

0804

BOX:

436

FOLDER:

4023

DESCRIPTION:

Conklin, Philip

DATE:

05/05/91



4023

POOR QUALITY ORIGINAL

0005

J. L. Conner

Counsel,

Filed 5 day of May 1891

Pleads Not guilty to

THE PEOPLE

vs. B

Philip Conklin

POLICY

[S 844, Penal Code].

JOHN R. FELLOWS,

District Attorney.

A TRUE BILL.

W. S. Shidmore

Foreman.

Sentenced on another

Indictment Dec 29/91

Witnesses:

Andrew Conner

POOR QUALITY
ORIGINAL

0806

Anthony Comstock
agent
John R. Phelps ^{alias Suppe}
Phelps Counselor
George Brown
} Ringed with
} Nail
} Attorney Law
} Before Hon
} Charles J. Tanitor
} (Police Justice
} May 1st 1891

John R. Callard being duly sworn
deposes and says:

Exhibit A

Where do you reside?
1509 Powell Street Brooklyn

What is your business?
A Novelty Business

By Mr. Comstock

Q Where did you obtain that paper
(showing witness) and the circumstances
A 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

book was all the way. 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
Will you see him re and it?

Answer

Yes what?

Via manifest book.

Have you ever been there on other
dates?

Answer

Will you state what occurred there
on previous occasions?

McLoman

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

By the Court Admitted

McLoman Exception

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

Have you these papers?

Answer you have them.

POOR QUALITY ORIGINAL

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3

Q Go on?

A On the morning of April 17th I paid 50 cents to the same gentleman Mr. Cabman 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. Cabman (Objected to - By the Court Admitted Exception) A I entered the building on the 17 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

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registering policy plays for men
and women ^Q I saw the Louisiana
Society list on the door, and I went
there on the 24th of April and saw
the same gentleman registering
lots 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 refer-
ent Phillips selling what is
commonly called Lottery 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

5

and read these passages

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

Case Examined by Mr Coman

Q Give me the numbers that he read
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 read on the 24th?

A I cannot do that.

Q Will you swear that they were
Ayes Sir

Q Why?

A Because I know they were known
as latter passages

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What were the numbers?
A I cannot swear to it

And yet you are willing to swear
they are better policy?
A Yes Sir

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

A No Sir

If you mean one figure that he made
on the manifest?

A I cannot do it

If in either case?
A No Sir



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 roundsman said he was an officer and he saw the key out of his pocket and unlocked the door, and afterwards in the presence of the defendant Phelps, he said he was employed by Mr Phelps, and that he was employed to guard the door, and I asked him how long he was there, and he said for the afternoon, and

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

By Mr. Cowan

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

If you didn't so inform him?

I didn't

Mr. Cowan - I object to that statement

By the Court - I admitted exception

of 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 manifested book upon it. It is here I believe, in the back room on the table was this manifested (showing I asked Mr. Callard if he had made a play there and

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he said he had, and I asked him
if he had and he pointed to Turkin
and he said he paid him 35 cents
I then opened and examined the
manifold book, and he said
you will find it at the bottom, and
I did it was made with the
same stroke of theagate pen
It is a duplicate of the page and
back no original.

McComan This is all taken
subject to my objection & exception
we found in this place also in the
back room the first 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

we went in the front room where
the defendant Phillips was and
we took down in the top corner nearest
to the street and furthest from
the door was the manifested book
which I have here. For the afternoon
of the 24th of April, there were
also in the desk a bunch of keys
which the defendant took possession
of, the drawer was partly open
and in that drawer was the
manifested. Then the manifested
out with a package of other sheets
that were here, and found the key
for the manifesting which is attached
to the other complaint against
Mr Coucklin, Mr Coucklin told
me he had removed from access
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 desk
where these manifested sheets were
and then went to a closet and

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

Mr. Cowan This of course is
all taken subject to my objection
I also found this package of slips
or printed numbers, a diamond
bowl the manufactured bowl and
the agate pencil ^{and} zinc
cup examination

Q Did you see anybody else in the
room but the 2 defendants?
A Yes a number of people, but
this man was in his shirt sleeves
Q Was he in the room when you
came in?

A No he came out of the back
room,

Q You found him in the yard didn't
you?

A Found him in the hall first.

Q If you did not see him when you went
into the premises?

A When I first went in?

Q Yes.

A Yes because out in the back room

Q If you saw him committing no offense
of the?

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 the 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 that in
that drawer a quantity of marijuana
also that we here I saw him
identified by Mr Brown as his

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. He has also identified in the
premises by Mr. Coulter as the
proprietor of the place. He made
no denial

Q You saw him there. He also asked
people?

A Yes sir

Q You 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



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James Campbell being called as
a witness on the part of the people
being duly sworn deposes & says.

By Mr. Conner

Q What is your business?

A I am an office affixed attached to
the 7th District police court Squad
of 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?

Q A Is it

A Yes

Q As I entered the house 21. Ridge Street

Mr Brown was in the room 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 How near must all that, what
did you see Phelps do if anything
was he in the room when you went
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

Q If you saw Phelps do nothing?

A No

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 do not 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


McLannan I now move to
dismiss the complaint and
ask for the discharge of the defen

POOR QUALITY
ORIGINAL

0822

17

d out

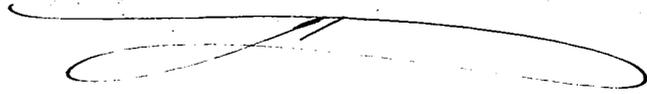
Pythe Court Motion Denied

McCormack Motion

Pythe Court I will hear the
reference.

McCormack I want further
examinations

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



POOR QUALITY
ORIGINAL

0823

577

Anthony Constantine

John A. Phelps

Philip Coulter

George Brown

v.

Wm. L. Latham



POOR QUALITY ORIGINAL

0824

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

Anthony Lautock being duly sworn, deposes
and says, that Phillip Coublin
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 Hamilton

Anthony Lautock

Police Justice.

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

GLUED PAGE

POOR QUALITY ORIGINAL

0825

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142644
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City of New York } ss.
Deponent

Ames

York City, being duly sworn deposes and says, he is more than
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, 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

J. R. Collard to deponent
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 Courtoch

April 24

Pratt St
New York
J.R.C.

York City, being duly sworn deposes and says, he is more than
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, 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 has 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

0827

CITY OF New York } ss.
DEPOSED.

Anthony Leontich

York City, being duly sworn deposes and says, he is more than 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, that John Doe

whose real name is unknown, but who can be identified by J. R. Ballard 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 ~~cause~~^{cause} to believe, is informed and verily does believe from ~~personal observation and from~~ statements made by J. R. Ballard

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

April 24
J. R. Ballard
Deponent

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 Hinton

Police Justice.

Anthony Comstock

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 : *John R. Colford*
this *24th* day of April 1891. :

Charles N. Hunter Police Justice.

POOR QUALITY ORIGINAL

0830

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

..... Police Justice.

*Violation Sec. 844, P. C.
Gambling and Policy.*

THE PEOPLE

ON COMPLAINT OF

Anthony Comstock et al.

AGAINST

John Doe

Affidavit of Complaint.

WITNESSES:

*Anthony Comstock
John A. Colford.*

POOR QUALITY ORIGINAL

0831

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK } ss.

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

Question. What is your name?

Answer.

Philip Conklin

Question. How old are you?

Answer.

31 years

Question. Where were you born?

Answer.

N. S.

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

Answer.

220 Chrysler St 1 year

Question. What is your business or profession?

Answer.

Clerk

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 1931
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. Colcord 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 unknown but who can be identified by J. R. Colcord thereof.

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 Hamilton POLICE JUSTICE.

POLICE COURT, 1st DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Doe
vs.

John Doe

Warrant-General.

Dated Apr 24th 1891

Magistrate.

Officer.

John D. Phillips and
The Defendant Philip Conklin
taken and brought before the Magistrate, to answer the within charge, pursuant to the command contained in this Warrant.

James Campbell
Officer.

Dated April 25th 1891

This Warrant may be executed on Sunday or at night.

Police Justice.

REMARKS.

Time of Arrest 4 pm April 24th 1891
John R. Phillips 47
or

Native of N. Y.

Age 34

Sex Yes

Complexion 141 W. 42nd St

Color White

Profession W. J.

Married Clark

Single 2 W. Chambers

Read Street

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 Bourtock 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. Colcord

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 bowls in Centre street in the City of New York.

Dated at the City of New York, the 24th day of April 1891

Charles K. Levitt

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* 188*9*

James Campbell

Police Justice.

Police Court--- *62* District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Arthur J. ...

John Doe

Search Warrant.

Dated *Apr. 24th* 188*9*

Justice.

Officer.

POOR QUALITY ORIGINAL

0035

Handwritten notes:
MAY 1. 1891. O.M.M.
MAY 1. 1891. O.M.M.

RAILED
No. 1, by *Wm. St. Steg*
Residence *122 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
vs.
Judge Faulkner

Offence *Violating Law*

Dated *Apr 25* 1891

Janter Magistrate.
Campbell Officer.

Witnesses *John L. Colvard*
Paul Heem Street.

No. _____ Street.

No. *1177* Street.
to DISTRICT

Handwritten notes:
No. *1177* Street.
Paul

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 *Seven* 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. Hunter* Police Justice.

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

Dated *May 7* 1891, *Charles W. Hunter* 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 1 day of May 1897 by
Charles J. Daniels 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.

We Philip Conklin Defendant No. 220
Christopher Street: Occupation Clerk and
Richard Steff of No. 212 Stanton 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 1

day of May 1897
Charles Daniels POLICE JUSTICE.

Philip Conklin
Richard Steff

POOR QUALITY ORIGINAL

0837

CITY AND COUNTY OF NEW YORK, ss.

John W. [Signature]
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 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 of front No 136 Ridge Street valued at twenty thousand Dollars free of all incumbrance

Margaret Steeg

Under taking in 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 Chas W. Dainton Esq 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.

We, Philip Conklin Defendant of No. 320 Street, by occupation Banker

and Margaret Stuyvesant of No. 912 Houston Street, by occupation a Banker 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 Five Hundred Dollars.

Taken and acknowledged before me, this 25 day of April 1891 Philip Conklin

Charles Dainton POLICE JUSTICE. Margaret Stuyvesant

POOR QUALITY ORIGINAL

0839

CITY AND COUNTY } ss.
NEW YORK, }

Sworn to before me this
day of *June* 18*97*
James W. ...
Police Justice.

Marta Steeg
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. 101 ...*
194 Ridge Street value at \$500
Thomas Gallus for of ...
Mary ...

District Police Court.
THE PEOPLE, &c.,
ON THE COMPLAINT OF
ss.
Taken the ... day of ... 18
Justice.

Underlying to appear
during the Examination.

GLUED PAGE

POOR QUALITY
ORIGINAL

0840

0244
12-30-85
25797810

POOR QUALITY ORIGINAL

0841

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

Anthony J. Courtch
of ~~150 Nassau~~ ^{41 Park Row} 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~~ ^{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~~ ^{did} 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. }

Anthony Bourne

Charles K. ... Police Justice.

CITY OF New York AND COUNTY OF New York ss.

Anthony Bourne

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, Phillip Couklin & 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 officers from entering. That afterwards upon the demand of the officers the said Brown, took a key out of his pocket and unlocked the door and allowed the officers and deponent to enter.

That upon entering said premises deponent saw Phillip Couklin 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 K. 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 Comstock

Charles N. Smith Police Justice.

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

THE PEOPLE	ON COMPLAINT OF	Anthony Comstock
	AGAINST	John R. Phillips, et al. Phillip Corbin. George Brown.

Affidavit of Complaint.

WITNESSES:

Anthony Comstock,
John R. Collard.

POOR QUALITY ORIGINAL

0845

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK.

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

Question. What is your name?

Answer. *John R. Phillips*

Question. How old are you?

Answer. *50 years*

Question. Where were you born?

Answer. *N. S.*

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

Answer. *121 Rudge St 3 years*

Question. What is your business or profession?

Answer. *Clerk*

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
Charles J. ...
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

Charles J. ...

Police Justice.

POOR QUALITY ORIGINAL

0847

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK. } ss.

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

Question. What is your name?

Answer.

Philip Bonclaw

Question. How old are you?

Answer.

31 years

Question. Where were you born?

Answer.

M S

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

Answer.

220 Chrysler St 1 year

Question. What is your business or profession?

Answer.

Clark

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 Bonclaw*

Taken before
day of *March* 19*37*
Charles A. Stanton
Police Justice

POOR QUALITY ORIGINAL

0848

91100 for SD
Charles J. - 1891, 1894
May 1, 1891

RAILED
No. 1, by Margaret Steeg
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 J. Conover

vs.
James J. Phillips & Company
Franklin Conklin
George Johnson

Offence The Lottery Law

Dated April 25 1891

Jacob Magistrate
Frankbell Officer

Witnesses
John J. Callane
49 Park Row Street

No. 1000 Street
Earl P. J.
to insure

Paul
Reaping & Selling
Poling

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. A

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 }
OF NEW YORK, } ss.

An information having been laid before Charles W. Jantz 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 Chick Street; by occupation a Cook and Margaret Steeg of No. 212 Stanton Street, by occupation a Wife 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 1897 John R. Phillips Margaret Steeg
Charles W. Jantz POLICE JUSTICE.

POOR QUALITY ORIGINAL

0850

Sworn to before me, this 25 day of April 1891
John W. Henderson Police Justice

NEW YORK, ss.

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 at No 126

Police Street 1 Ward at present \$1000
Dollar free of incumbrance
Messrs. G. & H. R. H. H. H.

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.

J District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before *John W. Hunter* 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*

Christie Street; by occupation a *Clerk*

and *Marta Steady* of No. *712 Hunter*

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 W. Hunter POLICE JUSTICE. *Margaretta W. King*

POOR QUALITY ORIGINAL

0852

CITY AND COUNTY }
OF NEW YORK, } ss.

John W. Smith
Police Justice
1891

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 107 1/2 Grand St
136 1/2 Ave. 1st Valued at Twenty
Thousand Dollars free of incumbrance
Marguerite Wang*

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
Chas W. Dunton Police Justice of the City of New York. That
Vi. Nathan Lottery Law be held to answer upon a charge of

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; Occupation Clerk and
Margaret Steeg of No. 212 Franklin Street;
Occupation maid 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. Steiner POLICE JUSTICE.

John R. Phillips
Margaret Steeg

POOR QUALITY ORIGINAL

0854

CITY AND COUNTY }
NEW YORK, }

Sworn to before me this 11th day of March 1881
Mark W. 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 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 107 1/2 Grand St. Bk Edge Street valued at twenty thousand dollars free of all incumbrance

Margaret Steeg
free

House 107 1/2 Grand St. Bk
Edge Street valued at twenty
thousand dollars free of all
incumbrance

Under taking to Answer.
THE PEOPLE, &c.,
ON THE COMPLAINT OF

Taken the day of 188
Justice.
Filed day of 188

POOR QUALITY ORIGINAL

0855

Sec. 568.

1 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
Philip Conklin Police Justice of the City of New York. That
be held to answer upon a charge of

Violation Lottery Law

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

Philip Conklin Defendant of No. 220
Chrystie Street; Occupation Clerk and
Margaret Stog of No. 212 Flatten Street;

Occupation Widow 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 erself amenable to the orders
and process of the Court; and if convicted, shall appear for judgment, and render h erself 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 Smith POLICE JUSTICE.

Philip Conklin
Margaret Stog

POOR QUALITY ORIGINAL

0856

CITY AND COUNTY OF NEW YORK, ss.

Charles H. ...
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 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

*Real Estate of ... No 36 ...
...
...
...
...*

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

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 1st day of May 1887
Charles N. Taunter Police Justice of the City of New York That
George Brown 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.
I.e. George Brown Defendant of No. 475
2d Avenue Street; Occupation Brass Finisher and
Margaret Steg of No. 212 Stanton Street;
Occupation Madam Surety, hereby undertake jointly and severally
that the above-named George Brown shall appear and answer the charge above-
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 1st day of May 1887

Charles N. Taunter POLICE JUSTICE.

George Brown
Margaret Steg

POOR QUALITY ORIGINAL

0858

CITY AND COUNTY)
OF NEW YORK,) ss.

Sworn to before me
Charles H. ...
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 No 17 from No 136
Adelphi Street valued at Twenty thousand
Dollars free of mortgage
Marygrove Ave.

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

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 Chas W. Sawyer a Police Justice of the City of New York, charging George Brown Defendant with the offence of Violator 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,

George Brown Defendant of No. 645
25 Avenue Street; by occupation a Press Finisher
and Margaret Stepp 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

18

George Brown
Charles W. Sawyer POLICE JUSTICE.
Margaret Stepp

POOR QUALITY ORIGINAL

0860

CITY AND COUNTY } ss.
NEW YORK, }

Charles W. Hunter
District Police Justice

Sworn to before me, this 25th day of June 1891

Martha Lucy Lee
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 137 numbered 137 De Ruyter Street valued at Twenty thousand Dollars for M. Colman and Marguerite H. Lee*

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Underlying to appear during the Examination.

vs.

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 removal of said Thomas M. Toran
and with proof of due service hereof. And the
certificates of the District Attorney being
annexed and upon the further reading of the
recommendation endorsed upon the indictment
return by Assistant District Attorney Wells and
after hearing Pendergast & M^e Mannes in support of
said motion and J. E. Lavery Special District
Attorney of New York County for the People
It is ordered as motion of Pendergast & M^e Mannes.
Ordered that the said order Extradition the said
recognizance and directing the same be the
proceedings be vacated and set aside and
that the action commanded by the District

POOR QUALITY
ORIGINAL

0862

Attorney Merrin be discontinued - and that
the judgment rendered Merrin be 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. Parnes
and Ellen ^{Connors} Cullen Jansky - upon the filing
of a certified copy of this order -

(C.K.)
David Miller
Acty &c.

POOR QUALITY ORIGINAL

0863

Account of ...
...
...
...

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

...

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 Boukline

The Grand Jury of the City and County of New York, by this indictment, accuse
John R. Philipps, George Brown and Philip Boukline
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 Boukline*
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 75
25284210

(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 Boukline

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 Boukline*

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 Bouklier

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 Bouklier

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 Bouklier

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

0866

The said John R. Philipps, George Brown and 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. 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 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 John R. Philipps, George Brown and 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. 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

J. Loman
Counsel,
Filed *5* day of *May* 18*91*
Pleads *Guilty*

Witnesses:
Anthony Conestoga

THE PEOPLE
vs.
John R. Phillips,
George Brown,
and B. J. Clark
Philip Conklin,

POLICY
[S 844, Penal Code.]

JOHN R. FELLOWS,
Part 1
District Attorney,
Dec 8 1891

A TRUE BILL.

W. L. Skidmore
Part 2 - Dec. 9, 1891, Foreman.
All Read Guilty. JUD
Apr 1. 1891
1253. no catch
FA

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 Couklin

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

Philip Couklin

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

The said *Philip Couklin*

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. Colford

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

D 2 4 3
6 19 51
6 46 69
14 26 42
12 40 44 95
27 34 63 75
25 29 74 210

(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 Couklin

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 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

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 74 210

(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 74 210

(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

0870

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:

D 2 43
6 19 51
6 46 69
14 26 42
12 40 44 9 5
27 34 63 15
25 29 44 10
3

(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:

D 2 43
6 19 51
6 46 69
14 26 42
12 40 44 9 5
27 34 63 15
25 29 44 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.

0871

BOX:

436

FOLDER:

4023

DESCRIPTION:

Corby, William E.

DATE:

05/25/91



4023

POOR QUALITY ORIGINAL

0872

Witnesses:

Wm Kirschoff
off. witness
27 Dec.

Counsel,
Filed 25th day of Aug 1891
Pleads, *Agony 26*

THE PEOPLE

vs.

William E. Corby

Grand Larceny Second Degree

[Sections 628, 687, 632 Penal Code.]

DE LANCEY NICOLL,
District Attorney.

Wm Kirschoff
off. witness

A TRUE BILL.

W. S. Richmond

Foreman.

Wm Kirschoff
off. witness

POOR QUALITY ORIGINAL

0073

Police Court 5th District.

Affidavit—Larceny.

City and County } ss:
of New York,

of No. 166 E 87th Street, aged 42 years,
occupation Plumber being duly sworn,

deposes and says, that on the 18 day of May 1899 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:

A quantity of lead pipe
valued at twenty six
dollars
\$26.00

the property of Isaac S. 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 C. Conroy (now here) for the reasons follow- ing to wit: deponent having missed the said pipe from the buildings 212, 214 and 216 E 87th Street he is informed by Officer William Woodbridge that he Woodbridge found the said property in the possession of the defendant on E-96th Street he having the same in a push cart. Deponent has since seen the said property and identifies the same.

William Kirshof

Sworn to before me, this 18 day of May 1899
of William Kirshof
Police Justice

POOR QUALITY ORIGINAL

0874

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 32 years, occupation Milton Woodbridge of No. 27th Avenue Street, being duly sworn deposes and

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

Sworn to before me, this 1st day of May 1889 } Milton Woodbridge
[Signature]
Police Justice.

[Lined area for additional text or notes]

POOR QUALITY ORIGINAL

0075

Sec. 198-200.

5

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

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

Question. What is your name?

Answer. *William E. Corby*

Question. How old are you?

Answer. *28 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 *May* 188*7*
S. Police Justice.

POOR QUALITY ORIGINAL

0875

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, Ec.,
ON THE COMPLAINT OF

Am. Strickland
146 St. 82.
Am. C. T. Kelly

1
2
3
4

Dated

May 18 1891

Residence

Wm. J. ...
Magistrate.

No. 3, by

Wm. J. ...
Officer.

Residence

Wm. J. ...
Precinct.

No. 4, by

Wm. J. ...
Witnesses.

No. ...

Wm. J. ...
Street.



Wm. J. ...
Wm. J. ...

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

Refrain

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 1891* 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 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

[Handwritten flourish]

of the goods, chattels and personal property of one

William Kirchhof

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. Corby
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said *William E. Corby*

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 Kirshof
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 Kirshof*

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

William E. Corby
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 M. Cornach

Counsel,

Filed

Pleads,

12 day of May 1891
J. J. Quinn

THE PEOPLE

J. H. Eichen vs.
from Rape
10/21/2

Edward Costello

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

De Lancey Nicol
JOHN R. FELLOWS

District Attorney.

A True Bill.

W. S. Whidmon
Foreman.

Subscribed and sworn to before me this 15th day of May, 1891.

Heard before me and duly

S. P. 15 yrs - R. M.

POOR QUALITY ORIGINAL

00001

Police Court 4 District.

CITY AND COUNTY }
OF NEW YORK, } ss

James McCormack
of No. Ms. St. Mary's Street, Aged 56 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 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, (born free), and three
unknown men, who get arrested from
the fact that deponent met the defendant
Costello and the said three unknown men
in East Avenue and 36th Street and went
into a saloon in the corner. That deponent
stayed in the saloon about five minutes
and came out with the defendant. That
deponent and the defendants walked down
East Avenue to the north west corner of 31st
Street and East Avenue and went into
a saloon at the said place with the defend-
ants. Deponent after a few minutes came

Sworn to before me this 11th 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 100 yds down the said street, Deponent was struck on 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 robbers as aforesaid and prays that they be dealt with as the law directs.

I order to be discharged. Police Justice.

I have admitted the above named to bail to answer by the undersigned here to annexed. Dated 1888. Police Justice.

I appear to me by the within depositions and statements that the crime 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 committed to 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 as I have admitted the above named to bail to answer by the undersigned here to annexed. Dated 1888. Police Justice.

It appearing to me by the within depositions and statements that the crime 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 committed to 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 as I have admitted the above named to bail to answer by the undersigned here to annexed. Dated 1888. Police Justice.

Police Court, District, _____

THE PEOPLE, &c.,
on the complaint of _____

vs.

1 _____
2 _____
3 _____
4 _____

Dated _____ 1888

Magistrate, _____
Officer, _____
Clerk, _____

Witnesses, _____
No. _____ Street, _____
No. _____ Street, _____
No. _____ Street, _____

§ _____ to answer General Sessions.

POOR QUALITY ORIGINAL

0003

Sec. 198-200.

4

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

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

Question. What is your name?

Answer. *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. *10101 - 7 av - 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
day of *April* 193*4*
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 Coertzen
 vs.
James McConnaughy
 Offence *Robbery*

Dated *May 11* 18*91*

Smith Magistrate

McCarthy 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 *500* 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. ...* 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

0005

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 Rothello

The Grand Jury of the City and County of New York, by this indictment, accuse *Edward Rothello* -

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

The said *Edward Rothello*,

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~~ *ninety-one*, 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 Rothello* *himself* and *three* aided *by three accomplices, actually present, (whose names are to the Grand Jury aforesaid or 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.

Deaney Hill,
District Attorney.

0886

BOX:

436

FOLDER:

4023

DESCRIPTION:

Crawford, John R.

DATE:

05/07/91



4023

POOR QUALITY ORIGINAL

0007

49

W. Collins

Counsel, *W. Collins*
Filed 7 day of May 1889
Pleas *Guilty*

[Section 528, and 531, Penal Code].
(False Pretenses)

THE PEOPLE

vs.

I

John R. Crawford
(Prisoner)

DeSancy Nicoll
JOHN R. FELLOWS

District Attorney.

A True Bill.

W. L. Skidmore

Part 2 - May 12/1891 Foreman.

Plends Guilty.

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

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.*

W. L. Skidmore

May 12/1891.

POOR QUALITY ORIGINAL

00000

No. 1021

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}-----100 Dollars

00
\$25

George H. Crawford

ENDORSED.
John R Crawford

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

George Clark & Co

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

136

POOR QUALITY ORIGINAL

00009

Notary Public

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

No. 136

PROTEST:

Check of
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.

Geo Clark & Co
25.
2.14
27.14
Easton

PRINTED BY THE STATE OF NEW YORK

POOR QUALITY ORIGINAL

0890

Police Court

District

Affidavit—Larceny.

City and County }
of New York, } ss.

of No. 199 Washington Street, aged 60 years,
Thomas R. McGill
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 22.4.91 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 shown 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 an account in the aforesaid Bank and that George B Crawford

Sworn to before me, this 15 day of April 1891
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. [Signature]* Police Justice

Thos R. McNeill

POOR QUALITY ORIGINAL

0892

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 30 years, occupation Book Keeper 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 15 day of April 1888 Edward B. Arnold

D. J. Connelly
Police Justice.

POOR QUALITY ORIGINAL

0893

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

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

Question. What is your name?

Answer. 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 16 day of February 1937
Charles W. [unclear]
Police Justice

POOR QUALITY ORIGINAL

0894

Sec. 151.

Police Court / 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 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 or Policemen, and every of you, to apprehend the body 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

John R Cranford POLICE JUSTICE

POOR QUALITY ORIGINAL

0895

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Warrant-Larceny.

Dated *April 15* 1891

Beiley Magistrate
J. Lynn 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 Lynch*

This Warrant may be executed on Sunday or at
night.

W. J. 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

0095

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 R. McKeel
199 Westchester
John R. Crawford

Offence

Larceny

Dated

April 16 1891

Magistrate

Officer

Witness

Edward B. Condit

No. 20 West-Third-st

Easton Pennsylvania

No. _____ Street _____

No. _____ Street _____

\$ _____ to Justice

J. J.

Condit

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. Hunter 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 Mc Nell*

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 Mc Nell,

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*} ~~*25.00*~~ *1.00* Dollars
J. H. Werner"
and upon the back whereof there was
shewn and there a certain endorsement, as

POOR QUALITY ORIGINAL

0900

follows, 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~~ ^{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 ~~feloniously~~ ^{unlawfully} 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

0901

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 ~~John R. Crawford~~ ~~the maker of the same 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:

39/10

Counsel, *[Signature]*
Filed *[Signature]* day of *May* 188*9*
Pleaded *[Signature]*

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

THE PEOPLE

vs.

John B. Crawford

vs. *JOHN R. FELLOWS*

District Attorney.

A True Bill.

W. S. Skidmore

Foreman.

*Sentenced on and verdict
P.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 <u>Beaver</u>	or Order,
	<u>Five</u>	<u>no</u> Dollars.
	<u>\$5.00</u>	<u>John R. Crawford</u>

POOR QUALITY
ORIGINAL

0904

J. H. Wimmer
Simon Wimmer

Peoples

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	Peares	Per Order,
of		no Dollars.
\$100	John R. Crawford	

23 + 3 are

**POOR QUALITY
ORIGINAL**

0906

Donna J. Perry

W. W. Perry

POOR QUALITY
ORIGINAL

0907

New York Dec. 28th 93.

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

Dear Sir:-

I hope your Honor will
pardon me in troubling you again
with my troubles, but it seems that I am
stagnant 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
the hard times.

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

POOR QUALITY
ORIGINAL

0908

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. Justice Sutherland, 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. 25th 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
apartment 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 College.

POOR QUALITY
ORIGINAL

0910

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 Satterp, 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 penitence, my applications to your Hon. for assistance, the result, and whether your Hon. believes 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

0911

of purpose the day you kindly gave
me the interim from 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 gives me that Saturday

POOR QUALITY
ORIGINAL

0912

has been the means to enable me to
earn a living ever since. 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 snows 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
street sweepers 111 East St. my assign-
ment is Suffolk St. from 10th to Delaney
and get \$1.00 per day 4 days a week.

I would not inflict this long letter upon you now but call me at your Law Chambers but I am afraid I might loose the work if I absent myself. If you now would like to verify my statement a letter of inquiry to Dr. Baker, St Lukes Hospital & to the Supt. East Side Street Sweeper 111 Essex St would no doubt satisfy you now as to its truthfulness. Some people might say my 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 work man, 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 State Prison does not show up before me at the end of the day as it would, in the field of crime.

Now Judge Martine I will say I intend, to be honest, but I say I will be honest and I don't ~~ask~~ ^{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 party 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 foothold, 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

3

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, which 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 favorable. How well
I knew what would come, most had
the woman 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 you than I expect of or
from any other individual.

Hoping I may hear from you
favorably.

I desire the honor to remain

Yours gratefully

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

POOR QUALITY
ORIGINAL

0917

New York 11-28-93.

Hon. Randolph B. Martin.
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

0918

J. R. Crawford
Nov. 28, 1893

4 = 12
2 = 10
2 1/2

POOR QUALITY
ORIGINAL

0919

District Attorney's Office,

CITY AND COUNTY OF NEW YORK.

April 22 1897

CAPTAIN OR OFFICER IN COMMAND.

Dear Sir:

I desire to see Officer Glynn
~~now~~ attached to your command, ~~in~~
~~and~~ ~~also~~ ~~to~~ ~~the~~ ~~2nd~~ ~~precinct~~
~~April 1897~~ in relation to the case of
Joseph R. Crawford
sentenced May 17 1897 to three
years and ~~months~~ imprisonment by
Judge Martene

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

11/1

James R. Crawford
24.7 - U.S. - Single - White
Clerk - 34 - Rowery
Arrested Mar 19th - 1889

Petty Larceny
Arrested - 4. 22. in the
Prison - Mar 23rd 77
in Special Session -
on complaint of his
employer -

Wm. A. Taylor
110. Broad street

POOR QUALITY
ORIGINAL

0921

District Attorney's Office
City & County of
New York

Reo
Crowford

The case was tried & conviction
was entered

Part of expense bearing
fee from Esso Res
& fresh notes.

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 ¹⁰⁰/₁₀₀ Dollars
\$25⁰⁰ J. V. Warner ✓

POOR QUALITY
ORIGINAL

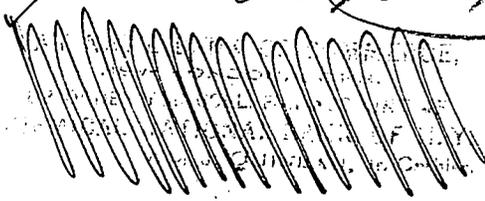
0923

John R. Crawford

Thos R McNeil



Pages 43



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~~ sixty 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.

J. H. Warner

POOR QUALITY ORIGINAL

0925

PROTEST.

Ch. J. Weyler
FOR

Nat Bank of Canada

\$ 25 = Dated *April 6th* 1891

Fees *2* =

Postage

POOR QUALITY ORIGINAL

0926

ROME IRON WORKS

ROME IRON WORKS

\$32.49/100

Rome, N.Y. April 6th 1891

FARMERS NATIONAL BANK OF ROME

Pay to J. A. Warner or bearer
Twenty Two ⁴⁷/₁₀₀ Dollars

NO 8432

G. B. Clark Treasurer

Dollars

POOR QUALITY ORIGINAL

0927

J. H. Weaver
APR 23 1891
DEPARTMENT OF THE INTERIOR
J. H. Weaver
Seven Dollars
Peoples Exp
For Deposit in
National Park Bank
W. W. M. Co.

PAY TO THE ORDER OF
FARMERS' NATIONAL BANK
ROME, 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 G. B. Clark Treasurer for Fifty 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 drawer 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	<i>Amos May Jr</i>	Addressed to	<i>New York N.Y.</i>
"	<i>Geo. S. Hooker Cash</i>	"	<i>New York N.Y.</i>
"	<i>J. H. Merritt</i>	"	
"	<i>J. R. Crawford</i>	"	
"	<i>Levin Dentz</i>	Inclosed to	<i>Geo. S. Hooker Cash</i>
"	<i>G. B. Clark (Treasurer)</i>	"	<i>Cash New York N.Y.</i>

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. Hooker, Cash

POOR QUALITY ORIGINAL

0929

G. B. Clark Trust
Check

PROTESTED
FOR

The Farmers National Bank of Rome,
Rome, Oneida County, N. Y.

April 14 1891.

Amount of Note, - \$ *32.47*
Interest, - *—*
Expenses, - *1.35*

135
15
150
32.47
183.02

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. ...
 1345 ...
 (Barner)

Offence *Grand Larceny*

Date *May 6* 1891

Magistrate _____
Officer _____

Witness _____
Precinct _____

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 *sixth* day of *April* in the year of our Lord one thousand eight hundred and ~~eighty~~ *eighty-one*, at the City and County aforesaid, with force and arms, with intent to deprive and defraud *one Louis Dentz*

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 Dentz*

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

*"Some Ten Dollars
\$32 ⁴⁷/₁₀₀ Some Ten Dollars
of Rome."*

*Count of St. Werner
Dentz two ⁴⁷/₁₀₀ Dollars
No. 8432 J. B. Prada Treasurer."*

POOR QUALITY ORIGINAL

0932

and upon the back of which there was then
and there a certain endorsement as follows to
wit: "of J. H. Hemen", and also a certain other
endorsement as follows, to wit: "of J. B. Crawford",
which said paper writing as endorsed as aforesaid
was 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 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 was the said
of J. B. Crawford as aforesaid then
and there produced and delivered to the

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said Dennis Deuty, was not then and there a good and valid order for the payment of money, and was not of the value of Deuty's services, or of any value, but was then and there wholly worthless.

[Large handwritten scribble or signature]

And Whereas, in truth and in fact, the pretenses and representations so made as aforesaid by the said John R. Bradford to the said Dennis Deuty was and were then and there in all respects utterly false and untrue, as he the said John R. Bradford 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. Bradford in the manner and form aforesaid, by the means aforesaid, the said proper moneys, goods, chattels and personal property of the said Dennis Deuty 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

POOR QUALITY ORIGINAL

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73. *L. Barber*

Counsel,
Filed *11* day of *May* 188*7*
Pleads, *Not guilty*

THE PEOPLE
vs.
James V. Cummins

[Section 528, and 581, Penal Code].
(False Pretenses).
James V. Cummins

W. E. Midmon
De Lancey Nicoll
~~JOHN R. FELLOWS~~
District Attorney.
May 15. 1887.
Wm. H. [unclear]
A True Bill.

W. E. Midmon
May 21/87
Foreman.
Spent & Remitted
2. 4. 1886
Wm. H. [unclear]

Witnesses

POOR QUALITY ORIGINAL

0936

2091
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 Grenwich 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 Grenwich 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 Grenwich 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

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 ~~you~~^{he} 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? A. Yes sir, I do identify him thoroughly.

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

A. No sir.

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

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 memoradum, 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?

A. Yes sir, the man that called himself Cumins.

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?

A. I do not remember exactly about that.

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 receipts 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 directorics, 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 wont.
- 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 thirty-five dollars.

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.

Uounsel: 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 Oc-
tober, 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? A. Why, repeatedly, my husband has loaned him money.
- 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 gentleman's name is James Gregg, he belongs in England and he comes here every month.
- Q. What is the name of the other gentleman? A. My husband, Henry Jessup.
- 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 bringing ^{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 arrested 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 T. Cummins
filed May 1891

U.S. DEPARTMENT OF JUSTICE
WASHINGTON, D.C.

11

POOR QUALITY ORIGINAL

0978

Sec. 151.

Police Court 2 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 William C. Baker of No. 799 Greenwich Street, that on the 4 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 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 1891

H. J. 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

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

Police Justice

The within named

POOR QUALITY ORIGINAL

0980

BAILED,

No. 1, by _____
Residence _____
Street _____

No. 2, by _____
Residence _____
Street _____

No. 3, by _____
Residence _____
Street _____

No. 4, by _____
Residence _____
Street _____

THE PEOPLE, &c.,
ON THE COMPLAINT OF
William G. Baker
799 Avenue C
James G. Bennett
James G. Bennett

Police Court
District

Dated April 24 1891
Mason Magistrate

Officer
J. E. [unclear]

Witness
Austin L. [unclear]

No. 1
Henry Brown
587 Bowler
Street

No. 2
2500 Broadway
New York
Street

OFFICE

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

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 *Admiral* 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* 189*0*, } *Austin J. Curtin*

[Signature]
Police Justice.

POOR QUALITY ORIGINAL

0982

Baker Heater Co.

People's Bank, New York, March 27 1891 No. 331

GANSEVOORT BANK

Pay to the order of

James Cummins Agt.

\$15.00

Fifteen

Dollars.

THE BAKER HEATER CO.,

M. Baker

President.

**POOR QUALITY
ORIGINAL**

0983

National Bkt Co
James Linnin agt.

Endorsement
Direct
The Baker Heater
Co.

M. C. Baker
Pres.

POOR QUALITY ORIGINAL

0984

Baker Heater Co.
People in New York, March 31, 1891 No. 342
2/1/91
GANSEVOORT BANK
Pay to the order of
Gen. Tjaden, N.Y. 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
W. A. Baker Pres

POOR QUALITY ORIGINAL

0986

THE BAKER HEATER CO.

People's Bank, New York, April 7 1891 No. 356

GANSEVOORT BANK

Pay to the order of

George Tyson \$30.00

Thirty Dollars.

THE BAKER HEATER CO.,

M. Baker President.

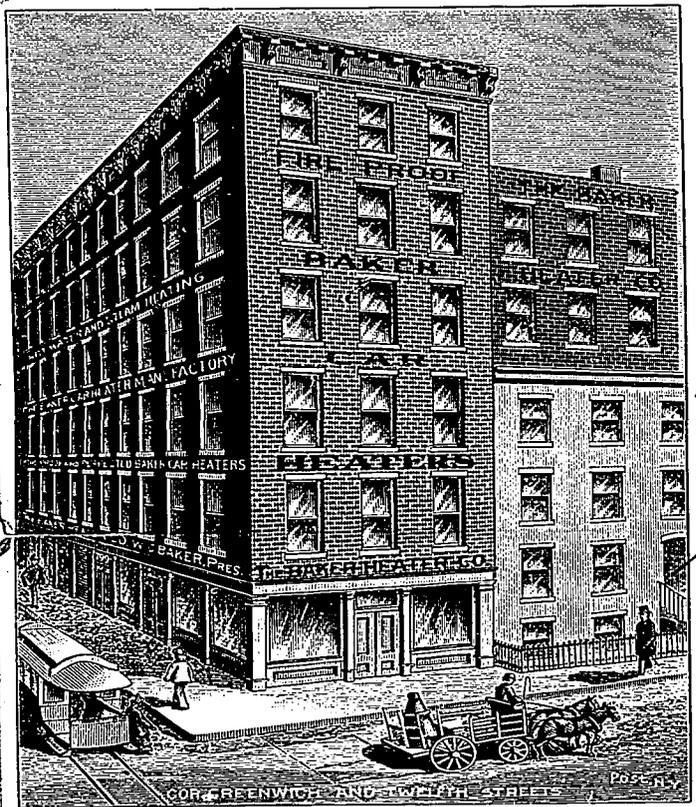
**POOR QUALITY
ORIGINAL**

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 of New York, March 29 1891.

*Recd 10⁰⁰ for
Heating
in
Union Pub Co
Heating
Steam Heating
Hot Water
F F C*

**POOR QUALITY
ORIGINAL**

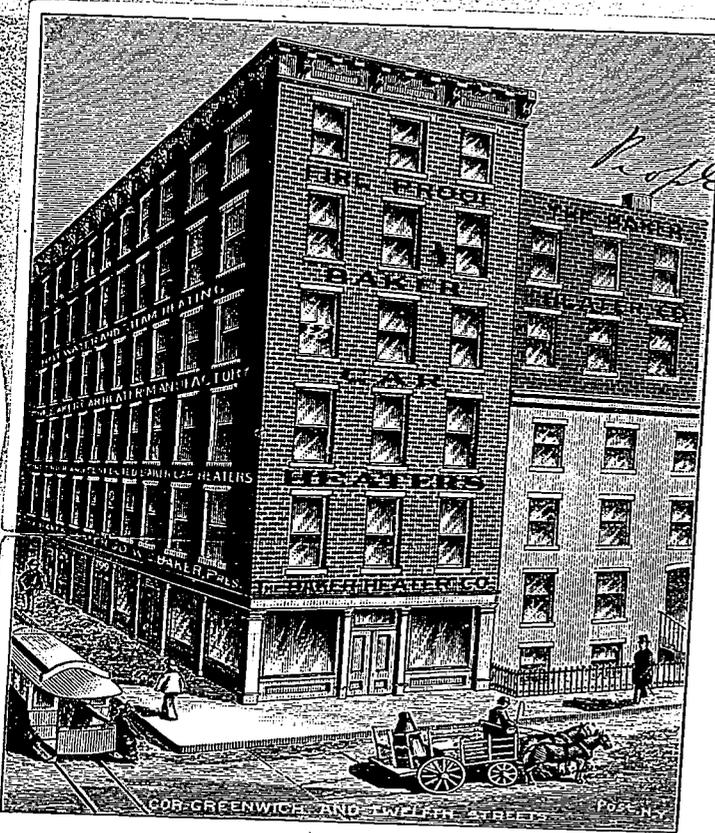
0989

*Receipt for [unclear]
in [unclear] Co.*

[Faint handwritten text, possibly a list or ledger entries, mostly illegible due to fading and bleed-through.]

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 1/4 1891.

27/91

Received from The Baker Heater Co
the sum of Sixty dollars & 30 for the
insertion of one page & fine reading
in N S D
Geo. Lippow

POOR QUALITY ORIGINAL

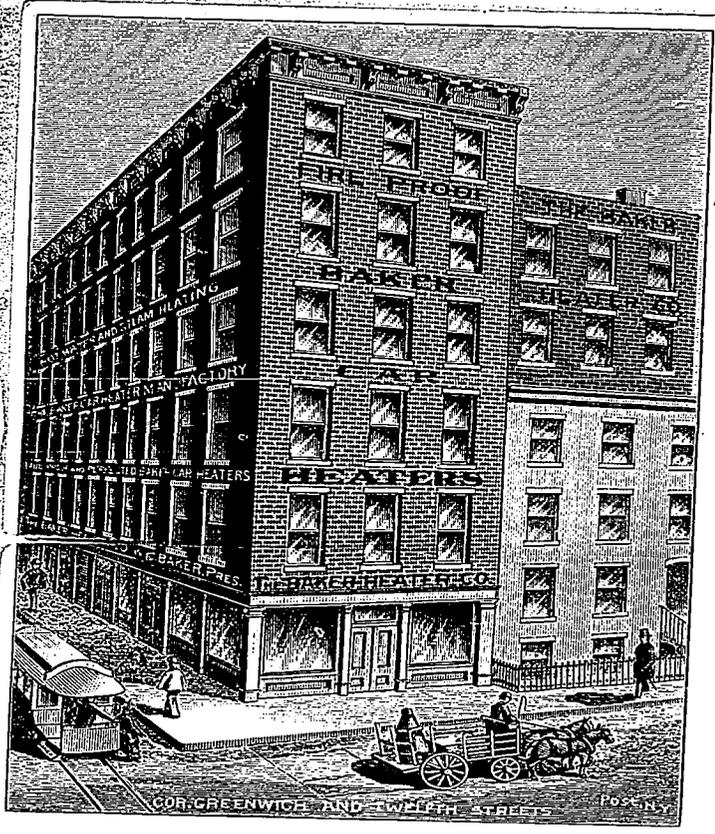
0991

Apr 4 @ 30.00

Gen. 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
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
& Special (Page to go under
Heating Apparatus)

\$ 30⁰⁰

Geo Lyson
agt.

**POOR QUALITY
ORIGINAL**

0993

*Directory
Receipt*

POOR QUALITY ORIGINAL

0994

Police Court 2 District.

Affidavit-Larceny.

City and County }
of New York, } ss:

William C. Baker

of No. 799 Greenwich Street, aged 62 years,

occupation President of Baker Heating 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. Cumins 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 deponent believing said statements 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 advertisement. Deponent had similar transactions

Sworn to before me, this 1891 day

Police Justice.

POOR QUALITY
ORIGINAL

0995

with the defendants for other advertise-
ments 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
paid 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 adver-
tises 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
William C. Baker.

SWORN TO BEFORE ME

THIS 4th DAY OF April 1892

W. T. Minaton

POLICE JUSTICE.

POOR QUALITY ORIGINAL

0996

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

James V. Cummins

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

Question. What is your name?

Answer.

James 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. W. ...

Police Justice.

POOR QUALITY ORIGINAL

0997

J. J. Collins

POOR QUALITY ORIGINAL

0999

Company for and on behalf of the said
W. A. Rustin, the sum of thirty dollars, in
payment in advance for the insertion
of certain advertising in the said corporation
constituted of one year and five hundred
in the said district.

And the said William R. Foster —

then and ^{there} believing the said false and fraudulent pretenses and representations so made
as aforesaid by the said James V. Rumins —

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. Rumins, 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 kind
called Traveler's 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. Rumins —
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. Rumins
was not then and there duly authorized to
collect or receive for or on behalf of the
said W. A. Rustin cash in advance on cards,

POOR QUALITY ORIGINAL

10000

Said to be special reading and extra matter
on the said directory or to them and there
collected or receive from the said Baker
Walter P. ... for or on behalf of the
said ... in the said sum of ...
dollars, in payment in advance for the
insertion of any advertising for the said
corporation in the said directory.

[Large handwritten scribble]

And Whereas, in truth and in fact, the pretenses and representations so made
as aforesaid by the said James V. Sumner
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. Sumner
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. Sumner
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.

[Signature]
JOHN R. FELLOWS,
District Attorney.