

1032

BOX:

128

FOLDER:

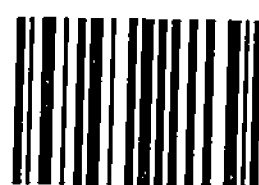
1344

DESCRIPTION:

Gordon, William H.

DATE:

02/05/84



1344

1033

No 27 ✓

W.H.
Day of Trial,

Counsel,

Filed 5 day of Feb 1884
Pleads *Allegedly*

THE PEOPLE

vs.

William

Dr. Gordon

3rd Jury
16th Jury
16th Jury

PETER B. CINEY,

JOHN MCKEON,

Feb 2, 1884

Placed guilty 5 P 1 year

A True Bill

Ch. King

Foreman.

BURGLARY - Third Degree, and

~~Receiv[ing] Stolen Goods~~

[Sec. 498-506-528-532]

No 27 ✓

CHN

Day of Trial,

Counsel,

Filed 5 day of Feb 1884

Pleads Not guilty

THE PEOPLE

vs.

R

William

Dr. Gordon

34 years

16 years

worked

PETER B. CLINEY,

JOHN MCKEON,

Feb 8. 1884 District Attorney.

Pleads guilty S.P. 1 year

A True Bill.

CHN

Foreman.

BURGLARY Third Degree, and

Carrying stolen Goods

1034

1035

Police Court— District.

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

Hermann Fajen
of No. *24 Coenties Slip* Street, aged *26* years,
occupation *Manager of Liquor Store and Restaurant* being duly sworn
deposes and says, that the premises No. *14 South* Street,
First Ward in the City and County aforesaid, the said being a *Brick Building*
the first floor of *Liquor Store and Restaurant*
and which was occupied by deponent as a *Liquor Store and Restaurant*
and in which there was at the time ~~no~~ human being, ~~by name~~

were BURGLARIOUSLY entered by means of forcibly *breaking a*
bolt securing a door leading into said
premises from Broad Street

on the *First* day of *February* 188*8* in the *nighttime*, and ~~the~~
~~following property feloniously taken, stolen, and carried away, viz:~~

with the felonious intent to take, steal, and
Carry away the following property, to wit;

Three hundred and fifty Cigars of
the Value of Twenty dollars

the property of

Richard Gills

and deponent farther 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

William H. Gordon

for the reasons following, to wit:

that on the night of the above
date, at the hour of 11.30 o'clock p.m. Deponent
was informed by Officer John Newton of the First
Police Precinct that the door leading into said
premises was open, and upon entering said door
Deponent accompanied by said officer, found
said defendant in the kitchen of said premises
with said property transferred to said kitchen
Hermann Fajen.

Sworn to by Hermann Fajen
Subscribed by William H. Gordon
1888

1036

Sec. 198—200

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

William H. Gordon

Question. How old are you?

Answer.

33 years

Question. Where were you born?

Answer.

New York City

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

Answer.

162 Henry Street, about six months

Question. What is your business or profession?

Answer.

Blacksmith

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 was drunk and do not know anything about it

W H Gordon

Taken before me this

day of

188

Police Justice.

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

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

Dated Feb 2 188 [Signature] Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

1038

BAILED.

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court-- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Wermann Saper
24 Courtis Slip
William H. Gordon

1 _____
2 _____
3 _____
4 _____

Office
Barney

Dated *February 2* 188 *✓*

Duffy Magistrate.

John Newton Officer.

First Precinct.

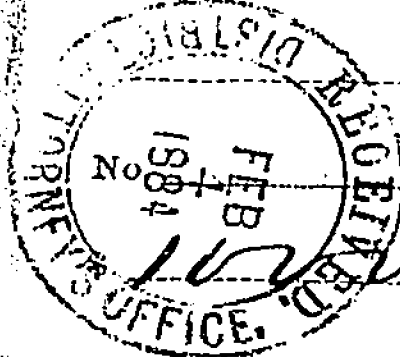
Witnesses *Officer John Newton*

No. *First Precinct* Street.

Officer Morris

No. *First Precinct* Street,

to answer *95* Street,



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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

William M. Gordon

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

William M. Gordon
of the CRIME OF BURGLARY IN THE THIRD DEGREE,

committed as follows:

The said William M. Gordon

late of the First Ward of the City of New York, in the County of New York,
aforesaid, on the 21st day of February in the year of our Lord one
thousand eight hundred and eighty four with force and arms, at the Ward,
City and County aforesaid, the restaurant of

Norman Faig
there situate, feloniously and
burglariously, did break into and enter, the same being a part of a building
in which divers goods, merchandise, and valuable things were then and there kept
for use, sale and deposit, to wit: the goods, chattels, and personal property hereinafter
described, with intent the said goods, chattels, and personal property of the said

Norman Faig
then and there being, then and there
feloniously and burglariously to steal, take and carry away, and three

hundred and fifty dollars
of the value of seven
cents each

of the goods, chattels and personal property of the said Norman
Faig

so kept as aforesaid in the said restaurant then and there being found, then and
there feloniously did steal, take and carry away, against the form of the Statute in
such case made and provided, and against the peace of the People of the State of
New York, and their dignity.

John B. O'Shea
District Attorney

1040

BOX:

128

FOLDER:

1344

DESCRIPTION:

Grow, John A.

DATE:

02/19/84



1344

Witness

Walter A. Mayhew
Charles J. Jagan

For B. C. McKee

W. C. 1

Counsel, W. C. Leary

Filed 19 day of Feb

1884

Pleads Not guilty (20)

THE PEOPLE

vs.

FB

John D. Gross

March 25, 1884

Spied & charged

for a grand larceny

PETER B. OLNEY,

JOHN MCKEE

Spied for

District Attorney.

Inductment dismissed

A True Bill.

W. C. Leary

Foreman

Mar. 21. 1884

INDICTMENT.
Grand Larceny in the Second degree.
(MONEY.)
[Section 528 & 531]

1041

1042

TORN PAGE

Second District
Police Court

The People vs
Walter H Mayhew
vs

Larceny

John H Graw

Before Hon.
Andrew J White, Justice
December 10th 1884.

Walter Adams Mayhew, the
complainant being duly sworn
deposes & says.

By the Court.

Q Where do you reside?

A 44 under square

Q What is your business?

A I have no business

What is your age?

A 22 years.

Cross Examination

Mr Mayhew has long known
you well in this country?

A Since January last

one year?

Answer

1044

Q Are your father and mother
living?

A They are not living Sir
Q Had you any business of your
own, or had you any business
in your own country?

A I had no business.

Q Where is your birth place?
A Brighton England, Sussex
county.

Q Where did you reside while in
England?

A London

Q The name of whom your employer
Mr. Graw is present in court
Agrees

Q When did you first meet Mr.
Graw?

A On the day following on
which I was arrested.

Q Where?

A Here in Jefferson market
Police Court.

Q Had you requested Mr. Graw
to come to you?

A No Sir I did not.

Q Did anybody for you?

A Yes I believe Mrs. White
requested him.

TORN PAGE

you sent for a lawyer and Mr
Kron came?

A I did not send for him.
Q But he was sent to you?
A Yes.

Q And you employed him and
you not?

A Yes I employed him.

Q Is it not a fact that you
saw Mr Kron in the 29th precinct
station house on the night of
your arrest?

A That I cannot say for a
certainty.

Q You don't recollect that?

A I don't recollect that.

Q Did you have any communica-
tion with Mr Kron at the
time you first saw him
or at the time you first
recollect having seen him
in relation to your matter?
A I cannot say I don't re-
member.

Q Is it not a fact that you repre-
sented yourself to be a man
of large income?

A No sir I did not.

Q. You are positive about that?

A. No Sir I am not certain upon what charge unless you arrested unless you employed Mr. Green to do it for you?

A. For taking a pair of opera glasses and a revolver from a man.

Q. From what man?

A. James Denton.

Q. Is James Denton a colored man?

A. He is.

Q. What relation did you have with James Denton previous to that time?

A. In what way?

Q. In any way?

A. I had no particular business connection with him.

Q. How did you come to the pair of opera glasses? - You put them in your pocket did you not?

A. No Sir.

Q. How did you come to know where they were?

A. He told me he took them but I gave him the money to get them and he done so.

TORN PAGE

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5

Q. Understand the charge against you was for stealing a pair of glasses and a revolver out of Anthony's room?

A. Yes.

Q. Did you know who put them in there?

A. He did so I understand it. I don't know whether he did or that?

A. I cannot swear.

Q. Frank Anthony did he get them?

A. I don't know that.

Q. What did you do with them?

A. The revolver was at a friend of mine, I left it there.

Q. Who was the friend?

A. Mr. Dennis.

Q. Was that previous to the time after the redemption from prison or afterwards?

A. After the redemption.

Q. ~~After~~ When you took the opera glasses and pistol from his room you parted with them at that time?

A. Yes Sir.

Q. The next time you parted with them what did you do with

them?

A The pistol was left in Derrick
pocket and the opera glasses were
left in pawn?

Q Who put them in pawn?

A I did

Q Do you remember anything of the
pistol?

A The pistol was put in there -

Q Do you remember anything of
the pistol?

A Nothing directly -

Q Did you come Mr Derrick any
thing at the time?

A I did not see Mr Derrick.

but I did a certain party I believe
his name was Chap.

Q Is it not a fact that you borrowed
the money and gave him the
pistol at the same time?

A And so

Q You gave him the pistol as
security for the money?

A Yes Sir

Q How long had you known
Mr Sutton previous to that
time?

A I should think a month, I
cannot say for a certainty

8 L

arrest me Mr Graw tried
 to arrest me, Mr Graw on the
 Indemnification saying, that
 my bondman would not
 let me go free, and I took him
 up to a friend of mine and
 thank I brought him to terms.
 Q Do you know whether or not
 your case was called the
 first time at special session
 and you were not present?
 A I do not know it.

Q And you were so informed?
 A I do not know.

Q Is this the first time you ever
 heard it that your case was
 called at special session and
 that your bail was forfeited
 A I do not hear my bail was
 forfeited.

Q Have you heard your case was called
 and you were not present
 and it was adjourned from
 time to time, did you hear
 it?

A From Mr Graw. I heard it.

Q Now say you had an agreement
 with her as to a specific
 amount to be paid Graw,

9-5.

1-

Garbat was the amount?

A He told my friend Bannan that he expected five hundred dollars.

Garbat was this?

A I cannot tell the exact date but it may I think it was before Christmas.

Garbat before you were discharged?

A It was not.

When it was after your discharge?

A It was ^{before} my discharge.

He told my friend Mr. Bannan that he wanted five hundred dollars. That he expected that for his fee. And Mr. Bannan asked him if it was reasonable and fair that he should charge \$500 dollars. And he asked him if he received 300 dollars. And he said he did. And he asked him what he done with that money. And he said he spent it. And he said I paid him \$137 dollars for his services securing money for the bondsmen. Then Mr. Bannan and I went and saw him for a short time.

and Mr. Barron then had
same conversation with Mr.
Graw -

Q. You didn't hear the conversation
A. I did not. Mr. Graw told
him he wanted \$50 dollars
I told him I would not pay
\$50, dollars. Now that he received
a considerable sum of money
from me but that I would
pay him \$25,00 dollars and
if everything was honest and
square I would pay him \$25
dollars after the trial, I
had an agreement with Mr.
Graw and took him to dinner
and I found out he didn't
pay anybody anything.

Q. Who if anybody asked you
to bring this complaint?
against Mr. Graw?

A. No one particular. I talked
it over with Mr. Logan and I
advised myself. And we
advised with each other and
we agreed on the subject, we
were taking it over between us.
Logan knows how long before
your conversation disch-

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the conversation was had between
Bannon,

A. I cannot tell you the date but
I think I can find it out for
you?

Q And that was the only agree-
ment as to this specific money
Agree sir.

Q On that day?

Agree sir.

Q At that time when you had
the conversation with Mr
Bannon Mr. Evans informed
you that he didn't pay the
Shandeman anything.

A He told me so.

Q I sent it a fact Mr. Mahan that
he spent considerable money
for you for cables.

A He spent \$1350 dollars for cables.
Q Didn't he spend more than
that?

A Not to my knowledge.

Q I want you know that he sent
several cables?

A He sent two and that amounted
in the aggregate 1350 dollars.

Q Did he ever loan you any
money?

Q He loaned me two dollars on
one occasion and 15 dollars
on another.

Q Did you ever tell Mr. Brown that
you had 350 dollars in the
hands of the British Consul?
A I was under that impression.
I thought it was so.

Q At what stage of the proceedings
did you tell him?

A When I met him at Jefferson
market police court.

Q Did you make an order or
a draft upon the British
consul at any time for any
amount of money, and offered
it to Mr. Brown?

A Not that I remember.

Q Did you write a note to
Mr. The British Consul
requesting him to pay Mr.
Brown.

A I did.

Q How much did it call for?
A I cannot say.

Q At that time did you have
any money in the hands
of the British Consul?

W. It was under the direction
of my solicitors;

Q. Did you know if you did or
not?

A. I don't know for a certainty
it was under my instruction
from my solicitors.

Q. Had you ever had any money
in the British Council hands,
to your knowledge.

A. No sir.

Q. Did you ever borrow any
money from the British
Council?

A. I did not I paid it back.

Q. Do you recollect making a
draft upon your solicitors
in London in favor of
Mr. Brown?

A. Yes sir.

Q. How much was it for?

A. One hundred and fifty dol-
lars. pounds.

Q. Did you subsequently cable
to your solicitors not to
pay it?

A. Yes sir.

Q. And as far as you know it
was never paid.

A. Since it was not paid
 I asked you gave him that
 bill of exchange in payment
 of his fees?
 A. No Sir I said if everything
 was honest and square. and
 I would keep him doing
 good you say you would pay
 him liberally for his services.
 A. I said to Mr. Brown. if everything
 is honest & square. and that
 you have paid all the
 money. that you say you
 have that I gave you to pay
 and and you have paid
 the bondsmen and do you
 pay the bondsmen ought to
 be paid and held the money
 as security -

Q. I am speaking previous
 to that?

A. We had no conversation
 previous to that; I paid him
 150 dollars and he told
 me the bondsmen desired
 from me 250 dollars as
 security for his bond, and
 I told him I would not pay
 him 250 dollars and then

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-1

7

He stated to me if you will not pay it you will have to take the consequences of your being arrested again.

Q At that time was anybody else present excepting you & he?
A Nobody else.

Q Did he inform you that your case was called & he had it adjourned?

A It was before that in his office I didn't hear you the question where you had been hiding yourself?

A And so.

Q Didn't he say to you you were a lucky man but to be caught a-robbing of the post.

Q Did you ever board at the Downing house?

A I did.

Q How long were you there?

A 3 days.

Q Did you have any baggage with you?

A I had nothing but a few shirts & collars & cuffs.

Q Who recommended you at the office?

Mr. Brown

Garbo paid your bail?

A I said what I believe Mr. Brown
stated he paid it. He paid 12 dollars
I believe

Q Mr. Mahan did you ever demand
the money from Mr. Brown?
A I did

Q What were the words?

A I said Mr. Brown are leaving the
Court, have you made those
arrangements with Mr. Hogan
and he said I have and he
said I will see the bonds-
man before I see you. This
evening, I happened to see the
bondsman before he saw
him & Mr. Hogan told me he
never made any arrangement
with him at all.

Q And did you make that
demand?

A I told him am leaving the
Court, I didn't make any
demand on him. I only spoke
to him as I wanted to any other
gentleman I did not make
a demand of the one hundred
& fifty dollars.

1058

17

to be of one name
(A day of January 1884)

Walter Adams Mayhew

Andrew J. Mayhew

Galice, Iowa

18.

Charles J. Fagan being duly sworn
says

By the Court

Q where do you reside?

A 210 Waverly Place

Q what is your business?

A Cattle dealer

Q what is your age?

A 51 years

Q you are acquainted with this
young man?

A yes sir I got acquainted with
him since I went on his bond

Q first tell the Court about this
\$500 dollars. what you know
in reference to it

A I had no conversation at all
in regard to any money matter
whatever. Mr. Fagan approached
me for a Mrs. Bell and she
requested me to go on this
bond at the stable on a Sunday
afternoon and he meets me
I came around and asked the
Judge if he would bring him
out and he done so I talked with
him and found he was a gentleman
and went on his bond there
was nothing said about money

1060

19

Q At the time you went on the
board did you have any under-
standing with Grand Hall you
were to be paid \$50 dollars?
A No sir

Q Did you have any conversation
with Mrs. Bell in reference
to your?
A No sir

Q And you were not to be paid
a cent?

A No sir not a cent

Q Did you ever receive any money
from your or anybody else
to not a cent

Q And you did not go on the
board because you were
to be paid for it?

A No sir I did not expect to
be paid and I told Mr. Brown
that was some thing I never
dare to go on a board for a
living

A No examination

Q Did you ever ask Mr. Brown for
this money?

A No sir never,

Thos. J. Fagan

Given to before me

This 22^d day of January 1884
Andrew J. White Justice

1061

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(Peffo Tarnwell moves to discuss
motion denied)

The further hearing was
adjourned to January 15th 9 PM.

Examination Resumed.

Q. Was A. Mayhem, the Complainant, being arrested, for further cross examination.

Q. Did you see A. Mayhem when you left the Irving house?

A. I cannot tell, the exact date, I don't remember.

Q. Did you see A. Mayhem, has long previous to the 17th or 18th of December it was A. I cannot tell again.

Q. About how long?

A. It may have been a week or two weeks, I don't know.

Q. Were you hiding at that time?

A. I was not.

Q. What was the cause of your leaving the Irving house?

A. I had no particular cause, I had no idea at all when the case was to come up.

Q. You were not notified of it?

A. I was not.

Q. Did you notify Mr. Cross of your departure from the Irving house?

A. I said I did not.

Q. Did you notify anybody?

A. Several friends of mine.

Q. Who did you tell?

A Mr Wallace

Q What is he?

A An Englishman

Q What does he do?

A He doesn't do anything in particular ~~now~~, is now traveling I suppose. He is in New York, but he lives in London, the proprietor of the Irving house is his name in Court.

Q Did you have any baggage at the Irving house?

A I had some shirts, some collars and some cuffs.

Q You left them there?

A Yes sir.

Q Have you ever been there for them? ~~Answer~~ Mr. Graw was supposed to go and bring them.

Q How did you get your things that you left at the Irving house and where?

A Mr. Graw took them away and afterwards they were given to me by a lady who lives in 31st Street. I believe Mr. Graw knows her very well.

Q You sent Mr. Graw this letter on the 17th of December (showing witness a letter)

A I went from him then from the Merchants Hotel

Q where did you go to when you left the Irving house?

A The Clarion Hotel

Q where is that?

A on the Street

Q How long did you remain there?

A I did not remain there any length of time I cannot tell you.

Q And you were in the merchants hotel how long previous to the 17th?

A I cannot tell you exactly

Q Did Mr Dudley the colored man inform you lived with someone known ~~where~~ that you were at the merchants hotel?

A Yes he did after words

Q where did he learn of your whereabouts?

A I believe he found it out from Mr Graw - I dont know.

Paper offered in Evidence and marked Dept Exhibit C.

Q about what time of day was it on the 17th that Mr Graw came to see you at the Merchants hotel?

A It was in the middle
of the day I don't know exactly
when it was.

Q In what part of the house did
you see him?

A In the hall.

Q In the office or in the hallway.

A In the hall way.

Q Is it there so far there?

A There is not.

Q Any seats there?

A There is seats.

Q What kind of seats?

A I don't know how to describe them.

Q Were they chairs?

A There is a settee there with arms
to it.

Q Then you and Mr. Graw sat down
on the settee while you were
talking?

A Mr. Graw most of the time was
standing but I was sitting on the
settee.

Q Did you hand him anything?

A I ~~was~~ was not then, I went off
for a minute and went up stairs
and handed him the money.

Q How long had you been talking
to him?

37

Q A quarter of an hour
 Q Is it not a fact that in less than
 two minutes after Mr. Brown came
 in you handed him a One Hundred
 dollar bill?

A No I never handed him a hundred
 dollar bill. I handed him One
 hundred and fifty dollars.

Q Don't you recollect handing him a
 hundred dollar bill?

A I handed him the money altogether
 no I did not

Q Are you quite clear on that?

A I am certain of it

Q What was the denomination of
 the bills making \$150 dollars?

A That I cannot tell you.

Q Was not one a 100 dollar bill?
 Q No the other a fifty?

A No in the other were several bills

Q Is it a fact Mr. Mayhew that
 soon after Mr. Mayhew came in
 there you handed him one hundred
 dollars and said will that do?

A Yes sir

Q You are positive of that?

A Yes sir

Q Have you a pretty distinct memory
 A Yes sir

Q. Have you a good memory?

A. Yes sir.

Q. Do you recollect the exact words Mr. Brown said to you after he found you handed him the money?

A. He asked me to give him Ten hundred and fifty dollars. But I told him I would do no such thing. That was for Mr. Togan. He told me it was for Mr. Togan. But I said I will not do any such thing, I have an amount in my pocket. But I offered it to him, and he said if I don't give him \$250 dollars. You will have to take the consequences. And go back again.

Q. Isn't it a fact Mr. Mayhew that Mr. Law paid the bondman eight to be secured?

A. That I cannot tell you exactly. The only thing I remember is what I already said in my testimony that he wanted the money for the bondman.

Q. Are these the words that he used he wanted the money for the bondman?

A. Yes sir.

Q. You are quite positive of that?

Answer

Q And your accusation is all on Gads's
part upon that point?

Answer

Q I want the money of Gads's for the
bondsmen?

Answer

Q And your attention being called to it
didn't he tell you that the bondsmen
ought to be released?

A I cannot tell you that all that I
know about it

Q Didn't he tell you, you ran away
and that you would probably do
that again?

A He said that, I told him I didn't run
away

Q Give you an account to him for your ^{absence}
A I don't exactly know what you mean
by an account for my absence

Q Did you tell him any reason why
you were absent?

A Yes, I told him I went for a good
time with my friends for a
thanksgiving what I did do.

Q Did he tell you anything about the
police of New York City looking
for you?

A He did

Q. And did you immediately proceeding
that receive a remittance from
the other side?

A. Some time previous to that.

Q. How much was that remittance?

A. That I don't remember what it was.

Q. About what amount?

A. Three hundred ~~perhaps~~ I should
think.

Q. And Mr. Kearney, as far as you know,
as you saw, say before at that time
that you better gave him the hundred
and fifty dollars or deposit ²⁵⁰ dollars
with him as you wanted probably
spend it all.

A. He didn't say anything about deposit-
ing it. He wanted me to give it
to him and he said I was having
a good time. He wanted spend it.
Q. And told him I thought my money
was my own and I would do with
it as I liked.

Q. He has performed services for you
up to that time?

A. Very few I don't know what the
services were, he represented he
had.

Q. Mr. Mayberry you said that you told
Mr. Kearney I was your money.

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and you could do as you liked
and it, that was in reply to what
reminded of Mrs. Brown?

A That he had reference to my spend-
ing so much money?

Q Did he call your attention to spend-
ing so much money?

A Indiscreetly

Q What did he say?

A He said he thought I was spending
too much money.

Q Did he ask you to deposit the
bulk of the remittances you re-
ceived for security of the bonds
man?

A Yes sir he did

Q And that was in connection with
the statement that you were spending
a good deal of money?

A I suppose so

Q Now Mr. Brown went it a fact that
Mr. Brown soon after his arrival
there received from you a 100
dollar bill with the question
from you will that be sufficient
And then subsequently demanded
more. And you went out ostensibly
to go up stairs and come back
And handed him \$50 dollars more

A man in the house a fact
 You are positive of this?

Oh I am certainly

I did not know till you at the time
 that he was getting the money to
 give to Mr. Togan.

After we had seen

I understood and the case?

He said he was going to give this
 money to Togan, the fifty he was
 going to pay to him. But Togan was
 to have the because

You paid him no money at all?

After we

I did not

Did you go out of the hotel with
 Mr. Brown?

I don't remember for I don't think
 I did

At the time Mr. Brown and you and
 Mr. Bonham had that interview
 and you not discover at that
 interview and before the payment
 of the 25 dollars that you paid
 him an account that Mr. Brown
 has not paid any money to
 Mr. Togan?

Q He told me he had, he told me in
 Mrs Baumann's office he had.
 Q So that when you gave him the
 last payment ^{after that} that you gave
 him the \$25 dollars you were
 well aware from Mrs Baumann
 that he had not paid any money
 to Mr Hogan?

A No Sir I did not

Q Did you not say in your cross
 examination the previous day
 that Mr Hogan had not received
 any money?

A Yes Sir it was after the case was
 over.

Q Is it a fact that at the time you
 gave the \$25.00 dollars at that with
 knew that you refused to pay Mr
 Hogan the \$50 dollars?

A Yes Sir certainly not.

Q Hogan meant to say that at the
 last time you gave Mr Baumann
 the \$25.00 dollars that he had not
 paid Mr Hogan?

A I thought he paid Mr Hogan the
 money.

Q Doesn't he tell you that he didn't
 pay Hogan in Baumann's presence?

Q All right, I am sure of that. I
 Q What time did Mrs. Evans claim to
 be deposited with him as security
 for Mr. Evans?

A \$250 dollars

Q How much was the bond under
 which you were?

A \$300 dollars

Q You didn't give him anything but
 the \$250 dollars at that time?
 Answer

Q You knew that was a small reason
 the amount of the bond?

A Certainly I did because I did

Q Was there anything said between
 you and Mrs. Evans as to the difference
 between the \$150 dollars you gave
 him and the \$250 he wanted deposited
 with him?

A He said I suppose that will do, I
 let him have it. I told him that was
 all that I got.

Q You considered you owed him money?

A I don't know what he done particularly

Q Didn't he send cablegrams for you
 Answer

Q Did he appear in the police captain's
 office

A That I don't remember.

Q. Did not he appear in court?

A. There is no question about it yes sir.

Q. What was your object in writing that letter Exhibit C.

A. Simply because I didn't want to take the trouble of running up to his office.

Q. What did you want to see him about?

A. About my case principally.

Q. What case?

A. About the case I was arrested.

Q. Had you been told by anybody that it was necessary for you to see Mr. Grant at once?

A. Certainly not.

Q. Wasn't it about paying Mr. Grant some money?

A. No sir, it was not because I didn't know that he wanted any.

Q. Isn't it a fact that you immediately called ^{him} there instead of his being seen by anybody?

A. Yes sir, but Mr. Grant told me he wanted to see me.

Q. What is the meaning of this letter (reading letter to witness)?

A. He told me he came in from Mr. Zoyan ^{by} who received this.

letter in his office & he expected
some money & I told him to come
down to the hotel.

Q How long before you wrote
that letter did you see Mr Graw?

A I cannot tell I don't remember
Q Did you see him within 3 days
of that time?

A I don't remember

Q Did you see him within 3 days
between the time you left the
Irving house?

Answer.

Q When & where

A In his own office

Q Did you see him before you wrote
the letter Exhibit C.

A I cannot tell you.

Q Did not Mr Graw meet you at
the office of the British Consul.

A I think he did I went to go to a letter
Q Did he tell you he was going to call
on you at the Merchants Hotel?

A No, he did not

Q Did he make an appointment at
that time?

Answer he did not

Q Then this letter Exhibit C. was voluntary

an opinion port?

A appearance because I wanted to see me

I did you have a conversation with Mr Brown at the British consuls in regard to the money on the morning you wrote the letter?

A I don't remember he was coming up stairs as I was going away.

I had no conversation with him in regard to any business matters

I had an Englishman with me

I don't want him to know my business so I passed the time of day and that was all.

I didn't you tell him you were going about money?

Answer

I don't want you tell him you would give him some?

Answer

I didn't Mr Brown know at that time that you were going to get money?

Answer He knew. I was going to get a Registered letter, because I had the form of one. I went to the British consuls office and I

met Mr. Graw as I was coming down stairs after I received the form I showed it to him and we walked together as far as 52 Broadway

Q And no conversation occurred?
A Nothing particular only passing the time of day.

Q Anything about business?
A Nothing about business at all.
A Nothing whatever.

Q When you made your appointment what did you make it for?

A To see him about the case, I had not seen him at all.

Q Had you not been in Mr. Graw's office every day almost for a long time previous to that?

A I had yes sir.

Q Mr. Mayhew at this time the 19th when you wrote this letter was it not subsequent to the time you gave Mr. Graw the bill of exchange upon your solicitors?

A Yes sir I think so.

Q And what was the object of giving him a bill of exchange?

A The money was to be paid to him and I was advised by a gentleman

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who said that I was a fool for doing it.

Q. who was that gentleman?

A. Hon. Chauncey Tibbards.

Q. where did he give you ^{that} advice

A. 53 Broadway, room 42 where Mr. Shaw was at supperance at that time.

Q. and he advised you that the draft ought not to be paid?

A. Yes sir.

Q. How did you come to give Mr. Brown this bill of exchange?

A. He told me the money would be necessary to give Mr. Sagan for fear that I should go away.

Q. And your information came from the Hon. Chauncey Tibbards?

A. Yes sir.

Q. How long have you known Chauncey Tibbards?

A. About 10 years.

Q. Mr. Mayhew do you know the signature of Hon. Henry Rhoades and Rhoades?

A. Yes sir. I ought to.

Q. That is their signature (showing a paper to witness)

A. Yes sir. Most decidedly it is.

Q. And you received that letter from them?

Ayes sir but it was through my advice
it was written

Reverent Examination

Q. Now I understand you to testify that
Mr. Grois had stated to you on the
14th that Mrs. Jagan the houseman
had sent him to you to get \$150
dollars?

Ayes sir

Q. Did he state that Mr. Jagan had
told him he wanted that money?

Q. That he was to have that money?

Q. That Mr. Jagan was to have that money?

Ayes sir and that he would take it to him
if I would give him the money.

Q. And in the strength of that representation
you gave him \$150 dollars?

Ayes sir

Q. There was nothing said at that time
about any cable grams?

Ayes sir

Q. Any disbursements or anything else?

Ayes sir

Q. It was merely for the purpose of
taking it to Mr. Jagan? Ayes sir

I swear to before me

This 29 day of January 1894 } Walter Adams Maghaw
Police Justice

(Charles Fagan, being recalled
for further cross examination
By Mr. McClelland.

Q Mr Fagan at any time, on the 17th
of December or prior to that time
did you tell Mr Brown to get \$150
dollars or any amount of money
for you as the bondsmen for
this gentleman Mr Mayhew while
he was in this trouble?

A No sir I did not.

Q Did you send him to get \$150 dollars
and sir I did not

Q Did you receive some hundred dollars
from him; or any sum of money
from Mr Brown on the 17th of December
or afterwards?

A No sir not a cent.

Continued Cross Examination

Q Did you have any conversation with
Mr Brown on the 14th of December.

A I have no recollection as to dates.

I had a conversation with him.

Q You had a conversation with him?
A He came to the stable office some
times.

Q Did you meet Mr Brown on the
day previous to the 17th, next to
previous to the 17th when

Mr Mayhew's case came up in the police court and you met him on 6th Avenue and 14th Street?

Answered to

A I want to place the 4th, It was on the 26th of November

Q Previous to the 17th which was the date Mr Graw had a conversation with Mr Mayhew in the merchant hotel?

A I don't know anything about the conversation with Mr Mayhew.

Q Previous to the 17th of December and subsequent to the 26th of November the day which you went on the boat did you have any conversation with Mr Graw on the corner of 14th Street and 6th Avenue in regard to the bond matter?

A I don't think I did

Q Well you said you may have had such a conversation?

A I have no recollection of it

Q If your attention were called to it would you recollect it?

A I might

Q Did you not have a conversation with Mr. Brown on 6th Avenue and 14th Street previous to the 17th of December in which Mr. Brown told you that Mr. Mayhew's case had been adjourned for two weeks?

Answer

Q Positive of it?

Answer Yes

Q Did you not have the same conversation and was it not to the fact that Mr. Mayhew's bail was forfeited and that Mr. Mayhew would escape his bail?

Answer

Q Positive of that?

Answer Yes

Q Did you not authorize Mr. Brown to surrender Mr. Mayhew in his discretion?

A Not voluntarily

Q Did you not authorize Mr. Brown to surrender Mr. Brown in his discretion?

A I did not! He said he wanted to hold the writ over him that he was keeping had company

and he would not have him
locked up.

Q when was this?

A Previous to the date of his trial
previous to the date of his dis-
charge from prison.

Q when did you first hear that Mr
Mayhew had escaped?

A The night before thanks giving

A I received a notice to bring Mr
Mayhew to the court of special
sessions on Friday the night
previous to thanks giving

Q That was the 28th of November

A I don't remember the date then
I went up to the Irving house
and found Mr Knapp. And gave
him the notice of the court
of special sessions to bring
Mr Mayhew forward on Friday

Q Did you not give him a paper
that authorized him after he
said he had left the hotel and
didn't know where he was to
re-arrest him?

A When he told me this I say
this case is brought rather
suddenly and its very likely

the young man has gone up to keep his thanksgiving somewhere. And he will turn up all right again. And if he don't you have his case adjourned over.

Q. Did you not subsequent to that time pay to Mr. Brown that you did not want the case adjourned again subsequent to the time you met him in the station house?

A. Yes; not previous.

Q. What did you tell him then?

A. That I received a second notice of arrest previous to the 17th of December?

A. I cannot tell.

Q. Was it not on the 14th?

A. I cannot tell you the date.

Q. In relation to the events which know have happened in this case, when was it?

A. Oh I have no idea, I keep no book account of it I have other business besides charging my mind with these matters.

Q. Did you give Mr. Brown more

them and authorization to surrender
him?

Yes I gave him the He brought
one to me and requested it.

I sent it a fust that ^{you} requested it
and left it at the stable?

Answer

When did he sign the authorization
He left it for me at the stable
and I brought it up and left it at
Khaos corner of 14th Street & the
Avenues.

Did you read it before you signed
it?

Answer

Yes I knew what it contained?

Answer

What was your object in signing
it?

He wanted to have the writ over
him; so he would not run away

What did you sign it for?

A To shake him; He always
would come to the stable until
the boy says he was here again
that damn old skin lumper
was here again and I told him

I never get rid of that son of a bitch,

Q That is the way you spoke to your boy in the office?

A You asked me what I said and that is the remark I made

Q Do you recollect any of the conversations you had with Mr. Graw while this case was pending?

A Nothing of any account

Q Yet you saw him all the time

A I remember his coming in and talking and he wanted to get these orders so as to be there

Q What was the object in making sure did he state that?

Q To have the writ over him

Q Did he say he wanted to run away

A Something to that effect he said he was keeping bad company so that he could keep him under his control.

Q At the time you spoke of this second order you did speak to him?

A He spoke to me.

Q You had a conversation when he asked you for the second order and you ask him where the first was?

A Yes. I asked him what has become of the other order.

Q What did he say?

A He said he mislaid it or destroyed it or something of the kind.

Q Now you tell him to write another and you would sign it?

A Yes. I said what is the use. There is nothing to run away for.

Q Didn't you say you wanted to be secured on your bond?

A I did not.

Q Did you know the young man?

A I never saw him until I saw him in court.

Q He has run away and disappeared?

A I don't know for him.

Q Didn't Mr. Brown tell you he could not find him?

A He said he was not at the hotel and he could not find him and I received a letter from Mr. Brown stating that he was all night that he gave away

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with a few friends to spend Thanksgiving
 Q. when Mr. Graw told you the young
 man had disappeared it didn't
 change your confidence?

A. No Sir I told him he probably
 went off on a little spree with
 some friends over Thanksgiving
 Q. Look at that Mr. Graw and tell
 me if that is your signature?

A. That is mine

Q. That is the order you gave him
 (naming witness) and you
 took that yourself to Mr. Kehoe
 and leave it there?

A. Yes Sir I brought it there and
 left it.

Offered in Evidence Exhibits
 D.

Q. You don't recollect when you
 gave him this paper?

A. No Sir I don't make any
 minute of it at all I don't keep
 account of those things

Q. Mr. Graw have you been on
 any bonds frequently excepting
 this?

A.

1089

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Ayes in Penal

Sworn before me
this 2nd day of January 1894
Curtis J. White }
Chas. J. Fagan
Police Justice

Mr. Mayhew. Recalled.
Q At what time any day it
was that Mr. Brown desired
this bill of exchange from
you?

A It was after the 17th
Q Now was there any conversation
in which Mr. Brown asked you
to make out this bill of exchange
yes or no? He told me he had this
paper from Mr. Togan in his
hands.

Q What conversation ensued
between you and Mr. Brown about
making this bill of exchange
and what would he have done if you
didn't do it?

A Told him the bill of exchange
would be paid and made good
and he said if it would not be
paid or made good he would
have me arrested? And we went
down stairs and I had a couple
at the door and as I was getting
in the couple and officer came up
with Mr. Hornum his clerk
and wanted to have me arrested and
I said before you do any thing
~~about it I want to see you~~

go up to Mr Brown's office, he wanted to arrest me.

Cross Examined
Q was this on the 17th of December
Answer

Q It was long after that?
Answer

Q What is the date of that bill of
pay Mr Mayhew?
A December 5th

Q Isnt that the day it was?
Answer that's the day I went to
England. when I heard if it was
made good or not was after
the 17th but then he told me if
I didnt make it good he would
have me arrested.

By the Court.

Q That bill of exchange was never
paid?

Answer

Q And it was after the 5th of December
that you stopped it?

Answer

Q How long after the 5th?

A It was after the 5th.

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had with the Hon Amusey Hibbard
Q when was it?

A I cannot tell the exact date?

Q was it previous to the 17th?

A It was after I think

Q after the 17th?

A I think it was. I cannot tell you
for a certainty as I told you before
Q How long after the 17th was it
that Mr Crow got the notice
that the bill of ~~sale~~ exchange
had been dishonored?

A Sometime

Q was it more than 3 days?

A It was more than that it must
have been a week or two weeks
I cannot tell you for a certainty
Q sent the cablegram exactly
as he had it, but my father
knew it was not to be paid, and
I had to do that because he
threatened to have me arrested
again every minute and I did not
want any show to be made
before my solicitors

Q Was you not Mr Crow enabled
by the express company to

the bill represented.
 Answer when I asked to my solicitors
 in England to pay I don't remember
 the exact words that meant
 not to pay.

The People's Roots

The further hearing being
 adjourned to Tuesday
 January 29th 84
 3/10 m.

Given to be fore
 this 29th day of Jan'y 1884 } Walter Adams Mayhew
 Attest
 Police Justice

Examination Resumed.
February 5th 1884

Channey Tibbard called on behalf of the defendant being duly sworn deposes & says.

By the Court

Q what is your business?

A Rail roads.

Q where is your place of business?

A 52 Broadway.

Q what is your age?

A 70 years.

Direct Examination

Q Mr Tibbard do you know Mr Mayhew now here in court?

A Yes Sir I do

Q you have had frequent conversations with him have you not?

A Yes certainly I have.

Q Mr Mayhew when he was a witness in this complaint stated that in a conversation with you at your office in Broadway you told him that he should not trust Mr Brown with the money which would be the proceeds of a certain

bill of exchange which he
had already given Mr. Crow
objected to.

By the Court Admitted.

Is it true or is it not true? did
you so state?

Ans I did not.

Q Did you ever make any state-
ment in substance like the
one I have already mentioned
at any time to Mr. Mayhaw?

Ans I have not

Q You never made any such state-
ment?

Ans I did not

Q Did you ever state in your opinion
that Mr. Crow was a man not
to be trusted?

Ans No

Q Or in substance?

Ans No

Q How long have you known Mr.
Crow Mr. Willard?

A Oh for several months.

Q Have business transactions with
him?

A Well yes.

Q You have occupied an office

where he has occupied a part of it during that time?

A Mr Grow had a desk in my office for a short time.

Q And did you know Mr Grow's reputation and general character among the people with whom he deals?

A I know nothing against Mr Grow.

Q Do you know what people generally think of him?

A I cannot tell you.

Q Mr Mayhew also stated in his direct examination when he stopped payment he done so under your advice and that you told him to stop it? is it true or not?

A No sir its not true

Cross Examination

Q Mr Ribbons at any time in any communication with Mr Mayhew do you remember of having said that you thought that he would never get that money after Mr Grow got it?

Answer:

Q. Your recollection is quite clear from that point?

A. Quite clear. I will state that Mr. Mayhew came in my office one morning, perhaps this conversation was not over 3 minutes and found some fault with Mr. Gross and I went with Mr. Gross to Wells Fargo & Co. to identify him about the bill of exchange or the draft, and Mr. Mayhew said something about stopping the payment of the bill, and I possibly said to him that it could be done, but the whole conversation was not over 3 minutes.

Q. What was it that you possibly said?

A. That he might stop the payment. I don't remember the language exactly.

Q. Was there anything said about his not getting the money?

Answer:

Q. You don't remember anything

being said on that point?
 I don't remember that I said
 anything about it
 I don't know this conversation
 I don't know I cannot tell you
 it must have been somewhere
 between the first and tenth.
 Of Mr. Hibbard do you remember
 at any time of any conver-
 sation telling me maybe
 that you had loaned Mr. Groves
 money to buy things for the
 office, paper pens, and little
 things of that kind?
 And Sir I never told him that.
 Respect.

And is you state anything further
 to him than he could stop the
 draft if he wanted to?
 And Sir that is all

Given to before me
 this 9th day of Feb'y 1884
 J. W. H. Police Judge

I hereby certify that the testimony of Chauncey
 N. Hibbard, as taken by me in short hand and transcribed
 by me into long hand, as hereto attached is true
 and correct copy as taken by me on said examination
 David C. McManus Deput.

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John A. Grow the defendant
bearing duly sworn says.

By the Court

Q what is your age?

A 17 years.

Q where is your residence?

A Merchants Hotel

Q what is your profession?

A farmer

Q Now know you are the defendant
in this proceeding are you not?

A yes sir

Q you have read the complaint
A yes sir

Q and you have heard the testimony
of Mr Mayhew and Jagan?

A yes sir

Q Now Sir can you bring yourself
to matters of facts relating
simply to what we alleged
to be false representations oc-
curring on your part on the
17th of December and state all
as precisely as you can

A On the morning of the 17th
I met Mr ^{Mayhew} Grow at the British
consulate office where he was
receiving a communication
notifying him that there was

1100

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a registered letter for him at
the post office, I walked with
him from the British consular
office as far as 52 Broadway
and in separating from him
he stated to me as soon as
he received or as soon as he
drew his money he would
come to the office, I was out
of my office a short time
and on my return I found
a note from Mr ^{Mayhew} ~~Crow~~ asking
me to call at the Merchants
Hotel, and I went there as
I entered the office Mr May
hew met me and I asked him
if he had his money all right
and he said he had and we walked
along together to a settle and
we sat down and I congratulated
him on his having received
his first remittance and that
he would be ready to straighten
himself out so that he would
be ready for his case when
it would be called for trial.
And as we sat on the sofa
he handed me a roll of bills

and I think it was a one
hundred dollar bill and he
said well that do and I
opened it and saw it was a
one hundred dollar bill ^{and}
I said to him well, Mr Jagan
is on your hand, and I said to
him Mr Jagan your bondsmen
deserve ~~me~~ that I should require
you to pay over your first rent
^{ance} and I said you cannot
do that very well because there
are these small matters of
yours that first must be fixed
up and I said it is necessary
that you should redeem the
pistol which has been pledged
and also you have taken the
colored man's overcoat and
spanned it and you should go
and redeem it or give him
the money besides I say Walter
you are rather addicted to
go on sprees and I think while
I cannot require you to pay
over that money it would be
for your interest to do so ^{and}
I think you better pay into
my hands \$250 dollars of that

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money and I will have one hundred
dollar subject to your order and
if you are short of money, you
will have this to fall back
upon, I think Mr. Fogar he
paid ought to feel safe your
bond that draft that I gave
you which is sent forward
to my solicitors, and I said its
true but the draft may not
be paid, but I think you better
hand over \$250 dollars and he
said he could not very well
do it, and pay up the defal-
cation, I said to him very well
then give me \$50 dollars more
this I will apply to my fees.
he then got up and went
astensibly to his room im-
mediately returning and
handing me \$50 dollars
we then both of us walked
out together I think we went
to the cigar stand and got some
cigars I am not certain where
he walked from since down
to my office or not I know
that I never seen him afterwards

I will now now know previous to that time had you advanced him any money to Mr Maylew and of your own pocket in cash and had you expended any money for him in carrying for his business and his interest.

A. I had.

Q. How much up to that time?
A. I had paid I think the first Cable \$8500.00 dollars. That is my best recollection to his solicitors and the next cable if my recollection serve me right was \$9500.00 dollars to his agent, then I had given him a little money along for his personal expenses.

Q. Amounting to how much?

A. I had no memorandum but as I should think if my recollection serve me right between 5 & 8 dollars, that is my recollection of it.

Q. Is it less than 5 dollars?

A. I hardly think it would be now that came up to that time.

By W. S. W.

Q Now Sir, did you perform for him any services previous to the 17th of December?

A Yes Sir

Q In your professional ^{capacity as} Counsel

A I did

Q Now state what you did & subscribe

yourself?

A I called on him, I was sent to him on the night of the 24th day of November at the 1st Police Precinct Station House

I called on him there in a cell in which he was confined

Q Did you have a consultation with him?

A I did

Q How long?

A Probably 20 minutes, maybe been longer

Q Was anything said about paying fees?

A Nothing at the time, He desired me to appear for him the following day at Jefferson Market Police Court and I appeared there

Q Did you have a consultation

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with him then?

Arpessin

Q anything said about fees then
A Had several conversations
with him.

Q what did Mr Mayhew say if
anything he wanted do?

A He said he would give me
an order on the British Council
for some money not only to
pay for my fees, but to enable
me to pay and redeem the
things that he had pawned?

Q was the amount stated?

Arpessin no amount stated.

Q what else took place previous
to the myth?

A On that day after he had been
remanded, his bail was fixed.

I then went to make some
inquiry in regard to Mr
Mayhew to find out who he
was and whether his statements
to me in regard to himself were
true because I saw he was a
young man and may have
unwittingly got an excuse and
if I considered him safe

I never see. Was a bond could
 be secured for him? and let him
 out. I did make some inquiries
 about him and found that
 he was well connected in
 Jordan. And made up my
 mind and found it was
 probably safe for me to get
 a bond for him. And I did him
 the result of my interview
 and told a circuit of mine the
 result of my inquiries. And I
 was then sent to Mr. Jagan
 by a circuit of mine. I told
 Mr. Jagan the same thing what
 I ascertained. And I thought it
 was safe for him to bond
 him, that he was a young
 man well connected. And
 that it would be better to bond
 him and take him over safely
 if we could. I in the mean-
 time had seen the colored
 man and had a talk with
 him. He said precisely and
 relieved something on the
 attendance of the colored
 man about the prosecution

I had also met the hockman
 who had a charge against
 him for \$18 dollars and some
 body purporting to represent
 and they claimed to speak
 for the people of a restaurant
 I stated to these gentlemen on
 the behalf of Mr. Massey that
 I felt pretty well satisfied
 that Mr. Massey would come
 out all right and that they
 would all be paid and that
 he had been on a little bit
 of a spree and that I would see that
 I would put him in communication
 with his people at
 home and the probability was
 he that he would get some
 money to straighten himself
 up

Q And you appear for him in court
 at any other time previous to
 the 17th of December?

A Yes sir

Q Where were you?

A On the 30th of November

Q What occurred then?

A I received a notice from Mr.

15
7

Jagan that the case was to be called Mr Jagan gave me the notice and I appeared but Mr Mayhew prior to that time had disappeared and there was no appearance.

Q. Has your made any effort to find him?

A. I have.

Q. Previous to the first time of his appearance when did you last see him?

A. At my office.

Q. Has your known where he resided before he was stopping at the Irving house I took him there and when was it that he disappeared from the Irving house?

A. That was in the afternoon of the 28th of November on that day he gave me the order on the British Council and I went down to present it and finding no money there I came back to the office.

Mr Mayhew has not returned he left his overcoat lying on a chair, which belonged to

a gentleman in the hotel was
 he didn't return again to the
 office and after I got through
 with my business I took the
 overcoat and my gun at eleven
 it to the owner and upon asking
 I found Mr. Mayhew had returned
 to the hotel but he did not
 again return the next day or
 the next night; I then went to
 see Mr. Gagan and told him that
 he had gone away but that
 he might have gone to spend
 Thanksgiving and I think he
 gave me the notice of the trial
 on the 30th, I told him that I
 should make such search as
 I could for him and we will
 see if he will turn up in court
 or not;

Q Did you make any efforts to
 find him?

A I have

Q What did you do?

A On Thanksgiving day I saw
 Mr. Gagan and asked him for
 another order for his surrender
 so that I could authorize parties

1110

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if he didn't turn up on the day
that his trial was fixed and so
I might put the police on his
trail, Mr. Jagan said he didn't
like to give any order then but
if he didn't turn up Saturday
he would do so and he came
around to the hotel for that
purpose

What did you do in his absence.
As I was making inquiries I
went to police Headquarters
and laid the matter before them
and they sent me to the 29th
precinct and I went there and
laid the matter before them
and finally saw Captain Williams
2 or 3 times and the detective in
his employ at the precinct and
left the matter in their hands
to find him and arrest him
and return him to the city prison
and when the case was called
at Special Sessions I had the
case continued for 2 weeks
I was the bond satisfied?

Answer

I thought your efforts they were not

for perites
Answer I gave the judges and stated
to them how I was fixed and stated
the facts to them and that I wanted
them to go over for a couple of
weeks and thought probably he
would come up all right
Q. You had a conversation with
Mr. Jagan?
Answer Sir

Q. Did you tell him the substance of
the conversation with Mr. Jagan
on 6th Avenue and 14th Street on
the 14th or 15th of December
A. Finding that the police force
were not very active in the
matter seeming to feel he being
a bonded man that I ought to
to find him myself, I found the
colored man with whom he
had been stopping and to see
if I could know his haunts
and I finally engaged him to
look for him and offered him
50 dollars, the colored man
found him inside of 24 hours
and the result was that Mr.
Mayhew came to my office

on the 7th of December as soon
 as I found Mr Mayhew I put him
 by these cables in communication
 with his people so that his
 first remittance would arrive
 about the 17th; The two weeks
 adjournment expired on the 14th
 after his first remittance would
 not be. here ^{and} he was not
 in a shape to try his case, he
 was not able to redeem the
 articles which he had pawned
 he was not able to get his
 wearing apparel until
 he could get his remittance and
 I wrote him Mr Sogor of
 his return by letter. when
 the adjourned day was coming
 up Mr Sogor told me he didn't
 desire any more adjournments
 he didn't like to take the risk
 of the young fellows and besides
 he was able after he got his
 remittance, ^{that is} he was afraid that
 he might slip away; and if he
 would have deposited his money
 he would not have gone away
 so when I came down to

my office on the day of the
 trial I told Mr Mayhew of the
 release of Mr Hogan but Mr
 Mayhew was unwilling to
 go to trial until he could
 straighten his matters up. So
 that he could stand properly
 before the court. And it was
 tend to reduce the ^{hostile} ~~hospitable~~
 feeling of the closed man
 towards him. I then told him
 I would obtain a continuance
 if the court would grant
 it to me, Mr Mayhew. And I
 walked down to the court
 room and asked for a further
 continuance of two weeks. And
 they granted it. On the 20th
 of December towards the evening
 I walked up 6th Avenue
 and I was just below 14th
 Street when Mr Hogan called
 to me and asked me what
 was done in that case. And
 I told him I had adjourned it
 for two weeks. And I gave
 him my reasons first that
 he was not in a condition

1114

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 that he tried, that I proposed to
 have the coloured man when
 the proper time arrived after
 he had all of his things redressed
 to withdraw the charge. if he
 moved and the next was that
 he didn't receive his remittance
 yet. and he didn't have any decent
 clothes and I wanted him to present
 a respectable appearance and when
 he went down I thought he would
 be discharged. I told Mr Jagann
 the remittances would
 come as I received answers to
 the cables that were sent and I
 explained to him and then he
 said to me Mr Gans you must
 take charge of his first remittance
 I am not willing to trust him
 he will slip away again and
 I told Mr Jagann that the first
 remittance would come along
 in a few days and I didn't think
 he would run away then and
 he said what is to prevent
 him from changing it and
 having it sent to somebody
 else. I told him I had the bill

1115

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of exchange on his salutations
 And Mr Jagan said he could
 stop that And Mr Jagan gave
 me a rather sleepless night.
 He then asked me if I had that
 order which he gave me And
 I told him I mislaid it and I
 cannot look for it and he said
 if you have not got it you
 better make out another
 one and send for me on
 the Saturday afternoon fol-
 lowing at my office I had
 made out another order;
 I don't remember whether I
 sent it by Mr Farman my
 clerk or whether I sent it with
 it myself ^{or sent it by mail}. But I know on
 the Monday following I
 got the order at Mr Khosla's
 on the 17th I put it in my
 pocket I don't know if I had
 it in my pocket on the 17th
 or not I don't think I did have
 it with me.

How long have you been practicing
 law.

A I have been a member of the

has for 29 years and over.

Q What would be a fair and reasonable charge for the personal services you had performed for Mr Mayhew services up to the 14th of December 1893.

A Under the same circumstances I would not undertake it for 500 dollars

Q What would be a fair fee?

A It would be worth 300 dollars at least.

Q For what you had done up to that time?

A Yes sir

Q And you previous to the one hundred and fifty dollars which you received on the 14th, receive any money from Mr Mayhew.

A None whatever.

Q You heard Mr Mayhew say that you promised him at that time you got the \$150 dollars to give that money to Mr Zogan is that true or is not?

A It is not true

Q You heard Mr Mayhew say that you told him that Mr Zogan must

have \$250 dollars?
 A yes sir that is not true.
 Q Did you at any time or any other
 stiller tell him that Mr Jagan
 must have any money to
 secure him as a bondsman?
 Answer.

Cross Examined
 Q How much money has Mr
 Mayhew paid you on account
 of that case?
 A \$325 dollars.
 Q You was counsel for this gentleman
 Answer.
 Q You was not counsel for Mr Jagan
 Answer.
 Q You had no particular interest
 in Mr Jagan?
 Answer only so far as -
 Q Did you have any interest as
 a counsel in Mr Jagan?
 A As a counsel no sir.
 Q Then your entire interest was
 in Mr Mayhew as a counsel?
 Answer.
 Q When you say that you discovered
 that this gentleman had not

appeared in court to the summons
of the court and that you felt
somewhat anxious for his non
appearance on account of Mr
Jugan?

Answer

Q And then you obtained what are
called a bail piece and took
it to the Station House?

Answer

Q For the purpose of having him
surrendered and brought in by
the police?

Answer

Q Did you give this gentleman any
receipt at the time you received
this \$150 dollars?

Answer

Q Are you in the habit of accepting
fines under the circumstances
without giving your clients re-
ceipts?

Answer after I charge the matter
on my books.

Q Have you given this gentleman
any receipt at any time for
the payment of this money?

Answer

Q This was a case of Petit Larceny
Ayes sir

Q What was the character of the property
charged?

A A pistol and an opera glass.

Q The amount was \$100.00. True W. H. Hollen?
A I presume yes sir

Q And it was a case sent to the
Special Services to be tried?

Ayes sir

Q Did you ever ^{ask} make this gentleman
for any instructions of the character
of your services that you would
render, what position you were
to take in the case as counsel.
or other instructions?

A I was generally retained in the
case.

Q You testified Mr. Graw that you
told Mayhew that he should pay
his first retainer to you?

A That he ought to do it

Q And that is what Mr. Togan told you
that?

Ayes sir

Q You are sure of it?

Ayes sir

Q When was it?

1120

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A Late in the afternoon of the
14th of December

Q In this conversation was there
anything said about your selling
Mr. Logan when the money was
paid this \$150 dollars.
A What for.

Q I don't know.

Q Was there anything said about
selling him? Was there any
allusion outside of this remark
of his having said this to you
was there any allusion to Mr.
Logan?

A No sir.

Q I ask you now to detail what
conversation ensued between
you and this gentleman Mr. May
then?

A At the request of Mr. May when
he handed me one hundred
dollars and asked me if that
would do.

Q I am asking you about Mr. Logan
as referred to Mr. Logan?

A I said Mr. Logan the houseman
thought you ought to pay over
your first rentance as

14 28

security for your bond and you
disappeared once and he feels
a little shaken up that if you
got the money you would
run away again

Q Did you ever tell Mr. Thompson
before the 14th of December
that you were going to charge
him in this case?

Answer

Q Nothing was ever said about it

Answer

Q I presume since you are a
lawyer you are familiar
with the charges in a case of
petit Larceny?

Answer

Q Mr. Brown have you at any time
stated that you paid Mr. ~~Thompson~~ ^{Jagan}
50 dollars?

Answer

Q You didn't make any such state-
ment?

Answer

Q Did you not state here in the
presence of his Honor that
sometime since this case was
commenced that you paid Mr.

1122

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Q. You 50 dollars?

A. Yes.

Q. Did you tell a lady by the name of Mrs. Bell that you had paid Mr. Togan 50 dollars?

A. Yes.

Q. Was there anything said about 50 dollars being paid by you or anybody else?

A. Yes. The inference if any was in the note containing a remittance to Mrs. Bell that I sent to her 30 dollars and a count of ^{myself} was that Mr. Togan was provided for.

Q. You did say that in substance?

A. Yes.

Q. Will you be kind enough and show if that is your signature?

A. Yes.

Q. How many times were you in court prior to the 17th of December?

A. 4 times.

Q. When was the case disposed of finally?

A. 26th of December.

Q. And when did you receive

1123

30

the difference between the 150
and the 325 dollars?

A I received 150 dollars more on
the 22^d day of december that is
my impression

Q when it was the 26th?

A It may have been the 26th
if you received 325 dollars all
together?

A At a subsequent day I received
25 dollars.

Q and that was also for fees?

A And disbursements in this case.

Q Those disbursements were
cable grams amounting to
21 dollars?

Yes sir

John A. Grob

(sworn to before me
this 8th day of February 1884
by me J. J. D. D.)

Place for seal

Mr Mayhew Recalled.
by the people.

Direct Examination

Q You have heard the statement
made by Mr. Brown in this matter
and his conversation in reference
to what Mr. Jagan said that Mr.
Jagan had said you should give
him your first remittance the
amount of your first remittance
was anything said after that kind
by Mr. Brown?

Answer nothing said about the
first remittance

Q And Mr. Brown give you any receipt
for this money?

Answer

Q And Mr. Brown tell you that this was
for legal services?

A He told me it was for Mr. Jagan
Q That Mr. Jagan had sent him?

Answer

Q And when for the first time
and you learn that Mr. Brown was
collecting \$100 dollars for money
that you owed him?

A After the trial

Q And Mr. Brown tell you what
he would charge you in

this case before the 17th of
December?

A He never made any reference to
it before I was at Barrman
stone

Q Was it after the 17th?

A Oh yes.

A As Examined

Q Did you suppose Mr Mayhew that
Mr Shaw was doing all this work
for love?

A Certainly not.

A Direct

Q He never asked you any money
for counsel fees did he?

A Never.

(Sworn to before me)
This 9th day of July 1884 } ~~Walter James~~
Andrew J. Smith }
Deputy Justice

Mr Tolan Recalled
Direct Examination

Q Mr Tolan did you ever state to
Mr Brown at any time or did you
ever tell the complainant here
that he ought to pay Mr Brown
his first remuneration?

Answer

Q Never said any thing of the kind?

Answer

Q Was there anything said?

A Not on that particular subject

Q In any conversation between you
and Brown?

A Nothing whatever.

Q You didn't employ Mr Brown as
your counsel as bondsmen?

Answer

Q I would like you to state what
the conversation was you had
with him between here and
Kehoe?

A All the conversations I had
with him was about arguments
ments. But I told him I wanted the
case brought up that there was
nothing in it and I wanted it
out of the way. the last notice

I got home to the house and it was a rainy night and I went up to 31st street looking for him. But she said he was in there but had gone out so I left the notice with her consequently it was brought up the next day. But I never saw him after wards until I met him in Court.

Case examined.

Q. Then the last communication you ever had with Mr. Gross previous to the time you saw him in Court was the written instrument I left Exhibit B.

A. I don't remember.

Q. That was the last communication you had with him?

A. Yes sir. It was I think afterwards.

Q. Where did you see him?

A. At the Police office.

Q. There is no question about your signing this authorization?

A. Yes.

Q. Did you read it before you signed it?

A. Yes sir.

Q And you knew it called for the
~~persecution~~ ^{prosecution} of the body?

A That was the understanding
 between Mr Graw & I.

Q Mr Togan I ask you at the time
 you signed this you knew
 it contained this. You are
 hereby authorized to arrest
 the within named defendant
 you knew what the meaning
 of that was?

Answer

Q And in sending this paper to
 Mr Graw or leaving it at Kehoe
 for him you intended if it
 became necessary ^{Mr Graw} should act
 for you.

A I deny it.

Q Didn't you intend Mr Graw
 should act for you?

Answer

Q After you signed the paper?

A Now it was never intended
 for that purpose it was wanted
 by Mr Graw so that he could
 hold the whip over him

Q Are you in the habit of giving
 such papers?

1129

Amosii that is the first one I ever
gave of that kind. He requested
it to have the ardup. the writer
him and that was all it was
given for?

From to before me (his)
9th day of January 1884 (Chas.) Faguna
Andrew J. Smith
Palmerston

Small money for the dis-
charge of the prisoner

Admitted to City Jail
9th 84 3 PM.

April 2nd, 1887
There is no probability that
the People can obtain a
Conviction on this Indictment & I
do not think one should
be had on the case as
presented at the trial. All
the evidence was produced
then, which is in the possession
or knowledge of the People.

I advise that the
Indictment should be
dismissed

W. H. Bellamy
Ct. Dist. Ct.

1131
C.P. 3)

Dec 17/88

~~Second District~~
Special Sessions, Police Court New York City.

The People of the State
of New York.

vs
Walter Adams Mayhew

New York Dec 17th 1888.

John A. Grow Esq
52 Broadway
New York City.

Sir:— I am the surety on the bond
in the above entitled cause, for the defen-
dant's appearance for trial at Special Sessions
and you are hereby authorized and dep-
utized, whenever you shall deem it advi-
sable and for the protection of my bond,
to surrender the defendant, Walter Adams
Mayhew, to the Custody of the Court.

Chas. J. Pagan

Def Ex 15
In Custody

1132

apt. 1000
1000

Mr. Lee 12/24/24

Dear Sir

Would you kindly
come down to the hotel
as soon as possible

W. A. Haynes

1133

Exchange for
£150-0-0

New York December 5th 1883

At Sight ~~hereafter~~ of this **THIRD**
of Exchange. First & Second unpaid pay to the Order of
John A. Grover One Hundred and
Fifty pounds Sterling
Value received and charge the same account of
T. Hardisty & Rhodes
48 Great Marlborough St.
No. 3 London W.

Wm. Adams Mayhew

Henry Adams & Co. Stationers, N.Y.

1134

[illegible]

1135

CHICAGO & INDIANA RAILWAY AND COAL COMPANY,

Chief Engineer's Office,

Wm. F. DRAKE, Pres't.
A. JAMESON, Treas.
L. W. HARMON, Sec'y.
MATT. P. WOOD, Chief Engineer.
JOHN A. GROW, Attorney.

52 BROADWAY, Room 42

21. Park Row -

New York, Feb. 20 - 1884

Gov. Peter B. Olney

District Attorney:

On the 11th inst. I was held for the action of a Grand Jury in \$500. by Mr. Justice White at Jefferson Market.

I should the Grand Jury find any indictment. I would be very much obliged, if instead of causing a bench warrant to be issued, you would simply give me notice to appear and plead to it, and for such other action as may be necessary. I am always to be found at my office as above, and I shall be very much obliged if, supposing an indictment be found, you should order an immediate trial.

It is a matter I do not desire, as a professional man, to have hanging over me for any length of time.

I am very respectfully

John A. Grow

1136

John

District Police Court.

Affidavit—Larceny

CITY AND COUNTY
OF NEW YORK, } ss.

of No. *4 Union Square* Street, *April 22* No Occupation
being duly sworn, deposes and says, that on the *1st* day of *November* 1883

at the *Merchants Hotel* County and State 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 with intent to deprive the*
true owner thereof
the following property, viz:

Good and lawful money of the
United States consisting of notes
or bills of various denominations
and values together of the value
of One hundred and fifty dollars.

Sworn before me this

day of

the property of *deponent.*

Police Justice,

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and that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloniously taken,
stolen, and carried away by *John A. Gross (now here)*
from the fact that on or about the 25th day
of November 1883 deponent was arrested
on a charge of Petit Larceny and held
to answer the same by Police Justice
Quiffy in the sum of three hundred dollars.
Bail at the Court of Special Sessions and was
admitted to bail by Justice Patterson
on the 26th day of November 1883. Deponent's
Bondsman being Charles F. Fagan of

No 210 Market Place. On ~~the~~ or about the 17th day of December, 1883. The said Snow came to the Merchants Hotel and said to deponent. The person who is your Bondsman demands the sum of \$100. Hundred ^{and fifty} dollars as security for your appearance at Court and if not furnished with security will surrender you and you will have to return to prison. Deponent believing the representations made by the said Snow to be true gave to the said Snow the sum of One hundred and fifty dollars to deposit with the Bondsman as security for deponents appearance in Court. When wanted, on or about the 28th day of December, 1883. Deponent was discharged at the Court of Special Sessions the Complaint against deponent being withdrawn. Deponent then requested the said Snow to return the said money given by deponent as security for deponents appearance in Court. The said Snow then said to deponent. I will go to the Bondsman and get him to return your money. The said Snow has since failed to return to deponent the said money. Deponent is informed by Charles F. Hagan that he was the Bondsman for deponents appearance in Court and did not send the said Snow to deponent for any money as security for deponents appearance in Court. And that ~~that~~ he never received any money from the said Snow as security for deponents appearance. Deponent therefore charges that the representations made by the said Snow were false and fraudulent and made with the intent to cheat and defraud deponent and whereby deponent was so cheated and defrauded of the said sum of One hundred and fifty dollars and that the said Snow is a villainous and felonious person.

Snow to before me
this 5th day of January 1883

Walter Adams Mayhew

District Police Court.

THE PEOPLE
ON THE COMPLAINT

Charles F. Hagan
Police Justice

WITNESSES:

L. J. TUNN

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CITY AND COUNTY }
OF NEW YORK, } ss.

aged 57 years, occupation Cattle Dealer of No.

210 Waverly Place Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of

Walter A. Mayhew.

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

Sworn to before me, this

5th day of January 1884

Chas J Fagan
"

Curran Broome

Police Justice.

1139

Sec. 198-200

CITY AND COUNTY
OF NEW YORK, } ss.

District Police Court.

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

Question. What is your name?

Answer. *John A. Grow.*

Question. How old are you?

Answer. *50 Years.*

Question. Where were you born?

Answer. *New York State*

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

Answer. *Hotel Royal. 2 Years.*

Question. What is your business or profession?

Answer. *Lawyer.*

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. Grow

Taken before me this

21
day of *January*, 188*8*

Police Justice.

1140

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 we
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 January 5 1884 Police Justice.

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

Dated February 11 1884 Police Justice.

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

Dated _____ 188 . Police Justice.

1141

Ex Jan 22nd 3 P.M.
" 24 " " "
" 29 " " "

BAILED,

No 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Walter A. Mayhew
John A. Snow.
Office of the Clerk
1884

Dated

1884

Andrew White Magistrate.

William B. Wain Officer

Capt. William 29 Precinct.

Witnesses Charles H. Boudreau

210 Warren Place Street.

Police Justice A. J. White

200 1/2 Street.

Guilty

No. 107. until 5th of July. 3 P.M.

Ex Jan. 24th 3 P.M.

to answer

Parole in custody of G. A. C. Barnett

182 Waremouth
Ex Jan 10. 3 P.M. & Jan 15/84

1142

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

John A. Grow

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

John A. Grow
of the crime of ~~GRAND LARCENY~~ *Second* DEGREE, committed as follows:

The said *John A. Grow*

late of the First Ward of the City of New York, in the County of New York, aforesaid,
on the *Seventeenth* day of *December* in the year of our Lord one thousand eight
hundred and eighty-*three* at the Ward, City and County aforesaid, with force and arms,

four promissory notes for the payment of money, being then and there due and unsatisfied (and of the
kind known as United States Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars
each; eight promissory notes for the payment of money, being then and there due and
unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of ten dollars, and of the value
of ten dollars *each; ten* promissory notes for the payment of money, being then and there due
and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five dollars, and of the
value of five dollars *each; ten* promissory notes for the payment of money, being then and
there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of two dollars,
and of the value of two dollars *each; ten* promissory notes for the payment of money, being
then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination
of one dollar, and of the value of one dollar *each; five* promissory notes for the payment of
money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty
dollars *each; ten* promissory notes for the payment of money (and of the kind known as bank
notes), being then and there due and unsatisfied, of the value of ten dollars *each; ten* promissory
notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of
the value of five dollars *each; one* promissory note for the payment of money (and of the kind
known as bank notes), being then and there due and unsatisfied, of the value of two dollars, *and one*
promissory note for the payment of money (and of the kind known as bank notes), being then and there due and
unsatisfied, of the value of one dollar

of the goods, chattels, and personal property of one

Walter A. Mayhew

then and there being found,

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.

PETER B. OLNEY,

JOHN MCKEON, District Attorney.

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BOX:

128

FOLDER:

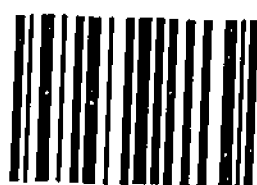
1344

DESCRIPTION:

Grube, Henry A.

DATE:

02/08/84



1344

Witnesses:

Louis Rossignol

Bail reduced to
\$300. and case
set down for
Thursday 18th inst.
O. J. G.

Mar. 6th 1884.

Defendant discharged on
his own recognizance
by consent of his atty.
at appearing that the
trial deliver to be
release and that no
clay can be set for
trial. I also doubt
whether the ~~defendant~~
can be had.

A. H. Hardy

7 C. McCallum

Counsel,
Filed 8 day of Feb- 1884
Pleads not guilty

THE PEOPLE
vs.
[Signature]
INDICTMENT.
Grand Larceny in the Second degree.
(MONEY)
[5284531]

ESTER B. OLNEY,
JOHN MCKEON,
District Attorney.

A True Bill
[Signature]

2nd Feb 26/84.
People's w/pleads not guilty
Foreman
[Signature]
Mar 6th 1884

Court of General Sessions
County of New York

The People of the
State of New York
-against-
Henry A. Grube
Defendant

Notice of Motion

Sir.

Please take notice: that on the annexed affidavit and on all the papers and proceedings herein, I shall move this court at the trial term thereof now being held in the Court House New York City on the 6th day of August 1885 at the opening of the Court on that day or as soon thereafter as Counsel can be heard for an order settling down the above entitled cause for a day certain for an early and speedy trial and for such other and further relief order and judgment herein as may be just and proper.

New York August 4th 1885

To/

Yours &c.

Randolph B. Martin Esq. Charles Golden Jr.
District Attorney. Defd's Atty.

Court of General Sessions

The People of the
State of New York

-vs-

Henry A. Grube
Defendant.

City and County of New York s. s.

Charles Goldenfor
being duly sworn deposes and says:
that he is an Attorney and Counsellor
at Law and Attorney for the above named
defendant herein: On information and
belief dependent alleges: That the above
named defendant Henry A. Grube was
arrested upon the charge of Grand
Larceny in February 1884 and indicted
for said alleged offence by the Grand
Jury of the County of New York in
March 1884, that to said indictment
he said defendant pleaded not guilty
and on the 7th day of March 1884 he
was admitted to bail in the sum
of five hundred dollars - That he
said defendant has never been
tried or arranged for trial for
said alleged offence neither has
his trial been postponed upon

his application. Defendant therefore
 asks that the cause may be set
 down for trial for an early day.
 or for such other relief.

Sworn to before me this }
 4th day of August 1885 } Chas. Golden Jr.
 Albert G. Phillips
 Complainant
 vs.
 Defendant

Aug 11/85
 Court of General Sessions

The People vs.

-vs-

Henry A. Grube

Affidavit and

Notice of Motion

Charles Golden Jr.
 Defendant's Attorney
 132 Nassau Street
 New York City
 N. Y.

1148

Fifth Judicial District Court,

OF THE CITY OF NEW YORK.

154 CLINTON STREET,

Between Grand and Broome Sts.

New York, Feb'y 25th 1884

My Dear Judge.

A case was before
you the other day against
Henry A. Gruber. I am
informed he pleaded guilty
& is to be sentenced
tomorrow morning.

He is well connected
thru up to this office
bears a very good re-
putation.

His employer for whom
he worked for some
years is desirous with
your Honors consent
to give him another trial.
He has a wife & two
children who are

wholly depending on
him.

He has seen his mis-
take & is willing to
lead a better life in
the future.

May I therefore ask
Your Honor as a
matter of charity, to
give him one more
chance by suspend-
ing sentence on
him.

There are a number of
very worthy gentlemen
who unite in this.
Some of them I have
known personally
for many years.

With best wishes I am

Yours
John Henry W. Parth
Justice

1150

P.S. If you desire I will
call on you personally
John H. Hardy

1152

2/10/1877. The morning
being overcast, took at 11
o'clock time to visit the
mine on the shore, and
prison was a paper mill
and the other was a
mill and the other had
millions on about 30
clock was built in a
hospital room in the
prison, and the other
removed to the shore
and the other was
there through the
prison lost which was
retransported to the
prison and the other
and the other was removed
to the shore.

1153

(3)
I was first acquainted
with "Samuel" I discovered
about 11 years ago, when
his acquaintance on a
visit to London to River
and arrived in the City
of London, was later a
witness to his marriage
have always been an
friend. Time passed and
I was a witness to his
death.

In the latter part of August 1880, entered his employment as Bookkeeper, traveling agent, entrusted to put up the packages, had to see every morning the customers, attend to the office business during the afternoon, receive all money, give receipts and never any assistant but

1154

4/

an errand boy. Salary
was first \$12 per week
and $\frac{3}{4}\%$ commission
^{afterwards} till February 1st, 83, \$15
per week 1% commission on
the sales, and from Feb^{1st} 83
\$20 per week and 1% com-
mission.

In February 1st 83. Rossig
not went to Europe
with his family and re-
mained away for seven
months, had a power
of attorney on the 6th
International Bank and
transacted alone, all
business, travelled, and
handled during that
period over \$40,000
had most the time over

1155

5
\$15,000 at my disposal,
- because a stock of
the Star Nets, etc., etc.,
in which Ross had a death
share could have been
easily sacrificed for at
least \$10,000.

Had every man a little
chance?

Could not I have sent away
my wife and children to a
foreign land and allowed
them?

There was a great com-
petition, and under sel-
ling on account of the
enormous profit on
Star Nets, and our
nets being 1/3 cheaper than
those of the competitors.

6) the selling, as our prices were much higher, very difficult.

Rossignol did never see or entertain any customers, we took stock nothing every year to Europe for 3 or 4 months. Books will prove everything in my handwriting.

1st year, as shown on 1st page of cash book shows business done

+ \$125,000,

Hundreds of new and valuable customers, who paid extravagant prices ^{per page 2} were secured by me.

I was the whole morning no day excepted but legal holidays, to drum up trade, travelled every fortnight 3 or 4 days.

Nothing was ever allowed for expenses, to treat

not even carfare ^(Books will show) or entertain customers.

The deficiency was found both in customers during the past 2 years and entered in the books shortly during Feb and September 1883.

Defendant lived near middle of the north side of the street at a rental of \$14 per month.

His home even when at \$14, the distance being one hour from the office to defendant's house, had no claim and friendship with his wife, who was sister of an excellent other and husband. Would I, where I

2) R of an amount \$ 270 was sold through defendant the only fact was the fact that
of defendant sold the said amount \$ 10
other identified amounts less \$ 200 were
received than it brought in - I referred
to parties against the admission of Judge

could plainly see an in-
crease was going on at
the traps. And after
having arrested and deposed
them for bait and food

with the remainder of
 school all or part of the
 following year. ^{damages are} ^{granted} ^{granted}

Dependent was willing to
have a commercial book with
plentiful, correct examples
and with his label
and the help of friends
to estimate the amount.

But no plain self-evident
reasons

friends have approached
Bossmant and offered
different settlements
but answers being equivocal

No. 100 to wife and children.

2nd I was surprised with my name on the type
my idea to tell him

3rd In the 1st Lease, the name
of the person who gave the lease
is not given, but in the 2nd and 3rd Leases, the name of the person who gave the lease is given.

Handwritten:

of that year active were
told that it would be
better to have the firm
name with."

discovered by Howard Lamb
printed on Feb. 1847. As
no customer knew him
they all saw and on the
10th of March and then it
led to an explanation.
that they saw not one name
the others were ordered
with other printing, and

10

mentioned type made
and printed by her own
printer to D. L. L. L. L.
residing in Pleasant Street
and send to the printer the
job was done so much more
by hand, with the defendant's
name about 4 times as
large as the rest, and then
as printed them, and
sent to the printer to be
used. Have been found in
in a drawer of plaintiff's
desk, and must be there, as
at present.

2^d The idea to supplant the
never entered defendant's
mind, on a lot of his among
others from John Hogan
Empire, Broadway n.p.
Houston Street his answer
was invariably that he
had no idea to change

11

3^d trying to get Lease
of Building 323 Broadway
his cross-examination.

When Plaintiff went
to France in 1893
he only had a lease of one
year of the ^{building} premises 323
Broadway, and one of the
stores was going to be occupied
by the 1st of May.

It is many efforts
[This shows the intent to look in
this case.] defendant's
St. Charles Avenue, as a
tenant, only he wanted a
2 years lease, would not
otherwise take the store,
seeing no chance of renting
the Dr. Humphreys being very
responsible, and as the
owner of the Building was
willing to make the lease

12

for two years. I rented the
store to Mr. Humphreys, then
I had no time to write you
before and receive a reply.
At once I wrote to
pleading, that as all
letters to him is in the
copy book.

I have requested
and received from your
Landlord the extension
of your lease for 2 years
instead of one; and since
Mr. Humphreys is dead for
that period, I have had
no time to hear from you
and get your consent, but
with the 2 stores rented
now to responsible parties
the rent of the whole house

13

3 have flows on Broadway
near 12th Street is only
for the following 2 years
\$33 - per month, and if
you do not approve of this
as I do not know what
your plans are, to settle in
France or returning it does
not matter, as I can al-
ways find plenty people
who will take a whole
house on Broadway for
\$33 a month rent.
But I think your mind has
surprised me and has
taken the idea I tried
to get the lease on my
name. —

1160

Exhibit A

New York, May 14th 1883

Received from Tefft, Weller & Co.,
Eighty Three _____ 37/100 Dollars.
bills April 7. 1883 May 1st 3rd

L. Rosignol
Guben

\$ 83 37

Cornwell Bros. & Co., Stationers, 448 Broome St., N. Y.

1161

2^d District Police Court.

Affidavit—Larceny.

CITY AND COUNTY
OF NEW YORK, } ss.

Jonie Rossignol, 39 years old, importer of
hair nets, of No. 823 Broadway Street, New York City

being duly sworn, deposes and says, that on the 14th day of May 1883

at the the store No 823 Broadway in 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, with intent to deprive of the use
and benefit of the property the lawful owner thereof.
the following property, viz: Bills or notes, gold and lawful money of

the United States and silver and copper coins gold and
lawful money of the United States, together with the value
of Eighty three dollars and thirty seven cents

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 Henry A. Grube, from the following

facts. Deponent is informed by George F.
Munro, an ^{with} employee of the firm of
Lefft, Weller & Company that at the time and
place aforesaid he paid to said Grube the
said money in settlement of a bill due to
this deponent from said firm and received therefor
from said Grube a receipt whereof a copy
is hereto annexed marked Exhibit A and the original
whereof is in the possession of said firm at No
302 Broadway in said city. At the time when
said money was paid as aforesaid said Grube
was in charge of deponent's business in the office at same

Sworn before me this day of

Police Justice.

188

1162

of deponent and received said money by virtue of his employment by deponent and for deponent's account. Said money, nor any part thereof, has never been paid over to deponent nor entered upon the Cash Book of deponent's business where all sums of money received for deponent in the course of business should be entered; but said Loubé has withheld the same and converted it to his own use. Wherefore deponent prays that said Henry A. Loubé may be arrested and dealt with as the law directs.

Sworn to before me this

2^d day of February 1884

M. Patterson
Police Justice

Louis Rossignol

NEW YORK,)

George F. Murfatoryd
Talents

aged 15 years, occupation of No.

346 West 17th Street, New York City, being duly sworn deposes and

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

Sworn to before me, this 2^d day of February 1884

George F. Murfatoryd

M. Patterson
Police Justice.

115

District Police Court.

AFFIDAVIT - Larceny.
THE PEOPLE, &c.,
ON THE COMPLAINT OF
Louis Rossignol
vs.
Henry A. Loubé

Dated February 2^d 1884
Patterson Magistrate.

Officer.

WITNESSES:

DISPOSITION

1163

Sec. 151.

Police Court 2^d District.

CITY AND COUNTY } ss. *In the name of the People of the State of New York; To the Sheriff of the County*
OF NEW YORK, } *of New York, or to any Marshal or Policeman of the City of New York, GREETING :*

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by Thomas J. Brennan

of No. 225 Broadway Street, that on the 14 day of Decr

1883 at the City of New York, in the County of New York, was feloniously taken, stolen and
carried away from the possession of said complainant Bills
or notes, good and lawful money of the United States and
silver and other coins, good and lawful money of the
United States of various denominations and values, to-wit:
the value of Eighty-three dollars and thirty seven cents and
that said money was so taken by one Henry J.
Leahy

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

These are, Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant, and bring him forthwith before me, at the 2^d District Police Court, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 14 day of February 1884

John Patterson POLICE JUSTICE.

1164

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF*Louis Bossignot*

vs

Henry A. Grube

Warrant-General.

Dated *Feb 2* 1884*White*

Magistrate.

Nixon

Officer.

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

Wm B. Nixon

Officer.

Dated *February 2* 1884

This Warrant may be executed on Sunday or at
night.

Police Justice.

REMARKS.

Time of Arrest, *February 2: 1884*

Native of

Prussia

Age,

33

Sex,

Complexion,

Color,

White

Profession,

clock

Married,

Yes

Single,

Read,

Yes

Write,

*Yes**Hoboken New Jersey*

1165

Sec. 198-200

2

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Henry A. Gruber 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.

Henry A. Gruber

Question. How old are you?

Answer.

33 years of age

Question. Where were you born?

Answer.

Holland

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

Answer.

Hoboken New Jersey

Question. What is your business or profession?

Answer.

Book Keeper

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. That is
all I have to say.
Henry A. Gruber*

Taken before me this

day of

Sept 3 1884

Police Justice.

1166

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 _____

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

Dated *February* _____ 188 _____ *Andrew J. Wells* Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

1167

No 76

1089

Police Court

District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Louis Rossignol
10823 Broadway

Henry A. Gruber

Office of Marshal & Clerks

BAILED,

No 1, by

Charles Smiller

Residence

28 South Fifth Ave.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

The Justice holding
Court in my absence
will please hear &
determine the petition
Case.
July 3/84 J.M.P.

Dated

January 2nd

188

4

Patterson

Magistrate.

Vigon

Officer.

Cont

Precinct.

Witnesses

No.

Geo. F. Murgatroy
J.H. West

Street.

No.

C.B. Rich. 326 Broadway
Feb 3rd

Street.

No.

9 1/2 A.M. Adj'd. to
July 4/84 9 1/2 A.M.

Street.

The
dependant being unable
to answer
to appear in Court.

off. over to w. of Court

OF THE CITY AND COUNTY OF NEW YORK.

against

Henry A. Guntz

Denny A. Guntz

The said Henry A. Guntz

~~\$~~8337

Three promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars each; Five promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of ten dollars, and of the value of ten dollars each; Ten promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five dollars, and of the value of five dollars each; Ten promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of two dollars, and of the value of two dollars each; Ten promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one dollar, and of the value of one dollar each; Three promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty dollars each; Five promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of ten dollars each; Ten promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars each; One promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of two dollars —; One promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of one dollar, and silver coin of a

under kind and denomination to the
Grand Jury aforesaid unknown of
the value of three dollars

of the goods, chattels, and personal property of one

Louis Rossignol

then and there being found.

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.

PETER B. OLNEY.

JOHN McKEON, District Attorney.

1169

BOX:

128

FOLDER:

1344

DESCRIPTION:

Gustello, Joseph

DATE:

02/26/84



1344

1170

BOX:

128

FOLDER:

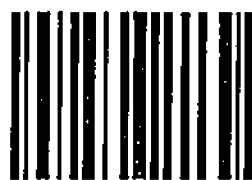
1344

DESCRIPTION:

Martin, Josie

DATE:

02/26/84



1344

Witnesses:
Mary Ann Johnson
George J. Hart,
Geo. J. Hart & Co.

A number of other
Ambassadors of
Love of Brotherhood
from Boston have
by them =
Women the worst
she has travelled
next other men
now in U.S. -

NO 267

Counsel,

Filed 26 day of Feb 1884

Pleads Indigently

THE PEOPLE
vs.
Joseph L. Russell
and
Loris Martin
Burglary in the THIRD DEGREE,
Grand Larceny, and Receiving Stolen Goods,
(Sections 10, 509, 523, 531, and 530.)

PETER B. CLNEY,
Attorney at Law,
WHEELER H. PECKHAM,

In the 3/4 District Attorney.
Not Pleaded by L.
No 2, tried & convicted & L. 20
A True Bill.
C. H. C. C.

Foreman.
No 1. 4 1/2 years
at 2, 3, 4, 5 years
at 1

1172

Police Court—First District.City and County }
of New York, } ss.:of No. 214 Elizabeth Street, aged 40 years,occupation Cloakmaker being duly sworndeposes and says, that the premises No 214 Elizabeth Street,
of the 14th Ward in the City and County aforesaid, the said being a brick building.The southerly half of the 3rd floor ofand which was occupied by deponent as a dwellingand in which there was at the time no human being, by namewere BURGLARIOUSLY entered by means of forcibly removing the
fan light over the door leading into deponent's
bed roomon the 7th day of February 1884 in the day time, and the
following property feloniously taken, stolen, and carried away, viz:

☒ One brocaded cloak of the value of forty dollars
☒ Five Cloth Cloaks of the value of twenty dollars
☒ One brown silk dress of the value of seven dollars
☒ Two Muslin sheets of the value of five dollars
☒ One pair of shoes of the value of two dollars and a half
☒ One white spread of the value of one dollar
☒ Two Towels of the value of twenty five cents
☒ Two rings of imitation gold of the value of two dollars and a half
☒ One basket of the value of fifty cents; in all of
 the value and amounting to Seventy eight 75 Dollars
 the property of Deponent

and deponent further says, that she has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen, and carried away byJoseph Gustella, And Josie Martini

for the reasons following, to wit: that deponent is informed by
officer James J. Heart of the 14th Precinct Police
that he found a portion of the aforesaid ^{described} property to
wit; one ring and one basket at premises No 220
Warick street, said city, which premises were occupied
by defendants. That said ring and basket has been
fully identified by deponent as being a portion of
said stolen property. Mary Ann Johnston

Deponent to be sworn in
 this 20th day of February 1884
 J. P. O'Connell
 Police Justice

1173

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 35 years, occupation James J. Hart
Officer of the 14th Precinct Police of No.

Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Mary Ann Johnston
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 20
day of February 1884

James J. Hart

[Signature]
Police Justice.

1174

Sec. 198-200

CITY AND COUNTY OF NEW YORK,

First District Police Court.

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

Question. What is your name?

Answer. *Josie Martin*

Question. How old are you?

Answer. *22 years*

Question. Where were you born?

Answer. *Staten Island*

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

Answer. *220 Varick Street, New York, nearly a week*

Question. What is your business or profession?

Answer. *Paper box maker*

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*

Josie her Martin
mark

Taken before me this *22*
day of *December* 1935
[Signature]
Police Justice.

1175

Sec. 198-200

CITY AND COUNTY }
OF NEW YORK, } ss.

First District Police Court.

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

Question. What is your name?

Answer.

Joseph Costello

Question. How old are you?

Answer.

25 years

Question. Where were you born?

Answer.

New York City

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

Answer.

220 Marck Street, two weeks

Question. What is your business or profession?

Answer.

Nickle plater

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

Joe Costello

Taken before me this *20*
day of *April* 19*20*
John J. [Signature]
Police Justice.

1176

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 Joseph Gustello and

Josie Martin

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

Dated February 20 188

[Signature] Police Justice.

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

Dated _____ 188

Police Justice.

There being no sufficient cause to believe the within named _____

_____ guilty of the offence within mentioned, I order h to be discharged.

Dated _____ 188

Police Justice.

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Police Court *First* District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Mary Anna Johnston
214 W. Elizabeth St.

1 *Joseph Gusella*
2 *Josie Martin*
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 20* 189 *✓*

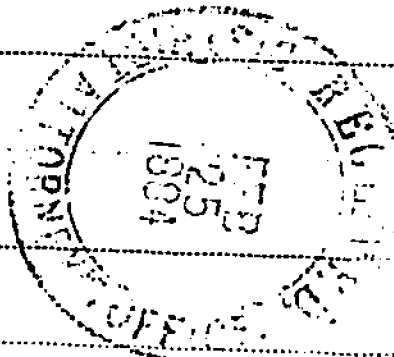
Duffy Magistrate.
James J. Hart Officer.
14 Precinct.

Witnesses *James J. Hart*
14 Precinct Police Street.

No. Street,

No. Street.

\$ *1000* to answer *Q* Sessions.
C each



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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

Joseph Cusella
and
Josie Martin

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

Joseph Cusella and
Josie Martin
of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said Joseph Cusella and
Josie Martin

late of the ~~Fontenay~~ Ward of the City of New York, in the County of New York
aforesaid, on the ~~seventh~~ day of ~~February~~ in the year of our Lord one
thousand eight hundred and eighty-~~four~~, with force and arms, about the hour
of ~~twelve~~ o'clock in the ~~day~~ time of the same day, at the Ward,
City and County aforesaid, the dwelling house of

Mary A. Johnston

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 Mary A. Johnston~~
in the said dwelling house 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.

SECOND COUNT.

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

Joseph Cyrille and Josie Martin

of the CRIME OF GRAND LARCENY IN THE ~~Second~~ DEGREE, committed as follows:

The said *Joseph Cyrille and Josie Martin*

late of the Ward, City and County aforesaid, afterwards, to wit, on the said ~~Seventh~~ day of ~~February~~ in the year of our Lord one thousand eight hundred and eighty-~~four~~ at the Ward, City and County aforesaid, in the

~~day~~ time of said day, with force and arms, ~~three~~ *three* ~~cloaks~~ *cloaks* of the value of thirty dollars each, one dress of the value of seven dollars, two sheets of the value of three dollars each, one pair of shoes of the value of three dollars, one spread of the value of one dollar, two towels of the value of fifteen cents each, two finger rings of the value of one dollar and twenty five cents each, and one basket of the value of fifty cents

of the goods, chattels, and personal property of one *Mary A. Johnston* in the dwelling house of

the said Mary A. Johnston

there situate, then and there being found, in the dwelling house 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.

THIRD COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said *Joseph Gussella and Josie Martin* of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said *Joseph Gussella and Josie Martin*, _____

late of the Ward, City and County aforesaid, afterwards, to wit: on the said *Seventh* day of *February* in the year of our Lord one thousand eight hundred and eighty-*four* with force and arms, at the Ward, City and County aforesaid, *one ring of the value of one dollar and twenty five cents, and one basket of the value of fifty cents*

of the goods, chattels and personal property of *Mary A.*

Johnston _____ by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen of the said *Mary A. Johnston*

unlawfully and unjustly did feloniously receive and have (the said *Joseph Gussella and Josie Martin*

then and there well knowing the said goods, chattels and personal property to have been feloniously stolen), 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.

PETER B. OLNEY,
WHEELER H. PECKHAM, District Attorney.

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END OF
BOX