

0596

BOX:

513

FOLDER:

4674

DESCRIPTION:

Nagel, Arthur

DATE:

02/10/93



4674

0597

BOX:

513

FOLDER:

4674

DESCRIPTION:

Kelly, Peter

DATE:

02/10/93



4674

Witnesses:

John M. Keele
J. A. Schmid

Counsel,

Filed

day of

1893

Pleads

THE PEOPLE

vs.

Arthur Nagel
and
Peter Kelly

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Wm. S. Edgell

Foreman.

Dec 27 1893

Read

for 142 mand 24

6 mos p. p. p.

1893

Grand Larceny,
[Sections 228, 229, 230,
Penal Code.]

Second Degree.

0599

Police Court

2

District.

Affidavit—Larceny.

City and County } ss:
of New York,

Flora M. Heilke

of No. 161 W 34

occupation None

Street, aged 51 years,

deposes and says, that on the 4 day of February 1893 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:

one field Spanish of the
value of one hundred and
fifty 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 Arthur Eagle & Peter Kelly

(non present) Deponent says that while
walking along 6th Avenue near 33d
Street in said City a colored man
whose name is unknown spoke to her
and said Madam a man took
your bag and she saw said bag
in the corner of 32d Street & 6th Avenue
in the possession of said defendants
Deponent demanded the same
and they refused to return it, she
unless they gave them \$150 and she
went to Dog Pound that she should
have to pay \$300. They then and there

Sworn before me this
day of

189

day

Police Justice

stating that they were official dog catchers, and one of them Kelly

exposed the badge number shown

Dependent is informed by Joseph A. Schmidt Clerk of Dog Pound that neither of said defendants are official dog catchers and have not been for the past few years and the badge exposed by one of them has been lost by an employee eleven months last past.

Wherefore dependent charges said defendants with acting in concert and feloniously taking stealing and carrying away said property.

Brought to hear me

This 6 day of Feb 1893

Flora Thielcke

161 W 34 St

Police Justice

0601

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

aged 43 years, occupation Clerk of No.

Dog Pound foot E 1022 Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Flora M. Hildner

and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 6 day
of July 1893

Joseph A. Schmed

[Signature]

Police Justice.

0602

Sec. 198-200.

District Police Court.

1882

City and County of New York, ss:

Peter Kelly being duly examined before the undersigned 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. *Peter Kelly*

Question. How old are you?

Answer. *27 years*

Question. Where were you born?

Answer. *Wales*

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

Answer. *64 Catham Street - 1 year*

Question. What is your business or profession?

Answer. *Labourer*

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 -**Peter Kelly*

Taken before me this

*6*day of *June**1893*

Police Justice.

0603

Sec. 198—200.

2

1882

District Police Court.

City and County of New York, ss:

Arthur Nagle being duly examined before the undersigned 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.

Arthur Nagle

Question. How old are you?

Answer.

21 years

Question. Where were you born?

Answer.

United States

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

Answer.

45 Oliver Street — Mrs

Question. What is your business or profession?

Answer.

dog-catcher

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 —
Arthur Nagle

Taken before me this

day of

1892

Police Justice.

0604

1900

CITY AND COUNTY } ss:
OF NEW YORK,

POLICE COURT,

DISTRICT.

Sworn to before me, this
of 1893

1893

day

Police Justice.

Cornelius J. Sullivan
of *the 19 Precinct - Police* Street, aged *25* years,
occupation *Officer* being duly sworn, deposes and says,
that on the *4* day of *February* 1893
at the City of New York, in the County of New York, *he arrested*

Arthur Eagle & Peter Kelly (now here)
on a charge of Larceny on complaint
of a lady who resided at No 164
West 34th Street who will appear
and prosecute tomorrow morning
Wherefore deponent asks that
said defendants be remanded to
give Complainants an opportunity
to identify

Cornelius J. Sullivan

Police Court, 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

AFFIDAVIT.

Arthur Drayler
Peter Kelly

Dated, *Feb 5* 1893

H. J. ... Magistrate.

Officer.

Witness,

Disposition,

Ex Feb 6th 1893

2³⁰ P.M.
[Signature]

0606

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

Five 14 Each Thompson
guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of
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, July 6 1893 Thompson Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

060

Police Court--- 2 District. 157

THE PEOPLE, &c.,
ON THE COMPLAINT OFFlora M. Heulke
vs.
Arthur Eagle
Peter Kelly

Offense

3
4

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated, Feb 6 1893

Hogan Magistrate

Lang & Sullivan Officer.

Recd W. Chute 19 Precinct.

Witnesses J. P. Schmed 14 st

Dog Pound foot E 102 Street.

M. Penman Curtis

No. 160 5th Avenue Street.

Mrs. Pini

No. 35 2d 16 Street.

\$ - 500 to answer 19 st

Commenced

0608

505

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Arthur Nagel
and
Peter Kelly

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

Arthur Nagel and Peter Kelly -
of the CRIME OF GRAND LARCENY IN THE second DEGREE, committed
as follows:

The said Arthur Nagel and Peter Kelly, both

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

one dog of the value of one
hundred and fifty dollars

of the goods, chattels and personal property of one Flora M. Thielcke

then and there being found, then and there feloniously did steal, take and carry away, against
the form of the statute in such case made and provided, and against the peace of the People
of the State of New York and their dignity.

SECOND COUNT—

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

Arthur Nagel and Peter Kelly
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said *Arthur Nagel and Peter Kelly*, both

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,

*one day of the value of one
hundred and fifty dollars*

of the goods, chattels and personal property of one

Flora M. Thielcke

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

Flora M. Thielcke

unlawfully and unjustly did feloniously receive and have; the said

Arthur Nagel and Peter Kelly —

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.

06 10

BOX:

513

FOLDER:

4674

DESCRIPTION:

Nicholson, Martin

DATE:

02/24/93



4674

0611

Witnesses:

David M. Ford

Counsel,

Filed

day of

1893

Pleads,

THE PEOPLE

vs.

Martin Nicholson

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Foreman.

S. P. 3 19 1893

Burglary in the Third Degree.
Section 488, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

06 12

Police Court—6th District.City and County }
of New York, } ss.:of David A. McLeod
West Side Ogden Avenue Man. Seve Street, aged 36 years,
occupation Builder being duly sworndeposes and says, that the premises West Side Ogden Ave Man. Seve Street,
in the City and County aforesaid, the said being a two-story and basementframe building
and which was occupied by deponent as unoccupied
and in which there was at the time a human being, by namewere BURGLARIOUSLY entered by means of forcibly opening the
back door and entering therein with
intent to commit a crimeon the 11th day of February 1893 in the day time, and the
following property feloniously taken, stolen, and carried away, viz:One mirror of the value
of twenty-five dollarsthe property of deponent as executor of the estate
and deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen, and carried away by
Martin Nicholson from therefor the reasons following, to wit: That since the commission of
said offense the said defendant admitted
confession to deponent and in open court that
he did enter said premises as aforesaid and
feloniously take, steal and carry away said property
and deponent fully identifies said property
Sworn before me this David A. McLeod
22nd day of February 1893Police Justice

06 13

Sec. 198-200.

6

District Police Court.

1883

City and County of New York, ss:

Martin Nicholson 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. Martin Nicholson

Question. How old are you?

Answer. 21 years

Question. Where were you born?

Answer. New York

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

Answer. Edgemore Ave. Orchard St. 3 years

Question. What is your business or profession?

Answer. Driver

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

Answer. I am guilty of the chargeMartin Nicholson

Taken before me this

22

day of

February 1893

M. J. McElroy

Police Justice.

06 14

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 February 22 1893 John A. Smith Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

061

208

Police Court--- 6th District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

David A. McLeod
W. S. Ogden & Dove
1 *Martin Nicholas*

2

3

4

Offence *Burglary*

BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Dated *February 22nd* 18*93*
W. S. Ogden Magistrate.

Edward B. Hotchkiss Officer.
31st Precinct.

Witnesses *John L. Siemas*
No. Ogden Ave. & Union Street.

Edward B. Hotchkiss
No. *Officer 31st Precinct* Street.

No. _____ Street.

\$ *1000* to answer _____



Chas. B. ...

06 16

483

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

THE PEOPLE OF THE STATE OF NEW YORK
against

Martin Nicholson

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

Martin Nicholson

of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said

Martin Nicholson

late of the *24th* Ward of the City of New York, in the County of New York aforesaid, on the
eleventh day of *February*, in the year of our Lord one
thousand eight hundred and ninety-*three*, in the *day*-time of the same day, at the
Ward, City and County aforesaid, a certain building there situate, to wit, the *building* of
one *David A. McLeod*

there situate, feloniously and burglariously did break into and enter, with intent to commit some
crime therein, to wit: with intent the goods, chattels and personal property of the said *David*
A. McLeod in the said *building*
then and there being, then and there feloniously and burglariously to 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.

06 17

SECOND COUNT—

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

Martin Nicholson

of the CRIME OF *Petit* LARCENY

committed as follows:

The said

Martin Nicholson

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,
at the Ward, City and County aforesaid, in the *day* - time of said day, with force and arms,

*one mirror of the value of
twenty-five dollars*

of the goods, chattels and personal property of one

David A. McLeod

in the

building

of the said

David A. McLeod

there situate, then and there being found, in the *building*
aforesaid, 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.

*De Lancey Nicoll,
District Attorney*

06 18

BOX:

513

FOLDER:

4674

DESCRIPTION:

Sturgis, Dawes E.

DATE:

02/06/93



4674

06 19

BOX:

513

FOLDER:

4674

DESCRIPTION:

Nisbett, George

DATE:

02/06/93



4674

0620

Bail fixed as to
Sturgis at \$5000

Witnesses:

E. F. Bedall

Officer Rogers
Central office

A. D. Lansing, Albany, N.Y.

Recommendation of Respected
Attorney at Law

Counsel,

Filed

day of

1893

Pleads,

Guilty 7. with
leave to withdraw by 9

THE PEOPLE

vs.

George M. Dineen

and

Dawes & Sturgis

Forgery in the Second Degree.
[Sections 511 and 521, Penal Code.]

DE LANCEY NICCOLI,

District Attorney.

A TRUE BILL

Foreman.

Read for 2 days
S.P. 5 N.Y. Feb 15/93

0621

STENOGRAPHER'S MINUTES.

Just District Police Court.

THE PEOPLE, &c., IN COMPLAINT OF

Edmund F. Beadall

BEFORE HON.

Thomas J. White

POLICE JUSTICE,

vs.
George S. Nesbitt
James E. Sturges

January 30 188*3*

APPEARANCES:

For the People,

For the Defence,

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INDEX.

WITNESSES.

Direct Ex.

Cross Ex.

Re-Direct.

Re-Cross.

Andrew D. Lansing
James E. Casanova
Nelson H. Banta
Edmund F. Beadall

D. C. Sullivan

Official Stenographer.

First District }
Police Court }

Edward T. Peddell }
George S. Nesbitt and } charged with
James C. Sturgis } Forgery
Before Hon }
Andrew J. White }
Police Justice }
January 30, 1893 }

Andrew Rood Lansing being
called as a witness for the people
being duly sworn deposes and
says.

Direct Examination

Q Where do you reside?

A Albany, New York.

Q What is your business?

A Insurance Agent.

Q For what company?

A Royal Insurance Company

Q Have you ever seen the young
gentleman the prisoner here

Mr. Sturgis?

Q Yes Sir.

Q Where?

Q I saw him in Albany.

Q When?

Q On Thursday last I think it was.

Q Where in Albany?

Q Remmore Hotel, Albany.

Q Was anybody else present when you saw him?

Q The hotel people were there, the proprietors and clerks.

Q Did you see in his possession at that time any check?

Q I did sir.

Q What became of the check afterwards?

Q The last I saw of it was in his possession.

Q Will you describe what that check purported to be.

Q It was a check of the Royal Insurance company signed by the officials.

3

Q Do you remember what signatures purported to be on it, the names of what officers?

A Mr. Bedell, Mr. Osgood Walsh, Mr. Stevenson and Mr. Coit.

Q What was the relation of Mr. Beddall to the company?

A He was the manager of the company.

Q And Mr. Stevenson?

A He was the cashier.

Q Of the New York office?

A Yes Sir.

Q And Osgood Walsh?

A I think he signed as one of the committee or one of the directors or one of the managers, committee of managers.

Q And whereabouts did the name of Coit appear?

A On the back of the check.

Q Did you have any conversation with Mr. Sturgis about the check?

4

A Yes Sir.

Q State what was said:

A I asked him what he wanted with this check and he said he wanted to get some funds on it, and I asked him where he got it and he said the Royal Insurance Company; and I questioned him as to how he came by so large a check as that and he said it was given to him in payment of the loss of his Uncle's life.

Q What was the name of the payee on the check?

A James Woodruff

Q And what was the amount of the check?

A Eighty thousand (\$80,000) dollars

Q And what was the date on the check?

A January 21st 1893

Q Was it on one of the blank forms of checks ordinarily

15

Q used by the company?

A Usual form of the check.

Q Did the young man say how much money he wanted on the check, or what he proposed to do with the check?

A I don't remember his saying any particular amount, he would like some of it or as much as he could get of it.

Q Did he say where he resided?

A He said he resided in Chicago.

Q Did he tell you his name?

A His name was James Woodruff.

Q While he was there did you attempt to communicate with New York?

A I did sir.

Q And while you were communicating by telegraph to New York what became of the young man with the check?

A He disappeared with the check.

Q Had you ever seen him since

6

except when you saw him in New York as a prisoner?

A No Sir.

Q Do you remember the number of the check?

A No Sir, I am not positive as to the number of the check?

Q Did you notice it at the time?

A I did at the time, I think it was 25 thousand and something.

Q You didn't make any minute of the number?

A I did make a minute but I have not got it here with me
Cross Examined

By Judge Kilbuck }

Q Do you remember exactly the conversation that you had with the defendant?

A As near as I can remember I questioned him as to how he came by the check.

Q He was a stranger to you?

A Entirely so, I never saw him before

7

Q And when he entered the office did he ask for you?

A He didn't enter our office.

Q Did he ask for you?

A He didn't enter our office. I went to the hotel and saw him.

Q When you encountered him first who spoke first, did you address him first or did he address you?

A The hotel people called me up from my office, and they introduced me to him saying he had this check and wanting to realize on it.

Q And then did you ask him if he had the check?

A Yes he showed me the check.

Q You asked him if he had the check?

A He showed it to me.

Q And then, what occurred, what next was said by you or by him.

A I cannot tell you particularly.

Q Did you ask him if he desired to have it cashed?

Q Yes I asked him what he wanted to do with it, and he said he wanted to realize on it.

Q Can you remember the exact words that he used?

A I cannot.

Q But you asked him if he desired to realize on it.

Q What he wanted to do with it

Q And he then said what?

Q He said he wanted to raise some money.

Q Did he mention any specific amount that he desired?

Q He intimated.

Q No not what he intimated but what he said, what did he say

Q He said he wanted to get the check cashed.

Q Did he say that he wanted the full amount of the check or did he say that he wanted to get an advance on it, or part of it?

91

Q I think he said first he wanted to get the check cashed, and if he could not he wanted to get as much as he could, I told him there was no likelihood of his realizing on it he being a stranger, it was not possible for him to realize on it.

Q Did you say anything more about it?

Q I advised him, his having said he resided in Chicago to send that check home and telegraph for money.

Q Did he make any reply to that?
A He said he thought it a good plan.

Q You advised him to make no further use of the check?

A Yes Sir.

Q And that was the end of your conversation?

Q I think it was, yes Sir.

Q I understood you to say that he

then left your office and you lost sight of him?

A I went to the telephone and when I got back he was gone.

Redirect Examination

Q This check at the time it was shown to you did it purport to be signed by the bank official

A Yes Sir.

Q It was certified apparently by the Merchants bank?

A Yes Sir.



James J. Baldwin called as
a witness for the people being
duly sworn, deposes and says
Direct Examination.

Q Where do you reside?

A Asiochar Staten Island.

Q What is your business?

A Assistant Cashier of the Merchants
bank.

Q Do you remember a check being
brought to you at the Merchants
bank at any time during the
past week purporting to be
drawn by the Royal Insurance
Company to the order of James
Woodruff to the amount of
Eighty thousand dollars?

A Yes Sir.

Q State if you please exactly what
transpired about that check
to your knowledge.

A It was on Tuesday between the
hours of 12 and 1 o'clock I was in
the cashiers desk or at his desk

as he was out at the time, a young man brought a letter addressed to the Merchants' National Bank and handed it to me and I opened it. I saw it was a note purporting to be written by a man by the name of Woodruff and with it was accompanied this check, I saw the check and the amount of it, and before reading the note I looked up at the young man to see if there was anything suspicious or anything that looked out of order and I satisfied myself there was nothing, at all events I saw nothing, I read the note and the note called for cash.

Q What became of the note?

A It was sent back with the check.

Q State as nearly as you can what the purport of the note was.

A As I remember it, I cannot be accurate in this, I can

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give you the substance, It was
 addressed to the Merchants National
 bank I think it was cashed
 on the outside "I enclose here -
 with Royal Insurance Company
 check for Eighty thousand dollars
 to my order, as it is impossible
 for me to come to the bank. I
 have got the assistant manager
 Mr Coit to certify my signature
 and as you don't know my
 signature I have got Mr Coit
 the assistant manager to
 certify my signature, and
 will you kindly send the
 money for the check or certify
 return that is as near as I can
 remember it ?

What did you do ?
 As I said I glanced up at the
 young man and saw
 nothing suspicious in his
 manner, I then took the check
 to the paying teller who was

a little distance from me, I took the cheque to him, and I think I took the note, at any rate I took the check to him, and if I did not take the note and show him, it was to be cash. I told him of it. I said you cannot obtain cash on this check, and he said "No!" and as I remember he said we can certify it but we cannot cash it, and I looked up again at the young man not that my suspicions were aroused, for they were not but it was rather a large transaction, and I wanted to make assurances doubly sure and I turned to him and I said all the signatures on that check correct, are you sure and he took the check up again and he looked at it, and his assistant looked at it and they both said it appeared to be all right.

15-a
1

and my memory then was
that I said you can certify it
if you choose.

Q Was it certified?

A It was certified.

Q Do you remember the number
of the check?

A No Sir.

Q You have a record of it?

A I think it is on the record of the
books I have here.

Q What did you do with the letter?

A I took the check after it was
certified and I wrote on the
letter we cannot pay cash
on a check of this kind, I
wrote it on the bottom of the
note and signed it and sealed
it up, by the way the letter
asked that the money be
sent in a sealed envelope
and I sealed the note up and
so far as I know the young
man didn't know what was

in the note.

Q And how did you address it?

A James Woodruff 5th Avenue hotel,
Guthrie asked the young man who
are you and he says I am a
messenger from the 5th Avenue
hotel.

Q Have you ever seen that person
since that brought the check to
you?

A Not that I can positively testify to.
By Mr. Moss.

Q Look at the defendant Sturges,
is that the man that presented
that check to you?

A No Sir, I should not think it
was it was a younger man
I can almost positively swear
that it was not, my memory
is that it was a young man
16 or 17 years old with a smooth
face.

Defendants counsel waive
Cross Examination —

17

Helson J. Banta called as a witness by the people being duly sworn, deposes and says Direct Examination.

Q Where do you reside?

A 155 Macon Street, Brooklyn.

Q What is your business?

A Paying teller, Merchants National Bank.

Q How long have you been connected with the bank.

A Perhaps 45 years.

Q The Royal Insurance company keep an account with that bank?

A They do Sir.

Q Do you remember a check for Eighty thousand (\$80,000) dollars to the order of James Woodruff purporting to be signed by officers of that bank coming under your observation last week?

A Yes Sir.

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Q State all that you know about that check:

A I think it was about noon when the check was handed to me by Mr. Baldwin and he said the check was received by him in a letter, he said he wanted the money on it, and he said have you any objections to certifying it and I looked at every name very carefully, and he said are you sure the signatures are correct, and my assistant was standing next to me and I thought the signatures were all correct.

Q What was the number of the check?

A That we have on the bank record.

Q It was entered at the time?

A Yes Sir

Q What is it?

A (Witness examining book)

26514. Eighty thousand dollars

19

Q Did you certify that check?

A Yes Sir.

Q After you had put certification on it what became of it?

A I handed it back to Mr. Baldwin

Q And that was the only time you ever saw it?

A Yes Sir.

Q Did you see the messenger who brought the check?

A No Sir, I didn't notice him I was busy paying other checks

Q It was on one of the usual forms, blank forms of the check used by the Royal Insurance Company of New York?

A Yes Sir.

Q It was brought to you by Mr. Baldwin?

A Yes Sir.

Defendants counsel waive cross examination.

Edward F. Beedall being
duly sworn, deposes and says
Direct Examination

Q You are the manager of the
Royal Insurance Company
of this state?

A Yes Sir.

Q Your office is where?

A 50 Wall Street.

Q Do you know Deabett one of
the prisoners here?

A I do.

Q Was he at any time in the
employ of the company and
if so how long?

A He was in the employ of the
company up to last Thursday
and previous to that for 10 years.

Q And he remained in the employ
of the company down to the
time of his arrest?

A Yes Sir.

Q When did you first hear that
there was a check out number

26514. I will change the question and ask you when did you first hear that there was a check outstanding purporting to be issued by your company for eighty thousand dollars to the order of James Woodruff.

Q On Thursday morning

Q Of last week?

Q Yes Sir.

Q From what place did you first hear of such a check?

Q I received the first intimation of such a check being out in my own office.

Q Did you subsequently receive or get any interrogatory on the subject from any other source?

Q I did.

Q And how long afterwards?

Q Half an hour

Q And from what quarter did it come?

Q Albany.

Q Who was the interrogator?

A The clerk of the Kermore hotel so he announced himself over the wire.

Q Did you hear anything subsequently by from Mr. Lansing?

A Yes subsequently

Q On the same day?

A Yes Sir.

Q How long after that did you have an interview with the prisoner Nesbett on the subject.

A Possibly 20 minutes or half an hour.

Q And where was that interview

A In the private room of my own office.

Q Did you have any interview on the subject when there was anybody present but yourself and him?

A I did.

Q State what he said to you on the subject of that interview?

Mr. Thoss.

This of course is restricted
against Nesbitt?

By the Court

Yes.

Q. Proceed:

A. I commenced the conversation
by stating that I had been in-
formed that a check for Eighty
thousand dollars was afloat and
I told him further that I had
reason to believe or to know
that he issued that check by
forging the signature of the
officers of the company.

I asked him where he got the
check, and he told me at once
that he abstracted a sheet from
our check book, and I then
enquired of him whether he
had forged the names which
appeared on the check, he told
me he had, he traced them
from genuine signatures which

he had found in the office on a check which he had abstracted from the book.

Q Did he say what he had done with the check?

A He had given it to a friend of his who had taken it on to Albany for the purposes of raising money on it.

Q Did you examine the office check book afterwards?

A I did.

Q Is the book shown you the book in question?

A Yes Sir.

Q And are those checks in that check book numbered from beginning to end in regular order?

A Yes Sir.

Q Look and see if you find the sheet that check 26514 would be on?

A I find that the sheets containing

25

26513 to 26516 inclusive had been torn or cut from the check book.

Q In the course of business of your office are the checks used in the regular order of numbers as they appear in the check book here? Do you take them miscellaneous?

A They are taken in the regular order.

Q Now down to this date Thursday of this week the 26th down to what number in the ordinary course of business had you used checks from that bank?

A There seems to be no check issued.

Q 26457 was the last check in the order of numbers, as being the last check issued by you in the course of business down to the morning of the 24th?

A Yes Sir. I will qualify that

we have more than one bank account.

Q But in this check book?

A Yes Sir.

Q That is the Merchants check book?

A Yes Sir, that is the account out of which we pay large losses.

Q By whom would they be signed in the ordinary course of business?

A William Stevenson.

Q And what other signatures?

A One member of the committee of whom we have five (5)

Q Is Osgood Welsh a member of that committee?

A Yes Sir and either myself or Mr. Coit our assistant manager.

Q Did you ever sign check 26514

A I did not.

Q Did you ever sign any check to the order of James Woodruff.

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for Eighty thousand dollars on the Merchants bank.

A Not to my knowledge

Q Can you say whether or not positively in the year 1893 you ever signed a check to the order of such a person?

A I can.

Q Did you or not at any time in the year 1893 sign a check to the order of James Woodruff on the Merchants bank?

A I did not.

Q Do you know of any such person?

A I do not.

Q After the interview to which you have testified between yourself and the prisoner Nesbitt on Thursday of last week were you present at another interview at which Mr. Nesbitt yourself and the counsel now examining you were

present?

A Yes Sir.

Q Did Nesbitt make any statement of this transaction at that time.

A He did.

Q Was that statement reduced to writing.

A It was.

Q As he stated it?

A Yes Sir.

Q Was it read to him?

A It was.

Q Did he sign it?

A No Sir.

Q I show you a document consisting of three sheets did he say whether or not that statement was accurate?

A He said it was.

Q Did you there upon put your initials upon the 3 sheets?

A I did

Paper offered in evidence

By the Court Admitted and marked

29

Plffs Ex a.
 Cross Examined }
 By Mr. Moss

Q Where did this conversation take place between you the defendant and the counsel for the prosecution in which this statement was made?

A In my office.

Q When?

A Thursday morning.

Q Was anybody else present besides the 3 I mentioned in reference to this statement?

A My recollection is there was nobody else present.

Q Tell us the conversation that was had by anybody before you took it down in writing, Tell us the conversation that took place before the defendant made that statement what was said by you or counsel

A The statement is embraced in 3 sheets of paper.

Q What I want to know is what was said by you or counsel for the people before that statement was reduced to writing?

A There was no conversation because those questions to those are answers, they took place simultaneously.

Q When you brought the counsel in did you tell Nesbitt who he was?

A I did not he knew him

Q Did you say we are here now to get a statement and want you to make it?

A No Sir.

Q Was there not something said by you or counsel before he made that statement?

A I am satisfied that nothing was said.

Q Did you tell him that you would keep him out if he would make a statement?

A No Sir.

Q Was anything said by anybody to that effect?

A No Sir.

Q You are positively certain there was nothing said by you?

A I am positive there was nothing said beyond the questions that were put to him except which these are the answers.

Q Who put the questions?

A Mr. Lavorgna.

Q Was anything said beyond what is contained in that paper?

A Nothing that I can remember I might add if it would be of any satisfaction to you to say when the statement was read to him he gladly offered to sign it if I would let him go and I refused to do so.

Redirect Examination

Q And following that he was taken

321

to police headquarters by an officer?

A

Yes Sir.

By Mr. Thoss

Q Was anything said by the defendant in the first conversation in reference to the check being presented to the bank for certification?

A

No Sir.

Q Was anything said by the defendant Nesbitt at any time prior to the making of the statement in reference to the check being sent to the bank?

A

No Sir.

Q Was anything said by the defendant as to the number of the check?

A

No Sir.

By Ex Judge Kilbuck.

Q From whom did you receive the first information in regard to the existence of the check?

Q Mr. Sturgis.

Q Appleton Sturgis accompanied by counsel:

A Yes Sir.

Q They called at your office?

A Yes Sir.

Q And gave you the information?

A Yes Sir.

Q That was prior to the information you received from the agency?

Q They gave me the information that the check was probably out irregular and I called for the R. check book and examined it and I found it to be so that that check had never been issued.

Q And Mr. Sturgis informed you what knowledge he had of it?

A Yes Sir.

Q And he offered I believe every assistance in his power to recover the possession of the check?

A Yes Sir.

Q And also to secure the apprehension of the parties in interest.

A Yes he went with me to the bank to enquire about the check.

Q And when you and Mr. Stungis went to the bank was that the first information you had about it?

A Yes Sir.

Silas W. Rogers called as a witness for the people being duly sworn deposes and says Direct Examination.

Q What is your business?

A Detective Sergeant.

Q Do you know the prisoner Stungis?

A Yes Sir.

Q Did you have any conversation with him at any time on the subject of what became of the check which is the subject of the investigation here?

A Yes Sir.

Q When was it?

A The day that he was arrested.

Q What was it he said about it?

A He tore it up he destroyed it in small pieces.

Q Where?

A Between Albany and Troy.

By Ex Judge Kilbuck.

Q Where did you see him first?

A I saw him at Police headquarters.

he was brought from our Wall street office to our upper office by Mr. Quinn.

Q Then you did not arrest Sturgis

A No Sir.

Q He voluntarily surrendered himself!

A Yes Sir.

By the Court.

Q Did he make any statement as to where he got the check!

A No Sir.

Case for the people.

Defendants Counsel waive further examination

By the Court Defendants held to bail for trial at General Sessions in sum of Ten thousand dollars

District Police Court.

James F. O'Donnell

vs.

George Westcott
James C. Munge

STENOGRAPHER'S TRANSCRIPT.

January 30 1893

BEFORE HON.

J. H. White

Police Justice.

L. O. Sullivan

Official Stenographer.

0658

0659

Police Court, District.

City and County } ss.
of New York,

Edward F. Beddall
 of No. 138 East 37th Street, aged 53 years,
 occupation ~~Manager Royal Insurance~~ ^{Company} being duly sworn, deposes and says,
 that on the 24th day of January 1893, at the City of New
 York, in the County of New York, one George M. Nisbett

with intent to defraud forged
 a certain instrument in
 writing being or purporting
 to be the act of this deponent
 and of William J. Stevenson
 and Osgood Welch by which
 a pecuniary demand or obligation
 was or purposed to be created
 that is to say:

That said Nisbett forged
 a certain bank check ~~for~~
 on the Merchants National
 Bank of said City of New York
 substantially in the following
 form:

New York January 24, 1893
 The Merchants National Bank
 Pay to the order of James Woodward
 Eighty thousand dollars.

E. F. Beddall
 Manager
 Wm. J. Stevenson
 Cashier

Osgood Welch
 Of Committee of Management

That said check was on
 a blank form by said Nisbett from
 the check book belonging
 to the Royal Insurance Company
 in charge of this deponent
 as Manager. Said Nisbett
 filled in the date and wrote
 in the body thereof the name
 of James Woodward and

0660

the said sum of Eight thousand dollars and
thereupon forged the signatures
of this defendant and of said
Stevenson and Welch. That said
Kisbet wrote said names pur-
porting to be signatures to
said check without any authority
on the part of any of said persons
so purporting to have signed
the same. Said Kisbet intending
to cheat and defraud by means
thereof; that said Kisbet
thereupon in pursuance of said
fraudulent scheme caused said check
forged check to be presented
for payment as a genuine
check to the Merchants National
Bank of New York where said
Royal Insurance Company kept
funds and with the intent
on his part to have the amount
paid out of said funds; and that
failing collection of the amount thereof
over the counter he procured said
check to be certified ~~and~~ by said
Bank

It appearing to me by the within depositions and statements that the crime therein mentioned has been
committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars, and be committed to the Warden and Keeper of the City
Prison of the City of New York, until he give such bail.
Dated 188
Police Justice.

I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 188
Police Justice.

There being no sufficient cause to believe the within named
guilty of the offence within mentioned, I order he to be discharged.
Dated 188
Police Justice.

Police Court-- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

1
2
3
4

Offence,

Dated 188

Magistrate.

Officer.

Clerk.

Witnesses,

No. Street,

No. Street,

No. Street,

\$ to answer Sessions

Deponent further says that said Nesbitt gave said ^{spurious} check to one Dawes & Sturges to be uttered and the amount received therein collected; that ~~after~~ the presentation of said ^{spurious} check to said Bank by said Sturges; ~~that~~ ^{that} said Sturges has since destroyed said spurious check as deponent is informed and believes.

That said Sturges has at the instance of said Nesbitt made other attempts to utter said spurious checks that said Sturges had knowledge of the acts of said Nesbitt complained of and combined and conspired with said Nesbitt to forge and utter said spurious check.

Given to before me
this 28th day of January

A. J. White

John H. White
Police Court

0662

Sec. 198-200.

1882
District Police Court.

City and County of New York, ss:

George S. Nesbitt 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 a charge against him; that the statement is designed to enable him, if he see fit, to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer.

George S. Nesbitt

Question. How old are you?

Answer.

28 years

Question. Where were you born?

Answer.

England

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

Answer.

Police Headquarters

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 and am exonerated
Nesbitt

Taken before me this

28

day of *January* 189*3*

St. John
Police Justice.

0663

Sec. 198-200.

District Police Court.

1882

City and County of New York, ss:

James E. Sturgis being duly examined before the undersigned according to law, on the annexed charge; and being informed that it is *h⁶* right to make a statement in relation to a charge against *h⁴*; that the statement is designed to enable *h³*, if he see fit, to answer the charge and explain the facts alleged against *h⁴*; that he is at liberty to waive making a statement, and that *h⁴* waiver cannot be used against *h³* on the trial.

Question. What is your name?

Answer.

James E. Sturgis

Question. How old are you?

Answer.

17 years

Question. Where were you born?

Answer.

United States

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

Answer.

90 East 10th Street 17 years

Question. What is your business or profession?

Answer.

Student

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 E. Sturgis

Taken before me this

day of

30 of *June* 1882

Police Justice.

0664

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

George S. Mitchell and James E. Stinger
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, *Jan 30* 189*3*

A. White Police Justice.

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

Dated, _____ 189

Police Justice.

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

Dated, _____ 189

Police Justice.

1881

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Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Edmund J. Beddall
Geo. S. Nisbett
Dan E. Sturgis

Offense
Forgery

3
4

Dated, *Jan 28* 189 *3*

White Magistrate.

Rogers & Huns Officer.

CO Precinct.

Witnesses *James A. Baldwin*

No. *42 Wall* Street.

Andrew Dawson Lansing

No. *48 & 50 State* Street.

No. _____ Street.

\$ _____ to answer.

Wors E. Jan 30 4 30 PM

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by *Iract A. Kip*

Residence *69 E 56* Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

(1)
Cheque given to ~~Bliss~~
Monday 23rd Jan'y 1893.

Signatures all on it.

Signatures traced on cheque
by Mabel from old signa-
tures. Amount paid \$80.000
4 cheques were taken out of
book - three were destroyed

The 4th one was then on hand
This was I think number
26574. Date I think was
21st January 1893. Saw Sturge
Tuesday night - he said he
was going to Albany - he expected
to see Cheyer there. He was going
to try to deposit it there for col-
lection or something.

He is entirely uninvolved in
the whole matter.

I was the one who suggested it
he knew nothing of it till the thing
was done.

I got the ⁽²⁾cheques from the ⁽²⁾cheque book and lay them down in the box & no one else happened to be there. It flashed upon me all of a sudden after the cheque had been prepared by me I broached the subject to Sturges. Proposed to him to take the cheque & dispose of it and divide the proceeds.

I took on Tuesday he sent the cheque to the Commercial Bank for payment. It was returned by the Bank with the message that the Bank would not pay so large a cheque in the way requested but the Bank certified the cheque.

It was drawn to the order of James Woodcock and was endorsed by me in that name. I had put below the endorsement the word "correct" and the name "George M. Carr" who is assistant manager of the Royal Ins. Co. I traced the last signature from an old acquaintance

There is no such person as James
Woodward. The name was over
adopted by me for the purpose

The foregoing statement was
made by me voluntarily in
the presence of Mr. E. T. Badger
and Mr. Joseph Carver and
written down by the latter
in my presence Jan'y 26. 1893

Taken down
by me from
Nisbett's dictation
Jan'y 26/93
J. Carver

In presence of
Missale

off In presence
of Exa

Name

George M. Nisbett

223 West 38th Street

New York

0669

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

aged 63 years, occupation James J. Muldavin Assistant Bank Cashier of No.

Carrochan Staten Island Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Edward F. Redfall

and that the facts stated therein ^{as to the payment of the} ~~are~~ information of deponent are true of deponent's own knowledge.

Sworn to before me, this

28

day

of

January 1893

J. J. Muldavin

A. J. White

Police Justice.

Subscribed and sworn to before me

0670

The Lombs -

21/2/93

Your Honor:

To day when you were
addressing me at the Bar you
laid stress on the fact that I had
influenced Sturges (a boy of 17) to
aid me in my designs - Your
Honor, I have told the whole
truth voluntarily in this matter,
and I deny having urged
Sturges in any way to take
part. I did broach the subject
to him, but urged him to find
some one to do it for him. I
feel keenly this whole affair,
and the sentence you in your

wisdom have seen fit to
inflict upon me, stunned
me - I had hoped for some-
thing different - I shall
try and take my sentence
meekly, and do all in my
power to redeem my char-
acter and lead a better
life -

I trust that this will
be received in the spirit
in which I write it -

Very respectfully

George M. Nicbott

To His Honor
Judge Cowing -

0672

LAW OFFICE OF
JAMES T. KILBRETH,
45 Broadway.

New York, Feb 24 1893

Hon Rufus B. Cowing

My dear Sir,

I am suddenly
called out of town for a few days and
will not be able to be at Court on Monday.

I have accordingly arranged with Mr
McDonna for a postponement of the Sturges
Case until Thursday March 2. I write this line
simply to inform you of the arrangement so
that in case Mr McDonna might also be
absent you would be advised as to the position
very truly yours

James T. Kilbreth

0673

Feb. 16. 1893

Rectory of The Heavenly Rest,
3 East 45th Street,
New York.

Messrs Howe & Hummell.

Gentlemen.

At the request of your client,
George W. Nisbett, I beg you
will see that the accompanying
letter is placed in Judge
Coring's hands, before he
proceeds to sentence your
client this day.

With respect. I am

Gentlemen

Yours faithfully

D. Parker Morgan

0674

VI.

STATE OF NEW YORK.
Executive Chamber,
ALBANY.

July 17. 1894

Sir:

Application for Executive clemency having been made on behalf of
George M. Wisbett who was convicted of *forger 2^d deg*
in the county of *New York* and sentenced *July 21. 1893*
to imprisonment in the *State Prison* for the term of

five years

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

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

Very respectfully yours,

J. S. Williams
Private Secretary.

Hon. John R. Fellows
New York City

0675

Shiloh, Ohio - February 14th 1893.
1004 Walnut St.

Judge Rufus Coring,
Dear Sir,

I have reason to think that Mr. W. Bisbott, who recently pleaded guilty to forgery on the Prog. Ins. Co. is connected with a swindle perpetrated on me in Jan'y of last year, by which I was defrauded of a valuable lot of books by means of a bogus check. In the beginning of Jan'y 1892. I received a letter from New York from a person signing himself W. S. Jenkins, saying that he had seen my Catalogue of Choice Books, and that if I had certain Nos. of the Catalogue which he named, to lay them aside for him for a week, when he would be in Shiloh, and would call and pay for them and have them sent to New York by Express. I answered his letter, told him what books I had of those he mentioned, but heard no more from him, until noon of Saturday, Jan'y 30th just as I was leaving my office to fulfil an engagement out of town. Just then a messenger boy came in from the Hotel Lafayette with a note from W. S. Jenkins, enclosing a check on the Seaboard Bank of New York for \$300⁰⁰ - saying that he had been in Washington and had been detained there longer than he expected. He could not find time to call and see me, but would be obliged if I would send the books to the hotel. Under ordinary circumstances, not having seen my customer, nor knowing anything about him, I would have sent a telegram to the Seaboard Bank of New York, on which the check was drawn, but as I had to leave the city in a few minutes, and could not receive an answer before my departure, I concluded to run the risk, with the re-

Talk of having the check come back in a day or two marked
 "No account" - Several months afterwards, I saw in the Auction Cat-
 alogue of Bangs & Co. one of the most valuable books, and notified
 them to hold it for me, as it was mine, and notify me who had
 sent it to them for sale. I was surprised to hear from them that
 it had been sent them for sale by J. M. Wisbott, who had been
 an occasional customer of mine, and who at that time owed
 me an account. Bangs & Co. notified Mr. Wisbott of my claim,
 contrary to my instructions, which were to buy it in for me at the
 sale, and wait for more to follow. Upon receiving a notification
 from ~~the auctioneer~~ that I claimed the book, Mr. Wisbott wrote
 me that he had bought it for \$15. from a canvasser who
 called at the office one Saturday afternoon, and afterwards
 bring of it, he sent it to auction. My stock is altogether
 of choice imported books and altogether of a different class
 from what is usually sold by canvassers, and at the time
 when he was claiming to be short of money and unable
 to pay an instalment on his ap^l, he could still find money
 to buy books for cash from canvassers. Under the circumstances
 I did not credit his story, but got back the book, value
 \$75., repaid him the \$15. he said he had paid for it, and
 ordered back the books he had of mine not paid for, and
 closed his ap^l.

Many circumstances combine to make me
 think that he was the swindler who got the book in the
 first place, or if not, then an accomplice, and I am now in-
 vestigating to find among his effects some of the stock ob-

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tained from me in the manner mentioned.

I have sent the police a list of the books, which can be easily identified, and perhaps some of them may turn out to be in his possession.

The plan to get the books was carefully thought out, and devised to dispel suspicion, and could only have been carried out by one who was familiar with my stock, and a judge of the value and importance of choice volumes.

Yours truly
J. F. Price

Feb. 16. 1893

Church of the Heavenly Rest,
551 Fifth Avenue,
New York.

The Hon. Judge Cowing

My dear Sir.

I trust I may not be violating any rule of law or etiquette, in writing to you these few words, on behalf of George - W. Nisbett, who is to appear before you this day, to be sentenced. I have known this young man, for many years; and, from all that I have ever seen or heard, it is to me a perfect mystery how he ever came to commit this crime. It must have been a sudden temptation that seized upon him in the first place - Afterward, of course, steps followed upon steps - All I

venture to plead in his behalf, is
that, if consistent with the safety
and protection of the public weal,
you would mercifully commit
him to a Reformatory. He is
yet very young: and such action
on your part, may be the
means of giving him a
chance yet to redeem this
sad step. With much respect,

I am, My dear Sir

Yours very faithfully

D Parker Morgan

Rector

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SSA

Rochester, N.Y.

Feb. 9, 1893.

To the Honorable Judge Cowing,
Court of General Sessions
New York, -

My dear Sir, -

I trust you will not consider it an act of questionable propriety for me to address you in connection with the case of George W. Wisbetta, whose case is expected to come before you for trial.

He has confessed his crime and will probably plead "guilty", thereby commending himself to the

Efficiency of the Court.

I have known him for a number of years and have been proud to number him among my friends as a young man of intelligence, refinement and culture; and was, therefore, terribly shocked to hear that he had done such a thing as he has. I have known that his tastes and habits were not those of the wild, licentious youth, and that his spare time was devoted to literary and athletic pursuits.

If he can be sent to Elmira for as short a time as possible, we, and his

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friends, all feel that
justice will be satisfied
and his life not so
fearfully shattered as
it would otherwise be.
Commending him to God
and your own good
judgment, and trusting
that this letter will
at least, not prejudice
his case, I am
With highest esteem,
Yours very respectfully
S. Edward Gould

CALVARY BAPTIST CHURCH,
57th St., bet. 6th & 7th Aves.,
PASTOR'S RESIDENCE:
358 West 57th St.

New York, Feb 10 1892

Judge Cowing.

My dear Sir:

I beg you to ac-
cept my thanks for your courteous
reception of me while amid the ab-
sorbing and trying duties of your
judgeship at the Court Room. I
wish only to say that I believe
you will because of your ju-
dicial mind and kind heart
deal as charitably as possible
with young Strabitt; and that
you will save him from the
disgrace of the prison; and

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CALVARY BAPTIST CHURCH,

57th St., bet. 6th & 7th Aves.,

PASTOR'S RESIDENCE:

358 West 57th St.

New York, 189

That he will be sufficiently
 punished by sending him
 to the State Reformatory.
 His intelligence & refinement
 will entitle him to the as-
 surance that his influence
 among the men there will be
 every way good & helpful.
 The fact that this is his
 first offense & that no loss
 of money is involved I hope
 will be a mitigating cir-
 cumstance. Very respectfully
 & sincerely yours
 J. R. Morse

N.Y. General Sessions

The People vs

George M. Nesbitt

City and County of New York ss

I, George M. Nesbitt
being first duly sworn according
to law do depose & say:

I am 27 years of age
and was born in England.

I came to this County
when I was 12 years of age
and went to live at Potodan
St Lawrence County New York

I lived there a short time
and came to New York City to reside
with my cousin the Rev J. R.
Nesbitt at 43 East 41st Street

I attended 13th Street
Public School & went to a private
school all up to the time I
was 18 years of age

I then went into the
Employ of the Comptroller
in this case as a clerk and
remained in their Employ down

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to the time I was arrested
a period of nearly nine years.

I have always lead an
upright honest & pure life
& was never arrested before.

I have been for some
time a member of a celebrated
Literary Association in this City
and for the past 3 years have
been a member of the 22nd Reg-
iment & 17th Separate Company
of this State, and am a mem-
ber of the said 22nd Regiment
at the present time.

I regret deeply the act
I have committed & feel keenly
my situation. As I solemnly
promise if the Court will give
me an opportunity to reform
I will endeavor in the future
to become an upright &
dutiful citizen of the Community.

I now & refer me this
16th day of February 1893
Refused & Directed
Commissioner of Prisons
N.Y. City Co

George M. Nisbett

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

.....being duly
sworn, says that he resides at No.Street, in the City of
New York; that he is years of age; that on theday of
189 , at Numberin the City of
New York, he served the withinon.....
theby leaving a copy thereof with.....
.....
.....

Sworn to before me this
day of 189 }

A. General Services
The People

Plaintiff,
against

George M. Nesbitt

Defendant.

*Affidavit of
defendant's*

HOWE & HUMMEL,

Attorneys for

Repa

87 & 89 Centre St., New York City.

Due and timely service of copy of the within
hereby admitted

this day of 189

Attorney.

To.....

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

THE PEOPLE

vs.

GEORGE M. NESBITT and DAWES E. STURGIS.

CITY AND COUNTY OF NEW YORK, SS:

RUSSEL STURGIS,

being duly sworn, says: I reside at No. 307 East 17th Street, in the City of New York; am 56 years of age, and an architect by profession. The defendant Dawes E. Sturgis is my nephew, and is ^{about} seventeen years old. I have known him all his life. His deportment has always been good and I have never known of any act on his part which indicated any vicious tendency or quality in his character. He has never before this occasion been arrested or charged or suspected of the commission of any manner of crime or offence against the law. During the past five or six years, I have had very frequent occasion to observe the character of his work as a student, and have had much to do in the matter of arranging for placing him in the several schools which he has attended, and to learn as to his intelligence and capacity for study. I have found him to be exceedingly backward in the pursuit of his studies, and three or four years below the average intelligence of boys of his own age, ^{in that respect} Sworn to before me this 11th day of February, 1893.

John F. Fox
Notary Public,
N. Y. Co.

Russell Sturgis

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

T H E P E O P L E

vs.

GEORGE M. NESBITT and DAWES E. STURGIS.

CITY AND COUNTY OF NEW YORK, SS:

GEORGE W. WICKERSHAM,

being duly sworn, says:

I reside at 54 West 12th Street in the City of New York, am 34 years of age, and am an Attorney and Counselor-at-Law, practicing in said City as a member of the firm of Strong & Cadwallader. I have known the defendant Dawes E. Sturgis for the past five or six years, during which time I have been on terms of intimacy with his family. I have frequently seen him at his father's house, and at my own house. His younger brother and his sister have been frequently at my home, and I have been impressed with the defendant's affectionate and considerate regard for his sister. I have always regarded him as a reliable and trustworthy boy, and one incapable of committing an offence against the law. I have never abserved or had any reason to suspect the existence of any vicious trait in his character.

Sworn to before me this
11th day of February, 1893.

: *George W. Wickersham*

Andrews (26)
Notary Public
W.C.C.

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

THE PEOPLE,
vs.

GEORGE M. NESBITT and DAWES E. STURGIS.

CITY AND COUNTY OF NEW YORK, SS:

JOHN V. DONIPHAN

being duly sworn, says: I reside at No. 83 Downing Street in the City of Brooklyn; am 45 years of age, and am engaged in the manufacture of cotton bagging in the City of Brooklyn. I have known the defendant Dawes E. Sturgis for more than two years, and during that time I have seen him frequently, both at his father's home in New York, and at my office in New York. I have always regarded him as a thoroughly honest, upright and reliable boy. I have never known of any vicious trait in his character, and never from my acquaintance with him, believed that he was capable of committing any crime or offence against the law. I had occasion to know him well, and was astounded to learn of his participation in the offence charged.

Sworn to before me this
11th day of February, 1893.

John V. Doniphan

John F. Fox
Notary Public,
N. Y. Co.

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

THE PEOPLE

vs.

GEORGE M. NESBITT and DAWES E. STURGIS.

CITY AND COUNTY OF NEW YORK, SS:

ROBERTSON RODGERS, being

duly sworn, says:

I reside at No. 129 West 47th Street, in the City of New York, am 47 years old, and am engaged in business, as a stock broker, at No. 30 Broadway Street in said City. I have known the defendant Dawes E. Sturgis since he was a small child. I have been on terms of close intimacy with him, and his family. I have been at his house often for a week at a time. I have had unusual opportunity for observing his character, and have found him always to be an affectionate, lovable boy, thoroughly trustworthy, honest and truthful. I have always regarded him as perfectly reliable in all his morals and have never observed or had any reason to suspect that he had any vicious quality or any bad habit. I have considered him as a most estimable boy and incapable of committing or of conceiving the commission of any crime. He never even used tobacco or liquor in any form.

Sworn to before me this
13th day of February, 1893.

John F. Fox *Robertson Rodgers.*
Notary Public
C. F. & Co.

-----x	
The People)
vs)
George M. Nesbitt and)
Dawes & E. Sturgis.)
-----xss	
City of New York)
County of New York.)
-----x	

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

William L. Bull being duly sworn says:

I reside at 413 Fifth Avenue in the City of New York, am 47 years of age, and am engaged in business as a stock broker at No. 38 Broad Street in said City. I have known the defendant Dawes E. Sturgis all his life. I have been for many years an intimate friend of his father and mother, and have been a frequent visitor at their house. In all my acquaintance with the defendant I have found him to be a thoroughly honest, upright, reliable and manly boy. At the time of his mother's death in the latter part of November last I was particularly impressed with the tender and affectionate traits of character he manifested. I never discovered or had any reason to believe that he had any vicious tendency, and I have heretofore thoroughly believed him to be a boy incapable of committing any offence against the law. I have never known or heard that he had offended or even been suspected of offending previous to the bringing of the present charge, and the announcement of his connection with this matter was a shock and surprise to me.

W. L. Bull

Sworn before me _____ this the
11th day of February, 1893.

William L. Bull
Notary Public
New York Co.
No. 41.

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

THE PEOPLE
vs.
GEORGE M. NESBITT and DAWES E. STURGIS.

CITY AND COUNTY OF NEW YORK, SS:

NEWCOMB C. BARNEY,

being duly sworn, says:

I reside at the San Marco Hotel, in the City of New York, am 53 years of age, and was for many years engaged in business as a Banker and Broker in said City, but have retired from business. I have known the defendant Dawes E. Sturgis all his life. I have been since his birth on terms of close intimacy with his family, and have been almost a daily visitor at their home during a portion of that time, and the defendant has been a frequent visitor at my house. I have a son of about his age, and they have been companions. About three or four years ago I was residing at Lichfield, Conn., and his father was residing near by. During that summer he was very frequently at my house, and I had unusual opportunities for observing his conduct. Upon one occasion he met with a severe accident, ^{cutting} ~~crushing~~ his ankle in a mowing machine, which happened on my place. In consequence, he was confined to his bed for a number of weeks, and subsequently was obliged to submit to an operation. During this time I had occasion to see and talk with him frequently, and I was particularly impressed with his cheerful and patient disposition and his manly qualities. I have always regarded him as an honest, trustworthy and high-minded boy, and reliable in every moral quality. I have never found

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the least indication of anything vicious in his character,
and have never thought him capable of committing any offence
against law. His conduct has been above reproach.

Sworn to before me this
13th day of February, 1893.

⋮
⋮
⋮

N. C. Barney

*John F. Foy,
Notary Public,
N. Y. Co.*

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

T H E P E O P L E

vs.

GEORGE M. NESBITT and DAWES E. STURGIS.

CITY AND COUNTY OF NEW YORK, SS:

IRA A. KIP,

being duly sworn, says:

I reside at No. 69 East 56th Street, in the City of New York, am 48 years of age, and am engaged in business in the City of New York, as broker, in East India merchandise. I have known the defendant Dawes E. Sturgis for the past seven or eight years, and during that time I have met him frequently at his father's house, and at my own house, where he has visited. He has for the past three or four years been accustomed to come to my office on Saturdays, upon an average of two or three times a month, and we have, on those days, been accustomed to take our lunch together, in company with his father. During these past three or four years, I have known the boy intimately, and have had good opportunities for knowing his character. On one occasion about three years ago I went with him and his father upon a fishing excursion, and for four days we were thrown together constantly, and in intimate relations. I never discovered or learned of anything vicious in his character, and from my acquaintance with him, found him to be a thoroughly honest, upright, reliable and manly boy. I have never known or heard of his having committed, or being suspected of any offence against the law, previous to the present mat-

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ter, and did not believe him capable of committing any offence. I was astounded to hear of his connection with this offence, and could scarcely credit it as true.

Sworn to before me this
11th day of February, 1893.

...

Gra A. Kip

*John F. Fox,
Notary Public,
N. Y. Co.*

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

T H E P E O P L E

vs.

GEORGE M. NESBITT and DAWES E. STURGIS.

CITY AND COUNTY OF NEW YORK, SS:

ALPHEUS WOODS MONTGOMERY,

being duly sworn, says:

I reside at Flushing, Long Island, am 51 years of age, and am engaged in the business of manufacturing cotton bagging in the City of Brooklyn. I have known the defendant Dawes E. Sturgis intimately for the last six years, during which time I have been on terms of close friendship with him, and his father. I was particularly intimate with him, notwithstanding the disparity in our ages, for the reason that I am very fond of young people, and I am much interested in what pertains to athletics, in which subject he was also much interested. I believe I had opportunities for knowing him and did know him and every trait in his character as intimately as is possible for a man of my age to know a young man of his age. I know that up to the time of the present offence, he was absolutely honest, trustworthy, truthful and high-minded and incapable of committing any act which bore even the semblance of wrong-doing. He possessed no ^{vices} ~~vices~~ or bad habits. He was very much attached to his friends and ready to answer any demand made of him to serve a friend. His habits were simple and plain, and he had no use for money and had no desire for

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it beyond the small sums necessary for car fare and other
trifling incidentals.

Sworn to before me this
11th day of February, 1893.

A. M. Montgomery.

John F. Fox,
Notary Public,
N. Y. Co.

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

T H E P E O P L E
vs
GEORGE M. NESBITT and DAWES E. STURGIS.

CITY AND COUNTY OF NEW YORK, SS:

²
JOHN BULLARD, being

duly sworn, says:

I reside at Short Hills, New Jersey, am 52 years old, and am engaged in the cotton business in the City of New York. I have known the defendant Dawes E. Sturgis for the past twelve years. During a great part of that time, I lived in the City of New York, and was on terms of very close intimacy with his father, visiting his house almost daily. I have had abundant opportunity to study and to know the character and disposition of Dawes E. Sturgis, and have known him to be thoroughly upright, truthful and reliable. I have regarded him as incapable of committing any crime. I know him to be a young man of singularly affectionate and loving disposition, and that he has been a great comfort and consolation to his father in the different sorrows and afflictions which have at times befallen him. At the time of his mother's death, especially, in November last, I was at his home a great deal and saw him and marked his gentle and affectionate conduct. He is impressionable and susceptible to the influence of his surroundings, and I have no doubt that with the supervision of his family and their care and watchful influence, he would conduct himself hereafter with propriety and with credit. From my knowledge of his disposition, I am firmly of the belief that his con-

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mitment to a Reformatory Institution would not fail to be most disastrous to his future life, and that the best interests of the boy and of society would be subserved by remanding him to the care and supervision of his relatives and friends.

Sworn to before me this
13th day of February, 1893.

John L. Bunn

*John F. Fox,
Notary Public,
N. Y. Co.*

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

THE PEOPLE
vs.
GEORGE M. NESBITT and DAWES E. STURGIS.

CITY AND COUNTY OF NEW YORK, SS:

WILLIAM G. McGUICKIN,

being duly sworn, says:

I reside at No. 126 West 129th Street, in the City of New York, am 43 years of age, and am now, and for more than twenty two years last past have been, a tutor in the College of the City of New York. For the past ten years I have been senior tutor in History, and before that I was tutor in Mathematics. I have known the defendant Dawes E. Sturgis since April 1st, 1892. From that date until the 15th of June, 1892, I saw him every day, except Sundays, and often also on Sundays. I was during that time acting as private tutor to him, and he was with me for two or three hours each day in the afternoon. About June 15th, 1892, I went with my family to Lakeville, Conn., for the summer, and he came with us, and remained as an ^{member} ~~inmate~~ of my family until we returned to the City, on the 13th or 15th of September, 1893. During that period I was not only his tutor, but his companion, and was on terms of close intimacy with him, which enabled me to become fully acquainted with his capacity and intelligence, and also with his moral character. In his studies he was so inefficient that although he had been studying Grammar for years, it was impossible to make him understand the different parts of speech, and he was entirely unable to grasp any more than

the most simple elementary rules of arithmetic. His deportment was unexceptionable, and he was thoroughly upright, reliable and manly in all his acts and speech. He was of a most affectionate disposition and chivalric in the highest degree in his conduct and sentiments. He was a favorite with the members of my family and with all with whom he came in contact. He was unusually pure minded for a boy of his age. One peculiarity of his character was his devotion to his friends for whom he was willing to do anything requested of him. From my intimate knowledge of his character, I am satisfied that his statement that what he did in the matter of the forged check was purely to befriend the co-defendant, Nesbitt, is absolutely true. He was very fond of athletics, particularly of bicycling, and he held ~~by~~ Nesbitt, who was an authority on that subject, as an idol. He entertained for him the highest admiration, and on one occasion during his stay with me, Nesbitt made a trip to Lakeville from New York on his bicycle, which excited his admiration to the highest degree. I found him to be absolutely truthful and high-minded in all his dealings. He was particularly sensitive as to money matters, insisting absolutely upon refusing to have even five cents expended for him, without repayment. He was in receipt of a regular weekly allowance from his father, and he was always careful and economical in his expenditures, and usually saved money from his allowance, which he always regarded as ample for his wants. I never discovered or heard of any vicious trait in his character, and considered him to be a model boy. ^{*He never used tobacco in any form, nor liquor.*} I have had in my experience as instructor several thousand boys and young men under my charge, hundreds of whom I have known intimately, and I regarded him as one of the most honest, truthful, trustworthy and pure-minded

J. F. F.

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boys I have ever had to deal with. The moral side of his character was unexceptionable, but the reasoning and intellectual part was weak.

Sworn to before me this
11th day of February, 1893.

Conly McQuibbin

John F. Fox,
Notary Public
N. Y. Co.

C O U R T O F G E N E R A L S E S S I O N S
O F T H E C I T Y A N D C O U N T Y O F N E W Y O R K .

-----+
T H E P E O P L E :
 : against :
G E O R G E M . N E S B I T T , A N D D A W E S E . S T U R G I S . :
-----+

CITY AND COUNTY OF NEW YORK: SS

ST. CLAIR SMITH, being duly sworn says:

I reside at No. 8 West 38th Street, in the City of New York, am 47 years old, and am a physician having practiced as such in said City for many years, I have known the Defendant Dawes E. Sturgis, since he was about two or three years old. I have for many years been an intimate friend of his father and his family and for the past fourteen years have been the family physician. I have during that time been a frequent visitor at his father's house apart from visits of a professional nature, and I have had frequent occasion to observe the conduct of Dawes E. Sturgis and to become well acquainted with his character and his disposition. I have sustained confidential relations with him outside of my relation to him as his physician. I have always found him to be truthful upright, reliable and manly. He is of a gentle nature and his amiability and devotion to his friends have been marked peculiarities of his disposition. I regard him as incapable of committing a crime of his own volition. Upon occasions of distress and sorrow under which his father

was suffering he has sought me and expressed his great solicitude for his father, and asked my advice as to what he could do to relieve him, suggesting the desire on his part to be more constantly with his father that he might through closer companionship comfort and console him. At the time of his mother's death in November last his tender and affectionate conduct was especially noticeable, I regarded him as inferior in mental equipment to the other children of the family.

Several years ago while in the country he met with a serious accident in which his foot was almost severed from his body, and he was in consequence confined to his bed for many weeks, during which time I attended him professionally.

brace Since that time he has been constantly wearing a ~~truss~~. During his illness and during all the subsequent inconvenience he has suffered from it he never has complained, but has maintained his cheerful and amiable manner. Judging him from my intimate knowledge of his unusually impressionable disposition, I regard him as singularly susceptible to the influence of his surroundings, and I should regard his commitment to a Reformatory as tending inevitably to the ruin of his character, while on the other hand I firmly believe that if restored to the custody and care of his family and friends he will be so controlled by their influence and advice as to never again give occasion for complaint for any misconduct.

Sworn before me this

13th day of February 1893.

Superior
St. Clair County

E. D. Parson
Notary Public

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

THE PEOPLE

vs.

GEORGE M. NESBITT and DAWES E. STURGIS.

CITY AND COUNTY OF NEW YORK, SS:

ANDERSON GRATZ, being

duly sworn, says:

I reside at the Hoffman House, in the City of New York, during about half the time, and at Kirkwood, St. Louis County, Missouri, the remainder of the time, am 40 years of age, and am engaged in business as Vice-President of the American Manufacturing Company, a corporation manufacturing covering for cotton bales. I have known the defendant Dawes E. Sturgis for about five years; a part of the time very intimately. I have made his character a subject of study, and have endeavored to aid him in his studies. One reason why I took such an interest in him and studied his character so closely, was that I could not understand his extraordinary dullness in his studies, in view of his lovely and manly qualities. He has, during all the time I have known him, been a boy of absolutely good character and with no vices or bad habits. He has been thoroughly truthful, reliable and trustworthy, and I am so impressed with his character that even now, I would not hesitate to give him employment and trust him as far as I would any boy of his age. I have had a large experience with the employment of boys and young men and am a good judge of their character. The defendant is by disposition very impressionable, and can be easily led by those in whom he has

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confidence. He would do anything upon the request of a
friend to serve him.

Sworn to before me this
11th day of February, 1893.

Aidensau Gratz

*John D. Fox,
Notary Public
N. Y. Co.*

Henry D. Appleton being duly sworn deposes and says, that he is over 21 years of age, a resident of the City and County of Albany, State of New York, and that he has been intimately acquainted with James E. Sturgis since the time said Sturgis was a child and that since the birth of said Sturgis to within the past month he has been accustomed to see him on numerous occasions. That said Sturgis has been his guest for a week at the time and deponent believes that he is qualified to speak honestly and intelligently of the characteristics, habits and temper^ament of said Sturgis. He is a lad of the best of habits, affectionate, having explicit confidence in any person whom he made a friend and companion of, has always had home surroundings of a character such as to make him unsuspicious and absolutely confiding, in fact has the temper^ament and disposition which could be worked upon and used by an unscrupulous person, if he was unfortunate enough to be acquainted with such a person, and counted him among his friends. Further he is a lad without business training, having no knowledge of business transactions of a general character. Deponent further states that in all of his acquaintance with said Sturgis he never heard him use a word of profanity, never saw him commit an ungentlemanly act and that he knows that in all of his dealings with his family he was absolutely and strictly honest on all occasions. He was in consequence of injuries received some years since encouraged by the members of his family, as well as by his friends, to take all of the active out door exercise he could and in that way became interested in bicycling and was accustomed to take long rides on his wheel, being absent from

(2)

home for two or three days at the time, in fact a few summers since he visited deponent in this City, riding most of the distance from New York and after spending a week here rode most of the distance to New Bedford, Mass.,. Deponent has always had the utmost confidence in said Sturgis and in the years that he has known him, and known him intimately, has never known him to prevaricate, to attempt to deceive, or to do anything which would destroy ones confidence in him as an honest and affectionate boy.

Sworn to before me this 13th
day of February 1893.

Samuel D. Appleton.

Matthew S. Robertson
Commissioner of Beards,
Albany, N.Y.

COURT OF GENERAL SESSIONS,
of the CITY AND COUNTY OF NEW YORK.

-----X
THE PEOPLE OF THE STATE OF NEW YORK

vs.

GEORGE M. NISBITT and DAWES E. STURGIS.
-----X

Jeanie P. Mc Guckin, being duly sworn, deposes and says: I reside at No. 126 West One Hundred and twenty-ninth Street, in the city of New York. I have known the defendant Dawes E. Sturgis since about the first of April last. About that time he became a pupil of my husband, William G. McGuckin, and, with other members of his family was a visitor ^{at} ~~of~~ my house. When my family went for the summer to Lakeville, Connecticut, about the 15th of June, he became an inmate of my household and remained a member of the family until he returned to New York with Mr. Mc Guckin, about September 13th. After my own return to New York, a short time thereafter, he frequently visited us. In all this long and intimate association I formed a high opinion of his character and regarded him as one of the most lovable, trustworthy, brave and upright boys I had ever known. I never detected him in any mean or unworthy act.

While in manliness of character and in physical

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strength he was superior to most boys of his age, in reasoning power and appreciation of intellectual subjects he was greatly inferior. My husband frequently complained that he was like a baby in his inability to comprehend the difference between the parts of speech and to master any but the very simplest rules of arithmetic. In general conversation he was ill at ease and uninterested when any but the simplest subjects were discussed. He could not be made to read any thing except the daily paper, and in that whatever had to do with athletics was of absorbing interest to him. He was especially interested in bicycling, and in connection with this sport frequently referred to the defendant, Nisbitt, with great fondness and admiration.

On one occasion when Nisbitt rode to Lakeville on his bicycle, and remained there for part of two or three days, Sturgis followed Nisbitt around like a shadow and evidently took the greatest pride in his society.

During all the time Sturgis was in my family he received a weekly allowance of spending money from his father and was careful to keep his expenses well within it. He was extremely punctilious in money matters, never allowing any one to spend any money for him without returning it unasked at the first opportunity. He often remarked upon his father's generosity to him and regarded his allowance as ample.

As a result of this familiar intercourse of three months, as well as of the only less familiar acquaintance which followed, I formed a strong regard and affection for

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the defendant, Sturgis, and should have freely committed to his care any work or charge within the scope of his intelligence. I regarded him as entirely trustworthy and was astounded to hear of the charge against him.

Sworn to before me this

15th day of February, 1893.

Edmund M. Meenan
Notary Public
Col of New York
#1445

James P. M. G. G. G. G.

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

THE PEOPLE

vs.

GEORGE M. NESBITT and DAWES E. STURGIS.

CITY AND COUNTY OF NEW YORK, SS:

THOMAS MILLER, Jr., be-

ing duly sworn, says:

I reside at No. 183 West 73rd Street in the City of New York, am 41 years of age, and am the Secretary and Treasurer of the New York Cement Company, doing business and having an office at No. 18 Cortlandt Street, in said City. I have been a member of the New York Bicycle Club for about three or four years. The defendant Nesbitt was the Captain of the Club, and I remember well when the defendant Dawes E. Sturgis was admitted to some of the privileges of the Club and was elected as a Junior Member. He was too young to be made a regular member, and he was not admitted to the full privileges of the Club, not being permitted entrance to the billiard room, &c. He was accorded the privilege of riding with the Club. He became very intimate with the defendant Nesbitt, and seemed to be absolutely under the latter's control. I remarked this very often and spoke of it to others in the Club. He and Nesbitt rode frequently together, and Nesbitt seldom rode with anyone else. The rumor in the Club was that Sturgis' father was wealthy, and I became satisfied that Nesbitt was seeking to use Sturgis to his, Nesbitt's, advantage. I felt so strongly about the matter that on one occasion about eighteen months ago, I

COURT of GENERAL SESSIONS

of the CITY and COUNTY of NEW YORK.

-----x
THE PEOPLE
:vs.
:GEORGE M. NESBITT and DAWES E. STURGIS.
-----x

CITY and COUNTY of NEW YORK, ss.

Appleton Sturgis, being duly sworn, says:

I reside at No. 90 East Tenth Street in the city of New York, am fifty-one years of age and am now engaged in business with the National Cordage Company of said city. I am the father of four children of whom the defendant Dawes E. Sturgis is one. My daughter is twenty-one years of age and my sons Russell and Arthur are nineteen and fourteen years old respectively. My son Dawes was seventeen years old in November last. My children have always lived at home, except for short periods, and we have been a happy and united family. My wife died on the ~~22nd~~ day of November last under peculiarly painful and distressing circumstances. My son Dawes has always been well behaved, dutiful and obedient to his parents, governed by the most tender and affectionate impulses. Up to the time of the present offending his conduct has been above reproach. I have had occasion to study and to know well his character, and during many years he has been my companion and associate. My relations to him and the confidence he reposed in me were such as might have existed between an elder and a

younger brother. He is extremely impressionable and of strong friendships. He confides in those whom he esteems as his friends with a childlike simplicity, and is ever ready to respond to any requests they may make of him and to render them any service within his power. He has for several years past been an enthusiast upon the subject of athletics and especially interested in bicycling, in which he has attained considerable skill. Through this fondness for bicycling he first formed the acquaintance of the defendant Nesbitt, ^{who was the president of the New York Bicycle Club, to which Club my son had been elected as a junior member} which subsequently developed into a close intimacy and admiration for him which was quite unusual and unique in character. Before permitting my son to associate so freely with Nesbitt I took precautions to inform myself of the latter's character, ^{at that time and before} and my investigation having satisfied me that he was a fit companion for my son I assented to their companionship. I have subjected my son's truthfulness to the severest tests in numerous instances, and never had any reason to believe him capable of any form of untruthfulness or deceit before his participation in this offence. I firmly declare as my absolute belief that he was misled by the influence of Nesbitt, and that the only motive which induced him to participate in this crime was a desire to serve the interests of a friend for whom he entertained a personal admiration and in whose prowess he evinced ^{abnormal} ~~great~~ pride. He had at the time absolutely no need of money. His allowance was more than ample for his wants which were few. He had no vices and did not indulge even in the occasional use of tobacco or liquor. He has always been careful and economical in his expenditures

J. F. F.

J. F. F.

and refined in his tastes. He has always been well aware that if he required more money to meet an unusual expenditure or to gratify a new desire he could readily obtain it from me by asking for it. He has never had any experience in handling any considerable amount of money, and is absolutely ignorant about all financial matters. I do not think that up to the present occasion he has ever seen a cheque beyond the few instances in which I have given him small ones for five or ten dollars, and possibly in one or two instances as high as twenty-five dollars. If the forged cheque had been for Eight Million dollars I am satisfied from my knowledge of his character and his limited knowledge of financial matters his action would have been just the same as it has been in the present instance. From conversations with him since his arrest and confinement I am fully satisfied that he does not even now fully realize the full gravity of the situation or the stupidity of his actions. That he did not at the time fully realize it is shown by the fact that although registering at the hotel in Albany where he endeavored to cash the cheque as James Woodward of Chicago, he carried with him a hand-satchel with my name "Appleton Sturgis, New York" prominently branded on the outside, and wore his clothes and linen, every article of which was plainly marked with his own name.

My son attended school regularly all his life from the time that he was capable of receiving instruction. He was always dull at study and was unusually backward in acquiring knowledge. On this account I have always been

solicitous about his education and have found it necessary to change his school quite often and to provide private tutors to aid him.

I very much fear the result to my son of the influences by which he will be surrounded if he should be committed to a Reformatory, since I know how susceptible he is to influence, and I hereby pledge myself, in case sentence upon him should be suspended, to send him at once to the far West to engage in active out of door life, which his physical condition requires, upon a ranch or in the employ of a Railroad Company, either of which occupations is now open to him through the offers of some of my friends.

Signed before me)
)
this 14th day of February, 1893.)

John D. Fox, ~~Apples~~ Stange's
Notary Public,
N. Y. Co.

COURT of GENERAL SESSIONS*

of the CITY and COUNTY of NEW YORK.

-----X
THE PEOPLE
:

vs.
:

GEORGE E. NESBITT and DAWES E. STURGIS.
:
-----X

CITY AND COUNTY OF NEW YORK, ss.

Theodore C. Williams, being duly sworn, says:

I reside at the Park Avenue Hotel in the city of New York, am years of age, and am a Minister of the Gospel and ~~Doctor of Divinity~~, at present in charge of the ~~Church of~~ *All Souls Church* in said city. At the request of Mr. Appleton Sturgis I have several times visited his son Dawes E. Sturgis, the defendant, at the Tombs Prison in said city, and have conversed freely with him about his life and especially about his connection with the matters whereof he is herein charged. The impression I have formed of him is that he is a young man of amiable and affectionate disposition, with strong personal attachments, developed to an extraordinary degree. I believe him to be of a most impressionable nature and unusually susceptible to the influences by which he may be surrounded. For this reason I fully believe that his commitment to a Reformatory would have an injurious effect upon him, and that the interests of the boy as well as those of society at large will be better subserved if he should not be committed to prison or to a Re-

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-2-

J.G.M.
formatory Institution. I further believe that he did
not fully comprehend the nature of the act committed
by him, or the gravity of his offence.
Sworn to before me

this ¹⁵th day of February, 1893.) Theodore C. Williams

James I. Murray
Notary Public (S)
Co. N.Y.

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

T H E P E O P L E

vs.

GEORGE M. NESBITT and DAWES E. STURGIS.

CITY AND COUNTY OF NEW YORK, SS:

DAWES E. STURGIS,

one of the defendants, being duly sworn, says:

I am seventeen years old, and have resided all my life with my parents. I have never before committed any offence against the law. I have known the defendant George M. Nesbitt for about four years. When I first became acquainted with him, he was the ^{Captain} ~~President~~ of the New York Bicycle Club, and as I was very much interested in bicycling, I was elected as a Junior Member of that Club, and subsequently became very intimate with Nesbitt, and was thrown with him a great deal. I had my father's consent to associate with him, as my father at that time believed him to be a young man of good character, and I have always believed him to be of good character, and a very nice fellow, and I have been very proud of his friendship. I never have had anything to do with checks, except a few small ones, which my father has at different times given me, and I know nothing about the way financial matters are carried on, or the way of business with banks. Nesbitt asked me to help him in this matter, and I did so. What I did was solely to help Nesbitt, who was my friend. He told me that he needed money and had a scheme to get some, and wished me to help him to do so. I have heard it suggested that now Nesbitt says I

put him up to it, and concocted the scheme. If he does say so, his statement is not true. He never told me that I was to receive a cent from it, and I never had any thought or expectation of receiving a cent from it, although he did *as I was about starting for Albany* volunteer to say that he would do the square thing by me, but to that I gave little heed. He told me what to do, and in every thing I did I followed his instructions. I did not know, ~~and do not~~ *but I* now know, what a certified check is. Nesbitt told me after the check was certified that it was "as good as gold", and that any bank would give the money on it. He told me to go to Albany, and to stop at the best hotel, mentioning the Kenmore as the one, and to take a one-dollar room in the house, and keep out of sight as much as possible, and in the afternoon ask for the Manager, and explain my case to him, and ask him to take me around to his bank and put the check in for collection. I did as he instructed me to do. He also gave me a letter purporting to come from Charles Woodward, whom I was to represent as my father. After they questioned me so closely about the check, and seemed so suspicious about it, I became frightened, and thought that Nesbitt might get into trouble about it, and then tore up the check and the letter. I did not think that I would get into trouble myself, because I had not had anything to do with forging the check, and did not get any money on it. My only thought was about Nesbitt, and I did not want anything to happen to him. I came right back to the City afterwards and went to Mr. Joline, my father's lawyer and confidential friend, and told him everything I had done. While waiting in his office to see him, my father came in, in search of Mr. Joline. My father, Mr. Joline and I then went over to the Detective Bureau in Wall Street, and after that my father, an officer and I went to Police Headquarters. After that I was brought down to the

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Tombs, and remanded until the next day; the next day I was brought down, and have been locked up here ever since.

I had no need of money, and did not expect any. I would not have known what to do with it if I had received any. My father has always given me whatever money I wanted, which was not much, as I had no occasion to spend any, except for trifling incidentals in my daily life. I think that I have received a severe lesson, and I will ~~firmly~~ ^{sincerely} promise that after this I shall be very careful about what I do, and shall never give occasion to any one to complain of my conduct in the future.

Sworn to before me this :

16th day of February, 1893. :

William J. Ferguson *Dawson E. Sturgis.*
Notary Public
N.Y.C.

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

THE PEOPLE

VS.

GEORGE M. NESBITT and DAVES E.
STURGIS.

AFFIDAVITS IN SUPPORT OF RE-
QUEST FOR SUSPENSION OF SENTENCE
UPON THE DEFENDANT DAVES E.
STURGIS.

February 16th, 1893.

JAMES T. KILBRETH,
of Counsel for the Defend-
ant Daves E. Sturgis,
45 Broadway,
New York City.

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Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against
George M. Nisbett
and
Dawes E. Sturges

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

George M. Nisbett and Dawes E. Sturges
of the CRIME OF FORGERY IN THE SECOND DEGREE, committed as follows:

The said George M. Nisbett and Dawes E. Sturges, both

late of the City of New York, in the County of New York aforesaid, on the *twenty-fourth*
day of *January* in the year of our Lord one thousand eight hundred and
ninety-*three*, at the City and County aforesaid, with intent to defraud, feloniously did
forge a certain instrument and writing, which said forged instrument and writing is as follows, that
is to say:

New York January 24. 1893

The Merchants National Bank
Pay to the order of James Woodward
Eighty Thousand dollars -

E. F. Beadall

manager

Wm. J. Stevenson
Cashier

Osgood Welsh
of Committee of Management.

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

SECOND COUNT.

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

George M. Nisbett and James E. Sturgis
of the CRIME OF FORGERY IN THE SECOND DEGREE, committed as follows:

The said

George M. Nisbett and James E. Sturgis, both

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 intent to defraud, did feloniously utter, dispose of and put off as true, a certain forged instrument and writing, which said forged instrument and writing is as follows, that is to say:

New York January 24. 1893

The Merchants National Bank

Pay to the order of James Woodward

Eighty thousand dollars

E. F. Beadall

Manager

Wm. J. Stevenson
cashier

Osgood Welsh
of Committee of Management.

the said

George M. Nisbett and James E. Sturgis then and there well knowing the same to be forged, 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.

0726

BOX:

513

FOLDER:

4674

DESCRIPTION:

Noon, Julia

DATE:

02/03/93



4674

0727

Witnesses:

Annie H. Maxwell

Officer Bethell

Counsel,

Filed

day of

1893

Pleeds,

THE PEOPLE

vs.

Julia Noon

DR LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Cattin

Sept 20 93

Foreman.

W. J. C. 1 day

Pen 5 p. 2 and.

Grand Larceny, Degree 2

Grand Larceny, Degree 2

[Sections 528, 529, Penal Code.]

0728

1912

Police Court—

District,

Affidavit—Larceny.

City and County of New York, ss.

of No. 55 West 3rd Street, aged 40 years.

occupation of a housekeeper being duly sworn,

deposes and says, that on the 20th day of June 1892 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 time, the following property, viz:

A quantity of Antique China and a quantity of wearing apparel and silver ware and six fine lace handkerchiefs table mats &c together of the value of about One Thousand Dollars

the property of Emily A Maxwell and family in the care and custody 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

Julia Moon (now here) from the fact that the defendant was employed by deponent as a cook and on second day of January 1893 deponent and subsequently found a portion of said antique china in the heating apparatus in the cellar of said premises which had been taken from the butlers room kitchen closet and other portions of said premises. Deponent by John Control Detective Sergeant of the Central Office has the defendant admitted and confessed to said Officer that she had taken said property from the heating apparatus in the cellar and placed said property in the post

Sworn to before me this

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Police Notary

Area underneath the front stoop where
 said Officer found a portion of said
 property under said stoop & which
 department seen and identified as a
 portion of the property taken & stolen and
 carried away as aforesaid

Sworn to before me this

30th day of January 1902

John Webster

Annie S. Maxwell

Police Justice

0730

CITY AND COUNTY
OF NEW YORK, } ss.

1877.

aged 39 years, occupation Detective Bureau of No.

Central Office Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Amiel Maxwell

and that the facts stated therein on information of deponent are true of deponent's own

knowledge.

Sworn to before me, this

day of Aug 1893

John Cottrell
Police Justice.

0731

Sec. 198-200.

2 District Police Court. 1882

City and County of New York, ss:

Julia Noon being duly examined before the undersigned 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. *Julia Noon*

Question. How old are you?

Answer. *25 years*

Question. Where were you born?

Answer. *Virginia*

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

Answer. *55 West 38th 2 years*

Question. What is your business or profession?

Answer. *Cook*

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**Julia Noon*

Taken before me this

day of

1889

Police Justice.

0732

Sec. 198-200.

2 District Police Court.

City and County of New York, ss:

Julia Noon being duly examined before the undersigned 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. *Julia Noon*

Question. How old are you?

Answer. *25 years*

Question. Where were you born?

Answer. *Virginia*

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

Answer. *35 West 38th 2 years*

Question. What is your business or profession?

Answer. *Cook*

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 A. Moad*

Taken before me this

day of

189

Police Justice.

0733

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 Dependant

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of Twenty 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, Aug 30 1893 John P. McLaughlin Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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Police Court---

2 District

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THE PEOPLE, &c.,

ON THE COMPLAINT OF

Amie Maxwell
53 Co. St. 734
Julia Worn

2

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BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Dated,

189

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

\$

to answer

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Julia Noon

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

of the CRIME OF GRAND LARCENY IN THE

as follows:

The said

Julia Noon
late of the City of New York, in the County of New York aforesaid, on the *twentieth* day of *June* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, with force and arms, *first*
nine cups of the value of five dollars each, eleven saucers of the value of five dollars each, six plates of the value of five dollars each, divers articles of clothing and wearing apparel, of a number and description to the Grand Jury aforesaid unknown, of the value of two hundred and fifty dollars, three lambrequins of the value of twenty five dollars each, twelve other plates of the value of three dollars each, twelve other cups of the value of three dollars each, twenty handkerchiefs of the value of two dollars each, four decanters of the value of twenty dollars each, two water-coolers of the value of two dollars each and divers other goods, chattels and personal property, (a more particular description whereof is to the Grand Jury aforesaid unknown) of the value of five hundred dollars of the goods, chattels and personal property of one *Emily A. Maxwell*

then and there being found, then and there feloniously did steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

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

Julia Noon
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said

Julia Noon
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,

the same goods, chattels and personal property described in the first count of this indictment

of the goods, chattels and personal property of one

Emily A. Maxwell

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

Emily A. Maxwell

unlawfully and unjustly did feloniously receive and have; the said

Julia Noon

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.