asked said Hallen what he meant by that, and whether he meant to inform this deponent that he, said Hallen, remembered that he had stolen the costs in these twenty-two cases. Said

Hallen thereupon said "yes" and admitted that he did steal the costs in the twenty-two suits in such papers mentioned. That among that pile of twenty-two cases, was the case of *Wm Eggert vs Davidson*

That such admission was made in the presence of Mr. N. C. Lucas the Secretary of the Agency and Mr. Henry Halsey the ^{Managing Clerk} ~~Attorney~~. Deponent further alleges that the amount stolen by Hallen in the aforementioned case was \$16⁰⁰. Deponent further alleges that he caused said Lucas to make memorandum of such admission by Hallen which was done.

Sworn to before me } William G. Jones
Sept 9, 1891 }
Geo. L. Rauch
Notary Public
my

0355

1st DISTRICT POLICE COURT.

THE PEOPLE, &c.,

against

JAMES D. HALLON.

CITY AND COUNTY OF NEW YORK. : SS.

NEWTON C. LUCAS being duly sworn deposes and says;
that he was the Secretary and Book-keeper of the United
States Commercial Agency & Collecting Company, a corpora-
tion duly organized and existing under the laws of the
State of New Jersey, and was such Secretary and Book-keeper
from August 1st, 1889 up to *August* 1890. That he
is well acquainted with James D. Hallon, above-named, said
Hallon being employed as the Attorney for said Agency at a
regular weekly salary and had no interest in fees and costs
in the cases hereinafter mentioned. That said Hallon
called at the office of said Company on or about January
8th, 1890 to sign, and did sign substitutions of Attorney
in about two hundred cases in which said Hallon appeared
as Attorney of Record. That among such cases was the case
of *Wm Eggert et al vs E Davidson* then
City pending in the Supreme Court of New York ~~County~~. Depo-
nent further states that at the same time and place and in
the presence of William G. Jones, Henry Halsey and this
deponent said Hallon examined and separated into two sepa-
rate piles the said substitutions, and upon being asked by

0356

2

Mr. Jones why he separated the piles, answered that he, said Hallen, remembered that he had received and misappropriated all the costs in said cases referred to, of which there were twenty-two, and among which said cases was the case of *William Eggert*

agent
E. Davidson

That deponent thereupon at Mr. Jones' request made a memorandum of this admission, and further compared the packages with the records in his charge and ascertained that the amounts received by said Hallen in each of said twenty-two cases was from \$18.00 to \$20.50. That said Hallen misappropriated the sum of *16⁰⁰* in the case of *Eggert vs Davidson* hereinbefore referred to.

Sworn to before me,
September 4th 1891.

Newton & Lucas

George E. Rauch
Notary Public
my C.

0357

DISTRICT ATTORNEY'S OFFICE.

City and County of New York.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Wm. G. Jones

280 Broadway

James D. Hallen

(12 cases)

Dated

Sept 11 1891

Witnesses,

Newton C. Lucas

No.

84 West Broadway

No.

Street,

No.

Street,

0358

*District Attorney's Office,
City & County of
New York.*

*Wm. B. Jones Esq
U.S. Commercial Agency & Collecting Co
Stewart Building*

MATTHEW PAULSON.
Gentleman's Nurse, Rubber & Manipulator

Residence, 210 E 36 St—New York.

M. P. has had a long experience in the New York Hospital and refers to the following gentlemen.

Dr. F. Barker, 24 East 38th Street.	Dr. T. M. Markoe, 20 West 30th St.
" G. A. Peters, 12 West 29th Street.	" J. H. Emerson, 81 Madison Ave.
" Wynkoop, 5 East 13th Street.	" T. G. Thomas, 600 Madison Ave.
" G. A. Sabine, 46 West 23d Street.	" Louis A. Sayre, 285 Fifth Ave.
Dr. J. T. Metcalf, 18 West 30th Street.	

Vapor and other Baths given at Gentlemen's own Residences.

I ALSO FURNISH MEDICAL AND SURGICAL NURSES.
ORDERS BY MAIL PROMPTLY ATTENDED TO.

0359

*District Attorney's Office,
City & County of
New York.*

Wm. B. Jones Esq.

U.S. Commercial Agency & Collecting Co

Stewart Building

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I ALSO FURNISH MEDICAL AND SURGICAL NURSES.
ORDERS BY MAIL PROMPTLY ATTENDED TO.

- Copy -

To the Sheriff of New Haven County and to the
 Warden of the Connecticut State Prison - Greeting:
 Whereas at a Superior Court holden at New Haven within and for
 New Haven County on the 1st Tuesday of April A.D. 1874
 John R. Johnson of Meriden in said County now confined
 in New Haven County Jail was convicted of the crime of Murder
 in the second degree, and was by said Court sentenced to be im-
 prisoned in The Connecticut State Prison in the Town of Waterbury
 in Hartford County, there to be kept for and during the term of his
 natural life, and to pay the cost of prosecution, taxed at - dollars
 - cents as appears of record and to stand committed in the said
 State Prison until said sentence be fully complied with: Whereof
 execution remains to be done. There are therefore, by Authority
 of the State of Connecticut, to command you, the Sheriff of said
 New Haven County, that at the said New Haven County Jail, you forth-
 with deliver the said John R. Johnson, to the Warden of said Connecticut
 State Prison, or his Agent, to be transported to the said State Prison: And
 you the said Warden are hereby commanded, then and there, to receive
 the said John R. Johnson and him forthwith cause to be transported
 to the said Connecticut State Prison, in the Town of Waterbury, and
 County of Hartford, aforesaid, there to be kept at hard labor during the said
 term of his natural life, And you the said Warden of said State Prison are
 hereby further commanded, to receive the said John R. Johnson and him
 safely keep at hard labor within said State Prison for and during the
 said term of his natural life and until he pay said costs, and
 be discharged by due order of law - Hereof fail not but due ser-
 vice and return make. Dated at New Haven this 1st day of
 May A.D. 1874. By order of the Court

A True Copy, attested *Edmund Warden* Arthur D. Osborn Clerk

State
 John R. Johnson
 New Haven County
 Superior Court, April
 Term 1874
 Warrant Issued
 May 14th 1874

The within is a true copy of the original Warrant
 at the Office of the
 Sheriff of New Haven County

0362

Form No. 1

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THOS. T. ECKERT, General Manager.

NORVIN GREEN, President.

NUMBER	SENT BY	REC'D BY	CHECK
7	h	Ad	Collect

RECEIVED at the WESTERN UNION BUILDING, 195 Broadway, N. Y. May 4 1891

Dated Hartford Conn
 To Robert Townsend Esq District Attorney
City Hall Square
ny

It is impossible for me
to come this week
Geo E. Friesden

0363

Gold watch - ^{and chain} \$300.

Diamond studs value - of \$300.

Emerald ring set with
diamonds - = \$75.00

\$35.00

In Money.

0364

JAMES KANE.

JAMES T. KANE.

JAMES KANE & SON,

— MASON BUILDERS —

AND DEALERS IN ALL KINDS OF BUILDERS' MATERIALS.

No. 47 STONE STREET,

Meriden, Conn.

5/12

1891

Robert T. Jounshend

Dist Atty. Cyp + Conn. 27

Dr Sir: I will be at court room
in New York about 11. A m
Monday. Will leave Meriden
7-20 A m If you need me
earlier. please notify me & I will.
Come on our train

W E Olmsted
Post 1037 Meriden

0365

WESTERN UNION TELEGRAPH CO.
Pay no Charges to Messenger unless written in Ink in Delivery Book.
DELIVERED FROM WESTERN UNION BUILDING,
195 Broadway, Cor. Dey St.
No. *261* *Robert Townsend*
Asst Dist Atty Reservoir
Paid. *Adjoining New Court Ho*
or Residence

S E C O N D D A Y.

Mr. Welch:- We produce the certificate of incorporation of the Company and about 120 cases or thereabouts as ordered by the court.

Certificate marked,

Defendants Ex. A.

The people's Counsel objects.

Q You stated the other day in your cross examination that this company was organized by Mr. Jones, Mr. Hallen, Mr. Lucas and Mr. Baker, and that was all. As a matter of fact was it not Jones Hallen, and ^{Lucas}~~wacas~~ was not?

A Mr. Lucas was not in it possibly.

Q Read the certificate and see?

A W. G. Jones, J. S. Jones and J. D. Hallen.

Q W. G. Jones is you?

A Yes.

Q J. S. Jones is who?

A My wife.

Q And James D. Hallen?

A Yourself.

0367

- Q I ask you to examine the certificate and say as a matter of fact *whether* the United States Commercial Agency and Collecting Company had any existence until the 30th day of August 1889?
- A The certificate is filed the 30th day of August.
- Q (Repeated)
- A My answer is that it was incorporated the 29th day of July 1889 and the certificate is filed August 30th.
- Q As a matter of fact this United States Commercial Agency and Collecting Company had no existence before July 26th 1889?
- A No: it had not.
- Q And yet you swear on the 4th day of September that it was organized in 1888?
- A *That* was a mistake.
- Q Is your statement now that when you made this affidavit upon which the defendant was arrested you were mistaken as to the statement therein made in relation to the fact that the United States Commercial Agency and Collecting Co. had any existence prior to July 26th 1889?
- A I overlooked the fact that the paper had omitted to show the connection between the two companies. The first Co. was the United States Commercial Agency and Collecting Co.

0368

Limited and in August 1889 this word Limited was dropped and the Company was organized as the U. S. Commercial Agency and Collecting Co., and it was incorporated under the laws of New Jersey, merely the word Limited was omitted.

Q Do you mean to say that the only error made in your affidavit here on the 4th of September is that you neglected to state that it was known as the U. S. Commercial Agency and Collecting Co. Limited?

A That is in reference to one specific statement with reference to the date when you became attorney for the Company, that is what I meant.

Q As a matter of fact the U. S. Commercial Agency and Collecting Co. Limited has no connection with the U. S. Commercial Agency and Collecting Co.?

A That is not true.

Q Is it not a fact that the U. S. Commercial Agency and Collecting Co. was by order of the General Term of the Supreme Court and the Court of Appeals of the state of New York forbidden to carry on business in the state of New York?

A Yes.

Q When was that decision rendered?

A I do not remember.

Q

(3)

0369

- Q Was that ~~test~~ before the organization of this Company in Jersey City?
- A Yes: it was previous to ~~it~~, very near that time.
- Q Was not the U. S. Commercial Agency and Collecting Co. Limited out of existence and not doing any business?
- A Yes: it went out.
- Q And has done no business since that?
- A Yes.
- Q Have you the minute book of the U. S. Commercial Agency and Collecting Company upon its organization?
- A Yes sir.
- Q Will you produce it?

Book produced and pages 29 and 30 are marked Defendants Ex. B. and C.

Objected to by counsel for the People
Objection overruled.

Exception.

- Q You stated the other day that Mr. Hallen commenced no action except as directed so to do by the U. S. Commercial Agency and Collecting Co.
- A I did not state that.
- Q As a matter of fact was not the only attorney acting for the

U. S. Commercial Agency and Collecting Co. Mr. Hallen?

A You were Attorney.

Q The only attorney?

A No, because there were other attorneys.

Q Was there any other attorney acting for the clients who came to the office of the U. S. Commercial Agency and Collecting Company except James D. Hallen?

A We have others.

Q In the city of New York?

A No other attorney.

Q Or in the state of New York?

A A great many others.

Q Is it not a fact Mr. Jones that all actions prosecuted for clients who came to the office of the Commercial Agency in the city of New York or the state of New York were prosecuted by Mr. Hallen?

A That is not the fact.

Q Who succeeded Mr. Hallen as attorney for the U. S. Commercial Agency and Collecting Co.?

A Mr. Mallory.

Q Do you mean to so swear?

A I do.

Q Who succeeded Mr. Hallen as attorney for clients in cases ~~theretofore~~ commenced and prosecuted by Mr. Hallen after he left the office of the U. S. Commercial Agency and Collecting Co.?

A Mr. Mallory.

Q Is it not a fact that when Mr. Hallen gave up the business of his clients in cases which he prosecuted while in the office of the U. S. Commercial Agency and Collecting Co. that Mr. Henry Halsey acted as attorney?

Objected to.

Objection overruled.

Exception.

A Yes.

Q Is it not a fact that Mr. Hallen when he gave substitutions for another attorney to act for his clients substituted Mr. Henry Halsey?

A Yes.

Q When Mr. Halsey ceased to be attorney for Mr. Hallen's clients who was substituted, what attorney was substituted in his stead?

Objected to.

Objection overruled.

Exception.

Q (Repeated with the addition) I refer to cases commenced by Mr. Hallen, while he was at 280 Broadway with the U. S. Commercial Agency and Collecting Co.?

A Mr. George H. Mallory.

Q When Mr. George H. Mallory left 280 Broadway, the office of The U. S. Commercial Agency and Collecting Co. who was substituted as attorney for the plaintiffs and defendants for whom Mr. Hallen had commenced or defended actions?

A J. T. Canavan.

Objected to.

Objection overruled.

Exception.

Q From the time that Mr. Hallen gave up the business that he conducted at 280 Broadway for the U. S. Commercial Agency and Collecting Co. down to the present time has the business been conducted by other attorneys admitted to practice in the Supreme Court of the state of New York? Is that true?

A Attorneys employed by the Company on salary.

Objected to.

Q (Repeated)

A Yes.

0373

Q As a matter of fact the U. S. Commercial Agency never did and never would prosecute or have any connection with any party?

Objected to.

Q Was the name of the U. S. Commercial Agency and Collecting Co/ upon any of the papers in any of the cases prosecuted by Mr. Hallen for his clients while he was in the office of the U. S. Commercial Agency and Collecting Co. down to the present time?

A Certainly not.

Q You had Mr. Hallen arrested before Police Justice Gorman?

A I did.

Q What was the charge there?

A Grand Larceny.

Q Was it dismissed?

A It was.

Q Upon that dismissal you made an affidavit?

A I did.

Q Did Mr. Hallen make and file a statement "I have been Counsel for the U. S. Commercial Agency and Collecting Co. and in due time the money by me received would have been paid by me to the company. I have in fact offered to pay

(S)

0374

the money by check when demanded, which was on Sunday, and the check was refused. I received the money, but I did not intend to keep it, and I have not committed larceny."?

A Yes: you made that statement.

Q And did you W. G. Jones make the following statement "W. G. Jones being duly sworn says:- " I have read the statement of the defendant, I have reason to believe the same to be true. Whereupon the deponent requests that the defendant be discharged."?

A I made that affidavit.

Q Before the Judge?

A Yes.

Q At the time that you made this affidavit did you also swear before Judge Gorman that between the 23rd day of May¹⁸⁸⁹ and the date of the complaint, this company had in its employ one James D. Hallen?

A I do not remember.

0375

THE COURT:- You can get a copy of the affidavit.

Adjourned to October 14th 10 A. M.

0376

• Detective Bureau •

300 MULBERRY STREET

MEMORANDUM

TIME.....M.

NAME OF OFFICER:

NEW YORK.....188

S. E. Chamberlain
Menden Weatherfield
Hingham

Just R. Johnson

Mrs S. E. Chamberlain
26th March '91

0377

3/ Tuesday. Morning Feb 10

Patient dozing quietly -

Pulse 85.

Temperature $98\frac{1}{2}$ } at 11 am.

Respiration 38.

Flax seed poultice at 1.45.

Miner's acid & drops at 2.45.

Pulse at 6 P.M. 86.

Temperature 98.

Hypodermic at 10. 1/4 gr.

Flax seed poultice at 9.20.

Max. temperature at 8.50 & 11.20.

Patient looks fairly well 25 days

Sleep fairly well.

Wednesday Morning. Had breakfast

at 8.45. (steak, sausage, tea)

Hypodermic at 10 am. 1/6 gr.

Patient looks fairly well this morning

has not taken any medicine since

last night. Pulse temperature normal.

Had lunch at 4.40. Oyster stew

Had dinner at 7 P.M. Corn beef &

cabbage!!! took no medicine since

0378

Sunday Night Feb the 8th

Had one more movement of bowels
since 2.30. P.M. Urine at 5th - 3rd 11

Bowels moved at 7.30. vomited
at 7.30 a little phlegm - white
and stringy

Temperature at 8. 98.4

Pulse " 68

Hypodermic 1/6 gr at 8.30.

Monday Morning Feb 9th

Enema of 2 Eggs & hyposol spent
by rectum at 2 P.M. Retained
it very good. No vomiting

since 7.30. Bowels moved at 2.45
could not retain the Enema any
longer. Movement of bowels at 6.45

vomiting also - had vomies at 6 & 10

Enema at 8.40. 3rd 11 (nutritive)

Bowels moved at 9.45. Thin, dark.

Hypodermic at 11.15 - 1/6 gr.

Patient did not sleep much
vomited at 4.30. had vomies at 5.

Retained the nutritive Enema for 1 1/2

0379

1/2 Saturday Night - Feb 7th

Patient very restless. vomited three times. Greenish bile. Passage of brown stool - & urine - took Cow twice. ^{15 drs} Hyoscyanine 3 drops once. Milk a half tumbler full once. Slept for about 1 3/4 hrs -

Sunday Morning - Feb 8th

Nux vomica 15 grains at 9 - Slept for 1 1/2 hrs. Temperature at 10. 99 3/5. 1 hr - vomited once This forenoon - and this P.M. also Nux vom. at 2 P.M. Milk twice - Bouillon at 3 P.M. Passage of stools at 2.30. & urine. Morphine gr at 2.55. 7 gr Hypodermic 1/6 gr. at 6 P.M. } Sunday night Slept about 3 hrs - no vomiting since 5.30 - vomited at 10 past 1. A.M. and then only phlegm. vomited again at 2 A.M. Nux vomica 15 drs. at 2.10. Slept off & on for about 4 hrs & half -

0380

David T. Griffin
Carl E. Warner

Amos F. Hunt
Willard C. Warner
Assistant

Griffin, Warner & Hunt,
Attorneys and Counselors

33 Campau Buildings
3rd Floor
Dictated by L.T.G.

Detroit, Mich. April 18, 1891

Hon. Robert Townsend,
Deputy Ass't Att'y,
New York City, N.Y.

Dear sir,

Yours of April 17th to Mr. Dunning has been received by him and submitted to me. I have also received a letter from Mr. Lynn, Assistant District Attorney. I have written him that Mr. Dunning will be on hand on Monday morning, May 4th. He will probably arrive in New York on the afternoon of Sunday. I have replied to your letter out of abundant caution, so that one of you will be sure to get the information.

Hoping this is satisfactory, believe me,

Very truly yours,

David T. Griffin

0381

Levi F. Griffin
Carl E. Warner

Griffin, Warner, Hunt & Berry
Attorneys and Counselors

Commander F. Hunt
J. Chas. Berry
Willard C. Warner
Assistant

33 Campau Building
3rd Floor

Dictated by L.T.G.

Detroit, Mich. March 26th, 1891

Hon. De Lancey Nicoll,
Care Cowen, Dickerson, Nicoll & Brown,
15 Wall Street, New York.

Dear sir,

Our client, Mr. W. H. Dunning, of this city advises us that he has conferred personally with you with reference to the assault committed upon him in New York by his nurse John Johnson. I presume you will recall the facts. According to his statement the case is fixed for April 1st. Mr. Dunning desires me to write you. He has been sick for some days and is sick now and does not think it probable that he will be able to travel to New York as early as that day. Can you, therefore, arrange for a postponement of a week or ten days.

Please let me hear from you.

Very truly yours

Levi F. Griffin

This gentleman tried the
"Asphalt" case for us.
Case

Mr. Johnson said -
I want to
oblige Dunning
if possible

0382

Dr. Samuel A. Vinson.

I am as usual
a practicing physician.

0383

and must be at home
by one o'clock p.m.

Can you not tell
me positively whether
the case is in the hands

0384

No. 1.

408

District Attorney's Office.

PEOPLE

vs.

Hallen

*Requesting that
the remaining indict-
ments be tried, or
dismissed.*

*Their sole interest,
however, is to have
the \$1000. def. refunded,
which can be done by
discharging defend-
ant on his own
recognizance.*

0385

CAMPBELL & MURPHY,
ATTORNEYS AT LAW,
No. 265 BROADWAY.
F. C. CAMPBELL.
ARTHUR MURPHY.

New York, Feb 24 1892

Handkerchief, Notice,

District Attorney,

Dear Sir!

On May 7th 1891, three
indictments for grand
larceny in the second
degree were found by
the grand jury of this
County against me James
D. Hallen.

On the same day the de-
fendant was arrested
held in \$1000. bail, and we
deposited that amount in
cash with the City Chamberlain,
in ~~his~~ lieu of bail.

0386

CAMPBELL & MURPHY,
ATTORNEYS AT LAW,
No. 265 BROADWAY.

T. G. CAMPBELL,
ARTHUR MURPHY.

2.

New York, 189

One of these cases was tried
last week before Judge Felt;
a general, the prosecution
being conducted by Mr. Davis.
The trial lasted five days
and resulted in an acquittal.
We understand that the two
other indictments, which remain
untried, involve facts substantially
the same as those in the case
that has been disposed of.
Mr. Davis states that he does
not wish to try the other cases
and suggests that we should
write to Ryan to make a speedy
disposition thereof.
If they are not going to be tried
we would like to get our money
back, as we can make very
good use of that \$1000.
Will you recommend the dis-
missal of these cases, or
direct that they be tried at once
and oblige you Respectfully
Campbell & Murphy
att.

0387

Western Union Mutual Life Society

W. H. Bruce, Pres.
Ford D. Finchman, V.P.

of the United States

Butler Fox, Treas.
L. M. Thayer, Secy.

L. M. Thayer, W. H. Dunning.
ADDRESS:
Thayer & Dunning, Mangers.

Detroit, Mich., May 7th 1891

Mr Robert Townsend
Assistant District Attorney
New York

Dear Sir

Yours to the per Griffin Warren or that
having the 18th instant as the day when Johnson will
be tried. and when I must be there. Has handed
me and I will be there. You need have
no fears of failure this time. I must say that
I am much indebted to you for meeting
my request, founded on necessity

I am dear Sir

Very respectfully

W. H. Dunning
106. Jay Street
Detroit Mich

0388

District Attorney's Office.

PEOPLE

Learn presented
of the people a
few more along
the same line.

Before the marriage

District Attorney's Office.

PEOPLE

It is my

It is my duty to
have the people
the same

to the people
the same

0389

IN RE People

P. O. Box 3682.

THE U. S. COMMERCIAL AGENCY
AND
COLLECTING COMPANY,
280 BROADWAY.

Hallam

NEW YORK, Brooklyn Dec 27

Ass't Dist Atty Davis

Brooklyn

I am in receipt of a letter from Henry W. Menger Esq
Seyla Westally requesting me to call
on you with proofs in above named
case.

I regret to say I will not be able to
do so for a week or so as I am

0390

Confined to my room with a carbuncle
on the back of my neck. Meantime,
please let me know at what hour
of the day it will be most conve-
nient for you to see me and I
will come the first day I go over to
New York

Yours Very Respectfully

Wm. L. Garrison

511 3rd St Brooklyn

0391

STENOGRAPHER'S MINUTES.

2 District Police Court.

THE PEOPLE, &c., IN COMPLAINT OF

U. S. Com. Agents & Collectors

Jones

vs.

Haller

BEFORE HON.

Daniel O'Reilly

POLICE JUSTICE,

Oct 14

1888

APPEARANCES:

{ For the People,

{ For the Defence,

188

INDEX.

WITNESSES.

Direct Ex.

Cross Ex.

Re-Direct.

Re-Cross.

Cross of Complainant

125

W. L. O'Connell

Official Stenographer.

P O L I C E C O U R T
SECOND DISTRICT

T H I R D D A Y.

October 19.

U. S. Com. Agency

Jones v Hallen.

CROSS EXAMINATION of the complaining witness continued
by Mr. Hallen.

- Q. On the last day you testified that all of the actions commenced by Mr. Hallen while in your office, after his leaving, were transferred to Mr. Falsey and from Mr. Falsey to Mr. Mallory, was that true? A. I believe it is true.
- Q. Will you swear to it? A. Most all of them were. The intention was that all should be.
- Q. That was the intention? A. Yes. Most of them were.
- Q. As a matter of fact did not some of the clients refuse to give substitutions to Mr. Falsey or Mr. Mallory?
- A. I think some did. It was only a very few.
- Q. Is it not a fact that in more than fifty cases in which Mr. Hallen was attorney of record, his clients refused to grant substitutions to either Mr. Falsey or Mr. Mallory or to Mr. C.---
- A. No they did not.
- Q. Will you swear to that? A. Not that I heard of. I think not.
- Q. Will you swear they did not? A. I will not swear that they did not. I think not.
- Q. Don't you know the fact that in some cases that were commenced by Mr. Hallen in the City of New York that the papers were t

taken from the records of the City Court and the name of Mr. Mallory who was then the attorney of the Agency written in in your office, or the office of the United States Commercial Agency and collecting Company after the order had been signed by the Court substituting some other attorney?

Objected to.

Objection overruled

Exception.

A. There was one case in which there was Mr. Mallory's name written in in place of Mr. Hallen or Talsey, I am not sure which, whether it was done in my office I do not know.

Q. You do not know? A. I do not know whether it was done in my office or not.

Q. You were present at the examination before Judge McAdam?

A. I was.

Q. Don't you know that it was proved in that case that it was done in your office? A. I do not.

Q. Do you swear that? A. I swear I do not know.

Q. Will you swear that you did not hear witnesses so testify?

A. I swear I don't remember it.

RE-DIRECT

Q. What case was that you referred to in which a change of attorneys was made? A. The case I had reference to was the case in which Higgins had written Mallory's name in place of others.

Q. That was the case of Smith versus Chapin? A. Yes.

Q. Who was Mr. Higgins? A. He was the attorney employed in our office.

Q. At the time the change was made? A. Yes.

RE-CROSS

- Q. Is it not a fact that after Mallory's name had been written in Mr. Mallory signed a substitution allowing Smith, R-- & Close to become attorneys in that action? A. Yes.
- Q. Is it not a fact that Judge McAdam vacated and set aside the order and the order making Mr. Mallory attorney?

Objected to.

Objection overruled.

Exception.

A. I do not know.

- Q. Do you swear to that? A. I swear to that.

Mr. Hallen calls the attention of the Court to the opinion of Judge McAdam in the case of Smith v Chapin.

CROSS EXAMINATION continued

- Q. Do you remember that before Justice Gorman you swore that your present Company the United States Commercial Agency and Collecting Co. had Mr. Hallen in its employ from the year 1888 to December 1889?
- Objected to.
- A. I do not remember -- It is some time ago. I do not remember.
- Q. Do you remember that in the affidavit submitted by you on which Mr. Hallen was arrested that you swore that Mr. Hallen was in the employ of the United States Commercial Agency from 1888 to December 1889? A. I do not remember.
- Q. If you did so swear was it true? A. What.

2

- Q. February 1888? A. No, not the United States Commercial Agency.
- Q. If you swore so it was not true? A. It was a mistake.
- Q. Have you also made the same mistake before Judge Gorman and Judge White and Judge O'Reilly -- did you not? A. I said I did not remember.
- Q. I understand you that if you did say the same before Judge Gorman and Judge White and Judge O'Reilly that you made a mistake? A. Yes.
- Q. The same mistake? A. Yes.
- Q. Were you present when Mr. Hallen was discharged on that charge before Justice White? A. I was.
- Q. Did Judge White refuse absolutely to hear you or your counsel? A. He did.
- Q. And after that you went before his Honor Judge O'Reilly on September 4, that on the 31st of December certain money had been feloniously taken, stolen and carried away i.e. the property of the said Company, -- whose money was that?
- A. The money that I took out of the cash drawer as treasurer, part of it, and part of it was a check on the bank money of the Company.
- Q. Money that had been previously remitted to you? A. No, sir not a cent of it.
- Q. Money that you had charged up to Mr. Hallen's clients?
- A. To our clients.
- (Struck out on motion.)
- Q. (Repeated) A. After paying it to you -- yes they were your clients.

67

0396

5

Mr. HALLER moves for the discharge of the defendant on the ground that it appears upon the examination that there was no money whatever taken by Mr. Haller the property of the complainant.

Motion granted.

Defendant discharged.

5

2 District Police Court.

U.S. Com. Gen. & Co.
J. J. J. J.

vs.

Hallen

STENOGRAPHER'S TRANSCRIPT.

Oct 14 1884

BEFORE HON.

Daniel O'Reilly

Police Justice.

W. L. Arnoldy

Official Stenographer.

1256 6122.

Court of General Sessions,
City and County of New York.

THE PEOPLE &c.
vs
JAMES D. HALLER.

City and County of New York ss.

William G. Jones, being duly sworn deposes and says, that he is the President of the United States Commercial Agency & Collecting Company:

That this is a proceeding brought for the conviction of James D. Haller upon indictments found by the Grand Jury of New York County for the crime of grand larceny:

That one Newton G. Lucas, who resides at No. 56 Leroy Street, City, is employed at No. 265 Broadway, N. Y. City:

That as deponent is informed and verily believes to be true, the said Lucas is in hiding for the purpose of avoiding and refusing attendance at the Court, as a witness for the People &c.:

That the said Lucas is a very material witness, and one who has an entire knowledge of the transactions &c. of the said James D. Haller, having been bookkeeper and Secretary of the United States Commercial Agency & Collecting Company and is the person who made the entries &c. in the books of the agency at said Haller's request and direction.

That in a conversation had between said Lucas and

this deponent, this deponent informed said Lucas that he would subpoena him, said Lucas, as a witness in another action pending against Mr. Hallen, whereupon said Lucas informed deponent that he would not obey the subpoena if one were served on him, but would leave for Montana as soon as subpoenaed, so as not to testify in Court; and further refused to inform this deponent of the address of his home:

That the testimony of said Lucas is of vital importance to the People of. herein.

This Application is made under Section 819 and 820 to 824 of the Code of Criminal Procedure, New York.

Sworn to before me this
day of May, 1891.

Wm. G. Jones

0400

At a Court of General Sessions of the Peace held in and for
the City and County of New York, at the City
Hall, in the said City on the day of
May 1891- 188-

Present,

The Honorable

Justice.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Indictment for

James D. Hallen

On reading and filing the affidavit of William G. Jones
whereby it appears to the satisfaction of the Court that Newton C. Lucas
a witness herein for the People, and whose testimony is material to the prosecution of this action, is
about to leave the State,

and that a conditional examination on behalf of the People of the said witness, is necessary to the
attainment of justice, and on motion of ^{Delaney Nicoll} ~~James R. Fellows~~, Esquire, District Attorney, it is

Ordered, that the said Newton C. Lucas such witness as aforesaid,
be conditionally examined on behalf of the People, pursuant to the provisions of Section 219 of the
Code of Criminal Procedure, at

in the said City of New York, on the day of 1891, at
the hour of o'clock in the noon of the same day, before the Honorable
one of the Justices of this Court: and it is further

Ordered, that a copy of this order and of the said affidavit on which the same is
granted, be served upon the defendant herein, and his counsel on or before the day of
1891, together with notice of the time and place where the examination
hereby ordered is to be taken.

To
Defendant,
 and

You and each of you will please take notice that the within is a copy of an order this day duly entered in the Court of General Sessions of the Peace, of the City and County of New York, pursuant to § 219 of the Code of Criminal Procedure; and you will further please take notice that the conditional examination therein ordered and directed, is to be taken at

on the day of 188

at o'clock in the noon,

before Mr. Justice

as appears by the said order.

The defendant may be present personally at the examination to confront the witness produced against him.

Yours &c.,
DeLaney Nicoll,
JOHN R. FELLOWS,

District Attorney.

Chicago Local General Sessions.

THE PEOPLE

25.

Affidavit and Order for conditional examination of a witness on behalf of the People, (§ 210, C. Cr. Pro.)

De Lancey Nicoll,
JOHN R. FELLOWS,
District Attorney,
32 Chambers St.,
N. Y. City

Due service of a copy of the within order is hereby admitted this _____ day of _____, 20____.

Attorney and Counsel for the Defendant.

At. Supreme Court
Kings Co.

Myron ^{Trask} et al

Henry Ellensson
et al

Black - Kings Co.

May 1889
10888

Ask in your office whether
the above cause was put on the Calendar
for trial at Circuit whether a writ of
Habeas has been filed for that purpose
between Jan 10/1889 and Jan 10. 1890 -
and whether same was tried at Circuit.
Also ascertain whether any fees were
paid to you for filing original sum-
mons & complaint - or any fees for
jury were paid you or whether any
fees were paid you for filing security
for costs. all between above dates
May 1. 1891

A. D. Leohnson

Atty 280 Broadway
N.Y. City

June 19/90 Highest number reached
to date No 745. No 858. never reached
& could not have been tried at Circuit -

John D. Byrne
Calendar Clerk Part I.

Supreme Court

Myron Fish et al

vs

Henry E. Mindow
et al

I William Kaiser Clerk of the County of King do certify that I have made an examination of the records and find as follows: That the above cause was on the November Calendar of the Supreme Court and numbered 858.

That the highest number reached on said Calendar was No 734.

That the above cause was never reached for trial nor was the same tried or disposed of at Council.

That no fees are charged for filing the summons and complaint -

That no jury fees are collected by me till the cause is actually on trial & none were collected by me in above cause.

That no fees are charged for receiving security ^{or depositing money} for costs.

Dated May 5/91

Wm Kaiser
Clerk

0404

Official Search

of
Book of Court

Wm. J. Dwyer Clerk
Kearney County.

Wm. J. Dwyer Clerk

TS

Henry E. Winters

0405

AND JURY ROOM.

PEOPLE

VS.

James D. Hallen

0406

Mr. Geo. C. Brisden.

Deputy Warden
C. S. P.

Court of General Sessions,
City and County of New York.

THE PEOPLE vs.
vs
JAMES D. HALLON.

City and County of New York ss.

William T. Jones, being duly sworn deposes and says, that he is the President of the United States Commercial Agency & Collecting Company:

That this is a proceeding brought for the conviction of James D. Hallon upon indictments found by the Grand Jury of New York County for the crime of grand larceny:

That one Newton S. Lucas, who resides at No. 56 Leroy Street, City, is employed at No. 335 Broadway, N. Y. City:

That as deponent is informed and verily believes to be true, the said Lucas is in hiding for the purpose of avoiding and refusing attendance at the Court, as a witness for the People vs.:

That the said Lucas is a very material witness, and one who has an entire knowledge of the transactions of the said James D. Hallon, having been bookkeeper and Secretary of the United States Commercial Agency & Collecting Company and is the person who made the entries in the books of the agency at said Hallon's request and direction.

That in a conversation had between said Lucas and

0408

this deponent, this deponent intended said Lucas that he would subpoena him, said Lucas, as witness in another action pending against Mr. E. E. Egan, whereupon said Lucas intended deponent that he would not obey the subpoena if one were served on him, but would leave for Montana as soon as subpoenaed, or as soon as advised to do so; and further refused to furnish this deponent with the address of his home:

That the above deponent did so in order to avoid the performance of his duty as a citizen.

This Application is made under Section 513 and 520 of the Code of Civil Procedure, New York.

Subscribed and sworn to before me this

9th day of May, 1931.

Wm. J. Jones
Henry W. Winger
 Notary Public
myl

0409

LAW OFFICES OF
 HOBART L. HOTCHKISS,
 158 CHURCH STREET,
 [Rooms 6 to 9.]
 REPRESENTING
 The Bradstreet Mercantile Bureau,
 Commissioner for the several States, etc.

New Haven, Conn.,

May 7th 1891.

Robert Townsend Esq.
 Assistant District Attorney:
 My Dear Sir:

Your favor of the 5th inst.
 relating to my attendance upon the trial
 of John R. Johnson, May 15th, is received.

I think I can arrange to be present,
 but should like more definite information
 as to the hour &c.

I assume that the expenses you state
 will be paid will include a reasonable
 sum for my time as well as disbursement.

You speak of Johnson being on trial
 here in 1884. It was in 1874 that
 his second trial took place.

Yours truly
 Hobart L. Hotchkiss

0410

P. O. BOX 3682

In Re The People

THE U. S. COMMERCIAL AGENCY
AND
COLLECTING COMPANY,
280 BROADWAY.

VS.

James Wallace

NEW YORK.

John A. Hendry Esq.

Lt. Col.

I forgot to
give you the names of the witnesses
I would like to have mentioned
before the Grand Jury to support
my testimony against the accused.
They are

M. E. Jones, Post Master of this Co.

George L. Mason Sec. of this Co.

J. F. Cameron Attorney at Law 120 Broadway.

John O'Hall and W. S. Post Atty for Southern
District of New York, N.Y. City.

James E. Ferris 213 Montague St

Brooklyn N.Y.

David Welch of your (Attly's) office.

There are other witnesses who will
be useful in the case you before
the Grand Jury, but their testimony
is not needed just now.

Yours Very Respectfully

Wm. E. Jones.

0411

LAW OFFICES OF
 HOBART L. HOTCHKISS,
 158 CHURCH STREET,
 [Rooms 6 to 9,]
 REPRESENTING
 The Bradstreet Mercantile Bureau,
 Commissioner for the several States, etc.

New Haven, Conn.,

May 13. th 1891.

Robert Townsend Esq.
 Assistant District Attorney N.Y.

Dear Sir: Your favor of the 12th inst.
 received. At the time of the trial of
 Johnson in 1872-4 I was a deputy sheriff,
 while pursuing my legal studies, and had
 occasion to take him from and from the
 Court-house and jail. I also loaned
 him books to read, that I never recovered.

I have a good recollection of his appearance
 at that time, and think I should know
 him now without doubt. I will come
 down Monday and be present at 11 o'clock.

I shall be obliged to return that
 evening.
 Yours truly,
 Hobart L. Hotchkiss

04 12



WARDEN'S OFFICE,
CONNECTICUT STATE PRISON,

Wethersfield, Conn. May 14 1891

Mr Townsend
Dear Sir

The Warden has
returned and Mr Taylor was
here and said you wanted me
to come down this 18th if nothing
happens to prevent I will be
there on Monday 18th

Yours Respect -
J. E. Bairden

0413

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 D. HALLEN.

The Grand Jury of the City and County of New York,

by this Indictment, a c c u s e JAMES D. HALLEN of the

Crime of PETIT LARCENY, committed as follows:

T h e said James D. Hallen, late of the City of New York, in the County of New York aforesaid, on the ~~30th~~ day of ~~November~~ in the year of our Lord one thousand eight hundred and ~~eighty~~, at the City and County aforesaid, with force and arms, with intent to deprive and defraud a certain corporation called the United States Commercial Agency and Collecting Company, by which said corporation he was then and there employed as attorney, having as such attorney the management and conduct on behalf of the said corporation of certain suits at law and civil actions, and amongst others the action hereinbelow mentioned, of the proper moneys, goods, chattels and personal property herein-after mentioned, and of the use and benefit thereof, and to

-2-

appropriate the same to his own use, did then and there feloniously, fraudulently and falsely pretend and represent to one William G. Jones, who was then and there the President of the said corporation,

T H A T he the said James D. Hallen, as such attorney had then lately before advanced and paid to the clerk of the *Richmond County of New York* for and on account of the said corporation, the sum of thirteen dollars and fifty cents, as and for jury fees in a certain action entitled *The N. C. Smith Company* against *X* ~~the said~~ then pending in the *New York Supreme Court*, and that the said corporation was then and there by reason of such advance and payment justly indebted to him the said James D. Hallen in the said sum of thirteen dollars and fifty cents.

A n d the said William G. Jones then and there believing the said false and fraudulent pretenses and representations so made as aforesaid by the said James D. Hallen and being deceived thereby, was induced, by reason of the false and fraudulent pretenses and representations so made as aforesaid, to deliver, and did then and there deliver to the said James D. Hallen, the sum of thirteen dollars and fifty cents in money, lawful money of the United States of America, and of the value of thirteen dollars and fifty cents, of the proper moneys, goods, chattels and personal property of the said corporation.

A n d the said James D. Hallen did then and there

-3-

feloniously receive and obtain the said proper moneys, goods, chattels and personal property, from the possession of the said corporation by color and by aid of the false and fraudulent pretenses and representations aforesaid, with intent to deprive and defraud the said corporation of the same, and of the use and benefit thereof, and to appropriate the same to his own use

W H E R E A S, in truth and in fact, the said James D. Hallen had not then lately before or at any time advanced or paid to the said clerk for and on account of the said corporation the sum of thirteen dollars and fifty cents, or any other sum, as and for jury fees in the said action, and the said corporation was not then and there by reason of any such advance or payment, justly indebted to him the said James D. Hallen in the said sum, or in any other sum.

A N D W H E R E A S, in truth and in fact, the pretenses and representations so made as aforesaid by the said James D. Hallen to the said William G. Jones was and were then and there in all respects utterly false and untrue, as he the said James D. Hallen at the time of making the same then and there well knew.

AND SO THE GRAND JURY AFORESAID, do say that the said James D. Hallen, in the manner and form aforesaid, and by the means aforesaid, the said proper moneys, goods, chat-

04 16

-4-

tels and personal property of the said corporation, then and there feloniously did steal, against the form of the Statute in such case made and provided, and against the peace and dignity of the said people.

DE LANCEY NICOLL,

District Attorney.

04 17

Part 5 June 15. 1900

Chas F W. Coaker 205
105 Bway

Counsel,

Filed

189

Pledge

21 day of Oct. 189
W. J. Berry

THE PEOPLE

vs.

James D. Hallen
(accused)

[Section 22, 23, 24, Penal Code.]

[Section 22, 23, 24, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

W. J. Berry

Foreman.

Part 3. March 3/92.

Indictment dismissed

W. J. Berry discharged

Witnesses:

W. J. Berry

See endorsement on

Indictment # 203 Sept 91.

04 18

POLICE COURT, FIRST DISTRICT.

CITY AND COUNTY OF NEW YORK. : SS.

WILLIAM G. JONES of #380 Broadway, New York, President of the U. S. Commercial Agency and Collecting Company being duly sworn says; that on the *9th* day of *December* 1889, at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent's said company the following property:

Thirteen Dollars and Fifty Cents

the same being good and lawful money of the United States, and that this deponent has a probable cause to suspect and does suspect and positively declares that the said property was feloniously taken, stolen and carried off by James D. Hallen, an Attorney at Law of New York City.

Deponent further alleges; that the said Hallen on or about the said *9th* day of *December*, 1889 was in the employ of the said U. S. Commercial Agency & Collecting Company as its Attorney on a regular salary and as such Attorney had charge of its litigated suits and actions. That one of such cases in charge of said Hallen was the case of *James Scott et al v. E. L. Mead*, pending in *N. Y. Supreme Court*.

Deponent further alleges that on the said *9th* of *Decr* 1889 said Hallen received from this deponent the sum of *Thirteen 50/100* — Dollars to be paid (and claimed by Hallen to have been paid) to the Clerk of the *County of New York* for Jury fees in the

above mentioned case.

Deponent further says; that the said Hallen received and became possessed of said sum by falsely and fraudulently stating, writing and representing to this deponent that the said sum had been previously by him as such Attorney disbursed for the aforementioned purpose in said action, but that in fact said Hallen had never disbursed or paid out the sum aforesaid or any part of the same as alleged by him, but, on the contrary said Hallen did unlawfully and feloniously keep, detain and appropriate the same to his own use, and with the intent and for the purpose of injuring and defrauding said U. S. Commercial Agency and Collecting Company. Deponent further alleges, that the said Hallen never had the said cause placed on the Calendar of the *Said Court* and therefore no Jury fees have been or could have been paid to the Clerk by said Hallen in this case.

Sworn to before me,

1891.

:
:
:

William H. Green

Police Justice.

THE PEOPLE, &c..

12-11-2014

• A M E S D . P A S S I O N .

CITY AND COUNTY OF NEW YORK, : ss.

WILLIAM E. JONES being duly sworn deposes and says: that at all times hereinbefore mentioned, he was and still is the President and Executive of the United States Surety-ship Agency & Collecting Company, a corporation organized and existing under and by virtue of the laws of the State of New Jersey. That he is well acquainted with James G. Hallen, above-named, and also has been in the capacity of Depo- nents' Agency as the Attorney at a regular weekly salary. Depo- nent further alleges that on or about January 5th, 1890, the said Hallen called at this Depo- nent's office to sign substitutions of attorneys, in his place as the Attorney of Record in over two hundred cases.

That at the time said Hallen separated such papers into two separate piles, of which the smaller pile numbered twenty-two cases. Dependent thereupon asked the said Hallen why he separated said papers and said Hallen replied that he "remembered three cases" referring to the papers in the smaller pile. Dependent thereupon asked said Hallen what he meant by that, and whether he meant to inform this deponent that he, said Hallen, remembered that he had stolen the coats in these twenty-two cases. Said

Hallen thereupon said "yes" and admitted that he did steal the costs in the twenty-two suits in such papers mentioned. That among that pile of twenty-two cases, was the case of *James Scott et al vs E. L. Mead*.

This such admission was made in the presence of Mr. H. C. Board, the Secretary of the Agency and Mr. Henry Halley the ~~Assistant~~ *Maquay Clerk*. Defendant further alleges that the amount stolen by Hallen in the aforementioned case was \$20 ⁵⁰ Defendant further alleges that he caused Hallen to make a statement of such admission by which

from before me } *William G. Isaac*
 Sept 9, 1891

Geo L Ranch
McKay, Public
Tray Co

1st DISTRICT POLICE COURT.

THE PEOPLE, vs.,

against

JAMES D. HALLER.

CITY AND COUNTY OF NEW YORK. : ss.

NEWTON C. LUGAS being duly sworn deposes and says:
 that he was the Secretary and Book-keeper of the United
 States Commercial Agency & Collecting Company, a corpora-
 tion duly organized and existing under the laws of the
 State of New Jersey, and was such Secretary and Book-keeper
 from August 1st, 1889 up to ~~September~~ ^{August} 1890. That he
 is well acquainted with James D. Haller, above-named, said
 Haller being employed as the Attorney for said Agency at a
 regular weekly salary and had no interest in fees and costs
 in the cases hereinafter mentioned. That said Haller
 called at the office of said Company on or about January
 8th, 1890 to sign, and did sign substitutions of Attorney
 in about two hundred cases in which said Haller appeared
 as Attorney of Record. That among such cases was the case
 of *James V. Scott vs. C. L. Head* then
 pending in the Supreme Court of New York County. Depo-
 nent further states that at the same time and place and in
 the presence of William G. Jones, Henry Halsey and this
 deponent said Haller examined and separated into two sepa-
 rate piles the said substitutions, and upon being asked by

0423

Mr. Jones who he separated the piles, answered that he, said Hallen, remembered that he had received and misappropriated all the costs in said cases referred to, of which there were twenty-two, and among which said cases was the case of

James I. Scott et al
against
Edwin L. Mead.

That deponent thereupon at Mr. Jones' request made a memorandum of this admission, and further compared the packages with the records in his charge and ascertained that the amounts received by said Hallen in each of said twenty-two cases was from \$18.00 to \$20.50. That said Hallen misappropriated the sum of *70 50* in the case of *James I. Scott vs E L Mead* hereinbefore referred to.

Sworn to before me, :
September 9th 1891. :

Newton C. Lucas

Geo L. Runci
Notary Public
W. V. Co.

0424

DISTRICT ATTORNEY'S OFFICE.

City and County of New York.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William J. Jones
230 Broadway
James D. Hallen
(12 cases)

Office of the District Attorney

Dated September 11, 1911

Witnesses, Newton C. Lucas

No. 84 West Broadway Street

No. Street,

No. Street,

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 D. HALLER.)

The Grand Jury of the City and County of New York,

by this Indictment, a c c u s e JAMES D. HALLER of the

Crime of PETIT LARCENY, committed as follows:

T h e said James D. Haller, late of the City of New York, in the County of New York aforesaid, on the *ninth* day of *October*, in the year of our Lord one thousand eight hundred and *eighty-nine*, at the City and County aforesaid, with force and arms, with intent to deprive and defraud a certain corporation called the United States Commercial Agency and Collecting Company, by which said corporation he was then and there employed as attorney, having as such attorney the management and conduct on behalf of the said corporation of certain suits at law and civil actions, and amongst others the action hereinbelow mentioned, of the proper moneys, goods, chattels and personal property herein-after mentioned, and of the use and benefit thereof, and to

-2-

appropriate the same to his own use, did then and there feloniously, fraudulently and falsely pretend and represent to one William G. Jones, who was then and there the President of the said corporation,

T h a t he the said James D. Hallen, as such attorney had then lately before advanced and paid to the clerk of the *County of New York*, — for and on account of the said corporation, the sum of thirteen dollars and fifty cents, as and for jury fees in a certain action entitled *James V. Scott et al against E. L. Mead*, then pending in the *New York Supreme Court* —, and that the said corporation was then and there by reason of such advance and payment justly indebted to him the said James D. Hallen in the said sum of thirteen dollars and fifty cents.

A n d the said William G. Jones then and there believing the said false and fraudulent pretenses and representations so made as aforesaid by the said James D. Hallen and being deceived thereby, was induced, by reason of the false and fraudulent pretenses and representations so made as aforesaid, to deliver, and did then and there deliver to the said James D. Hallen, the sum of thirteen dollars and fifty cents in money, lawful money of the United States of America, and of the value of thirteen dollars and fifty cents, of the proper moneys, goods, chattels and personal property of the said corporation.

A n d the said James D. Hallen did then and there

-3-

feloniously receive and obtain the said proper moneys, goods, chattels and personal property, from the possession of the said corporation by color and by aid of the false and fraudulent pretenses and representations aforesaid, with intent to deprive and defraud the said corporation of the same, and of the use and benefit thereof, and to appropriate the same to his own use

W H E R E A S, in truth and in fact, the said James D. Hallen had not then lately before or at any time advanced or paid to the said clerk for and on account of the said corporation the sum of thirteen dollars and fifty cents, or any other sum, as and for jury fees in the said action, and the said corporation was not then and there by reason of any such advance or payment, justly indebted to him the said James D. Hallen in the said sum, or in any other sum.

A N D W H E R E A S, in truth and in fact, the pretenses and representations so made as aforesaid by the said James D. Hallen to the said William G. Jones was and were then and there in all respects utterly false and untrue, as he the said James D. Hallen at the time of making the same then and there well knew.

AND SO THE GRAND JURY AFORESAID, do say that the said James D. Hallen, in the manner and form aforesaid, and by the means aforesaid, the said proper moneys, goods, chat-

0428

-4-

tels and personal property of the said corporation, then and there feloniously did steal, against the form of the Statute in such case made and provided, and against the peace and dignity of the said people.

DE LANCEY NICOLL,

District Attorn-y.

0429

2074
Part 5 June 15. 1903

Counsel, *W. J. B. Perry*, 1891
Filed *Sept 11*
Plends *Sept 11*

THE PEOPLE
vs.
[Section 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000]

James D. Hallen
(vs. common)

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

W. J. B. Perry

Foreman.

*Part 3. Divided 3. 2. 1.
Indictment, dismissed
Baird, 1891*

Witnesses:

Wm Jones

*See indictment on
Indictment # 203*

Sept 9/1

POLICE COURT, FIRST DISTRICT.

CITY AND COUNTY OF NEW YORK. : SS.

WILLIAM S. JONES of #280 Broadway, New York, President of the N. S. Commercial Agency and Collecting Company being duly sworn says; that on the *15* day of *November* 1889, at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent's said company the following property:

Thirteen dollars and fifty cents
the same being good and lawful money of the United States, and that this deponent has a probable cause to suspect and does suspect and positively declares that the said property was feloniously taken, stolen and carried off by James D. Hallen, an Attorney at Law of New York City.

Deponent further alleges; that the said Hallen on or about the said *15th* day of *November* 1889 was in the employ of the said N. S. Commercial Agency & Collecting Company as its Attorney on a regular salary and as such Attorney had charge of its litigated suits and actions. That one of such cases in charge of said Hallen was the case of *Sullivan et al vs. J. C. Little Smith* pending in *Supreme* Court.

Deponent further alleges that on the said *15th* of *Novbr* 1889 said Hallen received from this deponent the sum of *Thirteen & 50/100* Dollars to be paid (and claimed by Hallen to have been paid) to the Clerk of the *County of New York* for Jury fees in the

above mentioned case.

Deponent further says; that the said Hallen received and became possessed of said sum by falsely and fraudulently stating, writing and representing to this deponent that the said sum had been previously by him as such Attorney disbursed for the aforementioned purpose in said action, but that in fact said Hallen had never disbursed or paid out the sum aforesaid or any part of the same as alleged by him, but, on the contrary said Hallen did unlawfully and feloniously keep, detain and appropriate the same to his own use, and with the intent and for the purpose of injuring and defrauding said J. J. Commercial Agency and Collecting Company. Deponent further alleges, that the said Hallen never had the said cause placed on the Calendar of the *Supreme Court* and therefore no jury fees have been or could have been paid to the clerk by said Hallen in this case.

Sworn to before me, :
1891. :

Wm. G. Jones

Police Justice.

THE PEOPLE, &c.,

against

JAMES D. HALLEN.

CITY AND COUNTY OF NEW YORK. : ss.

WILLIAM C. JONES being duly sworn deposes and says: that at all times hereinbefore mentioned he was and still is the President and Treasurer of The United States Commercial Agency & Collecting Company, a corporation organized and existing under and by virtue of the laws of the State of New Jersey. That he is well acquainted with James D. Hallen, above-named, and who has been in the employ of deponent's Agency as the Attorney at a regular weekly salary. Deponent further alleges that on or about January 8th, 1900, the said Hallen called at this deponent's office to sign substitution of attorney in his place as the Attorney of Record in over two hundred cases.

That at the time said Hallen separated such papers into two separate piles, of which the smaller pile numbered twenty-two cases. Deponent thereupon asked the said Hallen why he separated said papers and said Hallen replied that he "remembered these cases" referring to the papers in the smaller pile. Deponent thereupon asked said Hallen what he meant by that, and whether he meant to inform this deponent that he, said Hallen, remembered that he had stolen the costs in these twenty-two cases. Said

Hallen thereupon said "yes" and admitted that he did steal the costs in the twenty-two suits in such papers mentioned. That among that pile of twenty-two cases, was the case of *Fulkerson v Donath*.

That such admission was made in the presence of Mr. H. C. Jones the Secretary of the Agency and Mr. Henry Halsey the ~~Assistant~~ ^{Managing Clerk}. Deponent further alleges that the amount stolen by Hallen in the aforementioned case was \$20 ⁵⁰/₁₀₀.

Deponent further alleges that he caused said Jones to make memoranda of such admission by Hallen which was done.

Sworn to before me this 9th of Sept 1891
 Geo L. Hunt
 Notary Public
 New York

1st DISTRICT POLICE COURT.

.....X
 THE PEOPLE, &c.,
 :
 against
 :
 JAMES D. HALLEN.
 :
X

CITY AND COUNTY OF NEW YORK : .

NEWTON J. LUCAS being duly sworn deposes and says;
 that he was the Secretary and Book-keeper of the United
 States Commercial Agency & Collecting Company, a corpora-
 tion duly organized and existing under the laws of the
 State of New Jersey, and was such Secretary and Book-keeper
 from August 1st, 1889 up to ~~September~~ ^{August} 1890. That he
 is well acquainted with James D. Hallen, above-named, said
 Hallen being employed as the Attorney for said Agency at a
 regular weekly salary and had no interest in fees and costs
 in the cases hereinafter mentioned. That said Hallen
 called at the office of said Company on or about January
 8th, 1890 to sign, and did sign substitutions of Attorney
 in about two hundred cases in which said Hallen appeared
 as Attorney of Record. That among such cases was the case
 of Sullivan Drew & Company against J. Mattie Smith then
 pending in the Supreme Court of New York County. Depo-
 nent further states that at the same time and place and in
 the presence of William G. Jones, Henry Halsey and this
 deponent said Hallen examined and separated into two sepa-
 rate piles the said substitutions, and upon being asked by

Mr. Jones why he separated the piles, answered that he, said Hallen, remembered that he had received and misappropriated all the costs in said cases referred to, of which there were twenty-two, and among which said cases was the case of

Sullivan Bros & Company
agst
S. Mattie Smith

That deponent thereupon at Mr. Jones' request made a memorandum of this admission, and further compared the packages with the records in his charge and ascertained that the amounts received by said Hallen in each of said twenty-two cases was from \$18.00 to \$20.50. That said Hallen misappropriated the sum of *20⁵⁰/₁₀₀* in the case of *Sullivan Bros & Co. agst S. Mattie Smith* hereinbefore referred to.

Sworn to before me, — :
 September 9th 1891. :

Newton C. Lucas
Geo. J. Hauch
Notary Public
May 6

0436

DISTRICT ATTORNEY'S OFFICE.

City and County of New York.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Wm. Jones
280 Bway
James D. Hallen
(12 cases)

Offence. Petit Larceny

Dated Sept 11 1891

Witnesses, Newton C. Lucas

No. 84 W. Broadway Street,

No. Street,

No. Street,

-2-

appropriate the same to his own use, did then and there feloniously, fraudulently and falsely pretend and represent to one William G. Jones, who was then and there the President of the said corporation,

T H A T he the said James D. Hallen, as such attorney had then lately before advanced and paid to the clerk of the *County of New York*, for and on account of the said corporation, the sum of thirteen dollars and fifty cents, as and for jury fees in a certain action entitled *Dutton et al against D. Walter Smith* then pending in the *New York Supreme Court*, and that the said corporation was then and there by reason of such advance and payment justly indebted to him the said James D. Hallen in the said sum of thirteen dollars and fifty cents.

A n d the said William G. Jones then and there believing the said false and fraudulent pretenses and representations so made as aforesaid by the said James D. Hallen and being deceived thereby, was induced, by reason of the false and fraudulent pretenses and representations so made as aforesaid, to deliver, and did then and there deliver to the said James D. Hallen, the sum of thirteen dollars and fifty cents in money, lawful money of the United States of America, and of the value of thirteen dollars and fifty cents, of the proper moneys, goods, chattels and personal property of the said corporation.

A n d the said James D. Hallen did then and there

-3-

feloniously receive and obtain the said proper moneys, goods, chattels and personal property, from the possession of the said corporation by color and by aid of the false and fraudulent pretenses and representations aforesaid, with intent to deprive and defraud the said corporation of the same, and of the use and benefit thereof, and to appropriate the same to his own use

W H E R E A S, in truth and in fact, the said James D. Hallen had not then lately before or at any time advanced or paid to the said clerk for and on account of the said corporation the sum of thirteen dollars and fifty cents, or any other sum, as and for jury fees in the said action, and the said corporation was not then and there by reason of any such advance or payment, justly indebted to him the said James D. Hallen in the said sum, or in any other sum.

A N D W H E R E A S, in truth and in fact, the pretenses and representations so made as aforesaid by the said James D. Hallen to the said William G. Jones was and were then and there in all respects utterly false and untrue, as he the said James D. Hallen at the time of making the same then and there well knew.

AND SO THE GRAND JURY AFORESAID, do say that the said James D. Hallen, in the manner and form aforesaid, and by the means aforesaid, the said proper moneys, goods, chat-

0440

-4-

tels and personal property of the said corporation, then
and there feloniously did steal, against the form of the
Statute in such case made and provided, and against the
peace and dignity of the said people.

DE LANCEY NICOLL,

District Attorney.

Witnesses:

Wm J Jones

The defendant has already
been tried on a charge
similar to this. He was
acquitted. I am quite
sure that it would be
impossible to convict him
upon any of the ^{fourteen} ~~thirteen~~
indictments now pending against
him. I therefore recommend
that ~~he be discharged~~ ^{he be discharged}
~~he be discharged~~ ^{he be discharged}. This
recommendation applies
to all of the ~~thirteen~~ ^{fourteen}
indictments.

Mar. 30/92 U. M. Davis -
Acst

Counsel,

189

day of Sept

Pleaded *Not Guilty*

THE PEOPLE

vs.

James D. Hadden
(12 cases)

[Sections 223, 224
Grand Larceny,
Hog-ree,

Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

W J Berry

See endorsement ^{foreman.} ~~foreman.~~
Mar 30/92 U. M. Davis
Acst-

Part 3 Mar 31. V. M. D
Part 3. March 31/92.

Indictment dismissed
+ Bail discharged

0441

POLICE COURT, FIRST DISTRICT.

CITY AND COUNTY OF NEW YORK. : SS.

WILLIAM G. JONES of #280 Broadway, New York, President of the U. S. Commercial Agency and Collecting Company, being duly sworn, says; that on the *2^d* day of *October*, 1889, at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent's said Company the following property:

Thirteen Dollars and Fifty Cents

the same being good and lawful money of the United States, and that this deponent has a probable cause to suspect and does suspect and positively declares that the said property was feloniously taken, stolen and carried off by James D. Hallen, an Attorney-at-Law of New York City.

Deponent further alleges; that the said Hallen on or about the said *2^d* day of *October*, 1889, was in the employ of the said U. S. Commercial Agency & Collecting Company as its Attorney on a regular salary and as such Attorney had charge of its litigated suits and actions. That one of such cases in charge of said Hallen was the case of *Mark H. Greener vs Sidor I. Item* pending in *the City Court of New York*.

Deponent further alleges that on the said *2^d* of *October*, 1889, said Hallen received from this deponent the sum of *Thirteen 50/100* Dollars to be paid (and claimed by Hallen to have been paid) to the Clerk of the *City Court of New York* for Jury fees in the

above-mentioned case.

Deponent further says; that the said Hallen received and became possessed of said sum by falsely and fraudulently stating, writing and representing to this deponent that the said sum had been previously by him as such Attorney disbursed for the aforementioned purpose in said action, but that in fact said Hallen had never disbursed or paid out the sum aforesaid or any part of the same as alleged by him, but, on the contrary said Hallen did unlawfully and feloniously keep, detain and appropriate the same to his own use, and with the intent and for the purpose of injuring and defrauding said U. S. Commercial Agency and Collecting Company. Deponent further alleges, that the said Hallen never had the said cause placed on the Calendar of the *said Court* and therefore no Jury fees have been or could have been paid to the Clerk by said Hallen in this case.

Sworn to before me,

, 1891.

:
:
:

William S. Jones

Police Justice.

.....X
 THE PEOPLE, &c.,

against

JAMES D. HALLER.

.....X
 CITY AND COUNTY OF NEW YORK. : SS.

WILLIAM G. JONES being duly sworn deposes and says: that at all times hereinafter mentioned he was and still is the President and Treasurer of The United States Commercial Agency & Collecting Company, a corporation organized and existing under and by virtue of the Laws of the State of New Jersey. That he is well acquainted with James D. Haller, above-named, and who has been in the employ of said deponent's Agency as the Attorney at a regular weekly salary. Deponent further alleges that on or about January 8th, 1900, the said Haller called at this deponent's office to sign substitutions of attorney in his place as the attorney of record in over 200 cases.

That at the time said Haller separated such papers into two separate piles, of which the smaller pile numbered twenty-two cases. Deponent thereupon asked the said Haller why he separated said papers and said Haller replied that he "remembered these cases" referring to the papers in the smaller pile. Deponent thereupon asked said Haller what he meant by that, and whether he meant to inform this deponent that he, said Haller, remembered that he had stolen the costs in these twenty-two cases. Said

0445

Hallen thereupon said "yes" and admitted that he did steal the coats in the twenty-two suits in such papers mentioned. That among that pile of twenty-two cases, was the case of *Esmer, or Lili*

That such admission was made in the presence of Mr. N. C. Lucas the Secretary of the Agency and Mr. Henry ~~Wong~~ *Wong* ~~Clark~~. Dependent further alleges that the amount stolen by Hallen in the aforementioned case was \$16%. Dependent further alleges that he caused said books to make memorandums of such admission by Hallen which was done.

*Sworn to before me } William J. Jones
Sept 1. 9. 1891*

*Geo. L. Knuch
Notary Public
May 6'*

1st DISTRICT POLICE COURT.

THE PEOPLE, vs.,

against

JAMES D. HALLAN.

CITY AND COUNTY OF NEW YORK. : SS.

NEWTON C. LUCAS being duly sworn deposes and says:
 that he was the Secretary and Book-keeper of The United
 States Commercial Agency & Collecting Company, a corpora-
 tion duly organized and existing under the laws of the
 State of New Jersey, and was such Secretary and Book-keeper
 from August 1st, 1898 up to ~~September~~ ^{August} 1899. That he
 is well acquainted with James D. Hallan, above-named, said
 Hallan being employed as the Attorney for said Agency at a
 regular weekly salary and had no interest in fees and costs
 in the cases hereinafter mentioned. That said Hallan
 called at the office of said Company on or about January
 8th, 1899 to sign, and did sign substitutions of Attorney
 in about two hundred cases in which said Hallan appeared
 as Attorney. That among such cases was the case
 of *Mark H. Eisner vs. Isida Stein*
 pending in the ^{City} ~~Supreme~~ Court of New York ^{City} ~~County~~. Depo-
 nent further states that at the same time and place and in
 the presence of William G. Jones, Henry Malasy and this
 deponent said Hallan examined and separated into two sepa-
 rate piles the said substitutions, and upon being asked by

10 467

Mr. Jones why he separated the piles, answered that he, said Hallen, remembered that he had received and misappropriated all the costs in said cases referred to, of which there were twenty-two, and among which said cases was the case of *Mark H. Eimer* *a.g.t.*

Isidor Stein.

That Deponent thereupon at Mr. Jones' request made a memorandum of this admission, and further compared the packages with the records in his charge and ascertained that the amounts received by said Hallen in each of said twenty-two cases was from \$18.00 to \$30.50. That said Hallen misappropriated the sum of \$16⁰⁰ in the case of

Eimer against Stein -
heretofore referred to.

Sworn to before me, :
September 9th 1931. :

Newton B. Lucas

Geo L. Rauch
Notary Public
my c

0448

DISTRICT ATTORNEY'S OFFICE.
City and County of New York.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Wm. G. Jones
280 Broadway

James B. Hallen
(12 cases)

Office. Peter L. Lancy

Dated Sept 11 1891

Witnesses, Newton C. Lucas

No. 84 N. Broadway

No. Street,

No. Street,

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 D. HALLEN.)

The Grand Jury of the City and County of New York,

by this Indictment, a c c u s e JAMES D. HALLEN of the
Crime of PETIT LARCENY, committed as follows:

T h e said James D. Hallen, late of the City of New York, in the County of New York aforesaid, on the second day of October, in the year of our Lord one thousand eight hundred and eighty-nine, at the City and County aforesaid, with force and arms, with intent to deprive and defraud a certain corporation called the United States Commercial Agency and Collecting Company, by which said corporation he was then and there employed as attorney, having as such attorney the management and conduct on behalf of the said corporation of certain suits at law and civil actions, and amongst others the action hercinbelow mentioned, of the proper moneys, goods, chattels and personal property herein-after mentioned, and of the use and benefit thereof, and to

-2-

appropriate the same to his own use, did then and there feloniously, fraudulently and falsely pretend and represent to one William G. Jones, who was then and there the President of the said corporation,

T H A T he the said James D. Hallen, as such attorney had then lately before advanced and paid to the clerk of the *Fidelity and Deposit Company of Maryland*, for and on account of the said corporation, the sum of thirteen dollars and fifty cents, as and for jury fees in a certain action entitled *Mada D. Finer against Widen Stein* then pending in the *said Fidelity and Deposit Company*, and that the said corporation was then and there by reason of such advance and payment justly indebted to him the said James D. Hallen in the said sum of thirteen dollars and fifty cents.

A n d the said William G. Jones then and there believing the said false and fraudulent pretenses and representations so made as aforesaid by the said James D. Hallen and being deceived thereby, was induced, by reason of the false and fraudulent pretenses and representations so made as aforesaid, to deliver, and did then and there deliver to the said James D. Hallen, the sum of thirteen dollars and fifty cents in money, lawful money of the United States of America, and of the value of thirteen dollars and fifty cents, of the proper moneys, goods, chattels and personal property of the said corporation.

A n d the said James D. Hallen did then and there

-3-

feloniously receive and obtain the said proper moneys, goods, chattels and personal property, from the possession of the said corporation by color and by aid of the false and fraudulent pretenses and representations aforesaid, with intent to deprive and defraud the said corporation of the same, and of the use and benefit thereof, and to appropriate the same to his own use

W H E R E A S, in truth and in fact, the said James D. Hallen had not then lately before or at any time advanced or paid to the said clerk for and on account of the said corporation the sum of thirteen dollars and fifty cents, or any other sum, as and for jury fees in the said action, and the said corporation was not then and there by reason of any such advance or payment, justly indebted to him the said James D. Hallen in the said sum, or in any other sum.

A N D W H E R E A S, in truth and in fact, the pretenses and representations so made as aforesaid by the said James D. Hallen to the said William G. Jones was and were then and there in all respects utterly false and untrue, as he the said James D. Hallen at the time of making the same then and there well knew.

AND SO THE GRAND JURY AFORESAID, do say that the said James D. Hallen, in the manner and form aforesaid, and by the means aforesaid, the said proper moneys, goods, chat-

0452

-4-

tels and personal property of the said corporation, then
and there feloniously did steal, against the form of the
Statute in such case made and provided, and against the
peace and dignity of the said people.

DE LANCEY NICOLL,

District Attorney.

0453

Witnesses:

Wm. E. Jones

*All endorsement on Indict
- made by 200 Sept 91.*

202

Counsel,

Filed

day of

189

Pleas

THE PEOPLE

vs.

James D. Hallen
(in error)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

W. J. L. Berry

Foreman,

Part 3. March 31/92-

Indictment dismissed

Paul discharged

10,100

POLICE COURT, FIRST DISTRICT.

CITY AND COUNTY OF NEW YORK. : SS.

WILLIAM G. JONES of 5280 Broadway, New York, President of the U. S. Commercial Agency and Collecting Company being duly sworn says: that on the 30th day of Nov. 1889, at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of Dependent's said company the following property:

Thirteen Dollars and Fifty cents

the same being good and lawful money of the United States, and that this Dependent has a probable cause to suspect and does suspect and positively declares that the said property was feloniously taken, stolen and carried off by James D. Hallen, an Attorney at Law of New York City.

Dependent further alleges: that the said Hallen on or about the said 30th day of Nov. 1889 was in the employ of the said U. S. Commercial Agency & Collecting Company as its Attorney on a regular salary and as such Attorney had charge of its litigated and non-litigated actions. That one of such cases in charge of said Hallen was the case of *Rathbone, Said vs Leeper* pending in the N.Y. Supreme Court.

Dependent further alleges that on the said 30th of Nov. 1889 said Hallen received from this Dependent the sum of *Thirteen 50/100* Dollars to be paid (and claimed by Hallen to have been paid) to the Clerk of the *County of New York* for Jury fees in the

above mentioned case.

Deponent further says: that the said Hallen received and became possessed of said sum by falsely and fraudulently stating, writing and representing to this deponent that the said sum had been previously by him as such Attorney disbursed for the aforementioned purpose in said action, but that in fact said Hallen had never disbursed or paid out the sum aforesaid or any part of the same as alleged by him, but, on the contrary said Hallen did unlawfully and feloniously keep, detain and appropriate the same to his own use, and with the intent and for the purpose of injuring and defrauding said U. S. Commercial Agencies and Collecting Company. Deponent further alleges,

that the said Hallen ~~was~~ had the said cause placed on the calendar of the said Court, *but has not yet been reached for trial* and therefore no duty fees have been or could have been paid to the Clerk by said Hallen in this case.

Given in before me,

1891.

: *William Jones*
:
:

Police Justice.

.....X
 THIS PEOPLE, &c.,
 against
 JAMES D. HALLEN.
X

CITY AND COUNTY OF NEW YORK. : ss.

WILLIAM G. JONES being duly sworn deposes and says; that at all times hereinafter mentioned he was and still is the President and Treasurer of The United States Commercial Agency & Collecting Company, a corporation organized and existing under and by virtue of the Laws of the State of New Jersey. That he is well acquainted with James D. Hallen, above-named, and who has been in the employ of deponents' Agency as the Attorney at a regular weekly salary. Deponent further alleges that on or about January 2th, 1890, the said Hallen called at this deponent's office to sign substitutions of attorney in his place as the Attorney of Record in over two hundred cases.

That at the time said Hallen separated said papers into two separate piles, of which the smaller pile numbered twenty-two cases. Deponent thereupon asked the said Hallen why he separated said papers and said Hallen replied that he "remembered these cases" referring to the papers in the smaller pile. Deponent thereupon asked said Hallen what he meant by that, and whether he meant to inform this deponent that he, said Hallen, remembered that he had stolen the costs in these twenty-two cases. Said

Hallen thereupon said "yes" and admitted that he did steal the costs in the twenty-two suits in such papers mentioned. That sheet, that pile of twenty-two cases, was the case of *Rathbone et al vs Leeper*

That such admission was made in the presence of Mr. H. G. Lucas the Secretary of the Agency and Mr. Henry Rolsey the ~~Assistant~~ ^{Marshall Clerk} Defendant further alleges that the amount stolen by Hallen in the aforementioned case was \$16⁰⁰ Defendant further alleges that he caused said Lucas to make memorandum of such admission by Hallen which was done.

Sworn to before me } *William E. Jones.*
Sept. 9, 1891 }

Geo L Rauch
Notary Public
my Co

1st DISTRICT POLICE COURT.

THE PEOPLE, &c.,

against

JAMES D. HALLAN.

172 911

CITY AND COUNTY OF NEW YORK. ss.

WILLIAM G. LUGAS being duly sworn deposes and says: that he was the Secretary and Book-keeper of the United States Commercial Agency & Collecting Company, a corporation duly organized and existing under the laws of the State of New Jersey, and was such Secretary and Book-keeper from August 1st, 1890 up to ~~August~~ *August* 1890. That he is well acquainted with James D. Hallan, above-named, said Hallan being employed as the Attorney for said Agency at a regular weekly salary and had no interest in fees and costs in the cases hereinafter mentioned. That said Hallan called at the office of said Company on or about January 8th, 1890 to sign, and did sign substitutions of Attorney in about two hundred cases in which said Hallan appeared as Attorney of Record. That among such cases was the case of *Rathbone and co vs Leeper* then pending in the Supreme Court of New York County. Depo-
nent further states that at the same time and place and in the presence of William G. Jones, Henry Malsey and this deponent said Hallan examined and separated into two separate piles the said substitutions, and upon being asked by

Mr. Jones why he separated the piles, answered that he, said Hallen, remembered that he had received and misappropriated all the coats in said cases referred to, of which there were twenty-two, and among which said cases was the case of *Rathbone, Said & Co*

agst.
Leeper.

That dependent thereupon at Mr. Jones' request made a memorandum of this admission, and further compared the packages with the records in his charge and ascertained that the amounts received by said Hallen in each of said twenty-two cases was from \$10.00 to \$25.00. That said Hallen misappropriated the sum of \$16⁰⁰ in the case of *Rathbone Said & Co vs Leeper* heretofore referred to.

Sworn to before me,
September 9th 1891.

Newton & Lewis

Geo L. Xanck
Notary Public
7/14/90

0460

DISTRICT ATTORNEY'S OFFICE.

City and County of New York.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Wm. G. Jones
286 Broadway

James D. Hallen
(12 cases)

Office of District Attorney

Dated September 11 1891

Witnesses, Newton C. Lucas

No. 84 West Broadway

No. Street,

No. Street,

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 D. HALLEN.)
)

The Grand Jury of the City and County of New York,
 by this Indictment, a c c u s e JAMES D. HALLEN of the
 Crime of PETIT LARCENY, committed as follows:

T h e said James D. Hallen, late of the City of
 New York, in the County of New York aforesaid, on the ~~20th~~
 day of ~~December~~, in the year of our Lord one thousand eight
 hundred and ~~eighty-nine~~, at the City and County aforesaid,
 with force and arms, with intent to deprive and defraud a
 certain corporation called the United States Commercial
 Agency and Collecting Company, by which said corporation he
 was then and there employed as attorney, having as such at-
 torney the management and conduct on behalf of the said cor-
 poration of certain suits at law and civil actions, and
 amongst others the action hereinbelow mentioned, of the
 proper moneys, goods, chattels and personal property herein-
 after mentioned, and of the use and benefit thereof, and to

-2-

appropriate the same to his own use, did then and there feloniously, fraudulently and falsely pretend and represent to one William G. Jones, who was then and there the President of the said corporation,

T H A T he the said James D. Hallen, as such attorney had then lately before advanced and paid to the clerk of the *County of [illegible] State of [illegible]*, for and on account of the said corporation, the sum of thirteen dollars and fifty cents, as and for jury fees in a certain action entitled *William G. Jones vs. [illegible]* against *[illegible]*, then pending in the *[illegible]* *[illegible]* *[illegible]*, and that the said corporation was then and there by reason of such advance and payment justly indebted to him the said James D. Hallen in the said sum of thirteen dollars and fifty cents.

A n d the said William G. Jones then and there believing the said false and fraudulent pretenses and representations so made as aforesaid by the said James D. Hallen and being deceived thereby, was induced, by reason of the false and fraudulent pretenses and representations so made as aforesaid, to deliver, and did then and there deliver to the said James D. Hallen, the sum of thirteen dollars and fifty cents in money, lawful money of the United States of America, and of the value of thirteen dollars and fifty cents, of the proper moneys, goods, chattels and personal property of the said corporation.

A n d the said James D. Hallen did then and there

-3-

feloniously receive and obtain the said proper moneys, goods, chattels and personal property, from the possession of the said corporation by color and by aid of the false and fraudulent pretenses and representations aforesaid, with intent to deprive and defraud the said corporation of the same, and of the use and benefit thereof, and to appropriate the same to his own use

W H E R E A S, in truth and in fact, the said James D. Hallen had not then lately before or at any time advanced or paid to the said clerk for and on account of the said corporation the sum of thirteen dollars and fifty cents, or any other sum, as and for jury fees in the said action, and the said corporation was not then and there by reason of any such advance or payment, justly indebted to him the said James D. Hallen in the said sum, or in any other sum.

A N D W H E R E A S, in truth and in fact, the pretenses and representations so made as aforesaid by the said James D. Hallen to the said William G. Jones was and were then and there in all respects utterly false and untrue, as he the said James D. Hallen at the time of making the same then and there well knew.

AND SO THE GRAND JURY AFORESAID, do say that the said James D. Hallen, in the manner and form aforesaid, and by the means aforesaid, the said proper moneys, goods, chat-

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-4-

tels and personal property of the said corporation, then
and there feloniously did steal, against the form of the
Statute in such case made and provided, and against the
peace and dignity of the said people.

DE LANCEY NICOLL,

District Attorney.

1890 June 15

201

Witnesses:
Wm Jones

see endorsement on
Indictment "203
Sept '91.

Counsel, W
Filed 11 day of Sept 1891
Plends, Sept 11

THE PEOPLE
vs.
James D. Hallen
(N. K. 1000)
[Sections 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000]

A TRUE BILL.
W. J. Leary
Foreman
Part 3. March 3 '92.
Indictment dismissed
Bail dismissed

POLICE COURT, FIRST DISTRICT.

CITY AND COUNTY OF NEW YORK. : vs.

WILLIAM A. JONES OF THE BROOKLYN, NEW YORK, PRESIDENT of the U. S. Commercial Agency and Collecting Company, being duly sworn, says; that on the 15 day of October 1908, at the City of New York, in the County of New York, was feloniously stolen, stolen and carried away from the possession of defendant's said company the following property:

Thirteen Dollars and fifty cents and also being paid and lawful money of the United States, and that said defendant was a person who came to the Court and was duly sworn and produced there the said property and was feloniously stolen, stolen and carried off by James H. Wilson, an Attorney-at-Law of New York City.

Defendant further alleges; that said James H. Wilson on or about the said 15 day of October, 1908, was in the employ of the said U. S. Commercial Agency & Collecting Company as its Attorney, on a regular salary, and as such Attorney, was charged with the investigation of suits and actions. That one of such cases in charge of said Wilson was the case of Cook & Demkinner agt Leslie pending in the City Court of New York

Defendant further alleges that on the said 15th of October 1908, said Wilson received from this defendant the sum of Thirteen 50/- Dollars to be paid (and claimed by Wilson to have been paid) to the Clerk of the City Court of New York for Jury fees in the

above-mentioned case.

Deponent further says; that the said Hallen received and became possessed of said sum by falsely and fraudulently stating, writing and representing to this deponent that the said sum had been previously by him as such Attorney disbursed for the aforementioned purpose in said action, but that in fact said Hallen had never disbursed or paid out the sum aforesaid or any part of the same as alleged by him, but, on the contrary said Hallen did unlawfully and feloniously keep, retain and appropriate the same to his own use, and with the intent and for the purpose of injuring and defrauding said U. S. Commercial Agency and Collecting Company. Deponent further alleges, that the said Hallen never had the said cause placed on the Calendar of the *said Court* and therefore no Jury fees have been or could have been paid to the clerk by said Hallen in this case.

Sworn to before me,

, 1891.

:
:
:

John G. Jones

Police Justice.

.....X
 THE PEOPLE, &c.,
 against
 JAMES D. HALLEN.
X

CITY AND COUNTY OF NEW YORK. : SS.

WILLIAM G. JONES being duly sworn deposes and says; that at all times hereinafter mentioned he was and still is the President and Treasurer of The United States Commercial Agency & Collecting Company, a corporation organized and existing under and by virtue of the Laws of the State of New Jersey. That he is well acquainted with James D. Hallen, above-named, and who has been in the employ of deponents' Agency as the Attorney at a regular weekly salary. Deponent further alleges that on or about January 8th, 1890, the said Hallen called at this deponent's office to sign substitutions of attorney in his place as the Attorney of record in over 200 cases.

That at the time said Hallen separated such papers into two separate piles, of which the smaller pile numbered twenty-two cases. Deponent thereupon asked the said Hallen why he separated said papers and said Hallen replied that he "remembered these cases" referring to the papers in the smaller pile. Deponent thereupon asked said Hallen what he meant by that, and whether he meant to inform this deponent that he, said Hallen, remembered that he had stolen the costs in these twenty-two cases. Said

Hallen thereupon said "yes" and admitted that he did steal the costs in the twenty-two suits in such papers mentioned. That among that pile of twenty-two cases, was the case of *Cook & Bernheimer vs. Carlin Bros*

That such admission was made in the presence of Mr. N. C. Lucas the Secretary of the Agency and Mr. Henry Halsey, the *Monaghan Clerk*. Deponent further alleges that the amount stolen by Hallen in the aforementioned case was \$22 ⁵⁰/₁₀₀. Deponent further alleges that he caused said Lucas to make memorandum of such admission by Hallen which was done.

Sworn to before me } John G. J. [Signature]
Sept 9, 1891

Geo. L. Kauch
Notary Public
1117 E

1st DISTRICT POLICE COURT.

.....X
 THE PEOPLE, vs.,
 against
 JAMES D. HALLER.
X

11837
 JAMES D. HALLER.

CITY AND COUNTY OF NEW YORK. : SS.

NEWTON C. LUCAS being duly sworn deposes and says;
 that he was the Secretary and Book-keeper of The United
 States Commercial Agency & Collecting Company, a corpora-
 tion duly organized and existing under the Laws of the
 State of New Jersey, and was such Secretary and Book-keeper
 from August 1st, 1889 up to ~~September~~ *August* 1890. That he
 is well acquainted with James D. Haller, above-named, said
 Haller being employed as the Attorney for said Agency at a
 regular weekly salary and had no interest in fees and costs
 in the cases hereinafter mentioned. That said Haller
 called at the office of said Company on or about January
 8th, 1890 to sign, and did sign substitutions of Attorney
 in about two hundred cases in which said Haller appeared
 as Attorney of Record. That among such cases was the case
 of *Look v. Bernheimer vs. Fashier* then
 pending in the ~~Supreme~~ *City* Court of New York ~~County~~ *City*. Depo-
 nent further states that at the same time and place and in
 the presence of William G. Jones, Henry Halasy and this
 deponent said Haller examined and separated into two sepa-
 rate piles the said substitutions, and upon being asked by

Mr. Jones why he separated the piles, answered that he, said Hallen, remembered that he had received and misappropriated all the costs in said cases referred to, of which there were twenty-two, and among which said cases was the

case of *Cook & Bernheimer*
against
Caslin Brothers

That deponent thereupon at Mr. Jones' request made a memorandum of this admission, and further compared the packages with the records in his charge and ascertained that the amounts received by said Hallen in each of said twenty-two cases was from \$18.00 to \$20.50. That said Hallen misappropriated the sum of *22 50* in the case of *Cook & Bernheimer agst Caslin* hereinbefore referred to.

Sworn to before me,
 September 9th 1891.

Newton Lucas

Geo. F. Rauch
Notary Public
My Co

0472

DISTRICT ATTORNEY'S OFFICE.
City and County of New York.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Wm. G. Jones
280 Broadway

James D. Hallen
(12 cases)

Office Peter Carney

Dated Sept 11 1891

Witnesses, Newton C. Lucas

No. 84 W. Bway Street,

No. Street,

No. Street,

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 D. HALLEN.)

The Grand Jury of the City and County of New York,

by this Indictment, a c c u s e JAMES D. HALLEN of the

Crime of PETIT LARCENY, committed as follows:

T h e said James D. Hallen, late of the City of New York, in the County of New York aforesaid, on the ~~5th~~ day of ~~October~~, in the year of our Lord one thousand eight hundred and ~~eighty nine~~, at the City and County aforesaid, with force and arms, with intent to deprive and defraud a certain corporation called the United States Commercial Agency and Collecting Company, by which said corporation he was then and there employed as attorney, having as such attorney the management and conduct on behalf of the said corporation of certain suits at law and civil actions, and amongst others the action hereinbelow mentioned, of the proper moneys, goods, chattels and personal property herein-after mentioned, and of the use and benefit thereof, and to

-2-

appropriate the same to his own use, did then and there feloniously, fraudulently and falsely pretend and represent to one William G. Jones, who was then and there the President of the said corporation,

T H A T he the said James D. Hallen, as such attorney had then lately before advanced and paid to the clerk of the *City Court for the said James D. Hallen* for and on account of the said corporation, the sum of thirteen dollars and fifty cents, as and for jury fees in a certain action entitled *Enda and Omdrauer* *against Hallen* then pending in the *said City Court*, and that the said corporation was then and there by reason of such advance and payment justly indebted to him the said James D. Hallen in the said sum of thirteen dollars and fifty cents.

A n d the said William G. Jones then and there believing the said false and fraudulent pretenses and representations so made as aforesaid by the said James D. Hallen and being deceived thereby, was induced, by reason of the false and fraudulent pretenses and representations so made as aforesaid, to deliver, and did then and there deliver to the said James D. Hallen, the sum of thirteen dollars and fifty cents in money, lawful money of the United States of America, and of the value of thirteen dollars and fifty cents, of the proper moneys, goods, chattels and personal property of the said corporation.

A n d the said James D. Hallen did then and there

-3-

feloniously receive and obtain the said proper moneys, goods, chattels and personal property, from the possession of the said corporation by color and by aid of the false and fraudulent pretenses and representations aforesaid, with intent to deprive and defraud the said corporation of the same, and of the use and benefit thereof, and to appropriate the same to his own use

W H E R E A S, in truth and in fact, the said James D. Hallen had not then lately before or at any time advanced or paid to the said clerk for and on account of the said corporation the sum of thirteen dollars and fifty cents, or any other sum, as and for jury fees in the said action, and the said corporation was not then and there by reason of any such advance or payment, justly indebted to him the said James D. Hallen in the said sum, or in any other sum.

A N D W H E R E A S, in truth and in fact, the pretenses and representations so made as aforesaid by the said James D. Hallen to the said William G. Jones was and were then and there in all respects utterly false and untrue, as he the said James D. Hallen at the time of making the same then and there well knew.

AND SO THE GRAND JURY AFORESAID, do say that the said James D. Hallen, in the manner and form aforesaid, and by the means aforesaid, the said proper moneys, goods, chat-

0476

-4-

tels and personal property of the said corporation, then
and there feloniously did steal, against the form of the
Statute in such case made and provided, and against the
peace and dignity of the said people.

DE LANCEY NICOLL,

District Attorney.

0477

200

Witnesses:

Wm. G. Jones

Counsel,

Filed

21 day of

Sept. 1891

Plends,

THE PEOPLE

vs.

James D. Hallen
(12 cases)

Deputy
Grand Juror,
(Sections 62, 63, 64)

DE LANCEY NICOLL,

District Attorney.

See endorsement on
Indictment 203,
Sept 9th.

A TRUE BILL.

W. J. Berry

Foreman.

Part 3. March 3rd.
Indictment dismissed
+ Bail discharged

POLICE COURT, FIRST DISTRICT.

CITY AND COUNTY OF NEW YORK, ss. :

William H. Smith, of New York, President of the U. S. Commercial Agency and Collecting Company, being duly sworn, deposes that on the 29. day of October 1902, at the City of New York, in the County of New York, the following named person did remove and carried away from the possession of the said company the following property:

Warrant on the 29. day of October 1902, being sworn to as a citizen of the United States, and that this defendant did unlawfully cause to be taken and taken away and positively declared that the said property was intentionally taken, stolen and carried off by James D. Smith, an Attorney-at-Law of New York City.

Dependent further alleges: That the said Smith on or about the said 29. day of October 1902, was in the employ of the said U. S. Commercial Agency & Collecting Company, as its attorney on a regular salary, and as such attorney had charge of its litigation with the said company. That one of such cases in charge of said Smith was the case of *L. Remy & Son vs. J. P. O'Neil*, pending in Supreme Court of N.Y. Co.

Dependent further alleges that on the said 29. day of October 1902, said Smith received from this defendant the sum of *Thirteen 50/100* Dollars to be paid (and claimed by said Smith to have been paid) to the Clerk of the *Supreme Court*, for law fees in the

above-mentioned case.

Deponent further says: that the said Union received and became owner and of said sum by falsely and fraudulently stating, writing and representing to this deponent that the said sum had been previously by him as such Attorney disbursed for the aforementioned purpose in said action, but that in fact said Union had never disbursed or paid out the said sum or any part of the same in this, or any other, case; that said Union did not disburse or pay out the said sum, and that the said sum was not paid out, and that the said sum was for the purpose of paying the cost of the U. S. Court fees and expenses of collecting same, &c. Deponent further alleges, that the said Union never has the said sum placed on the Calendar of the *Supreme Court* and therefore no duty fees have been or could have been paid to the Clerk by said Union in this case.

Sworn to before me,

, 1892.

Wm. G. Jones

Public Justice.

.....X
 THE PEOPLE, &c.,

Against

JAMES D. HALLER.
X

CITY AND COUNTY OF NEW YORK. : SS.

WILLIAM G. JONES being duly sworn deposes and says; that at all times hereinafter mentioned he was and still is the President and Treasurer of The United States Commercial Agency & Collecting Company, a corporation organized and existing under and by virtue of the laws of the State of New Jersey. That he is well acquainted with James D. Haller, above-named, and who has been in the employ of deponents' Agency as the Attorney at a regular weekly salary. Deponent further alleges that on or about January 8th, 1930, the said Haller called at this deponent's office to sign substitutions of attorney in his place as the Attorney of record in over 200 cases.

That at the time said Haller separated such papers into two separate piles, of which the smaller pile numbered twenty-two cases. Deponent thereupon asked the said Haller why he separated said papers and said Haller replied that he "remembered these cases" referring to the papers in the smaller pile. Deponent thereupon asked said Haller what he meant by that, and whether he meant to inform this deponent that he, said Haller, remembered that he had stolen the costs in these twenty-two cases. Said

Hallen thereupon said "yes" and admitted that he did steal the costs in the twenty-two suits in such papers mentioned. That among that pile of twenty-two cases, was the case of *L. Rem & Son vs H. J. O'Neill*

That such admission was made in the presence of Mr. N. C. Lucas the Secretary of the Agency and Mr. Henry Halsey the ~~clerk~~ ^{Waccotung Clerk}. Deponent further alleges that the amount stolen by Hallen in the aforementioned case was \$70 ⁵⁰/₁₀₀. Deponent further alleges that he caused said Lucas to make memorandum of such admission by Hallen which was done.

Sworn to before me }
 Sept. 9. 1891 } *Wm. G. Jones*
George E. L. Rauch
Notary Public

0482

12/60

1st DISTRICT POLICE COURT.

THE PEOPLE, &c.,

against

JAMES D. HALLER.

CITY AND COUNTY OF NEW YORK. : SS.

HENRY G. LUGAN being duly sworn deposes and says: that he was the Secretary and Book-keeper of the United States Commercial Agency & Collecting Company, a corporation duly organized and existing under the laws of the State of New Jersey, and was such Secretary and Book-keeper from August 1st, 1888 up to ~~August 1st~~ ^{August} 1890. That he is well acquainted with James D. Haller, above-named, said Haller being employed as the Attorney for said Agency at a regular weekly salary and had no interest in fees and costs in the cases hereinafter mentioned. That said Haller called at the office of said Company on or about January 5th, 1890 to sign, and did sign substitutions of Attorney in about two hundred cases in which said Haller appeared as Attorney of Record. That among such cases was the case of *L. Penn. v. W. J. O'Neill* pending in the Supreme Court of New York County. Depo-
nent further states that at the same time and place and in the presence of William G. Jones, Henry Halsey and this deponent said Haller examined and separated into two separate piles the said substitutions, and upon being asked by

Mr. Jones why he separated the piles, answered that he, said Hallon, remembered that he had received and misappropriated all the moneys in said cases referred to, of which there were twenty-two, and among which said cases was the case of *L. Penn & Son*

agent.

Mrs. M. P. O'Neill.

That defendant thereupon at Mr. Jones' request made a recalculation of this disbursement, and further compared the packages with the records in his charge and ascertained that the amounts received by said Hallon in each of said twenty-two cases was from \$18.00 to \$36.50. That said Hallon misappropriated the sum of 20 50 in the case of *Penn against O'Neill* -

heretofore referred to.

Sworn to before me.

September 9th 1891.

Wm. L. Lucas

Geo. L. Rauch
Notary Public
my co.

0484

DISTRICT ATTORNEY'S OFFICE.

City and County of New York.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Wm. G. Jones

280 Broadway

James D. Hallen

(12 cases)

Office Petitioner

Dated September 11 1891

Witnesses, Newton C. Lucas

No. 14 West Broadway

No. Street,

No. Street,

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 D. HALLEN.)

The Grand Jury of the City and County of New York,

by this Indictment, a c c u s e JAMES D. HALLEN of the
Crime of PETIT LARCENY, committed as follows:

T h e said James D. Hallen, late of the City of New York, in the County of New York aforesaid, on the ~~29th~~ day of ~~October~~, in the year of our Lord one thousand eight hundred and ~~89~~, at the City and County aforesaid, with force and arms, with intent to deprive and defraud a certain corporation called the United States Commercial Agency and Collecting Company, by which said corporation he was then and there employed as attorney, having as such attorney the management and conduct on behalf of the said corporation of certain suits at law and civil actions, and amongst others the action hereinbelow mentioned, of the proper moneys, goods, chattel: and personal property herein-after mentioned, and of the use and benefit thereof, and to

-2-

appropriate the same to his own use, did then and there feloniously, fraudulently and falsely pretend and represent to one William G. Jones, who was then and there the President of the said corporation,

T H A T he the said James D. Hallen, as such attorney had then lately before advanced and paid to the clerk of the *Angewandte Bank in and for the said city and county of New York*, for and on account of the said corporation, the sum of thirteen dollars and fifty cents, as and for jury fees in a certain action entitled *J. D. Hallen and Son against W. G. Jones*, then pending in the *said* *Angewandte Bank*, and that the said corporation was then and there by reason of such advance and payment justly indebted to him the said James D. Hallen in the said sum of thirteen dollars and fifty cents.

A n d the said William G. Jones then and there believing the said false and fraudulent pretenses and representations so made as aforesaid by the said James D. Hallen and being deceived thereby, was induced, by reason of the false and fraudulent pretenses and representations so made as aforesaid, to deliver, and did then and there deliver to the said James D. Hallen, the sum of thirteen dollars and fifty cents in money, lawful money of the United States of America, and of the value of thirteen dollars and fifty cents, of the proper moneys, goods, chattels and personal property of the said corporation.

A n d the said James D. Hallen did then and there

-3-

feloniously receive and obtain the said proper moneys, goods, chattels and personal property, from the possession of the said corporation by color and by aid of the false and fraudulent pretenses and representations aforesaid, with intent to deprive and defraud the said corporation of the same, and of the use and benefit thereof, and to appropriate the same to his own use

W H E R E A S, in truth and in fact, the said James D. Hallen had not then lately before or at any time advanced or paid to the said clerk for and on account of the said corporation the sum of thirteen dollars and fifty cents, or any other sum, as and for jury fees in the said action, and the said corporation was not then and there by reason of any such advance or payment, justly indebted to him the said James D. Hallen in the said sum, or in any other sum.

A N D W H E R E A S, in truth and in fact, the pretenses and representations so made as aforesaid by the said James D. Hallen to the said William G. Jones was and were then and there in all respects utterly false and untrue, as he the said James D. Hallen at the time of making the same then and there well knew.

AND SO THE GRAND JURY AFORESAID, do say that the said James D. Hallen, in the manner and form aforesaid, and by the means aforesaid, the said proper moneys, goods, chat-

0488

-4-

tels and personal property of the said corporation, then and there feloniously did steal, against the form of the Statute in such case made and provided, and against the peace and dignity of the said people.

DE LANCEY NICOLL,

District Attorney.

199

Witnesses:

Don Jones

See endorsement on
Indictment # 203 Sept. 91.

Filed 11 day of Sept 1891
Plends, Abraham

vs.

James D. Mallen
(12 cases)

Pick
 Grand Larceny,
 (Sections 224, 232,
 233)
 Degree
 Penal Code.]

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

W. J. C. Berry

Foreman.

Per-3. March 31/92
Indictment dismissed
+ Bail discharged

POLICE COURT, FIRST DISTRICT.

CITY AND COUNTY OF NEW YORK. : SS.

WILLIAM G. JONES of #280 Broadway, New York, President of the U. S. Commercial Agency and Collecting Company being duly sworn says; that on the *22* day of *October* 1889, at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent's said company the following property:

Thirteen Dollars and Fifty Cents

the same being good and lawful money of the United States, and that this deponent has a probable cause to suspect and does suspect and positively declares that the said property was feloniously taken, stolen and carried off by James B. Hallen, an Attorney at Law of New York City.

Deponent further alleges; that the said Hallen on or about the said *22* day of *October* 1889 was in the employ of the said U. S. Commercial Agency & Collecting Company as its Attorney on a regular salary and as such Attorney had charge of its litigation, its suits and actions. That one of such cases in charge of said Hallen was the case of *Parkhurst vs Moeff* pending in *N.Y. Supreme Court*.

Deponent further alleges that on the said *22^d* of *October* 1889 said Hallen received from this deponent the sum of *Thirteen 50/100* Dollars to be paid (and claimed by Hallen to have been paid) to the Clerk of the *County of New York* for Jury fees in the

above mentioned case.

Deponent further says; that the said Hallen received and became possessed of said sum by falsely and fraudulently stating, writing, and representing to this deponent that the said sum had been previously by him as such Attorney disbursed for the aforementioned purpose in said action, but that in fact said Hallen had never disbursed or paid out the said amount or any part of the same as alleged by him, but, on the contrary said Hallen did unlawfully and feloniously keep, detain and appropriate the same to his own use, and with the intent and for the purpose of injuring and defrauding said U. S. Commercial Agency and Collecting Company. Deponent further alleges, that the said Hallen never had the said cause placed on the Calendar of the *Said Court* and therefore no Jury fees have been or could have been paid to the Clerk by said Hallen in this case.

Sworn to before me,

1891.

:
:
:

William Jones

Police Justice.

THE PEOPLE, ac.,

against

JAMES D. HALLEN.

CITY AND COUNTY OF NEW YORK. : ss.

WILLIAM A. JONES being duly sworn deposes and says; that at all times hereinbefore mentioned he was and still is the President and Treasurer of The United States Commercial Agency, a Civil Service Company, a corporation organized and existing under and by virtue of the laws of the State of New Jersey. That he is well acquainted with James D. Hallen, whose name, and who has been in the employ of deponents' Agency as the Attorney at a regular weekly salary. Deponent further alleges that on or about January 21st, 1930, the said Hallen called at this deponent's office to sign substitution of attorney in his place as the Attorney of Record in over two hundred cases.

That at the time said Hallen separated such papers into two separate piles, of which the smaller pile numbered twenty-two cases. Deponent thereupon asked the said Hallen why he separated said papers and said Hallen replied that he "remembered these cases" referring to the papers in the smaller pile. Deponent thereupon asked said Hallen what he meant by that, and whether he meant to inform this deponent that he, said Hallen, remembered that he had stolen the costs in these twenty-two cases. Said

Hallen thereupon said "yes" and admitted that he did steal the costs in the twenty-two suits in such papers mentioned. That among that pile of twenty-two cases, was the case of *Parkhurst vs Wolff*

That such admission was made in the presence of Mr. W. C. Jones the Secretary of the Agency and Mr. Henry Halsey the ~~Attorney~~ *Attorney General*. Dependent further alleges that the amount stolen by Hallen in the aforementioned case was \$16.00. Dependent further alleges that he caused said Jones to make a statement of such admission by Hallen which was done.

William G. Jones
Sworn before me?
Sept 9, 1891 }
Geo. L. Rauch
Notary Public
my Co

1st DISTRICT POLICE COURT.

THE PEOPLE, vs.,

against

JAMES D. HALLON.

GIFT AND GUEST OF THE PEOPLE, vs.,

WILLIAM G. JONES, being duly sworn, deposes and says: That he is the Secretary and Book-keeper of the United States Commercial Agency & Collecting Company, a corporation duly organized and existing under the laws of the State of New Jersey, and was such Secretary and Book-keeper from August 1st, 1900 to August 1900. That he is well acquainted with James D. Hallon, above-named, said Hallon being employed by the Attorney for said Agency as a regular weekly salary and had no interest in fees and costs in the cases hereinafter mentioned. That said Hallon called at the office of said Company on or about January 8th, 1900 to sign, and did sign substitutions of Attorney in about two hundred cases in which said Hallon appeared as Attorney of Record. That among such cases was the case of John Parkhurst vs. A. W. Waloff then pending in the Supreme Court of New York County. Depo-
nent further states that at the same time and place and in the presence of William G. Jones, Henry Halsey and this deponent said Hallon examined and separated into two separate piles the said substitutions, and upon being asked by

Mr. Jones why he separated the piles, answered that he, said Hallen, remembered that he had received and misappropriated all the costs in said cases referred to, of which there were twenty-two, and among which said cases was the case of *John Parkhurst*

agent.

Abraham Wolff et al

That dependent on reason of Mr. Jones' request made a memorandum of this exhibition, and further compared the packet & with the records in his charge and ascertained that the amounts received by said Hallen in each of said twenty-two cases was from \$18.00 to \$20.00. That said Hallen misappropriated the sum of *16⁰⁰* in the case of

Parkhurst v Wolff

hereinafter referred to.

Sworn to before me,

September 9th 1891.

Geo L. Kuehn
Notary Public
my co

Newton L. Lucas

0496

DISTRICT ATTORNEY'S OFFICE.

City and County of New York.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

William G. Jones

280 Broadway

James D. Allen

(12 cases)

Office Pitt Street

Dated September 11 1871

Witnesses, Newton C. Lucas

No. 84 West Broadway

No. Street,

No. Street,

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 D. HALLEN.)

The Grand Jury of the City and County of New York,

by this Indictment, a c c u s e JAMES D. HALLEN of the

Crime of PETIT LARCENY, committed as follows:

T h e said James D. Hallen, late of the City of New York, in the County of New York aforesaid, on the 22nd day of October, in the year of our Lord one thousand eight hundred and eighty nine, at the City and County aforesaid, with force and arms, with intent to deprive and defraud a certain corporation called the United States Commercial Agency and Collecting Company, by which said corporation he was then and there employed as attorney, having as such attorney the management and conduct on behalf of the said corporation of certain suits at law and civil actions, and amongst others the action hereinbelow mentioned, of the proper moneys, goods, chattels and personal property herein-after mentioned, and of the use and benefit thereof, and to

-2-

appropriate the same to his own use, did then and there feloniously, fraudulently and falsely pretend and represent to one William G. Jones, who was then and there the President of the said corporation,

T H A T he the said James D. Hallen, as such attorney had then lately before advanced and paid to the clerk of the *County of New York* for and on account of the said corporation, the sum of thirteen dollars and fifty cents, as and for jury fees in a certain action entitled *Sutnam* against *W. G. Jones*, then pending in the *New York Supreme Court*, and that the said corporation was then and there by reason of such advance and payment justly indebted to him the said James D. Hallen in the said sum of thirteen dollars and fifty cents.

A n d the said William G. Jones then and there believing the said false and fraudulent pretenses and representations so made as aforesaid by the said James D. Hallen and being deceived thereby, was induced, by reason of the false and fraudulent pretenses and representations so made as aforesaid, to deliver, and did then and there deliver to the said James D. Hallen, the sum of thirteen dollars and fifty cents in money, lawful money of the United States of America, and of the value of thirteen dollars and fifty cents, of the proper moneys, goods, chattels and personal property of the said corporation.

A n d the said James D. Hallen did then and there

-3-

feloniously receive and obtain the said proper moneys, goods, chattels and personal property, from the possession of the said corporation by color and by aid of the false and fraudulent pretenses and representations aforesaid, with intent to deprive and defraud the said corporation of the same, and of the use and benefit thereof, and to appropriate the same to his own use

W H E R E A S, in truth and in fact, the said James D. Hallen had not then lately before or at any time advanced or paid to the said clerk for and on account of the said corporation the sum of thirteen dollars and fifty cents, or any other sum, as and for jury fees in the said action, and the said corporation was not then and there by reason of any such advance or payment, justly indebted to him the said James D. Hallen in the said sum, or in any other sum.

A N D W H E R E A S, in truth and in fact, the pretenses and representations so made as aforesaid by the said James D. Hallen to the said William G. Jones was and were then and there in all respects utterly false and untrue, as he the said James D. Hallen at the time of making the same then and there well knew.

AND SO THE GRAND JURY AFORESAID, do say that the said James D. Hallen, in the manner and form aforesaid, and by the means aforesaid, the said proper moneys, goods, chat-

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-4-

tels and personal property of the said corporation, then
and there feloniously did steal, against the form of the
Statute in such case made and provided, and against the
peace and dignity of the said people.

DE LANCEY NICOLL,

District Attorney.

0501

198

Part 5 June

Witnesses:

Wm G Jones

Counsel,

Filed

day of

1891

Plends,

THE PEOPLE

vs.

James D. Hallen
(12 cases)

Beggs,
Penal Code

Small Larceny,
[Sections 623, 624]

DE LANCEY NICOLL,

District Attorney.

See endorsement on
Indictment # 203 Sept 91.

A TRUE BILL.

W. J. Berry

Foreman.

Part 3. March 31/92
Indictment dismissed
+ Bail discharged

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 D. HALLEN.)

The Grand Jury of the City and County of New York,

by this Indictment, a c c u s e JAMES D. HALLEN of the

Crime of PETIT LARCENY, committed as follows:

T h e said James D. Hallen, late of the City of New York, in the County of New York aforesaid, on the ~~11th~~ day of ~~November~~, in the year of our Lord one thousand eight hundred and ~~eighty-nine~~, at the City and County aforesaid, with force and arms, with intent to deprive and defraud a certain corporation called the United States Commercial Agency and Collecting Company, by which said corporation he was then and there employed as attorney, having as such attorney the management and conduct on behalf of the said corporation of certain suits at law and civil actions, and amongst others the action hereinbelow mentioned, of the proper moneys, goods, chattels and personal property herein-after mentioned, and of the use and benefit thereof, and to

-2-

appropriate the same to his own use, did then and there feloniously, fraudulently and falsely pretend and represent to one William G. Jones, who was then and there the President of the said corporation,

T H A T he the said James D. Hallen, as such attorney had then lately before advanced and paid to the clerk of the *Riley Bank & Trust Co.* for and on account of the said corporation, the sum of thirteen dollars and fifty cents, as and for jury fees in a certain action entitled *William G. Jones et al. against Dainton*, then pending in the *said Riley Bank & Trust Co.*, and that the said corporation was then and there by reason of such advance and payment justly indebted to him the said James D. Hallen in the said sum of thirteen dollars and fifty cents.

A n d the said William G. Jones then and there believing the said false and fraudulent pretenses and representations so made as aforesaid by the said James D. Hallen and being deceived thereby, was induced, by reason of the false and fraudulent pretenses and representations so made as aforesaid, to deliver, and did then and there deliver to the said James D. Hallen, the sum of thirteen dollars and fifty cents in money, lawful money of the United States of America, and of the value of thirteen dollars and fifty cents, of the proper moneys, goods, chattels and personal property of the said corporation.

A n d the said James D. Hallen did then and there

-3-

feloniously receive and obtain the said proper moneys, goods, chattels and personal property, from the possession of the said corporation by color and by aid of the false and fraudulent pretenses and representations aforesaid, with intent to deprive and defraud the said corporation of the same, and of the use and benefit thereof, and to appropriate the same to his own use

W H E R E A S, in truth and in fact, the said James D. Hallen had not then lately before or at any time advanced or paid to the said clerk for and on account of the said corporation the sum of thirteen dollars and fifty cents, or any other sum, as and for jury fees in the said action, and the said corporation was not then and there by reason of any such advance or payment, justly indebted to him the said James D. Hallen in the said sum, or in any other sum.

A N D W H E R E A S, in truth and in fact, the pretenses and representations so made as aforesaid by the said James D. Hallen to the said William G. Jones was and were then and there in all respects utterly false and untrue, as he the said James D. Hallen at the time of making the same then and there well knew.

AND SO THE GRAND JURY AFORESAID, do say that the said James D. Hallen, in the manner and form aforesaid, and by the means aforesaid, the said proper moneys, goods, chat-

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-4-

tels and personal property of the said corporation, then
and there feloniously did steal, against the form of the
Statute in such case made and provided, and against the
peace and dignity of the said people.

DE LANCEY NICOLL,

District Attorney.

0506

Witnesses:

Wm Jones

See endorsement of
Indictment No 203.
Sept 91

Counsel,

Filed

21 day of

1891

Plends,

THE PEOPLE

vs.

James D. Hallen
(12 cases)

Deputy
Grand Juror,
[Sections 82, 83, 84.]
Penal Code.]

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

W. J. Berry

Foreman.

Part 3. March 31/92-

Indictments dismissed
Bail discharged

POLICE COURT, FIRST DISTRICT.

CITY AND COUNTY OF NEW YORK. : SS.

WILLIAM J. HALLIEN of 1220 Broadway, New York, President of the U. S. Commercial Agency and Collecting Company, being duly sworn, deposes; that on the *17th* day of *October* 1888, at New York, in the County of New York, was personally taken, sworn and examined by me, the undersigned, as follows: and depose the following property:

That said William J. Hallien is a man of good and lawful name, of the County of New York, and that said William J. Hallien is a person who is subject and well known and positively known to the said property, was known to the said William J. Hallien, and was known to the said William J. Hallien, as Attorney-at-law of New York City.

Dependent further alleges; that the said William J. Hallien on or about the said *17th* day of *October*, 1888, was in the employ of the said U. S. Commercial Agency and Collecting Company as its attorney on a regular salary and as such attorney had charge of its litigated suits and actions. That one of such cases in charge of said William J. Hallien was the case of *Charles B. Kelly vs. Insurance Company* in the *N.Y. Supreme Court*.

Dependent further alleges that on the said *17th* of *October*, 1888, said William J. Hallien received from this dependent the sum of *Thirteen & 50/100* dollars to be paid (and claimed by Hallien to have been paid) to the Clerk of the *County of New York* for jury fees in the

0508

above-mentioned case.

Deponent further says; that the said Hallen received and became possessed of said sum by falsely and fraudulently stating, writing and representing to this deponent that the said sum had been previously by him as such Attorney disbursed for the aforementioned purpose in said action, but that in fact said Hallen had never disbursed or paid out the sum aforesaid or any part of the same as alleged by him, but, on the contrary said Hallen did unlawfully and feloniously keep, detain and appropriate the same to his own use, and with the intent and for the purpose of injuring and defrauding said U. S. Commercial Agency and Collecting Company. Deponent further alleges, that the said Hallen never had the said cross placed on the Calendar of the *part Court* and therefore no Jury Fees have been or could have been paid to the Clerk by said Hallen in this case.

Sworn to before me,

, 1881.

: *William E. Jones*
:

Police Justice.

.....x
 THE PEOPLE, &c.,
 against
 J A M E S D . H A L L E N .
x

CITY AND COUNTY OF NEW YORK. : SS.

WILLIAM G. JONES being duly sworn deposes and says; that at all times hereinafter mentioned he was and still is the President and Treasurer of The United States Commercial Agency & Collecting Company, a corporation organized and existing under and by virtue of the laws of the State of New Jersey. That he is well acquainted with James D. Hallen, above-named, and who has been in the employ of Deponents' Agency as the Attorney at a regular weekly salary. Deponent further alleges that on or about January 24th, 1890, the said Hallen called at this deponent's office to sign substitutions of attorney in his place as the attorney of record in over 200 cases.

That at the time said Hallen separated such papers into two separate piles, of which the smaller pile numbered twenty-two cases. Deponent thereupon asked the said Hallen why he separated said papers and said Hallen replied that he "remembered these cases" referring to the papers in the smaller pile. Deponent thereupon asked said Hallen what he meant by that, and whether he meant to inform this deponent that he, said Hallen, remembered that he had stolen the costs in these twenty-two cases. Said

05 10

2

Hallen thereupon said "yes" and admitted that he did steal the costs in the twenty-two suits in such papers mentioned. That among that pile of twenty-two cases, was the case of *Charles B. Kelly vs N. W. Keenman*.

That such admission was made in the presence of Mr. R. C. Lucas the Secretary of the Agency and Mr. Henry Halsey the ~~Attorney~~ ^{Managing Clerk}. Deponent further alleges that the amount stolen by Hallen in the aforementioned case was \$20⁵⁰/₁₀₀. Deponent further alleges that he caused said Lucas to make memorandum of such admission by Hallen which was done.

*Sworn to before me } William J. Jones
Sept 4, 1891 }*

*Geo. L. Rauch
Notary Public
myo*

0511

1st DISTRICT POLICE COURT.

THE PEOPLE, &c.,

against

JAMES D. HALLEN.

CITY AND COUNTY OF NEW YORK. : SS.

NEWTON C. LUCAS being duly sworn deposes and says;
that he was the Secretary and Book-keeper of The United
States Commercial Agency & Collecting Company, a corpora-
tion duly organized and existing under the Laws of the
State of New Jersey, and was such Secretary and Book-keeper
from August 1st, 1889 up to *August* 1890. That he
is well acquainted with James D. Hallen, above-named, said
Hallen being employed as the Attorney for said Agency at a
regular weekly salary and had no interest in fees and costs
in the cases hereinafter mentioned. That said Hallen
called at the office of said Company on or about January
8th, 1890 to sign and did sign substitutions of Attorney
in about two hundred cases in which said Hallen appeared
as Attorney of Record. That among such cases was the case
of *Charles H. Kelly vs. A. W. Hernandez* then
pending in the Supreme Court of New York County. Depo-
nent further states that at the same time and place and in
the presence of William G. Jones, Henry Halsey and this
deponent said Hallen examined and separated into two sepa-
rate piles the said substitutions, and upon being asked by

05 12

2

Mr. Jones why he separated the piles, answered that he, said Hallen, remembered that he had received and misappropriated all the costs in said cases referred to, of which there were twenty-two, and among which said cases was the case of *Charles H. Kelly* &

Agnes W. Heermann

That deponent thereupon at Mr. Jones' request made a memorandum of this admission, and further compared the packages with the records in his charge and ascertained that the amounts received by said Hallen in each of said twenty-two cases was from \$15.00 to \$20.50. That said Hallen misappropriated the sum of *30⁵⁰* in the case of *Kelly* as *Heermann* hereinbefore referred to.

Sworn to before me,
September 9th 1891.

Newton B. Lucas
Geo L. Karch
May 10th 1891

05 13

DISTRICT ATTORNEY'S OFFICE.
City and County of New York.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Wm. G. Jones
280 Broadway
James D. Hallen
(12 cases)

Office Peter Larceny

Dated Sept 11 1891

Witnesses, Newton C. Lucas

No. 84 W. Broadway Street,

No. Street,

No. Street,

05 14

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 D. HALLEN.)
)

The Grand Jury of the City and County of New York,

by this Indictment, a c c u s e JAMES D. HALLEN of the
Crime of PETIT LARCENY, committed as follows:

T h e said James D. Hallen, late of the City of
New York, in the County of New York aforesaid, on the ~~17th~~
day of ~~October~~, in the year of our Lord one thousand eight
hundred and ~~eighty-nine~~, at the City and County aforesaid,
with force and arms, with intent to deprive and defraud a
certain corporation called the United States Commercial
Agency and Collecting Company, by which said corporation he
was then and there employed as attorney, having as such at-
torney the management and conduct on behalf of the said cor-
poration of certain suits at law and civil actions, and
amongst others the action hereinbelow mentioned, of the
proper moneys, goods, chattels and personal property herein-
after mentioned, and of the use and benefit thereof, and to

-2-

appropriate the same to his own use, did then and there feloniously, fraudulently and falsely pretend and represent to one William G. Jones, who was then and there the President of the said corporation,

T H A T he the said James D. Hallen, as such attorney had then lately before advanced and paid to the clerk of the ~~County of ...~~ for and on account of the said corporation, the sum of thirteen dollars and fifty cents, as and for jury fees in a certain action entitled ~~...~~ against ~~...~~, then pending in the ~~...~~, and that the said corporation was then and there by reason of such advance and payment justly indebted to him the said James D. Hallen in the said sum of thirteen dollars and fifty cents.

A n d the said William G. Jones then and there believing the said false and fraudulent pretenses and representations so made as aforesaid by the said James D. Hallen and being deceived thereby, was induced, by reason of the false and fraudulent pretenses and representations so made as aforesaid, to deliver, and did then and there deliver to the said James D. Hallen, the sum of thirteen dollars and fifty cents in money, lawful money of the United States of America, and of the value of thirteen dollars and fifty cents, of the proper moneys, goods, chattels and personal property of the said corporation.

A n d the said James D. Hallen did then and there

-3-

feloniously receive and obtain the said proper moneys, goods, chattels and personal property, from the possession of the said corporation by color and by aid of the false and fraudulent pretenses and representations aforesaid, with intent to deprive and defraud the said corporation of the same, and of the use and benefit thereof, and to appropriate the same to his own use

W H E R E A S, in truth and in fact, the said James D. Hallen had not then lately before or at any time advanced or paid to the said clerk for and on account of the said corporation the sum of thirteen dollars and fifty cents, or any other sum, as and for jury fees in the said action, and the said corporation was not then and there by reason of any such advance or payment, justly indebted to him the said James D. Hallen in the said sum, or in any other sum.

A N D W H E R E A S, in truth and in fact, the pretenses and representations so made as aforesaid by the said James D. Hallen to the said William G. Jones was and were then and there in all respects utterly false and untrue, as he the said James D. Hallen at the time of making the same then and there well knew.

AND SO THE GRAND JURY AFORESAID; do say that the said James D. Hallen, in the manner and form aforesaid, and by the means aforesaid, the said proper moneys, goods, chat-

05 17

-4-

tels and personal property of the said corporation, then
and there feloniously did steal, against the form of the
Statute in such case made and provided, and against the
peace and dignity of the said people.

DE LANCEY NICOLL,

District Attorney.

05 18

Witnesses:

Wm F. Jones

Counsel,

Filed

21

day of

Sept

1891

Plends,

Sept 16, 91

THE PEOPLE

vs.

James D. Mallen
(2 cases)

196
Boggs -
Penal Code.

Grand Larceny,
(Sections 133, 137.)

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

W. J. C. Berry

Foreman.

Part 3. March 3, 92

Indictment dismissed

Bail discharged

See indorment on
Indictment # 203
Sept '91

05 19

POLICE COURT, FIRST DISTRICT.

CITY AND COUNTY OF NEW YORK.

WILLIAM G. HALL, of said County, New York, Sheriff of said U. S. Commercial Agency and collecting agency, do hereby certify, that on the 12th day of December, 1880, at the City of New York, in said County, New York, he personally saw, and saw and examined the corporation of the said said Company and following persons:

Witnessed and sworn to by me,

On the 12th day of December, 1880, at the City of New York, New York, and that said Company and said persons were at that time and place present and personally examined and that property of the said Company, which was taken by J. James D. Hall, an Attorney-at-Law of New York City.

Deponent further alleges; that the said Hall on or about the said 12th day of December, 1880, was in the employ of the said U. S. Commercial Agency and collecting agency as its Attorney on a regular salary and as such Attorney had charge of its litigation and business.

That one of such cases in charge of said Hall was the case of *Anthony & Co. vs. W. A. Hall* pending in the City Court of New York

Deponent further alleges that on the said 12th of December, 1880, said Hall received from this deponent the sum of *Three hundred and 50* Dollars to be paid (and claimed by Hall to have been paid) to the Clerk of the City Court of New York for jury fees in the

above-mentioned case.

Deponent further says; that the said Hallen received and became possessed of said case by falsely and fraudulently stating, writing and representing to this court that the said case had been previously by him to such attorney disbursed for the aforementioned purpose in said action, but that in fact said Hallen had never disbursed or paid out the said amount or any part of the same as alleged by him, but, on the contrary said Hallen did unlawfully and feloniously, keep, detain and appropriate the same to his own use, and with the intent and for the purpose of injuring and defrauding said U. S. Commercial Agency and collecting company. Deponent further alleges, that the said Hallen never had the said cause placed on the calendar of the said Court and therefore no jury fees have been or could have been paid to the clerk by said Hallen in this case.

Witness my hand and seal,

, 1 1.

William E. Jones

Public Notary.

.....X
 :
 THE PEOPLE, &c., :
 :
 against :
 :
 JAMES D. HALLEN. :
 :
X

CITY AND COUNTY OF NEW YORK. : SS.

WILLIAM G. JONES being duly sworn deposes and says; that at all times hereinafter mentioned he was and still is the President and Treasurer of The United States Commercial Agency & Collecting Company, a corporation organized and existing under and by virtue of the Laws of the State of New Jersey. That he is well acquainted with James D. Hallen, above-named, and who has been in the employ of deponents' Agency as the Attorney at a regular weekly salary. Deponent further alleges that on or about January 8th, 1890, the said Hallen called at this deponent's office to sign substitutions of attorney in his place as the Attorney of record in over 200 cases.

That at the time said Hallen separated such papers into two separate piles, of which the smaller pile numbered twenty-two cases. Deponent thereupon asked the said Hallen why he separated said papers and said Hallen replied that he "remembered these cases" referring to the papers in the smaller pile. Deponent thereupon asked said Hallen what he meant by that, and whether he meant to inform this deponent that he, said Hallen, remembered that he had stolen the costs in these twenty-two cases. Said

0522

2

Hallen thereupon said "yes" and admitted that he did steal the costs in the twenty-two suits in such papers mentioned. That among that pile of twenty-two cases, was the case of *Anthony & Co vs W. A. Heale*

That such admission was made in the presence of Mr. N. C. Lucas the Secretary of the Agency and Mr. Henry *Manwaring Clerk* Halsey the ~~Attorney~~. Deponent further alleges that the amount stolen by Hallen in the aforementioned case was *\$22 ⁵⁰/₁₀₀*. Deponent further alleges that he caused said Lucas to make memorandum of such admission by Hallen which was done.

*Sworn before me, William J. Gacey
Sept 9. 1891*

*Geo L. Rauch
Notary Public
my Co.*

1st DISTRICT POLICE COURT.

11500
x
 THE PEOPLE, &c.,

against

JAMES D. HALLER.
x

CITY AND COUNTY OF NEW YORK. : SS.

NEWTON C. LUCAS being duly sworn deposes and says;
 that he was the Secretary and Book-keeper of The United
 States Commercial Agency & Collecting Company, a corpora-
 tion duly organized and existing under the Laws of the
 State of New Jersey, and was such Secretary and Book-keeper
 from August 1st, 1888 up to ~~September~~ ^{August} 1890. That he
 is well acquainted with James D. Haller, above-named, said
 Haller being employed as the Attorney for said Agency at a
 regular weekly salary and had no interest in fees and costs
 in the cases hereinafter mentioned. That said Haller
 called at the office of said Company on or about January
 8th, 1890 to sign, and did sign substitutions of Attorney
 in about two hundred cases in which said Haller appeared
 as Attorney of Record. That among such cases was the case
 of *E. A. Anthony & Co vs M. A. Neale* then
 pending in the ~~Say~~ ^{City} Court of New York ~~County~~ ^{City}. Depo-
 nent further states that at the same time and place and in
 the presence of William G. Jones, Henry Malsey and this
 deponent said Haller examined and separated into two sepa-
 rate piles the said substitutions, and upon being asked by

Mr. Jones why he separated the piles, answered that he, said Hallen, remembered that he had received and misappropriated all the costs in said cases referred to, of which there were twenty-two, and among which said cases was the case of *Ex H. T. Anthony & Co.*

Against

William H. Steele.

That deponent thereupon at Mr. Jones' request made a memorandum of this admission, and further compared the packages with the records in his charge and ascertained that the amounts received by said Hallen in each of said twenty-two cases was from \$18.00 to \$20.50. That said Hallen misappropriated the sum of *\$22⁵⁰/₁₀₀* in the case of

Anthony against Steele.

hereinbefore referred to.

Sworn to before me, :

September 9th 1892. :

Newton B. Lucas

Geo. F. Ransom
Notary Public
St. Louis, Mo.

0525

206

DISTRICT ATTORNEY'S OFFICE.

City and County of New York.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Wm. G. Jones
280 West Broadway

James D. Hatten
(12 cases)

Office of the District Attorney
City and County of New York

Dated September 11 1891

Witnesses, Newton C. Lucas

No. 84 West Broadway Street,

No. Street,

No. Street,

-2-

appropriate the same to his own use, did then and there feloniously, ^{fraudulently} and falsely pretend and represent to one William G. Jones, who was then and there the President of the said corporation,

T H A T he the said James D. Hallen, as such attorney had then lately before advanced and paid to the clerk of the ~~Ritz Bank of New York~~ ^{Ritz Bank of New York}, for and on account of the said corporation, the sum of thirteen dollars and fifty cents, as and for jury fees in a certain action entitled ~~on~~ ^{against} ~~W.A. Hall~~ ^{W.A. Hall} then pending in the ~~said~~ ^{said} ~~Ritz Bank~~ ^{Ritz Bank}, and that the said corporation was then and there by reason of such advance and payment justly indebted to him the said James D. Hallen in the said sum of thirteen dollars and fifty cents.

A n d the said William G. Jones then and there believing the said false and fraudulent pretenses and representations so made as aforesaid by the said James D. Hallen and being deceived thereby, was induced, by reason of the false and fraudulent pretenses and representations so made as aforesaid, to deliver, and did then and there deliver to the said James D. Hallen, the sum of thirteen dollars and fifty cents in money, lawful money of the United States of America, and of the value of thirteen dollars and fifty cents, of the proper moneys, goods, chattels and personal property of the said corporation.

A n d the said James D. Hallen did then and there

-3-

feloniously receive and obtain the said proper moneys, goods, chattels and personal property, from the possession of the said corporation by color and by aid of the false and fraudulent pretenses and representations aforesaid, with intent to deprive and defraud the said corporation of the same, and of the use and benefit thereof, and to appropriate the same to his own use

W H E R E A S, in truth and in fact, the said James D. Hallen had not then lately before or at any time advanced or paid to the said clerk for and on account of the said corporation the sum of thirteen dollars and fifty cents, or any other sum, as and for jury fees in the said action, and the said corporation was not then and there by reason of any such advance or payment, justly indebted to him the said James D. Hallen in the said sum, or in any other sum.

A N D W H E R E A S, in truth and in fact, the pretenses and representations so made as aforesaid by the said James D. Hallen to the said William G. Jones was and were then and there in all respects utterly false and untrue, as he the said James D. Hallen at the time of making the same then and there well knew.

AND SO THE GRAND JURY AFORESAID, do say that the said James D. Hallen, in the manner and form aforesaid, and by the means aforesaid, the said proper moneys, goods, chat-

0529

-4-

tels and personal property of the said corporation, then
and there feloniously did steal, against the form of the
Statute in such case made and provided, and against the
peace and dignity of the said people.

DE LANCEY NICOLL,

District Attorney.

0530

BOX:

449

FOLDER:

4139

DESCRIPTION:

Hallen, James D.

DATE:

09/21/91



4139

0531

Part 5 June 15, 1909

322

Witnesses:

Henry Haley

J. F. O'Brien

Counsel,

Filed

Plends,

1891

day of Sept.

THE PEOPLE

vs.

James D. Hallen
(112 case)

Forgery in the Second Degree.
[Sections 211 and 221, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

W. J. C. Berry
Foreman.

Part 3. March 31/92.

Indictments dismissed
& Bail discharged

See endorsement
on Indictment
of 203 Sept 91

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 O. Hallen

The Grand Jury of the City and County of New York, by this
Indictment accuse *James O. Hallen*

of the crime of

Forgery in the second degree,

committed as follows:

The said

James O. Hallen

late of the City of New York, in the County of New York, aforesaid, on the

third day of *August* in the year of our Lord one thousand
eight hundred and eighty *ninety one*, at the City and County aforesaid,

with intent to defraud, feloniously did
forge a certain instrument and writing,
which said forged instrument and writing
is as follows, that is to say:

In Supreme Court

In the matter of the application of
Susan S. Meyers to compel *Henry Talley*,
an Attorney and Counsellor at Law, to
pay over certain monies obtained by him for her ac-
count &c., and also to deliver to her a certain bill of
sale signed and executed by *William Meyers* to *Susan S.*
Meyers for certain goods and chattels, &c.

Know all men by these presents, That we, Henry Halsey, of the City of New York, and E. L. Wells are held and firmly unto Susan S. Meyers her heirs, administrators, executors and assigns, in the sum of fourteen Hundred Dollars (\$1,400.00), which payment well and truly to be made we bind ourselves our and each of our Executors, administrators and assigns, jointly, firmly and severally by these presents.

In Witness Whereof we have hereunto set our hands and seals, this 3rd day of Aug 1891.

Whereas, an order was granted herein on the 6th day of July, 1891, by Hon. Miles Beach, Justice of this Court, requiring the said Henry Halsey to pay over to the said Susan S. Meyers, her heirs, executors, administrators and assigns, within five days thereafter the sum of six Hundred and ninety Dollars (\$690.00) and to deliver to said Susan S. Meyers a certain bill of sale executed by William Meyers to Susan S. Meyers: and

Whereas, the said Henry Halsey feeling aggrieved by such order, has appealed thereupon to the General Term of the Supreme Court: and

Whereas, Hon. George C. Barrett, one of

the Justices of this Court, granted an order herein on the 29th day of July, 1891, staying all proceedings on the part of Susan S. Myers herein, until after the hearing and decision of said appeal.

Now Therefore, the conditions of this obligation are such that if the General Term of this Court shall affirm the order of Hon. Miles Beach hereinbefore referred to, and the said Henry Halsey, or his heirs, executors, administrators and assigns, shall within five days after notice of such affirmance pay over to the said Susan S. Myers, or her executors, administrators and assigns, in such manner as this Court shall direct, said sum of Six Hundred and ninety Dollars, (\$690.00), together with the costs and disbursements of said appeal and shall with the same time turn over to said Susan S. Myers, or her executors, administrators and assigns, the bill of sale before referred to, then this obligation to be void, otherwise to remain in full force and virtue.

Henry Halsey
 C. F. Wells

against the form of the Statute in such case made and provided and

0535

against the peace of the People of the
State of New York and their dignity.

De Laurence Nicoll
District Attorney.

0536

BOX:

449

FOLDER:

4139

DESCRIPTION:

Hansen, Elsie

DATE:

09/24/91



4139

0537

Witnesses:

Ed. Cider

Counsel,

Filed

24 day of Sept 1891

Pleads,

THE PEOPLE

vs.

F

Chas. Hansen

James G.

no Bond

DE LANCEY-NICOLL,

District Attorney.

VIOLATION OF EXCISE LAW.
(Selling without License.)
[Ill. Rev. Stat. (7th Edition), page 1281, § 13, and
of 1887, Chap. 310, § 5.]

A TRUE BILL.

W. J. O'Leary
Foreman

264

Court of General Sessions of the Peace
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Elsie Hansen

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

Elsie Hansen

III. Revised
Statutes. (7th
edition) page
1991, Sec. 13.)

of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS AND WINES WITHOUT A LICENSE, committed as follows:

The said

Elsie Hansen

late of the City of New York, in the County of New York aforesaid, on the *eleventh* day of *September* in the year of our Lord one thousand eight hundred and ninety-*one*, at the City and County aforesaid, certain strong and spirituous 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 strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, in quantity less than five gallons at a time, to

one Edward Eider and to

certain *other* persons whose names are to the Grand Jury aforesaid unknown, without having a license therefor, as required by law, contrary to the form of the statute in such case made and provided, and against the peace and dignity of the People of the State of New York.

(Laws of 1883,
chapter 310,
Sec. 5.)

SECOND COUNT—

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

Elsie Hansen

of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, ALES, WINE AND BEER, WITHOUT A LICENSE, to be drank upon the premises, committed as follows:

The said

Elsie Hansen

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, and at the premises there situate, known as number

thirty eight Stanton Street,

certain strong and spirituous liquors, and certain ales, wines and beer, 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 strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell to

one Edward Eider and to

certain *other* persons whose names are to the Grand Jury aforesaid unknown, to be drank upon the premises aforesaid, without having a license therefor, as required by law, 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.

DE LANCEY NICOLL,

District Attorney.

0539

BOX:

449

FOLDER:

4139

DESCRIPTION:

Hanson, Charles

DATE:

09/14/91



4139

0540

Witnesses:

Off Parry, 1906

Counsel,

Filed

day of

189

Pleads,

THE PEOPLE

vs.

Charles Hanson

CRIME AGAINST NATURE.

[Sec. 303, Penal Code.]

28. B. H. H.

Edmund Nicoll,
~~JOHN R. FELLOWS,~~

District Attorney.

A TRUE BILL.

W. J. L. Berry
Sept 15/91 Foreman.

Wm. H. H. H.
17th Dec 91

See complaint against David Leahy.

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Rhader Hanson

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this
indictment, accuse *Rhader Hanson*
of the CRIME AGAINST NATURE, committed as follows:

The said *Rhader Hanson*,
late of the City of New York, in the County of New York aforesaid, on the
eighteenth day of *August*, in the year of our Lord one thousand
eight hundred and ninety — *one*, at the City and County aforesaid,
with force and arms, in and upon one *David Seating*,
a male person, then and there being, feloniously did make an assault, and
with the said *David Seating*, in a manner
contrary to nature, then and there feloniously did carnally know; 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.

0542

SECOND COUNT:—

AND THE GRAND JURY AFORESAID, by this indictment further
accuse the said *Charles Hanson* —
of the same CRIME AGAINST NATURE, committed as follows:

The said *Charles Hanson*,
late of the City and County aforesaid, afterwards, to wit: On the day and in the year
aforesaid, at the City and County aforesaid, feloniously did voluntarily submit to carnal
knowledge of himself by one *David Smith*, a male
person, in a manner contrary to nature; 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
JOHN R. FELLOWS,

District Attorney.

0543

BOX:

449

FOLDER:

4139

DESCRIPTION:

Hart, William

DATE:

09/16/91



4139

0544

Witnesses:

Fred R. Henry
Off. McNeal

Counsel,

Filed

Pleads,

189

day of

Sept 1

THE PEOPLE

vs.

William Hart

Burglary in the Third Degree.
Section 488, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

M. J. Liberry

Foreman.

Sept 1/189

Heard & Jury 304

2 yrs 6 mos 100

189

0545

Police Court— District.

City and County } ss.:
of New York,

of No. 22 Spruce Street, aged 23 years,
 occupation photographer being duly sworn
 deposes and says, that the premises No. 22 Spruce Street, 14th Ward
 in the City and County aforesaid the said being a law office on the 2d floor
 of the 4-story brick building
 and which was occupied by deponent as a photograph office
 and in which there was at the time a human being, by name

were **BURGLARIOUSLY** entered by means of forcibly

prying open
the door leading from the hall
into said room and breaking in
said door

on the 19th day of August 1891 in the day time, and the
 following property feloniously taken, stolen, and carried away, viz:

One dozen gold & silver rings
1 Bang
2 Memoricons
1 Seal

Being together of the value of
Twenty seven Dollars

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

William Hart (now known as another
person who is as yet not arrested

for the reasons following, to wit: who were acting in concert
with each other for the reasons foregoing
to wit that on the night of the 18th
day of October 1891, deponent secretly
locked and fastened said door by
means of a bar and a key, and about
the hour of twelve AM on the morning
of said day he found said door
broken open and said property gone

Exposed said defendant together with
said unknown ^{than} ~~stand~~ ^{stand} in front
of said premises with this property
in their possession and he caused said
defendant to be arrested. Exposed in
his possession 2 sawy pins a bangs
and said scales which he identifies
as being his and being a portion of
the property herein mentioned and
he further said as per said with
acting in concert with said unknown
person and with the burglary
before said

Sworn to before me 1891
this 19th day of August 1891 Fred King
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
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 _____ 1891
Police Justice.
I have admitted the above named
to bail to answer by the undertaking hereunto annexed.
Dated _____ 1891
Police Justice.
There being no sufficient cause to believe the within named
guilty of the offence mentioned, I order he to be discharged.
Dated _____ 1891
Police Justice.

Police Court, District.		Offence—BURGLARY.	
THE PEOPLE, &c., on the complaint of			
vs.			
1		Dated	1891
2			Magistrate.
3			Officer.
4			Clerk.
		Witness.	
No.		Shall.	
No.		Shall.	
No.		Shall.	
to answer General Sessions.			

0547

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK,

District Police Court.

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

Question. What is your name?

Answer. *William Hart*

Question. How old are you?

Answer. *32 years.*

Question. Where were you born?

Answer. *United States*

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

Answer. *57 Allen Street 3 years.*

Question. What is your business or profession?

Answer. *Shoemaker*

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*

William Hart

Taken before me this

day of *Aug* 1897

Police Justice.

0548

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 Five Hundred Dollars, 500 and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated Aug 19 1891 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.

0549

1115

Police Court---

THE PEOPLE, &...
ON THE COMPLAINT OF

Therese M. Henry
22 Spruce St
William Henry
1
2
3
4
Office

BAILED.

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street

Dated *August 19* 188*9*

Levin Magistrate.

W. H. H. H. Officer.

4 Precinct.

Witnesses

No. Street.

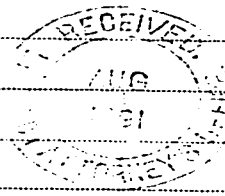
No. Street.

No. Street.

No. Street.

* *500* to answer *GS*

from *12* *12* *12*



0550

483

Court of General Sessions of the Peace
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

William Hart

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

William Hart

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

The said

William Hart

late of the *4th* Ward of the City of New York, in the County of New York aforesaid, on the
nineteenth day of *August* in the year of our Lord one
thousand eight hundred and ninety-*one* in the *day* -time of the same day, at the
Ward, City and County aforesaid, a certain building there situate, to wit, the *office* of
one *Frederick Henry*

there situate, 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 *Fred-*
erick Henry in the said *office*
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.

SECOND COUNT—

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

William Hart
 of the CRIME OF *Grand LARCENY in the second degree*, committed as follows:
 The said *William Hart*

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 *day* — time of said day, with force and arms,

*twelve scarf pins of the value
 of one dollar and fifty cents
 each, one banjo of the value of
 seven dollars, two harmonicons
 of the value of fifty cents each
 and one scale of the value of
 two dollars*

of the goods, chattels and personal property of one

in the

Fredrick Henry
office of the said *Fredrick Henry*

there situate, then and there being found, in the *office*
 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.

THIRD COUNT:

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

William Hart
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said *William Hart*

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, with force and arms, at the Ward, City and County aforesaid,

twelve scarf-pins of the value of one dollar and fifty cents each, one bag of the value of seven dollars, two harmonicons of the value of fifty cents each, and one scale of the value of two dollars

of the goods, chattels and personal property of

Frederick Henry

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

Frederick Henry

unlawfully and unjustly did feloniously receive and have: (the said

William Hart

then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, 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.

DE LANCEY NICOLL,

District Attorney.