

0009

BOX:

90

FOLDER:

979

DESCRIPTION:

Rice, George J.

DATE:

01/08/83



979

0010

53.6

(11)

Day of Trial,

Counsel,

Filed

day of

1883

Pleads

George D. Owen

THE PEOPLE

vs.

George D. Owen

JOHN MCKEON,

District Attorney.

A True Bill.

Foreman.

0011

Court of General Sessions of the Peace,
of the City and County of New-York.

-----x
The People of the State of New-York :

- against -

George J. Rice.

-----x
The Grand Jury of the City and County of New-York, by
this indictment, accuse George J. Rice of the Crime of Embezzle-
ment, committed as follows:

The said George J. Rice, late of the First Ward of the
City of New-York, in the County of New-York aforesaid, on the 27th
day of September, in the year of our Lord one thousand eight hun-
dred and seventy nine, was the President of the Utica, Ithaca and
Elmira Railway Company, a corporation duly existing under the
laws of the State of New-York, and as such officer of said cor-
poration received into his possession by virtue of his said office
four certain written instruments, to wit, four certificates of
the ownership of stock of the said the Utica, Ithaca and Elmira
Railway Company, theretofore duly issued by the said railway com-
pany, each of which being a certificate of the ownership of five
hundred shares in the capital stock of the said corporation, bear-
ing date the 5th day of September, 1878, and being then and there
in full force and effect, and of the value of five thousand dol-
lars; and the said George J. Rice having so received the said
certificates of stock into his possession as aforesaid afterwards,
to wit, on the said 27th day of September, in the year first afore-
said, with force and arms, at the Ward, City and County aforesaid,
feloniously and fraudulently did take, make away with and secrete,
with intent to convert to his own use and did fraudulently and
feloniously embezzle and convert to his own use, without the con-
sent of the said corporation, and did fraudulently and feloniously
and without the consent of the said corporation, withhold, appro-
priate, apply and make use of said certificates of stock of the
goods, chattels and personal property of the said the Utica,
Ithaca and Elmira Railway Company, which said goods, chattels and
personal property had come into his possession and under his care
by virtue of his being such officer of said corporation as afore-
said, against the form of the Statute in such case made and pro-
vided, and against the peace of the People of the State of New-
York and their dignity.

Second Count:

And the Grand Jury aforesaid, by this indictment, fur-
ther accuse the said George J. Rice of the Crime of Embezzlement,
committed as follows:

The said George J. Rice, late of the Ward, City and
County aforesaid, afterwards, to wit: on the said 27th day of
September, in the year of our Lord one thousand eight hundred and
seventy nine, was the President of the Utica, Ithaca and Elmira
Railway Company, a corporation duly existing under the laws of
the State of New-York, and as such officer of said corporation

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received into his possession by virtue of his said office four certain written instruments, to wit: four certificates of the ownership of stock of the said the Utica, Ithaca and Elmira Railway Company, theretofore duly issued by the said railway company, each of which being a certificate of the ownership of five hundred shares in the capital stock of the said corporation, bearing date the 5' day of September, 1878, and being then and there in full force and effect, and of the value of five thousand dollars; and the said George J. Rice having so received the said certificates of stock into his possession as aforesaid, afterwards, to wit: on the said 27' day of September, in the year first aforesaid, with force and arms, at the Ward, City and County aforesaid, feloniously and fraudulently did take, make away with and secrete, with intent to convert to his own use, and did feloniously and fraudulently embezzle and convert to his own use, without the consent of the said corporation, and did fraudulently and feloniously, and without the consent of the said corporation, withhold, appropriate, apply and make use of the said certificates of stock of the goods, chattels and personal property of one Henry Seymour King, which said goods, chattels and personal property had come into his possession and under his care by virtue of his being such officer of said corporation as aforesaid, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New-York and their dignity.

Third Count:

And the Grand Jury aforesaid, by this indictment, further accuse the said George J. Rice of the Crime of Embezzlement, committed as follows:

The said George J. Rice, late of the Ward, City and County aforesaid, afterwards, to wit: on the said 27' day of September, in the year of our Lord one thousand eight hundred and seventy nine, not being an apprentice or person within the age of eighteen years, was employed in the capacity of a clerk and servant to one Henry Seymour King, and as such clerk and servant was entrusted to receive ~~four written instruments to wit~~ four certificates of the ownership of stock of the Utica, Ithaca and Elmira Railway Company, a corporation duly existing under the laws of the State of New-York, theretofore duly issued by the said railway company, each of which being a certificate of the ownership of five hundred shares in the capital stock of the said corporation, bearing date the 5' day of September, 1878, and being then and there in full force and effect and of the value of five thousand dollars, for and on account of the said Henry Seymour King; and being so employed and entrusted as aforesaid the said George J. Rice, by virtue of said employment, then and there did receive and take into his possession the said certificates of stock for and on account of the said Henry Seymour King, his said master and employer; and the said George J. Rice on the said 27' day of September, 1879, with force and arms, at the Ward, City and County aforesaid, fraudulently and feloniously did take, make away with and secrete, with intent to convert to his own use, and did fraudulently and feloniously embezzle and convert to his own use, without the consent of his said master and employer, and did fraudulently and feloniously, and without the consent of his said master and employer, withhold, appropriate, apply and make use of the said certificates of stock of the goods, chattels and personal property of the said Henry Seymour King, which said goods, chattels and personal property had come into his possession and under his care by virtue of his

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being such clerk and servant as aforesaid, 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 Grand Jury aforesaid, by this indictment, further accuse the said George J. Rice of the Crime of Grand Larceny, committed as follows:

The said George J. Rice, late of the Ward, City and County aforesaid, afterwards, to wit: on the said 27th day of September, in the year of our Lord one thousand eight hundred and seventy nine, at the Ward, City and County aforesaid, with force and arms, *four written instruments to wit* four certificates of the ownership of stock of the Utica Ithaca and Elmira Railway Company, a corporation duly existing under the laws of the State of New-York, theretofore duly issued by the said railway company, each of which being a certificate of the ownership of five hundred shares in the capital stock of the said corporation, bearing date the 5th day of September, 1878, and being then and there in full force and effect, and of the value of ~~five~~ *five* thousand dollars, of the goods, chattels and personal property of one Henry Seymour King, then and there being found, then and there feloniously did take, steal 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.

Fifth Count:

And the Grand Jury aforesaid, by this indictment, further accuse the said George J. Rice of the Crime of Grand Larceny, committed as follows:

The said George J. Rice, late of the Ward, City and County aforesaid, afterwards, to wit: on the said 27th day of September, in the year of our Lord one thousand eight hundred and seventy nine, at the Ward, City and County aforesaid, with force and arms, *four written instruments to wit* four certificates of the ownership of stock of the Utica, Ithaca and Elmira Railway Company, a corporation duly existing under the laws of the State of New-York, theretofore duly issued by the said railway company, each of which being a certificate of the ownership of five hundred shares in the capital stock of the said corporation, bearing date the 5th day of September, 1878, and being then and there in full force and effect, and of the value of ~~five~~ *five* thousand dollars, of the goods, chattels and personal property of the Utica, Ithaca and Elmira Railway Company, then and there being found, then and there ~~and~~ 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.

JOHN MC'KEON, District Attorney.

0014

33-2165

Counsel,
Filed *J. C. Day* 1883
Pleads *Not guilty (17)*

THE PEOPLE
vs.
George F. Rice
FORGERY THE THIRD DEGREE
ENDORSEMENT, ETC.

JOHN McKEON,
District Attorney.

A True Bill.
E. H. Hurd
Foreman.

0015

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

THE PEOPLE OF THE STATE OF
NEW YORK,

against

George F. Rice

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

George F. Rice

of the crime of Forgery in the third degree,

committed as follows:

The said

George F. Rice

late of the First Ward of the City of New York, in the County of New York, aforesaid,
on the ~~fourteenth~~ day of ~~November~~ in the year of our Lord one
thousand eight hundred and ~~eighty two~~ at the Ward, City,
and County aforesaid, having in his custody and possession a certain instrument and
writing of the kind commonly called prom-
issory notes for the payment of money,
to wit: a promissory note for the payment
of the sum of ten thousand dollars,
drawn by the Utica, Delaware and Elmira
Railway Company per George F. Rice President
to the order of Henry S. King and Company,
bearing date on said fourteenth day of
November in said year, and payable
three days thereafter, a more particular de-
scription thereof is to the Grand Jury aforesaid
unknown, and cannot now be
given, the said promissory note now
being in the possession and custody
and under the control of the said
George F. Rice

the said George F. Rice

afterwards, to wit, on the
day and year last aforesaid, with force and arms, at the Ward, City and County aforesaid,
feloniously did falsely make, forge and counterfeit, and did cause and procure to be falsely
made, forged and counterfeited, and did willingly act and assist in the false making, forg-
ing and counterfeiting on the ~~back~~ of the
said promissory note a certain instrument and writing
commonly called an endorsement which said false, forged and
counterfeited instrument and writing, commonly called an endorsement
is as follows: that is to say, Henry S. King & Co. by Geo. F. Rice Atty, a
more particular description of which said endorse-
ment is to the Grand Jury aforesaid unknown,
and cannot now be given, the same now being
in the possession and custody and under the
control of the said George F. Rice with intention
to injure and defraud Henry S. King

and divers other persons; to the Grand Jury aforesaid un-
known against the form of the statute in such case made and provided, and against the
peace of the People of the State of New York and their dignity.

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And the Grand Jury aforesaid do further accuse

the said George J. Rice of the crime of Forgery
in the third degree, committed as follows:

The said George J. Rice

late of the Ward, City, and County aforesaid, afterwards, to wit, on the day and year last aforesaid, at the Ward, City and County aforesaid, having in his custody and possession a certain instrument and writing of the kind commonly called promissory notes for the payment of money, to wit: a promissory note for the payment of the sum of ten thousand dollars, drawn by the Utica, Schenectady and Albany Railway Company per George J. Rice, President, to the order of Henry S. King and Company, bearing date on said fourteenth day of November in said year, and payable three days thereafter, a more particular description whereof is to the Grand Jury aforesaid unknown and cannot now be given, the said promissory note now being in the possession and custody, and under the control of the said George J. Rice

and on the back of which said promissory note was then and there written a certain false, forged and counterfeited instrument and writing, commonly called an endorsement of the said last mentioned promissory note which said false, forged and counterfeited instrument and writing, commonly called an endorsement is as follows, that is to say: Henry S. King & Co., By Geo. J. Rice, a more particular description of which said endorsement is to the Grand Jury aforesaid unknown and cannot now be given the same now being in the possession and custody and under the control of the said George J. Rice; the said George J. Rice

then and there well knowing the premises last aforesaid, and that the said endorsement was false, forged and counterfeited, afterwards, to wit, on the day and year last aforesaid, with force and arms, at the Ward, City and County aforesaid, feloniously did utter and publish as true, the said false, forged and counterfeited endorsement of the said last mentioned promissory note with intention to injure

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and defraud Henry S. King

and divers other persons, to the Grand Jury aforesaid unknown; he the said George G. Rice at the time he so uttered and published the said false, forged and counterfeited endorsement of the said last mentioned promissory note then and there well knowing the said endorsement to be false, forged and counterfeited, as aforesaid, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN McKEON, District Attorney.

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103/105
Counsel,
Filed day of January 1883
Pleads

Whitely (11)

THE PEOPLE

vs.

George Z. Sizer

FORGERY THE THIRD DEGREE
ENDORSEMENT, ETC.

JOHN McKEON,

District Attorney.

A True Bill.

E. H. Hall

Foreman.

0019

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

THE PEOPLE OF THE STATE OF
NEW YORK,

against

George J. Rice

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

George J. Rice

of the crime of Forgery in the third degree,

committed as follows:

The said

George J. Rice

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the ~~twenty seventh~~ day of ~~September~~ in the year of our Lord one thousand eight hundred and ~~seventy-nine~~ at the Ward, City, and County aforesaid, having in his custody and possession a certain instrument and writing of the kind commonly called promissory notes for the payment of money, to wit: a promissory note for the payment of the sum of ten thousand dollars, drawn by the Utica, Schenectady and Elmira Railway Company, per George J. Rice, President to the order of Henry S. Chung and Company, bearing date on said twenty seventh day of September in said year, and payable sixty days thereafter, a more particular description whereof is to the Grand Jury aforesaid unknown and cannot now be given the said promissory note now being in the possession and custody and under the control of the said George J. Rice

the said

George J. Rice

afterwards, to wit, on the day and year last aforesaid, with force and arms, at the Ward, City and County aforesaid, feloniously did falsely make, forge and counterfeit, and did cause and procure to be falsely made, forged and counterfeited, and did willingly act and assist in the false making, forging and counterfeiting on the

said promissory note

a certain instrument and writing

commonly called an

endorsement

which said false, forged and

counterfeited instrument and writing, commonly called an

endorsement

is as follows: that is to say,

Henry S. Chung & Co.
of the City of New York, a more particular description of which said endorsement is to the Grand Jury aforesaid unknown and cannot now be given, the same now being in the possession and custody and under the control of the said George J. Rice with intention to injure and defraud

Henry S. Chung

and divers other persons; to the Grand Jury aforesaid unknown 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.

0020

And the Grand Jury aforesaid do further accuse

the said George J. Rice of the crime of Forgery in the third degree, committed as follows:

The said George J. Rice

late of the Ward, City, and County aforesaid, afterwards, to wit, on the day and year last aforesaid, at the Ward, City and County aforesaid, having in his custody and possession a certain instrument and writing

of the kind commonly called promissory notes for the payment of money to wit: a promissory note for the payment of the sum of ten thousand dollars drawn by the Union, Texas and China Railway Company per George J. Rice, President, to the order of Henry S. King and Company bearing date on said twenty seventh day of September in said year and payable sixty five days thereafter, a more particular description whereof is to the Grand Jury aforesaid unknown, and cannot now be given, the said promissory note now being in the possession and custody and under the control of the said George J. Rice

and on the back of which said promissory note was then and there written a certain false, forged and counterfeited instrument and writing, commonly called an endorsement of the said last mentioned promissory note which said false, forged and counterfeited instrument and writing, commonly called an endorsement is as follows, that is to say: Henry S. King & Co. Pay Geo. J. Rice Accty. a more particular description of which said endorsement is to the Grand Jury aforesaid unknown, and cannot now be given, the said endorsement now being in the possession and custody and under the control of the said George J. Rice the said

George J. Rice

then and there well knowing the premises last aforesaid, and that the said endorsement was false, forged and counterfeited, afterwards, to wit, on the day and year last aforesaid, with force and arms, at the Ward, City and County aforesaid, feloniously did utter and publish as true, the said false, forged and counterfeited endorsement of the said last mentioned promissory note with intention to injure

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and defraud

Henry S. King

and divers other persons, to the Grand Jury aforesaid unknown; he the said
George F. Rice at the time he so
uttered and published the said false, forged and counterfeited *endorsement*
ment of the said last mentioned *promissory note*
then and there well knowing the said *endorsement*
to be false, forged and counterfeited, as aforesaid, against the form of the statute in such
case made and provided, and against the peace of the People of the State of New York
and their dignity.

JOHN McKEON, District Attorney.

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(11)

Day of Trial,

Counsel,

Filed

day of

1883

Pleads

Not guilty

THE PEOPLE

vs.

George D. Rice

*Amended and
repleaded*

JOHN McKEON,

District Attorney.

A True Bill.

E. Howell

Foreman.

0023

Court of General Sessions of the Peace,
of the City and County of New-York.

-----x :
The People of the State of New-York :
- against - :
George J. Rice. :
-----x :

The Grand Jury of the City and County of New-York, by this indictment, accuse George J. Rice of the Crime of Embezzlement, committed as follows:

The said George J. Rice, late of the First Ward of the City of New-York, in the County of New-York aforesaid, on the thirty first day of January, in the year of our Lord one thousand eight hundred and eighty, was the President of the Utica, Ithaca and Elmira Railway Company, a corporation duly existing under the laws of the State of New-York, and as such officer of said corporation received into his possession, by virtue of his said office, four certain written instruments, to wit: four certificates of the ownership of stock of the said the Utica, Ithaca and Elmira Railway Company, theretofore duly issued by the said railway company, each of which being a certificate of the ownership of five hundred shares in the capital stock of the said corporation, bearing date the fifth day of September, 1878, and being then and there in full force and effect, and of the value of fifty thousand dollars; and the said George J. Rice having so received the said certificates of stock into his possession as aforesaid, afterwards, to wit: on the said thirty-first day of January, in the year first aforesaid, with force and arms, at the Ward, City and County aforesaid, feloniously and fraudulently did take, make away with and secrete, with intent to convert to his own use, and did fraudulently and feloniously embezzle and convert to his own use, without the consent of the said corporation, and did fraudulently and feloniously, and without the consent of the said corporation, withhold, appropriate, apply and make use of the said certificates of stock, of the goods, chattels and personal property of the said the Utica, Ithaca and Elmira Railway Company, which said goods, chattels and personal property had come into his possession and under his care, by virtue of his being such officer of said corporation as aforesaid, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New-York and their dignity.

Second Count:

And the Grand Jury aforesaid, by this indictment, further accuse the said George J. Rice of the Crime of Embezzlement, committed as follows:

The said George J. Rice, late of the Ward, City and County aforesaid, afterwards, to wit: on the said thirty-first day of January, in the year of our Lord one thousand eight hundred and eighty, was the President of the Utica, Ithaca and Elmira Railway Company, a corporation duly existing under the laws of the State of New-York, and as such officer of said corporation

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received into his possession, by virtue of his said office, four certain written instruments, to wit: four certificates of the ownership of stock of the said the Utica, Ithaca and Elmira Railway Company, theretofore duly issued by the said railway company, each of which being a certificate of the ownership of five hundred shares in the capital stock of the said corporation, bearing date the fifth day of September, 1878, and being then and there in full force and effect, and of the value of five thousand dollars; and the said George J. Rice, having so received the said certificates of stock into his possession as aforesaid, afterwards, to wit: on the said thirty-first day of January, in the year of our Lord one thousand eight hundred and eighty, with force and arms, at the Ward, City and County aforesaid, feloniously and fraudulently did take, make away with and secrete, with intent to convert to his own use, and did feloniously and fraudulently embezzle and convert to his own use, without the consent of the said corporation, and did fraudulently and feloniously, and without the consent of the said corporation, withhold, appropriate, apply and make use of the said certificates of stock, of the goods, chattels and personal property of one Henry Seymour King, which said goods, chattels and personal property had come into his possession and under his care by virtue of his being such officer of said corporation as aforesaid, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New-York and their dignity.

Third Count:

And the Grand Jury aforesaid, by this indictment, further accuse the said George J. Rice, of the Crime of Embezzlement, committed as follows:

The said George J. Rice, late of the Ward, City and County aforesaid, afterwards, to wit: on the said thirty-first day of January, in the year of our Lord one thousand eight hundred and eighty, not being an apprentice or person within the age of eighteen years, was employed in the capacity of a clerk and servant to one Henry Seymour King, and as such clerk and servant was entrusted to receive four certain written instruments, to wit: four certificates of the ownership of stock of the Utica, Ithaca and Elmira Railway Company, a corporation duly existing under the laws of the State of New-York, theretofore duly issued by the said railway company, each of which being a certificate of the ownership of five hundred shares in the capital stock of said corporation, bearing date the fifth day of September, 1878, and being then and there in full force and effect, and of the value of five thousand dollars, for and on account of the said Henry Seymour King; and being so employed and entrusted as aforesaid, the said George J. Rice, by virtue of his said employment, then and there did receive and take into his possession the said certificates of stock, for and on account of the said Henry Seymour King, his said master and employer; and the said George J. Rice on the said thirty-first day of January, in the year of our Lord one thousand eight hundred and eighty, with force and arms, at the Ward, City and County aforesaid, fraudulently and feloniously did take, make away with and secrete, with intent to convert to his own use, and did fraudulently and feloniously embezzle and convert to his own use, without the consent of his said master and employer, and did fraudulently and feloniously, and without the consent of his said master and employer, withhold, appropriate, apply and make use of the said certificates of stock, of the goods, chattels and per-

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sonal property of the said Henry Seymour King, which said goods, chattels and personal property had come into his possession and under his care by virtue of his being such clerk and servant as aforesaid, 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 Grand Jury aforesaid, by this indictment, further accuse the said George J. Rice of the Crime of Grand Larceny, committed as follows:

The said George J. Rice, late of the Ward, City and County aforesaid, afterwards, to wit: on the said thirty-first day of January, in the year of our Lord one thousand eight hundred and eighty, at the Ward, City and County aforesaid, with force and arms, four certain written instruments, to wit: four certificates of the ownership of stock of the Utica, Ithaca and Elmira Railway Company, a corporation duly existing under the laws of the State of New-York, theretofore duly issued by the said railway company, each of which being a certificate of the ownership of five hundred shares in the capital stock of the said corporation, bearing date the fifth day of September, 1878, and being then and there in full force and effect, and of the value of five thousand dollars, of the goods, chattels and personal property of one Henry Seymour King, then and there being found, then and there feloniously did steal, take and carry away, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New-York and their dignity.

Fifth Count:

And the Grand Jury aforesaid, by this indictment, further accuse the said George J. Rice of the Crime of Grand Larceny, committed as follows:

The said George J. Rice, late of the Ward, City and County aforesaid, afterwards, to wit: on the said thirty-first day of January, in the year of our Lord one thousand eight hundred and eighty, at the Ward, City and County aforesaid, with force and arms, four certain written instruments, to wit: four certificates of the ownership of stock of the Utica, Ithaca and Elmira Railway Company, a corporation duly existing under the laws of the State of New-York, theretofore duly issued by the said railway company, each of which being a certificate of the ownership of five hundred shares in the capital stock of the said corporation, bearing date the fifth day of September, 1878, and being then and there in full force and effect, and of the value of five thousand dollars, of the goods, chattels and personal property of the Utica, Ithaca and Elmira Railway Company, then and there being found, then and there feloniously did steal, take and carry away, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New-york and their dignity.

JOHN MC' KEON, District Attorney.

0026

Day of Trial,

Counsel,

Filed day of

Pleads

1883

THE PEOPLE

vs.

Wm. D. Boyce

JOHN McKEON,

District Attorney.

A True Bill.

Forensic

Sample #2.

103.
Paid for by Ind. & S. & C. & C.
of 2500 - on each indictment - making
15.000 - for all of the indictments.

0027

Court of General Sessions of the Peace,
of the City and County of New-York.

-----x :
The People of the State of New-York :
- against - :
George J. Rice. :
-----x

The Grand Jury of the City and County of New-York, by this indictment, accuse George J. Rice of the Crime of Embezzlement, committed as follows:

The said George J. Rice, late of the First Ward of the City of New-York, in the County of New-York aforesaid, on the ninth day of December, in the year of our Lord one thousand eight hundred and seventy nine, was the President of the Utica, Ithaca and Elmira Railway Company, a corporation duly existing under the laws of the State of New-York, and as such officer of said corporation received into his possession by virtue of his said office two certain written instruments, to wit: two certificates of the ownership of stock of the said the Utica, Ithaca and Elmira Railway Company, theretofore duly issued by the said railway company, each of which being a certificate of the ownership of five hundred shares in the capital stock of the said corporation, bearing date the fifth day of September, 1878, and being then and there in full force and effect, and of the value of fifty thousand dollars; and the said George J. Rice having so received the said certificates of stock into his possession as aforesaid, afterwards, to wit: on the said ninth day of December, in the year first aforesaid, with force and arms, at the Ward, City and County aforesaid, feloniously and fraudulently did take, make away with and secrete, with intent to convert to his own use, and did fraudulently and feloniously embezzle and convert to his own use, without the consent of the said corporation, and did fraudulently and feloniously, and without the consent of the said corporation, withhold, appropriate, apply and make use of the said certificates of stock, of the goods, chattels and personal property of the said the Utica, Ithaca and Elmira Railway Company, which said goods, chattels and personal property had come into his possession and under his care, by virtue of his being such officer of said corporation as aforesaid, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New-York and their dignity.

Second Count:

And the Grand Jury aforesaid, by this indictment, further accuse the said George J. Rice of the Crime of Embezzlement, committed as follows:

The said George J. Rice, late of the Ward, City and County aforesaid, afterwards, to wit: on the said ninth day of December, in the year of our Lord one thousand eight hundred and seventy nine, was the President of the Utica, Ithaca and Elmira Railway Company, a corporation duly existing under the laws of the State of New-York, and as such officer of said corporation received into his possession by virtue of his said office two

0028

certain written instruments, to wit: two certificates of the ownership of stock of the said the Utica, Ithaca and Elmira Railway Company, theretofore duly issued by the said railway company, each of which being a certificate of the ownership of five hundred shares in the capital stock of the said corporation, bearing date the fifth day of September, 1878, and being then and there in full force and effect, and of the value of five thousand dollars; and the said George J. Rice having so received the said certificates of stock into his possession as aforesaid, afterwards, to wit: on the said ninth day of December, in the year of our Lord one thousand eight hundred and seventy nine, with force and arms, at the Ward, City and County aforesaid, feloniously and fraudulently did take, make away with and secrete, with intent to convert to his own use, and did feloniously and fraudulently embezzle and convert to his own use, without the consent of the said corporation, and did fraudulently and feloniously, and without the consent of the said corporation, withhold, appropriate, apply and make use of the said certificates of stock, of the goods, chattels and personal property of one Henry Seymour King, which said goods, chattels and personal property had come into his possession and under his care by virtue of his being such officer of said corporation as aforesaid, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New-York and their dignity.

Third Count:

And the Grand Jury aforesaid, by this indictment, further accuse the said George J. Rice of the Crime of Embezzlement, committed as follows:

The said George J. Rice, late of the Ward, City and County aforesaid, afterwards, to wit: on the said ninth day of December, in the year of our Lord one thousand eight hundred and seventy nine, not being an apprentice or person within the age of eighteen years, was employed in the capacity of a clerk and servant to one Henry Seymour King, and as such clerk and servant was entrusted to receive ~~two certificates of the ownership of stock of the~~ ^{two} Utica, Ithaca and Elmira Railway Company, a corporation duly existing under the laws of the State of New-York, theretofore duly issued, each of which being a certificate of the ownership of five hundred shares in the capital stock of the said corporation, bearing date the fifth day of September, 1878, and being then and there in full force and effect, and of the value of five thousand dollars, for and on account of the said Henry Seymour King; and being so employed and entrusted as aforesaid, the said George J. Rice, by virtue of said employment, then and there did receive and take into his possession the said certificates of stock, for and on account of the said Henry Seymour King, his said master and employer; and the said George J. Rice, on the said ninth day of December, in the year of our Lord one thousand eight hundred and seventy nine, with force and arms, at the Ward, City and County aforesaid, feloniously and fraudulently did take, make away with and secrete, with intent to convert to his own use, and did fraudulently and feloniously embezzle and convert to his own use, without the consent of his said master and employer, and did fraudulently and feloniously, and without the consent of his said master and employer, withhold, appropriate, apply and make use of, the said certificates of stock, of the goods, chattels and personal property of the said Henry Seymour King, which said goods, chattels and personal property had come into his possession and under his care by virtue of his being such clerk and servant as

0029

aforesaid, 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 Grand Jury aforesaid, by this indictment, further accuse the said George J. Rice of the Crime of Grand Larceny, committed as follows:

The said George J. Rice, late of the Ward, City and County aforesaid, afterwards, to wit: on the said ninth day of December, in the year of our Lord one thousand eight hundred and seventy nine, at the Ward, City and County aforesaid, with force and arms, two certain written instruments, to wit: two certificates of the ownership of stock of the Utica, Ithaca and Elmira Railway Company, a corporation duly existing under the laws of the State of New-York, theretofore duly issued by the said railway company, each of which being a certificate of the ownership of five hundred shares in the capital stock of the said corporation, bearing date the fifth day of September, 1878, and being then and there in full force and effect, and of the value of fifty thousand dollars, of the goods, chattels and personal property of one Henry Seymour King, then and there being found, then and there feloniously did steal, take and carry away, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New-York and their dignity.

Fifth Count:

And the Grand Jury afpresaid, by this indictment, further accuse the said George J. Rice of the Crime of Grand Larceny, committed as follows:

The said George J. Rice, late of the Ward, City and County aforesaid, afterwards, to wit: on the said ninth day of December, in the year of our Lord one thousand eight hundred and seventy nine, at the Ward, City and County aforesaid, with force and arms, two certain written instruments, to wit: two certificates of the ownership of stock of the Utica, Ithaca and Elmira Railway Company, a corporation duly existing under the laws of the State of New-York, theretofore duly issued by the said railway company, each of which being a certificate of the ownership of five hundred shares in the capital stock of the said corporation, bearing date the fifth day of September, 1878, and being then and there in full force and effect, and of the value of fifty thousand dollars, of the goods, chattels and personal property of the Utica, Ithaca and Elmira Railway Company, then and there being found, then and there feloniously did steal, take and carry away, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New-York and their dignity.

JOHN MC'KEON, District Attorney.

0030

W 49 105

(11)

Day of Trial
Counsel, *J. M. Kelly*
Filed day of *Feb* 188 *3*
Reads *Guilty (12)*

THE PEOPLE

George D. Rice

JOHN McKEON,
District Attorney.

A True Bill.

William H. Phelps
Foreman.

0031

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

George F. Rice

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

George F. Rice

of the CRIME OF Embezzlement,
committed as follows:

The said George F. Rice

late of the City and County of New York, on the 27th day of September
in the year of our Lord one thousand eight hundred and seventy nine, at
~~the City and County aforesaid, with force and arms~~

was the President of

X
The Utica Schenectady and Elmira Railway Company, a
corporation duly existing under and by virtue of the
laws of the State of New York, and as such President
of the said corporation was entrusted to receive the
sum of ten thousand dollars in money, lawful
money of the United States and of the value of ten
thousand dollars, for and on account of the said
The Utica Schenectady and Elmira Railway Company,
and being such President of the said corporation
as aforesaid, and being so entrusted, the said George
F. Rice, by virtue of his said office did then and
there receive and take into his possession the
said sum of ten thousand dollars in money,
lawful money of the United States and of the
value of ten thousand dollars, for and on
account of the said The Utica Schenectady and Elmira
Railway Company; and the said George F. Rice,
on the day and in the year aforesaid, at the City
and County aforesaid, with force and arms, unlawfully

0032

illegally and feloniously did take, make away with and secrete, with intent to convert to his own use, and did fraudulently and feloniously embezzle and convert to his own use, without the consent of the said corporation, and did fraudulently and feloniously, and without the consent of the said corporation withhold, appropriate, apply and make use of the said sum of money, of the goods, chattels, personal property and money of the said Erie, Lackawanna and Elmira Railway Company, which said goods, chattels, personal property and money had come into his possession and under his care, by virtue of his being and President of the said corporation as aforesaid, 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.

And the Grand Jury aforesaid by this indictment further accuse the said George F. Rice of the crime of Embezzlement, committed as follows:

The said George F. Rice late of the City and County aforesaid, on the twenty seventh day of September in the year of our Lord, one thousand eight hundred and seventy nine, was the President of the said Erie, Lackawanna and Elmira Railway Company, a corporation duly existing under and by virtue of the laws of the State of New York, and as such President of the said Corporation was entrusted to receive, one certain valuable instrument to wit: an order for the payment of money of the said commonly called a bank check, drawn to the order of the said Erie, Lackawanna and Elmira

0033

Railway Company for the payment of the sum of
 nine hundred and eighty dollars and fifty cents,
 and being then and there of the value of nine hundred and eighty
 dollars and fifty cents, a more particular description
 of which said Bank Check is to be found and lying afore-
 said unknown, for and on account of the said Erie
 Utica, Schenectady and Elmira Railway Company, and
 being such President of the said corporation, and
 being so entrusted as aforesaid, the said George F.
 Rice, by virtue of his said office, did then and
 there receive and take into his possession, the
 said Bank Check, for and on account of the said
 Erie Utica, Schenectady and Elmira Railway Company.
 And the said George F. Rice, on the day and in the
 year aforesaid, at the City and County aforesaid,
 with force and arms, fraudulently and feloniously
 did take, make away with and secret, with
 intent to convert to his own use, and did fraud-
 ulently and feloniously endeavor and convert to
 his own use, without the consent of the said
 corporation, and did fraudulently and felon-
 iously, and without the consent of the said
 corporation, with hold, appropriate, apply and
 make use of the said Bank Check, of the goods,
 chattels, personal property and money of the
 said Erie Utica, Schenectady and Elmira Railway
 Company, which said goods, chattels, personal
 property and money had come into his posses-
 sion and under his care by virtue of his being
 such President of the said Corporation as
 aforesaid, against the form of the Statute in
 and case made and provided, and against
 the peace of the People of the State of New
 York, and their dignity.

John McKean

District Attorney

0034

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court

District

THE PEOPLE, &c.

ON THE COMPLAINT OF

vs.

George J. Rice

Offence, Felony

Dated December 18 1882

Magistrate

Healey's Assistant

Clerk

Witnesses,

No.

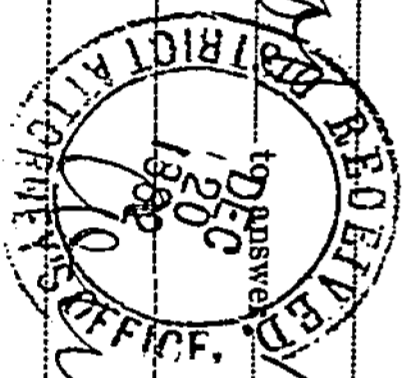
Street,

No.

Street,

No.

Street,



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

George J. Rice

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Fifty 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 Dec 18 1882 B. L. Morgan Police Justice.

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

Dated 1882 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 1882 Police Justice.

0035

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, ss.

184 District Police Court.

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

Question. What is your name?

Answer.

George J. Rice

Question. How old are you?

Answer.

40 years

Question. Where were you born?

Answer.

England

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

Answer.

Horseheads N.Y. 5 years

Question. What is your business or profession?

Answer.

None

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

Answer.

I decline to make any statements
by advice of counsel

Geo. J. Rice

Taken before me this

day of

December 1884

Police Justice.

0036

Argery

1000. cur

0037

State of New York
City and County of New York,

I, Henry Seymour King
being duly sworn, depose and say as
follows: I am a banker engaged
in the business of banking at No.
65 Cornhill, London, England.

As I am informed by William A.
Broth, President of the Third National
Bank of the City of New York, and verily
believe on the 14th day of November 1892
one George James Rice, ~~then the~~
~~President of the Union, Illinois and~~
~~Reading Company,~~ made a certain
promissory note or instrument in
writing signed by himself, George J.
Rice, as President of ^{The Union, Illinois and Reading} said Company for
the sum of Ten thousand dollars to the
order of Henry S. King and Company
and endorsed the said promissory
note or instrument in writing "Henry
S. King & Co. per pro George J. Rice" and after
such making and endorsement delivered
the said note to the said Third National
Bank.

At the time of said making and
delivery, to wit, on the 14th day of November
1892, I was the only member of the firm
of Henry S. King and Company as was well

0038

known to the said George J. Rice. On that day the said George J. Rice had no power or authority whatever to endorse the name of Henry S. King & Co. upon any promissory note or instrument for the payment of money as was well known to the said George J. Rice.

I charge further that on the 14th day of November 1882, in thus endorsing the said promissory note in writing with the name Henry S. King and Company the said George J. Rice committed a forgery.

Wherefore this affiant charges that the endorsement and signature of the said Henry S. King and Company upon the instrument in writing heretofore referred to being written by an agent, as aforesaid of this affair, were made and affixed thereto with the fraudulent and felonious intent of forging the signature of Henry S. King & Company, and that the delivery of said instrument so endorsed to the said Third National Bank was a fraudulent and felonious uttering of said forged instrument with full knowledge upon the part of the said George J. Rice of the fact that said instrument was forged and fraudulent as aforesaid.

Sworn to before me this
18th December 1882

B. J. Morgan
Police Justice

Henry S. King

BAILED.

No. 1, by _____
Residence _____
Street _____

No. 2, by _____
Residence _____
Street _____

No. 3, by _____
Residence _____
Street _____

No. 4, by _____
Residence _____
Street _____

BAILED,

Police Court

District

THE PEOPLE, &c.
ON THE COMPLAINT OF

Henry Deymann

Henry Lee

Offence,

Dated Dec 18 1899

Shangan Magistrate.

Pauline H. Healy
Partner
Officer
Clerk

Witnesses,

No. _____ Street, _____

No. _____ Street, _____

No. 1000 Street, 1000

DEC 20 1882

can

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 _____

and that there is sufficient cause to believe the within named George J. Reeg
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of ten
thousand 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 Dec 18 1882 B. J. 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 h to be discharged.

Dated _____ 188 _____ *Police Justice*

0040

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, }

18th District Police Court.

George J Rice being duly examined before the undersigned, according to law, on the annexed charge: and being informed that it is his 10 right to make a statement in relation to the charge against him; that the statement is designed to enable him 10 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 10 waiver cannot be used against him on the trial.

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

Geo. J. Rice

Taken before me this

day of

22nd Sept 188th

Police Justice.

0041

James J. Doyle
James J. Doyle
577 Wall St

BAILLED,
No. 1, by _____
Residence _____
Street _____
No. 2, by _____
Residence _____
Street _____
No. 3, by _____
Residence _____
Street _____
No. 4, by _____
Residence _____
Street _____

James J. Doyle
Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James J. Doyle
James J. Doyle
James J. Doyle
Felony

Offence, _____

Dated _____ 188

James J. Doyle
Magistrate.
Clerk.

Witnesses, _____

No. _____ Street, _____

No. _____ Street, _____

No. 110000 Street, _____

James J. Doyle
to answer
+ 250000 bail for \$
No. 10.

Dec. 18. 2 1/2 PM.

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

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

Dated _____ 188 _____ 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.

0042

Sec. 151.

Police Court 1st District.

CITY AND COUNTY }
OF NEW YORK, } ss

In the name of the People of the State of New York; To the Sheriff of the County of New York, or to any Marshal or 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 Henry Seymour King of No. London England Street, that on the 23rd day of April 1888 at the City of New York, in the County of New York,

George J. Rice and Moses T. Serat
did lawfully and duly sign and
promise to be signed with the intent to issue
and on pledge the same false and fraudulent cer-
tificates for the shares of the capital stock
of the Utica, Schenectady and Albany Railway Company, a corporation
organized under the laws of the State of New York, and in violation

Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to answer the said complaint.

These are, Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant and bring them forthwith before me, at the 1st DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 2nd day of December 1888

R. L. Lohman POLICE JUSTICE.

POLICE COURT. DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Warrant-General.

Dated _____ 188

Magistrate

Officer.

The Defendant

taken, and brought before the Magistrate, to answer the within charge, pursuant to the command contained in this Warrant.

Officer.

Dated _____ 188

This Warrant may be executed on Sunday or at night.

R. L. Lohman Police Justice.

REMARKS.

Time of Arrest, _____

Naive of _____

Age, _____

Sex _____

Complexion, _____

Color _____

Profession, _____

Married _____

Single, _____

Read, _____

Write, _____

The within named

having been brought before me under this Warrant, is committed for examination to the
WARDEN or KEEPER of the City Prison of the City of New York.

Dated _____ **188**

Police Justice.

Who actually Road
Powerful Alt
Endowment power? "Praying" them
Rational method necessary
 1879 needs 3 Anti-Bk. associations
 19th Co
 Byrd's ph. hand alt
 nearly the same to joint
Road
Bankers v. Students:
John Bone of Division
Representative
depression and depression
John

0044

Form 9.

POLICE COURT-SIXTH DISTRICT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

AFFIDAVIT.

Dated

187

Magistrate.

Officer.

Edward L. Cleveland.
572 Maple Street.

0045

Form 9.

Sixth District Police Court.

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, ss.Henry Seymour King
of No. 65 Cornhill London England

street,

being duly sworn, deposes and says,

that on the

day of

187

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

as follows:

At all times between the first day of June 1878 and the 13th day of June 1882, one George James Rice of Horseheads, Chemung County, New York was the President and one Moses W. Serat of Elmira, Chemung County, New York, was the Treasurer of the Utica, Ithaca & Elmira Railway Company, a corporation organized under the laws of the State of New York with a capital stock of twenty thousand shares of the par value of one hundred dollars each, to wit two million dollars. That as deponent is informed and believes as come to him between the 23rd day of April 1881 and the 13th day of June 1882, the said George J. Rice and Moses W. Serat acting the said Rice as President and the said Serat as Treasurer of the said Utica, Ithaca & Elmira Railway Company, within the State of New York wilfully and designedly did sign and procure to be signed and the intent to cause to be sold or pledge the same false and fraudulent certificates or instruments purporting to be certificates for ten thousand shares of the capital stock of the said Utica, Ithaca & Elmira Railway Company the signing, issuing, selling or pledging of which was not authorized by the charter and by laws of the said Utica, Ithaca & Elmira Railway Company or any amendment thereof.

And the deponent further says on information and belief that between the said 23rd day of April 1881 and the 13th day of June 1882 the said George James Rice and Moses W. Serat did with intent to defraud the Third National Bank, a corporation organized under the laws of the United States, and doing business in the State of New York, pledge the said false and fraudulent certificates or instruments purporting to be certificates for ten thousand shares of the capital stock of the said Utica, Ithaca & Elmira Railway Company with the said Third National Bank.

That prior to the 23rd day of April 1881, certificates for 19,180 shares of the said capital stock of the said Utica, Ithaca & Elmira Railway Company had been issued to Edward Jenkins and Charles Dancho Jenkins, of London England, who are now the lawful owners and holders of the said 19,180 shares of the said capital stock and of the certificates for the same.

Subscribed before me
December 2nd 1882
R. J. Morgan
Police Justice.

H. S. King

0046

BAILED,

No. 1, by _____

Residence _____

Street, _____

No. 2, by _____

Residence _____

Street, _____

No. 3, by _____

Residence _____

Street, _____

No. 4, by _____

Residence _____

Street, _____

Police Court

District

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Henry Chapman

George J. Rice

Offence, *Indecent*

Dated

December 18 188 *2*

Henry Chapman Magistrate

Healey & Hildesheim Clerk

Witnesses,

No. _____

Street, _____

No. _____

Street, _____

No. _____

Street, _____

RECEIVED
DEC 20 1882
DISTRICT OFFICE

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 _____

George J. Rice

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *Eight* 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 *Dec 18* 188 *2*

H. Chapman 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.

0047

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, } ss.

18 District Police Court.

George F. Rice

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

Question. What is your name?

Answer.

George F. Rice

Question. How old are you?

Answer.

40 years

Question. Where were you born?

Answer.

England

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

Answer.

Horseheads N.Y. 5 years

Question. What is your business or profession?

Answer.

None

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

Answer.

I decline to make any statement by advice of counsel

Geo. F. Rice

Taken before me this 18

day of December 1887

W. H. Thompson

Police Justice

0048

Embryonement

0049

City and County of New York, ss.

I Henry Seymour Kissam being duly sworn depose and say as follows:

I am a banker doing business at No 65 Cornhill, London, England, under the name of Henry, Sking & Co. On September 27th 1879, I was the owner of ~~ten~~^{two} thousand shares of the capital stock of the Utica Ithaca and Elmira Railway Company, a corporation organized under the laws of the State of New York, with a capital stock of twenty thousand shares of the par value of one hundred dollars each.

certificates representing
or representing

At the time aforesaid, ^{certificates representing} the said ~~ten~~^{two} thousand shares of said capital stock were ~~were~~ in the custody of George J. Rice, who was then the President of said Railway Company.

On said September 27th 1879 the said George J. Rice fraudulently and without my knowledge hypothecated and pledged the said ~~ten~~^{two} thousand shares of stock at the Third National Bank of the City of New York in said City of New York, pledging said stock as collateral security for the payment of a promissory note made by him the said George J. Rice

0050

as President of the said Railway Company for the sum of ten thousand dollars, and drawn to the order of Henry S. King & Co., and by the said George J. Rice endorsed Henry S. King & Co. per pro Geo. J. Rice, without my authority or sanction: I charge that the said George J. Rice in thus pledging and disposing of said shares of stock embezzled the same; and I charge and verily believe that said George J. Rice upon such pledge received from said Third National Bank the sum of ten thousand dollars, which money the said George J. Rice appropriated to his own use. I further say that I verily believe that the value of the said ~~ten~~^{two} thousand shares of stock was not less than twenty thousand ~~million~~ dollars.

Sworn to before me this

18th December 1882

B. T. King

Police Justice.

H. S. King

0051

BAILED,
No. 1, by _____
Residence _____ Street, _____
No. 2, by _____
Residence _____ Street, _____
No. 3, by _____
Residence _____ Street, _____
No. 4, by _____
Residence _____ Street, _____

Police Court

District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Henry Seymour Rice

George J. Rice

3
4
5
6
7
8
9
10

Offence, Felony

Dated Dec 18 1882

Morgan Magistrate

Healy & Ireland, Office

Witnesses,

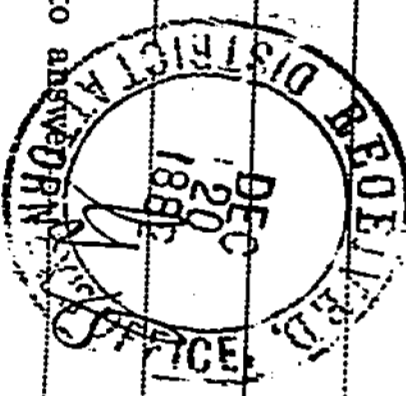
No. _____ Street, _____

No. _____ Street, _____

No. _____ Street, _____

No. _____ Street, _____

to answer on _____



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 _____

George J. Rice

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of fifty 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 December 18 1882

A. P. Morgan 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.

0052

Sec. 198-200.

186 District Police Court.

CITY AND COUNTY
OF NEW YORK, } ss.

George F. Rice

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.

George F. Rice

Question. How old are you?

Answer.

40 years

Question. Where were you born?

Answer.

England

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

Answer.

Horseheads N.Y. 5 years

Question. What is your business or profession?

Answer.

None

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

Answer.

I decline to make any statements
by advice of counsel

Geo. F. Rice

Taken before me this

18

day of November 1887

Police Justice.

0053

1000000

0054

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

I, Henry Seymour King
being duly sworn, depose and say as
follows:- I am a banker engaged
in the business of banking at No.
65 Cornhill, London, England.

As I am informed by William A.
Booth, President of the Third National
Bank of the City of New York, and verily
believe, on the 27th day of September 1879,
one George James Rice, who was then the
President of the Utica, Ithaca and Elmira
Railway Company, made a certain
promissory note or instrument in
writing signed by himself, George J.
Rice, as President of said Company for
the sum of Ten thousand dollars to the
order of Henry S. King and Company
and endorsed the said promissory
note or instrument in writing "Henry
S. King & Co. per pro George J. Rice" and after
such making and endorsement delivered
the said note to the said Third National
Bank.

At the time of said making and
delivery, to wit, on the 27th day of September
1879, I was the only member of the firm
of Henry S. King and Company as was well

0055

known to the said George J. Rice. On that day the said George J. Rice had no power or authority whatever to endorse the name of Henry S. King upon any promissory note or instrument for the payment of money as was well known to the said George J. Rice.

I charge further that on the 27th day of September 1879, in thus endorsing the said promissory note in writing with the name Henry S. King and Company, the said George J. Rice committed a forgery.

I further say that I am informed and believe that at the time of the making and delivery of the said note, the said George J. Rice pledged with and delivered to the said Third National Bank, ^{two} ten thousand shares of the capital stock of the said Utica, Ithaca and Elmira Railway Company and as a collateral security for the payment of said note and obtained at the time of said making and endorsement of the said note and pledging of the said stock the sum of Ten thousand dollars.

Wherefore this affiant charges that the endorsement and signature of the said Henry S. King

0056

and being upon the instrument in writing heretofore re-
ferred to by witness the aforesaid of the affair
were made and affixed thereto with the fraudulent and felonious
intent of forging the said signature of Henry S. King and being
and that the drawing of said instrument so endorsed to the said
Third National Bank was a fraudulent and felonious uttering of
said forged instrument with full knowledge upon the part of the
said George J. Rice of the fact that said instrument was forged and
fraudulent as aforesaid.

H. S. King

Sworn to before me
this 18th December 1882

B. T. Morgan
Police Justice

0057

D
Law Offices of
Diven & Redfield,
212 East Water Street,
Elmira, N.Y.

George M. Diven,
Henry S. Redfield.

Elmira, N.Y. Dec. 12, 1887.

Hon. Randolph B. Martine,
Dist. Attorney,
New York City.

Dear Sir:--

You doubtless recollect the indictment found against George J. Rice, formerly President of the Utica, Ithaca and Elmira Railroad, and upon which two trials were had, resulting in disagreements of the jury. Is there any good reason why this indictment should not be quashed? I think Rice has been sufficiently punished already, as the indictment has been a serious stumbling-block in the way of his finding employment. He is working hard on a small salary in a distant State, and I understand is behaving himself well. His family are here. His wife, an excellent woman, is keeping house for a young ladies' school. Two of his boys are clerks in stores here.

In the litigation between Rice and his former employer, Henry S. King, of London, I was associated with Mr. Tweed and Mr. Cleveland, as counsel for Mr. King. I have no personal interest in this matter, and no particular sympathy for Mr. Rice in the transactions which led to his indictment. It does not seem likely that

0058

R.S.M.2.

he will ever again be tried, and on his family's account it would be a graceful act to have this indictment quashed. I write today to Mr. Cleveland to the same tenor as this letter to you, asking him if he will not consent to the favor I ask.

Yours truly,

E. M. Brown

0059

WM. M. EVARTS,
JOSEPH H. CHOATE,
CHARLES C. BEAMAN,
J. EVARTS TRACY,
TREADWELL CLEVELAND,
PRESCOTT HALL BUTLER,
ALLEN W. EVARTS.

Office of Evarts, Choate & Beaman,
No. 52 WALL STREET.

New York, December 15, 1888

Randolph D. Martine Esq.

District Attorney,

Dear Sir:-

There are now in your office certain indictments against George James Rice, upon one of which indictments Rice was tried twice, the jury on each occasion standing eleven for conviction to one for acquittal.

We understand that you are about to be requested to enter a nolle pros on these indictments. We beg that you will communicate with us before this action shall be taken, as we think that we can convince you that Rice should be tried again, being thoroughly persuaded, as were Judge Barrett and Mr. Fellows, of the flagrant guilt of the defendant.

Yours very truly,

Treadwell Cleveland

0060

Dr. G. G. G. G.

0061

LAW OFFICES OF
TREADWELL CLEVELAND,
No. 52 WALL STREET,

NEW YORK, January 3rd 1883

Henry C. Allen, Esq.
Asst. Dist. Att.

Dear Sir,

Herewith I enclose a copy of a certificate of
stock of the Utica & Elmira Railway Company, belonging
to Henry Seymour Kurg, which Ricci embezzled on September 27.
1879. There were four certificates pledged on this date, each
like the one enclosed save as to number of the certificate, each for
500 shares making in all 2000 shares -

2^d Indictment. Embezzlement on Dec. 9. 1879 of 1000 shares.

There were two certificates each for ~~1000~~ 500 shares, each cer-
tificate like the copy enclosed, save as to number.

3^d Indictment. Embezzlement on Jan'y 31. 1880. of 2000 shares

There were four certificates each for 500 shares each certificate

0062

LAW OFFICES OF
TREADWELL CLEVELAND,
No. 52 WALL STREET,

(2)

NEW YORK, _____ 188

Like the copy enclosed save as to number.

4. Indictment. Act of 1855. Ch. 155. Pledging stock belonging to
Charles Danho & Edward Jenkins; 5000 shares, 10
certificates each for 500 shares. Like the copy enclosed
save as to number. This pledging was on November
2, 1881.

5. Indictment. Forgery Sept 27, 1879.
Note was dated Sept. 27, 1879; was for \$10,000 &
was payable two months after date.

6. Indictment. Forgery November 14, 1882.
Note was dated ~~Sept~~ Nov. 14, 1882 was for \$10,000
and was payable 3 days after date.

0063

LAW OFFICES OF
TREADWELL CLEVELAND,
No. 52 WALL STREET,

NEW YORK, _____ 188

(3.) The stock embodied on Sept 27. 1877. Dec. 9. 1877,
and Jan'y 31. 1880, consist of certificates of stock in the
name of Geo. J. Rice, unendorsed by him, but accompanied
with powers of attorney, enabling the holder to transfer it, of
which I send you a copy.

The certificates pledged on November 2. 1881 _____
for 5000 shares were endorsed by Rice.

Yours very truly
Treadwell Cleveland.

0064

District Attorney's Office.

PEOPLE

vs.

George J. Rice

Forgery.

This case was twice tried
by Hon John P. Fellows as Dist.
Dist. Atty. and he there-
fore is fully conversant
with the facts of this case.
Mr Fellows will assume
office as Dist. Atty. of this
County on Jan 1, 1888. I
therefore postpone all action
upon the application to
dismiss indictment or to
discharge Hall and will
leave the case for such
action as Dist. Atty. Fellows
may think proper upon the
assumption of office by him.
Dec 16, 87.

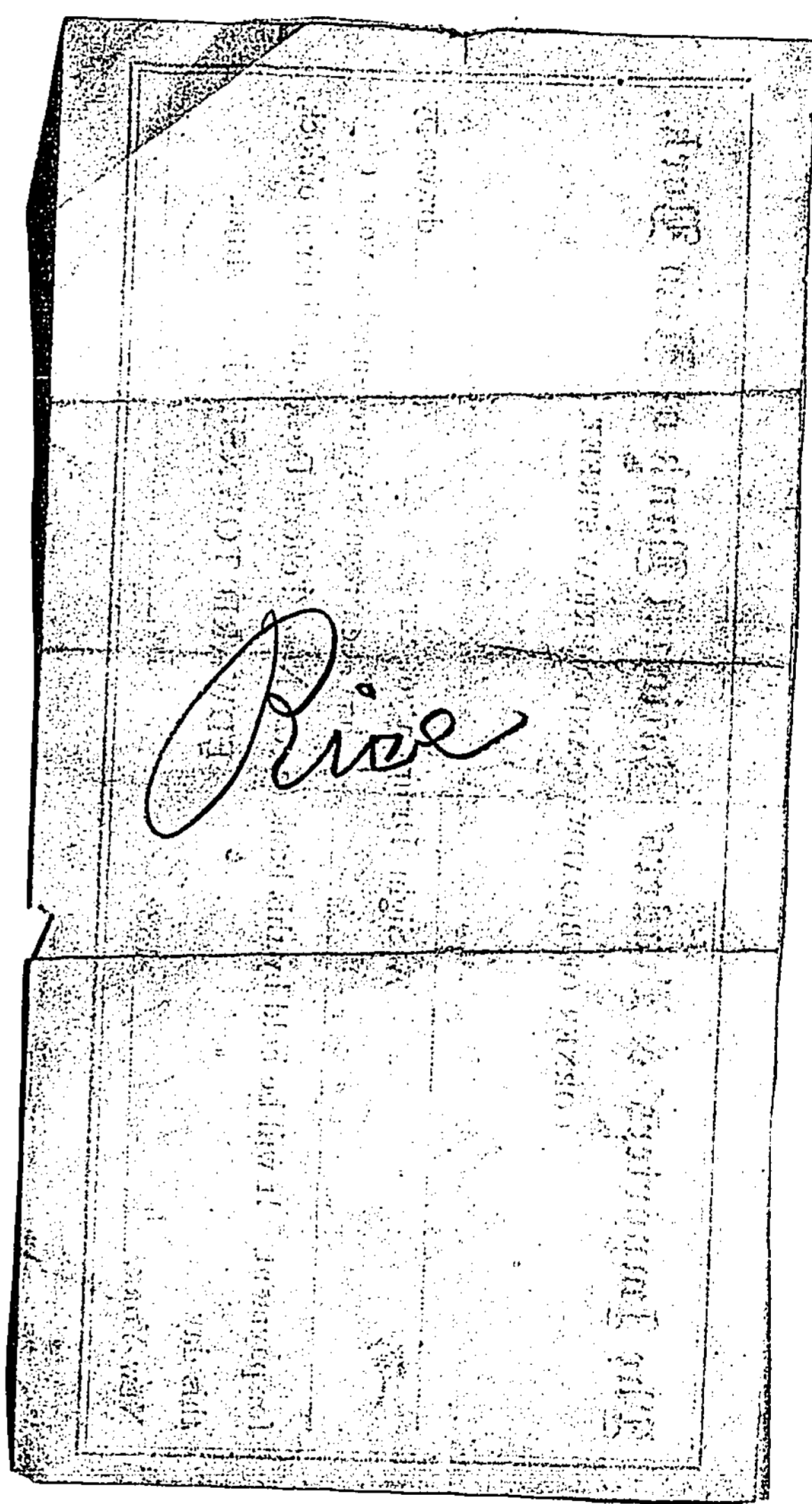
W. B. M.
Dist. Atty.

0065

The Importers' & Traders' National Bank of New York,
CORNER OF BROADWAY AND MURRAY STREET.

John McKeon & Co. N.Y.
A Sight Draft on you for \$ *46.50* drawn by
John McKeon & Co. N.Y. has been regularly presented at your office
for payment. It will be held by this bank (at the Note Teller's Desk), until three o'clock,
this day
NEW YORK, *Sept 19* 1883 By *W.A.D.* EDWARD TOWNSEND, CASHIER.

0055



0067

70, Ludlow St,

June 16. 1883.

Hon: J. M. Keon -

District Attorney.

Dear Sir:

Rumour has it that my
Case, the people against me,
is set down for trial on
Monday next.

It would be very hard
to force me to trial then
as I am without counsel
and I ask that you will
Consent to an adjournment
to give me opportunity to
Consult with my attorney.

Very respectfully yours

Geo J Rice

0068

Mr. Brown because of this
letter was informed that
that this application
could be made to be
heard on Monday
next

John R.

0069

Sept

Time 18. 1893

The case of the People
vs. Rice was this day moved
by the Dist. Atty. whereupon
upon the application of the defendant
it was adjourned by order of the Court

for Mr. Brady
D. A. D.

0070

WM. M. EVARTS,
CHAS. F. SOUTHMAYD,
JOSEPH H. CHOATE,
CHARLES C. BEAMAN, JR.,
J. EVARTS TRACY,
TREADWELL CLEVELAND,
PRESCOTT HALL BUTLER,
ALLEN W. EVARTS.

Office of Evarts, Southmayd & Choate,

No. 52 WALL STREET,

New York, July 20th 1883.

Hon. John B. Fellows,
Asst District Attorney.

Dear Mr. Fellows:

I am away upon my vacation but chanced to come into the City today and found your letter of July 18th re Rice awaiting me.

I am not informed that the civil suits against Mr. Rice have been satisfactorily arranged, and whatever Mr. Corbin and Mr. Armstrong are anxious for, I am not anxious to have bail taken. The civil suits as far as I know have nothing whatever to do with the indictments, and I do not wish to have them, in any way, depending one upon the other. Mr. Rice, in my judgment, is a thief, and as Mr. McKeon has already virtually appointed me a Special District Attorney to act with yourself in his prosecution, as far as I am concerned, my voice will be to prosecute him until we convict him and then send him to State Prison. I am opposed to treating Mr. Rice leniently, not only that he may be punished, but that a proper example

0071

may be made of him to the rest of the community.

If any one is to "arrange" anything with Mr. Rice, except his trial and conviction, I am not that person, nor will I be a party to any such arrangement. I think the rumor about Mr. Armstrong and Mr. Corbin is incorrect and I will see them and advise you.

I will be out of town until after the 1st of August and any time after that will be prepared to take up the trial of Mr. Rice.

Yours very truly,

Frederick C. Lee

Frederick C. Lee

Frederick C. Lee

Frederick C. Lee

July 20th 1883

0072

for 2000 Ring

0073

John C. Riney

0074

District Attorneys Office.
City & County of
New York.

Indictment No. 1 - Under Act of 1874. ch. 207.
Embezzlement of 2000 Shares Utica
Ithaca & Elmira Rail Road Company
incorporated in June Certificates (Copies
to be furnished) Sept 27th 1879 - property
of Henry S. King

2 Counts

Indictment No. 2 Under same act - Embezzl-
ment of 2 Certificates (1000 Shares)
stock in same Company. Dec 9, 1879 -
property of Henry S. King - (Copies to be
furnished) 2 Counts

Indictment - No. 3 - Embezzlement. Under
same act of 4 Certificates (2000
Shares) stock in same Company -
Jan'y 31, 1880 - property of Henry S.
King - (Copies to be furnished) 2 Counts

0075

District Attorneys Office.
City & County of
New York.

2

Indictment No. 4. Under Act of 1855 ch.
155 - with having pledged ~~to~~ certificates
of stock of same company (N.Y.C.R.R.) than
to share Nat BK City of N.Y. without
being thereunto first authorized & empowered
by such incorporated Co. with intent to
defraud John Charles Danks and
Edward Jenkins the owners thereof
Endorsed pledged 1881
Copies to be furnished.

No. 5 Forfeiture of Endorsement of
Henry S. King & Co. upon promissory
note of Utica Schenck and Elmira
Railway Co. per George S. Rice
President and to the order of Henry
S. King & Co. and by Rice Endorser
Henry S. King & Co. dated Sep 27

2 Counts

0076

District Attorneys Office:
City & County of
New York.

1879 for 10.000 - (Gins to be furnished)

Indictment No. 6

Nov 14 1882 - Forging Endorsement
of Henry & King & Co for promissory
note, drawn in same manner as

frequenting - & Endorsed in same way
by Rice - & payable 3 days after date
for 10.000 -

2 Counts

0077

Source: C. G. G. G. G.

0078

LAW OFFICES OF
TREADWELL CLEVELAND,
No. 52 WALL STREET,

NEW YORK,

January 3rd 1883

Henry C. Allen Esq

Dear Sir,

I find that the note discounted by the Third National Bank for Rice on September 27. 1879 had 65 days to run from Sept 27. 1879. What the date of the note was cannot now be said with certainty. It was discounted on Sept 27 1879 and was due Dec. 1. 1879. This is as to the first forged indictment. The clerk of the Bank thinks the endorsement was "Henry S. Thurgood by Geo. J. Rice atty."

Yours truly

Treadwell Cleveland

0079

The People

vs

George J. Rice

att. for defense

L

Samy H
Filed Feb 15 1883

Court of General Sessions of the Peace
of the City and County of New York.

The People of the State of New York.

Against

George J. Rice

City & County of New York ss.

Walter L. Dailey of the
Village of Horseheads, Chemung County, being now
present in the City of New York and duly sworn
says. I am one of the Counsel of the Deft.
George J. Rice in the several matters herein
entitled. That he has for a number of years
been the Counsel for the Utica, Ithaca & Elmira
Railway Company and the said Geo J Rice

That he is also well acquainted with
~~the said~~ Joseph Rodbourn of Breesport in
Chemung County the same person mentioned
in the affidavit of said Deft Geo J Rice

Deponent has made an examination ~~of the~~
into the facts and circumstances relating to
the charges embraced in the several indictments
against said Rice and has counseled with
him in regard to his defence thereto. That from
information received from said Rice as to
what he expects to prove by Joseph Rodbourn
Esqre aforesaid and from deponent's own
knowledge of the facts deponent verily believes
that the said Joseph Rodbourn is a

0001

2.

necessary and material witness for said Rice ~~in~~ each of the charges embraced in said indictment and each of them and without the benefit of the testimony of said Rodbourn Deft could not safely proceed to trial of said indictment or either of them.

Deponent's said belief is based upon information received as such counsel from said Rice information received from said Rodbourn and deponent's own knowledge of many of the facts and circumstances upon which said Rice relies as a defense of said indictment. Deponent further says said Joseph Rodbourn is now, and for several weeks last past has been confined to his house by illness and that his Physicians as deponent has been informed and believes, has strictly enjoined said Rodbourn from transacting any business whatever and that upon the statement of his Physicians and from deponent's own knowledge of his physical condition the said Rodbourn is, by reason of sickness unable to leave his house.

Deponent has been, and is now Attorney for said Rodbourn in various civil cases in which large pecuniary interests are involved and that the same have been postponed by reason of said Rodbourn's sickness from time to time; deponent further says that from information received from said Rodbourn's

0082

13

Physicians he warily believes the said Rodbourn
will be able to attend the said ^{trial of} indictments or
be able to submit to an examination by a
commission

Subscribed & sworn to

before me this 11th day of

W. L. Bailey

January 1883

Edw. J. Hall

Deputy Clerk

Court of Special Sessions

New York City

0083

The People

vs

George J. Rice

aff for defense

Nov 11
Filed Feb 15 1883

0084

Count of General Sessions of the Peace.
of the City and County of New York.

The People of the State of New York
against

George J. Rice

City & County of New York. ss.

Jeremiah McGuire
of the City of Elmira being now present in
the City of New York, and duly sworn Says
I am counsel for the above named George
J. Rice ~~in~~ the indictments now pending against
him That ~~I have been~~ on the tenth day of
January 1883 I was ~~first~~ consulted and retain-
ed by the above defendant George J. Rice
as his counsel to assist upon the trial of
these indictments That on said day I had
a personal interview with said Rice as to
his defence thereto and on said day I was
shown a large mass of books papers and
correspondence between said Rice and King
in relation to the said Utica Ithaca & Elmira
Railway Company some of which I examined
which it will take me days and weeks to
examine and digest and properly arrange
as to their materiality bearing upon the ques-
tions of the matters contained in the several
indictments against the said Rice That the
charges in the said indictments against the

0085

said Rice are for imbeigling the Capital
stock of the Utica Ithaca & Elmira Railway
Company and of Henry Seymour King the
Counts in three of the indictments being
in the alternative and two of the indictments
being for the forgery of the name of Henry
S. King & Co. to a promissory Note made by
the said Utica Ithaca & Elmira Railway Com-
pany by said Rice as its President and the
endorsement of King & Co. by Rice as Atty
That insofar as the papers I have examined
relate to the authority of said Rice show
an apparent authority to do said Acts.
and as to the large mass of papers documents
letters. Checks & Vouchers I am informed and
believe tend to establish the fact that said
Rice had full and ample power and
authority to do all or any of the acts
charged in either of the five indictments
found against him but whether such
papers. letters. documents checks books and
~~documents~~ ^{Vouchers} will prove or tend to prove
such fact I am unable to state of my
own knowledge For want of time and
opportunity to examine the same. which as
I have before stated will take days if not
weeks to examine That although some days
ago I was apprised through the news papers
that W. Rice was arrested for matters

0086

3

connected with the Utica & Adirondack
Railway Company yet I did not know
until the 10th day of January instant
of the specific charges made against
him which were entirely different from
what I understood the charges which
were made before the committing Magistrate.

That I am an Attorney and Counselor
of the Supreme Court of this State residing
at the City of Elmira in the County of
Chemung. That the Defendant Geo J Rice
did on the 10th day of January 1883
fully and fairly as I believe state to me
as his Counsel the facts upon which the
several indictments are based and the
facts constituting the defence thereto and
that upon such statement I verily believe
that the said Def^t. Geo J Rice has a good
and substantial defence upon each and
every of the five indictments so presented
against him in this Court and have so
advised the said Rice after such statement
made to me as aforesaid and I further
state that the said Rice has fully and
fairly stated to me the facts which he
expects and I verily believe he will be
able to prove upon the trial of each ^{and}
~~every of~~ the several indictments by Joseph Rodbourne
Residing at Brewster in the County of Chemung

0087

4.

and that from such statements I verily believe that the said Joseph Rodbourn is a necessary and material witness for the said Rice upon the trial of the said several indictments and without the benefit of his testimony we cannot safely proceed to the trial of the several indictments or either of them, and I further state that I am the attorney for the said Joseph Rodbourn in an action brought by him against the said Utica, Thack & Elmira Railway Company in which one Treadwell Cleveland of the City of New York is the Attorney for said Company. That said action has been referred and partially heard before the Referee. That the same has been postponed from time to time to which I have assented on account of the sickness and inability of the said ~~the said~~ ^{Rodbourn to attend the trial} ~~the said~~ That said case was postponed until the 10th day of January instant, and on the 9th day of January instant I received a telegram from said Cleveland asking a postponement of the hearing of said reference upon said day ~~to~~ Being at Elmira and before answering said telegram I had an interview with James H. Rodbourn ^{the brother of said Jos. Rodbourn} who informed me that the said Joseph Rodbourn was too sick and unwell to attend said reference even at Elmira which I verily believed

0000

and still believe and accordingly consented
to a postponement. That from what I
personally know from the condition of Joseph
Rodbourn I have known for the last two
months he is too sick & wholly unable to
attend this term of Court as a witness
for this defendant.

Seen before me this 11th
day of January 1883

J. McGowan

Edmund Hall
Deputy Clerk
Court of said Sessions
New York City

0089

General Sessions
Part-I.

The People
vs
George J. Rossi

Notice of Motion
to reduce bail

Peter Mitchell
Associate Counsel
237 Broadway.
N.Y.

0090

Court of General Sessions
Part I.

The People
— vs —
George J. Rice

Sir.

You will please take notice that I will make a motion to reduce the bail on the several indictments against the above named defendant, before Gildersleeve J. on Monday the 15th inst at 11 o'clock A.M. or as soon thereafter as Counsel can be heard.

Yours

Peter Mitchell

Associate Counsel

0091

W. R. R. R.
George H. R. R.

Affidavit of
John Vincent

(John Vincent, 8/18/83)

0092

Court of General Sessions of the Peace

The People of the State of New York }
— against — }
George J. Rice }

City and County of New York, ss.

I John Vincent -

being duly sworn say that I am
an assistant district attorney of
the City and County of New York; that I
believe that the evidence of George M.
Diven who resides at Elmira Chemung
County New York and of Philip J. Par-
tenheimer who resides at Ithaca
Tompkins County New York is material
and their attendance necessary
at the trial of this case necessary
for the prosecution ~~for the prosecution~~
thereof.

Sworn to before me }
this 8th day of February 1883 }

John Vincent

Hugh Donnelly
Notary Public
Albany

0093

Court of General Sessions
of the Peace

The People of the
State of New York

vs.
George J. Rice.

Defendant of
John H. Fellows

(Peter Hobbs Jr. 1893)

0094

Court of General Sessions of the Peace.

The People of the State
of New York

- against -
George J. Rice.

City and County of New York, ss.

I, John R. Fellows of the City
of New York, being duly sworn depose and
say as follows: I am the ~~xxx~~ Assistant
District Attorney of the City and County of
New York and have under my special
charge, the above entitled case.

The evidence of the following witnesses
is material to the prosecution and their
attendance at the trial necessary in
my judgment, viz: Louis Haenael who
resides in the City of Albany, State of New
York, Alexander C. Eustace, F. H. Atkinson,
W. H. Corey, Edgar Denton, Francis G. Hall,
John Annot and Myron A. Smith, who reside
in the City of Elmira, County of Chemung,
New York, and Anson S. Wood and R. L. Fox
who reside in Albany, New York.

Sworn before me this }
7th day of February 1883. }

Rufus B. Downing
City Judge

John R. Fellows
Asst Dist Atty

0095

Court of General Sessions
City and County of New York

The People vs

v

George J. Rice
Applicant of
John A. Teller

filed Feb 15, 1883

0096

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

The People of the State of New York. }

— against —
George J. Rice }

City and County of New York, ss.

John R. Pellens assistant district attorney for the City and County of New York being duly sworn deposes and says that he believes that the evidence of Joseph Rodbourn of Breesport Chenung County New York, is material and his attendance at the trial of the above entitled action necessary for the prosecution thereof.

Sworn to before me this }

15th day of February 1883 }

Eugene Dwyer

Notary Public (34)

N.Y. City & Co.

John R. Pellens
Apt. Dist. Atty

Defendant Bailed in
\$14.500 by James Barclay
18 Macdonough St.
N.Y.

Day of Trial,

Counsel,

Filed 10 day of June 1883

Pleeds

Not guilty (11)

THE PEOPLE

vs.

B
George F. Rice

Ordered by the Court
of Superior Court
July 19/83

JOHN McKEON

March 31 1883 District Attorney
tried and jury disagree

A True Bill.

J. H. Smith

March 31 1883 Foreman

tried and jury disagree
ordered back to Court of General
Session March 31/83

0097

0098

Court of General Sessions of the Peace,
of the City and County of New-York.

-----x :
The People of the State of New-York :

- against - :

George J. Rice. :
-----x :

The Grand Jury of the City and County of New-York, by this indictment, accuse George J. Rice of the Crime of pledging certificates of the ownership of shares of the capital stock of an incorporated company without being thereunto first authorized and empowered by such incorporated company, committed as follows:

The said George J. Rice, late of the First Ward of the City of New-York, in the County of New-York aforesaid, on the second day of November, in the year of our Lord one thousand eight hundred and eighty one, being an officer, to wit: the President of a certain incorporated company called the Utica, Ithaca and Elmira Railway Company, duly existing under and by virtue of the laws of the State of New-York, with force and arms, at the Ward, City and County aforesaid, feloniously did knowingly, wilfully and designedly pledge and cause to be pledged ten certificates of the ownership of shares in the capital stock of the said incorporated company, each of which said certificates was then and there a certificate of the ownership of five hundred shares of said capital stock, he, the said George J. Rice, not being then and there first authorized and empowered by the said the Utica, Ithaca and Elmira Railway Company to pledge 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.

Second Count:

And the Grand Jury aforesaid, by this indictment, further accuse the said George J. Rice of the Crime of pledging surrendered certificates of the ownership of shares in the capital stock of an incorporated company, with intent to defraud, committed as follows:

The said George J. Rice, late of the First Ward of the City of New-York, in the County of New-York aforesaid, afterwards, to wit: on the second day of November, in the year of our Lord one thousand eight hundred and eighty one, at the Ward, City and County aforesaid, being an officer, to wit: the President of a certain incorporated company called the Utica, Ithaca and Elmira Railway Company, duly existing under and by virtue of the laws of the State of New-York, feloniously did pledge ten certificates of the ownership of five hundred shares each of the capital stock of the said the Utica, Ithaca and Elmira Railway Company, with the intent thereby of defrauding one Charles Danks and divers other persons to the Grand Jury aforesaid unknown, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New-York and their dignity.

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Third Count:

And the Grand Jury aforesaid, by this indictment, further accuse the said George J. Rice of the Crime of disposing of surrendered certificates of shares in the capital stock of an incorporated company, with intent to defraud, committed as follows:

The said George J. Rice, late of the First Ward of the City of New-York, in the County of New-York aforesaid, afterwards, to wit: on the second day of November, in the year of our Lord one thousand eight hundred and eighty one, at the Ward, City and County aforesaid, being an officer, to wit: the President of a certain incorporated company called the Utica, Ithaca and Elmira Railway Company, duly existing under and by virtue of the laws of the State of New-York, did feloniously hypothecate, as collateral security for the loan of the sum of ten thousand dollars with the Third National Bank of the City of New-York, divers, to wit: ten certificates of five hundred shares each of the ownership of shares of the capital stock of the said the Utica, Ithaca and Elmira Railway Company, which said certificates had been theretofore duly surrendered by the owner thereof, with the intent thereby of defrauding the said the Utica, Ithaca and Elmira Railway Company and divers other persons to the Grand Jury aforesaid unknown, 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 Grand Jury aforesaid, by this indictment, further accuse the said George J. Rice of the Crime of reissuing surrendered certificates of the ownership of shares of the capital stock of an incorporated company, committed as follows:

The said George J. Rice, late of the First Ward of the City of New-York, in the County of New-York aforesaid, afterwards, to wit: on the second day of November, in the year of our Lord one thousand eight hundred and eighty one, being an officer, to wit: the President of a certain corporation called the Utica, Ithaca and Elmira Railway Company, duly existing under and by virtue of the laws of the State of New-York, with force and arms, at the Ward, City and County aforesaid, feloniously did reissue and cause to be reissued a certain certificate of the ownership of five hundred shares of the capital stock of the said corporation, which said certificate had been theretofore duly surrendered to the said corporation, with the intent thereby of defrauding Charles Danks and Edward Jenkins and divers other persons to the Grand Jury aforesaid unknown, 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.

Fifth Count:

And the Grand Jury aforesaid, by this indictment, further accuse the said George J. Rice of the Crime of issuing and pledging certificates of the ownership of shares of the capital stock of an incorporated company, without authority, committed as follows:

The said George J. Rice, late of the First Ward of the City of New-York, in the County of New-York aforesaid, afterwards, to wit: on the second day of November, in the year of our Lord one thousand eight hundred and eighty one, being an officer, to wit: the President of a certain incorporated company called the Utica, Ithaca and Elmira Railway Company, duly existing under and by virtue of the laws of the State of New-York, with force and

0100

arms, at the Ward, City and County aforesaid, feloniously did knowingly, wilfully and designedly issue and pledge and cause to be issued and pledged a certain certificate of the ownership of five hundred shares of the capital stock of the said the Utica, Ithaca and Elmira Railway Company, to wit: a certain certificate of the ownership by George J. Rice of five hundred shares of the capital stock of the said incorporated company, bearing date the fifth day of September, 1878, and numbered twenty eight, without being first authorized and empowered thereunto by the said the Utica, Ithaca and Elmira Railway Company, 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.

Sixth Count:

And the Grand Jury aforesaid, by this indictment, further accuse the said George J. Rice of the Crime of reissuing, pledging and disposing of surrendered or cancelled certificates of the ownership of shares of the capital stock of a corporation, with the intent to defraud, committed as follows:

The said George J. Rice, late of the First Ward of the City of New-York, in the County of New-York aforesaid, afterwards, to wit: on the second day of November, in the year of our Lord one thousand eight hundred and eighty one, being an officer, to wit: the President of a certain corporation called the Utica, Ithaca and Elmira Railway Company, duly existing under and by virtue of the laws of the State of New-York, at the Ward, City and County aforesaid, with force and arms, feloniously did reissue, pledge and dispose of and cause to be reissued, pledged and disposed of a certain certificate of the ownership of shares of the capital stock of the said the Utica, Ithaca and Elmira Railway Company, to wit: a certificate of the ownership by George J. Rice of five hundred shares of the capital stock of the said corporation, bearing date the fifth day of September, 1878, and numbered twenty eight, which said certificate had been theretofore duly surrendered to the said corporation, he, the said George J. Rice, thereby intending to defraud Charles Danks, Edward Jenkins and divers other persons to the Grand Jury aforesaid unknown, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New-York and their dignity.

JOHN MC'KEON, District Attorney.

0101

Trust of General
Lesson of the Year

Receipts

or
George J. Rice

Notes of Motion
to reduce tail

Walter H. Hark
only profits

John H. Hark
District Attorney
No. 338
1888

0102

Court of General Sessions
of the Peace in & for the City
and County of New York

The People of the State
of New York
vs
George F. Rice

Take notice that on all the
indictments on file against the above named
defendant and on the minutes and record of
the two trials already had on the same
by the said defendant of one of said in-
dictments I will move before the Recorder
of the City and County of New York in the Court
of General Sessions of the Peace the 16th
day of April 1873 at 11 a.m. that the bail
of the said defendant be reduced and
that the same be fixed at a sum not
exceeding five thousand dollars.

Dated April 13th 1873

Yours &c

Wm John McNamee
Dist. Atty.

Wm Bondhe for the
Atty. gen. def.

0103

Court of General Sessions

The People of the State
of New York

- against -

George J. Rice

Affidavit of

Henry Benjamin King

Filed Jan 11. 1883

0104

Court of General Sessions of the Peace.
City and County of New York.

The people of the }
State of New York }
- against - }
George J. Rice. }

City and County of New York: S.S.

I, Henry Seymour
Knig, being duly sworn, depose and say
as follows: I am the Complainant
in the six (6) several indictments found
this term by the Grand Jury against the
defendant herein. These several indictments
are as follows:

1. For embezzling two thousand (2000)
shares of stock, on the twenty seventh (27)
day of September 1879, of the Utica, Ithaca
and Chama Railway Company. This stock
belonged to me at the time of the said
embezzlement, the said Rice pledged
the said stock at the Third National
Bank as collateral security for a loan
of ten thousand (10,000) dollars.

2. The second indictment is for embezzle-
ment of one thousand (1000) shares of
stock upon the ninth (9) day of December
1879. The said Rice then pledged with

S.D.

the said Third National Bank one thousand (1000) additional shares of the said stock, of the Utica, Ithica and Elmira Railway Co., and renewed the said loan of ten thousand (10,000) dollars.

3. The third indictment is for the embezzlement of two thousand (2,000) additional shares of stock of the Utica, Ithica and Elmira Railway Co. on the thirty first (31) day of January 1880. At this time the said Rice pledged the said two thousand (2,000) shares of stock, which belonged to me, with the said Third National Bank, and obtained a further loan from said Bank of five thousand (5,000) dollars. The notes which the said

S.D.

Rice fraudulently made at the time of the three embezzlements heretofore mentioned, were ^{purporting to be} drawn by the Utica, Ithica and Elmira Railway Co. by George J. Rice, President, to the order of Henry S. King & Co., and were endorsed by Rice "Henry S. King & Co., per George J. Rice, Attorney."

Does not say he has no authority

4. The fourth indictment is under Chapter 155 of the laws of 1855, and is for an offense which was committed by the said Rice, as an officer of said company, on the second (2) day

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2. B.

of November 1881. On that day the said Rice, to renew the loan of ten thousand (10,000) dollars at the said Third National Bank, pledged at the said Bank five thousand (5,000) additional shares of stock of the Utica, Ithaca and Elmira ^{without his authority} Railway Co., which stock ^{he, the said Corporation, so to do,} then should have been surrendered or cancelled, the said Rice having, on April twenty second (22) 1881, issued certificates for nineteen thousand one hundred and eighty (19,180) shares of said stock of the Utica, Ithaca and Elmira Railway Co.

5: The fifth indictment is for forgery on the twenty seventh (27) day of September 1879, when the said Rice endorsed on the said note which he delivered to the said Bank on the said date, the name of Henry S. King & Co., he, the said Rice, having at that time no right, power or authority to so endorse said name.

6: The sixth indictment is for forgery committed by the said Rice on the fourteenth (14) day of November 1882, at which time the said Rice delivered to the said Bank a note for ten thousand (10,000) dollars, made ostensibly

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by the said Railway Company, to the order of Henry S. King & Co., and endorsed by the said Rice "Henry S. King & Co., per George J. Rice, Attorney;" the said Rice having then no right, power or authority to so endorse the said name of Henry S. King & Co. upon said note, not at any of the times mentioned herein being in fact the attorney of the said Henry S. King & Co., and not, on the said fourteenth (14) day of November 1882, being the President of the said Railway Company, or connected in any manner therewith.

Said defendant, in addition to such forgeries and embezzlements, has also embezzled large sums of money belonging to the said Utica, Ithaca and Elmira Railway Company, and to myself, exceeding in amount sixty thousand (60,000) dollars.

No part of any sum which the said Rice received from the Third National Bank at the time of the embezzlements and forgeries, for which he has been indicted, was ever used by the said Rice for me or for my benefit, nor, so far as I can ascertain from a thorough examination of the books of the said Company, for the benefit of the Utica, Ithaca and Elmira Railway Co.; but the same

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was fraudulently converted to the use of the said defendant.

Upon the hearing and examination of the charges which led to the finding of the indictments aforesaid, the Police Magistrate before whom such examination was pending, fixed bail for the appearance of the said defendant in the very moderate sum of twenty five thousand (25,000) dollars. Any reduction of such bail would probably lead to the defeat of the ends of justice, and be an inducement to the defendant to abscond and fail to appear when such indictments are called for trial.

Sworn to before me this }
11th day of January 1893 } Henry Seymour King

John Derrick,

Notary Public, 129,

N.Y.C.

NEW YORK COUNTY

0109

The People
In the Matter of

George J. Rice

affendant of
deft.

Subscribed and sworn to
before me this 11th day of 1883

0110

Count of General Sessions of the Peace
of the City and County of New York.

The People of the State of New York.

against

George J. Rice

City & County of New York ss.

George J. Rice

now confined in the Tombs of said City
being duly sworn makes oath, that he is the
defendant in the above entitled indictment
and four other indictments of the People of
the State of New York against this deponent
George J. Rice. That three of said indict-
ments charge this deponent with embezzlement
of the Capital Stock of the Utica & Elmira
Railway Company, and of converting the same
to the use of this deponent. That in some
of the ~~accounts~~ counts of the said indictment it
is charged that the said Capital Stock belong-
ed to the said Corporation viz- The Utica & Elmira
Railway Company and in others of
said counts it is charged that the said Stock
was the property of said Henry Seymour
King. That two of the said indictments are
for forgery in the third degree viz- In alleg-
ing that this deponent signed the name
of the Utica & Elmira Railway Company
by Geo J Rice President to a promissory
note payable to the order of H. S. King & Co.

3 Em.

2 For.

And that this deponent endorsed thereon the name of H. S. King & Co. by Geo. J. Rice Atty. Reference being had to all said indictments for a more full and specific statement of the matters therein charged and set forth

That it is true as charged in said indictment that at the time and times therein stated that this deponent was the President of the Utica Ithaca & Elmira Railway Company that on or about the tenth day of May 1878 the said Corporation was organized or reorganized under an act of the Legislature of this state entitled An Act to amend Chap 430 of the Laws of 1874 entitled An Act to facilitate the reorganization of railroads sold under Mortgage and providing for the formation of new companies in such cases passed June 2nd 1876

That prior to such time a Railroad Corporation was organized and existed under the name of the Utica Ithaca & Elmira Railroad Company and operated a railroad from the city of Elmira in Chemung County to Cortlandville in the County of Cortland a distance of about seventy miles and in or about the year 1874 the said Utica Ithaca & Elmira Railroad Company executed a Mortgage to secure the payment of one & one half millions of bonds issued by said railroad of the denomination of one thousand dollars each. That as I am informed and

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believe the firm of Henry Samuel King and Henry Seymour King doing business in the City of London in the Kingdom of Great Britain under the firm name of Henry S. King & Co. purchased either for themselves or for others eight hundred and thirty five of said Bonds or eight hundred and thirty five thousand dollars.

That default was made in the payment of the interest due upon said Bonds on the 1st day of July 1877 and That by the terms of the aforesaid Mortgage of said interest remained in default of payment for four months the whole ~~some~~ sum secured by said Mortgage became due and payable. That said default of payment of interest did remain for a period of four months and in November 1877 the Trustees of the bond holders commenced a foreclosure of said Mortgage to recover the whole amount secured by said Mortgage. That such proceedings were had in said action That in the month of February 1878 That judgment of foreclosure & sale was entered therein in the Clerk's office in the County of Chemung That in pursuance of said judgment a sale of all the property and franchises of the said Utica & Elmira Railroad Company was had on the 30th day of April 1878 and said property and franchises was bid in by Edward ~~for~~ ^{for} \$100,000 L. D. L. Lendley for the sum of fifty thousand

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dollars. and such bid it was understood was for the benefit and in the interests of Henry S. King & Co. and it was then claimed and still claimed That such purchase was for the benefit of all bond holders of the said Utica & Elmira Railroad Company and That their rights in the reorganized company were to be the same as in the old company. That after reorganization the stockholders of the old company were to receive the same amount of stock of the reorganized company as they held in the old company That said company was reorganized on the 10th day of may 1878 as before stated and thereupon at the suggestion of the firm of Henry S. King & Co deponent became its President. That by the Articles of association the Capital Stock of said company was fixed at two millions of dollars of twenty thousand shares of one hundred dollars each. That at the request & by the direction of said Henry S. King & Co. three hundred and twenty of said shares were issued to the Corporators of said Company to qualify them to act as directors thereof or to comply with the statutes in respect to such organization. That at the like request and direction of said Henry S. King & Co 19680 of said shares were taken in the name of deponent personally. That nothing was paid by said corporators to the said

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Railway Company for the said 320 shares and no sum whatever was paid by deponent for said 19680 shares or by the said Henry S. King & Co. to the said Railway Company that neither at said time or any other time had said stock any market value whatever. That although there was a nominal corporation by virtue of such reorganization still the said firm of Henry S. King & Co. by virtue of the aforesaid bid and purchase of said property and franchises claim the right to control the operations of said company and the action of this deponent as its President and this deponent did receive and act upon the instructions and directions of said Henry S. King & Co. and of the said Henry Seymour King after the death of the said Henry Samuel King supposing and believing in view of the facts aforesaid that he was authorized & justified in so doing.

That in the month of February 1878 and after the entry of said judgment ^{of} ~~and~~ foreclosure and sale the said Henry S. King & Co. executed & delivered to deponent a general power of attorney authorizing deponent to do all acts and things in relation to the management of the interests or either of them of the firm of Henry S. King & Co. in the management of said

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Railway Company or any matters connected therewith which in the judgement of deponent was necessary and expedient to do and perform That said Power of Attorney is of record in the Clerk's Office of the County of Chemung and to which I refer as a part of this my affidavit. That in pursuance of said power of attorney I did act for the best interests of the said Henry S King & Co or of the said Henry Seymour King or of the Utica Ithaca & Elmira Railway Company as in my judgement would best promote such end. That I regarded and so treated the interests of the said Henry S King & Co and the said Henry S. King as identical with the interests of the Utica Ithaca & Elmira Railway Company. That in or about the month of December 187⁸ I received a very urgent request from the said Henry S King & Co. to raise and remit to them at London aforesaid the sum of five thousand pounds or \$25,000. which I did do borrowing the sum of \$25,000. and the only means I had of raising said sum of money was by pledging or hypothecating the Capital Stock of the said Utica Ithaca & Elmira Railway Company standing in my name as aforesaid and which I supposed I held for and as the property of the said Henry S. King & Co. That to raise said money I made the note of the Utica

\$25,000

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\$10,000
given for
original

Utica & Elmira Railway Company signed by me
as its President payable to the order of Henry
S. King & Co. and which I endorsed in the
name of Henry S. King & Co. as their attorney
under and by virtue of the power of attorney
aforesaid. That partial payments were made
upon said notes of twenty five thousand dollars
and the note of ten thousand dollars mentioned
in the said indictment was given for the balance
of said original loan or for moneys expended
for the use and benefit of the said Henry S.
King & Co. or of the said Utica & Elmira
Railway Company. That I was engaged at said
time in a number of transactions connected with
the management of the Utica & Elmira Rail
way Company and with the operations of the
Cazenovia Canastota & DeRuyter Railway and the
building of a piece of railroad between Cazenovia
& DeRuyter, to form a connecting link between
Cazenovia and the Utica & Elmira
Railway, and the settlement of the accounts
of the construction thereof as well as of the
affairs of said Henry S. King & Co. That said
accounts and said correspondence are quite
voluminous. That since the charges in the
indictment against me were made I have
been imprisoned and deprived of my liberty.
That I have not had access to my books
papers, accounts & correspondence, so that

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I have not had an opportunity to examine and arrange the same. I expect and believe that said books & papers accounts & correspondence will show that I had full and ample ^{authority} to do all the acts charged in said indictments. That on account of the voluminous nature and character it will take a long time to examine & arrange them and select what is material to the trial of said charges and prepare for the defence of the said indictments that I am not now ready for the trial of said indictments and cannot be until I as well as my counsel have time to examine prepare & arrange said papers. In the pledging of said stock I did the same for the benefit of the said Henry S. King & Co and not for my own use & benefit and that such books papers & correspondence will tend to establish that fact as I verily believe. I never pledged or disposed of any of the stock of said railway company or made a note of said company or made the endorsement of Henry S. King & Co upon any note for my own use or benefit but all for the benefit of the said Henry S. King & Co. The whole of the charges against me contained in the said indictments turn upon the fact whether the ten thousand dollars obtained upon the notes mentioned in the indictments and for which the said stock was hypothecated to secure was obtained for the benefit of myself

Not for
my use
or benefit

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or the firm of Henry S. King & Co. a proper and reasonable time given me for the trial and to prepare for the trial of these indictments. I expect & believe that I will be able to prove and establish that all of said transactions were for the benefit of the said Henry S. King & Co and I further state that I have fully and fairly stated the case of each and every of the said indictments to W. L. Dailey and J. McGuire my Counsel herein who respectively reside at Horseheads and Elmira in Chemung County and that I have a good and substantial defence of each and every of said indictments as I am advised by my aforesaid Counsel after a statement made as aforesaid and which I verily believe

And I further state that I have fully and fairly stated to my aforesaid Counsel the facts which I expect and which I verily believe I will be able to prove upon the trial of these indictments and each of them by Joseph Rodbourn and David S. Greenough that the said Joseph Rodbourn resides at Broasport in the County of Chemung & the said Greenough resides near Boston in the State of Massachusetts that said persons and each of them are necessary and material witnesses for me upon the trial of said indictments & each of them and without the benefit of whose testimony

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and each of them I could not safely proceed to the trial of the said indictments or either of them or I am advised by my aforesaid Counsel after such statements made to them as aforesaid and which I verily believe that I know of no other persons by whom I can prove the same facts. That the said Greenough residing outside the jurisdiction of this Court I am unable to compel his attendance but I expect and believe to be able to procure his personal attendance at a future time if not to take his deposition by Commission. That I am informed and believe that the said Joseph Rodbourn is sick and confined to his house at Breesport aforesaid and by reason thereof I am unable to procure his attendance at this term of this Court.

Subscribed & sworn to
before me this 11th day of }
January 1883. } Geo. J. Rice
Deputy Clerk
Court of Genl Sessions
New York City

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- 1 For embargo 2000 on Sep 27. 1879
- 2 " " 1000 " on Dec 9. 1879
- 3 " " 2000 " Jan 31. 1880
- 4 For forgery on Sep 27. 1879
- 5 For forgery on Nov 14. 1882
- 6 For pledging surrendered ~~and forfeited~~
certificates of stock on Nov. 2. 1881
(These were additional certificates of stock.)
- 7 For embargo \$10,000 in cash on Sep 27. 1879