

0652

BOX:

32

FOLDER:

387

DESCRIPTION:

Thompson, John

DATE:

02/17/81



387

78-

Day of Trial,
Counsel,
Filed *17* day of *Feb* 188*1*.
Pleads

THE PEOPLE

28.

Selling Lottery Policies.

B
John Thompson

DANIEL G. ROLLINS,

District Attorney.

A Tric Trac

Foreign

Feb 24/91

Stek

End
Geo. Mayo Rev. 7/4/00

0653

0654

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

James Stimson
of No. 66 Greenwich Street,

being duly sworn deposes and says, that on the third day of
February 1887 at No. 149 Washington
Street, in the City and County of New York,

John Thompson
did unlawfully and feloniously sell and vend to

deponent for five cents
a certain paper and document, the same being what is commonly known as,
and is called a Lottery Policy, and which said Lottery Policy, writing, paper,
and document is as follows, that is to say:

the Annexed Ticket purporting to insure
a chance in the drawing or drawn numbers
of a certain lottery unauthorized by the laws of
the State of New York

Wherefore deponent prays that the said John Thompson
may be dealt with according to law.

Sworn to before me, this

day of February 1887

James Stimson

Wm. J. [Signature] Police Justice.

0655

No. 123 District. 18

Police Court

THE PEOPLE, & c.,
ON THE COMPLAINT OF
James E. Timmons
House of Detention

vs.

John Thompson
Street.

Dated February 3 1881

Wardell Police Justice.

L. Lynn Dyer Officer.

Witness:

George W. Hulse
Bailed by

North Wm. C. H.
Residence of

500 to answer.

James E. Timmons

RECEIVED FEB 7 1881
DISTRICT ATTORNEY

0656

CITY AND COUNTY }
OF NEW YORK, } ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That

John Thompson

late of the *first* Ward, in the City and County aforesaid,
on the *third* day of *February* in the year of our
Lord one thousand eight hundred and eighty - *one* at the Ward, City and
County aforesaid, with force and arms, did unlawfully and knowingly vend, sell, barter,
furnish and supply, to one

James Stimson

and did procure and cause to be procured for the said

James Stimson

a certain paper, instrument, and writing, commonly called a lottery policy, which said
paper, instrument, and writing, commonly called a lottery policy, is as follows, that is
to say:

5. 1. 24 J

(a more particular description of which said instrument and writing so commonly
called a lottery policy, is to the jurors aforesaid unknown, and cannot now be given)

0657

SECOND COUNT—

And the jurors aforesaid, upon their oath aforesaid, do further present:

That the said *John Thompson*
late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, and on divers other days and times between that day, and the day of the taking of
this inquisition, was and yet is a common gambler: and that he the said

John Thompson
on the day and in the year aforesaid, and on said other days and times between that day and
the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force
and arms, at and in a certain room in a certain building, known as number

One hundred and forty-nine Washington Street

in said Ward, City and County, with force and arms, did unlawfully and knowingly vend, sell,
barter, furnish and supply to divers persons, (whose names are to the jurors aforesaid
unknown and cannot now be given), and did procure, and caused to be procured, for the said
divers persons, (whose names are to the jurors aforesaid unknown), certain instruments and
writings, commonly known as and called lottery policies (a more particular description of which
is to the jurors aforesaid unknown and cannot now be given).

THIRD COUNT—

And the Jurors aforesaid, upon their oath aforesaid, do further present:

That the said *John Thompson*
late of the Ward, City and County aforesaid, on the day and in the year aforesaid, and on
divers other days, was and yet is a common gambler:

And that he the said *John Thompson*

afterwards on the day and in the year aforesaid, at the Ward, City and County aforesaid,
with force and arms, at and in a certain room in a certain building, known as number

One hundred and forty-nine Washington Street

in said Ward, City and County, with force and arms, did unlawfully and knowingly vend, sell,
barter, furnish and supply to one

James Stimson
and did procure and cause to be procured for the said

James Stimson
a certain instrument and writing, commonly known as and called a lottery policy, which said
instrument and writing commonly called a lottery policy, is as follows, that is to say:

5. 1. 29 J

(a more particular description of which said instrument and writing so commonly called a
lottery policy, is to the jurors aforesaid unknown, and cannot now be given).

0658

FOURTH COUNT—

And the Jurors aforesaid, upon their oath aforesaid, do further present :

That the said *John Thompson*
late of the Ward, City and County aforesaid, afterwards to wit: on the day and in the year
aforesaid, and on divers other days and times between that day and the day of the taking of
this inquisition, at the Ward, City and County aforesaid, with force and arms, feloniously and
unlawfully did keep a certain room in a certain building known as number

One hundred and forty-nine Washington Street

in said Ward, City and County, to be used and occupied for gambling, and did knowingly per-
mit the said room to be used and occupied for gambling.

FIFTH COUNT—

And the jurors aforesaid, upon their oath aforesaid, do further present :

That the said *John Thompson*
late of the Ward, City and County aforesaid, afterwards to wit: on the day and in the year
aforesaid, and on divers other days and times between that day and the day of the taking of
this inquisition, at the Ward, City and County aforesaid, with force and arms, feloniously and
unlawfully did keep a certain room in a certain building, known as number

One hundred and forty-nine Washington Street

in said Ward, City and County, to be used and occupied for gambling, and did knowingly permit
thesaid room to be used and occupied for gambling, to wit: for selling and vending and disposing
of certain instruments and writings, commonly known as and called lottery policies, (a more
particular description whereof is to the jurors aforesaid unknown, and cannot now be given).

against the form of the Statute in such case made and provided, and against the peace of
People of the State of New York and their dignity.

DANIEL G. ROLLINS,
District Attorney.

0659

BOX:

32

FOLDER:

387

DESCRIPTION:

Tracy, Michael

DATE:

02/09/81



387

0660

Counsel,
Filed 9 day of Feb 1887
Pleads

THE PEOPLE

Larceny, and Receiving Stolen Goods.

of
Wm. H. Dwyer
vs.
Michael Tracy.

F.
Michael Tracy.

Daniel G. Robinson
WM. H. DWYER

District Attorney.
Past Mr February 10, 1887
pleads At P.C.

A True Bill.

(Signature)

Foreman.

Pen: Two months.

0661

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, }

FORM 89½

SS.

POLICE COURT—SECOND DISTRICT.

*Isaac Goettie*of No. *228 E. 75th*

Street, being duly sworn, deposes

and says, that on the *27th* day of *January* 188*1*

at the City of New York, in the County of New York, was feloniously taken, stolen and carried

away, from the possession of deponent, *from deponent's wagon in front**of 20 3d Thompson st at or about 9 o'clock A.M. of said day*the following property, to wit: *one keg of beer*of the value of *three* Dollars,the property of *Joseph Accatone in charge of the 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 *Michael Tracy (noble)**for the reason that on the day aforesaid deponent was**delivering beer, that he temporarily absented himself**from his wagon, that when he returned he missed the* *aforementioned keg of beer marked with the name* *of D. Fullerton. That deponent is informed by Jacob* *Schmitt that the accused came into his business* *whilst two or three persons unknown to him offered* *to see him a keg of beer, and that the said* *Michael Tracy claimed that the beer was his property* *Whereupon deponent charged that the said Michael* *Tracy took, stole and carried away the aforesaid keg of* *beer and that the parties offering the keg of beer* *for sale were acting in collusion with the said Michael**Isaac Goettie*

Sworn to before me, this

Police Justice

0662

State and County of N. York S.S. Jacob Schmitt of N. York
 Thompson street being duly sworn deposes and says that on the
 27th day of January 1881. four persons unknown to deponent came
 into his premises about two hours after a keg of beer has
 been taken & stolen from the wagon in front of deponent's
 premises. that they offered to give deponent a keg of beer
 for the sum of one dollar that deponent having reason to
 suspect the accused & unknown parties from the fact that
 deponent recognized identified the keg of beer as the property
 of Joseph Hallstrom by reason of the name J. Hallstrom cut
 thereon. that the accused then came into the said
 premises and claimed that the keg of beer was his property.
 The four unknown persons said to this deponent that the
 said Michael Tracy had given them the beer to sell.
 Deponent then informed Jacob Goetz the complainant who
 identified the keg of beer as the property taken & stolen from his premises
 as herein charged

Sworn to before me
 this 27th day of January 1881

Jacob Schmitt

J. M. Patterson
 Phila Justice

0663

9/23

Form 64

POLICE COURT—SECOND DISTRICT.

THE PEOPLE, & C.,
ON THE COMPLAINT OF

Affidavit—Larceny.

Nease Foster
228 E 78th St.

Michael Foster

FEB 1 1881

1881

1881

DATED

March 27

Paterson

MAGISTRATE.

Clumville

OFFICER.

WITNESS:

Wm. J. to Court of

General Sejm

at request of Tracy

300 TO ANS.

BAILED BY

S. J. Com

No

Str

0664

CITY AND COUNTY }
OF NEW YORK, } ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
*in and for the body of the City and County of New York, upon
their Oath, present:*

That

Michael Tracy

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the
twenty-seventh day of *January* in the year of our Lord
one thousand eight hundred and eighty - *one* at the Ward, City and County aforesaid
with force and arms,

*One Keg of liquor (of the kind commonly called
beer) of the value of three dollars
Twelve gallons of liquor (of the kind commonly
called beer) of the value of twenty-five cents each
gallon.*

of the goods, chattels, and personal property of one *Joseph Fallerton* then and
there being found, 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.

0665

And the Jurors aforesaid, upon their oath aforesaid, do further present.

That the said

Michael Tracy

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,

One keg of liquor (of the kind commonly called beer) of the value of three dollars

Twelve gallons of liquor (of the kind commonly called beer) of the value of twenty-five cents each gallon

of the goods, chattels, and personal property of the said

Joseph Fallerton

by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously stolen of the said

Joseph Fallerton

unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have (the said

Michael Tracy

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

Samuel J. Rollins

DISTRICT ATTORNEY.

0666

BOX:

32

FOLDER:

387

DESCRIPTION:

Trainor, James

DATE:

02/24/81



387

0667

Counsel,

Filed 24 day of Feb 1861.

Pleads,

THE PEOPLE

vs.

James H. H. H.
James H. H. H.

Homicide of the Degree of Murder in the First Degree.

Daniel B. Collins
Daniel B. Collins

District Attorney.

A True Bill.

Henry C. C.

Foreman.

Tried and

the day of

0 0

0668

STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, SS.

AN ANTE-MORTEM INQUISITION,

Taken at *Chambers St. Hospital*
No. 160 Chambers Street, in the *Third* Ward of the City of
New York, in the County of New York, this *18th* day of *December*
in the year of our Lord one thousand eight hundred and seventy *Eighty* before
John H. Brady Coroner,
of the City and County aforesaid, on view of the Body of
John Toole

at
Upon the Oaths and Affirmations of
good and lawful men of the State of New York, duly chosen and
sworn, or affirmed and charged to inquire, on behalf of said people, how and in what manner the said
John Toole was injured, do,
upon their Oaths and Affirmations, say: That the said *John Toole* came
to his injuries by a stab wound in the right side
at the hands of *James Trainor*

In Witness Whereof, We, the said Jurors, as well as the CORONER, have to this Inquisition
set our hands and seals, on the day and place aforesaid.

JURORS.

John H. Brady
CORONER, J. S.

0669

City and County of New York, ss.

Statement of John Toole ^{now lying}
dangerously wounded at Chambers St. Hospital in the 3rd Ward
of said City and County, on the 18th day of December 1870

Question.—What is your name?

Answer.—John Toole

Question.—Where do you live? 103 Park Place N. Y. City

Answer.—103 Park Place N. Y. City

Question.—Do you now believe that you are about to die?

Answer.—No

Question.—Have you any hope of recovery from the effects of the injury you have received?

Answer.—Well I hope so

Question.—Are you willing to make a true statement, how, and in what manner, you came by the injury from which you are now suffering?

Answer.—Yes sir

I was taking down a turkey from a rack at my stand # 443 Washington Market when James Sedmor formerly in my employ, whom I had discharged about four months ago and who had been standing in the neighborhood of my stand all afternoon, came between four and five o'clock - and plunged a knife into my right side - saying - "You son of a bitch I'll kill you" and immediately ran away through Market

John Toole
made

0670

MEMORANDA.

AGE.	PLACE OF NATIVITY.	WHERE FOUND.
46 Years. 7 Months. 8 Days.	Ireland	Chambers St Hospital,

446

814 M/158

AN ANTE-MORTEM INQUISTION

On the VIEW of the BODY

John Doe

whereby it is found that he was
injured by a stab wound with

a knife in the hands of

James Drainer in

Washington Street
Stand No 443.

December 18. 1880

Taken on the 18th day
of December 1880
by

John St. Paul Coroner

Committed

to Jail

Discharged

0671

4 1/2
814
11/1880

AN ANTE-MORTEM INQUISTION

On the VIEW of the BODY

John Doole

whereby it is found that he was injured by Stab-wound with

a Knife in the hands of

James Trainor in

Washington Market

Stand No. 443.

December 28. 1880

Taken on the 18th day
of December 1880
before

John H. Brady Coroner.

Committed

Bailed

Discharged

MEMORANDA.

AGE	46 Years 7 Months 8 Days
PLACE OF NATIVITY.	Ireland
WHERE FOUND.	Chamberlain & Co. Boston

0672

Coroner's Office,

CITY AND COUNTY }
OF NEW YORK. } ss.

being duly examined before the undersigned, according to law, on the annexed charge, and being informed that he was at liberty to answer or not, all or any questions put to him, states as follows, viz.:

Question.—What is your name?

Answer.—

Question.—How old are you?

Answer.—

Question.—Where were you born?

Answer.—

Question.—Where do you live?

Answer.—

Question.—What is your occupation?

Answer.—

Question.—Have you anything to say, and if so, what, relative to the charge here preferred against you?

Taken before me, this day of 187

CORONER.

0673

MEMORANDUM.

AGE.	PLACE OF NATIVITY.	WHERE FOUND.	DATE, When Reported.
46 Years — Months — Days.	Louisa	Chamber St. Hospital	Dec. 22 80

Male / Negro

U 847 1880
HOMICIDE.

AN INQUISITION

On the VIEW of the BODY of

John Doe

whereby it is found that he came to his Death by the hands of James

James by a statement

inflicted between 18th

1880 at about 4.32

Washington Street

Original taken on the 11th day

of December 1880

by

John S. [Signature]

Committed

Discharged

Discharged

Date of death



0674

Knife / Degree

4 877 1880

HOMICIDE. B.

AN INQUISITION

On the VIEW of the BODY of

John Doole

whereby it is found that he came to

his Death by the hands of James

Ennis by a stab wound

inflicted December 18th

1880 at about 432

Washington Street

Inquest taken on the 11th day
of February 1881
before

John D. [Signature]

Committed

Trained

Discharged

Date of death



MEMORANDUM.

AGE.	PLACE OF NATIVITY.	WHERE FOUND.	DATE When Reported.
46 Years - Months - Days	London	London	Feb 22 1881

0675

STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, SS.

AN INQUISITION,

Taken at the house of *Coroner's Office*
 No 40 *E. Houston Street* in the *15* Ward of the City of
 New York, in the County of New York, this *11* day of *February*
 in the year of our Lord one thousand eight hundred and *81* before
John H. Brady Coroner,
 of the City and County aforesaid, on view of the Body of *John Zooli*
 lying dead at

Chambers St. Hospital. Upon the Oaths and Affirmations of
him good and lawful men of the State of New York, duly chosen and
 sworn, or affirmed and charged to inquire, on behalf of said people, how and in what manner the said
John Zooli came to his death, do,
 upon their Oaths and Affirmations, say: That the said *John Zooli*
 came to his death by the hands of *James*
Brainerd by a stab wound inflicted December

18 E 1880 at stand No 432 Washington market.

In Witness Whereof, We, the said Jurors, as well as the CORONER, have to this Inquisition
 set our hands and seals, on the day and place aforesaid.

JURORS.

<i>Henry B. Sanford</i> 780 Grand St.	<i>John H. Lovely</i> 568 Grand St.
<i>D. M. Menden</i> 512 Grand St.	<i>M. E. Fols</i> 548 Grand St.
<i>Elias Brush</i> 534 Grand St.	<i>Alfred Menden</i> 419 Grand St.
<i>John W. Cluff</i> 540 Grand St.	<i>Admirer</i> 580 Grand St.
<i>Abraham Jones</i> 526 Grand St.	

John H. Brady CORONER, E. S.

0676

The People of the State of New York, on the
Complaint of

vs.

List of Witnesses.

James Trainor

NAMES.

RESIDENCE.

Thomas Fitzgerald
Mrs. E. Buckley
Off. Patrick Powers
William F. Wright M.D.
M.S. Raible M.D.

35 Lewis Street
491 - 30th Ave.
27 Prct
Chambers St Hospital
Coroners Office

0677

Coroner's Office.

TESTIMONY.

Patrick Powers, being sworn says: I am an Officer of 27th Precinct. On December 18th 1880 I was inside of Washington Market, being detailed there. Precinct stand was 432 on Gray St. street side outside of the market. Was notified that a man had been stabbed on Gray St. Went there and was informed that Mr. Zook had been stabbed and that he had gone to the hospital. Went there and saw him lying on a cot and asked him who had stabbed him and he said ^{that} James Grimes came up behind him and said: I will kill you, you son of a bitch! at the same time stabbing him in the right side of body. I then returned to the stationhouse and reported what I had learned.

Patrick Powers

Taken before me,
this 11 day of February 1881
John H. Brady

CORONER

0678

Coroner's Office.

TESTIMONY.

Evelyn Buckley, being sworn, says: I reside
 at 491, 3^d Avenue. On December 18th 1880 at
 about 4 O'clock ^{P.M.} I was on point of going to speak
 to Mr. Zook at his stand when a man turned
 from the next butcher's stand with a long knife in
 his hand. He at once made a rush at Mr. Zook
 using some blasphemous language. I saw the man
~~then the handle of his knife~~ stab Mr. Zook
 in right side of body. Mr. Zook was reaching
 up for some poultry at the time. Mr. Zook
 put his hand to his side and exclaimed: Oh,
 Soimee or Duome (I am not sure which it was)
 you have stabbed me. Mr. Zook then staggered
 towards me and I caught him and held him
 until some men came. In time Mr. Zook said
 that he had been stabbed by either Soimee or
 Duome (he repeated the same name which he
 first mentioned). The assassin had got away
 when I turned around and looked for him. I
 also looked for an Officer. Spoke to a man in
 citizens dress about it and he told me to get
 right out as I would get myself in trouble.
 Afterwards spoke to a couple of Officers in uni-
 form but they did not give me much information
 but sent me from one to the other. I subsequently
 went with Officer Webb to the station house and
 gave my testimony.

Mrs. Evelyn Buckley.

Taken before me,
 this 11 day of February 1881

John H. Waddy

CORONER.

0679

(3)

Coroner's Office.

TESTIMONY.

Thomas Fitzgerald being sworn says: I live at 35 Lewis St. Was Mr. Zook's partner at the time of the occurrence and was present at the stand. Know James Drainor for about 15 or 16 years. Saw him stand about five minutes in front of the adjoining butcher stand. Did not think any thing about that as he was always like a good many others hangⁱⁿ about the market. Thought he was somewhat under the influence of liquor. I was busy at my stand when all at once I saw him with a knife in his hand and strike Mr. Zook in the side. He at once ran away. Made no effort to catch him knowing the dangerous character of the man. I remained at the stand while Mr. Zook walked away to the hospital. I felt very nervous after the occurrence. Remember Officer Powers came to the stand at about 5 P.M. after the stabbing, and ^{he may have} asked me who it was that stabbed Mr. Zook. Am certain that I did not tell him that I saw Drainor do the stabbing. Drainor and myself were schoolboys together and I did not want to be the first to inform on him. I was afraid of the man and had no desire to shield him. Know I would be subpoenaed and could then tell the truth. Heard Drainor also had been run at the market at about 7 P.M. after the stabbing.

Thomas Fitzgerald

Taken before me,

this 11 day of February 1881

John H. Brady

CORONER

0680

Coroner's Office.

TESTIMONY.

4
V. W. F. Waigh do affirm
that I am House Surgeon
at Chambers St Hospital and
that John Toole was brought
to me Dec 18-1880 4.10 PM
Suffering from Stab wound
of right side. Wound being
a penetrating one penetration
some 2-3 in and patient
died Dec 22-1880 10.08 AM
W. F. Waigh - M.D.
Dec 22-1880

Taken before me,

this 22 day of December 1880.

John V. Brady

CORONER.

0681

Coroner's Office.

TESTIMONY.

Mr. S. Ralph M.D. being sworn says: I have made an autopsy on the body of John Toole at Chamber St. Hospital on December 22nd 1880. In interspace between 9 and 10 rib of right side I found an incised wound partly closed by sutures. This wound took a downward and inward course and was 5 inches deep. On opening the abdominal cavity evidence of traumatic peritonitis presented itself along the transverse colon and the region surrounding the liver. About one quart of blood - fluid and coagulated - was found in the abdominal cavity. The right lobe of the liver near its lower border was found penetrated by the knife; the wound at its posterior aspect being $2\frac{1}{4}$ of an inch long while at its site anteriorly it measured an inch in length.

All other organs were found normal except the kidneys - both of which showed fatty degeneration in its incipient stage - and the right ventricle of the heart which was hypertrophied.

Death in my opinion was caused by hemorrhage from the stab wound and resulting peritonitis.

W. S. Ralph, M.D.

Taken before me

this 22 day of December 1880

John H. Brady

CORONER.

0682

CITY AND COUNTY }
OF NEW YORK, } ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That

James Trainor

late of the *third* Ward of the City of New York, in the County of
New York, aforesaid, on the *eighteenth* day of *December*
in the year of our Lord one thousand eight hundred and *seventy-eight*, at the Ward,
City and County aforesaid, with force and arms, in and upon one

John Toole

in the peace of the People of the State then and there being, wilfully, feloniously, and
with a deliberate and premeditated design to effect the death of *him* the said
John Toole did make an assault.

And that he the said *James Trainor* *him*

the said *John Toole*

with a certain *knife*

which he the said *James Trainor*

in his right hand then and there had and held *him*
the said *John Toole* in and upon the *body*

of *him* the said *John Toole*
then and there wilfully, feloniously, and with a deliberate and premeditated design to
effect the death of *him* the said *John Toole*
did strike, stab, cut and wound, giving unto *him* the said *John*
Toole then and there with the *knife*

aforesaid, in and upon *body*
of *him* the said *John Toole* one mortal wound of
the breadth of *one* inch and of the depth of *six* inches of which
said mortal wound *he* the said *John Toole*
at the Ward, City, and County aforesaid, from the day first aforesaid, in the year
aforesaid, until the *twenty-second* day of *December*
in the same year aforesaid, did languish, and languishing did live, and on which
twenty-second day of *December*
in the year aforesaid, *he* the said *John Toole* at the Ward,
City and County aforesaid, of the said mortal wound did die.

And so the Jurors aforesaid, upon their oath aforesaid, do say that *he* the said

James Trainor

the said *John Toole* in the manner and form, and by
the means aforesaid, at the Ward, City, and County aforesaid, on the day and in the
year aforesaid, wilfully, feloniously, and with a deliberate and premeditated design to
effect the death of *him* the said *John Toole*
did kill and murder 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.

David C. Rollin BENJ. K. PHELPS, District Attorney.

0683

BOX:

32

FOLDER:

387

DESCRIPTION:

Troster, George

DATE:

02/10/81



387

0684

Filed
Pleads

day of

Feb

188

No 30

THE PEOPLE

vs.

P

18
26 Jackson
37 Coanister

George Troster
otherwise called

George Troster

BENJ. K. PHELPS,

District Attorney.

Part 117 Feb 11, 1881

Pleads as B.

A True Bill.

Myers, C. W.

Foreman.

Pen: One year.

Felony Assault and Battery.

0685

Police Court—Third District.

CITY AND COUNTY } ss.
OF NEW YORK, }

George Froster being duly examined before the under-
signed, according to law, on the annexed charge; and being informed that he was
at liberty to answer, or not, all or any questions put to him, states as follows, viz.:

Question.—What is your name?

Answer.—

George Froster

Question.—How old are you?

Answer.—

27 years

Question.—Where were you born?

Answer.—

New York

Question.—Where do you live?

Answer.—

37 Jackson St

Question.—What is your occupation?

Answer.—

Varnisher

Question.—Have you anything to say, and if so, what—relative to the
charge here preferred against you?

Answer.—

I can say nothing

George Froster
Guilty

Taken before me, this

day of February 1881

Police Justice

0686

Form 15.

Police Court—Third District.

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, ss.

of No. *37 Jackson* Street
being duly sworn, deposes and says, that
on *Monday* the *Seventh* day of *February*
in the year 18*81* at the City of New York, in the County of New York,

She was violently and feloniously ASSAULTED and BEATEN by

George Troster (now here)
who cut and stabbed deponent in
her Shoulder with a knife he held
in his hand.

with the felonious intent to take the life of deponent, or do him bodily harm; and without
any justification on the part of the said assailant :

Wherefore this deponent prays that the said assailant may be apprehended and
bound to answer for the above assault, &c., and be dealt with according to law.

Sworn before me, this *8* day
of *February* 18*81* }

Salom B. Smith

Police Justice.

Carrie L. Brown
mark

0687

Form 15.

Police Court—Third District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Leone Brown
37 Jackson St.

George Fowler

Doord February 8 1881

San Jo
Magistrate.

Bergam
Officer.

13

WITNESS:

500 10 Ave



Conrad

0688

CITY AND COUNTY } ss.
OF NEW YORK.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That *George Troster otherwise called George Troster*

late of the City of New York, in the County of New York, aforesaid, on the
Seventh day of *February* in the year of our Lord
one thousand eight hundred and eighty *one* with force and arms, at the City and
County aforesaid; in and upon the body of *Carrie Brown*
in the peace of the said people then and there being, feloniously did make an assault
and *her* the said *Carrie Brown*
with a certain *knife*
which the said *George Troster otherwise called George Troster*

in *his* right hand then and there had and held, the same being a deadly and
dangerous weapon, willfully and feloniously did beat, strike, stab, cut, and wound
with intent *her* the said *Carrie Brown*
then and there, feloniously and willfully to kill, 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 Jurors aforesaid, upon their Oath aforesaid, do further present: That
afterwards, to wit, on the day and in the year aforesaid, at the City and County
aforesaid, the said *George Troster otherwise called George Troster*
with force and arms, in and upon the body of the said *Carrie Brown*

then and there being, willfully and feloniously did make an
assault and *her* the said *Carrie Brown*
with a certain *knife* which the said *George Troster*

otherwise called George Troster
in *his* right hand, then and there
had and held, the same being then and there a sharp, dangerous weapon, willfully
and feloniously, and without justifiable and excusable cause, did then and there beat,
strike, stab, cut, and wound, with intent to then and there willfully and feloniously
do bodily harm unto *her* the said *Carrie Brown*
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 Jurors aforesaid, upon their Oath aforesaid, do further present: That
afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid,
said, the said *George Troster otherwise called George Troster*

with force and arms, in and upon the body of *Carrie Brown*
in the peace of the said people then and there being, feloniously, did make another
assault and *her* the said *Carrie Brown*

with a certain *knife*
which the said *George Troster otherwise called*
George Troster in *his* right
hand then and there had and held, willfully and feloniously did beat, strike, stab, cut,
and wound, the same being such means and force as was likely to produce the death
of *her* the said *Carrie Brown* with intent *her* the

0689

said *Carrie Brown* then and there feloniously and willfully to kill, 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.

FOURTH COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present: That afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, the said *George Foster* otherwise called *George Foster* with force and arms, in and upon the body of the said *Carrie Brown* then and there being, willfully and feloniously, did make another assault and the said *Carrie Brown* with a certain *knife* which the said *George Foster* otherwise called *George Foster* in his right hand then and there had and held, the same being then and there a deadly weapon, willfully and feloniously did then and there beat, strike, stab, cut and wound, with intent to then and there willfully and feloniously maim her the said *Carrie Brown* 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.

Daniel G. Rollins
RENJ. K. PHELPS, District Attorney.

Filed 10 day of July 1881
Pleas

THE PEOPLE

George Foster
otherwise called
George Foster
District Attorney

Felonious Assault and Battery.

George Foster
otherwise called
George Foster
District Attorney

A True Bill.

George Foster
District Attorney

George Foster
District Attorney

George Foster
District Attorney

0690

BOX:

32

FOLDER:

387

DESCRIPTION:

Tyler, Levinus A.

DATE:

02/25/81



387

Bail

J. F. Payne
Ind. Office Building
Chatham
Columbia Co.
N.Y.

This action having been
brought upon captioned for
the purpose of the defendant
furnishing evidence, the
defendant was duly
served. The defendant
who was then unknown
to state and others
a desire to be heard.
On examining the case
for kind of facts the
defendant was found
before the hearing took
place in a situation
and was not acting
under which he was

Day of Trial,
Counsel,
Filed 25 day of Feb 1881
Pleads

THE PEOPLE
vs.

Defendant of Taylor.
B. *reluctant*
Ind. Office

Daniel S. Collins

MEMO. DATED
24. June 1881
District Attorney
the defendant of Taylor and the
the reasons for being called
in fact, as a
A True Bill.

Foreman.

Ind. Office Building
Feb 28 1881
Ind. Office

in order to have been
appealed. The case
of People vs. Payne.
decided by the General
Term in 1879, 22
N.Y. State Reports
277. is precisely in
point & holds that
there is no law in ex-
istence under which he
can be prosecuted. &
therefore recommended
that the indictment
be returned.
De launcy Moore
Srat ally

June 28 1881

0692

Secretary of Dakota ss.
County of Spink

Emma A. Tyler being first sworn on oath says that the present condition of the health of Levinus A. Tyler is such that she does not believe him able to make a journey from Dakota Territory to the State of New York on account of the distance and fatigue attendant upon such journey. That his health has been poor during the past winter and spring in fact she does not think he has been well since Feb 5th 1881 when he was attacked with acute pneumonia which materially weakened his lungs. and that during the past winter and spring he has had several attacks of bleeding from the lungs. Also she believes him to be afflicted with heart disease said belief being founded upon the fact that two practicing Physicians told her that such was the case and that he must be kept from all undue excitement or exertion as it might result fatally that he is unable to do any work. and few days. that he is not forced to lie down either from exhaustion or vertigo.

Emma A. Tyler

0693

Given and Subscribed to before
me this 12th day of May 1884
B. W. Cole
Notary Public

0694

Territory of Dakota
County of Spink ss.

Sot Lrr. Barton being first duly sworn on oath says that he is well acquainted with Severus A. Tyler having been in his family off and on since June 9th 1881 and that to the best of his knowledge and belief he does not think him able to incur the fatigue of a journey from Dakota Territory to New York State that he believes him to be afflicted with lung difficulty as he coughs and raises continuously also with heart disease as he has frequent attacks of dizziness and that he is unable to do any work or endure any excitement or fatigue both of which must necessarily be incurred upon said trip to New York and either or both of which he believes would be injurious to the health of Mr Tyler and might result very seriously.

Sot Lee Barton
Sworn and subscribed to before me this 12th day of May 1884

B. M. Cook
Notary Public
28

0695

Territory of Dakota }
County of Spink } ss

Levinus A. Tyler being first sworn on oath says, That the present condition of his health is such that he cannot venture to make a journey from Dakota Territory to the State of New York the distance being too great, That his health has been very poor during all the past winter and the present Spring, That his lungs are affected severely, and to such an extent that he has this Spring had frequent bleedings of the lungs. That he fears also that his heart is affected. That he is easily exhausted and cannot endure the slightest exertion and is obliged on account of weakness to lie down frequently during the day and affirming solemnly on account of his poor health it would be impossible for him to make the journey to New York State.

Levinus A. Tyler
Subscribed and sworn to before
me by Levinus A. Tyler this
10th day of May 1884,
Thomas Storline
Notary Public

0696

Office of
Learners & Teachers

0697

Territory of Dakota }
County of Spink } p.p.

I, Edwin F. Clarke
being first duly sworn on oath
deposes and says: That he is a drug
gist and practicing physician in the
Town of Northville, County of Spink
Territory of Dakota.

That he is well
acquainted with Levis A. Tyler
and has known him for a period of two
years and knows his physical condition.

Affiant further says that the said
Levis A. Tyler is, and has been, for
a long time past, in very ill health.

That he is a sufferer from both lung
and heart disease. That he is easily
exhausted by any exertion, and is unable
to endure the fatigue of work or much
travel. Affiant further says that in the
present condition of Mr. Tyler's health it
would be highly dangerous for him to
undertake a journey so great as that from
here to the State of New York. That in affiant's
opinion as a physician serious results might follow
from so long a journey and Mr. Tyler's health
further injured if not his life endangered.

Edwin F. Clarke, M.D.

0698

The within and foregoing Affidavit
subscribed and sworn to before me
by Dr Edwin F. Clarke this 10th
day of May 1884

Thomas Sterling
Notary Public.

Affidavit of
Dr Edwin F. Clarke

0699

H. B. CLAFLIN & Co.

NEW YORK, Church St., Worth St. and W. Broadway

MANCHESTER, 123 Portland Street.

PARIS, 5 Passage Saulnier.

LYONS, 18 Place Tholozan.

ZURICH, Bahnhofstrasse.

New York, Feb 25, 1884

Hon Peter B. Olney Dist Atty

Dear Sir We have been endeavoring for the past three years to have the case of the People vs L. A. Tyler, who is under indictment for obtaining goods from our house through false pretenses, brought to trial. We had no success under the former administration of your office, and expected none, as Marshall Payn was the bondman, and the prisoner was reputed to be working his mines in Colorado. After repeated attempts we at last succeeded in securing a day named for the trial, and went to the expense of preparations of the evidence etc, and we have since learned that no parties appeared for

0700

H. B. CLAFLIN & Co.

NEW YORK, Church St., Worth St. and W. Broadway

MANCHESTER, 123 Portland Street.

PARIS, 5 Passage Saulnier.

LYONS, 18 Place Tholozan.

ZURICH, Bahnhofstrasse.

New York, _____ 188—

this defence, that a bench warrant was issued and the bond was declared forfeited.

An examination of the papers will show that this was one of the clearest cases of swindling that has ever perpetrated upon the Mercantile Community and one that should receive prompt and severe punishment.

We have been informed that upon the application of Counsel for Mr. Payne all further proceedings were discontinued. If this is true we shall be pleased to learn the reasons justifying this course.

All we desire in the matter is that if guilty Mr. Tyler should be properly punished, & this much we feel we are justified in demanding.

Yours truly
H. B. Claflin & Co.

0701

Made an engagement any time after
10 a.m. Friday

H. B. OLAFIN & Co.

NEW YORK, Church St., Worth St. and W. Broadway.

MANCHESTER, 123 Portland Street.

PARIS, 5 Passage Saulnier.

New York, N.Y. 4-1885

Hon R. B. Martineau

District Attorney

Dear Sir

We have made every effort for the past four years to have the case of the People vs L. A. Tyler, who is under indictment for obtaining goods from us through false pretences, brought to trial, but through the influence of his bondsmen Marshall Payne, and the efforts of Mr. Elisha Root his attorney, he has been enabled to evade appearing, although the case has been several times noticed for trial.

This was one of the clearest cases of swindling ever perpetrated upon the Mercantile Community, as will appear from an examination of the papers, and we earnestly

0702

H. B. CLAFLIN & Co.

NEW YORK, Church St., Worth St. and W. Broadway.

MANCHESTER, 123 Portland Street.

PARIS, 5 Passage Saulnier.

New York, _____ 188—

desire that the matter be tested
upon its merits, and that
Mr. Tyler shall receive the
punishment he justly deserves.
We trust that you will kindly
give the matter early attention,
and if you desire any facts
outside of those contained in
your office, please advise us
and our representative will call upon
you.

Yours truly
H. B. Claflin & Co.

0703

Police Court—Third District.

CITY AND COUNTY } ss.
OF NEW YORK, }

Samuel A. Tyler. being duly examined before the under-
signed, according to law, on the annexed charge; and being informed that he was
at liberty to answer, or not, all or any questions put to him, states as follows, viz.:

Question.—What is your name?

Answer.—

Samuel A. Tyler.

Question.—How old are you?

Answer.—

41 years.

Question.—Where were you born?

Answer.—

West Troy, N.Y.

Question.—Where do you live?

Answer.—

Chatham Village, N.Y.

Question.—What is your occupation?

Answer.—

Merchant.

Question.—Have you anything to say, and if so, what—relative to the
charge here preferred against you?

Answer.—

I am not guilty.

Samuel A. Tyler

Taken before me, this

24th

day of Dec.

1887

A. L. Thompson

Police Justice.

0704

POLICE COURT—SECOND DISTRICT.

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK. } ss.

William B. No. Jordan
No 140 Church Street, being duly sworn, deposes
 and says, that on the *16th* day of *April* 18*98*
 at the City of New York, in the County of New York,

Levinus A. Tyler did by means
 of false pretences and representations
 designately made to this deponent
 with intent to cheat and
 did cheat the firm of *H. B.*
Clafflin & Co. composed of *Honore*
B. Clafflin *Edward E. Evans* *Honore*
J. Herchill *William J. Dunn*
Dexter M. Horne *Daniel Robinson*
 and *John Clafflin Copartners*.
 doing business in the city of New
 York out of Merchandise
 and goods of value to the
 amount and value of *1107⁵⁴/₁₀₀*
Eleven hundred and seven
dollars and fifty four cents
 the property of said *Honore Clafflin*
 and said *Copartners*, in the care
 and charge of this deponent from
 the fact that on the aforesaid
 date to wit: *April 16th 1898*.
 said *Levinus A. Tyler* made
 the false statements and representations
 to this deponent that he said
Tyler did not owe over
 the sum of *five hundred dollars*
 borrowed money whereas
 previous to the *16th day of April*.

0705

1878. said Levinus A. Tyler -
did owe to various persons
borrowed money to the amount
of about \$3400.⁰⁰/₁₀₀ Thirty
four hundred dollars.
The deponent is informed by
Eugene M. Waller of No 214
Broadway of this city
Deponent wholly relying
on said statements made
by said Levinus A. Tyler -
did part with the Merchandise
aforesaid to wit December
6th 1878. Goods of the value
of seventy five dollars and
previous thereto to wit between
the dates of September 5th 1878
and said December 6th 1878
Goods of the value of \$4032.⁵⁴/₁₀₀
making in all \$4107.⁵⁴/₁₀₀ as
aforesaid said firm was
defrauded out of by means
of the false statements made
by said Levinus A. Tyler -
to this deponent as aforesaid.

Dear Mr. Wilson
 I have the honor to acknowledge
 the receipt of your letter of the
 18th inst. and in reply to inform
 you that the same has been
 forwarded to the proper
 authorities for their consideration.
 I am, Sir, very respectfully,
 Yours,
 J. W. Wilson

Police Court — Second District

THE PEOPLE, &c.

ON THE COMPLAINT OF
William H. Graham

140 Church St

James A. Tyler

Dated, December 16th 1880

7/18/1988
Herman

W. D. Sullivan

2000

7/11/1968, 4
E. Miller
E. Miller

By 219. Pradip


1000

350

Committed in default of
 Bail—*James H. Raymond*

Maryland

01/11/2019



0706

TORN PAGE(S)

0707

STATE OF NEW YORK
CITY AND COUNTY OF NEW YORK, } ss.

To any Policeman of the City of New York, GREETING:

Whereas, Complaint in Writing and upon oath, has been made before the undersigned,
one of the Police Justices for the City of New York, by

William B. Mc Gordon
of No. *140 Church* Street,
that on the *16th* day of *April* 187*8*, at th. City of New

York, in the County of New York, *Levinus A. Taylor*

*did by means of false pretenses
and representation knowingly
made to this Court*

with intent to
cheat the firm of
Chaplin out of property and
goods of the value of \$57.50

Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to
answer the said complaint, and in the mean time to keep the peace, &c.

These are Therefore, in the name of the PEOPLE of the State of New York, to command you, the said
Policemen, and each and every of you, to apprehend the said Defendant and bring *him* forthwith before me,
or some other Police Justice, in and for said City, at the SECOND DISTRICT POLICE COURT, in the said City, to
answer the said charge, and to be dealt with according to law.

Given under my hand and seal, this

16th day of *April* 187*8*
B. L. Morgan Police Justice.

0708

Recorded.....187

Returned.....187

POLICE COURT—SECOND DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William B M Jordan
140 Church St

Lewis A Tyler

WARRANT

Dated *December 16th* 1880

Morgan Magistrate.

W. J. Talley Officer.

Defendant

taken and brought before Justice

as within commanded

Disposition,

REMARKS.

Time of arrest, *Dec 23 1880*

Native of *Pa S*

Sex, *1*

Complexion,

Color, *White*

Profession, *Carriage*

Married, *Yes*

Single,

Read, *Yes*

Write *Yes*

Chatham College
Columbus Ga

0709

DISTRICT ATTORNEY'S OFFICE.

New York, October 29 188 5

Perth

York

Let this case stand
with further investigation

Yours

John McKim
204

0710

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 sending the message.

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

THOS. T. ECKERT, General Manager.

NORMAN GREEN, President.

NUMBER

SENT BY

REC'D BY

CHECK

1

H. L. R.

2 & paid

✓

Received at the WESTERN UNION BUILDING, 195 Broadway, New York,

June 9 1884

Dated 6/9/84

To P. B. Olney

District Atty. office N.Y.

Notice received Mrs. Payn went on a pleasure trip expect him home in ten days don not know when to reach him with telegraph answer Mrs. L. F. Payn

0711

District Attorney's Office.

Put this on
Part 3 Calendar
for Friday Feb. 24
Notify bail at
once —

BSW 16

Bond issued
Feb 23/93

0712

Orlando Demarest,

*Representing
The H. B. Clefflin Company.*

*cor. Church & North Streets,
New York City.*

0713

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

Jan'y 18 1892

Mr Jordan

To H D Chapin & Co

Dear Sir:-

Mr. McCall desires to
see somebody from your firm
in regard to the case of Rev. &
Levinus A. Tyler, indicted
25th Feb. 1881.

Mr. McCall is desirous of dis-
posing of this matter and has
written to your Company before,
requesting a call.

Yours
Edw J. Halen
Rutls

0714

TO THE CHIEF CLERK.

Please send me the Papers in the Case of

Part III
PEOPLE

vs
The five day fortnight

Put this Case
on Monday Feb 20
Before J. Martine
Notify Prime
the landman
several days
in advance.

District Attorney.

Reply
I will notice sent
to Mr Payne
Feb 7/12

0715

Capital received,	\$2242.00	
Actual capital invested,		\$1972.00
Capital not invested, + returned		270.00
	<u>\$2242.00</u>	<u>\$2242.00</u>

Gave Castello Mtgs. for,	\$2537.00	
Actual Cash Invst. of,	1972.00	
Paid Castello, cash & checks,	<u>623.00</u>	353-

0716

	Actual Amt. Rec'd.	Com.
Francis Page, 119 W. 56th St., June 27th, Cash,	\$75.00	\$30.00
July 8th, Cash,	50.00	18.00
Mary M. Sheedy, 235 W. 15th St. June 30th, Cash,	50.00	18.00
Mary Nye, 122 W. 61st St. July 2nd, Cash,	25.00	12.00
Frank J. Tinkham & Wife, 105 W. 103rd Street, July 3rd, Cash,	50.00	18.00
Mary McGarvey, 705--9th Ave. July 3rd, Cash,	20.00	10.00
Minnie Tucker, 314 E. 12th St. July 3rd, Cash.	35.00	15.00
Sylvester W. Nafew, 74 Christopher St. July 6th, Cash,	100.00	30.00
Alice A. Story, 71 E. 120th St. July 6th, Cash,	25.00	12.00
Annie McDonald, 240 E. 10th St. July 10th, Cash,	25.00	12.00
Geo. Gordan & Wife, 183--8th Ave., July 13th, Cash,	75.00	35.00
-1-		

0717

	Actual Amt. Rec'd	Com.
Elizabeth Coulter, 134 W. 20th St. July 13th Cash,	\$35.00	\$15.00
Mrs. Carrie Travis, 136 W. 37th St. July 14th, Cash,	250.00	85.00
Mary A. Brerull, 284--3rd Ave. July 16th, Cash,	30.00	13.00
Patrick H. Welch, Mt. Vernon, N.Y. July 15th, Cash,	125.00	42.00
Anna Norton, 211 W. 53rd St. July 29th, Cash,	125.00	45.00
Elbert H. Falke & Wife, 136 W. 63rd St. July 31st, Cash,	25.00	12.00
Amelia Christal, 439 W. 23rd St. Aug. 4th, Cash,	75.00	35.00
Frank C. Cornish & Wife, 446 W. 58th St. Aug. 7th, Cash,	50.00	18.00
Robt. E. Waters & Wife, 708--6th St. Aug. 7th, Cash,	100.00	35.00
Martin Lansberg, 71--4th Ave. Aug. 12th, Cash,	25.00	12.00
Jesse Gans & Wife Sarah, 156 W. 103rd St. Aug. 13th, Cash,	50.00	18.00
-2-		

0718

570

	Actual Amt. Rec'd	Com.
Louisa J. W. Luffin, 45 W. 12th St. Aug. 15th, Cash,	\$30.00	\$12.00
Ida C. Jackson, 350--8th Ave. Aug. 17th, Cash,	50.00	18.00
Amelia H. Clifton, 9 Minetta St. Aug. 18th, Cash,	15.00	12.00
Anna H. Houghtaling, 271 W. 134th St. Aug. 25th, Cash,	125.00	45.00
Ella B. Kirchgessner, 121 E. 82nd St. Aug. 25th, Cash,	25.00	12.00
Harry Hawk, 502 W. 53rd St. Aug. 25th, Cash,	75.00	30.00
Lew E. Davis, 1/3 Union Square, Aug. 26th, Cash,	100.00	35.00
Ella H. Hennigan,	270.00	

0719

April 16. 1898 L. A. Tyler of
 Chatham Village N.Y. states to
 W. B. M. Jordan as follows
 I received about January 1st last & had
 stock between 7000 & 8000 - accounts
 \$5000 good. Liabilities about 5000.
 Stock is now over 7000 at market
 value & composed of good salable
 goods - accounts good 4500 & liabilities
 at this date do not exceed 5000, none
 of which of any amount is past due.
 I owe 500 to bank included in above
 but am not indebted in any other
 manner for borrowed money nor am I
 endorsed for any one whatever. Sales
 last year 25000 & doing as much this
 year. Expired on stock 3000. I am
 in good solvent condition & safely worth
 today \$6500
 (Signed) L. A. Tyler

0720

L. L. L.

Yager

Copy of Statement

0721

District Attorney's Office.

PEOPLE


vs.

Claplin to

0722

1890
District Attorney's Office.

Jan 8/92

Wrote to Mr
Jordan of
Lafayette Co to
call


0723

H. B. CLAFLIN & Co.

NEW YORK, Church St., Worth St. and W. Broadway.

MANCHESTER, 123 Portland Street.

PARIS, 5 Passage Saulnier.

LYONS, 18 Place Tholozan.

ZURICH, Bahnhofstrasse.

New York, Dec 8 1882

Mr Jno O Byrne
Asst Dist Atty
St Joe

In accordance with
the suggestion contained
in your favor of Nov 11th
we beg to ask that you
oblige by placing up the
Calendar during the present
month the case against L.
A. Tyler.

Yours truly,
H B Claflin & Co
J. Brown

0724

W. B. Clapham

0725

H. B. CLAFLIN & Co.

NEW YORK, Church St., Worth St. and W. Broadway.

MANCHESTER, 123 Portland Street.

PARIS, 5 Passage Saulnier.

LYONS, 18 Place Tholozan.

ZURICH, Bahnhofstrasse.

New York, May 28, 1880

Hon. Peter B. Olney
District Attorney

Dear Sir

Since the rec^d of your favor of March 1st in the matter of Leominas A. Tyler we have made inquiries through R. G. Dunn & Co. regarding Mr. Tyler's health, & their Correspondent at Mellette Spink County Dakota, where Mr. Tyler resides, reports that his health is good & that his physical condition will warrant a journey to New York.

On view of the above we shall be glad if you will speedily notice this case for trial.

Yours truly
H. B. Clafline & Co.

0726

Court of General Sessions, *Part Two*

THE PEOPLE

vs.

INDICTMENT

For

Levinus A. Tyler

To

M

James F. Payson

No.

Catharine Co.

Street.

The indictment against the above-named defendant, for whose appearance you are bound, has been placed upon the Calendar for *Monday* at the Court of GENERAL SESSIONS of the Peace, at the Sessions Building, adjoining the New Court House, in the Park of the said City, on *Monday* the day of *Oct* instant, at eleven o'clock in the forenoon.

If the defendant is not produced at that time, your bond will be forfeited.

JOHN McKEON,

District Attorney.

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City and County of New York: S.S.

Frank Id. Platt being duly sworn, says that he is the general attorney of Louis F. Payn, to whom the annexed notice is addressed.

As deponent is informed, by said Payn and others, and believes, Levinus A. Tyler, referred to in said notice, went to Dakota more than a year ago, believing that the case of the People against him had been abandoned, in order if possible to save his life. He was then suffering from consumption, and hoped that the climate of Dakota would arrest the progress of the disease. Soon after reaching Dakota his son upon whom he depended largely for support, was disabled by a gunshot wound. He and his family have ever since been dependant upon the charity of said Payn and other old neighbors for the necessaries of life.

His disease has gained upon him and now he could not be brought East with safety for his life, and it is not believed that he can live long.

Deponent further says that if required an attempt will be made by

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Mr. Payn to bring said Taylor to New York for trial, but that he probably cannot live to reach New York.

The reason this affidavit is made by deponent and not by Mr. Payn is that Mr. Payn is not in New York City.

Sworn to before me }
October 29th 1883 }

Fred Kiblin

Mark H. Platt
59 Nassau St.

Notary Public, Kings County,
Certificate filed in New York County.

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The People

vs

Levinus A. Tyler

City and County } ss.
of New York.

The Jurors of the People of the State of New York in and for the body of the City and County of New York upon their oath; present:

That Revinus A. Tyler late of the First Ward of the City of New York, in the County of New York aforesaid on the sixteenth day of April in the year of our Lord one thousand eight hundred and seventy-eight, at the Ward, City and County aforesaid with force and arms, on the day and year last aforesaid, with intent feloniously to cheat and defraud Horace B. Claflin, Edward E. Eames, Horace J. Fairchild, William S. Dunn, Deacon A. Force, Daniel Robinson and John Claflin who were then and there partners carrying on business as merchants in the City and County aforesaid under the firm name and style of H. B. Claflin and Company and to William B. M. Gordon who was then and there a clerk and servant of the said Horace B. Claflin, Edward E. Eames

Horace J. Fairchild, William S. Dunn, Deater A. Force, Daniel Robinson and John Claflin so carrying on business as such partners as aforesaid by them authorized to act in the premises and to sell goods, wares and merchandise, and accept proposals for the sale of goods, wares and merchandise for them the said Horace B. Claflin, Edward E. Eames, Horace J. Fairchild, William S. Dunn, Deater A. Force, Daniel Robinson and John Claflin so carrying on business as such partners as aforesaid.

That he the said Devinus A. Tyler did not then and there owe to any person or persons whomsoever any amount in money exceeding the sum of Five hundred dollars for money borrowed by him the said Devinus A. Tyler.

That he the said Devinus A. Tyler was not then and there indebted or liable to any person or persons whomsoever in an amount exceeding the sum of Five hundred dollars in money for or on account of money borrowed by him the said Devinus A. Tyler.

And the said Horace B. Claflin,
 Edward E. Cames, Horace J. Fairchild,
 William S. Dunn, Deater et. Force,
 Daniel Robinson and John Claflin
 so carrying on business as such partners
 as aforesaid then and there believing
 the said false pretences and representa-
 tions so made as aforesaid by the said
 Revinus et. Tyler and being deceived
 thereby, was induced, by reason of the
 false pretences and representations so
 made as aforesaid, to deliver, and did
 then and there deliver to the said
 Revinus et. Tyler, divers goods, wares
 and merchandise (a more particular
 description of which said goods, wares
 and merchandise is to the jurors
 aforesaid unknown and a more
 accurate description of which cannot
 now be given) of the value of one thous-
 and one hundred and seven dollars
 and fifty-four cents of the proper
 moneys, valuable things, goods chattels,
 personal property and effects of the
 said Horace B. Claflin, Edward E. Cames,
 Horace J. Fairchild, William S. Dunn,
 Deater et. Force, Daniel Robinson and

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John Claflin so carrying on business as such partners as aforesaid and the said Levinus A. Tyler did then and there designedly receive and obtain the said goods, wares and merchandise a more particular description of which said goods, wares and merchandise is to the jurors aforesaid unknown and a more accurate description of which cannot now be given) of the value of one thousand one hundred and seven dollars and fifty-four cents of the said Horace B. Claflin, Edward E. Eames, Horace J. Fairchild, William S. Dunn, Deater A. Force, Daniel Robinson and John Claflin so carrying on business as such partners as aforesaid of the proper moneys, valuable things, goods, chattels, personal property and effects of the said Horace B. Claflin, Edward E. Eames, Horace J. Fairchild, William S. Dunn, Deater A. Force, Daniel Robinson and John Claflin so carrying on business as such partners as aforesaid of the false pretences and representations aforesaid, and with intent feloniously

to cheat and defraud the said Horace B. Claflin, Edward E. Cames, Horace J. Fairchild, William S. Dunn, Dexter A. Force, Daniel Robinson and John Claflin so carrying on business as such partners as aforesaid of the same.

Whereas in truth and in fact the said Revinus A. Tyler did then and there owe to one Henrietta O. Mead the sum of Five hundred and ninety-four dollars and nineteen cents in money for moneys in that amount borrowed by him the said Revinus A. Tyler from her the said Henrietta O. Mead; to one Jane E. Whitlock the sum of Seven hundred and twenty-four dollars and forty-one cents in money for money of that amount borrowed by him the said Revinus A. Tyler from her the said Jane E. Whitlock; to one Lewis F. Payne the sum of Five hundred and thirty-three dollars and eighty-seven cents in money for money of that amount borrowed by him Revinus A. Tyler from him the said Lewis F. Payne; to one Mary M. Haynor the sum of Five hundred and forty dollars in money

for money of that amount borrowed by him the said Levenius A. Tyler from him the said Henry M. Hays, to one Catharine Holbrook the sum of one thousand and seventy two dollars in money for money in that amount borrowed by him the said Levenius A. Tyler from her the said Catharine Holbrook and to divers other persons whose names are to the jurors aforesaid unknown in an amount exceeding in the aggregate of the sum of ten thousand dollars in money for moneys to that amount borrowed by him the said Levenius from the aforesaid persons whose names are to the jurors aforesaid unknown all which he the said Levenius A. Tyler then and there well knew: and

Whereas in truth and in fact, he the said Levenius A. Tyler was then and there indebted and liable to one Henrietta O. Mead the sum of five hundred and ninety four dollars and nineteen cents in money for moneys in that amount borrowed by him the said Levenius A. Tyler from her the said Henrietta O. Mead; to one Jane

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E. Whitlock the sum of Seven hundred and twenty-four dollars and forty-one cents in money for money of that amount borrowed by him the said Levinus A. Tyler from her the said Jane E. Whitlock; to one Lewis F. Payne the sum of Five hundred and thirty-three dollars and eighty-seven cents in money for money of that amount borrowed by him the said Levinus A. Tyler from him the said Lewis F. Payne to one Henry M. Haynor the sum of Five hundred and forty dollars in money for money of that amount borrowed by him the said Levinus A. Tyler from him the said Henry M. Haynor to one Catharine Holbrook the sum of One thousand and seventy-two dollars in money for money in that amount borrowed by him the said Levinus A. Tyler from her the said Catharine Holbrook and to divers other persons whose names are to the jurors aforesaid unknown in an amount exceeding in the aggregate the sum of Ten thousand dollars in money for moneys to that amount borrowed by him the said Levinus

A. Tyler from the aforesaid persons whose names are to the jurors aforesaid unknown all which to the said Revinus A. Tyler then and there well knew: and

Whereas in truth and in fact, the pretences and representations so made as aforesaid by the said Revinus A. Tyler to the ^{paid} Horace B. Claflin, Edward E. Eames, Horace J. Fairchild, William S. Dunn, Decker St. Force, Daniel Robinson and John Claflin so carrying on business as such partners as aforesaid and the said William B. M. Jordan such clerk and servant as aforesaid was and were in all respects utterly false and untrue, to wit, on the day and year last aforesaid, at the Ward, City, and County aforesaid: and

Whereas in fact and in truth the said Revinus A. Tyler well knew the said pretences and representations so by him made as aforesaid to the said Horace B. Claflin, Edward E. Eames, Horace J. Fairchild, William S. Dunn, Decker St. Force, Daniel Robinson and John Claflin so carrying on business as such partners as aforesaid and the said

William B. M. Jordan such clerk and servant as aforesaid to be utterly false and untrue at the time of making the same.

And so the Jurors aforesaid, upon their oath aforesaid, do say, that the said Revinus H. Tyler by means of the false pretences and representations aforesaid, on the day and year last aforesaid, at the Ward, City and County aforesaid, feloniously, unlawfully, falsely, knowingly and designedly, did receive and obtain from the said Horace B. Claflin, Edward E. Eames, Horace J. Fairchild, William S. Dunn, Deater H. Force, Daniel Robinson and John Claflin so carrying on business as such partners as aforesaid and said William B. M. Jordan such clerk and servant as aforesaid the said divers goods, wares and merchandise (a more particular description of which said goods, wares and merchandise is to the Jurors aforesaid unknown and a more accurate description of which cannot now be given) of the value of one thousand one hundred and seven dollars and

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fifty-four cents of the proper moneys,
valuable things, goods, chattels,
personal property, and effects of the
said Horace B. Claflin, Edward E.
Eames, Horace J. Fairchild, William S.
Dunn, Deater A. Force, Daniel Robinson,
and John Claflin so carrying on business
as aforesaid with intent feloniously
to cheat and defraud them of the same,
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.

Daniel F. Rollins.

District Attorney.