

0621

BOX:

361

FOLDER:

3398

DESCRIPTION:

Adams, J. Frank

DATE:

08/16/89



3398

0622

Witnesses:

Counsel,

Filed

16

day of Aug 1889

Pleads,

THE PEOPLE

vs.

L. M.

Frank Adams

*Grand Jurors in
the second degree
[See 5283/331, Grand Code]*

JOHN R. FELLOWS

District Attorney

Cum gratia

A TRUE BILL

Alfred Cannon

Foreman

Charles J. Kelly

*S. J. 3 m 2 m 4 m 4 m
Charles J. Kelly*

M

0624

174

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

THE PEOPLE, &c.,
ON THE COMPLAINT OF

American Express Co.

J. F. Adams

Office Grand Jury.

Dated August 15th 1889

Witnesses, H. S. Julius
Am. Exp. Co.

No. 65 Broadway Street,
Am. Exp. Co.

J. A. Maricle
J. H. Swinerton

No. 65 Broadway Street,

Chas. H. Bardwell,
National Express Co

No. 145 Broadway Street,

0625

~~TO THE CHIEF CLERK.~~

~~Please send me the Papers in the Case of~~

PEOPLE

vs.

J. Frank Adams

vs. Justice from Justice

arrived to be in
California

application to be
made for request
as soon as defrs
whereabouts are
known.

Prothonary

da District Attorney.

and 17/89

0626

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

188

July 12th he pretended to write
Express Co. that there was then
due American Express Co. \$183.00 for
expenses incurred for Sumner which
had been or would be incurred.
Sumner on behalf of American
Express Co. and that Sumner was
then in court & would call
at Saratoga within a few days

James H.

Sumner was superintendent of
stables & real & personal property of A. Exp. Co.

and Sumner of East of Saratoga,
that he desired Am. Express Co. to
advance to Am. Exp. Co. 183. - which
sum one S. was then owing to them the
A. Exp. Co. which sum S. would thereafter
repay to A. Exp. Co. at their office in
Saratoga.

0627

District Attorney's Office.

PEOPLE

vs.

Adams
Mr. Fisher

1st
\$ 515.27.

wrote to Mr. Fisher.
that he would
pay up

\$ 626.50⁰⁰

after leaving

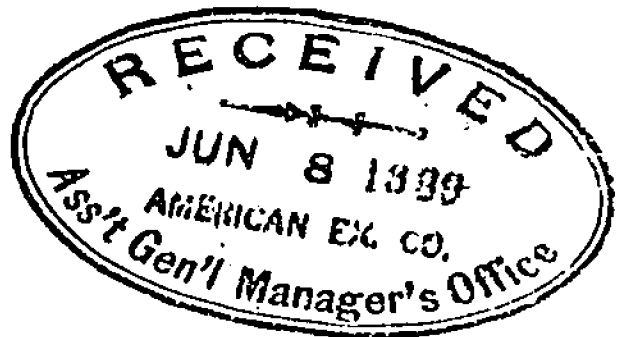
0628

AMERICAN EXPRESS COMPANY,
OFFICE OF THE ASST. GEN'L MANAGER,
EASTERN DEPARTMENT.
65 BROADWAY.

NEW YORK, June 1 1889

~~Agent~~
~~550 Saratoga~~
~~St. Louis~~
Please ~~hand~~ the
~~enclosed~~ papers for Mr
J. H. Swinerton who will
call for them Wednesday or
Thursday and pay the Expense,
if he does not come
by Friday notify me at once
Yours truly
A. S. Julius
Asst G. Mgr

Saratoga ny June 7th 89
A. S. Julius
Dear Sir



The above package
is still on hand have had no call for same.
We do not know the party H. Smith agt

0629

AMERICAN EXPRESS COMPANY

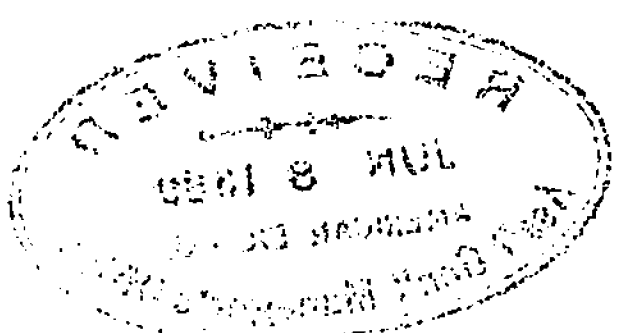
SECRET

Edward G. Lindberg

Mr. Deringhouse

I have not sent
out any release on
the situation. Nor have
I authorized any sent
to whom was the money
sent and what was
the amount?

James
R. Sullivan
- W. June 8/87



No 10
 No 9
 No 8
 No 7
 No 6
 No 5
 No 4
 No 3
 No 2
 No 1

0630

AMERICAN EXPRESS CO.

J. F. ADAMS, Clerk,- ABSCONDING.

Papers Marked No. 1.

Letter addressed to the Agent, National Ex. Co., at Saratoga, N. Y. by Adams, expensed for \$183.00, containing papers enclosed to the address of J. H. Swinarton, and a letter to the Agent at Saratoga, explaining that Mr. Swinarton would call and take up the papers, and pay the amount due. This letter was delivered to J. A. Marikle, a Messenger in the employ of the American Ex. Co. at 65 Broadway, New York. Another letter was also handed to the Messenger, addressed to the Cashier of the National Ex. Co. at 145 B'way, explaining that the enclosure for Mr. Swinarton was on Company's business, and asking that the amount of expense be paid in cash. This was on Saturday evening, June 1st, '88, the last day of Adams' appearance at the office.

The Cashier, Mr. Chas. H. Bardwell, paid the amount of Expense to Marikle, who on his return to the office, met Adams in front of Trinity Church, and there transferred the money to him, but Adams was in such a state of excitement that he was unable, after three countings, to make the money agree with the amount he expected. He told the Messenger that he was going down Wall Street, and on his return to the office would count it again. He was not afterwards seen by anyone in the employ of the Company.

Papers marked No. 2.

Addressed to Mr. John J. Valentine, and expensed for \$178.00. Contained enclosures addressed to F. W. Carr.

This expense was presented by Adams himself to E. J. Crowe, Sup't, Wells, Fargo & Co., 63 B'way, New York. Mr. Crowe endorsed the envelope "O.K.", whereupon Adams presented papers at the "Out Freight Desk", where he received a Due Bill for the amount, which Due Bill was cashed the following morning. Mr. W. H. Tillman, Clerk in charge of this Department, does not remember whether Adams presented the ticket, and received the money himself, or whether he sent a Messenger.

0631

(2)

Papers marked No. 3.

Addressed to Agent, Wells, Fargo & Co., Los Angeles, Cal., and expensed for \$75.50. Presented to J.C. Goldthwaite, Secretary to Men'l Sup't Hancock, of Wells, Fargo & Co., and by him endorsed "O.K." Mr. Goldthwaite remembers that it was not Adams who presented the Expense, but cannot sufficiently describe the person, to enable us to locate him. The Clerk in the Money Dept. who paid the Expense to the Messenger, has left W. F. & Co's employ, so that we are unable to obtain any information whereby we can trace this money back to Adams.

Papers Marked No. 4.

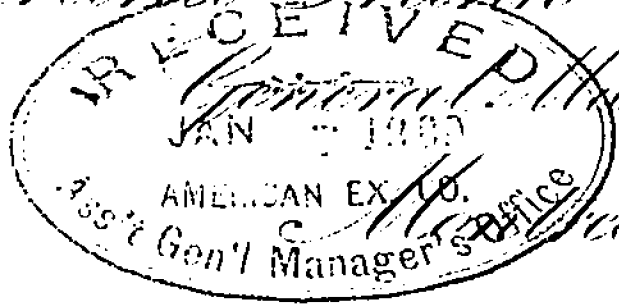
J. A. Merikle, the Messenger who delivered papers No. 1 at the National Ex. Co's Office, remembers having gone to the office of the United States Ex. Co. with an Expense from Adams, but does not remember either the amount of Expense, or the person to whom he gave the money on his return to the office, as he had been in the employ of the Company but a short time.

Papers Marked No. 5.

Inquiry at the office of the Adams Ex. Co. where these Expenses were cashed, fails to elicit any information whereby we can determine whether Adams himself, or a Messenger from this Company presented them, and received the money therefor.

0632

Grand Trunk Railway of Canada.



Received 5th Jan'y 1889

Dear Sir,

I am obliged by
your favor of the 1st inst
enclosing the American
Express Company's annual
for 1889.

Wishing you the
compliments of the season

Believe me

Yours truly

H. J. Julien Esq. J. H. McKeon
Asst Gen. Mgr. General Manager
American Ex. Co. 65 Broadway
New York.

0633

BOSTON AND MAINE RAILROAD.

LOWELL SYSTEM.
OFFICE OF THE GENERAL BAGGAGE AGENT.
JAN 4 1933
W. R. BRACKETT,
Gen'l Ex. CO.
Sst Gen'l Manager's Office

Boston, Jan 7 1933

To the Hon. Secy
U. S. Dept. of Commerce
Washington D. C.

Dear Sir:

I beg to acknowledge the
receipt of your favor, enclosing
contribution for the
current year. I have receipt
many thanks.

Very truly,
M. W. DeWitt

0634

Form 417. 0-5-88-200-G.N.D.

Dictated.

BOSTON & MAINE RAILROAD.

DANA J. FLANDERS,
Gen'l Passenger and Ticket Agent.

CHARLES E. LORD,
Asst. Gen'l Passenger Agent.

GEORGE W. STORRS,
Asst. Gen'l Passenger Agent.

PASSENGER DEPARTMENT.

BOSTON, January 7th, 1889.

H. S. Julien, Esq.

Asst. Gen'l Manager, Am. Ex. Co.,

65 Broadway, New York.

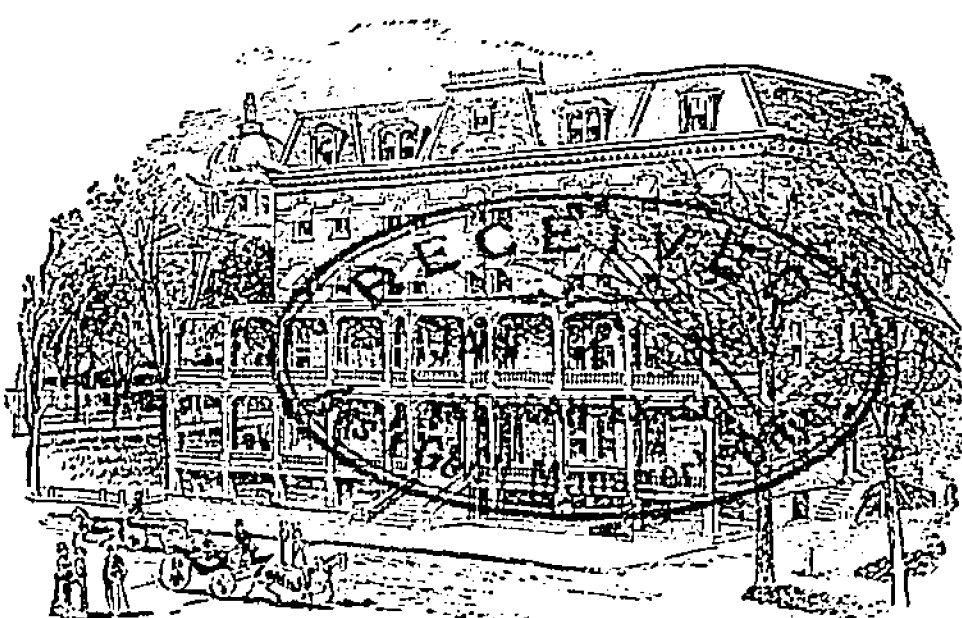
Dear Sir:-

I have to acknowledge receipt of yours enclosing "frank" for 1839 over your lines, and for which please accept thanks.

Yours truly,

Charles E. Lord
A.G.P. & T.A.

0635



The * Pavilion.

J. S. Viles, Proprietor.

Montpelier, Vt,

Jan 3rd 1889

Mr. J. - Julius Esq.
Anti-Suit Union
Am. Anti-Suit.

Dear Sir:

Your kind Compliment.
243 - was duly recd. thro
your Mr. Babbitt of Bellows
Falls. for which accept
my most sincere thanks

With the customary com-
pliments of the season and
my personal wishes for
your continued prosperity
I remain very truly

Yours Sincerely
Wm. Leonard, Vt.

0636

G. T. O. Form 4.
6-13-88.

Maine Central Railroad Co.

(535 Miles.)

AND

Portland, Mt. Desert & Machias Steamboat Co.

(266 Miles.)

F. E. BOOTHBY,
Gen'l Pass. & Ticket Agt.

JAN 4 1889

AMERICAN EX. CO.

Asst Gen'l Manager

General Passenger and Ticket Office.

Portland, Me., Jan 22 1889

Mr Boothby says to
acknowledge receipt of
Am Exp Co transfer
for 1889 & tender his
thanks therefor

H. L. Fuller
Asst Gen'l Manager

0637



Custom House, Burlington, Vt.,

Collector's Office,

Jany 10th. '89.

H. S. Julier, Esq.,

Asst Gen'l Mgr American Express Co.

65 Broadway, New York.

Dear Sir:-

Please accept my thanks for annual over your line.

With compliments of the season, I am

very truly yours,

A handwritten signature in cursive script, appearing to read "J. J. Mulvey".

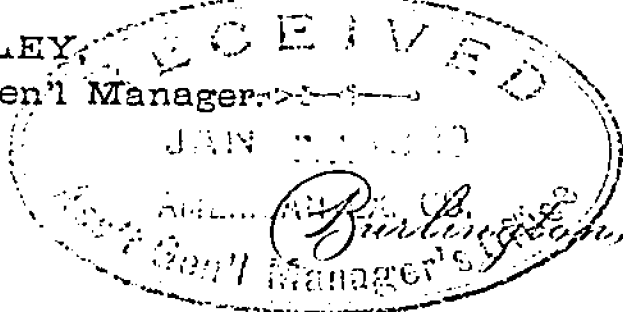
0638

BURLINGTON & LAMOILLE RAILROAD.

General Manager's Office.

G. L. LINSLEY,

Gen'l Manager.



Burlington, Vt., Jan 10th 1887.

Mr. H. S. McCain,

Asst. Vice Manager.

Dear Sir,

Your favor is received enclosing, and very much
kind for the current year - for
which please accept thanks.

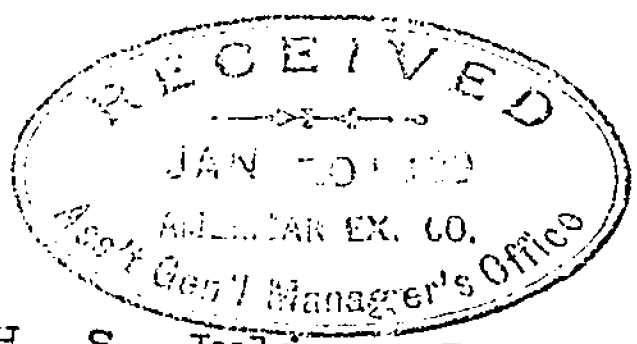
Very res. truly,

G. L. Linsley.

0639

CENTRAL VERMONT RAILROAD.

PASSENGER DEPARTMENT.



ST. ALBANS, VT., Jan . (th, '89.

H. S. Julier, Esq.,

A.G.M., Am. Exp. Co.,

65 Broadway, N.Y.

Dear Sir;--

I beg to acknowledge receipt of your Frank No.357
over your Company for the ensuing year, and for your very
courteous remembrance please accept my sincere thanks and
permit me to reciprocate whenever possible.

Very truly yours,

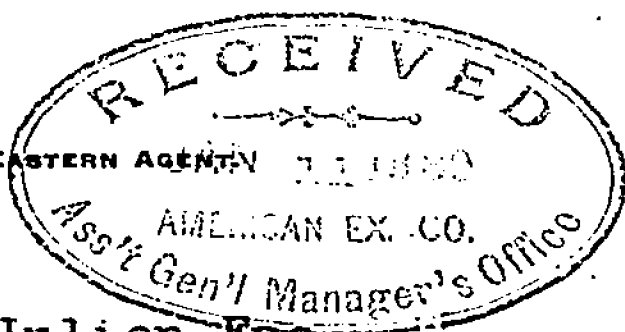
G.P.A.

(E) Personal.

0640

WISCONSIN CENTRAL COMPANY.

W. F. BEMIS,
GENERAL EASTERN AGENT



OFFICE OF GENERAL EASTERN AGENT,
319 BROADWAY.

NEW YORK, Jan. 10th. 1889

H.S. Julien Esq.

Ass't Gen. Manager. American Ex. Co.

65 Broadway, N.Y. City.

Dear Sir:--

Your very kind favor of January 1889, with enclosure of American Express frank No. 379 has been duly received. The writer wishes to thank you for the courtesy, and will as in the past render the "American" every assistance possible.

Yours very truly,

W. F. Bemis.
G.E. Agt.

0641

TRUNK LINE ASSOCIATION,
PASSENGER DEPARTMENT.

OFFICE OF COMMISSIONER,

346 BROADWAY, NEW YORK, January 9, 1889.

H. S. JULIER, Esq.,

General Manager,

65 Broadway, City.

Dear Sir:-

I am much obliged for the courtesy of an annual pass
over the American Express Company's lines for the year 1889, re-
ceived to-day.

Yours very truly,

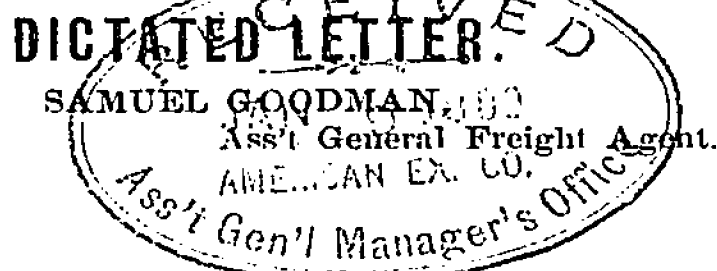
S. F. Pinson

0642

THE NEW YORK CENTRAL & HUDSON RIVER RAILROAD CO.

OFFICE OF THE GENERAL FREIGHT AGENT,

GRAND CENTRAL DEPOT.



New York, Jan'y 8, 1889.

H. S. Julien, Esq.,

Ass't Genl. Mgr., American Express Co.,

65 Broadway, New York.

Dear Sir:

I am in receipt of your valued favor, enclosing annual
frank for the year 1889, and am very much obliged to you.

Yours truly,

S. Goodman
A. G.F.A. F

0643

New York Central & Hudson River Railroad Co.,

Central Superintendent's Office,

Grand Central Station.

John M. Towner,

JAN 9 1889

General Superintendent, N.Y. & H.R. Co.

Theodore Towner,

Gen'l Manager's Office

Asst. General Superintendent.

New York, Jan 8th 1889

Mr. A. S. Julien
Asst. Gen'l Mgr
Amer. Ex. Co.

Dear Sir: — I beg to acknow-
ledge with thanks, annual
pass over your lines for
1889 —

Yours truly,

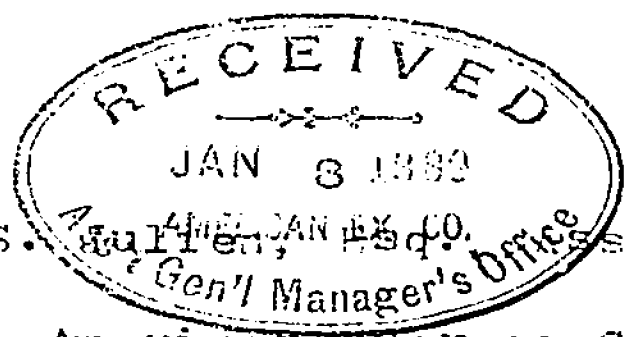
W. N. Butler

0644

THE MISSOURI PACIFIC RAILWAY CO.,

NEW YORK.

January 8, 1889.



H. S. Tullien, Esq., Gen'l Manager,
American Express Company,

#63 Broadway, N. Y. City.

Dear Sir,

Your favor enclosing free card of transmission over your lines
for the current year has just been received, for which please ac-
cept my thanks.

Yours truly,

A. H. Hopkins
Secretary

2nd Vice-President.

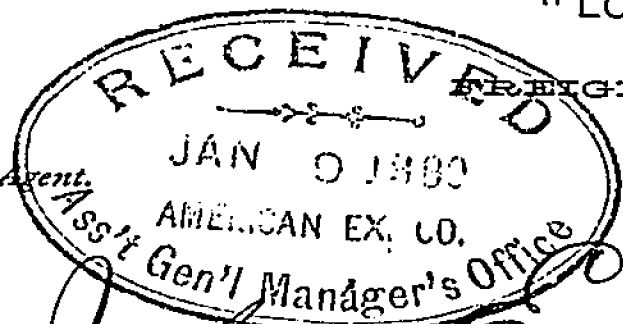
0645

11-28-88-5m.

BOSTON AND MAINE RAILROAD.

"LOWELL SYSTEM."

D. C. PRESCOTT,
General Freight Agent.



Boston, Jan. 8, 1889.

H. L. Julian, Esq.,
Asst. Gen'l. Manager,

Dear Sir: I beg to acknowledge receipt
of your frank for 1889, and to thank
you for the same. With best wishes
for the new year, I am,

Yours truly,
D. C. Prescott, G. F. A.

0646

Form 417. 9-5-88-2m-G.S.D.

Dictated.

RECEIVED
JAN 9 1889
DANA J. FLEMING
Gen'l Passenger and Ticket Agent
CHARLES B. LORD
Asst Gen'l Passenger and Ticket Agent
GEORGE W. STORER
Asst Gen'l Passenger Agent
BOSTON & MAINE RAILROAD.
PASSENGER DEPARTMENT.
BOSTON,
Jan. 7th, 1889. 1888.
H.S. Fuller, Esq.
Office

Asst. Gen'l. Manager, American Express Co.,
65 Broadway, N.Y.

Dear Sir,—Yours enclosing complimentary pass for
the year 1889 came duly to hand, for which please accept thanks.

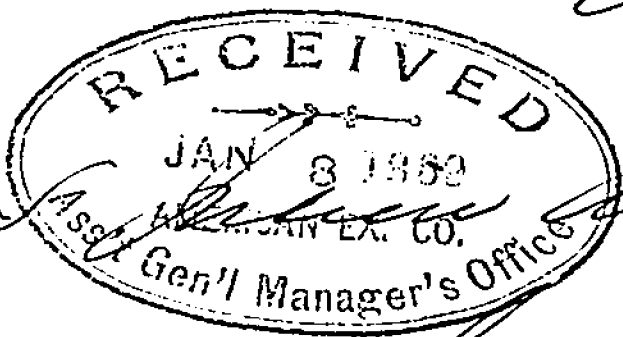
Yours truly,

Geo W. Storer
A.G.P.A.

0647

Aug 8/89.

H. J. [unclear] Gen'l Mgr.



I beg you
acknowledge with thanks
your courtesy in forwarding
me pass on the American
Express Company.

Yours truly

LeMcann & Co.
O.H. Co.

0648

THE MISSOURI PACIFIC RAILWAY CO.



NEW YORK.

Jan. 8th, 1889.

Mr. H. S. Julien, Asst. Gen'l Manager,
65 Broadway, New York.

Dear Sir:--

I am this day in receipt of your favor of
January 7th, enclosing Annual Pass over your lines for the year
1888, for which I am obliged.

Very truly,

A. B. Kealey
Master

0649

Subject Report of 1888
AMERICAN EXPRESS COMPANY,
OFFICE OF ASST GENERAL MANAGER.
No. Eastern Department.

U. S. & CANADA EXPRESS.
EASTERN EXPRESS.

BOSTON, _____, 1888.

H. S. Junior.

Am. Ex. Co. N. Y. C.

Am. Ex. Co. N. Y. C.

Dear Sir:-

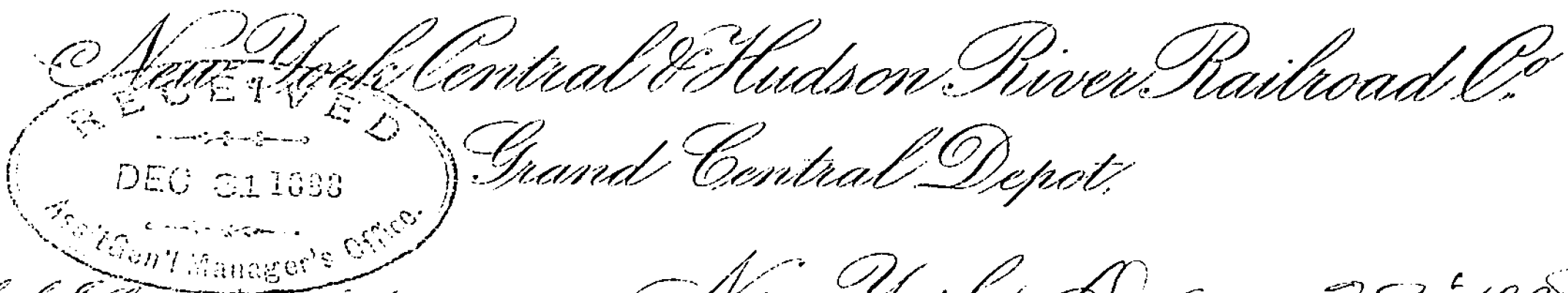
I have the honor to acknowledge the receipt of your letter of the 11th inst. in relation to the N. Y. C. & P. M. Express, and in reply to inform you that the same has been forwarded to the proper authorities for their consideration. I am, Sir, very respectfully,
Yours very truly,

H. C. Dwight.

Respectfully,
H. C. Dwight.

OK

0650



E. W. Clark, Jr., General Freight Agents

New York, Dec 29 1888

H. S. Julius, Esq.
Asst. General Manager
American Express Co.
65 Broadway, City

Dear Sir:

I desire to acknowledge receipt of your enclosing frank of your Company for 1889, and to express my thanks therefor.

Wishing you a Happy New Year, I am

Yours truly
E. W. Clark, Jr.
G.A.

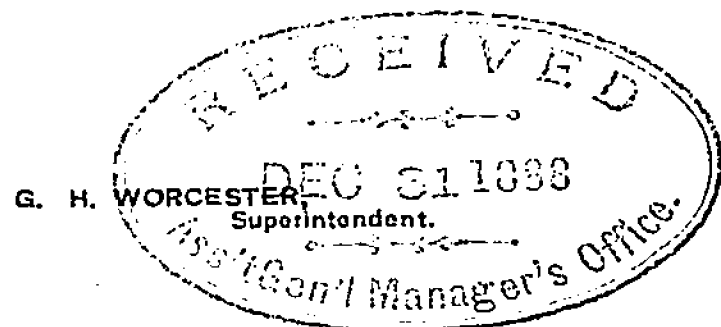
0651

SUPERINTENDENT'S OFFICE,
NEW YORK CENTRAL & HUDSON RIVER RAILROAD.

HARLEM DIVISION.

GRAND CENTRAL STATION,

New York, December 29th 1888.



Mr. H.S. Julier,

Ass't. Gen'l. Mg'r. Am. Ex. Co.

Dear Sir:-

Your kind favor of American Express frank for 1889
is received, for which, please accept my sincere thanks.

Yours truly,

G. H. Worcester

0652

New York Central & Hudson River Railroad Co.
Grand Central Station.

W. J. Hayden, Second Vice Pres.

New York, Dec. 31st, 1888.

H. S. Julier, Esq.

Ass't Gen'l Manager, Am. Express Co.,
65 Broadway, New York.

Dear Sir:-

Your favor of January 1889, enclosing annual ~~for~~ the
current year, is received, and I am ^{much} obliged for the courtesy.

Yours very truly,

W. J. Hayden
Sec'd Vice President.
CH

0653

New York Lake Erie & Western Railroad Co.

Office of the President

No. 21 Cortlandt Street

New York December 31st., 1888

H. S. Julien, Esq.,

Ass't. General Manager, American Express Co.,

65 Broadway, New York City.

Dear Sir:-

I am in receipt of your favor of yesterday, enclosing American Express Company's Frank for the year 1889, for which please accept my thanks.

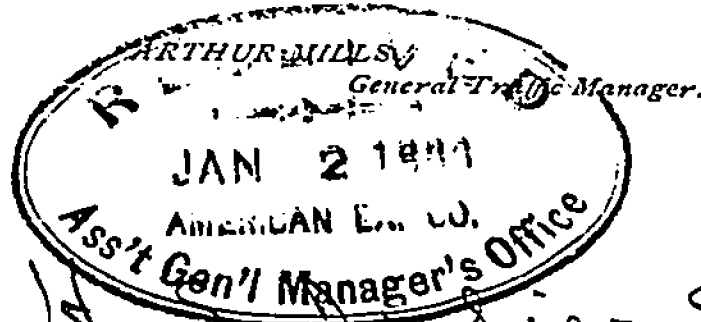
Respectfully yours,

John King

President.

0654

BOSTON & ALBANY RAILROAD COMPANY.
OFFICE OF THE GENERAL TRAFFIC MANAGER.



BOSTON, January 1st, 1889

H. S. Miller Esq.
Asst. Gen'l Mgr., American Express Co.
60 Broadway, New York.

Dear Sir;

I acknowledge with thanks
the receipt of your favor enclosing
frank over your Company's lines
for the current year.

Yours truly,

Arthur Mills
General Traffic Manager.

0655

*New York Central & Hudson River Railroad Co.
Office of the General Passenger Agent
Grand Central Depot.*

*Henry Monett, Gen'l Passenger Agent.
E. J. Richards, Asst. Gen'l Passenger Agent.*

New York

Dec. 31st, '88.

H.S. Julien, Esq.,

Ass't. General Manager, Am. Ex. Co.,

65 B'way., City.

Dear Sir:

I am in receipt of your note, enclosing
pass for my use during the current year, for which please accept
my thanks.

Yours very truly,

E. J. Richards
A.G.P.A.

0656

Form 176.—H.C.C.



Boston. January 2nd, 1889.

H. S. Julier, Esq.,

General Manager American Express Company

55 Broadway New York City.

Dear Sir:-

Your note of this date enclosing complimentary frank, duly
to hand. Please accept my very best thanks for the same.

Yours truly,

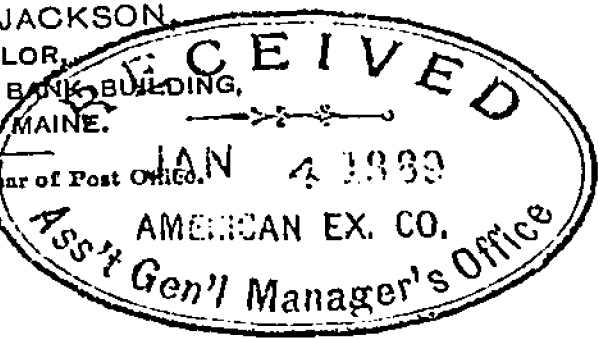
Dictated-

W. H. M.
G.P.A.

0657

GEO. E. B. JACKSON
COUNSELOR,
PORTLAND SAVINGS BANK BUILDING,
PORTLAND, MAINE.

Entrance from lane, rear of Post Office.



Portland, Me., Jan. 3^d 1888

W. S. Julian Esq.

Asst Gen. Mgr.

American Express Co.

Dear Sir,

I acknowledge with thanks
receipt of frank for 1889 and
with best wishes for the continued
success of the Company, I am

Yours truly

GEO. E. B. JACKSON

0658

NEW BRUNSWICK RAILWAY CO.
GENERAL MANAGER'S OFFICE,
ST. JOHN, N. B.

1094



Jan 5 1889

H. J. Gulick
Asst. Gen. Mgr.
Amer. Ex. Co.
No. 65 Broadway - New York

Dear Sir,

I beg to acknowledge receipt of, and to
thank you for, your car frank covering
the current year. I shall be glad
to send passes over this car lines
upon receipt of your list.

Yours truly

J. W. Cram
Gen. Mgr.

Per list

0659

Western New York & Pennsylvania R. R. Co.
RECEIVED
DEC 29 1888
Office, No 15 Broad St. Mills Building.
C. H. Allen's Manager's Office
President

New York, Dec 28th 1888

H. J. Julian Esq
Asst Genl Manager
American Express Co
60 R. Way
New York

Dear Sir,

I desire to return thanks, on the
part of President Allen and myself, for
the courtesy extended in the frank this
day received.

Wishing you the
usual Compliments of the Season,

I remain

Yours truly
J. C. Allen

0660

THE NEW YORK CENTRAL & HUDSON RIVER RAILROAD Co.

RECEIVED
DEC 31 1888
F. C. ROOT,
Auditor,
W. W. ANSTETZ, Gen'l Manager's Office,
Asst. Auditor

OFFICE OF THE AUDITOR OF DISBURSEMENTS,

GRAND CENTRAL DEPOT.

New York, Dec 28th 1888

A. S. Fulton Esq
Asst. Genl. Manager
Dear Sir

I beg to acknowledge
receipt of your favor enclosing a
"Thank" over your line, for the ensuing
year; for which, as well as for your
courtesy, please accept my best
thanks,

Very truly yours
W. W. Anstetz

0661

FORM 7157

New York, Ontario and Western Railway Co.

18 Exchange Place.

President's Office

DEC 31 1898

Ass't Gen'l Manager's Office.

New York,

December 29th, 1898.

H. S. JULIEN, ESQ.,

Assistant General Manager, American Express Company,

65 Broadway, New York.

My dear Sir:

I have to thank you for your favor, enclosing pass of
the American Express Company for my use.

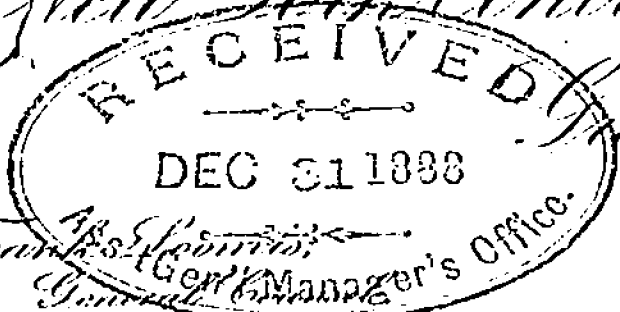
Yours very truly,

J. P. Fowler

President.

0662

New York Central & Hudson River Railroad Co.



Grand Central Depot

New York, Dec. 29, 1888.

Mr H. J. Julien

Asst. Genl. Manager
American Express Co.

Dear Sir:

I acknowledge receipt
of and thank you for American Express
Co. frank, for the year 1889.

Yours Truly
Frank Loomis

0663

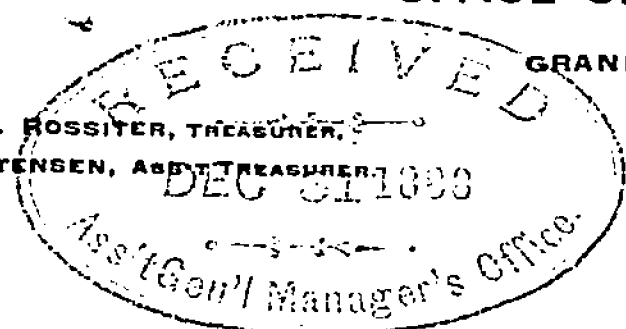
NEW YORK CENTRAL & HUDSON RIVER R. R. Co.

OFFICE OF THE TREASURER,

GRAND CENTRAL DEPOT,

E. V. W. ROSSITER, TREASURER,

J. CARSTENSEN, ASST. TREASURER,



NEW YORK, Dec 29th 1888.

H. S. Julien, Esq.
Asst Genl Manager.

Dear Sir:

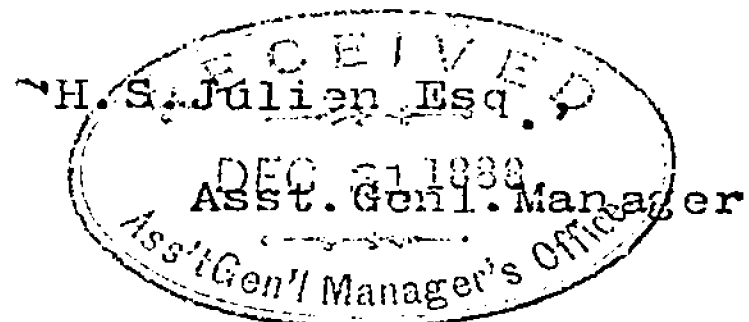
I beg to acknowledge, with
my thanks, receipt of the frank for 1889
over the American Express Company's lines.

With the compliments of the season,
I remain,

Yours very truly,

E. V. W. Rossiter

0664



New York Central & Hudson R. R. Co.
TREASURER'S OFFICE.
GRAND CENTRAL DEPOT.

New York, December 31st, 1888.

Dear Sir:-

Your valued, favor, enclosing pass for 1889, was duly
received, for which please accept my thanks.

With the compliments of the season, I am,

Yours very truly,

J. Cantor
Asst. Treasurer.

0665

The New York Central & Hudson River Railroad Co.

OFFICE OF THE AUDITOR OF FREIGHT ACCOUNTS.
GRAND CENTRAL DEPOT.

W. B. POLLOCK, Auditor.
DOWNER ADAMS, Ass't Auditor.

New York, December 29th, 1888.

H. S. Jullier, Esq.,
Asst. Genl. Mgr. Am. Ex. Co.
#65 Broadway, N.Y. City.

Dear Sir:-

I beg to acknowledge receipt of American Express Frank
for the Year 1889, for which please accept my thanks.

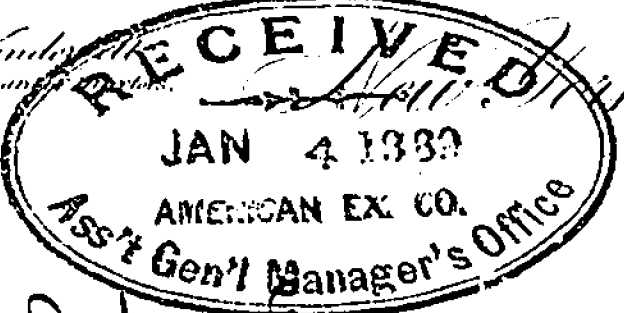
Respectfully,

A. F. A.
A.F.A.

0666

*New York Central & Hudson River Railroad Co.
Grand Central Depot.*

*Cornelius Vanderheyden
Chairman of the Board*



New York January 3^d 1889.

H. S. Fisher Esq.

Asst. General Manager.

Dear Sir:

*Please accept my thanks
for the Annual Frank for 1889, over
the lines of the American Express Co.
duly received.*

Yours very truly.

C. Vanderheyden.

0667



New York Jan 7 1888

Mr R. S. Julien
A. G. Mgr. Am. Exp. Co.
65 Broadway

Dear Sir,

Yours enclosing me
American Express Frank at hand.

Please accept my thanks for same.

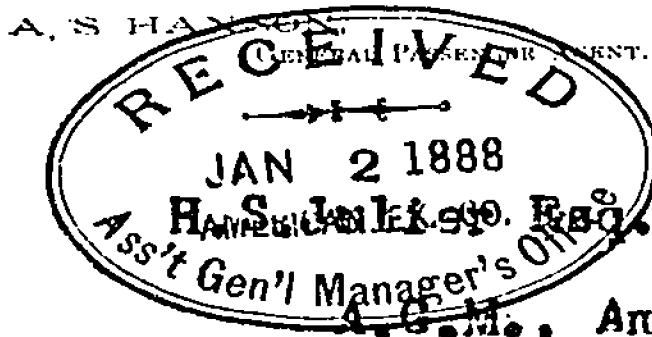
Yours truly,

J. J. Simpson

J. J. S.

0668

BOSTON & ALBANY RAILROAD COMPANY.
PASSENGER DEPARTMENT.



BOSTON, January 1st, 1888.

A. G. M., American Express Co.,

#65 Broadway New York N.Y.

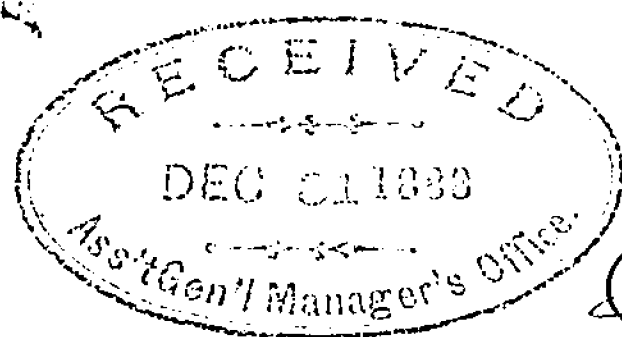
Dear Sir:-

Please accept my thanks for the frank sent to me with your compliments.

Yours very truly.

A. S. Hancock
G.P.A.

0669



21 Cortlandt Street.
New York.

Dec 29th 88

My dear Sir

Thanks for your
favor in way of amount
just received.

Yours sincerely
E. W. Howard

To
H. J. Lieber Esq. Gen'l Mgr
New York

0670

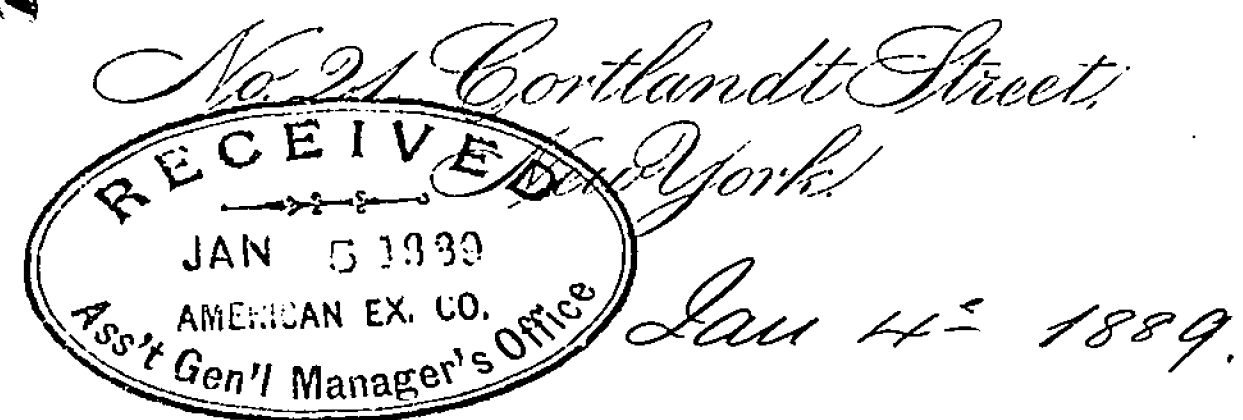
RECEIVED
DEC 31 1888
Ass't Gen'l Manager's Office.
New York, Dec 29
My dear Sir.

Accept my
thanks for the frank
for 1889 received this
morning.

Sincerely Yours
Katharine Telford

M. H. S. Fisher

0671



My dear Sir,

I have to acknowledge
with many thanks receipt of
American Express frank for the
ensuing year.

Wishing you a happy
and prosperous New Year,

I am,

Yours very truly,

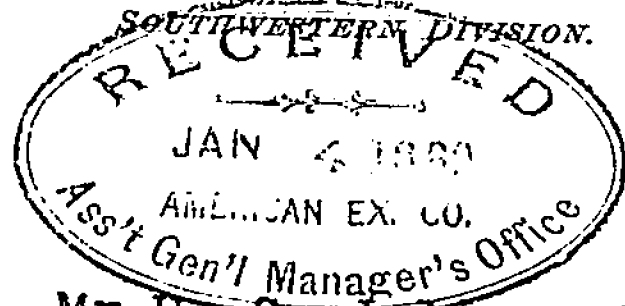
J. M. Keller

W. S. Gillet Esq.
Asst Genl Mgr.
American Exp. Co.
City.

0672

AMERICAN EXPRESS COMPANY.

GENERAL SUPERINTENDENT'S OFFICE,



CLEVELAND, OHIO Jan'y 2nd 1889.

Mr H. S. Fuller, Ass't Gen'l Manager.

Dear Sir:-

I hand you herewith annual pass over the St. Louis Bridge & Tunnel R.R. for the year '89.

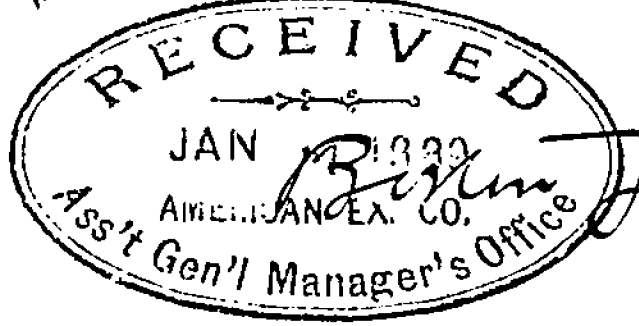
Yours truly,

R. W. Hughes
Gen'l Sup't.

[Signature]

0673

GEORGE W. ARMSTRONG.
BOSTON & ALBANY R.R. STATION, BOSTON.



H. P. Julian Esq.

Ans Genl. Supt.

American Express Co.

Murder Sec = Thru for

Annual 1882. Jan rec.

Ben Wether for you

And you -

Very yours

G. W. Armstrong

0674



American Express Company
New England Division

Bridgeport, Conn. Jan. 1st 1889
Mr. H. E. Jubier
Asst. Genl. Manager
American Express Co.
Sir

I have received your frank
for 1889 for which please accept
my sincere thanks,
Yours very truly
C. E. Spencer
Supt.

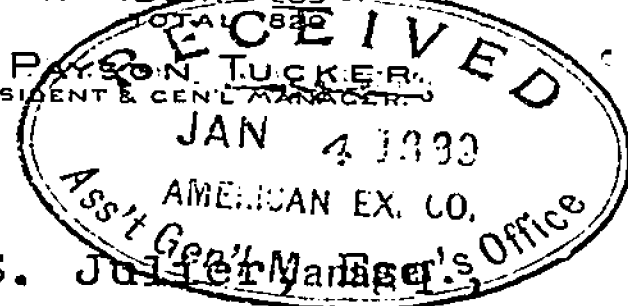
0675

Maine Central Railroad.

Number of miles operated by this Company.

RAILROADS 535
STEAMBOATS 285

PAUL N. TUCKER,
VICE PRESIDENT & GEN'L MGR.



Portland, Jan. 3d, 1893

H. S. Juller

Asst. General Manager Am. Ex. Co.,

65 Broadway, New York.

Dear Sir:-

American Express frank No. 2018

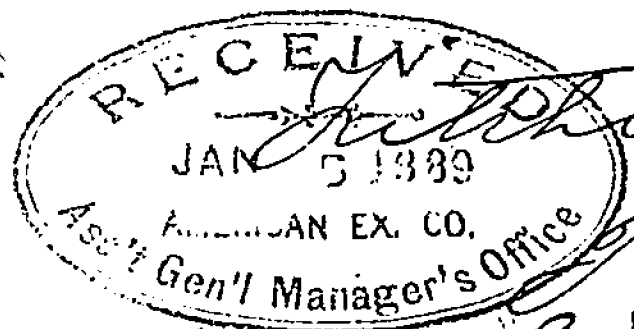
received today.

Thanking you, I am

Truly yours,

Paul N. Tucker
Gen. Manager.

0676



Waltham, Mass.
January 4th 1889
My Dear Sir.

Please accept many
thanks for the American
Express Company's Thank
for 1889 received this day.
I hope I may in some
way reciprocate for the same.

I remain

Yours Truly

To.

H. S. Julius Esq. Rodney Wallace
Asst. Gen'l. Manager
Am. Ex. Company
New York.

0677

New York Central & Hudson River Railroad Co.

Grand Central Station

New York, Dec 31st 1888.

H. S. Julien Esq
Asst. Genl. Manager
American Express Co.

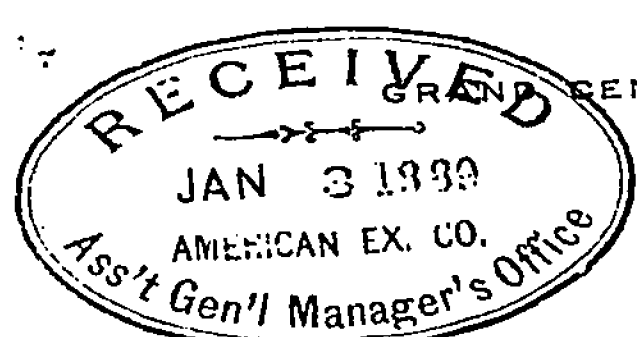
Dear Sir,

Please accept thanks
for complimentary pass
over the lines of your
Company for the ensuing
year.

Very truly yours

J. W. Vanderbilt.

0678



2 January, 1899.

H. S. Fuller

American Express Co.

Dear Sir,

I beg to acknowledge
receipt of Pass for your Company
for which please accept my best
thanks.

I am, dear Sir

Yours very truly

McWanderbill

0679

AMERICAN EXPRESS COMPANY,

OFFICE OF THE ASST. GEN'L MANAGER,

EASTERN DEPARTMENT.

65 BROADWAY.

NEW YORK,

June 1 1889

Cash:

143 Murray

Some papers for
Mr Swinerton, please return
Cash by bearer

Yours
A. J. Fuller

Mr H. S. J.

Ex \$183⁰⁰ on H. Smith Agent
Saratoga - Presented at
our office (evidently by
Adams) - after your cashier
had gone home -
G. W. S.

0680

National Express Company.

ALBANY, N. Y.

W. S. ~~Julier~~ ^{NY} Asst. Genl. Mgr.

65 Broadway

N.Y.

Office of

0581

COUNTY OF NEW YORK, ss.

In the Name of the People of the State of New York, To any Sheriff, Constable,
Marshal or Policeman in this State, GREETING:

An indictment having been found on the 16th day of August
1889, in the Court of General Sessions of the Peace, of the County of
New York, charging J. Frank Adams

with the crime of Manslaughter, second degree

You are therefore Commanded forthwith to arrest the above named J. Frank Adams
J. Frank Adams and bring him before that Court to answer the indictment; or
if the Court have adjourned for the term, that you deliver him into the custody of the Keeper of the
City Prison of the City of New York.

New York City, the 16th day of August 1889

By order of the Court,

John Sparke
Clerk of Court.

N. Y. General Sessions of the Peace

THE PEOPLE

OF THE STATE OF NEW YORK,

against

Frank Adams

Bench Warrant for Felony.

Issued *August 16*, 188*9*

The within named defendant was
arrested this day and brought to the
Court of General Sessions by

Wm. H. H. Smith, Sheriff

Sept 19th
..... 188*9*

The officer executing this process will make his
return to the Court forthwith.

*The within named Frank Adams
can not with due diligence be found
within the State of New York. At 1889
Thomas Keenan
Police Sergeant
of Police*

0582

0683

AN EXPRESS CO.
GENERAL MANAGER'S OFFICE,
BROADWAY,
NEW YORK.

Mr. J. H. Swinerton
Saratoga ny

0684

Company B Tenth Battalion, N. G., S. N. D.

STATE ARMORY, COR. WASHINGTON AVE. & LARK ST.

Albany, N. Y., Nov. 21. 1890.

Capt. Henry W. Hubbell

Fort Maudsforth, N.Y. N.

Dear Captain:

Corporal J. Frank Adams, now in arrest in N.Y. City desires me to come to N.Y. Monday, meet you and St. Patterson, and also to write you what I will do.

I enclose for your information a letter received to day from the Asst. Gen'l Manager of the Am. Ex. Co. This letter I have answered endeavoring to correct the false impression that Adams sought a compromise because discovered, I have been cognizant of the defalcation since he first enlisted, as he then wrote me, informing me all about it, and asking advice as to his future, and when he was recently appointed acting Sergeant Major of the Post, with increased pay, he wrote that he wished to pay the Co

0685

\$20. monthly. Just after this his whereabouts were discovered with the present result.

It is impossible for me to come to N.Y. Monday owing to imperative business here. How I can be of service to him I don't know. If there is a way let me know.

Very truly yours
H. P. Stacpole

0686

American Ex. Co.,
versus J. Frank Adams

Mitigating facts.

1. Letter from Capt. N. P. Stackpole, 10th Batt. N. G. Albany, shows that Adams was sending means to repay the Express Co. long before his identification & arrest.
2. Adams had no intention of robbing the Ex. Co. If he had, he could have as easily taken \$5000 as the small amount charged.
3. Adams having ~~the~~ the opportunity of concealing his identity by existing under a false name & choosing a regiment far from a populous center, existed under his own name.

0687

in the Artillery station
within the City limits of
San Francisco. Furthermore
when his regt. was ordered
East he might have taken
advantage of the offg. offered
by the War Dept. for all
men who wished to do so
to remain in California &
be assigned to the relieving
regiment, Adams wishing
to atone to the Express Co. for
his misdeeds, & assured by his
friend Stackpole that he would
be given the offg. to do so
entirely of his own volition
to N. York harbor & visit N.
Y. openly & frequently.

His conduct since
surrendering Aug. 27/89
has been exemplary & useful
to a marked degree

N. W. Hubbard
Capt. 1st Regt

0688

~~TO THE CHIEF CLERK.~~

~~Please send me the Papers in the Case of~~

PEOPLE

^{vs.}

J. Frank Adams
copies of Indictments
for use in application
for requisition.

Phillip Reilly Det.
Serge to be named
as agent

Am. Ex. Co. to pay
expenses.

Defendant in California
Prosecutor Attorney.

Exemplified copy of warrant
& return sent to H.S. Julian
65 Bway Aug 16/89

J. D. L.

0689

People

N

Adams

Magistrate for justice

papers & man. of

us on application

for requisition

for.

0690

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 :
J. Frank Adams. :
-----X

The Grand Jury of the City and County of New York, by this indictment, accuse J. Frank Adams of the crime of grand larceny in the second degree, committed as follows:

The said J. Frank Adams, late of the City of New York, in the County of New York aforesaid, on the first day of June, in the year of our Lord one thousand eight hundred and eighty-nine, at the City and County aforesaid, with force and arms, the sum of one hundred and eighty-three dollars in money, lawful money of the United States of America, and of the value of one hundred and eighty-three dollars, of the proper moneys, goods, chattels and personal property of a certain joint stock association, known as the National Express 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.

SECOND COUNT. And the Grand Jury aforesaid, by this indictment, further accuse the said J. Frank Adams of the same crime of grand larceny in the second

0691

2

degree, committed as follows:

The said J. Frank Adams, late of the City and County aforesaid, afterwards, to wit, on the said first day of June, 1889, at the City and County aforesaid, with force and arms, with intent to deprive and defraud a certain joint stock association, known as the National Express Company, of the proper moneys, goods, chattels and personal property hereinafter mentioned, and of the use and benefit thereof, and to appropriate the same to his own use, then and there feloniously and fraudulently did falsely pretend and represent to the said National Express Company,

That one James H. Swinarton, the superintendent of the stables and of the real and personal estate and property of a certain other joint stock association, known as the American Express Company, was then indebted to the said American Express Company in the sum of one hundred and eighty-three dollars; that the said James H. Swinarton was about to call at the office of the said National Express Company in Saratoga, in the State of New York; that the said American Express Company then desired that the said National Express Company should advance to the said American Express Company the said sum of one hundred and eighty-three dollars, being the amount of such indebtedness of the said James H. Swinarton; that one Henry S. Julier, the assistant general manager of the said American Express Company for its eastern department had then and there, on behalf of the said American Express Company requested

0692

3

the said National Express Company, through its cashier at its office in the said City of New York, to pay the said sum of one hundred and eighty-three dollars over to the said American Express Company, and that a certain paper writing in the words and figures following, to wit:

AMERICAN EXPRESS COMPANY
Office of Ass't Gen'l Manager,
Eastern Department,
65 Broadway.

New York, June 1, 1889.

Cashr:

145 Broadway.

Some Co. papers for Mr. Swinerton, please return cash by bearer.

Yours &c.

H. S. JULIER

A.

which he the said J. Frank Adams then and there caused to be produced and delivered to the said National Express Company, together with a certain packet addressed to the agent of the said National Express Company at Saratoga aforesaid, was then and there a true and valid letter of the said Henry S. Julier, on behalf of the said American Express Company, and had been written by his direction and authority; that the said packet then contained papers and documents relative to the said indebtedness, and that the said Henry S. Julier, on behalf of the said American Express Company then desired that the said packet be forwarded by the said National

0693

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Express Company to its said agent at Saratoga aforesaid, at which place the said James H. Swinerton would call within a short time thereafter and pay to the said National Express Company, through its agents at the said place the amount of such indebtedness, to wit, the said sum of one hundred and eighty-three dollars.

And the said National Express Company, then and there believing the said false and fraudulent pretenses and representations so made as aforesaid by the said J. Frank Adams, and being deceived thereby, was induced, by reason of the false and fraudulent pretenses and representations so made as aforesaid, to deliver, and did then and there deliver and cause to be delivered to the said J. Frank Adams, the sum of one hundred and eighty-three dollars in money, lawful money of the United States of America, and of the value of one hundred and eighty-three dollars, of the proper moneys, goods, chattels and personal property of the said National Express Company.

And the said J. Frank Adams did then and there feloniously receive and obtain the said proper moneys, goods, chattels and personal property from the possession of the said National Express Company by color and by aid of the false and fraudulent pretenses and representations aforesaid, with intent to deprive and defraud the said National Express Company of the same and of the use and benefit thereof, and to appropriate the same to his own use.

Whereas, in truth and in fact, the said James

0694

5

H. Swinarton was not then indebted to the said American Express Company in the sum of one hundred and eighty-three dollars; and was not then about to call at the office of the said National Express Company in Saratoga aforesaid; and the said American Express Company did not then desire that the said National Express Company should advance to the said American Express Company the said sum of one hundred and eighty-three dollars; and the said Henry S. Julier had not then and there, on behalf of the said American Express Company, requested the said National Express Company, through its said cashier, to pay the said sum of one hundred and eighty-three dollars over to the said American Express Company; and the said paper writing which he the said J. Frank Adams so as aforesaid then and there caused to be produced and delivered to the said National Express Company, together with the said packet, was not then and there a true and valid letter of the said Henry S. Julier, on behalf of the said American Express Company, and had not been written by his direction or authority; and the said packet did not then contain any papers or documents relative to the said indebtedness; and the said Henry S. Julier did not then desire, on behalf of the said American Express Company, that the said packet be forwarded by the said National Express Company to the said agent at Saratoga aforesaid; and the said James H. Swinarton would not call at the said office within a short time thereafter and pay to the said National Express Company, through its

0695

6

agent at said place, the amount of such indebtedness.

And, whereas, in truth and in fact, the pretenses and representations so made as aforesaid by the said J. Frank Adams to the said National Express Company were then and there in all respects utterly false and untrue, as he the said J. Frank Adams at the time of making the same then and there well knew.

And so the Grand Jury aforesaid do say that the said J. Frank Adams, in the manner and form and by the means aforesaid, the said proper moneys, goods, chattels and personal property of the said National Express Company then and there feloniously did steal: against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

0696

Witnesses:

Counsel,

Filed 16 day of Aug 1889

Pleads,

THE PEOPLE

vs.

Esna de Adams

John R. Fellows
District Attorney
(See 528 & 531, Records)

JOHN R. FELLOWS,

District Attorney.

A TRUE BILL.

Alvin G. Cameron

Foreman.

0697

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 :
J. Frank Adams. :
-----X

The Grand Jury of the City and County of New York, by this indictment, accuse J. Frank Adams of the crime of grand larceny in the second degree, committed as follows:

The said J. Frank Adams, late of the City of New York, in the County of New York aforesaid, on the first day of June, in the year of our Lord one thousand eight hundred and eighty-nine, at the City and County aforesaid, with force and arms, the sum of one hundred and eighty-three dollars in money, lawful money of the United States of America, and of the value of one hundred and eighty-three dollars, of the proper moneys, goods, chattels and personal property of a certain joint stock association, known as the National Express 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.

SECOND COUNT. And the Grand Jury aforesaid, by this indictment, further accuse the said J. Frank Adams of the same crime of grand larceny in the second

0698

2

degree, committed as follows:

The said J. Frank Adams, late of the City and County aforesaid, afterwards, to wit, on the said first day of June, 1889, at the City and County aforesaid, with force and arms, with intent to deprive and defraud a certain joint stock association, known as the National Express Company, of the proper moneys, goods, chattels and personal property hereinafter mentioned, and of the use and benefit thereof, and to appropriate the same to his own use, then and there feloniously and fraudulently did falsely pretend and represent to the said National Express Company,

That one James H. Swinarton, the superintendent of the stables and of the real and personal estate and property of a certain other joint stock association, known as the American Express Company, was then indebted to the said American Express Company in the sum of one hundred and eighty-three dollars; that the said James H. Swinarton was about to call at the office of the said National Express Company in Saratoga, in the State of New York; that the said American Express Company then desired that the said National Express Company should advance to the said American Express Company the said sum of one hundred and eighty-three dollars, being the amount of such indebtedness of the said James H. Swinarton; that one Henry S. Julier, the assistant general manager of the said American Express Company for its eastern department had then and there, on behalf of the said American Express Company requested

0699

3

the said National Express Company, through its cashier at its office in the said City of New York, to pay the said sum of one hundred and eighty-three dollars over to the said American Express Company, and that a certain paper writing in the words and figures following, to wit:

AMERICAN EXPRESS COMPANY
Office of Ass't Gen'l Manager,
Eastern Department,
65 Broadway.

New York, June 1, 1889.

Cashr:

145 Broadway.

Some Co. papers for Mr. Swinarton, please return cash by bearer.

Yours &c.

H. S. JULIER

A.

which he the said J. Frank Adams then and there caused to be produced and delivered to the said National Express Company, together with a certain packet addressed to the agent of the said National Express Company at Saratoga aforesaid, was then and there a true and valid letter of the said Henry S. Julier, on behalf of the said American Express Company, and had been written by his direction and authority; that the said packet then contained papers and documents relative to the said indebtedness, and that the said Henry S. Julier, on behalf of the said American Express Company then desired that the said packet be forwarded by the said National

0700

Express Company to its said agent at Saratoga aforesaid, at which place the said James H. Swinarton would call within a short time thereafter and pay to the said National Express Company, through its agents at the said place the amount of such indebtedness, to wit, the said sum of one hundred and eighty-three dollars.

And the said National Express Company, then and there believing the said false and fraudulent pretenses and representations so made as aforesaid by the said J. Frank Adams, and being deceived thereby, was induced, by reason of the false and fraudulent pretenses and representations so made as aforesaid, to deliver, and did then and there deliver and cause to be delivered to the said J. Frank Adams, the sum of one hundred and eighty-three dollars in money, lawful money of the United States of America, and of the value of one hundred and eighty-three dollars, of the proper moneys, goods, chattels and personal property of the said National Express Company.

And the said J. Frank Adams did then and there feloniously receive and obtain the said proper moneys, goods, chattels and personal property from the possession of the said National Express Company by color and by aid of the false and fraudulent pretenses and representations aforesaid, with intent to deprive and defraud the said National Express Company of the same and of the use and benefit thereof, and to appropriate the same to his own use.

Whereas, in truth and in fact, the said James

0700

Express Company to its said agent at Saratoga aforesaid, at which place the said James H. Swinarton would call within a short time thereafter and pay to the said National Express Company, through its agents at the said place the amount of such indebtedness, to wit, the said sum of one hundred and eighty-three dollars.

And the said National Express Company, then and there believing the said false and fraudulent pretenses and representations so made as aforesaid by the said J. Frank Adams, and being deceived thereby, was induced, by reason of the false and fraudulent pretenses and representations so made as aforesaid, to deliver, and did then and there deliver and cause to be delivered to the said J. Frank Adams, the sum of one hundred and eighty-three dollars in money, lawful money of the United States of America, and of the value of one hundred and eighty-three dollars, of the proper moneys, goods, chattels and personal property of the said National Express Company.

And the said J. Frank Adams did then and there feloniously receive and obtain the said proper moneys, goods, chattels and personal property from the possession of the said National Express Company by color and by aid of the false and fraudulent pretenses and representations aforesaid, with intent to deprive and defraud the said National Express Company of the same and of the use and benefit thereof, and to appropriate the same to his own use.

Whereas, in truth and in fact, the said James

0701

4

Express Company to its said agent at Saratoga aforesaid, at which place the said James H. Swinarton would call within a short time thereafter and pay to the said National Express Company, through its agent at the said place the amount of such indebtedness, to wit, the said sum of one hundred and eighty-three dollars.

And the said National Express Company, then and there believing the said false and fraudulent pretenses and representations so made as aforesaid by the said J. Frank Adams, and being deceived thereby, was induced, by reason of the false and fraudulent pretenses and representations so made as aforesaid, to deliver, and did then and there deliver and cause to be delivered to the said J. Frank Adams, the sum of one hundred and eighty-three dollars in money, lawful money of the United States of America, and of the value of one hundred and eighty-three dollars, of the proper moneys, goods, chattels and personal property of the said National Express Company.

And the said J. Frank Adams did then and there feloniously receive and obtain the said proper moneys, goods, chattels and personal property from the possession of the said National Express Company by color and by aid of the false and fraudulent pretenses and representations aforesaid, with intent to deprive and defraud the said National Express Company of the same and of the use and benefit thereof, and to appropriate the same to his own use.

Whereas, in truth and in fact, the said James

0702

H. Swinarton was not then indebted to the said American Express Company in the sum of one hundred and eighty-three dollars; and was not then about to call at the office of the said National Express Company in Saratoga aforesaid; and the said American Express Company did not then desire that the said National Express Company should advance to the said American Express Company the said sum of one hundred and eighty-three dollars; and the said Henry S. Julier had not then and there, on behalf of the said American Express Company, requested the said National Express Company, through its said cashier, to pay the said sum of one hundred and eighty-three dollars over to the said American Express Company; and the said paper writing which he the said J. Frank Adams so as aforesaid then and there caused to be produced and delivered to the said National Express Company, together with the said packet, was not then and there a true and valid letter of the said Henry S. Julier, on behalf of the said American Express Company, and had not been written by his direction or authority; and the said packet did not then contain any papers or documents relative to the said indebtedness; and the said Henry S. Julier did not then desire, on behalf of the said American Express Company, that the said packet be forwarded by the said National Express Company to the said agent at Saratoga aforesaid; and the said James H. Swinarton would not call at the said office within a short time thereafter and pay to the said National Express Company, through its

Witnesses:

Counsel,

Filed 16 day of May 1889

Pleads,

THE PEOPLE

vs.

Frederick Adams

*Frederick Adams
District Attorney
(See 5288531, Grand Jurors)*

JOHN R. FELLOWS,

District Attorney.

A TRUE BILL.

Alvin G. Cameron

Foreman.

0703

0704

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 :
 : J. Frank Adams. :
-----X

The Grand Jury of the City and County of New York, by this indictment, accuse J. Frank Adams of the crime of grand larceny in the second degree, committed as follows:

The said J. Frank Adams, late of the City of New York, in the County of New York aforesaid, on the first day of June, in the year of our Lord one thousand eight hundred and eighty-nine, at the City and County aforesaid, with force and arms, the sum of one hundred and eighty-three dollars in money, lawful money of the United States of America, and of the value of one hundred and eighty-three dollars, of the proper moneys, goods, chattels and personal property of a certain joint stock association, known as the National Express 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.

SECOND COUNT. And the Grand Jury aforesaid, by this indictment, further accuse the said J. Frank Adams of the same crime of grand larceny in the second

0705

2

degree, committed as follows:

The said J. Frank Adams, late of the City and County aforesaid, afterwards, to wit, on the said first day of June, 1889, at the City and County aforesaid, with force and arms, with intent to deprive and defraud a certain joint stock association, known as the National Express Company, of the proper moneys, goods, chattels and personal property hereinafter mentioned, and of the use and benefit thereof, and to appropriate the same to his own use, then and there feloniously and fraudulently did falsely pretend and represent to the said National Express Company,

That one James H. Swinarton, the superintendent of the stables and of the real and personal estate and property of a certain other joint stock association, known as the American Express Company, was then indebted to the said American Express Company in the sum of one hundred and eighty-three dollars; that the said James H. Swinarton was about to call at the office of the said National Express Company in Saratoga, in the State of New York; that the said American Express Company then desired that the said National Express Company should advance to the said American Express Company the said sum of one hundred and eighty-three dollars, being the amount of such indebtedness of the said James H. Swinarton; that one Henry S. Julier, the assistant general manager of the said American Express Company for its eastern department had then and there, on behalf of the said American Express Company requested

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the said National Express Company, through its cashier at its office in the said City of New York, to pay the said sum of one hundred and eighty-three dollars over to the said American Express Company, and that a certain paper writing in the words and figures following, to wit:

A M E R I C A N E X P R E S S C O M P A N Y
Office of Ass't Gen'l Manager,
Eastern Department,
65 Broadway.

New York, June 1, 1889.

Cashr:

145 Broadway.

Some Co. papers for Mr. Swinarton, please
return cash by bearer.

Yours &c.

H. S. JULIER

A.

which he the said J. Frank Adams then and there caused to be produced and delivered to the said National Express Company, together with a certain packet addressed to the agent of the said National Express Company at Saratoga aforesaid, was then and there a true and valid letter of the said Henry S. Julier, on behalf of the said American Express Company, and had been written by his direction and authority; that the said packet then contained papers and documents relative to the said indebtedness, and that the said Henry S. Julier, on behalf of the said American Express Company then desired that the said packet be forwarded by the said National

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Express Company to its said agent at Saratoga aforesaid, at which place the said James H. Swinarton would call within a short time thereafter and pay to the said National Express Company, through its agents at the said place the amount of such indebtedness, to wit, the said sum of one hundred and eighty-three dollars.

And the said National Express Company, then and there believing the said false and fraudulent pretenses and representations so made as aforesaid by the said J. Frank Adams, and being deceived thereby, was induced, by reason of the false and fraudulent pretenses and representations so made as aforesaid, to deliver, and did then and there deliver and cause to be delivered to the said J. Frank Adams, the sum of one hundred and eighty-three dollars in money, lawful money of the United States of America, and of the value of one hundred and eighty-three dollars, of the proper moneys, goods, chattels and personal property of the said National Express Company.

And the said J. Frank Adams did then and there feloniously receive and obtain the said proper moneys, goods, chattels and personal property from the possession of the said National Express Company by color and by aid of the false and fraudulent pretenses and representations aforesaid, with intent to deprive and defraud the said National Express Company of the same and of the use and benefit thereof, and to appropriate the same to his own use.

Whereas, in truth and in fact, the said James

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H. Swinarton was not then indebted to the said American Express Company in the sum of one hundred and eighty-three dollars; and was not then about to call at the office of the said National Express Company in Saratoga aforesaid; and the said American Express Company did not then desire that the said National Express Company should advance to the said American Express Company the said sum of one hundred and eighty-three dollars; and the said Henry S. Julier had not then and there, on behalf of the said American Express Company, requested the said National Express Company, through its said cashier, to pay the said sum of one hundred and eighty-three dollars over to the said American Express Company; and the said paper writing which he the said J. Frank Adams so as aforesaid then and there caused to be produced and delivered to the said National Express Company, together with the said packet, was not then and there a true and valid letter of the said Henry S. Julier, on behalf of the said American Express Company, and had not been written by his direction or authority; and the said packet did not then contain any papers or documents relative to the said indebtedness; and the said Henry S. Julier did not then desire, on behalf of the said American Express Company, that the said packet be forwarded by the said National Express Company to the said agent at Saratoga aforesaid; and the said James H. Swinarton would not call at the said office within a short time thereafter and pay to the said National Express Company, through its

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agent at said place, the amount of such indebtedness.

And, whereas, in truth and in fact, the pretenses and representations so made as aforesaid by the said J. Frank Adams to the said National Express Company were then and there in all respects utterly false and untrue, as he the said J. Frank Adams at the time of making the same then and there well knew.

And so the Grand Jury aforesaid do say that the said J. Frank Adams, in the manner and form and by the means aforesaid, the said proper moneys, goods, chattels and personal property of the said National Express Company then and there feloniously did steal: against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

0710

BOX:

361

FOLDER:

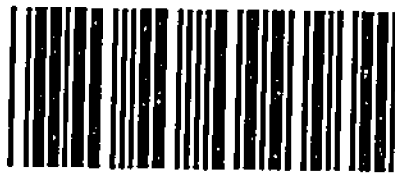
3398

DESCRIPTION:

Allen, Eben S.

DATE:

08/12/89



3398

0711

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Witnesses:

Counsel,

Filed 12 day of Aug 1889

Pleads,

THE PEOPLE

W. J. [illegible]
Westchester Co.

12

Chas. S. Allen

(20000)

*Indulgent name of state
and foreign first degree
[See 509th 391st Code]*

JOHN R. FELLOWS,

Aug 13/89 District Attorney.

pleads guilty as charged
A TRUE BILL in the 1st Code

Alfred [illegible] 16.

S. P. Seven years.

Foreman.

0712

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, } ss:POLICE COURT, 1st DISTRICT.

George Green

of No. Hotel Metropole, 42 nd and Broadway Street, being duly sworn, deposes and says,that ~~on the~~at the City of New York, in the County of New York, deponent is the

President, pro tem, of "The 42nd Street and Grand Street Ferry Rail Road Company". That Oben S. Allen, now here, was the Treasurer of said Company on the 2nd day of October 1884 and on the 6th day of February 1885. That as such officer of said Company, the said Oben S. Allen ^{at said City and County} did, ~~purposely~~ and with the design to defraud matter, forge and issue certain false, forged and fraudulent Certificates of Stock of said Company, which Certificates are hereto annexed and numbered respectively 998 and 1002.

That said Certificates are and were issued of the Stock of said Company and are false and fraudulent, and deponent is now here informed by Charles P. Commons, the Secretary of said Company, that the signature "Oben S. Allen", attached to said Certificates of Stock as President of said Company, is a forgery.

That the deponent, Oben S. Allen, now here in open Court admits that as

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Treasurer of said Company (he
 did on the 2nd day of October 1884
 issue the Jahan and President
 Certificate of Capital Stock of said
 Company ^{hereinafter} numbered 998 and
 purporting to represent Ten
 thousand five hundred dollars
 of the Stock of said Company; and
 that on the 6th day of February 1885
 he issued the ~~original~~ Certificate
 numbered 1002 purporting to re=
 present forty-eight thousand
 dollars of the Stock of said Company.
 That the Juror admits having
 a knowledge that said Certificates
 of Stock were fraudulent and
 are now issued and that he
 appropriated a portion of the
 money obtained from the sale
 of said Stock to his own use.
 Defendant therefore prays he may
 be dealt with as the law directs.
 Given & before me this
 5th day of August 1885 } George Green
 J. H. Green
 Police Justice

POLICE COURT—

DISTRICT.

THE PEOPLE, & C.,

ON THE COMPLAINT OF

vs.

AFFIDAVIT.

Dated 188

Magistrate.

Officer.

Witness,

Disposition

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Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Eben S. Allen 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.

Eben S. Allen

Question. How old are you?

Answer.

46 years of age

Question. Where were you born?

Answer.

New York State

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

Answer.

Paroling, Westchester Co. N.Y.

Question. What is your business or profession?

Answer.

Rail Road Business

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

Answer.

I am guilty of the charge. I admit issuing the annexed Certificates of Capital Stock of "The H2nd Street and Grand Street Ferry Rail Road Company, as an officer of said Company, said Certificates being numbered 998 and 1002 and being false and fraudulent, and I further admit having received and appropriated a portion of the proceeds of said fraudulent Stock to my own use. I make this admission by advice of my Counsel, J. C. Peckis, and because the admission is true.

Eben S. Allen

Taken before me this

day of

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Police Justice.

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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.....

Robert J. Allen

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of one
hundred thousand ~~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 August 8th 188 9 W. H. Hagan 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.

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BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Police Court---

1175 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

George Green

Barry 842²⁸

Abner S. Allen

2

3

4

Offence

Dated

August 8th

188

Hogan

Magistrate.

Rogers

Officer.

C. Co.

Precinct.

Witnesses

Chas. P. Simmons

No.

32 West 6th

Street.

No.

Indiana W. Hopele

No.

306 West 41st

Street.

No.

G. S.

Street.

\$

100,000

to answer

Comm

0717

CITY AND COUNTY }
OF NEW YORK, } ss.

Charles P. Common
aged *39* years, occupation *Secretary* of No. *32 East 68th*
Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of *George Green*
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this

day of *August* 188*9*

Charles P. Common

[Signature]
Police Justice

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*New York Superior Court
Judges' Chambers, New Court House*

Copy *New York* January 31st, 1894.

His Excellency
Roswell P. Flower,
Governor of the State of New York.

Sir:-

I am in receipt of Executive letter of December 23rd, 1893, stating that Ebben S. Allen has applied for executive clemency, and requesting me to furnish a concise statement of the facts of the case, together with my opinion on the merits of the application.

In 1884, and for sometime thereafter, Ebben S. Allen was the treasurer of the 42nd Street and Grand Street Ferry Railroad Company, a corporation duly formed and existing under the laws of this State. In August, 1889, Allen was arraigned in the Court of General Sessions, in the Part over which I, at that time, had the honor to preside, upon two indictments, by each of which he was charged with "fraudulent issue of stock and forgery first degree", (Sections 509 and 591 of the Penal Code). The first ^{Council} ~~ground~~ in each indictment accused him of the crime of "fraudulent issue of stock", and the second ^{Council} ~~ground~~ in each indictment accused him of the crime

0719

(3)

further admit having received and appropriated a portion of the proceeds of said fraudulent stock to my own use. I make this admission by advice of my counsel, J. Curtis, and because the admission is true."

At the time Allen was arraigned for sentence, I was satisfied from competent testimony in my possession that his kinsmen and family connections were among the best citizens of the State. His conduct, outside of the particular acts of crime above set forth and charged against him was irreproachable. He was not a professional criminal whose imprisonment was necessary to prevent the commission of further crimes of the character of which he was guilty. It ^{may} ~~could~~ safely be assumed that ^{had} ~~were~~ he not ^{been} ~~sentenced~~, but allowed to go free, there would have been no danger of his committing further crime. The elements that enter into most criminal cases, and are properly considered by the Court in determining the penalty to be imposed, were absent in this case. The conspicuous features of the case were these:- The trusted officer of a large and influential corporation had betrayed his trust, and by his fraudulent acts had placed upon the market fraudulent certificates of stock, which, if genuine, would have been of great value, by which acts bankers, brokers and the public generally had been deceived and induced to treat the fraudulent certificates as genuine. It

0720

(2)

of "forgery in the first degree." His plea of guilty to the first count in each indictment was accepted. It appeared by the affidavit of George Green, the President pro. tem. of the 42nd Street and Grand Street Ferry Railroad Company, that on the 2nd day of October, 1884, Allen, "then an officer in said Company, to wit: its treasurer, did, wilfully and with the design to defraud, make, forge and issue a false and fraudulent certificate of stock of said Company, numbered 998, for 50 shares;" and further that "on the 6th day of February, 1885, as such officer as aforesaid, he did in like manner forge and fraudulently issue a certain certificate, numbered 1002, for 160 shares of the stock of said Company; that said certificates were an over issue of the stock of said Company, and were false and fraudulent, and that the signature of Charles Curtis, the President of said Company, attached to said certificates, was a forgery."

When Allen was confronted with these facts in the Police Court, where he was first arraigned, and asked to give any explanation he might think proper, he made the following answer: "I am guilty of the charge. I admit issuing the annexed certificates of the capital stock of the 42nd Street and Grand Street Ferry Railroad Company, as an officer in said Company, said certificates being numbered 998 and 1002, and being false and fraudulent; and I

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(4)

was a serious blow at the integrity of financial business transactions calculated to weaken the confidence and trust upon which business men are bound to rely in their dealings with one another. For this reason, and as a warning to others not to yield to temptation, it seemed to me that the penalty imposed upon Allen should be severe. Therefore, upon the first indictment, he was sentenced to the maximum term provided for the offense, to wit: seven years, and upon the second indictment he was sentenced to serve seven years, to commence after the expiration of the first term. Allen had many sympathizing friends among my own personal acquaintances, upon whose opinions I placed high value; and I listened to many recommendations of mercy in his behalf.

I can recall few, if any, acts of public duty, covering a long period of years, that gave me more pain than the sentencing of Allen. As I have already stated, it seemed to me necessary by way of example. I then felt that some day it would be proper for me to recommend the granting of executive clemency to Allen, believing that the example of a long sentence would have fully served its purpose before the expiration of his term.

I am now of the opinion that Allen has been fully punished for the crimes he committed, and earnestly recommend that his sentence be commuted to the term of seven years.

Very respectfully,

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Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Eben S. Allen

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

Indictment accuse

Eben S. Allen of a Felony

of the crime of

committed as follows:

The said

Eben S. Allen,

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

sixth day of February in the year of our Lord one thousand eight hundred and eighty-five, at the City and County aforesaid,

being an officer of the Forty Second Street and Grand Street Ferry Railroad Company a corporation duly formed and existing under the laws of this State, feloniously did wilfully and knowingly, with intent to defraud, issue and sign and execute, with intent to issue, a certain certificate and instrument purporting to be a certificate and evidence of the ownership of certain shares of the said corporation, to wit: of one hundred and

0723

sixty shares of the capital stock
of the said corporation, which said
certificate and instrument is as
follows, that is to say:

Capital Stock \$750,000.

Shares \$100 Each.

At 100

The
Forty Second St. & Grand St. Ferry Rail Road Company,
City of New York.

160 Shares

This is to certify that J.
W. Stofele is entitled to one hundred and
sixty shares of One Hundred Dollars Each in
the capital stock of the Forty Second Street
and Grand Street Ferry Rail Road Company,
transferable only on the Books of the Company
by him or his Attorney upon surrender of this
Certificate to be cancelled, endorsed with the
name of the party to whom a new Certificate
is to be issued for said stock or any
part thereof, and accompanied with a declaration
of sale or transfer setting forth the number
of shares transferred, and the person to whom
and the time when the same are so trans-
ferred. No Certificate shall bind this Com-
pany unless the same be signed by their President
and countersigned by their Treasurer and Transfer Agent.
In Witness Whereof the said Company have caused
this Certificate to be signed by their Pres-
ident and to be countersigned by their

0724

Treasurer and Transfer Agent, and
sealed with their corporate seal this
sixth day of February One thousand
eight hundred and eighty-five.

(~~read~~)
Chas Curtis
President.

Eben S. Allen
Treasurer
Eben S. Allen
Transfer Agent.

without being first thereto duly
authorized by the said corporation,
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 sixty Shares of One Hundred Dollars

0725

Second COUNT.

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

Eben S. Allen

of the CRIME of Forgery in the first degree,

committed as follows:

The said Eben S. Allen,

late of the City and County aforesaid, afterwards to wit: On the day and in the year aforesaid, at the City and County aforesaid, with force and arms, did
feloniously forge a certain certificate of stock, pur-
porting to be issued by the Forty-second Street and
Grand Street Ferry Rail Road Company, a body corporate existing
under the laws of this state, and to declare the right and title
of one F. W. Hofele in a portion of the capital stock of the said
body corporate, which said forged certificate is as follows:

Capital Stock \$75,000.

Shares \$100 Each.

The No 1002

Forty Second St. & Grand St. Ferry Rail Road Company,
City of New York.

160 Shares.

This is to Certify, that
F. W. Hofele is entitled to one hundred
and sixty Shares of One Hundred Dollars

0726

each in the capital stock of the
Forty Second Street and Grand Street
Ferry Rail Road Company, transferable
only on the Books of the Company
by him or his Attorney upon sur-
render of this Certificate, to be cancelled,
endorsed with the name of the party
to whom a new Certificate is to be issued
for said stock or any part thereof, and
accompanied with a declaration of sale
or transfer setting forth the number of
shares transferred, and the person to whom
and the time when the same are so
transferred. No Certificate shall bind
this Company, unless the same be
signed by their President and counter-
signed by their Treasurer and Transfer
Agent.

In Witness Whereof, the said Company
have caused this Certificate to be signed by
their President, and to be countersigned
by their Treasurer and Transfer Agent,
and sealed with their corporate seal
this sixth day of February One thousand
eight hundred and eighty-five.

(Sd) Eben S. Allen
Chas. L. Curtis Eben S. Allen
President Treasurer
Transfer Agent

with intent to defraud; against
the form of the Statute in

0727

Treasurer and Transfer Agent, and
sealed with their corporate seal this
sixth day of February One thousand
eight hundred and eighty-five.

(read)
Chas Curtis
President.

Eben S. Allen
Treasurer
Eben S. Allen
Transfer Agent.

without being first thereto duly
authorized by the said corporations
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.

0728

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

John R. Fellows,
District Attorney.

0729

134

Witnesses:

.....
.....
.....
.....

Counsel,

Filed

12

day of Aug 1889

Pleads,

THE PEOPLE

vs.

Eben S. Allen

(2 cases)

JOHN R. FELLOWS

District Attorney.

Aug 13/89

pleads guilty to charged
in the 11th Court 16.
A TRUE BILL.

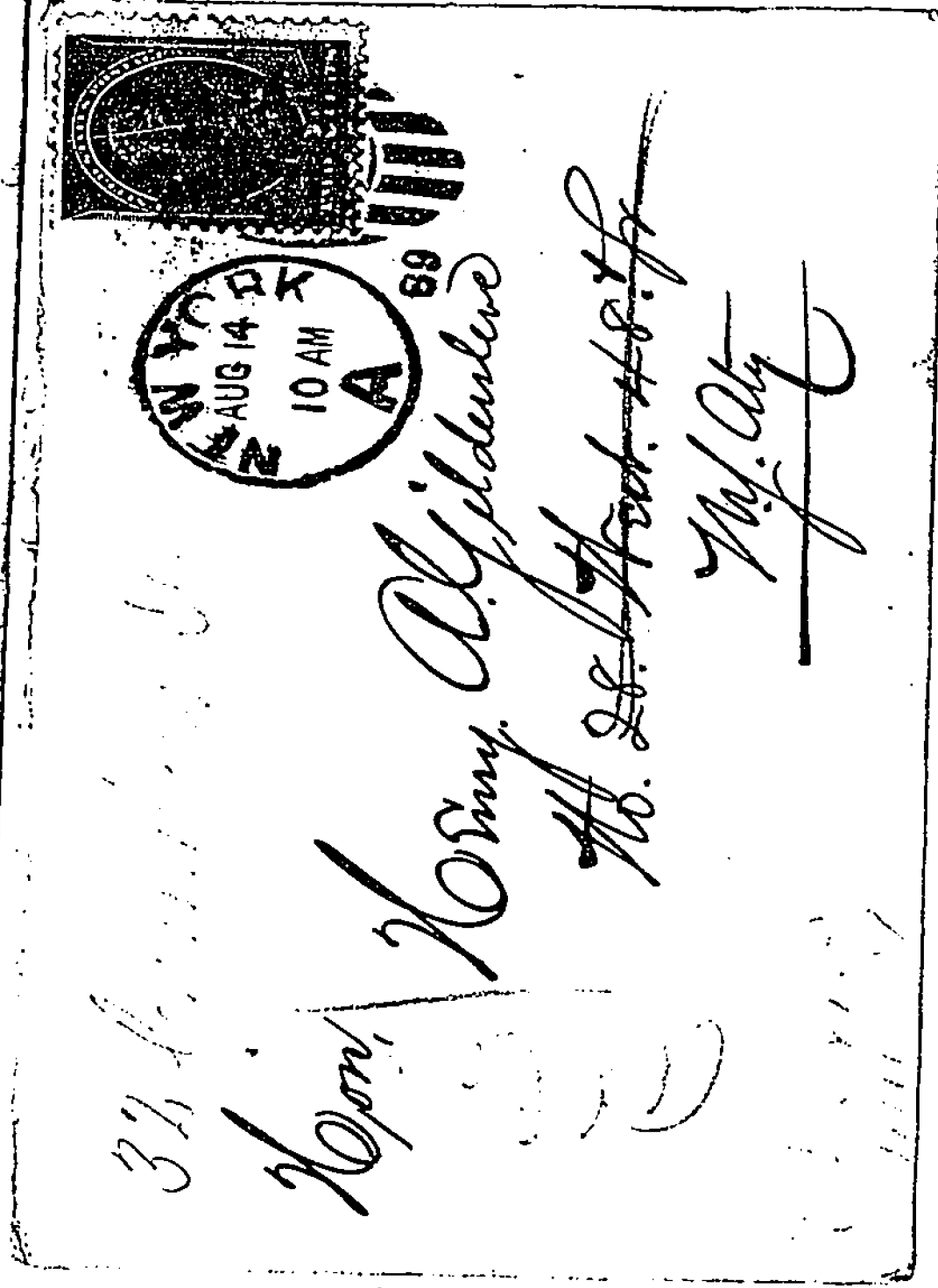
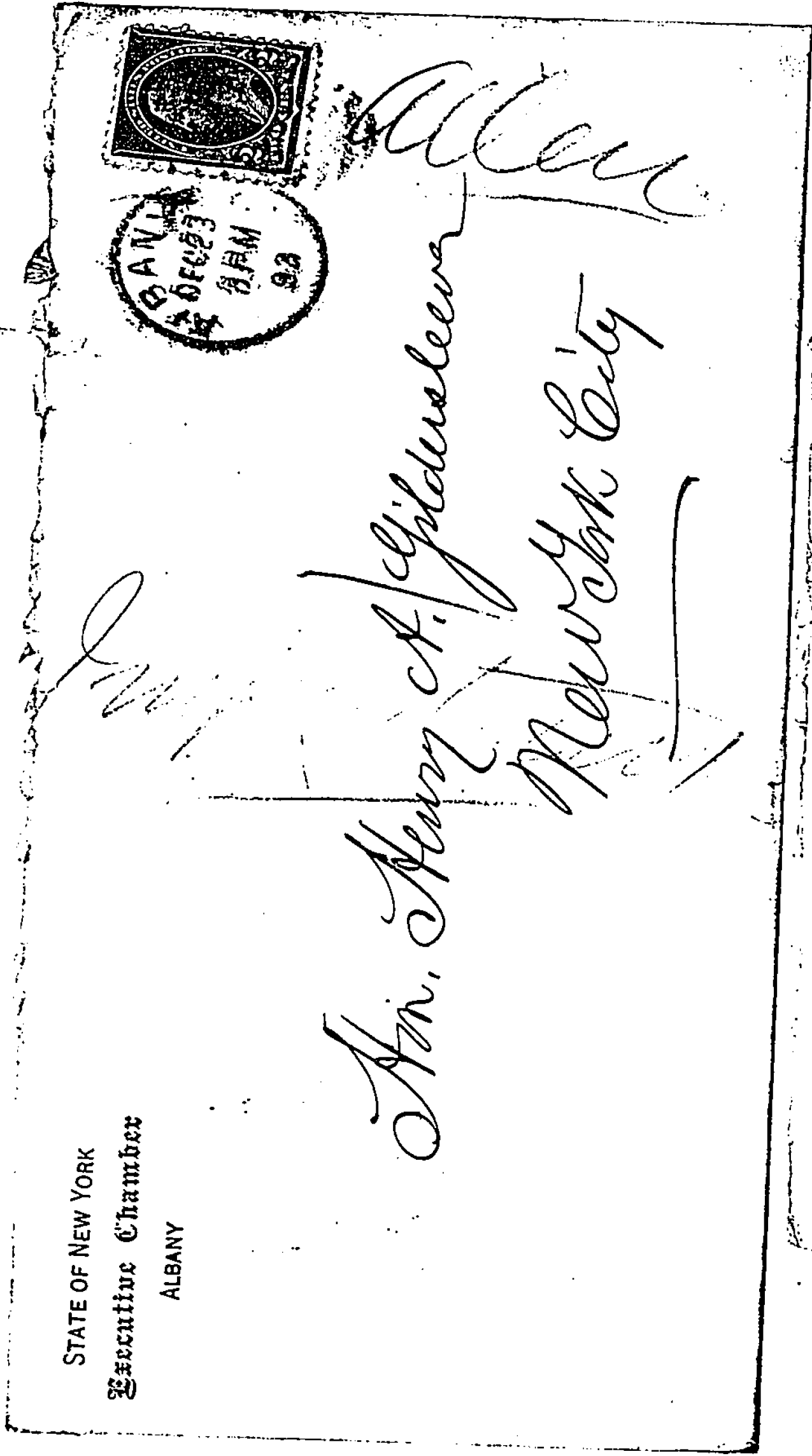
Alfred M. ...

S. P. Sever ^{Foreman} *gives*
Commence after
Expiration of trial.
J. H. G.

*fraudulent issue of stock
and forgery, first degree.
[Sec. 509 and 591, Code]*

*Rec'ds New York Aug 16/89
two hundred shares charged and
it stands at New York
A. A. ...*

0730



0731

VI.

STATE OF NEW YORK.
Executive Chamber,
ALBANY.

Sir:

December 23, 1893

Application for Executive clemency having been made on behalf of
Eben T. Allen who was convicted of *fraudulently issuing stock*
in the county of *New York* and sentenced *August 16, 1889*
to imprisonment in the *State Prison* for the term of

fourteen years
I am directed by the Governor respectfully to request that, in pursuance of Section 695 of the Code of Criminal Procedure, you will forward to him a concise statement of the facts of the case, together with your opinion of the merits of the application.

It is particularly requested that each letter of inquiry from the Executive Chamber should be separately answered.

Very respectfully yours,

J. S. Williams
Private Secretary.

Hon. Henry A. Gildersleeve
New York City.

0732

Jersey City, N.J. Aug. 14th 1889.
Hon. Henry A. Tilden,
New York,

Dear Sir,

I trust you will pardon
the liberty I take in addressing you,
but I desire to certify to the absolutely
blameless character of Eben S. Allen,
with the single exception of this
crime, & that he at once confessed.

I have known him
intimately a good many years
& I do not believe he has ever
wronged a human being of a
penny, excepting this crime.

0733

He has always been a man
of simple tastes, & correct habits.

He is to be brought before
you for sentence, & I earnestly
pray that his otherwise blameless
life will be allowed to weigh
in his favor & be the means
of bringing his sentence to the
minimum.

I am sir

Respectfully yours

David D. Allerton

Supt. Erie Grain Elevator

Jersey City
N. J.

0734

Personal.

Hon. H. A. Gilderslee
~~28 W. 48th St.~~
Old Court House City.
Chambers St.

0735

FIRST DISTRICT POLICE COURT.
CITY AND COUNTY } ss.
OF NEW YORK.

Recognizance to Testify.

BE IT REMEMBERED, That on the

Tenth day of *August* in the year of our Lord 18 *89*
Ferdinand W. Hoefe
of No. *306 East 41 Street* in the City of New York,
and *David D. Soal*
of No. *151 Avenue B* in the said City,
personally came before the undersigned, one of the Police Justices in and for the City of New York, and acknowledged themselves to owe to the PEOPLE OF THE STATE OF NEW YORK, that is to say; the said

Ferdinand W. Hoefe
the sum of *Five Thousand* Hundred Dollars;
and the said *David D. Soal*
the sum of *Five Thousand* Hundred Dollars,
separately, of good and lawful money of the State of New York, to be levied and made of their respective goods and chattels, lands and tenements, to the use of said People, if default shall be made in the condition following, viz:

The Condition of this Recognizance is such, That if the person, first above recognized, shall personally appear, at the next COURT OF *General* SESSIONS of the Peace, to be holden in and for the City and County of New York, and then and there Testify and give such evidence, in behalf of the people of the State of New York, as he may know, concerning an OFFENCE or MISDEMEANOR, said to have been lately committed in the City of New York aforesaid by

Eben S. Allen

And do not Depart thence, without leave of the Court, then this Recognizance to be void, otherwise to remain in full force and virtue.

Taken and acknowledged before me, the }
day and year first above written.

Ferdinand W. Hoefe
David D. Soal
E. S. Allen
Police Justice

0736

CITY AND COUNTY
OF NEW YORK, } ss.

the within-named David being duly sworn, says, that he is a holder in
said City, and is worth Ten Thousand Hundred Dollars,

over and above the amount of all his debts and liabilities; and that his property consists of

House and lot of land known as No.
13-1 Avenue B. and valued at Twenty-
five Thousand Dollars free from all
incumbrances.

David D. Toal

New York

General Sessions.

THE PEOPLE, &c.,

George Green
Bowen, 442nd St.

Chas. J. Allen

RECOGNIZANCE TO TESTIFY

POLICE JUSTICE.

Filed

day of

18

0737

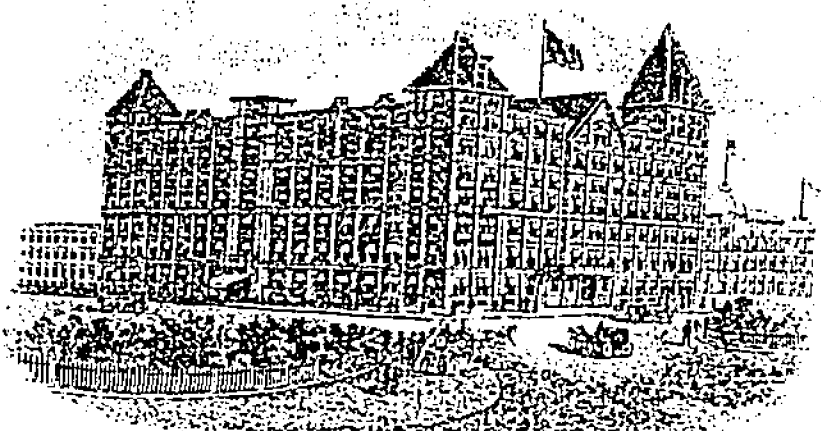
Case of
Eben A. Allen

0738

Over
Mr. W. H. Merritt.
668-1 St. Louis

0739

HUNTING & HAMMOND.



40th to 41st STS. PARK AVENUE.



Murray Hill Hotel

New York - July 17 1894

Hon. Jno R. Fellows,

Dear Sir-

This will intro-
-duce to you Mr. W. H. Meritt who
requests a favor at your hand,
and any courtesy extended him
will be appreciated by me.

Yours very truly
D. S. Hammond

My dear John
of consistent
do this thing at once
D. S. H.

0740

G. H. & F. L. CRAWFORD,
Attorneys & Counsellors at Law,
229 BROADWAY,
NEW YORK.

Allen

Hon. Henry A. Jildensleere

Addressed

GLUED PAGE

0741

Attorney,

229 Bk.

GILBERT H. CRAWFORD.
FRANK L. CRAWFORD.

NEW YORK,

Aug. 14 1889

Hon. Henry A. Eldersleeve.

Dear Sir.

At the risk of incurring your displeasure I venture to say a word respecting Mr. Allen, the unfortunate man who is to be sentenced for fraudulently issuing stock of his company on Friday next. Not personally acquainted with him, I do know some of his kinsmen and family connections, who are among the best citizens of New York, men of public spirit who have labored for the public good in various fields of usefulness without fee or reward. It is more for them than for him that I speak.

I will not extenuate the offence nor stoop to find excuses for the man, except to say that I believe that his conduct was irreproachable down to the moment when he uttered the first false certificate.

And it is not to be denied that the dignity of the law and the interests of the community require a serious sentence.

But the discretion which you have by statute is not an empty form of words; it was given to be exercised in appropriate cases. The law by permitting a latitude of punishment, requires magistrates to consider degrees of culpability. Suppose this were a second or a third offence - Suppose a professional criminal had uttered the stock - Suppose the prisoner had pleaded not guilty and a trial had followed - Suppose it were clear

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TELEPHONE CALL, 39th St. 457.

ALLERTON & CO.,
WHOLESALE AND RETAIL DEALERS IN

Coal and Wood,

646 FIRST AVENUE.

New York,

Aug 14 1889

Wm Henry A. Gildersleeve,
Dear Sir—

Permit me to speak a kind word for unfortunate Eben S. Allen, upon whom you are to pass sentence Friday next. I have known him his whole life, and until this great misfortune came to him, his life has been an exemplary one, of the highest morals, beloved, and honored by all who knew him, in his married life he had been to confiding, and to satisfy the demands of one who should have assisted him, but instead has wronged him. he has fallen, the law demands justice, yet I beseech of you, Show mercy to this unfortunate being—

Yours very truly

Wm H. Smith

0743

115 Broadway,

Aug. 15, 1889.

Hon. Henry A. Eldersleeve,
Judge.

Dear Sir:

Without the knowledge of Mr. Eustis or any one I write this letter. I beg you will pardon any mistake of judgment of my head - I make in writing it. My brother's fall has come upon me as if it were my own, so well did I know that he was the bone of honor and integrity in his every contact and dealing with everyone. With the railroad Company he served 20 years faithfully, unremittingly, with scrupulous honesty, with devotion to its interests until his fall. I was in and out a good deal at the Company's office and knew of his exceptionally faithful ^{and successful} work, year in and year out, on small salary, in the face of peculiar obstacles. Mr. Calhoun the Supt., who began when my brother did, told me he was sure that before he met F.W. Hoyle and yielded to the temptation that man brought upon him, there was no man in the

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world straighter, more honest, of stricter integrity.²

My brother is in the depths of sorrow over his wrongdoing and what he has done in the sight of God. He will make restitution, without reserve, to the utmost of his power and while life is given him, with all help that ~~we~~ can be given by strong friends and myself. His confession has been full and prompt, without thought of how much or what his punishment would be. He has no money anywhere. His wife and children are without any means of support. There is an equity for her in some most gaged property of perhaps two or three ^{thousand} dollars. That is all. Her father and mother are old ^{and poor}, ^{in Michigan}, or

Hopie has been the leech, grown enormously, who in ^{various} forms has drawn more and more from my brother and he him on (oh, so blind!) to ruin.

I find now that my brother has had a great weakness of nature, in a form, such as showed in a sister long dead and must come from birth, ^{and} which is not in me. The love for his wife, ~~which~~ ungoverned, developed this weakness to be a terrible thing, ready to plunge him, blind to its awful growth, into destruction.

My brother says no word against his just punishment: accepts without a murmur his imprisonment for the crime.

I try to put myself in your place. What should I, a just and merciful judge do? O, Sir;

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I believe that God does ^{not} separate —
 and that the judges of the law (who are
 his ~~separate~~ agents) are not compelled to
 separate — justice and mercy. And
 the wide range of discretion in the
 infliction of penalty, is it not, that
 a just and merciful judge may look
 at all the facts and circumstances and
 the character of the man on whom judg-
 ment is pronounced? May not a certain
 crime which has a certain class and dis-
 ignation in the law, be a far different thing
 in one man ~~than~~ from what it is in another,
 and do not the community recognize that truth?
 And is it not felt ~~that~~, when the imprisonment
 is a fact, sure and prompt, that in one case, and for
 all men of that class, a shorter term of imprisonment, may
 be as effectual and as deterrent, as a longer term in
 another case, and for another class of men?
 I forgive my saying so much. I write
 in a dull agony of loss and misery. If in punishing
 my brother there can be a thought of giving him a
 chance to make restitution to all whom he has wronged,
 I ask it for his aged mother (to whose family

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no stain of dishonor has ever before come^d, for
his young daughter, and his wife, (whom re-
pentant may God forgive for anything she has done
towards her husband's fall, and for myself
his only brother, and for him.

Whatever your judgment be, I be-
lieve that you will do what as you
see it is right before God the Judge
of us all.

Please pardon me wherein
I erred it and let not any mistake of mine
do undeserved harm to my ~~dear~~ ^{poor} brother.
I am obediently and truly
Your suppliant
Elmer A. Allen.

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G. H. & F. L. CRAWFORD,
Attorneys & Counsellors at Law,
220 BROADWAY.

GILBERT H. CRAWFORD.
FRANK L. CRAWFORD.

NEW YORK,

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that Allen never had an idea of restitution. Perhaps these illustrations are not altogether happy. I anticipate what you may say in answer, but the point is, that more aggravated cases than Mr. Allen's may occur, in which the punishment should exceed that inflicted on him.

Should not a well marked distinction be drawn between such cases and his?

Or, if this be not an instance deserving a substantial exercise of discretion when will one occur?

Some may urge, that the personal suffering of the criminal should be increased by prolonging his imprisonment.

When this man enters the prison gate and puts on the degrading dress of a felon his humiliation will be complete. One year, one month, one week of his changed existence will agonize him more than a lifetime of prison life will prey upon the soul of a hardened professional. Add to this the vicarious suffering of his wife, children, kinsmen and friends, and the sum total will vindicate the law, even if your clemency goes the full length of your power.

These arguments must be familiar to a Magistrate of your eminence and experience, but familiar tho' they be, they can never become wholly commonplace, any more than the world will ever tire of Portia's famous lines in which she entreated mercy for Antonio.

Pardon me my dear Sir for presuming on our old acquaintance to the extent of this letter. I know how you must feel and I would not be in your difficult position for the world. I am satisfied that what you do will be just and merciful. It is almost needless to add that my motives in writing as above are motives of friendship. Respectfully yours, G. H. Crawford

0748

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Eben S. Allen

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

Eben S. Allen of a Felony

of the crime of

committed as follows:

The said

Eben S. Allen,

late of the City of New York, in the County of New York, aforesaid, on the
Second day of October in the year of our Lord one thousand
eight hundred and eighty-four, at the City and County aforesaid,

being an officer of the Forty Second
Street and Grand Street Ferry Rail Road
Company, a corporation duly formed
and existing under the laws of
this State, feloniously did wilfully
and knowingly, with intent to defraud,
issue, and sign and execute
with intent to issue, a certain
certificate and instrument purporting
to be a certificate and evidence of the
ownership of certain shares of the
said corporation, to wit: of Fifty

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shares of the capital stock of
the said corporation, which said
certificate and instrument is as
follows, that is to say:

Capital Stock \$750,000.
Shares \$100 Each.

^{No # 9984}
The
Forty Second Street & Grand St. Ferry Rail Road Company
City of New York

This is to Certify that
J. W. Hofele is entitled to Fifty
Shares of One Hundred Dollars
each in the capital stock of the
Forty Second Street and Grand Street Ferry
Rail Road Company, transferable
only on the books of the Company by
him or his Attorney: upon surrender
of this Certificate to be cancelled and
endorsed with the name of the party
to whom a new Certificate is to be
issued for said stock or any part
thereof, and accompanied with a
declaration of sale or transfer setting
forth the number of shares transferred,
and the person to whom and the time
when the same are so transferred. No
Certificate shall bind this Company, unless
the same be signed by their President and
countersigned by their Treasurer and

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Transfer Agent.

In Witness Whereof, the said Company have caused this Certificate to be signed by their President, and to be countersigned by their Treasurer and Transfer Agent, and sealed with their corporate seal this second day of October One thousand eight hundred and eighty four.

(read) Eben S. Allen
Chas. Curtiss, President Eben S. Allen, Treasurer
Transfer Agent

without being first thereto duly authorized by the said corporation, 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.

0751

Second COUNT.

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

Eben S. Allen
of the CRIME of Forgery in the first degree

committed as follows:

The said

Eben S. Allen

late of the City and County aforesaid, afterwards to wit: On the day and in the year aforesaid,
at the City and County aforesaid, with force and arms,
did feloniously forge a certain certificate of stock, purporting
to be issued by the Forty-second Street & Grand Street Ferry Rail Road
Company, a body corporate existing under the laws of this State, and to
declare the right and title of one F. W. Hofele in a portion of the capital
stock of the said body corporate, which said forged certificate is as follows:

Capital Stock \$75,000.
Shares of 100 Each.

No # 998 #
Forty Second St. & Grand St. Ferry Rail Road Company,
City of New York.

50th Shares
This is to Certify that
F. W. Hofele is entitled to Fifty Shares
of One Hundred Dollars each in the
Capital stock of the Forty Second Street

0752

and Grand Street Ferry Rail Road Company, transferable only on the Books of the Company by him or his Attorney upon surrender of this Certificate to be cancelled and endorsed with the name of the party to whom a new Certificate is to be issued for said stock or any part thereof and accompanied with a declaration of sale or transfer setting forth the number of shares transferred, and the person to whom ^{and} the time when the same are so transferred. No Certificate shall bind this Company unless the same be signed by their President and Countersigned by their Treasurer and Transfer Agent.

In Witness whereof, the said Company have caused this Certificate to be signed by their President and to be countersigned by their Treasurer and Transfer Agent, and sealed with their corporate seal this second day of October, One thousand eight hundred and eighty four

(seal)
Chas. Curtiss
President.

Eben S. Allen
Treasurer
Eben S. Allen
Transfer Agent,

with intent to defraud: against
the form of the Statute in
such case made and provided,

0753

and against the Peace of the
People of the State of New
York and their dignity
John R. Bellows,
District Attorney.

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BOX:

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FOLDER:

3398

DESCRIPTION:

Anderson, James

DATE:

08/07/89



3398

Witnesses:

James H. ...

Counsel,

Filed

Pleads,

7 day of Aug 1889
Mr. G. ...

THE PEOPLE

14. 1889

James Anderson

Grand Larceny, second degree.
Sections 528, 531, Penal Code.

JOHN R. FELLOWS,

District Attorney.

Aug 13/89
 tried & convicted. R.

A True Bill

Alfred ...

Foreman.

27 years.

0755

0756

Police Court

District.

Affidavit—Larceny.

City and County } ss.:
of New York,

27

Louis Graner

of No. 477 Broadway Street, aged 51 years,
 occupation Cloak manufacturer being duly sworn
 deposes and says, that on the 24th day of July 1889 at the City of New
 York, in the County of New York, was feloniously taken, stolen and carried away from the possession
 of deponent, in the day time, the following property, viz:

Eleven ladies cloth jackets
 together of the value of eighty
 five dollars

(\$85.00)

the property of

Depnent and his copartners
 doing business under the firm name
 Louis Graner & Co. at the above
 address.

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,
 and carried away by James Anderson

(now here) from the fact that
 Depnent is informed by Jennie
 Ehringweig, an errand girl employed
 by said firm that she the said
 Jennie saw the said defendant
 feloniously take steal and
 carry away said property from
 a counter in the store at of said
 firm at the above address.

Wherefore deponent prays the said
 defendant may be held and dealt
 with according to law.

Louis Graner

Sworn to before me, this
 24th day
 1889

Police Justice.

0757

CITY AND COUNTY {
OF NEW YORK, } ss.

aged 16 years, occupation Errand girl of No. 477 Broadway Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Louis Gramer and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 24 day of July 1889

Jennie Ehringweig

John J. [Signature]
Police Justice.

0758

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, } ss.

District Police Court

James Anderson

being duly examined before the under-
signed 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.

James Anderson

Question. How old are you?

Answer.

19 years old

Question. Where were you born?

Answer.

New York

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

Answer.

224 Broome St.

Question. What is your business or profession?

Answer.

Printer

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

Answer.

I am not guilty

James Anderson

Taken before me this

day of *Aug* 188*9*

John J. McNamee
Police Justice.

0759

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.....

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

Dated *July 24* 188 *9* *John J. ...* 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.

0760

Police Court---

2⁷⁰⁸⁰ District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Louis Franzen
477 Broadway
James Anderson

Office
Lancaster

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated July 24 1889

John A. Goodman Magistrate.

James Anderson Officer.

Precinct.

Witnesses Jennie Churzy

No. 479 Broadway Street.

Charles Heileman

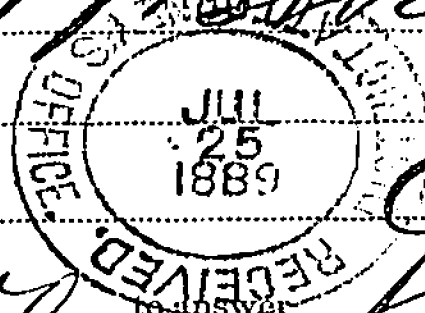
No. 479 Broadway Street.

No. Street.

No. Street.

\$ 500 to answer

Call



0761

VI.

STATE OF NEW YORK.
Executive Chamber,
ALBANY.

July 30, 1890.

Sir:

Application for Executive clemency having been made on behalf
of James Anderson who was convicted of Grand Larceny
in the county of New York and sentenced Aug. 16, 1889,
to imprisonment in the Sing Sing Prison for the term of
four years.

I am directed by the Governor
respectfully to request that, in pursuance of Section 695 of the Code
of Criminal Procedure, you will forward to him a concise statement
of the facts of the case, together with your opinion of the merits
of the application.

Copy of

A part of Anderson's application is inclosed.

It is particularly requested that each letter of inquiry from
the Executive Chamber should be separately answered.

Very respectfully yours,

J. S. Williams.

Private Secretary.

Hon. John R. Fellows,

New York City.

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Ans. Sept. 27/90

~~Excluded~~

Aug 18/90

0763

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

James Anderson

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

James Anderson

of the CRIME OF GRAND LARCENY IN THE *second* DEGREE, committed as follows:

The said

James Anderson

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

eleven jackets, of the value of eight dollars each

of the goods, chattels and personal property of one

Louis Graner

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 R. Bellows,
District Attorney.

0764

BOX:

361

FOLDER:

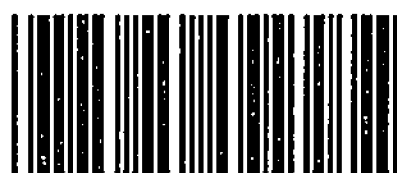
3398

DESCRIPTION:

Applebaum, Louis

DATE:

08/16/89



3398

Witnesses:

J. Silverman

M. Rosenfeld

210

Counsel,

Filed

Pleads,

16 day of Aug 1889
At Guelly

THE PEOPLE

vs.
1910
1911
1912

Louis Applebaum

Grand Larceny - Second degree.
[Sections 528, 537, Penal Code].

JOHN R. FELLOWS,

72 Sep 5. 1889 District Attorney.

Indict + charged.

510 2 1/2 yrs.

A True Bill

Alfred J. ...

Foreman.

Sept 5. 1889
J. R. ...

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Police Court—1st District.

Affidavit—Larceny.

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

Isaac Silverman
of No. 77 Ludlow Street, aged 32 years,
occupation Manufacturer of Clothing being duly sworn
deposes and says, that on the 6th day of March 1889 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent, in the day time, the following property, viz:

Good and lawful money of the
United States, consisting of five
seventy dollar bills, in all of
the value of One hundred
dollars

the property of deponent

and that this deponent
has a probable cause to suspect and does suspect, that the said property was feloniously taken, stolen,
and carried away by Louis Applebaum,

nowhere, from the fact that
said deponent was then in
deponent's employment. That
deponent then gave him the
money aforesaid with directions
to get the same changed into
coins of smaller denomination
that said deponent left the
shop of deponent at 127 Elm
Street with said property in his
possession and did not there-
after return, but did retain
withheld and appropriate said
money to his own use. Isaac Silverman

Sworn to before me, this

12th

day

188

Police Justice.

0767

Sec. 198—200.

CITY AND COUNTY }
OF NEW YORK, } ss.

District Police Court.

Louis Applebaum 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. *Louis Applebaum*

Question. How old are you?

Answer. *19 years 2 ages*

Question. Where were you born?

Answer. *Russia Poland*

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

Answer. *I came here yesterday from Philadelphia.*

Question. What is your business or profession?

Answer. *Tailor*

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

Answer. *I am not guilty*

Louis ^{this} Applebaum
(Mark)

Taken before me this

19

day of August 1889

Police Justice.

[Signature]

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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.....

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

Dated *August 12* 188 *9* *[Signature]* Police Justice.

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

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

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

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

0769

Police Court--- 121201 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Jacob Silverman
277 Ludlow St
Lenox Applebaum

2 _____
3 _____
4 _____

Lancery
Offence
Lancery

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated *August 12* 188 *8*

Hagans Magistrate.

Crystal & Linton Officer.

6th Precinct.

Witnesses *Maurice* _____

Rosenfeld Street.

748 Broadway Street.

No. _____ Street.

No. _____ Street.

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

Connel



0770

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Louis Applebaum

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

Louis Applebaum

of the CRIME OF GRAND LARCENY IN THE *second* DEGREE, committed as follows:

The said

Louis Applebaum

late of the City of New York, in the County of New York aforesaid, on the *sixth* day of *March* in the year of our Lord one thousand eight hundred and eighty-*nine*, at the City and County aforesaid, with force and arms,

five United States Treasury notes of the denomination and value of twenty dollars each, five bank notes of the denomination and value of twenty dollars each, five United States Silver Certificates of the denomination and value of twenty dollars each, and five United States Gold certificates of the denomination and value of twenty dollars each.

of the goods, chattels and personal property of one

Jacob Silverman

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 R. Fellows,
District Attorney.