

0804

BOX:

436

FOLDER:

4023

DESCRIPTION:

Conklin, Philip

DATE:

05/05/91



4023

POOR QUALITY
ORIGINAL

0005

Witnesses:

Anthony Comstock

Counsel,

Filed

5 day of May 1891

Pleads

Not guilty

THE PEOPLE

vs. *B*

Philip Cooklin

POLICY

[§ 844, Penal Code].

JOHN R. FELLOWS,

District Attorney.

A TRUE BILL.

W. S. Shidmore

Foreman.

Sentenced on another

Indictment Dec 8/91

Anthony Comstock

agent

John R Phipps ^{alias Suppe}

Phipps Comstock

George Brown

Filed with
Hil.

Library Law

Before Hon

Charles J. Tanitor

(Public Justice)

May 1st 1891

John R. Callard being duly sworn
deposes and says:

Exhibit A

Where do you reside?

109 Powell Street Brooklyn

What is your business?

Wholesale business

By Mr. Comstock

Where did you obtain this paper
(showing witness and the circumstances
at the premises 151 Ridge Street
1st floor the 3rd of last month
I entered the premises, in the back
room and saw Mr. Comstock there
and spent 35 cents there. He was
sitting at the desk, and the clock

2

book was all the well. I asked
for for the 2 following gigs 1940.
111. 204. 25 cents 25 29 74. for 10 cents
He charged me 35 cents but I gave it him
of all you see him record it?

Answer

If in what?
Via manifest book.

If there you ever been there on other
dates?

Answer

If will you state what occurred there
on previous occasions?

McLoman

alleged to it has no
connection with the complaint
under examination?

By the Court Admitted

McLoman Exception

A. I have been there on 3 different
occasions and twice I played
poker

If have you these papers?
Answer you have them.

Q Go on?

A On the morning of April 17th I paid 50 cents to the same gentleman Mr. Cabanau same objection. By the Court Admitted Exception. Q Will you state what that paper is (showing witness)?

A It is known as a policy paper butting policy paper, Guy's Capital Saddle. Q Will you state what you saw in that place, and if you saw either of the other defendants at any time in that place and what they were doing?

Mr. Cabanau (Objected to - By the Court Admitted Exception) A I entered the building on the 17th of April. I bought that paper for 50 cents (showing) and on the 16th of April I also bought a paper from the gentleman I entered the front room on the 16th, and saw this gentleman Mr. Phelps I saw him in the front room

4

registering policy plays for men
and women ^Q I saw the Louisiana
Sawney list on the door, and I went
there on the 24th of April and saw
the same gentleman registering
boats in the front room
Q Did you see anything on boards
upon the walls?

A Yes sir

Objected to by Mr. Conner.
By the Court Admitted Exception
Q Did you see anything upon the
boards?

A No sir, I never saw it on the 16th
Mr. Conner I object to anything
he saw on the 16th

Q Did you on the 16th see the depen-
dant Phelps seeing what is
commonly called Sawney policy
Mr. Conner I object to it

By the Court Admitted Exception
A Yes sir

Q Did you see him have the manifest
book? ^Q And did you see him write

and record these policies

Mr Coman This is all under
my objection

By the Court answer it, Exceptum
Ayes Sir

By the Court

Q That was on the 16th & also on
the 24th? Does that answer apply
to both of those questions?

A Yes Sir

Q As Examined by Mr Coman

Q Give me the numbers that he raised
on the 16th after he manifested the
evidence that you saw Philip's record
on the 16th?

A That is impossible

Q Give me the numbers that you saw
him record on the 24th?

A I cannot do that.

Q Will you swear that they were 666
A Yes Sir

Q Why?

A Because I know they are known
as latter policies

6

What were the numbers?

A I cannot swear to it

And yet you are willing to swear
they are latter policy?

A Yes Sir

If you are positive you cannot tell us
what numbers he recorded?

A No Sir

If I give me one figure that he made
an the manufactured?

A I cannot do it

If in either case?

A No Sir

JH

7.

Anthony Tomstock being duly
sworn deposes and says

I am chief Special agent of the
New York Society for the Suppression
of Vice, my office is 441 Park
Row New York City

On the 24th of April I went with
Roundman and Pumphell to 129
Ridge Street and as we went up
the stairs George Brown this
defendant was standing outside
and as he saw us coming up the
steps, he turned his face towards
us, and went in and slammed
the door in our face, the roundman
said him to be an officer and
he took the key out of his pocket and
unlocked the door, and afterwards
in the presence of the defendant
Phipps, he said he was employed by
Mr Phipps, and that he was employed
to guard the door, and I asked him
how long he was there, and the door
was held for the afternoon, and

8

1

I said you were employed across the way this morning, and he made no reply.

By McCowan

It was he informed that he was under arrest, and any statements that he made, might be used against him. A I didn't hear it.

If you didn't so inform him?

A I did not

McCowan Subject to that statement

By the Court Admitted Exception

Q In the rear room, or on the second floor we found the defendant Franklin, he was brought down stairs, and in the rear room on the desk in the left hand corner furthest away from the door we entered was a desk with a manifold book upon it. It is here I believe, In the back room on the table was this manifold showing I asked Mr Callard if he had made a play there and

9

he said he had, and I asked him
if he had and he pointed to Turklin
and he said he paid him 35 cents
I then opened and examined the
manifested book, and he said
you will find it at the bottom, ^{and}
I did it was made with the
same stroke as the gate pen
It is a duplicate of the page and
back as original.

McComan This is all taken
subject to my objection. Exception
we found in the place also in the
back room the giving a number
of printed slips, and the slip
for the morning of the drawing
we found a blackboard upon
the wall, and in the front room
and one in the back room, and
the numbers that appeared here
also appeared on the blackboard
they are the numbers for the
drawing in the morning
McComan. This is subject to my objection

10

we went in the front room where
the defendant Phillips was and
on the door in the far corner nearest
to the street and furthest from
the door was the manifested book
which I knew here. for the afternoon
of the 24th of April, there were
also in the door a bunch of keys.
which the defendant took possession
of, the drawer was partly open
and in that drawer was the
manifested. I took the manifested
out with a package of other sheets
that were here, and found the key
for the morning which is attached
to the other complaint against
Mr Coulter, Mr Coulter told
me he had removed from across
the way because the landlord
objected to them, The defendant
Phillips had no call or on or coach
on, he took the keys from the door
where these manifested sheets were
and then went to a closet and

11

opened a door, and took off his
vest and hung it up, and put
on another vest, and took a
collar and tie ^{and} put it on, and
took a coat and vest from the
closet and put them on.

Mr. Corman This affidavit is
all taken subject to my objection
I also found this package of slips
or printed numbers, a dream
book the manifested book and
the agate pencil ^{and} the
Cup Examination

If you see anybody else in the
room but the 2 defendants?
Also a number of people, but
this man was in his shirt sleeves
If he is in the room when you
come in?

A Nashi became out of the back
room,

If you found him in the yard didn't
you?

A Found him in the back porch.

14

Q If you didn't see him when you went
in the premises?

A When I first went in?

Q Yes.

A Yes because and in the back room

Q If you saw him committing no offense
there?

A No sir

Q And he was arrested without a
warrant?

A Yes sir

Q Without seeing him engaged in violation
of the law?

A He was keeping that room

Q If you saw him doing no physical
act?

A I saw him doing certain physical
acts of proprietorship in the place
I saw him take the keys from the
drawer and put them in his pocket
and lock it and I found there in
that drawer a quantity of marijuana
also that we here I saw him
identified by Mr Brown as his

13

employer, being employed there
in that place. I also saw him take
a collar and tie, and coat and
vest from the closet and put them
on. Ed also was also identified in the
premises by Mr. Coulter as the
proprietor of the place. Ed made
no denial.

Q. You saw him there. Ed also asked
people?

A. Yes sir.

Q. And he was arrested without a
warrant?

A. Yes sir.

Q. By your instructions
he allowed upon the officer to arrest
him as the proprietor of the place.

Q. You assumed that responsibility
without a warrant?

A. Yes sir.

[Signature]

14

James Campbell being called as
a witness on the part of the people
being duly sworn depose & say:

By Mr. Conner

Q What is your business?

A I am an alias affixer attached to
the 7th District Police Court Squad
Q On the 25th of April did you see
a warrant for the arrest of Philip
Conner & Brown for violation of
the lottery law?

A Had a warrant for John Doe
Q And did you arrest John Doe?
A Conner was pointed out to me
as being John Doe?

Q By whom?

A Mr. Tallard

By Mr. Conner

Q Did you see any warrant for the
arrest of Philip in this place?

A No sir

Q Or George Brown?

A No sir

Q Did you meet these parties?

15
A Idai

Gaihy

Q As I entered the house 21. Ridge Street

Mr Brown was in the shop and
as I went up Mr Brown closed the
door and I said I am an officer and
I want you to open the door, and he
hesitated and finally he took a
key out of his pocket and opened
it, and I took him in the room

Q Now never mind all that, what
did you see Phelps do if anything
was he in the room when you were
in?

A When I entered the front room Phelps
was not there, he was subsequently
brought in from one of the outer
rooms by Mr Comstock and Mr
Comstock said this is the prisoner
and placed him under arrest

Q Without a warrant?

A Yes sir

Q If you saw Phelps do nothing?

A No sir

16

Q Will you swear he was in the premises
when you entered?

A That I cannot swear.

Q Will you swear he was not in the
yard when you entered?

A I don't know.

Q Did you see him in the yard?

A I did not. I did not go in the yard
myself.

Q And you are told him upon the State
ment of Comstock that he was the
proprietor?

A Yes sir.


Q And without a warrant?

A Yes sir.

Q And you saw him commit no
acts in violation of the law?

A Yes sir I saw him commit no
acts.

Peoples Case


M. L. Canham. I now move to
dismiss the complaint and
ask for the discharge of the defen

POOR QUALITY
ORIGINAL

0822

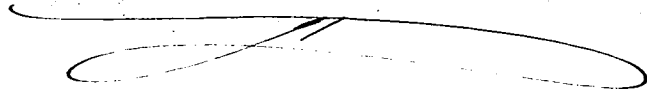
17
doubt

Pythe Trust Motion Denied
McComan Motion

Pythe Trust I will hear the
reference.

McComan I want further
examinations

Defendants held to bail in sum
of \$1000 each for G.S.



POOR QUALITY
ORIGINAL

0823

577

Anthony Constantine

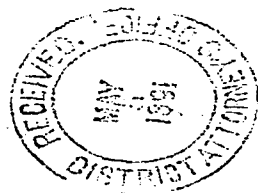
vs
John A. Phelps

Philip Conklin

George Brown

v.

Wm. L. Lacy



POOR QUALITY
ORIGINAL

0824

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

Anthony Santock being duly sworn, deposes
and says, that Phillip Conklin
here present, is the one known as John Doe
in annexed complaint dated Apr. 24/91

Subscribed and sworn to before me, this

25th day to April 1891

Charles H. Linton

Anthony Santock

Police Justice.

Suppression of Vice, that he has just cause to believe, is informed and verily does

POOR QUALITY
ORIGINAL

0825

Y OF New York } ss.
IRK.

12243
61951
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142644
122044
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Ames

York City, being duly sworn deposes and says, he is more than
ployed as Chief agent of the New York Society for the
Suppression of Vice, that he has just cause to believe, is informed and verily does
believe, that John Doe

whose real name is unknown, but who can be identified by J. R. Collard
did, at the city of _____ County
of _____ and State of New York, on or about the 24th day of April 1891,
unlawfully use a room, table, establishment or apparatus for gambling purposes—and
did engage ~~as a dealer or game keeper~~ in a gambling or banking game, where money or
property was dependent upon the result—and did sell, or offer to sell what is com-
monly called a "lottery policy," and a certain writing, paper, or insurance, upon the drawing
or drawn numbers of a certain lottery, hereto annexed, and did indorse and use a book or
other document for the purpose of enabling others to sell or offer to sell lottery policies,
writings, papers or documents in the nature of a bet, wager or insurance, upon the drawing
or drawn numbers of a lottery, against the form of the statute of the State of New York
in such case made and provided.

Deponent further says, he has just ~~cause~~ ^{cause} to believe, is informed and verily does
believe from ~~personal observation and from statements made by~~ J. R. Collard

that the said John Doe -
aforesaid, now have in his possession, at in and upon
certain premises occupied by him and situate and known as Number 120
Ridge street
in the city of _____ and within
the County and State aforesaid, for the purpose of using the same as a means to commit a

POOR QUALITY
ORIGINAL

0826

Y OF New York } ss.
ORK.Anthony Countach

York City, being duly sworn deposes and says, he is more than
 ployed as Chief agent of the New York Society for the
 Suppression of Vice, that he has just cause to believe, is informed and verily does
 believe, that John Doe

whose real name is unknown, but who can be identified by J. R. Collard
 did, at the City of County
of and State of New York, on or about the 24th day of April 1891.
 unlawfully use a room, table, establishment or apparatus for gambling purposes—and
 did engage ~~as a dealer or game keeper~~ in a gambling or banking game, where money or
 property was dependent upon the result—and did sell, or offer to sell what is com-
 monly called a "lottery policy," and a certain writing, paper, or insurance, upon the drawing
 or drawn numbers of a certain lottery, hereto annexed, and did indorse and use a book or
 other document for the purpose of enabling others to sell or offer to sell lottery policies,
 writings, papers or documents in the nature of a bet, wager or insurance, upon the drawing
 or drawn numbers of a lottery, against the form of the statute of the State of New York
 in such case made and provided.

Deponent further says, he has just ~~cause~~ ^{cause} to believe, is informed and verily does
 believe from ~~personal observation and from statements made by~~ J. R. Collard

that the said John Doe

aforsaid, now have in his possession, at in and upon
 certain premises occupied by him and situate and known as Number 120
Ridge street
in the City of New York and within
 the County and State aforesaid, for the purpose of using the same as a means to commit a

April 24
Pratt 20th
Pratt
J. R. C.

POOR QUALITY
ORIGINAL

0827

Y OF New York } ss.
ORK.

Anthony Comstock

York City, being duly sworn deposes and says, he is more than
ployed as Chief agent of the New York Society for the

Suppression of Vice, that he has just cause to believe, is informed and verily does
believe, that John Doe

whose real name is unknown, but who can be identified by J. R. Colford
did, at the City of _____ County

of _____ and State of New York, on or about the 24th day of April 1891.

unlawfully use a room, table, establishment or apparatus for gambling purposes—and
did engage ~~as a dealer or game keeper~~ in a gambling or banking game, where money or
property was dependent upon the result—and did sell, or offer to sell what is com-
monly called a "lottery policy," and a certain writing, paper, or insurance, upon the drawing
or drawn numbers of a certain lottery, hereto annexed, and did indorse and use a book or
other document for the purpose of enabling others to sell or offer to sell lottery policies,
writings, papers or documents in the nature of a bet, wager or insurance, upon the drawing
or drawn numbers of a lottery, against the form of the statute of the State of New York
in such case made and provided.

Deponent further says, he has just ~~cause~~ ^{cause} to believe, is informed and verily does
believe from ~~personal observation and from~~ statements made by J. R. Colford

that the said John Doe to deponent

_____ aforesaid, now have in his possession, at in and upon
certain premises occupied by him and situate and known as Number 120

Ridge street
in the City of New York and within
the County and State aforesaid, for the purpose of using the same as a means to commit a

April 24
May 20
May 20

POOR QUALITY
ORIGINAL

0020

public offense, divers and sundry device, apparatus, tables, establishment and paraphernalia layouts, chips, deal boxes, cards, lottery tickets, lottery policies, writings, papers, books and documents for gambling purposes, in violation of the Provisions of Chapter IX of the Penal Code of the State of New York, wherefore deponent prays that warrants may be issued for the arrest of the persons named aforesaid, and to search for, seize and take possession of all of said unlawful matter, and that all be dealt with according to law.

Subscribed and sworn to before me this

24th day of April 1891.

Charles H. Hinton

Police Justice.

Anthony Bountock

CITY OF New York AND COUNTY OF New York ss.

John R. Colard of 41 Park Row

being further sworn deposes and says that on the 24th day of April 1891,

deponent visited the said premises, named aforesaid, and there saw the said

John Doe, aforesaid, and

had dealings and conversation with him as follows:

Deponent asked said John Doe for certain numbers naming them, whereupon the said John Doe, did write paper hereto annexed as aforesaid.

Deponent paid the said JOHN DOE the sum of thirty-five cents for the said paper, annexed as aforesaid, and what is commonly called a "Lottery Policy", and the said JOHN DOE did record the same upon a paper, or book, kept and used by him for that purpose in Deponent's presence.

Deponent further says, that he there saw divers apparatus, paraphernalia, a blackboard, papers and books kept and used in said premises by the said JOHN DOE for Gambling purposes, and for the purpose of selling what is commonly called "Lottery Policies."

POOR QUALITY
ORIGINAL

0829

Subscribed, and sworn to before me :
this 24th day of April 1891.

John R. Colborn

Charles N. Linton

Police Justice.

POOR QUALITY
ORIGINAL

0830

Subscribed and sworn to before me this }
_____ day of _____ 188____. }

Police Justice.

THE PEOPLE

ON COMPLAINT OF

Anthony Cornstock et al.

AGAINST

John Doe

*Violation Sec. 344, P. C.
Gambling and Policy.*

Affidavit of Complaint.

WITNESSES:

*Anthony Cornstock
John A. Colford.*

POOR QUALITY
ORIGINAL

0831

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

I am not guilty.
Philip Conklin

Taken before me this
day of *March* 1935
Charles Hamilton
Police Justice.

POOR QUALITY
ORIGINAL

0832

Sec. 151.

CITY OF New York COUNTY OF New York } ss.
AND STATE OF NEW YORK.

Police Court, 1st District.

In the name of the People of the State of New York: To the Sheriff, or any Deputy Sheriff or Peace Officer of the County of New York, or to any Marshal, Constable or Policeman of the City of New York. GREETING:

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by Auctioneers Court & John R. Colloid of No. 48 Park Row Street, charging that on the 24th day of April 1891 at the City of New York, in the County of New York, that the crime of selling what is commonly called a lottery policy

has been committed, and accusing John Doe, whose real name is John R. Colloid thereof. be identified by John R. Colloid

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

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

Dated at the City of New York, this 24th day of April 1891
Charles H. Hester POLICE JUSTICE.

POLICE COURT, 1st DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John R. Colloid

vs.

John Doe

Warrant-General.

Dated Apr 24th 1891

Magistrate.

Officer.

John R. Colloid and
The Defendant Philip Conklin
taken, and brought before the Magistrate, to answer
the within charge, pursuant to the command con-
tained in this Warrant.

James R. Campbell
Officer.

Dated April 25th 1891

This Warrant may be executed on Sunday or at
night.

Police Justice.

REMARKS.

John R. Colloid

Time of Arrest, 4th Apr 24th 1891
John R. Colloid 47 in

Native of N. Y.

Clerk

Age 47

Sex Male

141 W 4th St

Complexion Dark

Philip Conklin

Color W

Profession W. J.

Clerk

Married

170 Chambers

Single

Read

Write

POOR QUALITY
ORIGINAL

0833

City and County of New York, ss:

In the name of the People of the State of New York:

To any Peace Officer in the City and County of New York:

Proof by affidavit having been this day made before me, by Anthony Bourne of 41 Park Row Street, New York City, that there is probable cause for believing that John Doe, whose real name is unknown, but who can be fully identified by John R. Colford

has in his possession, at, in and upon certain premises occupied by him and situated and known number 120 Ridge street in said City of New York certain and divers device, establishment, apparatus and articles suitable for gambling purposes, lottery policies, lottery tickets, circulars, writings, papers and documents in the nature of a bet, wager or insurance upon the drawing or drawn numbers of a lottery, books and other documents for the purpose of enabling others to sell lottery policies and other writings, papers and documents, blackboards and gaming tables, with intent to use the same as a means to commit a public offense.

YOU ARE THEREFORE COMMANDED, at any time of the day or night time to make immediate search on the person of the said John Doe and in the building situate and known as number 120 Ridge street aforesaid, for the following property, to wit: all ~~Faro layouts,~~ ~~Roulette Wheels and layouts,~~ ~~Rouge et Noir, or Red and Black layouts,~~ ~~gaming tables,~~ ~~chips,~~ ~~packs of cards,~~ ~~dice,~~ ~~deal boxes,~~ ~~lottery policies,~~ ~~lottery tickets,~~ ~~circulars,~~ ~~writings,~~ ~~papers,~~ ~~documents in the nature of bets and wagers, or insurance upon the drawings, or drawn numbers of a lottery,~~ ~~books~~ ~~documents for the purpose of enabling others to gamble or sell lottery policies,~~ ~~blackboards,~~ ~~slips or drawn numbers of a lottery,~~ ~~money to gamble with, and all device,~~ establishment, apparatus and articles suitable for gambling purposes.

And if you find the same, or any part thereof, to bring it forthwith before me at the First District Police Court at the Court in Centre street in the City of New York.

Dated at the City of New York, the

24th day of April 1891

Charles K. Luntz

POLICE JUSTICE.



POOR QUALITY
ORIGINAL

0834

Inventory of property taken by _____ the Peace Officer by whom this warrant was executed :
Faro layouts, Roulette Wheels, Roulette layouts, Rouge et Noir lay-
outs, gaming tables, chips, packs of cards, dice, deal
boxes, deal trays for holding chips, cue boxes, markers, or tally cards,
ivory balls, lottery policies, lottery tickets, circulars, writings,
papers, black boards, slips, or drawn numbers in policy, money,
manifold books, slates,

No property seized

City of New York and County of New York ss:

I James Campbell the Officer by whom this warrant was executed,
do swear that the above Inventory contains a true and detailed account of all the property taken by me in this warrant.

Sworn to before me, this 25
day of April 1889

James Campbell

Police Justice.

Police Court--- 12 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Search Warrant.

Anthony Bonavito et al.

vs.

John Doe

Dated Apr. 24th 1889

Justice.

Officer.

POOR QUALITY
ORIGINAL

0835

4/11/89
Chas. W. 1891. 10/11/89.
May 1. 1891. 10/11/89.

BAILED
No. 1, by *Wm. W. 1891.*
Residence *102 Stanton* Street.
No. 2, by _____
Residence _____ Street.
No. 3, by _____
Residence _____ Street.
No. 4, by _____
Residence _____ Street.

Police Court---
District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Anthony Lombardi
Judge Lombardi

Offence *Violating*
Law

Date *Apr 25* 1891

Santer Magistrate.
Campbell Officer.

Witnesses *Wm. de Colard*
Not 1 Paul Hen Street.

No. _____ Street.

No. *1100* Street.

Sealed
to Justice

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

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

Dated *May 7* 1891 *Charles W. 1891.* Police Justice.

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

Dated *May 7* 1891 *Charles W. 1891.* Police Justice.

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

Dated _____ 18 _____ Police Justice.

POOR QUALITY
ORIGINAL

0836

Sec. 568.

1st District Police Court.

UNDERTAKING TO ANSWER.

CITY AND COUNTY }
OF NEW YORK, } ss.

An order having been made on the 1st day of May 1891 by
Charles Hamilton Police Justice of the City of New York. That

Philip Conklin be held to answer upon a charge of
Violation of Lottery Law

upon which he has been duly admitted to bail in the sum of Two Hundred Dollars.

Philip Conklin Defendant No. 220

Charles Hamilton Street: Occupation Chief and

Madison Street of No. 212 Madison Street;

Occupation man Surety, hereby undertake jointly and severally

that the above-named Conklin shall appear and answer the charge above-

mentioned, in whatever Court it may be prosecuted; and shall at all times render h self amenable to the orders

and process of the Court; and if convicted, shall appear for judgment, and render h self in execution thereof

or if he fail to perform either of these conditions that we will pay to the People of the State of New York the sum

of Two Hundred Dollars.

Taken and acknowledged before me this 1st

day of May 1891
Charles Hamilton POLICE JUSTICE.

Philip Conklin

Margaret A. Murray

POOR QUALITY
ORIGINAL

0837

CITY AND COUNTY, ss.
OF NEW YORK,

William H. Hall
Police Justice

Sworn to before me this

the within-named Bail and Surety being duly sworn, says, that he is a resident and holder within the said County and State, and is worth

exclusive of property exempt from execution and over and above the amount of all his debts and liabilities,

and that his property consists of

Twenty Hundred Dollars,
plus lot of money to 136
Ridge Street valued at twenty
thousand Dollars free of all
incumbrance
Margaret Steeg

Undertaking to Answer.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Taken the day of 188

Judice.

Filed day of 188

POOR QUALITY
ORIGINAL

0838

Sec. 192.

District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before
of the City of New York, charging
the offence of

a Police Justice
Defendant with

and he' having been brought before said Justice for an examination of said charge, and it having been made
to appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and
the hearing thereof having been adjourned,

We,
and
Street, by occupation
of No.
Street, by occupation a
that the above named
shall personally appear before the said Justice, at the
during the said examination, or that we will pay to the People of the State of New York the sum of
Hundred Dollars.

Taken and acknowledged before me, this
day of

1891

POLICE JUSTICE.

Defendant of No. 220

Surety, hereby jointly and severally undertake
Defendant

District Police Court in the City of New York,

the sum of

Philip Conklin

Margaretta Conklin

Charles W. Winter

POOR QUALITY
ORIGINAL

0839

CITY AND COUNTY } ss.
NEW YORK, }

Sworn to before me this
19th day of Oct. 1891
William J. [unclear] Police Justice.

the within named Bail and Surety being duly sworn, says, that he is a resident and holder within the said County and State, and is worth Twenty Hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of House & Lot No. 124 Ridge Street value at \$2000

Thomas J. Collins for Fumigant
Marguerite J. [unclear]

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Underlying to appear during the Examination.

vs.

Taken the day of 18

Justice.

GLUED PAGE

POOR QUALITY
ORIGINAL

0840

0244
1240
25297810

POOR QUALITY
ORIGINAL

0841

CITY OF New York COUNTY OF New York } ss.
AND STATE OF NEW YORK.

Anthony J. Courtch
of 41 Park Row ~~150 Nassau~~ Street, New York City, being duly sworn deposes and says, he is more than 21 years of age, and is employed as chief agent of the New York Society for the Suppression of Vice, that he has just cause to believe, is informed and verily does believe, ~~and charges~~, that John R. Phillips otherwise known as John Kuffel, Phillip Conklin and George Brown, here present, whose real name unknown, but who can be identified by

did, at the city of County of and State of New York, on or about the 24th day of April 1891, unlawfully use a room, table, establishment or apparatus for gambling purposes—and did engage ~~as a dealer or game keeper~~ in a gambling or banking game, where money or property was dependent upon the result—and did sell, or offer to sell what is commonly called a "lottery policy," and a certain writing, paper, or insurance, upon the drawing or drawn numbers of a certain lottery, hereto annexed, and did indorse and use a book or other document for the purpose of enabling others to sell or offer to sell lottery policies, writings, papers or documents in the nature of a bet, wager or insurance, upon the drawing or drawn numbers of a lottery, against the form of the statute of the State of New York in such case made and provided.

Deponent further says, ~~he has just come to believe, is informed and verily does believe~~ from personal observation and from statements made by John R. Collard, George Brown, John R. Phillips and Phillip Conklin to deponent that the said John R. Phillips otherwise known as John Kuffel, Phillip Conklin, George Brown aforesaid, ~~do~~ have in their possession, at in and upon certain premises occupied by them and situate and known as number One Hundred and Twenty-one Ridge street in the city of New York and within the County and State aforesaid, for the purpose of using the same as a means to commit a

POOR QUALITY
ORIGINAL

0842

public offense, divers and sundry device, apparatus, tables, establishment and paraphernalia layouts, chips, ~~deal boxes~~, cards, lottery tickets, lottery policies, writings, papers, books and documents for gambling purposes, in violation of the Provisions of ^(Section 344 of) Chapter IX of the Penal Code of the State of New York, wherefore deponent prays that warrants may be issued for the arrest of the persons named aforesaid, and to search for, seize and take possession of all of said unlawful matter, and that all be dealt with according to law.

Subscribed and sworn to before me this }

25th day of April, 1891. }

Charles K. ...

Police Justice.

Anthony Bonstock

CITY OF New York AND COUNTY OF New York ss.

Anthony Bonstock

being further sworn deposes and says that on the 24th day of April 1891,

deponent visited the said premises, named aforesaid, and there saw the said John R. Phillips alias John Kuffel, Philip Conklin & George Brown aforesaid, and had dealings and conversation with them as follows:

Deponent saw George Brown standing upon the front stoop or at the entrance of the outer door of No. 121 Ridge street, and when deponent and Roundman Campbell ascended the steps to enter said premises the said Brown did shut the door which had a spring catch upon it & prevented deponent & the officer from entering. That afterwards upon the demand of the officer the said Brown, took a key out of his pocket and unlocked the door and allowed the officer and deponent to enter.

That upon entering said premises deponent saw Philip Conklin run up stairs while, John R. Phillips alias John Kuffel did run out into the back yard, along with several others. That upon entering said

POOR QUALITY
ORIGINAL

0843

premises out of which said Phillips and Conklin
had come, deponent found ^{in the} back room a desk and
upon it was a manifold book with lottery policies
recorded upon it, and deponent asked John R. Collard
"if he had made a play there this afternoon?" The
said Collard produced the paper annexed aforesaid
& said he just bought it of that man, pointing
to said Conklin and had paid him 35 cents
for the same, and that the said Conklin had
recorded it upon his manifold book. Deponent examined
the said manifold book and found said policy
recorded. The said Conklin was present and made
no denial. Deponent went into the front room, where
was also a desk, and there saw John R. Phillips also
John Kuffel aforesaid, and the said Phillips was
pointed out and identified by said Collard as
the proprietor of said place, and that he had seen
him, write record and sell what are commonly
called lottery policies, and upon the said desk was
another manifold book with what are commonly called
lottery policies recorded upon it, a blackboard and
slate were hanging upon the wall of said room.
The said manifold sheets were for the afternoon.
In said desk, where said Collard identified said
Phillips as occupying when he was seen selling what
are commonly called lottery policies, was found
the manifold sheets for the morning upon which
was found the records of a policy ^{or policy} which deponent
had purchased in the morning in a room across
the street at number 120 Ridge street, of said Conklin.

POOR QUALITY
ORIGINAL

0844

The said Phillips was in his shirt sleeves. In a drawer in the said desk, were a number of sheets of manifold with policies recorded upon them, and also a bunch of keys which the said Phillips claimed and took possession of.

There was a vest and collar and white tie hanging up behind the desk, which said Phillips put on him and took the keys from his pocket, unlocked a closet in said room, and took off another vest he had on and hung it up in said closet, & also took a coat out of said closet & put it on & wore it away.

Deponent further says that George Brown said, that "he" pointed to said Phillips employed him to attend and guard the door, that he had been over the way, meaning to number 120 Ridge street in the morning, and then had been employed in the afternoon by said Phillips to attend to door of 121 Ridge street where said gambling was carried on.

Deponent further charges that said John R. Phillips under the name of John Kuffel has been convicted twice before for violating Section 344 Penal Code, upon his plea of guilty in General Sessions Court, on the 20th day of May 1890. and was sentenced by said Court, and that this is the third time said Phillips has been arrested by deponent and deponent charges said John R. Phillips, otherwise known as John Kuffel with a second offense of violating Section 344 of the Penal Code concerning the sale of lottery tickets.

Subscribed and sworn to before me this
25th day of April 1891.

Anthony Cornstock

Charles N. Smith Police Justice.

Violation Sec. 344, P. C. Gambling and Policy.	
THE PEOPLE	
ON COMPLAINT OF	Anthony Cornstock
AGAINST	John R. Phillips, alias Willie Corbin. George Brown.
Affidavit of Complaint.	
WITNESSES:	Anthony Cornstock, John R. Collard.

POOR QUALITY
ORIGINAL

0845

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK,

District Police Court.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

I am not guilty

John R. Phillips

Taken before me this

day of

May 1901

Police Justice.

POOR QUALITY
ORIGINAL

0846

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

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

Question. What is your name?

Answer.

George Brown

Question. How old are you?

Answer.

24 years

Question. Where were you born?

Answer.

U S

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

Answer.

645 Second Ave 3 mos

Question. What is your business or profession?

Answer.

Braso finisher

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
George Brown

Taken before me this

day of

March 1911

Police Justice.

POOR QUALITY
ORIGINAL

0047

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

I am not guilty
Philip Carlson

Taken before
day of *March* 19*27*
Charles H. Stanton
Police Justice

POOR QUALITY
ORIGINAL

0848

Charles J. - 1891, 1894
May 1, 1891, 1894

BAILED
No. 1, by Margaret Steen
Residence 2112 Stanton Street.
No. 2, by 1
Residence 1 Street.
No. 3, by 1
Residence 1 Street.
No. 4, by 1
Residence 1 Street.

Police Court--1

District

N 574

THE PEOPLE &c.,
ON THE COMPLAINT OF

William Conover

James C. Phillips & George
George Conover

Offence

Violating Laws

Dated April 25 1891

Jacob Magistrate

Embell Officer

Carle Precinct

Witness John & Edward

No. 4 East 7th Street.

No. 1 Street.

No. 1 Street.

1000 East 9th Street.

3rd Precinct

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 defendants

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, each and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated May 7th 1891 Charles J. Linton Police Justice.

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

Dated May 1st 1891 Charles J. Linton Police Justice.

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

Dated May 1st 1891 Charles J. Linton Police Justice.

POOR QUALITY
ORIGINAL

0849

Sec. 192.

187 District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY } ss.
OF NEW YORK, }

An information having been laid before *Charles N. Smith* Police Justice
of the City of New York, charging *John R. Phillips* Defendant with
the offence of *Violation Lottery Law*

and he having been brought before said Justice for an examination of said charge, and it having been made
to appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and
the hearing thereof having been adjourned,

We *John R. Phillips* Defendant of No. *121*
Judge Street; by occupation a *Cheese*
and *Margaret Stearns* of No. *212 Stanton*
Street, by occupation a *Housewife* Surety, hereby jointly and severally undertake
that the above named *Phillips* Defendant
shall personally appear before the said Justice, at the *1* District Police Court in the City of New York,
during the said examination, or that we will pay to the People of the State of New York the sum of *Five*
Hundred Dollars.

Taken and acknowledged before me, this *25*

day of *April*

18*97*

Charles N. Smith POLICE JUSTICE.

John R. Phillips
Margaret Stearns

POOR QUALITY
ORIGINAL

0850

NEW YORK, ss.

day of *April* 1891
John W. McManis Police Justice.

Sworn to before me, this *25*

the within named Bail and Surety being duly sworn, says, that he is a resident and holder within the said County and State, and is worth *Twenty* Hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of *House No 126*

Edge Street 1 Ward at twenty thousand Dollars free of incumbrance
Mascagnola Henry

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Underlying to appear during the Examination.

ss.

Taken the day of 18

Justice.

POOR QUALITY
ORIGINAL

0851

Sec. 192.

District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before John M. Bunker a Police Justice
of the City of New York, charging Philip Conklin Defendant with
the offence of Violation of Lottery Law

and he having been brought before said Justice for an examination of said charge, and it having been made
to appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and
the hearing thereof having been adjourned.

Philip Conklin Defendant of No. 222
Charles Street; by occupation a Clerk
and Marta Slusky of No. 712 Stanton
Street, by occupation a Widow Surety, hereby jointly and severally undertake
that the above named Conklin Defendant
shall personally appear before the said Justice, at the 1 District Police Court in the City of New York,
during the said examination, or that we will pay to the People of the State of New York the sum of Ten
Hundred Dollars.

Taken and acknowledged before me, this 25

day of April

18 91

Charles M. Bunker POLICE JUSTICE.

Philip Conklin
Margaretta Slusky

POOR QUALITY
ORIGINAL

0852

CITY AND COUNTY } ss.
OF NEW YORK,

John W. Smith
day of *Oct* 1891
Police Justice.

Subscribed to before me, this

25

the within named Bail and Surety being duly sworn, says that he is a resident and holder within the said County and State and is worth *Twenty* Hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of *House No 126 Grand St*

126 Grand St Valued at Twenty
House No 126 Grand St
Twenty Dollars free of incumbrance
Marion G. Hany

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Undertaking to appear
during the Examination.

Taken the day of 18

Justice.

POOR QUALITY
ORIGINAL

0853

Sec. 568.

District Police Court.

UNDERTAKING TO ANSWER.

CITY AND COUNTY }
OF NEW YORK, } ss.

An order having been made on the 1 day of May 1888 by
Charles W. Winter Police Justice of the City of New York. That
John R. Phillips be held to answer upon a charge of
Violation of Lottery Law

upon which he has been duly admitted to bail in the sum of Ten Hundred Dollars.

We, John R. Phillips Defendant of No. 121
Bridge Street Street; Occupation Clerk and
Margaret Steg of No. 212 Franklin Street;

Occupation Manager Surety, hereby undertake jointly and severally
that the above-named John R. Phillips shall appear and answer the charge above-
mentioned, in whatever Court it may be prosecuted; and shall at all times render him self amenable to the orders
and process of the Court; and if convicted, shall appear for judgment, and render him self in execution thereof
or if he fail to perform either of these conditions that we will pay to the People of the State of New York the sum
of Ten Hundred Dollars.

Taken and acknowledged before me this 1

day of May 1888

Charles W. Winter POLICE JUSTICE.

John R. Phillips
Margaret Steg

POOR QUALITY
ORIGINAL

0854

CITY AND COUNTY }
NEW YORK, }

Marked Schmitt
Police Justice

the within-named Bail and Surety being duly sworn, says, that he is a resident and holder within the said County and State, and is worth

Margaret Beeg
Twenty Hundred Dollars.

exclusive of property exempt from execution and over and above the amount of all his debts and liabilities, and that his property consists of

James Hottel of New York N.Y. 136
Edge Street valued at twenty
thousand dollars for a
memorance *Margaret Beeg*

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Underlying to Answer.

Taken the day of 188
Filed day of 188
Justice.

POOR QUALITY
ORIGINAL

0855

Sec. 568.

District Police Court.

UNDERTAKING TO ANSWER.

CITY AND COUNTY }
OF NEW YORK, } ss.

An order having been made on the

day of

May

188

Police Justice of the City of New York. That
be held to answer upon a charge of

Philip Conklin
Violation Lottery Law

upon which he has been duly admitted to bail in the sum of

Two Hundred Dollars.

Philip Conklin Defendant of No. 220

Chrystie Street; Occupation

Black

and

Margaret Stoy of No. 412 Stanton

Street;

Occupation

Widow

Conklin

Surety, hereby undertake jointly and severally

that the above-named shall appear and answer the charge above-
mentioned, in whatever Court it may be prosecuted; and shall at all times render h self amenable to the orders
and process of the Court; and if convicted, shall appear for judgment, and render h self in execution thereof
or if he fail to perform either of these conditions that we will pay to the People of the State of New York the sum
of Ten Hundred Dollars.

Taken and acknowledged before me this

day of

May

188

Charles H. Smith

POLICE JUSTICE.

Philip Conklin

Margaret Stoy

POOR QUALITY
ORIGINAL

0856

CITY AND COUNTY
OF NEW YORK, ss.

Charles W. Smith
188
Police Justice

Shewn to before me this

the within-named Bail and Surety being duly sworn, says, that he is a resident and
holder within the said County and State, and is worth
exclusive of property exempt from execution and over and above the amount of all his debts and liabilities
and that his property consists of

Margaret Steg
Twenty Hundred Dollars.

Roseboro Road No 36
Grassfield valued at Twenty Dollars
plus free full maintenance
Maryanna King

Underlying to Answer.
THE PEOPLE, &c.,
ON THE COMPLAINT OF
ca.

Taken the day of 188

Justice.

Filed day of 188

POOR QUALITY
ORIGINAL

0857

Sec. 568.

1st
District Police Court.

UNDERTAKING TO ANSWER.

CITY AND COUNTY }
OF NEW YORK, } ss.

An order having been made on the

day of

May 188*8*
Police Justice of the City of New York. That

be held to answer upon a charge of

Violation of Lottery Law

upon which he has been duly admitted to bail in the sum of

Ten Hundred Dollars.

Defendant of No.

Street; Occupation

of No.

Street;

Occupation

that the above-named

Surety, hereby undertake jointly and severally

mentioned, in whatever Court it may be prosecuted; and shall at all times render himself amenable to the orders and process of the Court; and if convicted, shall appear for judgment, and render himself in execution thereof or if he fail to perform either of these conditions that we will pay to the People of the State of New York the sum of *Ten* Hundred Dollars.

Taken and acknowledged before me this

day of

May 188*8*

Charles Smith
POLICE JUSTICE.

George Brown

Margaretta Mary

POOR QUALITY
ORIGINAL

0858

CITY AND COUNTY }
OF NEW YORK, } ss.

Charles M. Smith
Police Justice

Sworn to before me

the within-named Bail and Surety being duly sworn, says, that he is a resident and holder within the said County and State and is worth Twenty Hundred Dollars, exclusive of property exempt from execution and over and above the amount of all his debts and liabilities, and that his property consists of

*House No 136
Gale Street
Free of mortgage
Marguerite Amy*

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Underlying to Answer.

Taken the day of 188

Justice.

Filed day of 188

POOR QUALITY
ORIGINAL

0859

Sec. 192.

District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before Charles A. Dwyer a Police Justice
of the City of New York, charging George Brown Defendant with
the offence of Violation of Lottery Law

and he having been brought before said Justice for an examination of said charge, and it having been made
to appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and
the hearing thereof having been adjourned,

We, George Brown Defendant of No. 645

25 Avenue Street; by occupation a House Finisher

and Margaret Stegg of No. 212 Stanton

Street, by occupation a Maids Surety, hereby jointly and severally undertake

that the above named George Brown Defendant

shall personally appear before the said Justice, at the District Police Court in the City of New York,

during the said examination, or that we will pay to the People of the State of New York the sum of

Hundred Dollars.

Taken and acknowledged before me, this 25 George Brown

day of May 18 19 Margaret Stegg

Charles A. Dwyer POLICE JUSTICE.

POOR QUALITY
ORIGINAL

0860

CITY AND COUNTY } ss.
NEW YORK,

Sworn to before me, this 25th day of June, 1891.
Charles W. Smith, District Police Justice.

the within named Bail and Surety being duly sworn, says that he is a resident and holder within the said County and State, and is worth Twenty Hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of

Martha Henry free
House & lot owned
by 130 Ridge Street valued at
Twenty thousand dollars free
of mortgage mortgage Henry

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Undertaking to appear
during the Examination.

Taken the day of 18

Justice.

At a Court of General Sessions
of the Peace holden in and for the
City & County of New York, at the
City Hall of the said City in the
day of November in the year of our Lord
the thousand eight hundred & ninety one.
Present. The Honorable
James Fitzgerald Judge of the
Sessions of the City of New York

In the matter of the
Extradition recognizance

Thomas M. Toran.

On reading and filing the affidavits and
notice of motion of said Thomas M. Toran
and with proof of due service hereof. And the
certificate of the District Attorney being
annexed and upon the further reading of the
recommendation endorsed upon the indictment
return by Assistant District Attorney Marks and
after hearing Paddy & M. M. M. in support of
said motion and J. E. Lavery Special District
Attorney of New York County for the People
showing no motion of Paddy & M. M. M.
Ordered that the said order Extradition be
recognizance and directing the same to be
proceeded to vacate and set aside and
that the action commanded by the District

POOR QUALITY
ORIGINAL

0862

Attorney Merwin is discontinued - and that
the judgment rendered Merwin is vacated
and discharged of record - and the Clerk
of the County of New York is hereby directed
to discharge of record - the judgment
entered therein against Thomas M. Larn
and Ellen ^{Connors} Larn - upon the filing
of a certified copy of this order -

(C.K.)
David Miller
Acting

POOR QUALITY
ORIGINAL

0063

... of ...
... -

In the matter of
the ...
... of ...
...
...

...

POOR QUALITY
ORIGINAL

0864

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

THE PEOPLE OF THE STATE OF NEW YORK

against
John R. Philipps, George Brown
and Philip Bouklin

The Grand Jury of the City and County of New York, by this indictment, accuse
John R. Philipps, George Brown and Philip Bouklin
of the CRIME OF SELLING WHAT IS COMMONLY CALLED A LOTTERY POLICY, com-
mitted as follows:

The said

John R. Philipps, George Brown and
Philip Bouklin
late of the City of New York in the County of New York aforesaid, on the *twenty-fourth*
day of *April* in the year of our Lord one thousand eight hundred and *eighty*
ninety-one, at the City and County aforesaid, feloniously did sell to one

John R. Collard

what is commonly called a Lottery Policy, the same being a certain paper, and writing,
as follows, that is to say:

B 244
124044 175
25284216

(a more particular description of which said paper and writing so commonly called a Lottery Policy is to the Grand Jury aforesaid unknown, and cannot now be given), 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

John R. Philipps, George Brown and Philip
Bouklin

of the CRIME OF SELLING A PAPER, WRITING, AND DOCUMENT, IN THE NATURE
OF A BET AND WAGER UPON THE DRAWING OF A LOTTERY, committed as follows:

The said

John R. Philipps, George Brown and Philip
Bouklin

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,
at the City and County aforesaid, feloniously did sell to one

John R. Collard

**POOR QUALITY
ORIGINAL**

0865

a certain paper, writing and document, in the nature of a bet and wager upon the drawing of a certain lottery, the same being a scheme for the distribution of property by chance among persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper, writing and document, is as follows, that is to say:

P 244
124044 L 75
25287 4210

(a more particular description of which said paper, writing and document, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

THIRD COUNT.

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

— John R. Philipps, George Brown and Philip Bouklin —
of the CRIME OF SELLING A WRITING, PAPER, AND DOCUMENT IN THE NATURE OF AN INSURANCE UPON THE DRAWING OF A LOTTERY, committed as follows:

The said — John R. Philipps, George Brown and Philip Bouklin —

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, feloniously did sell to one

John R. Bolloid —

a certain paper, writing and document in the nature of an insurance upon the drawing of a certain lottery, the same being a scheme for the distribution of property by chance among certain persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper, writing and document is as follows, that is to say:

P 244
124044 L 75
25287 4210

(a more particular description of which said paper, writing and document is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

FOURTH COUNT.

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

— John R. Philipps, George Brown and Philip Bouklin —

of the CRIME OF SELLING A PAPER, WRITING AND DOCUMENT IN THE NATURE OF A BET AND WAGER UPON THE DRAWN NUMBERS OF A LOTTERY, committed as follows:

**POOR QUALITY
ORIGINAL**

0066

The said

*John R. Philipps, George Brown and
Philip Bouklin*

late of the City and County aforesaid, afterwards, to wit : on the day and in the year aforesaid,
at the City and County aforesaid, feloniously did sell to one

John R. Collard

a certain paper, writing and document in the nature of a bet and wager upon the drawn numbers
of a certain lottery, the same being a scheme for the distribution of property by chance among
persons who had paid or agreed to pay a valuable consideration for such chance (a more particular
description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be
given), which said paper, writing and document is as follows, that is to say :

P 244
12 40 44 L 75
25 28 7 4 2 10

(a more particular description of which said paper, writing and document is to the Grand Jury
aforesaid unknown, and cannot now be given), against the form of the Statute in such case made
and provided, and against the peace of the People of the State of New York and their dignity.

FIFTH COUNT.

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

*John R. Philipps, George Brown and
Philip Bouklin*

of the CRIME OF SELLING A WRITING, PAPER AND DOCUMENT IN THE NATURE
OF AN INSURANCE UPON THE DRAWN NUMBERS OF A LOTTERY, committed as follows:

The said

*John R. Philipps, George Brown and
Philip Bouklin*

late of the City and County aforesaid, afterwards, to wit : On the day and in the year aforesaid,
at the City and County aforesaid, feloniously did sell to one

John R. Collard

a certain paper, writing and document in the nature of an insurance upon the drawn numbers of
a certain lottery, the same being a scheme for the distribution of property by chance among certain
persons who had paid or agreed to pay a valuable consideration for such chance (a more particular
description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be
given), which said paper, writing and document is as follows, that is to say :

P 244
12 40 44 L 75
25 28 7 4 2 10

(a more particular description of which said paper, writing and document is to the Grand Jury
aforesaid unknown, and cannot now be given), 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.

POOR QUALITY
ORIGINAL

0867

Witnesses:

Anthony Constance

Counsel,

Filed 5 day of May 1891
Pleads Guilty

THE PEOPLE

vs. B

John R. Phillips

George Brown
and B & C
Philip Conklin

POLICY.
[S 844, Penal Code]

JOHN R. FELLOWS

Part District Attorney.

Dec 8 1891

A TRUE BILL.

W. L. Skidmore

Part 2 - Dec. 9, 1891. Foreman.

All Read Guilty. Find

Dec 1. 1891

1253. no cash

POOR QUALITY
ORIGINAL

0858

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

THE PEOPLE OF THE STATE OF NEW YORK
against

Philip Conklin

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

Philip Conklin

of the CRIME OF SELLING WHAT IS COMMONLY CALLED A LOTTERY POLICY, committed as follows:

The said

Philip Conklin

late of the City of New York in the County of New York aforesaid, on the *twenty fourth* day of *April* in the year of our Lord one thousand eight hundred and ~~eighty~~ *ninety one*, at the City and County aforesaid, feloniously did sell to one

John R. Collard

what is commonly called a Lottery Policy, the same being a certain paper, and writing, as follows, that is to say:

10243
61951
64669
142642
12404495
27346375
252974210

(a more particular description of which said paper and writing so commonly called a Lottery Policy is to the Grand Jury aforesaid unknown, and cannot now be given), 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

Philip Conklin

of the CRIME OF SELLING A PAPER, WRITING, AND DOCUMENT, IN THE NATURE OF A BET AND WAGER UPON THE DRAWING OF A LOTTERY, committed as follows:

The said

Philip Conklin

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, feloniously did sell to one

John R. Collard

**POOR QUALITY
ORIGINAL**

0869

a certain paper, writing and document, in the nature of a bet and wager upon the drawing of a certain lottery, the same being a scheme for the distribution of property by chance among persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper, writing and document, is as follows, that is to say :

17243
6 19 51
6 46 69
14 26 41
12 40 440
27 34 63 5
25 29 74 510

(a more particular description of which said paper, writing and document, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

THIRD COUNT.

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

_____*Philip Couklin*_____

of the CRIME OF SELLING A WRITING, PAPER, AND DOCUMENT IN THE NATURE OF AN INSURANCE UPON THE DRAWING OF A LOTTERY, committed as follows :

The said _____*Philip Couklin*_____

late of the City and County aforesaid, afterwards, to wit : On the day and in the year aforesaid, at the City and County aforesaid, feloniously did sell to one

_____*John R. Colford*_____

a certain paper, writing and document in the nature of an insurance upon the drawing of a certain lottery, the same being a scheme for the distribution of property by chance among certain persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper, writing and document is as follows, that is to say :

17243
6 19 51
6 46 69
14 26 41
12 40 440
27 34 63 5
25 29 74 510

(a more particular description of which said paper, writing and document is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

FOURTH COUNT.

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

_____*Philip Couklin*_____

of the CRIME OF SELLING A PAPER, WRITING AND DOCUMENT IN THE NATURE OF A BET AND WAGER UPON THE DRAWN NUMBERS OF A LOTTERY, committed as follows :

POOR QUALITY
ORIGINAL

0070

The said

Philip Couklin

late of the City and County aforesaid, afterwards, to wit : on the day and in the year aforesaid, at the City and County aforesaid, feloniously did sell to one

John R. Colford

a certain paper, writing and document in the nature of a bet and wager upon the drawn numbers of a certain lottery, the same being a scheme for the distribution of property by chance among persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper, writing and document is as follows, that is to say :

D2 43

6 19 51
6 46 69
14 26 41
12 40 44
27 34 63
25 29 44
5

(a more particular description of which said paper, writing and document is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

FIFTH COUNT.

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

Philip Couklin

of the CRIME OF SELLING A WRITING, PAPER AND DOCUMENT IN THE NATURE OF AN INSURANCE UPON THE DRAWN NUMBERS OF A LOTTERY, committed as follows:

The said

Philip Couklin

late of the City and County aforesaid, afterwards, to wit : On the day and in the year aforesaid, at the City and County aforesaid, feloniously did sell to one

John R. Colford

a certain paper, writing and document in the nature of an insurance upon the drawn numbers of a certain lottery, the same being a scheme for the distribution of property by chance among certain persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper, writing and document is as follows, that is to say :

D2 43

6 19 51
6 46 69
14 26 41
12 40 44
27 34 63
25 29 44
5

(a more particular description of which said paper, writing and document is to the Grand Jury aforesaid unknown, and cannot now be given), 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.

0871

BOX:

436

FOLDER:

4023

DESCRIPTION:

Corby, William E.

DATE:

05/25/91



4023

POOR QUALITY
ORIGINAL

0872

Witnesses:

Wm. Kirschoff
off. William Woodhouse
27 Dec.

Counsel,

Filed

Pleads,

THE PEOPLE

vs.

William E. Corby

Grand Larceny Second Degree

[Sections 628, 634, 635 Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A True Bill.

W. S. Richmond

Foreman.

May 29/97

Reading of Jury

24 Dec 1896

POOR QUALITY
ORIGINAL

0073

Police Court..... District.

Affidavit—Larceny.

City and County } ss:
of New York,

of No. 166 E 82 Street, aged 42 years,
occupation Plumber being duly sworn,

deposes and says, that on the 18 day of May 1891 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the pos-
session of deponent, in the night time, the following property, viz:

A quantity of lead pipe
valued at twenty-five
dollars

\$26.00

the property of Isaac L. Brown and co-
partners as co-owners

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 William E. Conby

(now here) for the reasons follow-
ing to wit: deponent having
missed the said pipe from
the buildings 212, 214 and 216 E 85th
Street he is informed by Officer
William Morabriga that he
Morabriga found the said
property in the possession
of the defendants on E-96th Street
he having the same in a push
cart. Deponent has since seen
the said property and identifies
the same.

William Kirchoff

Sworn to before me, this

of

189

day

Police Justice

POOR QUALITY
ORIGINAL

0874

CITY AND COUNTY } ss.
OF NEW YORK, }

aged 32 years, occupation Police officer of No. 274 Primer Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of William Kirsch
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 18
day of May 1889

Milton Woodbridge
[Signature]
Police Justice.

POOR QUALITY
ORIGINAL

0875

Sec. 198—200.

CITY AND COUNTY }
OF NEW YORK, } ss.

5- District Police Court.

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

Question. What is your name?

Answer.

William E. Corby

Question. How old are you?

Answer.

25 years

Question. Where were you born?

Answer.

New York

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

Answer.

No home

Question. What is your business or profession?

Answer.

None

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

Answer.

I am not guilty.

William E. Corby

Taken before me this

day of

1883

Police Justice.

POOR QUALITY
ORIGINAL

0876

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

Police Court... 5 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John C. Gentry
166 St. 82.

1
2
3
4
Office _____

Dated *May 18 91*

Magistrate.

Officer.

Witnesses.

No. _____
Street _____

No. _____
Street _____

No. _____
Street _____

RECEIVED
MAY 18 1891
DISTRICT ATTORNEY'S OFFICE

John C. Gentry

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 _____

Refused
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *four* 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 *May 18 91* Police Justice

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

POOR QUALITY
ORIGINAL

0077

COURT OF GENERAL SESSIONS OF THE PEACE OF THE CITY AND COUNTY
OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

William E. Corby

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this
indictment, accuse *William E. Corby* -

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

The said

William E. Corby -

late of the City of New York, in the County of New York aforesaid, on the *eighteenth*
day of *May* - in the year of our Lord one thousand eight hundred and
ninety - *one* at the City and County aforesaid, with force and arms,

*three hundred pounds of lead
pipe of the value of nine
cents each pound*

William Kirchhof
of the goods, chattels and personal property of one
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.

POOR QUALITY
ORIGINAL

0078

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said

William E. Carby
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

William E. Carby
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,

*three hundred pounds of lead
pipe of the value of nine cents
each pound*

William Kirshhof
of the goods, chattels and personal property of one

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before
feloniously stolen, taken and carried away from the said

William Kirshhof
unlawfully and unjustly, did feloniously receive and have; the said

William E. Carby
then and there well knowing the said goods, chattels and personal property to have been
feloniously stolen, taken and carried 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.

DE LANCEY NICOLL,

District Attorney.

0879

BOX:

436

FOLDER:

4023

DESCRIPTION:

Costello, Edward

DATE:

05/12/91



4023

POOR QUALITY
ORIGINAL

0000

Witnesses:

James W. Cornach

Counsel,

Filed

Pleas,

1891

THE PEOPLE

St. Nicholas

from 2 days

1021 2 days

Edward Costello

Robbery, [Sections 224 and 228, Penal Code].
degree.

De Sancy Nicol
~~JOHN R. FILLMORE~~

District Attorney.

A True Bill.

W. S. Whidmore

Foreman.

Part 2 - May 15, 1891.

Heads Rapping 2nd day

S.P. 15 yrs - RBM

POOR QUALITY
ORIGINAL

00001

Police Court-- District.

CITY AND COUNTY }
OF NEW YORK, } ss

James McCormack
of No. 121 St Mary's Street, Aged 36 Years

Occupation Cook being duly sworn, deposes and says, that on the
9th day of May 1891, at the 21 Ward of the City of New York,
in the County of New York, was feloniously taken, stolen, and carried away from the person of de-
ponent by force and violence, without his consent and against his will, the following property, viz:

Three Dollars

of the value of Three DOLLARS,
the property of James McCormack

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 force and violence as aforesaid by

Edward Costello, (now free), and three
unknown men, not yet arrested from
the fact that deponent met the defendant
Costello and the said three unknown men
on First Avenue and 36th Street and went
into a saloon on the corner. There deponent
stayed in the saloon about five minutes
and came out with the defendants. Then
deponent and the defendants walked down
First Avenue to the north west corner of 31st
Street and First Avenue and went into
a saloon at the said place with the defen-
dants. Deponent after a few minutes came

Sworn to before me this 10th day of May 1891.

Police District

POOR QUALITY
ORIGINAL

00002

out of the saloon with one of the said unknown
men. Deponent walked down First Avenue
with the said unknown man to 28th Street
and turned down 28th Street towards the
river. That the said defendant Castello
and two of the said unknown men were
following Deponent. That Deponent and
the said unknown men were together, and
about half way down the said street, Deponent
was struck in the back of the head by one
of the defendants and knocked down. That
while Deponent was lying on the ground
the defendant Castello, from behind, held
a revolving pistol to Deponent's head
and said to Deponent that if Deponent
said anything he, Castello, would shoot
him (Deponent). That the said three unknown
men at that time rifled Deponent's pockets
and took the said sum of money. Therefore
Deponent charges the defendant Castello and
the said three unknown men with being
together and while acting in concert, with the
purpose as aforesaid and pray that they be dealt
with as the law directs.

guilty of the offence mentioned, I order he to be discharged.
Dated 1888

There being no sufficient cause to believe the within named
Dated 1888

Police Justice.

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

Dated 1888

of the City of New York, until he give such bail
Hundred Dollars

guilty thereof, I order that he be held to answer the same, and he be committed to the City Prison
and be committed to the Warden and Keeper of the City Prison

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

Police Justice

Police Court, District,

THE PEOPLE, &c.,
on the complaint of
vs.
1
2
3
4

Offence—ROBBERY.

Dated 1888

Magistrate.

Officer.

Clerk.

Witnesses,

No. Street,

No. Street,

No. Street,

No. Street,

to answer General Sessions.

POOR QUALITY
ORIGINAL

0003

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK,

4 District Police Court.

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

Question. What is your name?

Answer. *Edward Costello*

Question. How old are you?

Answer. *34 years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *1010 1st Ave. - Brooklyn*

Question. What is your business or profession?

Answer. *Laborer*

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

Edward Costello

Taken before me this 11th day of May 1934
John J. [Signature]
Police Justice

POOR QUALITY
ORIGINAL

0004

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

Police Court District. 623

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James McConnaughy
Edward Conetta

Offence *Robbery*

Dated *May 11* 18*91*

Smith Magistrate

McConnaughy Officer.

21 Precinct.

Witnesses _____

No. _____ Street _____

No. _____ Street _____

No. _____ Street _____

\$ *1000* to give for _____

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

Defendant
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *1000* 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 *May 11* 18*91* *Edon B. Burr* Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

POOR QUALITY
ORIGINAL

0885

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Edward Roskello

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

Edward Roskello -

of the CRIME OF ROBBERY in the *first* degree, committed as follows:

The said *Edward Roskello*,

late of the City of New York, in the County of New York aforesaid, on the *ninth* day of *May*, in the year of our Lord one thousand eight hundred and *eighty-nine*, in the *night* time of the said day, at the City and County aforesaid, with force and arms, in and upon one *James Mc Cormick*, in the peace of the said People, then and there being, feloniously did make an assault, and

one promissory note for the payment of money, of the kind commonly called United States Treasury Notes, of the denomination and value of *one* dollar; *one* promissory note for the payment of money of the kind commonly called Bank Notes, of the denomination and value of *one* dollar; *one* United States Gold Certificate, of the denomination and value of *one* dollar; *one* United States Silver Certificate, of the denomination and value of *one* dollar;

one promissory note for the payment of money, of the kind commonly called United States Treasury Notes, of the denomination and value of *two* dollars; *one* promissory note for the payment of money of the kind commonly called Bank Notes, of the denomination and value of *two* dollars; *one* United States Gold Certificate, of the denomination and value of *two* dollars; *and one* United States Silver Certificate, of the denomination and value of *two* dollars;

of the goods, chattels and personal property of the said *James Mc Cormick*, from the person of the said *James Mc Cormick*, against the will, and by violence to the person of the said *James Mc Cormick*, - then and there violently and feloniously did rob, steal, take and carry away, *the said Edward Roskello* *himself* *and there aided by three accomplices, actually present, (whose names are to the Grand Jury aforesaid as yet unknown)* *and* *himself* *also armed with a dangerous weapon, to wit: with a certain pistol* *then and there charged and loaded with gunpowder and lead*, - 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.

D. Bancroft Nichol,
District Attorney.

0006

BOX:

436

FOLDER:

4023

DESCRIPTION:

Crawford, John R.

DATE:

05/07/91



4023

POOR QUALITY
ORIGINAL

0007

Witnesses:

This defendant under
the name of Jack
R. Crawford, pleaded
guilty in Speer's Court
in March 1889 to Petit
Larceny and was
sentenced to the Pen-
itentiary for 4 months.

R.B.M.

May 12/1891.

Counsel, *W. L. O'Ridmore*
Filed 7 day of May 1889
Pleas *Guilty*

THE PEOPLE

vs.

I

John R. Crawford
(3 names)

DeSancey Nicoll
~~JOHN R. FELLOWS~~

District Attorney.

A True Bill.

W. L. O'Ridmore

Part 2 - May 12/1891 Foreman.

Pleas Guilty.

S. H. 3 yrs. P.S.M.

[Section 528, and 531, Penal Code].
(False Pretenses).
LARCENY - 3 names

POOR QUALITY
ORIGINAL

00000

United States of America.

COMMONWEALTH OF PENNSYLVANIA.

No 1021

Easton, Pa. April 1st 1891

FIRST NATIONAL BANK
of Easton Pa.

Pay to the order of John R. Crawford

Twenty five ^{no} ₀₀ ----- 100 Dollars

\$25

George H. Crawford

ENDORSED.

John R Crawford

Merchants Ex Nat'l Bank, N.Y.
Thos R. McNeel

George Clark & Co

136
BE IT KNOWN, That on the day of the date hereof I, Henry D. Maxwell, Notary Public for the Commonwealth of Pennsylvania, by lawful authority duly commissioned and sworn, residing in the City of Easton, in the County of Northampton and Commonwealth aforesaid, at the request of The First Nat. Bank of Easton

presented the original Check whereof the above is
a true copy to Edward F. Stewart, President of The First Nat. Bank of Easton

where the same is made payable, and demanded from him the payment thereof, and receiving for answer that he could not pay the same for want of funds belonging to the drawer

I forwarded written notice as follows, to wit: one to George N. Crawford, one to John R. Crawford, one to Thos. R. McNeel, one to George Clark & Co and one to The Merchants Ex. Nat'l Bank, N.Y. I enclosed all the notices in an envelope directed to Merchants, Ex. Nat'l Bank, J.E. Apgar, Cashier, New York City and deposited the same in the Easton post office

informing them of the non-payment thereof.

Whereupon I, the said Notary, at the request aforesaid, have and do solemnly protest against the drawer of the said check and all others concerned, for all exchanges, re-exchanges, costs, damages and interest suffered and to be suffered for want of payment thereof.

Thus done and protested at the City of Easton aforesaid, the Seventh day of April A. D. 1891

Henry D. Maxwell
Notary Public

POOR QUALITY
ORIGINAL

00009

Notary Public

of the State of New York
I, the undersigned, being the Clerk of the County of New York, do hereby certify that the within and foregoing is a true and correct copy of the original of the same as the same appears from the records of the County of New York.

No. 136

PROTEST:

Check
George H. Crawford \$25.00

April 7 1891

ENDORSED.

John R. Crawford
Thos R. McNeal
George Clark & Co.
Merch. Ex. Nat. Bank, N.Y.

Fees and Postage, \$1.89

20

2.14

HENRY D. MAXWELL,
ATTORNEY-AT-LAW,
Notary Public.

UNITED STATES OF AMERICA

POOR QUALITY
ORIGINAL

0890

Police Court—

1 District.

Affidavit—Larceny.

City and County }
of New York, } ss.

Thomas R. McGill
of No. 199 Washington Street, aged 60 years,
occupation Hotel Keeper being duly sworn
deposes and says, that on the 5 day of April 1891 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 night time, the following property, viz:

Good and lawful money of the
United States of the amount
and value of Twenty five
dollars

the property of Deponent

and that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,
and carried away by John R. Crawford

Deponent presented the annexed check
number seven and requested deponent
to cash the same. The said deponent
stated that it was made by his Uncle George B
Crawford the person who purported to
sign the same and that the same was
a gift from his Uncle.

Deponent relying upon the truth
of the aforesaid representation gave to
said deponent the aforesaid sum of
\$25. Deponent is informed by
Edward B. Arndt that there is no
such account in the aforesaid
Bank and that George B. Crawford

Sworn to before me, this

18

(day)

Police Justice.

POOR QUALITY
ORIGINAL

0891

The person who purported to sign said
check has no funds to his credit
wherefore defendant charges
said defendant with feloniously taking
said money as aforesaid

Sworn to before me
this 15 day of April 1891
So J. A. Smith Police Justice

Thos R. McMill

POOR QUALITY
ORIGINAL

0892

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 30 years, occupation Edward B. Arndt
Book Clerk of No. 120 Northampton St Easton Pa
Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Thomas R. McNell
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this

day of

15
April 1888

Edward B. Arndt

Ed J. Coffey

Police Justice.

POOR QUALITY
ORIGINAL

0893

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

District Police Court.

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

Question. What is your name?

Answer.

John R Crawford

Question. How old are you?

Answer.

28 years

Question. Where were you born?

Answer.

N.Y.

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

Answer.

199 Washington St. 1 month

Question. What is your business or profession?

Answer.

Accountant

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 and
demand a jury trial.

John R Crawford

Taken before me this

day of

Charles H. H. H.

Police Justice

POOR QUALITY
ORIGINAL

0894

Sec. 151.

Police Court / District.

CITY AND COUNTY }
OF NEW YORK, } ss.

In the name of the People of the State of New York; To the Sheriff of the County of New York, or any Marshal or Policeman of the City of New York:

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by Thomas R Mc Hall of No. 199 Washington Street, that on the 5 day of April 1891 at the City of New York, in the County of New York, the following article to wit:

Good and lawful money of the United States
of the value of Twenty five Dollars,
the property of Complainant
w as taken, stolen and carried away, and as the said complainant has cause to suspect, and does suspect and believe, by John R Cranford

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

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

Dated at the City of New York, this 15 day of Apr 1891

Do [Signature] POLICE JUSTICE

POOR QUALITY
ORIGINAL

0095

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Warrant-Larceny.

Dated April 15 1891

Heiley Magistrate
Thynn 2 Precinct Officer.

The Defendant
taken, and brought before the Magistrate, to answer
the within charge, pursuant to the command con-
tained in this Warrant.

..... Officer.
Dated William F. Lynes

This Warrant may be executed on Sunday or at
night.

Do J. C. Bell Police Justice.

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

Dated
188

The within named

Police Justice.

POOR QUALITY
ORIGINAL

0096

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

Police Court---1 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James E. McKeel
199 Washington
John E. Crawford

Offence

Larceny

Dated April 16 1891

H. J. Kelly
Magistrate

Thos. D.
Officer

Witness, Edward B. Canett

No. 120 St. Thompson St.

Easton Pennsylvania

No. _____
Street _____

No. 57W
Street _____

to answer

Forfeited

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

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

Dated April 16 1891 Charles W. Smith Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

**POOR QUALITY
ORIGINAL**

0897



**POOR QUALITY
ORIGINAL**

0898



POOR QUALITY
ORIGINAL

0899

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

THE PEOPLE OF THE STATE OF NEW YORK,

AGAINST

John R. Crawford

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

John R. Crawford

of the CRIME OF *Petit* LARCENY

committed as follows:

The said

John R. Crawford

late of the City of New York, in the County of New York aforesaid, on the *sixth*
day of *April* in the year of our Lord one thousand eight hundred and
~~eighty-ninety-one~~ *one* at the City and County aforesaid, with force and arms, with intent to
deprive and defraud *one Thomas R. McNell*

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

That a certain paper writing in the
words and figures following, to wit:
"No. 1883 New London, Conn. April 6th 1891
New London City National Bank
Pay to the order of *John R. Crawford*
Twenty five ^{*no*} *Dollars*
J. H. Werner
pro
and upon the back whereof there was
then and there a certain endorsement, as

following, to wit: "John R. Crawford" which said
paper writing he the said John R. Crawford
then and there produced and delivered to
the said Thomas R. McNeill was then
and there a good and valid order for
the payment of money and was then and
there of the value of twenty-five dollars

And the said

Thomas R. McNeill

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

John R. Crawford

and being deceived thereby, was induced, by reason of the false and fraudulent pretenses and
representations so made as aforesaid, to deliver, and did then and there deliver to the said

John R. Crawford, the sum of twenty-
five dollars in money, lawful money
of the United States of America, and of
the value of twenty-five dollars

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

Thomas R. McNeill

And the said

John R. Crawford

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

Thomas R. McNeill

by color and by aid of the false and fraudulent pretenses and representations aforesaid, with
intent to deprive and defraud the said

Thomas R. McNeill

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

Whereas, in truth and in fact, the said paper writing which
he the said John R. Crawford so as aforesaid
then and there produced and delivered
to the said Thomas R. McNeill was not

POOR QUALITY
ORIGINAL

09001

then and there a good and valid order
for the payment of money, and was
not then and there of the value of
twenty-five dollars, or of any value,
but was then and there wholly worthless;
~~and the maker of the same was not~~
~~the maker of the same, the said John R.~~
~~Crawford~~

And Whereas, in truth and in fact, the pretenses and representations so made
as aforesaid by the said John R. Crawford
to the said Thomas R. McNeill was and were

then and there in all respects utterly false and untrue, as he the said
John R. Crawford
at the time of making the same then and there well knew.

And so the Grand Jury Aforesaid, do say that the said
John R. Crawford
in the manner and form aforesaid, by the means aforesaid, the said proper moneys, goods,
chattels and personal property of the said Thomas R. McNeill
then and there ~~feloniously~~ ^{unlawfully} did STEAL, against the form of the Statute in such case made and
provided, and against the peace and dignity of the said people.

COLL.
JOHN R. FELLOWS,

District Attorney.

POOR QUALITY
ORIGINAL

0902

Witnesses:

Counsel,

Filed

Pleds,

1889

THE PEOPLE

vs.

John B. Crawford

[Section 528, and 532, Penal Code].
(False Pretenses).
LARCENY.

JOHN R. FELLOWS

District Attorney.

A True Bill.

W. S. Skidmore

Foreman.

Entered on and indicted

R.B.M.

POOR QUALITY
ORIGINAL

0903

CHEMICAL NATIONAL BANK, 270 BROADWAY.	No. 88	New York, Feb 27 th 1891
	The Chemical National Bank, OF NEW YORK.	
	Pay to Bearer	or Order,
	Five	no Dollars.
	\$5.00	John A. Crawford

POOR QUALITY
ORIGINAL

0904

J. H. Mamer
Simon Wamer

Perkins

POOR QUALITY
ORIGINAL

0905

CHEMICAL NATIONAL BANK, 270 BROADWAY.	No. 89	New York, Feb 27 th 1897
	The Chemical National Bank, OF NEW YORK.	
	Pay to Beasen	Per Order,
	\$1000	no Dollars.
	John R. Crawford	

23 + 3 are

**POOR QUALITY
ORIGINAL**

0906

Donning Pump

W. W. W.

POOR QUALITY
ORIGINAL

0907

New York Dec. 28th '93.

Hon. Randolph B. Martin
32 Chambers St.
City.

Dear Sir:-

I hope your Honor will
pardon me in troubling you again
my troubles, but it seems that I am
afraid and could get no farther.
I have all the money guaranteed
me but \$80⁰⁰ and have been endeavor-
ing to obtain this for the last 2 wks
but without any degree of success. I
suppose owing to the holiday period and
the hard times.

I was accorded an interview by Genl.
Alexander S. Webb Pres. of the Collidge.

of New York last Friday: he listened to my story very kindly, and at the conclusion, expressed his sympathy for me, and said that if I would, get letters from people who had signified their willingness to assist me in recovering myself, he would give me a letter of introduction and recommendation to several gentlemen who would "place me on my feet", and would interest themselves in my future welfare; that he (Genl. Webb) was too much occupied to write himself, and that I should procure them and then call upon him.

I have written to several persons who have signified their willingness to aid me, and have received their letters, among them being Genl. Austin Satchel, Supt. of State Prisons, Rev. Mr. Sedgwick, assistant rector St. George's Church, N.Y. & Hon. Abram S. Hewitt. I write this letter respectfully asking whether your Hon. will give me a letter of this nature, to Genl. Webb. I do not want a letter of recommendation, I am not justified in asking for it. I only desire a letter as to what your Hon. does know of me, my conviction, sentence, my servitude, my applications to your Hon. for assistance, the result and whether your Hon. believe in my honest purpose to lead an honest and upright life in the future. I think your Hon. believed in me, and the truthfulness and honesty

POOR QUALITY
ORIGINAL

0909

New York Dec. 28th 93.

Hon. Randolph B. Martin.
32 Chambers St.
City.

Dear Sir:-

I hope your Hon. will
pardon me in troubling you again
^{with} my troubles, but it seems that I am
apologetic and could get no farther.
I have all the money guaranteed
me but \$80⁰⁰ and have been endeavor-
ing to obtain this for the last 2 wks
but without any degree of success. I
suppose owing to the holiday period ^{on}
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POOR QUALITY
ORIGINAL

0911

of purpose the day you kindly gave
me the interview with the kindness
and the material assistance rendered
me. I shall never forget it, it was
so unexpected that I am afraid I
hardly thanked you *as* I should
have. I have since thought of the
way your *com* received and treated
me and should have written and
thanked you accordingly "after I
came to my senses" had I not thought
that your *com* would be better pleased
to learn that I was endeavoring to
deserve the kindness shown me by ac-
tivity and not alone by words.
That assistance given me that Saturday

has been the means to enable me to
earn a living expenses. It enabled
me to look for work with more hope
(a person is always more hopeful with
a full stomach than with an empty
one) and consequently with better success.
I have worked at St Luke's Hospital
and have a contract to clean the 5th
Ave sidewalk 54th to 55th St every time
it rains for which I receive \$2.00 I
have also 2 houses on Madison Ave
for which I receive \$1.00 each. I am
working now in the Auxiliary corps of
sheet sweepers 111 Essex St. my assign-
ment is Suffolk St. I am going to Delaney
and get \$1 per day 4 days a week.

I would not inflict this long letter upon you now but call me that at your kind Chambers but I am afraid I might lose the work if I absent myself. If you would like to verify my statement a letter of inquiry to Dr. Barker, St. Lukes Hospital & to the Supt. East Side Street Sweepers 111 Essex St. would no doubt satisfy you now as to its truthfulness. Some people might say "few work" was quite sufficient for me these few times. true. But I know that I can do better than to labor only as an every day workman, though I don't despise ^{it}. I am truly thankful, I don't want anything but what I can earn by my own efforts. The work is better

than starvation, more reputable than begging, and States Prison does not take up before me at the end of the day as it would in the field of crime.

Now Judge Martineau I will say I intend to be honest, but I say I will be honest and I don't ^{ask} a letter from you, reading "To whom it may concern", but addressed to Genl. Alexander S. Webb, Pres. College of New York, as I don't intend to run all over the city with it soliciting assistance, nor the strength of it. I only want it for the sick body and for the sick reason I have stated.

I will present it, and should it be returned to me I will be honest

POOR QUALITY
ORIGINAL

0914

and return it to your Honor.

I am anxious to start, as I have
news that my wife and little girls will
be back in New York in May next, and
I want to have recovered myself so that
I can provide for them, as a husband
and father should. Also, as now I should
find work more easily, as I have found
in my experience as an accountant
that the harder the times the more work
and vice versa.

All I ask is to give a footfold, and
I will show my gratitude to those who
have extended a helping hand to me
by my after life.

I was in your Honor's court on this

day during the Davis trial and the words addressed to the Farley woman by your Hon. upon her acquittal, did my heart good. They benefited me more than a sermon would have. I thought at the time that I would not appear before your Hon. in the role of a defendant in a criminal trial for a million dollars.

The next morning reading the account in the paper, I expected to see some comment, but your kindness to the unfortunate woman but not a line, and I thought how quick the papers would have criticized adversely any act of your Hon. not in accord.

POOR QUALITY
ORIGINAL

0916

with their "omnipotent wisdom", but
not one word favorably. How well
I knew what would come, most had
the women said she had no place
to go for the night.

May God bless you Judge Martin.
Humbly begging your pardon for
my long letter but I must write.
As I feel, I await your kind reply.
If I ask too much, please don't
hesitate to say so as I have now
received more kindness and assistance
from your Hon than I expect of or
from any other individual.

Hoping I may hear from you
favorably.

I have the honor to remain

Yours gratefully

J. R. Crawford
160 E 40th St
City.

POOR QUALITY
ORIGINAL

0917

New York 11-28-93.

Hon. Randolph B. Marline.
2017 - 5th Ave
City.

Dear Sir:-

I should like to
see you on an important mat-
ter.

Will you kindly grant
me a short interview at your
convenience and greatly oblige

Yours respectfully

J. B. Crawford
295 - 3rd Ave
City.

POOR QUALITY
ORIGINAL

09 18

J. R. Crawford
Nov 28 1893

4- 12
2- 10
2- 2 $\frac{1}{2}$

POOR QUALITY
ORIGINAL

09 19

District Attorney's Office,

CITY AND COUNTY OF NEW YORK.

April 12 1892

CAPTAIN OR OFFICER IN COMMAND.

Dear Sir:

I desire to see Officer Glynn
now attached to your command in
and answer to the two recs
April 1892 in relation to the case of
John R. Crawford
sentenced May 12 1891 to three
years and months imprisonment by
Judge Martine

Please ask the officer to bring such information in relation to the case, and as to the previous record of the prisoner, as he may be enabled to obtain.

Yours truly,

HENRY W. UNGER,

Deputy Assistant and Secretary to the District Attorney.

POOR QUALITY
ORIGINAL

0920

17/10/11

Jacob R. Crawford
24-y - U.S. - Single - White
Clerk - 36 - Brown
Arrested Mar 19th - 1889

Petty Larceny
Intersect - 4. m. in the
Room - Mar 23rd 89
as Special Justice -
on complaint of his
employer -

Wm. A. Tyler
110. Broad street

POOR QUALITY
ORIGINAL

0921

District Attorney's Office
City & County of
New York

Re
Crawford

The case was tried & conviction
was entered

Due to expense bringing
her from Essex Co.
& fresh rec'd.

Found out as found
of him - Samuel
alack -

POOR QUALITY
ORIGINAL

0922

No. 1882 New London, Conn. April 6th 1891

NEW LONDON CITY NATIONAL BANK

Pay to the order of John B. Crawford
Twenty Five ————— Dollars

\$25⁰⁰

J. V. Warner ✓

POOR QUALITY
ORIGINAL

0923

John R. Crawford

Thos R McNeil

[Handwritten signature]

[Handwritten signature]

[Handwritten signature]

POOR QUALITY
ORIGINAL

0924

PROTEST-NOTE OR DRAFT.

United States of America, } ss.
State of Connecticut,

BE IT KNOWN, That on the *seventh* day of *April*
in the year of our Lord one thousand eight hundred and ~~eighty~~ *ninety one*
at the request of THE NATIONAL BANK OF COMMERCE,
I, *Chas. W. Barus* a Notary Public, duly admitted and sworn,
dwelling in the City of New London, presented the annexed *check*
of *J. H. Warner* for *Twenty five*
Dollars, at the *New London City Nat. Bk.* in New London,
where said *check* is made payable, and then and there did
demand payment of the same which was refused.

Whereupon I, the said Notary, at the request aforesaid, did **PROTEST**, and
by these presents do solemnly Protest as well against each and every party to
the said *check* as against all others who it may or doth concern, for
exchange, re-exchange, and all cost, charges, damages, and interest already
incurred, and to be hereafter incurred for want of payment of the said *check*

In testimony whereof, I have hereunto set my hand and affixed my official
Seal, day and date above mentioned.

Chas W Barus

Notary Public.

Five

0925

OK. *Paul J. Weyler*
FOR

\$ 25 = Dated April 6th 1891

Fees ~~2~~ 2 =

Postage

POOR QUALITY
ORIGINAL

0926

ROME IRON WORKS
Rome, N.Y. April 6th 1891

FARMERS NATIONAL BANK
OF ROME.

Pay to J. A. Warner or bearer
Twenty Two \$7.00 Dollars

NO 8432 G. B. Clark Treasurer

Dollars.

POOR QUALITY
ORIGINAL

0927

J. H. Warner
1891
APR 21
CORRECTION
J. H. Warner
Seven Dollars
Peoples Exp
For Deposit in
National Park Bank
Charles M. May & Co.

PAY TO THE ORDER OF
FARMERS' NATIONAL BANK
ROCHESTER, N. Y.
FOR COLLECTION FOR ACCOUNT OF
THE NAT'L PARK BANK OF N. Y.
Geo. S. Hickok, Cashier.

POOR QUALITY
ORIGINAL

0928

STATE OF NEW YORK,

ONEIDA COUNTY.

SS.

Be it known, THAT on the 14 day of April, in the year of our Lord One Thousand Eight Hundred and Ninety One, at the request of the FARMERS NATIONAL BANK OF ROME, I, Samuel Wardwell, a Notary Public, duly appointed, commissioned, admitted and sworn, dwelling in the City of Rome, County of Oneida, and State aforesaid, presented the annexed Note check on Farmers National Bank of Rome drawn by E. B. Clark Treasurer for Twenty Two 47/100 Dollars, at the Farmers National Bank of Rome, and demanded payment thereof, which was refused.

Whereupon, I, the said Notary, at the request aforesaid, did PROTEST, and by these presents do solemnly PROTEST, as well against each and every party to the said Note check as against all others whom it doth or may concern, for interest, exchange, re-exchange, and all costs, charges and damages already incurred and to be incurred by reason of the non-payment thereof.

And I, the said Notary, Further Certify, That on the same day and year above mentioned, I gave notice of the non-payment of the said Note check to the drawee and endorsers thereof, by depositing at the Post-Office at Rome, and prepaying the postage thereon, notices of the foregoing Protest, signed by me and directed as follows :

Notice for	<u>Amos May Jr</u>	Addressed to	<u>New York N.Y.</u>
"	<u>Geo. S. Harkness</u>	"	<u>New York N.Y.</u>
"	<u>J. H. Merritt</u>	"	<u> </u>
"	<u>J. R. Crawford</u>	"	<u> </u>
"	<u>Levin Smith</u>	"	<u> </u>
"	<u>E. B. Clark (drawee)</u>	Inclosed to	<u>Geo. S. Harkness</u>
		"	<u>at New York N.Y.</u>

Each of the above named places being the reputed places of residence of the persons to whom the said notice was directed respectively, and the nearest Post-Office thereto.

In Witness Whereof, I have hereunto subscribed my name and affixed my Seal of Office.

Samuel Wardwell
Notary Public.

Geo. S. Harkness, Clerk

POOR QUALITY
ORIGINAL

0929

J.B. Clark Trust

Check

PROTESTED

FOR

The Farmers National Bank of Rome,

Rome, Oneida County, N. Y.

Apr 14 1891.

Amount of Note,

\$ *32.47*

Interest,

—

Expenses,

1.35

135
15
150
32.47
—
33.82

Cook

POOR QUALITY
ORIGINAL

0930

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

Police Court --- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

David D. R. R.
1345 1st Avenue

2 (Seaver)
3
4

Offence Grand Larceny

Dated March 6 1891

Magistrate.

Officer.

Precinct.

Witness.

No. _____
Street _____

No. _____
Street _____

No. _____
Street _____

\$ _____ to answer.

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

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

POOR QUALITY
ORIGINAL

0931

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
AGAINST

John R. Bradford

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

John R. Bradford

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

The said *John R. Bradford*

late of the City of New York, in the County of New York aforesaid, on the *ninth* day of *April* in the year of our Lord one thousand eight hundred and *eighty-one*, at the City and County aforesaid, with force and arms, with intent to deprive and defraud *one Louis Dautz*

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

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

*" Rome Iron Works
\$32 ⁴⁷/₁₀₀ Rome, N. Y. April 6th 1891
Barren National Bank
of Rome.*

*Pay to J. H. Warner or Bearer
Twenty two ⁴⁷/₁₀₀ Dollars.
No. 8432 J. B. Platts Treasurer."*

POOR QUALITY
ORIGINAL

0932

and upon the back of which there was then
and there a certain endorsement as follows, to
wit: "J. H. Hester", and also a certain other
endorsement as follows, to wit: "J. B. Crawford",
which said paper writing as endorsed as aforesaid
the said J. B. Crawford then and there
produced and delivered to the said Louis Dentry,
was then and there a good and valid order
for the payment of money and of the
value of thirty two dollars. —

And the said Louis Dentry —

then and there ^{there} believing the said false and fraudulent pretenses and representations so made
as aforesaid by the said J. B. Crawford, —

and being deceived thereby, was induced, by reason of the false and fraudulent pretenses and
representations so made as aforesaid, to deliver, and did then and there deliver to the said
J. B. Crawford, the sum of thirty
two dollars in money, lawful money of
the United States of America, and of the
value of thirty two dollars.

of the proper moneys, goods, chattels and personal property of the said Louis
Dentry. —

And the said J. B. Crawford —
did then and there feloniously receive and obtain the said proper moneys, goods, chattels, and
personal property, from the possession of the said Louis Dentry. —

by color and by aid of the false and fraudulent pretenses and representations aforesaid, with
intent to deprive and defraud the said Louis Dentry. —

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

Whereas, in truth and in fact, the said paper writing as
endorsed as aforesaid, which the said
J. B. Crawford as aforesaid then
and there produced and delivered to the

POOR QUALITY
ORIGINAL

0933

said Dennis Dentry, was not then and
there a good and valid order for the
payment of money, and was not of the
value of Dentry his salary, or of any
value, but was then and there wholly
worthless.

And Whereas, in truth and in fact, the pretenses and representations so made
as aforesaid by the said John R. Crawford —
to the said Dennis Dentry — was and were
then and there in all respects utterly false and untrue, as — he — the said
John R. Crawford —
at the time of making the same then and there well knew.

And so the Grand Jury Aforesaid, do say that the said
John R. Crawford —
in the manner and form aforesaid, by the means aforesaid, the said proper moneys, goods,
chattels and personal property of the said Dennis Dentry —
then and there feloniously did STEAL, against the form of the Statute in such case made and
provided, and against the peace and dignity of the said people.

John R. Fellows
JOHN R. FELLOWS,

District Attorney.

0934

BOX:

436

FOLDER:

4023

DESCRIPTION:

Cumins, James V.

DATE:

05/11/91



4023

0935

W. E. Oldknow
May 2/9
Print & Connected
2416 Market St
Cincinnati
Foreman,

POOR QUALITY
ORIGINAL

0936

THE PEOPLE

vs.

JAMES V. CUMINS.

COURT OF GENERAL SESSIONS, PART I.

BEFORE RECORDER SMYTH.

Thursday, May 21, 1891.

Indictment for grand larceny in the second degree.

WILLIAM C. BAKER, sworn and examined by Mr. Town-
send.

Q. Mr. Baker, where is your place of business?

A. 799 Greenwich Street.

Q. What is your business?

A. My business is manufac-
turer of the Baker car heater.

Q. Do you know the defendant, have you ever seen him before?

A. I have seen him before, I never knew him previous.

Q. Where did you see him?

A. I saw him at my office and
manufactory 799 Greenwich Street, our business office.

Q. And when was that?

A. The last check I gave him was
the 4th of April.

Q. When was the first time that you saw him?

A. It was
about March 27, 1891, at our office 799 Greenwich Street.

Q. What was he doing there then?

A. He came in to so-
licit advertisements for a directory.

By the Court. Q. What directory?

A. It was the New York,
Brooklyn and Newark directory, I think about that name.

By Mr. Townsend. Q. Did you give him an advertisement at that time?

A. I did.

Q. Do you recollect what his name was?

A. He gave his
name then, it was James V. Cumins.

Q. When did you next see him after that?

A. I think it
was March 31st.

Q. What was he doing there then?

A. Also soliciting for

**POOR QUALITY
ORIGINAL**

0937

a directory.

Q. What name was he then?

Objected to.

By the Court Q. Did you see him then at our office?

A. Yes sir, I saw him.

Q. Did you have any conversation with him
conversation with me, yes sir.

A. He had con-

Q. You and he had a conversation?
tion together.

A. We held conversa-

Q. Go on and state the conversation that took place between you
and the defendant, give as near as you can the words which he
used and the words which you used, if you are unable to do
that will you give the substance of it.

Objected to on the ground that the indictment calls
for such a transaction as occurred on the 4th of April and
any conversation that may have been had on the 31st of March
is irrelevant.

The Court: I will let him go on and state the conversation that he
had.

Counsel: Note an exception.

Witness: The conversation was in substance the same as with any
agent, he wanted my company to insert an advertisement in
Phillips' directory, published at 81 Nassau Street, he said
he was the agent.

By Mr. Townsend. Q. When did you next see him?

Objected to.

By the court. Q. Did you give an advertisement then?

A. Yes sir.

Q. You gave him a hearing?

A. Yes sir, I did.

By Mr. Townsend. Q. When did you again see him?

A. The 4th of

2 April.

Q. On the 4th of April what was the conversation? took place between you then, what did he want, where did you see him?

A. At my business office, 799 Greenwich Street.

Q. What did he say? A. He solicited at that time an advertisement for the United States business directory.

By the Court. Q. Tell us what he said, Mr. Baker? A. He said that he was the agent for the United States business directory and that that business directory had the largest circulation of any in the country, and he wanted me to take a page advertisement; he said he would reduce the price and make it a great deal less than the usual price; he fixed the price at thirty dollars.

By Mr. Townsend. Q. Did you pay him, did you give him a check?

A. I gave him a check for that amount.

By the Court. Q. Did you give him an advertisement to insert?

A. I gave him an advertisement and he gave me a receipt signed George Tyson, for thirty dollars, for the check that I gave him.

By Mr. Townsend. Q. Look at that paper, what is that?

A. This is the check on the bank, pay to the order of George Tyson thirty dollars, signed by the president, myself W.C. Baker, and endorsed George Tyson. Inasmuch as he wanted to draw the money I supposed he was all right.

By the court. Q What did he say? A. He said he wanted to draw the money for it, he said that that was one of the rules of the company, they must return the money, not the check.

I endorsed it correct and he went to the Bank and got the money.

Mr. Townsend: I offer that in evidence.

By Mr. Townsend. Q. Look at that Mr. Baker, what is that?

A. That is the receipt he gave, that is the receipt he wrote himself and signed it George Tyson.

By the Court. Q. He wrote that in your presence and signed it?

A. Yes sir, a different hand from what he generally writes, he wrote it a different way in other places, it is different handwriting from what he had given in other receipts.

Counsel: I move that the last part of the answer be stricken out.

The Court: Yes, strike it out.

By the Court. Q. Have you given all the conversation?

A. Substantially.

Q. Anything further? A. Nothing more than I consummated the bargain supposing it was straight, the same as I had been in the habit of doing with others.

Q. Who else was present at the time? A. My book-keeper was present.

Q. What was her name? A. Her name is Mary Dean.

CROSS EXAMINED.

By Counsel. Q. How long have you been in the business of car heaters and stoves? A. We do not make stoves.

Q. What is your business? A. My business is manufacturing the Baker car heater.

Q. How long have you been in that business? A. I have been in that business about thirty-five years in New York city.

Q. So that you consider yourself a pretty good business man?

A. I understand making the Baker car heater I think pretty well.

Q. Was it your habit to do extensive advertising?

A. A. I do not call it extensive, we do advertising.

Q. Had you ordered any advertising previous to the 27th of March 1891. from January? ordered anybody to insert advertisements in any paper

A. Possibly I done such a thing, I could not say.

Q. Do you recollect giving any order for any advertising. from the month of January 1891, down to the 27th of March, 1891?

A. O, I do not remember particularly about that, I may and may not.

Q. Can you say one way or the other, whether you have or have not?

A. I think that is not a proper question to ask a business man, he has a thousand things to attend to.

By the Court. Q. It is a proper question? A. I cannot remember any particular instance, I cannot remember all my transactions, there may have been several though.

By Counsel. Q. On the 27th of March, 1891, will you state the circumstances under which you say the defendant came into your store?

A. I have already stated them.

By the Court. Q. He wants you to tell over again what occurred, what conversation took place and what acts were performed between you and the defendant in your office on the occasion of his coming in there on the 27th of March?

A. He came in in the usual manner a man would walk into an office; he said that he was the agent for this directory of Phillips', that is on the 27th of March - -- no, it was not, that was for the New York, Brooklyn and Newark Directory, I forget the name, he was an agent for that.

Q. He requested an advertisement for that, did he not?

A. He did, sir.

Q. What did he say that cost would be? A. Fifteen dollars.

Q. Was there anybody present at the time? A. There was.

Q. Was that your book-keeper? A. Miss Dean my book-keeper was present.

Q. Who drew out the check? A. Miss Dean.

Q. The check then of March 27, 1891 is in her handwriting, is it not? A. I think it is.

Q. Signed by you as president? A. Yes sir.

Q. Was anybody else present? A. I do not remember if there was now, there may have been my assistant.

Q. Was the book-keeper and the assistant book-keeper in the same room? A. The book keeper sat near me at her desk and I am not positive whether the assistant book-keeper was there or no one else.

By Counsel. Q. Is the assistant book-keeper another woman?

A. Yes sir, another woman.

Q. Both these ladies then were in the room? A. I am not positive.

By the Court. Q. You do not recollect that the assistant book-keeper was there? A. NO.

By Counsel. Q. This check was endorsed in your presence, was it not? A. Yes sir.

Q. You recollect that, do you? A. Yes sir.

Q. And who marked on the back of that check, "endorsement correct"? A. I presume I did.

Q. You saw the man write? A. I saw him write.

Q. You saw him write the name James Cumins, did you? A. I presume I did.

Q. Did you? A. He was standing beside me.

By the Court. Q. Do you recollect whether you saw him?

A. Yes, I saw him sign the name.

By Counsel. Q. How long do you suppose that this man was present with you? A. O, I should judge he talked there

fifteen or twenty minutes or so.

Q. Did it take him any length of time to secure your order for the advertisement?

By the Court. Q. Was he there as long as that? A. He may not have been there as long.

By Counsel. Q. Did ^{he} ~~you~~ have any difficulty in obtaining from you an advertisement?

A. The man told such a plausible story that I thought he was a genuine honest man and I gave him the advertisement.

Q. In your conversation with the defendant and yourself, did you look at him at all?

A. O, I presume I glanced at him, it is natural I would.

Q. From the recollection that you had on March 27, 1891, and of the time that he spent with you there are you prepared to state that he is the man here at the bar?

A. Yes sir,

I state that.

Q. So that you do identify him thoroughly? do identify him thoroughly.

A. Yes sir, I

Q. Was the money given him there in the office?

A. No sir.

Q. He took the check out to the bank? of 14th Street, the Trademans Bank.

A. To the corner

Q. Will you tell me what name he gave you of the directory, I want to get that correctly, the first one, without referring to any memorandum, without looking at any memorandum?

A. New York, Brooklyn and Newark, or the New York, Newark and Brooklyn is the substance of it.

By the Court. Q. That is as near as you can recollect the name?

A. Yes sir.

By Counsel. Q. Then some one solicited an advertisement from you, did they not, on March 31, 1891.

A. Yes sir.

Q. Who was in the office at the time?
book-keeper.

A. Miss Dean, my

Q. Was the other lady there too?

A. I am not positive whether she was there or not, she was out and in.

Q. Who was the gentleman that came in this time?

A. That individual sitting there, that person who sits there.

Q. This is four days after this, is it not, what name did he give you this time?

A. That time it was George Tyson.

Q. From having seen him four days before didn't it occur to you as being at all suspicious that he should give you the name of Tyson?

A. If you knew my way of doing business under the circumstances I would not think anything of the kind.

Q. You had identified him as another man?
man that called himself Cumins.

A. Yes sir, the

Q. What time did you get to your office that day?

A. I do not remember, I think it was about half past seven, I was pretty punctual at that time.

Q. In the morning?

A. Yes sir.

Q. What time was this visit made upon you?

A. I think about as near as I can remember, along between two and three o'clock.

Q. Had you remained in your office all day?
remember exactly about that.

A. I do not

By the Court. Q. You were there then when he came in?

A. Yes sir, I was there when he came in.

Q. And remained there while he was there? A. Yes sir.

By Counsel. Q. Were you drunk or sober? A. Am I obliged to answer an insulting question?

By the Court. Q. Yes sir? A. Sober.

By Counsel. Q. What was the conversation you had with the defendant on that occasion, March 31st? A. I cannot remember the conversation when he got an advertisement out of me.

Q. Do you recollect what that was for? A. March 31st was for the United States Business Directory. I am not allowed to look at my notes, I am speaking from memory.

Q. This gentleman endorsed a check in front of you, did he not? A. That man endorsed a check I think.

By the Court. Q. He endorsed a check in your presence, as I understand it, you saw him sign that name? A. Yes sir, I did.

By Counsel. Q. You saw him sign the name George Tyson? A. Yes sir, on the back of the check.

Q. Did you see him endorse the name George Tyson? A. Yes sir.

Q. You endorsed that as correct, did you not? A. I did sir, at his request.

Q. Do you recollect whether the check of March 27, 1891, the filling out of the check except the signature by yourself is in the same handwriting as the check of March 31, 1891?

A. I presume it is as near as I can remember, Miss Dean drew all the checks and keeps my accounts.

Q. I hand you the check of March 27, 1891, I want to ask you whose writing that check is made out in, the body of the check? A. It looks like my book-keeper's handwriting she is present.

By the Court. Q. You believe it to be Miss Dean's handwriting?

A. Yes sir, Miss Dean's.

By Counsel. Q. The interview of March 31, 1891, you stated your book-keeper was also present, do I understand you to state so?

The Court: He said so, yes.

By Counsel Q. And that she likewise filled out the check of March 31st?

A. As near as I can remember.

Q. I ask you to look at the check March 31, 1891, and to state to me whose handwriting that is made out in?

A. That is made out in my handwriting.

By the Court. Q. The body of it is in your handwriting?

A. The body of it is in my handwriting.

By Counsel. Q. On April 4th did anybody call at your office in regard to any advertisement?

A. That individual who sits there did.

Q. Did the defendant call there?

A. That man called, yes.

Q. By this time you knew him pretty well by sight, did you not?

A. No sir, not particularly.

Q. You swore a little while ago that you can identify him from your recollection of March 27, 1891?

A. Yes sir, I can, I swear to that yet.

Q. So that your recollection of him is complete and full?

A. Yes sir, as full as it could be.

By the Court. Q. Is he the same man that came on every occasion?

A. Yes sir, he is the same man that came on every occasion.

Q. You are positive about it?

A. Yes sir.

By Counsel. Q. On April 4, 1891, did the defendant call at your office?

A. He did.

Q. What story this time did he give you?

A. The same as

I have testified to.

By the Court. Q. Repeat it as near as you can?

A. He came

in and said that the United States Business Directory was the most popular directory and they were just ready to go to press and that that page they would let at about half the price, he told a very flattering account of it and I was induced to believe him what he said, I was induced to give him another advertisement.

Q. And also a check?

A. Also a check for it.

By Counsel. Q. Had any other people called in for advertisements in the meanwhile?

A. O, there may have been; I do not think there was any person.

Q. Do you recollect?

A. I do not remember any other person.

By the Court. Q. Did anybody else call in on that day for the purpose of obtaining an advertisement for this particular directory?

A. No sir, no person at all.

By Counsel. Q. It did not seem at all strange to you that these advertisements were being solicited between the dates of March 27, March 31st and April 4th, nothing strange in that to your mind, was there?

A. I could not remember just what the state of my mind was.

By the Court. Q. What he wants to get at is this, didn't it occur to you a strange thing that this man should come in on several occasion soliciting advertisements for separate and distinct directories?

A. No, it did not impress me as anything strange at all.

By Counsel. Q. It did not impress you as being strange that a man by the name of James Cumins should come in one day, a man whom you thoroughly identified as you have stated and that on

another day a few days thereafter the same man should come in and give his name as Tyson? A. It did not occur to me at that time, I did not take that subject into consideration, I had so much otherthings to attend to.

By the Court. Q. Did you have any recollection on the occasion when he came in to see you on the 4th of April, 1891, that on a prior occasion he gave hisname as Cumins?

A. It did not occur to me at that time though I recognized the individual.

By Counsel. Q. Was any receipt given upon obtaining any of these checks? A. There was.

Q. Was the receipt given at the time the check was obtained?

A. We have the receipts in Court, it was.

Q. I ask you with what check was the receipt given, for what check was the receipt given? A. I think the receipt was given for all of them.

Q. Have you the receipt s for all those checks?

A. I think we have.

Q. How many checks did you give? A. Three.

Q. Was a receipt given at the same time that the check was given? A. I think it was.

By the Court. Q. Look at that check of March 31st and look at that receipt and tell the jury whether it is the receipt which was given for the check? A. That receipt is written on one of our letter-heads, that is the receipt given for that check.

By Counsel. Q. How do you explain that a check was given on the 31st and that the receipt was given on the 30th if that is the proper receipt that you speak of? A. I explained that by simply saying that the man who wrote that check

anti-dated it.

By the Court Q. The man who wrote the receipt?

A. That particular check I filled out and the receipt was dated a day ahead.

By Counsel. Q. Why was that?

A. I do not know, ask the prisoner, ask the man who solicited the advertisement, he will tell you better than I can.

Q. On these two previous occasions March 27th and March 31st, did the gentleman who called there represent himself as the agent of these directories? A. Yes sir.

Q. From your recollection can you state positively that on the 27th of March, 1891, Cumins represented that it was the New York, Brooklyn and Newark Directory that he was soliciting advertisements for? A. I do recollect distinctly that that person who sits there was the man that solicited it.

Q. I read on this check, "National Publishing Company, James Cumins, Agent". Endorsement. "correct, Baker Heater Co., W.C. Baker, president"; how do you account for that endorsement which you have marked as correct?

By the Court. Q. Who made the endorsement, was it you or the defendant, whose writing is that? A. That is his writing.

Q. He wrote that? A. Yes sir.

Q. The defendant wrote the words "National Pub. Co., James Cumins, Agt.", the balance of that writing, whose is it?

A. That is in my handwriting.

The Court: The balance reads in this way, "endorsement correct, Baker Heating Co., William C. Baker, Pres .

By Counsel. Q. I ask you if he spoke of the New York, Brooklyn and

Newark Directory and you endorsed his writing as correct, do you mean to tell me as a business man you did not read that endorsement, did you read the endorsement?

A. I presume I did..

Q. It did not surprise you? A. No, because that publishing company published those directories.

Q. So you did know the name National Publishing Company?

A. I knew it by that signature, I did not know the technical name; it is called the United States Publishing Company and the United States Directory Company.

By the Court. Q. And the National Publishing Company?

A. Yes sir, they publish several directories, I knew that.

By Counsel. Q. On April 4, 1891, did this same gentleman come to you?

A. The same man came there.

Q. Did it not excite or rouse your suspicion in any way that anything should be said about advertisements?

A. No sir.

Q. You gave another check? A. Yes sir.

Q. For how much? A. Thirty dollars.

Q. Did you see the gentleman endorse that check, did you see the defendant sign that check? A. Yes sir, endorse it.

Q. Is that the endorsement that he signed? A. He signed that, I wrote underneath, "endorsement correct", I saw him sign it.

By the Court. Q. He wrote George Tyson, is that right?

A. Yes sir.

By Counsel. Q. Do you recollect his signature on that day, April 4?

A. Yes sir, very distinctly.

Q. You were sober on that day too? A. O yes.

By Mr. Townsend. Q. Did you rely upon the statements made by the defendant as to his position and did you pay him the check of thirty dollars?

Objected to.

The Court: Strike it out.

Q. You have stated that this defendant on the 4th day of April, 1891, made certain statements and representations to you which you detailed here so far as you recollect them, did you believe those reports and statements to be true at the time he made them?

Objected to.

Objection overruled.

Exception.

A. I did.

Q. Then believing those representations and statements to be true did you part with the possession of this check for thirty dollars?

Objected to.

Objection overruled.

Exception.

A. I did.

By Mr. Townsend. Q. When again did you see this man after the 4th of April?

Objected to.

Objection sustained.

MARY DEAN, sworn and examined.

By Mr. Townsend. Q. Miss Dean, what is your occupation?

A. I am book-keeper and stenographer for the Baker Heater Company.

Q. Of which Mr. Baker, the complainant, is president?

A. Yes sir, president.

Q. Where were you on the 4th day of April? A. In the office of the Baker Heater Company No. 799 Greenwich Street in this city.

Q. Did you see the defendant there? A. I did.

Q. Had you seen him before that day? A. On three or four different occasions.

Q. Can you recollect the occasions, the 4th day of April, will you look at that (showing check to the witness), what is that? A. A check for thirty dollars.

Q. Have you seen that before? A. Yes sir.

Q. When? A. On the 4th day of April.

Q. Where was it? A. I drew it, made it out.

By the Court. Q. Under whose direction did you draw that check?

A. By the direction of Mr. Baker, the president of the Baker Heater Co.

Q. The last witness? A. Yes sir.

Q. Was the defendant present at the time? A. Yes sir.

Q. He was in the room, was he? A. Yes sir.

Q. And after you filled out the check did you hand it to Mr. Baker? A. I handed it to Mr. Baker.

Q. Did he sign it? A. He did.

Q. And then what became of the check, if you saw, did he hand it to the defendant? A. I suppose he did, I have no recollection on that point, not of seeing it handed to him.

Q. What else do you recollect occurring that time in reference to that check, go on and tell what happened?

A. After the defendant had gone out of the office my suspicions were aroused as I remembered that we had on two or three different occasions paid him for advertising for

some directories, the names of which I did not recollect at the time; so I called Mr. Baker's attention to the fact and he began to investigate.

Q. That was after he went?

A. After he went.

Q. Is that all that you recollect occurring on the 4th of April, 1891, between Mr. Baker and this defendant?

A. Mr. Baker talked with him in the usual way.

Q. Mr. Baker and he had a conversation together, did you hear the conversation?

A. Yes sir.

Q. Can you state to the jury what the conversation was as near as you can recollect what was said by both?

A. He represented himself to be the agent -----

Q. He said he was the agent of what?

A. Of the United

States Business Directory and they came to an agreement that Mr. Baker should pay him thirty dollars for the page that would be inserted in the Directory, and after coming to that agreement Mr. Baker came to me and asked me to draw the check and I called Mr. Baker's attention -----

Q. Did you draw the check?

A. Yes, I drew the check.

By Mr. Townsend. Q. Was anything further said while the defendant was there that you recollect?

A. Anything further about what?

By the Court Q. Tell us all that you recollect that occurred prior to the drawing of this check by you between Mr. Baker and this defendant?

A. Nothing occurred except the usual talk about the price for the advertisement.

By Mr. Townsend. Q. And that was agreed upon as you testified?

A. That was agreed upon.

Q. Then you drew the check and filled it in and Baker signed it in your presence?

A. Yes sir.

Q. About the endorsement, look at that, turn it over, see the name on there, did you see the defendant sign that?

A. I did not.

Q. Look at this check of March 31st, have you ever seen that before?

By the Court. Q. Did you see that check before, look at the back of it, do you recognize that check? A. No sir, I do not.

Q. In whose handwriting is the filling in? A. I should say it was in Mr. Baker's handwriting.

By Mr. Townsend. Q. Do you recollect the defendant being there that day? A. I could not state as to the date without referring to the stub of our check book but I remember that on three different occasions he was there, four different occasions I think.

By the Court. Q. Did he get a check on each of the three different occasions? A. Yes sir.

By Mr. Townsend. Q. Look at that (another check shown) March 27?

By the court. Q. In whose handwriting is that? A. In my handwriting.

By Mr. Townsend. Q. Do you recollect his being there that day?

A. I do.

Q. Do you identify him as the man? A. I do.

Q. Do you recollect what took place, the conversation?

A. No, I could not state; there is one circumstance that I do remember, in drawing this check I remember asking him how his name was spelled.

By the Court. Q. What did he say? A. Cumins.

By Mr. Townsend. Q. He told you how to spell his name, did he?

A. He told me how to spell it.

Q. Did you see Mr. Baker sign it? A. I do not recollect that I did, it is in his handwriting.

By the court. Q. Do you keep your receipts, that is part of your duty as book-keeper? A. Yes sir.

Q. Look at these three receipts? A. I recognize the papers.

Q. You recognize the receipts, don't you, you are the book-keeper, have not you entered them in a book?

A. I just simply file the receipts.

Q. You enter them in your check book, is that it?

A. I simply file the receipts and put them away, I never make any note of the receipts.

Q. Mr. Baker has been calling you the book-keeper, I understand the duty of a book-keeper is to keep books?

A. Everybody does not keep books in the same way.

Q. Do you keep any other book except the check book?

A. We keep the usual ledger and sales book, etc.

Q. When you pay out money don't you enter it in the ledger?

A. No, when I pay out money we always write it on the stub of the check book.

Q. Do you make any entries into the ledger from the stub check book? A. No sir.

Q. The receipts that you take are filed? A. Yes sir.

Q. Look at these receipts and say whether you can recognize them as receipts that were filed by you, if you can't recollect say so? A. Yes sir, I do recollect the circumstance of his giving these receipts.

Q. Giving receipts for each of those checks? A. Yes sir.

CROSS EXAMINED.

By Counsel. Q. How long have you been in the employ of Mr. Baker?

A. Since last October.

Q. You have not the check book of the company here to-day, have you?

A. No sir.

Q. It did not occur to you as being at all important?

A. I did not suppose it would be brought to Court, I did not suppose that you would call for it.

By the Court. Q. You were not asked to bring it by the District Attorney or anyone else?

A. No sir.

By Counsel. Q. Of your own volition you did not think that it was important?

A. No sir, I have not brought the check book.

Q. You stated a little while ago that you had seen the defendant on three or four occasions?

A. Yes sir.

Q. Is that statement true?

A. It is true.

Q. When was the first time that you saw him?

A. It was before the 27th of March.

Q. That is before the time that the first check was given?

A. Yes sir.

Q. He came in and did he ask to see you, the cashier, or Mr. Baker?

A. He asked to see Mr. Baker, the president of the Company.

Q. Mr. Baker was there, was he not?

A. Mr. Baker was not there at the time.

Q. Did you have any conversation with him?

A. He asked when Mr. Baker would be in and I informed him that he was not in in the morning.

Q. How long was this prior to the 27th of March?

A. I think it was the day before but I cannot say positively.

Q. So that when the defendant came in the following day or the day after, you recognized him, did you not, as the individual who had come in to see Mr. Baker? A. I did.

Q. At that time there was no question in your mind about the identity of the defendant, was there? A. Not at all, I knew the defendant.

Q. When he came in on the 27th of March you said that you overheard the conversation between him and Mr. Baker?

A. I always sat at my desk, of course I heard but not to remember definitely.

Q. Did you hear for what company or house he was soliciting those advertisements, what directory? A. I did not notice at the time, I could not state.

Q. You did not hear that at all, did you? A. I have no recollection of hearing it.

Q. It is not because you have changed your mind since you have heard Mr. Baker testify? A. Not at all, I could scarcely hear a word Mr. Baker said.

Q. You did not hear him state that it was the New York, Brooklyn and Newark Directory, did you? A. That is what I have on the stub of the check book.

Q. Did you hear it at the time? A. I wrote it on the stub of the check book, I do not remember hearing it.

Q. Who told you to write it? A. Mr. Cumins told me when I wrote the check what he represented.

Q. So that you knew what directory he did represent?

A. I knew what he said he represented.

Q. Did you see Cumins, the defendant here, endorse the check?

A. I could not state that I did.

Q. Did he not go over to your desk and endorse the check?

A. I cannot state that he did or did not.

Q. You do not know? A. I do not remember.

Q. Will you state whether or not you saw him endorse the check on the 27th? A. I cannot say that I saw him endorse it..

Q. You will not state that he came over to your desk, will you? A. NO.

Q. What desk was there that he could endorse the check on? A. There were two desk in the room and a table.

Q. There was Mr. Baker's desk, the assistant cashier's, and your own desk and a vacant table? A. There were three that he might have used.

Q. Do you recollect seeing him going to any of these desks? A. I do not.

Q. You really do not recollect much about what happened there, do you? A. No, not particularly.

Q. Except that you do know that this was the gentleman who had called in the day before to see Mr. Baker? A. I do, I know it.

Q. And in whose name you made out the check as of James Cumins? A. I remember very distinctly.

Q. I understand you to say that you were not present at the time that the defendant called there on the 31st of March?

A. I do not say that I was not present, I could not state positively but I should say that I was because I very seldom ---- in fact, I may say, I was always at my desk.

Q. It is not for any fear of being reproached with the fact that you do not recognize him as James Cumins when the man represents himself as Tyson? A. I remember his face perfectly but I did not recollect the name at the time.

Q. In whose handwriting is the check of March 31, 1891, made out?
A. Mr. Baker's, I think I stated when it was handed to me.

Q. I ask you was it any part of the duty of the assistant cashier to fill out any checks?
A. Yes sir, sometimes he had filled out checks, after those dates I think I had assumed that responsibility.

Q. Only after what dates?
A. I think for some time, the 27th of March I had filled out nearly all the checks, they might show some other handwriting but not many.

Q. Are you prepared to state on this day in question, the 31st of March, 1891, the assistant cashier had nothing to do with that check?
A. I judge not because it is Mr. Baker's handwriting.

Q. Will you answer me whether or not?
A. I cannot state.

Q. I show you that check of March 31, 1891, I want you to tell me in whose handwriting are the numerals 31, if you can recollect that?
A. Those look like my figures.

Q. Will you say that they are yours?
A. No sir, I won't.

Q. Whose will you say they are, Mr. Baker's or the assistant cashier?
A. I should not venture any statement on it, it is possible Mr. Baker may have made out the check and handed it to me and I discovered the discrepancy and put in the figures.

By the court. Q. Whose handwriting is the word March in?

A. That is Mr. Baker's I should say.

By Counsel. Q. Does it refresh your recollection at all in any way as to what took place in that interview on the 31st of March between the defendant and Mr. Baker when it appears that the numerals in this check were written in your handwriting?

A. I do not say that it is my handwriting, it looks like my handwriting, not my handwriting, my figures, I do not think it is, it may be.

Q. Does the assistant book-keeper write like that?

A. No, I do not think so.

Q. Did you see the defendant endorse that check March 31, 1891?

A. I have no positive recollection to that effect.

Q. Did you see him in the store at all that day, do you recollect that?

A. I cannot state positively that I did

Q. In regard to the check of April 4, 1891, a few days afterwards did you see the defendant come into the store?

A. I did.

Q. You recognized him pretty well. did you not?

A. I did, yes sir.

Q. Did he state that his name was Tyson?

A. He did not state his name at all until I came to make out the check, that I remember.

Q. Did you overhear the conversation between him and Mr. Baker?

A. Yes, part of it.

Q. What was that conversation?

A. He stated that the price of the advertisement should be thirty-five dollars in the United States Business Directory for a page and they talked two or three minutes perhaps about the price and agreed to come down five dollars, to thirty dollars.

Q. You heard Mr. Baker's testimony, did you not?

A. I did not, I could scarcely hear a word he said, I could not certify to a word.

Q. He said that the defendant came in there and offered to take a page of advertising for thirty dollars, he said nothing about thirty-five dollars?

A. They talked about

Q. Are you certain that you are correct in what you are telling me?
A. I know that I am correct, I remember distinctly.

Q. How far was Cumins from where you were?
A. Cumins stood part of the time right at the corner of my table, Mr. Baker's desk is not further than that.

Q. About two feet from there?
A. Not further.

Q. Did you hear Mr. Baker ask to whom he should make out the check?
A. I believe that I asked.

Q. What name did you get?
A. George Tyson.

Q. You saw him endorse the check, did you not?

A. I cannot state that I did.

AUSTIN J. CURTIN, sworn and examined.

By Mr. Townsend. Q. What is your business, Mr. Curtin?

A. I am manager for the United States Business Directory.

Q. Manager and publisher?
A. I am manager and superintendent, Mr. W. A. Curtin is publisher, I am not the publisher, I am merely his superintendent and manager.

By the Court Q. manager?
A. Yes sir.

Q. How long have you been such?
A. Since 1881.

By Mr. Townsend. Q. Do you know the defendant, James Cumins?

A. Yes sir.

Q. When did you first know him, was he in the employ of your company and in what capacity.

Objected to. Objection overruled. Exception.

A. He was employed as a solicitor of advertisements for our company.

By Mr. Townsejd. Q. For Curtin's United States Business Directory?

A. Yes sir, for Curtin's.

Counsel: I move to strike out the answer as irrleevant and imma-
terial.

The Court: Motion denied. Excepti on.

By Mr. Townsend. Q. When was he first employed?

Objected to. Objecti on overruled. Exceptiona

A. This man Cumins was employed by my agent in Phila-
delphia.

Counsel: I move to strike that out.

The Court: Yes.

By Mr. Townsend. Q. When did he go into the employ of your company?

A. About two years ago as near as I can recollect.

Q. And he continued on in your employ, did he, till when?

Objected to as immaterial. Objection overruled.

Exception .

A. I dismissed Cumins on the week ending February
14, 1891.

By the Court. Q. Since February 14, 1891, has he been in the employ
of this company as solicitor for advertisements?

A. No sir.

Q. Had he any authority from this company to solicit adver-
tisements since that day or to receive money for them?

A. No sir, none whatever.

CROSS EXAMINED.

By Counsel. Q. What are your initials? A. Austin John; they
call me Gus a great many do as an abbreviation.

Q. Are you the agent for any directory? A. I am not the
agent for any directory, I am the manager and superintendent
for several directories.

Q. What particular one was there you answered to here?

A. The United States.

Q. The United States Directory?

A. Yes sir, that is

the one I answered for.

Q. You had nothing to do with the New York, Brooklyn and Newark Directory, had you?

A. Two years ago we published a directory called the New York, Newark and Brooklyn, we suppressed the publication of that book and issued in its place a directory called the New York, Boston, Philadelphia and Newark under one cover.

By the Court. Q. When was that done?

A. That took place two

years ago, the New York, Boston, Philadelphia and Newark took the place of the New York, Brooklyn and Newark.

By Counsel. Q. You state that the New York, Boston, Philadelphia and Newark is the successor of the New York, Brooklyn and Newark Directory?

A. Yes sir.

Q. You never had any trouble with the agent, superintendent or manager of this company or his successor?

A. None whatever.

Q. You never were arrested, were you?

A. No sir, never

in my life.

Q. Do you know H. A. Curtin?

A. Yes sir.

Q. Is he your uncle?

A. Yes sir, the publisher of that directory.

Q. He never was arrested?

A. No sir, he never was.

Q. Was he ever convicted?

A. Not to my knowledge.

Q. Have you ever appeared in Court for the purpose of having your publications suppressed?

A. No sir.

Q. You have no ill will at all against the defendant, have you?

A. None whatever.

Q. Do you recollect your testimony at the Police Court?

A. I do, yes sir.

Q. Did you state down there before the Police Court it was going to be your business to send this man to Sing Sing?

A. No sir, I did not make that assertion.

Q. As you left the stand you told them, by God you would send him to State Prison and that he would get a number of years?

A. I never made any such assertion.

Q. You did not make that statement in the presence of a number of people down there? A. I did not, not to my knowledge.

Q. Well you know? A. I do not think I did.

By the Court. Q. Do you know whether you did or not?

A. I know that I did not, that is it.

By Mr. Townsend. Q. Did your company receive any money from the defendant since the 14th of February? A. None.

Counsel: I move that the answer be stricken out. it ought to have come in his examination in chief.

The Court: I will allow it.

Counsel: Note an exception.

By Mr. Townsend. Q. Did you receive from Mr. Cumins an advertisement for the Baker Car Heating Company?

Objected to. Objection overruled. Exception.

A. No sir.

WILLIAM PHILLIPS, sworn and examined.

By Mr. Townsend. Q. What is your business or occupation?

A. I am a director and publisher.

Q. What is the name of your company? A. Phillips's Business Directory.

Q. Do you know the defendant Cumins? A. I really cannot say that I do, he may have been in my office but there are so many of them during the year.

Q. Was he in your employ any time this year? A. He was not.

Q. And he had no authority from your company to solicit any advertisements? A. None whatever.

The Court: I presume you will put those checks and receipt in evidence.

Mr Townsend: Yes, I put them in evidence. That is the case for the People.

The Case for the Defence.

JAMES V. CUMINS, sworn and examined.

By Counsel Q. Mr. Cumins, you have heard the testimony in this case? A. Yes sir.

Q. Did you go to Mr. Baker's store on or about the 27th of March, 1891, for any business purpose? A. I did.

Q. Please state what that purpose was? A. I went to Mr. Baker's store on Greenwich Street in regard to an advertisement that I wanted to get in the New York, Brooklyn, Jersey City and Newark Directory.

Q. Is that any of the names that have been used heretofore up to this moment in this case? A. No sir, Mr. Baker

did not have the book correct, Mr. Baker remembered the book New York, Brooklyn and Jersey City.

Q. He remembered it? A. Yes sir.

Q. That part of his recollection was correct? A. Yes sir.

Q. You went there and you saw him? A. Yes sir.

Q. Did you solicit him for that purpose? A. Yes sir, I did I asked him for fifteen dollars for a page, I asked an order and got a check for fifteen dollars drawn to my name.

Q. Did you call there on the 31st of March? A. I did not

Q. Did you call for any purpose whatever? A. No sir, I have never been inside of his store.

Q. Did you call on the 4th of April, 1891? A. I did not, no sir.

Q. Did you ever have any transaction at all with Baker other than the transaction of the 27th of March, 1891?

A. I did.

Q. You did? A. Yes sir.

By the Court. Q. Do you understand the question? A. Yes sir.

By Counsel. Q. What transaction was that? A. I asked Mr.

Baker in September I think it was, 1890, for two dollars for H.A. Curtin on the United States Business Directory, Mr. Baker has the receipt, Mr. Curtin has the coupon attached to the receipt in his possession and entered on his books.

By the Court. Q. September what? A. About September or October, 1890, I have not exactly the date.

Q. You got two dollars for an advertisement? A. Yes sir, for H.A. Curtin.

By Counsel. Q. That gentleman that went on the stand?

A. That is the gentleman.

Q. What were the words that man said to you at the Police Court,

he states he did not threaten to send you to jail, is that statement true, what did he say to you? A. When Mr. Curtin was brought before Judge McMahon and gave testimony he came up in a very boisterous way and said, "I will fix you, I will see you will go up to prison some years before I have done with you."

CROSS EXAMINED.

By Mr. Townsend Q. You say that you were not in the office of Mr.

Baker on the 4th of April? A. No sir.

Q. Did you ever meet Miss Dean? A. Miss Dean wrote out that check for fifteen dollars.

Q. When was that? A. On the 27th of March.

Q. Look at that check, what date is that? A. April 4.

Q. Did you ever see that before? A. No sir.

Q. Did you hear Mr. Baker testify that on the 4th day of April he gave you that check in his store? A. I heard him testify, yes sir.

Q. That was not so? A. It is not so, no sir.

Q. You were not in the store then after what date?

A. The 27th of March..

Q. Look at that check, March 31st, did you ever see that before?

A. No sir.

Q. Did you hear Mr. Baker testify that on the 31st of March in his office he handed you that check? A. I did..

Q. Is that so? A. No sir.

Q. Turn it over and look at the endorsement? A. Yes sir, I see the endorsement.

By the Court. Q. That is George Tyson? A. George Tyson.

Q. Whose handwriting is that? A. I do not know, sir, whose

handwriting it is.

Q. It is not yours? A. No sir.

By Mr. Townsend. Q. Look at this April 4, the endorsement?

A. Yes sir, the endorsement George Tyson.

Q. Whose handwriting is that? A. I do not know, sir.

Q. Is that yours? A. No sir.

Q. I show you a check of March 27, what is that?

A. That is my endorsement on that check drawn to my name.

Q. When did you see that last? A. On the 27th of March.

Q. Where? A. When I cashed it.

Q. Where was it? A. On 14th Street.

Q. Before that where did you get it? A. I got it from Mr. Baker.

Q. Whereabouts was he? A. In his store on Greenwich St.

Q. Who was there besides he and you? A. I forget the young lady's name.

Q. Miss Dean? A. His book-keeper was there that wrote this check out for me.

Q. Is that the only time that you were in the store of Baker?

A. The only time except what I spoke of, last September, 1890 or October, I wont say positively, when I went in for Mr. Curtin

Q. You were not in on the 31st of March of this year or the 4th of April? A. No sir.

Q. Were you on the 27th of March? A. The 27th of March, 1891, is the only day that I have been in the store.

Q. What has been your business prior to the 4th of April?

A. How far back do you want me to refer to? I have been employed with Curtin for about two years.

Q. When did you leave him? A. I heard him say the 4th of February I believe but I have not a distinct recollection of what date it was.

Q. Wasn't it about the 14th of February? A. I believe it was the 14th of February, I could not say.

Q. Wasn't it before Washington's birthday? A. About the 14th probably, I did not think it was worth while to remember.

Q. Can't you tell these twelve men when you left Curtin's employ? A. I think it was about the 14th of February.

Q. You think it was? A. Yes, I told you that once.

Q. Then what have you been doing since the 14th of February, what business? A. I have been taking advertisements for the New York, Brooklyn, Jersey City and Newark Directory.

Q. Who is the publisher of that directory? A. I am

Q. You are the publisher? A. Yes sir.

Q. Where is your office? A. My office is No 311 West 55th Street.

By the Court. Q. Have you got a printing office? A. No sir, this is the first year of publication.

Q. Who was the printer, you had your office where?
A. No. 311 West 55th Street.

Q. Any sign on that, anything of that sort? A. No sir.

Q. Do you live there? A. Yes sir.

Q. Your office is in your house? A. Yes sir.

Q. No sign at all? A. No sir.

Q. You are the publisher of what? A. The New York, Brooklyn, Jersey City and Newark directory.

Q. Who is the publisher? A. The National Publication Company which I represent.

Q. Have you published it? A. No sir, Mr. Curtin had, Mr. Curtin was suppressed from publishing it; the book I am publishing is called the New York, Brooklyn, Jersey City and Newark Directory.

By Mr. Townsend. Q. Whom did you employ? A. I have employed one or two agents.

Q. Give me the name of one of them?

Objected to. Objection overruled. Exception.

A. I employed a man by the name of Arlington, I do not know where he is, I discharged him, I employed him some time in March.

Q. You do not know where he is now? A. No sir, he could not do any business.

Q. Where did he live when you employed him? A. I think he lived somewhere on Tenth Avenue near 22nd or 23rd Street.

Q. What is his first name? A. Henry Arlington.

Q. In what capacity did you employ him? A. I employed him as a solicitor for advertisements.

Q. Who else did you employ? A. That was the only man.

Q. What did you do? A. I also solicited.

Q. Who did the publishing and the printing? A. It has not had time to be published.

By the Court. Q. What is the name of your firm? A. The National Publishing Company.

Q. Who was it composed of? A. I represent the Company.

Q. You are the whole company, the National Publishing Company? A. Yes sir.

Q. Your office is in what street? A. No. 311 West 55th St.

Q. What sign is there? A. There is no sign at all except my name.

- Q. It is your dwelling house, isn't it? A. Yes sir.
- Q. Do you occupy the whole of the house? A. Yes sir, I occupy a flat.
- Q. It is in this flat that the office of this company is?
- A. Yes sir.
- Q. When was that company formed, will you just tell me that?
- A. It was formed in March.
- Q. In March of this year, 1891? A. Yes sir, when I commenced to solicit for this book.
- Q. It is composed entirely of yourself? A. Yes sir..
- Q. What capital has that company? A. Capital enough to furnish the book whatever it costs to be published.
- Q. What capital, tell me? A. It takes a thousand dollars capital easy to publish it.
- Q. A thousand dollars to publish the directory?
- A. It is the first issue of the book, it is only a new book I am getting out myself.
- Q. Did you make any arrangement with any printing company to publish this book?
- Objected to. Objection overruled. Exception.
- A. No sir, it is not necessary until I get the matter.
- Q. When was it to be published? A. July, 1891.
- Q. When did you commence to solicit for this? A. In March.
- Q. You and one agent were engaged, you expected to get money enough to publish the book? A. Not on subscriptions alone, I would take contracts.
- Q. Did you make any contracts? A. No sir, not so far, I have not had time.
- Q. Would not you have to supply printing, paper, etc.?
- A. Certainly I could have it published.

Q. For a thousand dollars? A. Yes sir, according to the number of subscribers I had for the book.

Q. How many subscriptions had you altogether?

Objected to. Objection overruled. Exception.

A. I have been arrested.

Q. Just tell me about how many? A. I suppose I have got orders -----

Q. Don't suppose, tell me? A. I cannot say the exact amount, you will often go to subscribers and they will say they want sign a contract, to bring down the book after it is published and they will buy it.

Q. How much did you receive on subscriptions?

A. \$3.50 a book.

Q. How much money altogether? A. I do not understand you.

Q. Yes you do, how much cash have you received?

A. I could not tell you without going over my accounts I could not guess.

Q. You could not guess from five dollars to five thousand?

A. I would not make any guess, I know it is not five thousand.

Q. Did you file any certificate of the corporation of this company in the county clerk's office? A. No sir, I intended to do it as soon as I got the subscribers; I did not think it was necessary till I had the matter to compile the book with.

Q. Are you president, secretary and director of the company?

Objected to. Objection overruled. Exception.

A. Yes sir.

Q. Look at this receipt of March 31st? A. This says March 4, if I am not mistaken.

Q. Is that your handwriting? A. No, it is not.

Q. Look at this, what date is that? A. That is March 30.

By the Court. Q. That is not your handwriting? A. No, it is not.

Q. Is that your handwriting (another paper shown)?

A. No sir, it is not a receipt for fifteen dollars either. This is dated March 30, I believe, the two receipts are March 30, I do not know what this calls for, I do not know what that receipt is, two receipts for the same date, March 30.

Q. What is the name of your company? A. The National Publishing Company.

Q. Is not that "rec'vd \$15.00." A? I should think it ought to be left to the judgment of the jury or anybody else, I should say it was ten dollars.

Q. When you look close into it it is five? A. No sir, I would never call it fifteen dollars.

Q. This is not your receipt? A. No sir, it is not.

Q. Did you give a receipt for the fifteen dollars?

A. Yes sir.

Q. What name did you sign that receipt? A. James Cumins, my right name.

Q. Why did not you sign the name of the company?

Objected to as immaterial. Objection overruled.
Exception.

A. It is on the receipt.

Q. Why did not you sign the company's name? A. The company's name is printed on my receipt.

Q. Did you say "per you"? A. No, my receipts are printed receipts, they are not receipts like this.

By Mr. Townsend. Q. Have you got any with you? A. No sir, I

have not..

Q. Where did you have them printed?

Objected to as immaterial. Objection overruled.

Exception.

A. Ask my lawyer. Shall I answer that? I had them printed on 56th Street.

By the Court. Q. What is the name of the man who printed them?

A. I could not tell you, I think it is Harm, he is a German, 56th Street near 10th Avenue.

WILLIAM J. MOORE, sworn and examined.

By Counsel Q. Do you know the defendant at the bar?

A. Yes sir.

Q. Was it your intention to go into business with him in regard to publishing the directory that he speaks of?

The Court: That is excluded, it has nothing to do with this case, what this man's intentions were.

By Counsel. Q. In the month of March or previous thereto, did you have any business relations with the defendant in regard to publishing any directory?

A. No sir.

Q. When did you have any such? A. Never had any.

Q. How long have you known him? A. Over a year.

Q. What is his reputation for honesty?

By the Court. Q. Do you know what his general reputation is --- in the first place do you know what general reputation means

A. I suppose in regard to a man's character.

Q. Reputation means what a man's neighbors, friends and business associates say about his character, now do you know what this man's general reputation is?

A. As far as his neighbors is concerned, I knew none of

his neighbors but his business associates I know.

Q. What was his reputation? A. It was very good.

By Counsel. Q. Very good? A. Yes sir.

ELLEN CARLAN, sworn and examined.

By Counsel. Q. Where do you live, Mrs. Carlan? A. 974 8th Ave.

Q. Do you know the defendant at the bar? A. I have known the defendant for ten or eleven months, I have seen him daily and what I know of him is honest and straightforward, I have lent him money.

Q. His reputation for honesty is good? A. Yes sir.

By Mr. Townsend. Q. How are you related to him? A. I aint related to the man at all.

KATE JESSUP, sworn and examined.

By Counsel. Q. Do you know this defendant at the bar?

A. Yes sir.

Q. Do you recollect being present in the Police Court when he was examined before Justice McMahon? A. Yes sir.

Q. Did you see Mr. Curtin there? A. I did.

Q. What did you hear Mr. Curtin say? A. He said, "By God I will fix you, my boy, I aint through with you yet, you will go to prison for a number of years."

Q. How long have you known Mr. Cumins? A. Mr. Cumins and my husband was friends, I have heard of him for years, I have known Mr. Cumins for years.

Q. What is his reputation for honesty? A. I have always heard him spoken of in the highest terms.

By Mr. Townsend. Q. Is it good or bad?

A. Good.

Q. When did you hear it talked about?
my husband has loaned him money.

A. Why, repeatedly,

Q. When was this discussion and with whom as to whether he was
honest or not?

A. I believe the man to be honest.

By the Court. Q. Did you ever hear anybody discuss the character of
this man, did you hear any discussion about it?

A. Yes sir.

Q. What are the names of those people?

... One gentle-
man's name is James Gregg, he belongs in England and he comes
here every month.

Q. What is the name of the other gentleman?
Henry Jessup.

A. My husband,

Q. They discussed this man's character?

A. Yes, they did.

Q. What did they say about his character?

A. The way they
explained it was that he was a good fellow and honest, I
never heard anything about his character.

Q. What was the cause of bring^{ing} up this discussion? why discuss
this man's character; did anyone question it?

A. They both loaned him money.

Q. They talked over the money and said he was a good fellow?

A. Yes sir. I have loaned him money.

Q. You have loaned him money and he paid it back to you?

A. Yes sir, he did.

Counsel: That is our case.

JOHN FOLEY, sworn and examined.

By Mr. Townsend. Q. You arrested the defendant?

A. Yes sir.

Q. Were you present at the examination at the time he was ar-
rested in the Police court?

A. Yes sir.

Q And Mr. Curtin was there? A. Yes sir.

Q. Did you hear any conversation between Curtin and he?

A . Mr. Curtin made some remark about the evidence being enough to convict him or some words to that effect.

Q. Did he say anything about sending him to the State Prison?

A. I did not hear it.

Q. You did not hear it? A. No sir.

Q. You were with him all the time? A. Yes sir, close to him.

Q. Do you know whether the defendant had ever been arrested before?

Objected to. Objection sustained.

Q. Do you know if he had been convicted?

Objected to on the ground that it is not within the rebuttal. Objection sustained. Exception.

By the Court. Q. Do you know if he has been convicted?

A. Mr. Curtin tells me and an officer in Court that he has got ten days --- only as I was told by the policeman that arrested him, personally I do not know.

Counsel: I move that the answer be stricken out.

The Court: Yes.

The Jury rendered a verdict of guilty.

POOR QUALITY
ORIGINAL

0977

testimony in the
 case of
 James V. Cummins

filed May
1891

POOR QUALITY
ORIGINAL

0978

Sec. 151.

Police Court 2 District.

CITY AND COUNTY } ss. *In the name of the People of the State of New York; To the Sheriff of the County*
OF NEW YORK, } *of New York, or any Marshal or Policeman of the City of New York:*

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by William C. Baker of No. 799 Greenwich Street, that on the 4 day of April 1889 at the City of New York, in the County of New York, the following article to wit:

Good and lawful money of the
United States
of the value of Thirty Dollars,
the property of an article of the complainant
w as taken, stolen and carried away, and as the said complainant has cause to suspect, and does suspect and believe, by James V. Cummings

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and every of you, to apprehend the body of the said Defendant and forthwith bring him before me, at the 2nd DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 14 day of April 1889

H. T. McMahon POLICE JUSTICE.

POOR QUALITY
ORIGINAL

0979

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Warrant-Larceny.

Dated 188

Magistrate

Mulholland & Foley Officer.

The Defendant.....
taken, and brought before the Magistrate, to answer
the within charge, pursuant to the command con-
tained in this Warrant.

Officer.

Dated 188

This Warrant may be executed on Sunday or at
night.

Police Justice.

5-5-6, N, 37

Dated 188

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

The within named

Police Justice.

POOR QUALITY
ORIGINAL

0980

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

THE PEOPLE, &c.,
ON THE COMPLAINT OF
William G. Baker
James V. Cummings
James V. Cummings
Dated April 14 1891
Prosecution Magistrate
J. J. Kelly
Officer
Precinct
Witnesses
No. 1, by _____
Residence _____
No. 2, by _____
Residence _____
No. 3, by _____
Residence _____
No. 4, by _____
Residence _____
No. 5, by _____
Residence _____
No. 6, by _____
Residence _____
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No. 8, by _____
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No. 95, by _____
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No. 96, by _____
Residence _____
No. 97, by _____
Residence _____
No. 98, by _____
Residence _____
No. 99, by _____
Residence _____
No. 100, by _____
Residence _____

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

defendants
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Twenty-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 May 3 1891 Admiration Police Justice.

I have admitted the above-named
to bail to answer by the undertaking hereto annexed.
Dated 18 _____ Police Justice.

There being no sufficient cause to believe the within named
guilty of the offence within mentioned. I order he to be discharged.
Dated 18 _____ Police Justice.

POOR QUALITY
ORIGINAL

0981

CITY AND COUNTY }
OF NEW YORK, } ss.

Austin J. Curtin
aged 44 years, occupation Manager of No.

65 Duane Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of William C. Baker

and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this 14 day of April 1890, } *Austin J. Curtin*

W. M. Maloney
Police Justice.

POOR QUALITY
ORIGINAL

0982

Baker Heater Co.

Peoples Bank, New York, March 27 1891 No. 331

CANSEVOORT BANK

Pay to the order of

James Cummins Agt.

\$15.00

Fifteen

Dollars.

THE BAKER HEATER CO.,

M. C. Baker

President.

POOR QUALITY
ORIGINAL

0983

National Bt Co
James Cummins agt.

Endorsement
Direct
The Baker Heater
Co.

W. C. Baker
Pres.

POOR QUALITY
ORIGINAL

0984

Baker Heater Co.

People in New York, March 31, 1891 No. 342

CANSEVOORT BANK

Pay to the order of

Gen. Tyndal, Agent Phillips Dry \$30

Thirty

Dollars.

THE BAKER HEATER CO.,

M. C. Baker

President.

POOR QUALITY
ORIGINAL

0985

Geo Lyrow agt-
Phillips B. O.
Providence
Connect.
The Baker Heater
Co
Wm. Baker Pres

POOR QUALITY
ORIGINAL

0986

Baker Heater Co.

People's Bank, New York, April 4 1891 No. 356

CANSEVOORT BANK

Pay to the order of

George Tyson \$30.00

Thirty Dollars.

THE BAKER HEATER CO.,

M. C. Baker President.

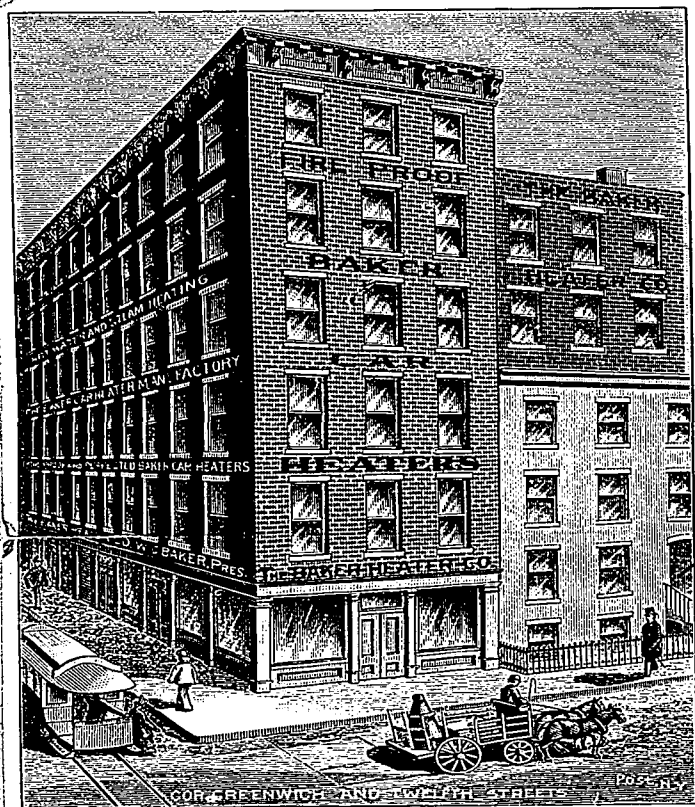
POOR QUALITY
ORIGINAL

0987

Geo Sigson
Indorsement
Correct
The Baker Heatworks
W. Baker, Pres.

POOR QUALITY
ORIGINAL

0988



THE BAKER HEATER CO.,

W. C. BAKER, (the Original Inventor), President.

Office, 799 GREENWICH STREET, Cor. Twelfth St.

People New York, March 29 1891.
Genl/91

Recd 10⁰⁰ for
Heating
in
Union Pub Co
Heating
Steam Heating
Hot Water
F F C

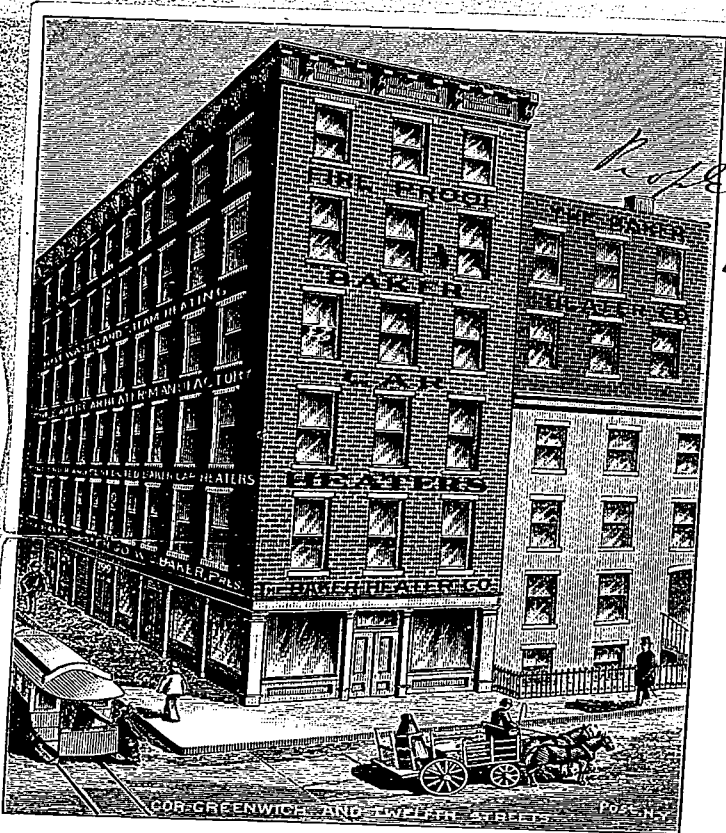
**POOR QUALITY
ORIGINAL**

0989

Receipt for
in the bank of

POOR QUALITY
ORIGINAL

0990



THE BAKER HEATER CO.,

W. C. BAKER, (the Original Inventor), President.

Office, 799 GREENWICH STREET, Cor. Twelfth St.

Received
New York, March 21/4 1891.

21/41

Received from The Baker Heater Co
the sum of thirty dollars & 30 for the
insertion of one page & fine readings
in N B D
Geo. L. Brown.

POOR QUALITY
ORIGINAL

0991

Apr 4 @ 30.00

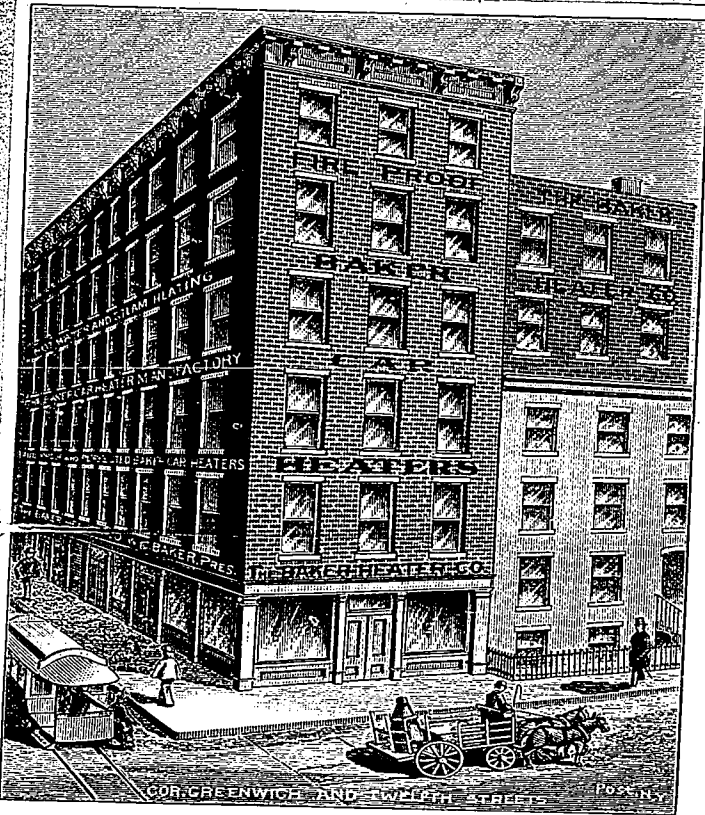
Geo. Tyson

U.S.

Business Directory

POOR QUALITY
ORIGINAL

0992



THE BAKER HEATER CO.,

W. C. BAKER, (the Original Inventor), President.

Office, 799 GREENWICH STREET, Cor. Twelfth St.

People's
New York, March 30 1891.

2/1/91
Phillips Directory

Rec'd from The Baker
Heater Co the sum of Thirty
Dollars \$30 for insertion of
Page and 6 Displayed headings
2 Special (Page to go under
Heating Apparatus)

\$ 30.00

Geo Lyson
agt.

**POOR QUALITY
ORIGINAL**

0993

*Directory
Receipt*

Police Court

2

District.

Affidavit—Larceny.

City and County } ss:
of New York,

William C. Baker

of No. 799 Greenwich Street, aged 62 years,

occupation President of Baker Heater Co. being duly sworn,

deposes and says, that on the 4th day of April 1891 at the City of New York,

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

the day time, the following property, viz:

Good and lawful money of the
United States of the value of
Thirty dollars

the property in care and charge 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 James V. Cummins for the

reasons that on said day the
defendant came to deponent and
represented that he was the
authorized agent for the United
States Business Directory and solicited
advertisements for said directory.
Deponent believing said statement
to be correct gave the defendant
an order to insert an advertisement
in said directory and gave the
defendant a check to the order
of George Tyson for the sum of
\$30.00 in payment for said advertise-
ment. Deponent had similar transactions

Sworn to before me, this 1891 day

of 1891

Police Justice.

with the defendants for other advertisements and paid bank checks payable to the ^{name of} ~~Cummings~~ and other names. Deponent is informed by Austin J. Curtin (now here) the general manager of the W.A. Curtin, the publisher of said directory and that no person of the name of Tyson is employed by said concern to solicit orders and that said subscription for advertisement was not received or the check received.

Said Curtin further informs deponent that defendant was formerly employed by him as a solicitor of advertiser but has long been discharged.

Said Curtin recognizes the signature on one of said checks as that of the defendant and deponent alleges that he is the same person who received the said check for \$30.00 under the name of Tyson.

Wherefore deponent charges the defendants with said larceny and ask that the defendants be arrested.

SWORN TO BEFORE ME

THIS 14th DAY OF April 1892

W. B. Minton

POLICE JUSTICE.

William C. Baker.

POOR QUALITY
ORIGINAL

0996

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

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

Question. What is your name?

Answer.

James V. Cummins

Question. How old are you?

Answer.

27 years

Question. Where were you born?

Answer.

India

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

Answer.

243 West 49th St - 8 mos

Question. What is your business or profession?

Answer.

Salesman

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 V. Cummins

Taken before me this

day of May

1891

W. H. Mahoney

Police Justice.

**POOR QUALITY
ORIGINAL**

0997

J. J. Cummins

POOR QUALITY
ORIGINAL

0998

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 V. Rummie

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

James V. Rummie —

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

The said *James V. Rummie* —

late of the City of New York, in the County of New York aforesaid, on the *fourth*
day of *April*, — in the year of our Lord one thousand eight hundred and
ninety one, at the City and County aforesaid, with force and arms, with intent to
deprive and defraud *a certain corporation known*
as the Eastern Water 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, did then and
there feloniously, fraudulently and falsely pretend and represent to *one William*
R. Borden, who was then and there the
president of the said corporation, —

That *he* the said *James V. Rummie* was
then and there duly authorized to collect
and receive from and on behalf of *the*
the said corporation, the publisher of a certain publication
called the *United States Business Directory*
for 1891, *and in advance on cards, capitals,*
special headings and extra matter on the
said directory, and to *then and there collect*
and receive from the said Eastern Water

Company, for and on behalf of the said
J. A. Rustin, the sum of thirty dollars, in
payment in advance for the insertion
of certain advertising in the said corporation
consisting of one page and five headings,
in the said directory.

And the said William R. Gadsden —

then and ^{there} believing the said false and fraudulent pretenses and representations so made
as aforesaid by the said James V. Rumrill —

and being deceived thereby, was induced, by reason of the false and fraudulent pretenses and
representations so made as aforesaid, to deliver, and did then and there deliver to the said
James V. Rumrill, the sum of thirty
dollars in money, lawful money of the
United States of America and of the
value of thirty dollars, and one written
instrument and evidence of debt, to wit: an
order for the payment of money of the said
called Travelers Cheques, for the payment of, and
of the value of thirty dollars,
of the proper moneys, goods, chattels and personal property of the said corporation.

And the said James V. Rumrill —
did then and there feloniously receive and obtain the said proper moneys, goods, chattels, and
personal property, from the possession of the said corporation —
by color and by aid of the false and fraudulent pretenses and representations aforesaid, with
intent to deprive and defraud the said corporation —

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 V. Rumrill
was not then and there duly authorized to
collect or receive for or on behalf of the
said J. A. Rustin cash in advance on cards,

Receipts, special readings and extra matter
on the said directory, or to them and there
collect or receive from the said Baker
Hester Company, for or on behalf of the
said W. A. Fulton, the said sum of Fifty
dollars, in payment in advance for the
insertion of any advertising for the said
corporation in the said directory.

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

And so the Grand Jury Aforesaid, do say that the said
James V. Rumrill
in the manner and form aforesaid, by the means aforesaid, the said proper moneys, goods,
chattels and personal property of the said corporation,
then and there feloniously did STEAL, against the form of the Statute in such case made and
provided, and against the peace and dignity of the said people.

John R. Fellows
JOHN R. FELLOWS,

District Attorney.