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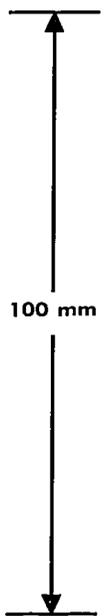
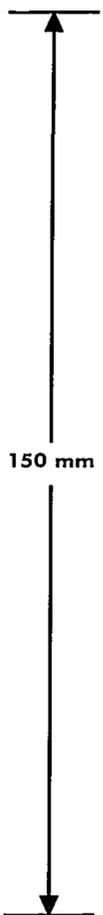
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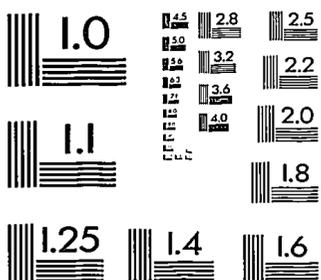
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0009

RECORD GROUP:

COURT OF GENERAL
SESSIONS

SUBGROUP:

NEW YORK COUNTY

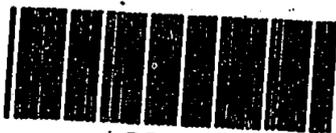
SERIES:

GRAND JURY
INDICTMENTS

DATES:

1879 - 1893

ACCN NO 2010-23



2010-23

0010

BOX:

344

FOLDER:

3243

DESCRIPTION:

Underhill, Albert G.

DATE:

02/27/89



3243

0011

263

Buller

Counsel, _____
Filed 27 day of July 1889
Pleas, Chattel Mortgage

THE PEOPLE
vs.
Albert G. Underhill
(2 cases)

THE PEOPLE

vs.

Albert G. Underhill
(2 cases)

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

A True Bill.

J. Underhill

Foreman.

Witnesses:

Chas. Maycock

0012

Police Court 1st District.

Affidavit—Larceny.

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

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 daytime, 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.
McNammott 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
deponent the said forty-five
dollars, promising to give 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. Bennett is in business
 in Cleveland Ohio, as represented ^{by defendant} and
 is also informed by the attorney
 present that the said Robert
 M. Bennett had no account
 in said bank as represented
 by said check.

Sum to Fifteen me
 this 12th day of February 1889. *Shas Haycock*
P. M. Bennett
 Police Justice

0014

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. *Speculator*

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*

Albert G. Underhill

Taken before me this

13

day of *February*

188*8*

J. M. [Signature]

Police Justice.

0015

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.....

Deferdours

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 17* 188*9*. *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 Mayer
698 vs. *19th Ave*
Alban G. Underhill

Grand Jurors
Office

2
3
4

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated *Sept 12* 1889

John Magistrate.

McLaughlin Officer.

1st Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

\$ *1000* to answer *G.S.*

Committed.



0017

New York Produce Exchange,

New York, Dec 19th 1888

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

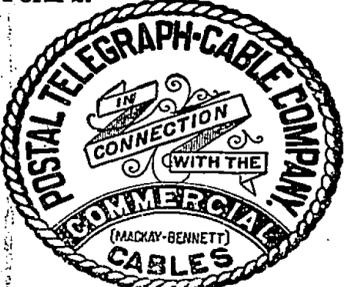
0018

twenty four hours notice
and all profits arising
from the investment
said sum to be paid
to Mr. Wilbur Linn
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 Cae

CHICAGO.

Dated 11 Received at Dept Feb 11 18

To L B Name

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

0020

Police Court 1st District.

Affidavit—Larceny.

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

of No. 104 West 43rd Street, aged 28 years,
occupation Professional Singer being duly sworn
deposes and says, that on the 19th day of December 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:

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~~ 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 wants to return to deponent on demand with profits.

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

Subscribed to before me, this 19th day of December 1888
Police Justice

0021

has failed to return said money to deponent
but was 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 11th day of Sep 1889 } Wilbur Gunn.
G. Henry Parry

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

(Signature)

Taken before me this 11 day of July 1889
(Signature)
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 200 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 J. H. [Signature] Police Justice.

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

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

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

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

0024

Police Court---

235 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Wilbur Gunn
104 West 43rd

Albert G. Anderson

2
3
4

Offence

Alfred L. ...

Dated July 11 1889

St. Paul

Magistrate.

Oates & Kuylenstierna

Officer.

Precinct.

Witnesses Turner & Deal

No. 1 The Produce Exchange Street.

Cor. Canal & Broadway

No. 2 Ansom & ... Street.

Room 210 ... Exchange

No. 3 Mrs. E. B. ... Street.

104 West 43rd

\$1000



BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

0025

No. 240 ~~New York~~ Cleveland Oct 20 1886
~~First National Bank~~ Cleveland Ohio
~~Knickerbocker Cash Company~~
234 5th Avenue.
Pay to the order of A J Underhill
Seventy-five Dollars
\$75.00
Robt W Bennett

ic,
ay

9200

Customer
~~BANK OF NEW YORK~~
ON ACCOUNT OF
CASHIER, FOR COLLECTION
PAY TO THE ORDER OF
[Handwritten signature]

[Handwritten signature]
[Handwritten signature]
[Handwritten signature]
THE NATIONAL CITY BANK
NEW YORK

CERTIFICATE OF PROTEST.

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

THE STATE OF OHIO,
Cuyahoga County, ss.)

I, J. H. W. [Signature], Notary Public,

duly appointed, commissioned and sworn, residing in the city of Cleveland,
in the County and State aforesaid, Do hereby Certify and Declare, that on the 29th day
of October, in the year of our Lord one thousand eight hundred and eighty six at
the request of the Cashier, Nat. Bank, I did present
the original check which is hereto annexed,
to the First National Bank, Cleveland, Ohio,
where the same is made payable, and duly demanded payment thereof, which was refused;

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.

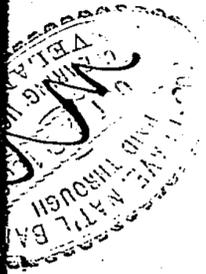
And I further Certify, that I have no interest in said check, and
that on the day and year above written I deposited in the Post Office at Cleveland, in
said County, Notices of the foregoing Protest, signed by me, and addressed as follows:
Notice for Bank of Buffalo, directed to Buffalo, N. Y., inclosing
Notice for the 7th St. Bank of New York
Notice for Chas. M. [unclear] and [unclear]
said places being the reported places of residence of the persons to whom said Notices were addressed.

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

Thus Done and Protested, in the city of Cleveland,
on the day and year above written.

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

[Signature]
Notary Public.



0028

*Charles J. Brown
Protestor*

*45.
1.65*

Certificate of Protest

FOR

Non-payment of

check

Robt L. McEnmogh

\$76.65

Cost of Protest . . . \$1.65.

Cost 76.65

5/20/28

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 *min*
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 J. ...*

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 J. ...

That *the said Albert J. Underhill*
was then a member of the Chicago
Board of Trade; that any sum of
money which he the said Underhill
might receive or place in the hands of
him the said Albert J. Underhill to
be used in paying and settling
for the account of the said William J. ...
and which he the said Albert J. Underhill

then and there offered, proposed and undertaken to take and receive for and purpose and to bind himself, his heirs assigns to return to the said William ^{at his order} ~~Sumner~~ within twenty four hours after together with all rights arising from the interest therein, could be safely ascertained in the books of the said ~~William~~ ^{William} ~~Sumner~~ ^{Sumner} and a proper receipt issued for the said ~~William~~ ^{William} ~~Sumner~~ ^{Sumner} as aforesaid.

And the said ~~William~~ ^{William} ~~Sumner~~ ^{Sumner}

then and there ^{there} believing the said false and fraudulent pretenses and representations so made as aforesaid by the said ~~William~~ ^{William} ~~Sumner~~ ^{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

~~William~~ ^{William} ~~Sumner~~ ^{Sumner} ~~the sum of~~ ^{the sum of} ~~one hundred and~~ ^{one hundred and} ~~thirty~~ ^{thirty} ~~dollars~~ ^{dollars} ~~and~~ ^{and} ~~the value of~~ ^{the value of} ~~one~~ ^{one} ~~hundred~~ ^{hundred} ~~and~~ ^{and} ~~thirty~~ ^{thirty} ~~dollars~~ ^{dollars} of the proper moneys, goods, chattels and personal property of the said ~~William~~ ^{William} ~~Sumner~~ ^{Sumner}

of the proper moneys, goods, chattels and personal property of the said ~~William~~ ^{William} ~~Sumner~~ ^{Sumner}

And the said ~~William~~ ^{William} ~~Sumner~~ ^{Sumner} did then and there feloniously receive and obtain the said proper moneys, goods, chattels, and personal property, from the possession of the said ~~William~~ ^{William} ~~Sumner~~ ^{Sumner}

by color and by aid of the false and fraudulent pretenses and representations aforesaid, with intent to deprive and defraud the said ~~William~~ ^{William} ~~Sumner~~ ^{Sumner}

of the same, and of the use and benefit thereof, and to appropriate the same to ~~his~~ ^{his} own use

Whereas, in truth and in fact, the said ~~William~~ ^{William} ~~Sumner~~ ^{Sumner} was not ~~an~~ ^{an} ~~member~~ ^{member} ~~of~~ ^{of} ~~the~~ ^{the} ~~Board~~ ^{Board} ~~of~~ ^{of} ~~Trustees~~ ^{Trustees} of the said ~~Bank~~ ^{Bank} ~~of~~ ^{of} ~~Massachusetts~~ ^{Massachusetts}

And whereas in truth and in fact

any sum of money which the said
William Sumner might be desirous to place
in the hands of the said Albert H.
Underhill for the purpose and
on the conditions aforesaid, could not
be so placed in the hands of
the said Albert H. Underhill, for such
purpose, and the said Underhill
was the said William Sumner the sum
so placed.

[Large handwritten flourish or scribble]

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.

0032

762
Butcher

Witness:
William Guss
Adlym

The money alleged to be taken was sent up as a guarantee for stock speculation at various times. It was never returned by left as profits but I am of opinion that such would be reported 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-Deit-billy"

Counsel,
Filed 27 day of February 1889
Pleads, Guilty

THE PEOPLE
45
Hunt
OS
sworn to
Orest J. Underhill
(2 cases)

JOHN R. FELLOWS,
District Attorney.
April 16-1889

A True Bill. Part IV April 15, 1889

Plead Pet. Larceny
Foreman.
Pen Comp.

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 1st 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 Charles 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 Charles 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 hundred and no/100 Dollars

\$45.00 Albert J. Underhill

and accused by him the said Albert J.

under the name "A. H. ..."
which said paper purporting to be paid
to the said ... and there
produced and delivered to the said Charles
Mayhew, was then and there a good
and valid order for the payment of money
and of the value of seven and five dollars;
that the maker of the said paper money was
one Robert T. ... who was a man
of means and responsibility.

And the said Charles Mayhew
then and ^{there} believing the said false and fraudulent pretenses and representations so made
as aforesaid by the said Robert T. ...

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 T. ... the sum of seven
and five dollars in money and of the value
of the United States and of the value
of seven and five dollars,

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

And the said Robert T. ...
did then and there feloniously receive and obtain the said proper moneys, goods, chattels, and
personal property, from the possession of the said Charles Mayhew
by color and by aid of the false and fraudulent pretenses and representations aforesaid, with
intent to deprive and defraud the said Charles Mayhew
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 money so
endorsed as aforesaid, and which the said
said Robert T. ... as aforesaid
then and there produced and delivered

To the said Charles Maygoda, was 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 Mc Dermott 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 Mc Dermott to the said Charles Maygoda was and were then and there in all respects utterly false and untrue, as he the said Robert X Mc Dermott 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 Mc Dermott in the manner and form aforesaid, by the means aforesaid, the said proper moneys, goods, chattels and personal property of the said Charles Maygoda 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.