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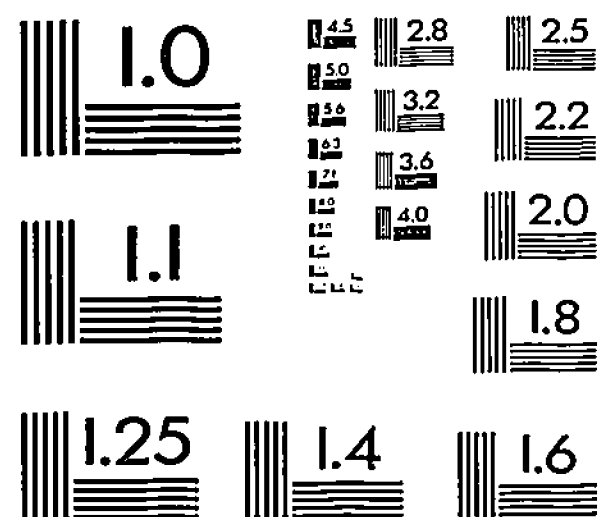
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0009

RECORD GROUP:

**COURT OF GENERAL  
SESSIONS**

SUBGROUP:

**NEW YORK COUNTY**

SERIES:

**GRAND JURY  
INDICTMENTS**

DATES:

**1879 - 1893**

**ACCN NO 2010-23**



2010-23

00 10

**BOX:**

344

**FOLDER:**

3243

**DESCRIPTION:**

Underhill, Albert G.

**DATE:**

02/27/89



3243

0011

263

*Buller*

Counsel,  
Filed 27 day of July 1889  
Pleads, Chiquely vs

THE PEOPLE

vs.

[Section 528, and 531, Penal Code].  
(False Pretenses).  
LARCENY,

*Albert G. Underhill*  
(2 cases)

JOHN R. FELLOWS,  
March 13, 1889, District Attorney.

A True Bill.

*John R. Fellows*  
Foreman.

Witnesses:

*Chas. Maycock*



0012

Police Court 1st District.

Affidavit—Larceny.

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

Charles Maycock  
of No. 698-9th Avenue Street, aged 35 years,  
occupation Grocer being duly sworn  
deposes and says, that on the 20 day of October 1888 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the day time, the following property, viz:

Gold and lawful  
money of the United  
States of the amount and  
value of forty-five dollars

the property of Deponent

and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,  
and carried away by Albert G. Underhill (now here)  
for the reasons following to wit:  
on the above described date the  
said defendant presented to  
deponent the annexed check  
and informed him that it was  
genuine and that he was well  
acquainted with the said Robt. J.  
McMinnott whose name is signed  
to said check and asked deponent  
to cash the said check. Deponent  
believing the representation made  
by defendant to be true gave to  
defendant the said forty-five  
dollars, promising to pay him

Sworn to before me, this  
day  
188

Police Justice.

balance in a few days. Defendant  
 is informed that no such person  
 as Robert M. McDermott is in business  
 in Cleveland Ohio, as represented <sup>by defendant</sup> and  
 is also informed by the attorney  
 present that the said Robert  
 McDermott had no account  
 in said bank as represented  
 by said check.

Sworn to before me  
 this 12<sup>th</sup> day of February 1884. *Chas. Haycock*  
*P. Humphreys*  
 Police Justice

00 14

Sec. 198—200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Albert G. Underhill* being duly examined before the undersigned according to law, on the annexed charge; and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him if he see fit to answer the charge and explain the facts alleged against him, that he is at liberty to waive making a statement, and that his waiver cannot be used against him upon the trial.

Question. What is your name?

Answer.

*Albert G. Underhill*

Question. How old are you?

Answer.

*45 years*

Question. Where were you born?

Answer.

*New York*

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

Answer.

*Refused. New York City*

Question. What is your business or profession?

Answer.

*Speculation*

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you may think will tend to your exculpation?

Answer.

*I am not guilty and waive examination*

*A. G. Underhill*

Taken before me this

*15*

day of *February*

*188*

*J. M. Thompson*

Police Justice.

00 15

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.....

Levenson  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Ten Hundred Dollars,.....and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated July 12 1889. J. H. Murphy Police Justice.

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

Dated.....188..... Police Justice.

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

Dated.....188..... Police Justice.



0016

Police Court---

1st 234 District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Charles Mayers,  
698 vs. 19 Ave  
Alfred G. Bradhill

2

3

4

Dated

1889

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

\$

to answer

Committed.

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

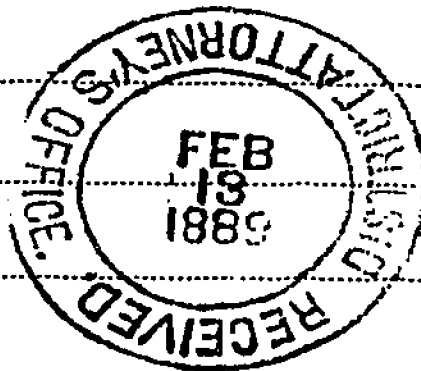
Residence

Street.

No. 4, by

Residence

Street.



0017

New York Produce Exchange,

New York, DEC 19<sup>th</sup> 1888

Recd from Mr Wilbur Funn  
the sum of Five Hundred  
dollars to be used in  
buying & selling Stocks  
for acct of Wilbur Funn.  
This amt I bind myself  
here or assigns to return  
to Said Funn within

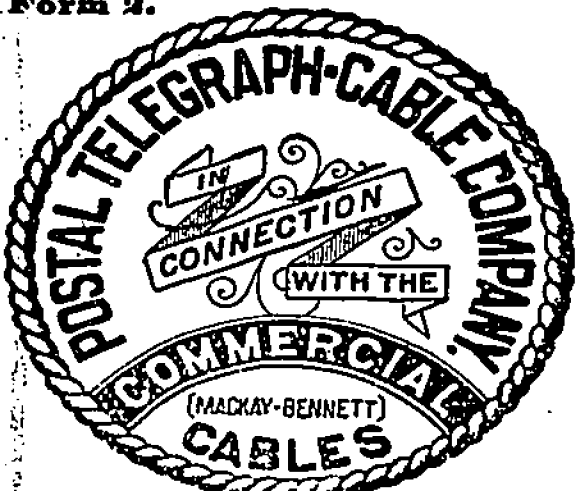
0018

twenty four hours notice  
And all profits arising  
from the investment  
said sum to be paid  
to Mr Wilbur Linn in  
his order including  
Capital (\$500) invested.

~~A. G. Henderson~~

0019

Form 2.



## TELEGRAM.

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

ALBERT B. CHANDLER, Pres't and General Manager.  
HENRY ROSENER, Vice President.

EDWARD C. PLATT, Treasurer.  
GEORGE R. WILLIAMSON, Sec'y and Auditor.

NUMBER	SENT BY	REC'D BY	CHECK
23			10 Cents

Dated CHICAGO 11 Received at St. Louis Feb 11 1898

To L. B. Name

Mr Underhill is not a  
member of this Board  
G. H. Stone Secy



0020

Police Court

District.

Affidavit—Larceny.

City and County } ss.:  
of New York,

of No.

104 West 43rd

Street, aged

years,

occupation

Professional Singer

being duly sworn

deposes and says, that on the

19th

day of

December

188

at the City of New

York, in the County of New York, was feloniously taken, stolen and carried away from the possession

of deponent, in the day time, the following property, viz:

Good and lawful money of the United  
States of the Amount and Value  
of Five Hundred dollars

the property of

Deponent

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,

and carried away by

Albert E. Underhill

(nowhere  
from the fact that on said date deponent  
met the defendant at the Produce Exchange  
and gave the above described amount  
of money to the defendant to speculate  
in stocks for deponent ~~that was taken~~  
on the representations made to deponent  
by said defendant that he was of the  
Chicago board of trade deponent  
believing these representations to be true  
parted with said amount of money which  
the defendant was to return to deponent  
on demand with profits

Deponent has made a demand for this  
money on different occasions and defendant

Sworn to before me, this  
day of

188

Police Justice



has failed to return said money to deponent  
 but has withheld and appropriated  
 the same to his own use  
 wherefore deponent prays he may be  
 dealt with as the law directs

Sworn to before me  
 this 11<sup>th</sup> day of Sep 1889 } Wilbur Gunn.  
 J. Henry Brady  
 Police Justice

0022

Sec. 198—200.

102 District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Albert G. Underhill being duly examined before the undersigned according to law, on the annexed charge; and being informed that it is his right to make a statement in relation to the charge against him, that the statement is designed to enable him if he see fit to answer the charge and explain the facts alleged against him that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer. Albert G. Underhill

Question. How old are you?

Answer. 45 years

Question. Where were you born?

Answer. New York County

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

Answer. Everett House 4 months

Question. What is your business or profession?

Answer. Horse dealer

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you may think will tend to your exculpation?

Answer. I am not guilty

Albert G. Underhill

Taken before the lips

day of

1889

Police Justice.

0023

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named.....

Defendant  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Five Hundred Dollars,..... and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated July 11 1889 G. Thompson Police Justice.

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

Dated..... 188..... Police Justice.

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

Dated..... 188..... Police Justice.

0024

Police Court---

235 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Walter Gunn  
104 West 43<sup>rd</sup>  
Albert G. Anderson

2  
3  
4

Offence

Wm. d. Larcum

Dated July 11 1889

Magistrate.

Oates & Kuylen

Officer.

Precinct.

Witnesses Turner & Deal

No. 1 The Produce Exchange Street.

Cor. Canal & Broadway

No. 2 Union Bank Street.

Room 210 Produce Exchange

No. 3 Mrs. E. B. Street.

104 West 43<sup>rd</sup>

1000

RECEIVED  
JUL 11 1889  
Clerk

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

0025

No. 240	<del>New York</del> Cleveland Oct 20 1886
First National Bank Cleveland Ohio	
<del>Knickerbocker Candy Company</del>	
234 5th Avenue.	
Pay to the order of	A J Underhill
Twenty-five	Dollars
\$ 25.00	Robt L Mc Dermott



0026

*Handwritten signature*  
PAY TO THE ORDER OF  
CASHIER, FOR COLLECTION,  
BANK OF NEW YORK  
ON ACCOUNT OF  
WILLIAM CORNWELL,  
Customer.

*Handwritten signature*  
WILLIAM CORNWELL  
CASHIER

THE LEGAL & COM. PUB. CO., Cleveland, O.

<sup>N</sup> Cuyahoga County, ss.)

Whereupon, I, the said Notary, at the request aforesaid, did **Protest**, and by these presents do publicly and solemnly **Protest**, as well against the Drawer..... and Endorser... of the said check....., as against all others whom it doth or may concern, for exchange, re-exchange, and all costs, damages, and interests already incurred and to be hereafter incurred, for want of payment of said check.....

I Further Certify, that on the day and year last aforesaid, I served Notice of the foregoing Protest, as follows, to wit:

*In Testimony Whereof, I have hereunto subscribed my name and affixed my seal of office.*

*J. H. M. T. A. M.*  
Notary Public.

0028

*Charles J. Davis*  
*Protest*

45.  
1.65  
46.65  
Certificate of Protest

FOR

Non-

Payment of

Check

Robt L. McEnnally

\$76.65

Cost of Protest. . . \$1.65.

66.65

*✓*

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

THE PEOPLE OF THE STATE OF NEW YORK,  
AGAINST

*Albert J. Underhill*

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

*Albert J. Underhill*

of the CRIME OF *Grand* LARCENY in the second degree,  
committed as follows:

The said *Albert J. Underhill*,

late of the City of New York, in the County of New York aforesaid, on the *nineteenth*  
day of *December*, in the year of our Lord one thousand eight hundred and  
eighty-*eight*, at the City and County aforesaid, with force and arms, with intent to  
deprive and defraud *one William Hamm*,

of the proper moneys, goods chattels and personal property hereinafter mentioned, and of  
the use and benefit thereof, and to appropriate the same to *his* own use, did then and  
there feloniously, fraudulently and falsely pretend and represent to *the said*  
*William Hamm*,

That *the said Albert J. Underhill*  
*was then a member of the Chicago*  
*Board of Trade; that any sum of*  
*money which the said William Hamm*  
*might desire to place in the hands of*  
*him the said Albert J. Underhill to*  
*be used in buying and selling stocks*  
*for the account of the said William Hamm*  
*and which the said Albert J. Underhill*

0030

And the said William Sumner \_\_\_\_\_

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 ~~Robert J. Anderson~~, He sum of five hundred dollars in money, lawful money of the United States and of the value of five hundred dollars.

And the said William J. Burns did then and there feloniously receive and obtain the said proper moneys, goods, chattels, and personal property, from the possession of the said William J. Burns.

of the same, and of the use and benefit thereof, and to appropriate the same to his own use

Whereas, in truth and in fact, the said Robert H. Underhill  
was not then a member of the Chicago  
Board of Trade.



any sum of money which the said  
 William Sumner might desire to place  
 in the hands of the said Albert H.  
 Underhill for the purposes and  
 on the conditions aforesaid, could not  
 be legally placed in the hands of  
 the said Albert H. Underhill, for such  
 purpose, <sup>nor any</sup> and he ~~was~~ <sup>is</sup> ~~thereby~~ <sup>is</sup> ~~injured~~  
 for the said William Sumner upon the sum  
 aforesaid.

And Whereas, in truth and in fact, the pretenses and representations so made  
 as aforesaid by the said Albert H. Underhill  
 to the said William Sumner was and were  
 then and there in all respects utterly false and untrue, as he the said  
Albert H. Underhill  
 at the time of making the same then and there well knew

And so the Grand Jury Aforesaid, do say that the said  
Albert H. Underhill  
 in the manner and form aforesaid, by the means aforesaid, the said proper moneys, goods,  
 chattels and personal property of the said William Sumner  
 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.

JOHN R. FELLOWS,

District Attorney.

Witnesses:

William Guss  
Adopted

The money alleged to be taken was sent up as a guarantee for stock speculation. At various times, sums were returned by left as profits but I am of opinion that such would be regarded as part of principal. These payments would reduce the amount to the degree of petit larceny and I am of opinion that a plea for that offense be accepted.

John W. Goff  
"Ant-Sett-Off"

762  
Butcher

Counsel,  
Filed 27 day of Feb 1889  
Pleads, Guilty

THE PEOPLE  
vs  
Wm. G. Underhill  
(2 cases)  
[Section 528, and 531, Penal Code].  
(False Pretenses).  
LARCENY.

JOHN R. FELLOWS,  
District Attorney.

A True Bill. Past 14 April 15/89  
Plead Petition Larceny

Foreman.  
Pen Comp.

0033

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
AGAINST

*Albert J. Underhill*

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

*Albert J. Underhill*

of the CRIME OF *Grand* LARCENY in the second degree,  
committed as follows:

The said *Albert J. Underhill*

late of the City of New York, in the County of New York aforesaid, on the *fourth*  
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 *one Rafael Mangada*

of the proper moneys, goods chattels and personal property hereinafter mentioned, and of  
the use and benefit thereof, and to appropriate the same to *his* own use, did then and  
there feloniously, fraudulently and falsely pretend and represent to *the said*  
*Rafael Mangada*.

That a certain paper writing in the words  
and figures following to wit:

"No 240

Standard Oct 20 1926

First National Bank Cleveland Ohio

234 5th Avenue

Pay to the order of *A. J. Underhill*

*Five*

*\$45.00*

*Robert F. McDermott*

and caused by him the said *Albert J.*

Underhill and person "A. H. Underhill" which said paper purporting to be the said Albert H. Underhill then and there produced and delivered to the said Charles Maygoda, was then and there a good and valid order for the payment of money and of the value of seventy five dollars; that the maker of the said paper writing was one Robert T. M. Demott, who was a man of means and responsibility.

And the said Charles Maygoda then and <sup>there</sup> believing the said false and fraudulent pretenses and representations so made as aforesaid by the said Albert H. Underhill

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 Albert H. Underhill, the sum of seventy five dollars in money, lawful money of the United States and of the value of seventy five dollars,

of the proper moneys, goods, chattels and personal property of the said Charles Maygoda.

And the said Albert H. Underhill did then and there feloniously receive and obtain the said proper moneys, goods, chattels, and personal property, from the possession of the said Charles Maygoda by color and by aid of the false and fraudulent pretenses and representations aforesaid, with intent to deprive and defraud the said Charles Maygoda of the same, and of the use and benefit thereof, and to appropriate the same to his own use

Whereas, in truth and in fact, the said paper writing, so endorsed as aforesaid, and which the said Albert H. Underhill as aforesaid then and there produced and delivered



to the said Charles Maygood, was not then and there a good and valid order for the payment of money and was not of the value of twenty five dollars or of any value whatever, but was in truth then and there wholly worthless; and the maker of the same was not one Robert X. McDermott who was a man of means and responsibility.

And Whereas, in truth and in fact, the pretenses and representations so made as aforesaid by the said Robert X. McDermott to the said Charles Maygood was and were then and there in all respects utterly false and untrue, as the the said Robert X. McDermott at the time of making the same then and there well knew

And so the Grand Jury Aforesaid, do say that the said Robert X. McDermott in the manner and form aforesaid, by the means aforesaid, the said proper moneys, goods, chattels and personal property of the said Charles Maygood 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.

JOHN R. FELLOWS,

District Attorney.