

0009

BOX:

329

FOLDER:

3115

DESCRIPTION:

Graff, George S.

DATE:

11/26/88



3115

307. Bu Sept 11
P. A. Dunnington
H. W. Mason H. D. Ch. D.

Counsel,
Filed 26 day of Nov. 1897
Pleads, *Chinquity*

[Section 522 of S. 537, Penal Code.]

THE PEOPLE

vs.

George S. Snoff

JOHN R. FELLOWS,

District Attorney.

[Signature]

A True Bill.

W. M. Macclay

Foreman.

Jan 20 / 98

Witnesses,

P. A. Dunnington
Caroline Vanderveer

307. Br Sp...
 R. D. Humphreys
 W. Warren H. D. C. D.

Counsel,
 Filed 26 day of Nov. 188
 Pleads, Acquity

THE PEOPLE
 vs.
 George V. Graff

[Section 522 and 530 Penal Code.]

Witnesses,
 P. D. ...
 Caroline ...

JOHN R. FELLOWS,
 District Attorney.
 True Bill.
 Grand Jurors
 Foreman.

Off Sec ...
 Jan 20 / 90
 Paid ... 250

ORIGINAL

0012

PHILIP S. MILLER, General Agent,
CONNECTICUT MUTUAL LIFE INS. CO.
No. 1 WALL STREET,

New York, February 7th, 1890.

Hon. John R. Fellows,
District Attorney,
32 Chambers Street.

My dear Sir:

I am a witness in the case of the "People against George S. Graff." It has been postponed many times and I have never failed to be present in Court when the case was called; but now I am going South for a few weeks in pursuit of health, and as it will be impossible for me to be here, will you kindly see that the case does not come up before April next. I have been subpoenaed at my residence heretofore, and on short notice. Should a subpoena be left there for me in my absence, the servants would not know what to do about it, and I fear my failure to answer it would not be understood by the Court. Therefore I take the liberty of sending you this explanation.

Very truly yours,

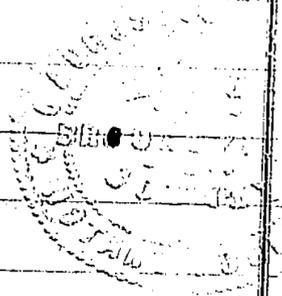
Philip S. Miller

State of New York }
 County of Kings } ss Carrie Underhill being
 duly sworn doth depose and say that she resides
 at 1161 Bedford Avenue, in the City of Brooklyn;
 that she is the daughter of the late Barney
 Graft, who died March 10th 1888, and of Caroline
 Graft, who died on the 3^d day of April 1887,
 that the said Barney Graft left him surviving
 three children, as follows: Carrie Underhill, this
 deponent, George S. Graft and Harry Graft, all
 of whom were the children of Barney Graft
 and Caroline Graft, born in lawful wedlock; that
 the said Barney Graft at the time of his death
 held a Policy of Insurance, in the Connecticut
 Mutual Life Insurance Company, Policy Num-
 ber 136,953; that this deponent is entitled to the
 one third interest in the said Policy and that no
 part of the insurance money due under said
 Policy has ever been paid to her.

sworn to before me this }
 16th day of July 1888 }

Carrie Underhill,

C. August Hartland
 Notary Public
 Kings County, N.Y.



State of New York }
County of New York } ss.

George A. Graff being first duly sworn, deposes and says: That his ~~wife~~ mother Caroline Graff named as the beneficiary in Policy No. 136953 issued by the Connecticut Mutual Life Insurance Company, died April 3d A. D. 1887 leaving surviving her the following named children only:

- Geo. A. Graff aged last birthday 31 Thirty one years.
- Harry Graff " " 18 Eighteen "
- " " " " " "
- " " " " " "
- " " " " " "
- " " " " " "

And deponent further says that no child of said wife has died leaving surviving children.

Signed Geo. A. Graff
18 Charles St. N.Y. City

Subscribed and sworn to before me, at the City of New York County of New York and State of New York

this twenty-second day of March A. D. 1888

Wm. K. Scott Notary Public. # 42
New York County Justice of Peace

Peoples Exhibit
1. Dec. 30/89 W2f.



A Double Bereavement.

The death notices which appear elsewhere this morning of Mrs. Charles N. Emerson and Captain Edward B. Emerson tell the story of a double loss that has come to Mrs. John M. Taylor of this city. Captain Emerson was her brother and Mrs. Emerson was her step-mother, to whom she had been attached from girlhood. Captain Emerson left Williams college at 16 to go to the war, and was promoted to a captaincy for gallantry at Fort Wagner. He died of pneumonia at St. Paul a week ago Saturday, and Mr. Taylor was summoned there at once from Hartford. While he was gone, Mrs. Taylor was called from here to Boston, where Mrs. Emerson was fatally sick also with pneumonia. When Mr. Taylor reached Pittsfield with the body of his brother-in-law, he learned that Mrs. Emerson had also died. The burial of the two took place at Pittsfield on Saturday. They had died of the same disease within a few days of each other, although a thousand miles apart, and neither knew of the illness of the other. The Pittsfield Journal says of Captain Emerson:—

He was a son of Major Charles N. Emerson, who will be remembered as an active member of the Berkshire bar, and as an honored resident of Pittsfield. He was a brother of Mrs. John M. Taylor of Hartford and of Mrs. Walter H. Page of Boston. He left Williams college in his sophomore year to enter the army as a sergeant at the age of 16, and was promoted to a captaincy after the famous and terrible charge on Fort Wagner. Captain Emerson was a man of admirable qualities, whose youthful service as a soldier affords the key to the character of the man. He received a wound in the war which has since caused him, day and night, the greatest suffering, and from which at any time for years it would have been a welcome relief to him to have laid down the burden of life. Yet in all these years he never uttered a complaint, and his cheerful, consistent life has revealed the depth of a loyal nature. Captain Emerson was the nephew of "Josh Billings" and grandson of the Hon. Henry Shaw of Lanesboro, the famous member of congress from this district and the friend of Henry Clay.

Com. 706, 25, 1879

Hartford, Conn., Feb. 25, 1889.

Philip S. Miller, Esq.,
New York, N. Y.

Dear Sir:

The enclosed newspaper slip will explain to you something of my inability to come to New York, to-morrow, to testify in the Graff case. I am worn out with fatigue, and anxiety, and grief; and my wife is ill, and her sister, all at my house; and it is simply impossible, under these circumstances, to give attention to such a matter. This to your dispatch of to-day; and I believe a previous answer had already been sent to Mr. Wells. I hope to take up my duties again to-morrow or next day.

Pardow made

Respectfully yours,

John W. Taylor

The People of the
State of New York
against
George S. Graff

Court of General
Sessions of the Peace
of the City and County of
New York.

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

John M. Taylor, being duly sworn
says:

I am vice-president of the
corporation known as the Connecticut
Mutual Life Insurance Company of
Hartford, and have been vice-presi-
dent of the said company for the
period of six years last past. In
April, 1888, it was a part of my duties
as vice-president of said insurance
company to pass upon the validity of
claims presented against said company
growing out of insurances upon life
made by said company, and, in proper
cases, to direct the payment of said
claims. In the month of March or April,
1888, I received from Philip S. Miller the
Regent of the Connecticut Mutual Life
Insurance Company in the City of New
York the two papers now shown me
and marked respectively "Peoples Exhibit 1

Dec. 30th 1887 W. J. " and Peoples Exhibit 2
Dec. 30th 1887 W. J. " I believed the statements
contained in the two said papers to
be true. Thereafter relying upon my
belief in the truth of the statements
contained in the paper marked
"Peoples Exhibit 1 Dec 30th 1887 W. J. " and
upon April 26th, 1888, I purchased
with the money of the Connecticut
Mutual Life Insurance Company
the draft now shown me and
marked "Peoples Exhibit 3 Dec. 30th 1887
W. J. " and sent the said draft to
the aforementioned Philip S. Miller
in the city of New York to deliver to
said George S. Graft the defendant
above-named ~~It was~~ in payment
of the claim against the said Con-
necticut Mutual Life Insurance Company
by said George S. Graft made under
life insurance policy N^o 136 953
issued by said company. It was
because I believed the statements
contained in the paper herein referred
to as "Peoples Exhibit 1 Dec. 30th 1887 W. J. "
that I sent said draft referred to above
as "Peoples Exhibit 3 Dec 30th 1887 W. J. " and I
would not have sent the same.

as I did had I not believed in the truth of said statements. At the time of sending said draft as herein before set forth I had also submitted to me the paper now shown and marked "Peoples Exhibit & Dec 30/89 WJ" and this led me to draw

Sworn to before me
this 30th day of December
1889. } John M. Taylor

It is hereby stipulated and agreed by and between counsel for the respective parties hereto that the foregoing and annexed statements of John M. Taylor be read upon the trial of this action with the same force and effect as if the said John M. Taylor was called, sworn and duly testified as in said statements.

Dec. 30th 1889. John R. Fellows
District Attorney
J. M. Well
for Livingston Allcott
Deft's atty's

That no action has been brought against the Connecticut Mutual Life Insurance Company by any person at any time to recover any money alleged to be due on ~~said~~ ^{No. 136956} policy, and that any payments made upon said policy to any other person than George S. Graff was paid by said Connecticut Mutual Life Insurance Company voluntarily ~~or~~ or upon advice of counsel after the criminal proceedings were begun against said George S. Graff

John M Taylor

District Attorney's Office.

PEOPLE

vs.

Carolina G. aff'd April 3/87
Barney " d lldr 10/88

hus &c. resided with
parents till June 27/83

Geo. G. aged 31 yrs.
Harry G. aged 18 yrs.

Saw dept - must die in
April 1888

Affidavit presented
ltdr 22/88

Draft given
April 27/88

District Attorney's Office.

PEOPLE

vs.

George S. Graff

"

Send to Drexel

Morgan & Co and
ask someone
who of his own
knowledge can
swear that a certain
draft in form following
was paid.

"Connecticut Trust and
Safe Deposit Company,
\$1,500.

Pay to the order of George S.
Graff and George S. Graff,
Guardian, fifteen hundred
dollars.

To Messrs. Drexel Morgan & Co.
New York City

#665 2 U. H. Whipple,
President

District Attorney's Office.

Off Dec. Term -
PEOPLE *W.S.J.*
vs.

George S. Graff.

Caroline Underhill
Frank L. Underhill
1161 Bedford Ave.
Brooklyn.

Service Personal
For Dec. 13th Part 2.

W.S.J.
Dec. 12th Part 2
Other witnesses
procured by the
complainant.

Office of Platt & Bowers,

JAMES N. PLATT,
JOHN M. BOWERS,
B. AYMAR SANDS.

Attorneys at Law,

52 & 54 William Street,

Box 83, Post Office.
Telephone, 315 Law.

New York, N.Y. 188

not troubled you heretofore, as we were quite willing to leave the matter open to your reasonable convenience, but the warrant was granted for a cause which justifies an indictment and trial, and we expect to see both had at your hands, as we feel confident that it will be the case when this letter is brought to your attention.

Respectfully Yours,

Platt & Bowers

Office of Platt & Bowers,

JAMES N. PLATT,
JOHN M. BOWERS,
B. AYMAR SANDS.

Attorneys at Law,

52 & 54 William Street,

Box 83, Post Office.
Telephone, 315 Law.

New York, Novem. 14. 1888.

Hon. John R. Fellows,
District Attorney.

Dear Sir;

The papers in the matter entitled
People vs. Graff were sent to your office from
the Tombs on the 27th of July last.

We have frequently asked that the
matter be laid before the Grand Jury and an
indictment found. To-day, our Managing Clerk
was informed by one of your employees, that no
indictment had been found, though ~~we~~^{he} thought the
matter had been before the Grand Jury, and that
he did not think any indictment would be found.

We presume that your clerk was in
error in supposing that the matter was before the
Grand Jury, as we know that proper witnesses have

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New York, (p 2) 188

not been subpoenaed to attend before the Grand Jury. We hope also that he is in error in supposing that no indictment will be found.

We now give you the names of the witnesses, which we presume are on the papers you have.

Philip S. Miller, whose office address is N.º 1 Wall Street, and whose residence is N.º 9 East 48th St. N. Y.

Caroline Underhill, who resides at No. 1161 Bedford Avenue in the City of Brooklyn.

Frank L. Underhill, who resides at No. 1161 Bedford Avenue in the City of Brooklyn.

If for any reason these latter parties have changed their addresses, we can and will easily ascertain their new addresses, but we have not learned of any such change.

We now desire to ask you formally whether you will present this matter to the Grand Jury, or what has been done with it. We have

Office of Platt & Bowers,

JAMES N. PLATT,
JOHN M. BOWERS,
B. AYMAR SANDS.

Attorneys at Law,

52 & 54 William Street,

Box 83, Post Office.
Telephone, 315 Law.

New York, Nov 17 1885

Hon. John A. Fellows.

Dear Sir

We think that you will find the case indexed under People vs. Goff. The beaver found the papers a few days since, and we therefore send him in answer to your letter of yesterday for which we are much obliged

Yours, respectfully

Platt & Bowers

Office of Platt & Bowers,

JAMES N. PLATT,
JOHN M. BOWERS,
B. AVMAR SANDS.

Attorneys at Law,

52 & 54 William Street,

Box 83, Post Office.
Telephone, 315 Law.

New York, Dec. 21. 1888.

Eugene M. Jerome, Esq.
Assistant District attorney.

Dear Sir:

Will you kindly advise us when you propose to dispose of the Graff case. As we stated to you on the day fixed for the trial of this case, we have no belief whatever in the representation made to you as to Mr. Graff's illness by his Counsel.

You recollect, that these papers lay dormant in the District Attorney's Office for many months before indictment was found. His sister has sued the Company and recovered the money fraudulently collected by her brother. The Company naturally ask us why Graff is not tried, and we hope that you will place it in our power to send them a definite answer within a very few days.

Very truly yours, Platt & Bowers

State of New York,

COUNTY OF KINGS,
CITY OF BROOKLYN.

SS.

FORM No. 30.

James Garret of No. *128 Van Ruler Court*
being duly sworn says that he is acquainted with the handwriting of *J. Kilbreth*

the Police Justice, who issued the annexed Warrant and that

the signature to this Warrant is in the handwriting of said *J. Kilbreth James Garret*

Sworn to before me this *7th* day of *July* 188*8*

Andrew Walsh
Police Justice of the City of Brooklyn.

This warrant may be executed in the City of Brooklyn.

Dated this *7th* day of *July* 188*8*
Andrew Walsh
Police Justice.

Sec. 151.

Police Court _____ District. ^A

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by Philip S. Miller of No. Grant St Street, that on the 22^d day of March 1888 at the City of New York, in the County of New York, the following article to wit:

One Cheque

of the value of Fifteen hundred Dollars, the property of The Fire and Marine Insurance Co w as taken, stolen and carried away, and as the said complainant has cause to suspect, and does suspect and believe, by George J. Gray

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and every of you, to apprehend the body of the said Defendant and forthwith bring him before me, at the _____ 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 24 day of July 1888

J. B. Smith POLICE JUSTICE.

Police Court, 1st District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Philip S. Miller

vs.

George S. Graff

Warrant-Larceny.

Dated July 24 1888

Kilbreck Magistrate

Garity Officer.

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

James Garity Officer.

Dated 16 July 1888

This Warrant may be executed on Sunday or at
night.

Police Justice.

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

Dated
30 mo
W
MS
Baker
1888
&
yes

516 Green St N.Y.

Police Justice.

The within named

State of New York
City & County of New York:

Carrie Underhill
being duly sworn deposes and
says that she resides at
No 1161 Bedford Avenue in
the City of Brooklyn and that
she is the wife of Frank L. Underhill
Underhill of the said City.

That she is a daughter of the
late Caroline Graff, wife of
Barney Graff and that the
said Caroline Graff departed
this life on the 3rd day of
April 1887 and that the said
Barney Graff who was the
father of deponent departed this
life on the 10th day of March 1888.

That this deponent had at
the time of the death of the
said Caroline Graff two brothers
living and no sisters. That there
were three children of the
said Caroline Graff who
survived her viz: this deponent-

Geo. P. Graff and Harry Graff
 and that they were all
 born in lawful wedlock.
 That this deponent was born
 at Johnstown Fulton County
 New York on the 27th day of
 February 1855, that her brother
 the said George P. Graff was
 born at the same place December
 14th 1856 and that her brother
 Harry Graff was born in the
 City of Brooklyn June 10, 1869
 or about that year. That
 deponent resided with her
 parents the said Caroline
 Graff and Barney Graff until
 June 27th 1883 which was the
 date of deponent's marriage and
 that her residence at the time
 of her marriage was on the
 corner of Tompkins Avenue &
 Pulaski Street in the City of
 Brooklyn. That the policy of
 insurance upon the life of
 deponent's father Barney Graff

Numbered 136953 in the Connecticut Mutual Life Insurance Company was in the possession of the said Barney Graff at the time of his death. It was afterwards in the possession of defendant Brothers the said George S. Graff. That while defendant's father was living it was for some time in defendant's possession. Defendant has been shown an affidavit made by her brother George S. Graff before ~~William~~^{Wm} K. Scott a Notary Public of New York County and dated March 22, 1888. That she recognizes the signature to the said affidavit as that of her Brother George S. Graff. That the statement in the said affidavit in the following words viz: "That his mother Caroline Graff named as the beneficiary in Policy No 136953 issued by the Connecticut

Mutual Life Insurance
 Company died April 3rd A.D.
 1887 leaving surviving her
 the following named children
 only Geo. D. Graft aged last
 birthday 31 years, Harry Graft
 aged last birthday 18 ~~years~~
 is false. in that the said
 Caroline Graft left her surviving
 this deponent as one of her
 children. That the said Geo.
 D. Graft always recognized
 deponent as his sister and
 that deponent saw him last
 about the last of April 1888
 and that she had seen
 him twice or three times between
 the date of the death of
 deponent's father viz March
 10, 1888 and March 22, 1888
 the date when the said Graft
 made the aforesaid affidavit
 Sworn to before me
 this 20th day of July 1888
 Carrie Underhill
 William C. Bowers
 Notary Public, N. Y. Co.

From before me
 Geo. D. Graft
 1888
 William C. Bowers
 Notary Public

STATE OF CONNECTICUT :
County of *Hartford* : ss:
:

John W. Taylor being duly sworn, deposes
and says:

That he resides at *Hartford in the State of Connecticut*

and is the *Vice President* of The Connecticut Mutual
Life Insurance Company, a corporation organized under the
Laws of the State of Connecticut and doing business at
the City of Hartford in said State, and elsewhere.

That on the 22nd day of March, 1888, one George
S. Graff, at the City of New York, did then and there,
with intent feloniously to cheat and defraud the said
The Connecticut Mutual Life Insurance Company, and for
the purpose of obtaining from the possession of said The
Connecticut Mutual Life Insurance Company, by false re-
presentation, a certain sum of money to wit, the sum of
Five hundred dollars (\$500), did then and there feloni-
ously, unlawfully and designedly pretend and represent
to the said The Connecticut Mutual Life Insurance Company
and its officers a certain false writing for the purpose
of collecting and receiving from the said The Connecti-
cut Mutual Life Insurance Company the sum of Five hundred
dollars (\$500), as aforesaid, by means of the facts, cir-
cumstances and acts hereinafter set forth.

That the said The Connecticut Mutual Life In-
surance Company had theretofore issued its certain policy

numbered 136,953 on the 18th day of November, 1875, whereby it insured the life of one Barney Graff of Johnstown, County of Fulton, State of New York, in the sum of Fifteen hundred Dollars (\$1,500) and delivered the same to the said Barney Graff, which policy was issued for the sole use and benefit of Caroline Graff, the wife of the said Barney Graff; and by the terms of said policy, the sum so insured was to be paid to the said Caroline Graff or her legal representatives, within ninety days after due notice and satisfactory evidence of the death of the insured, Barney Graff; or if the said Caroline Graff should not be living at the time of the death of the said Barney Graff, then the said sum insured was, by the terms of the said policy, expressly made payable to the children of the said Caroline Graff, or their guardian, if under age.

That at the date aforesaid, to wit, the 22nd day of March, 1888, the said George S. Graff presented the said policy to Philip S. Miller, the agent of the said The Connecticut Mutual Life Insurance Company at the City of New York, together with an affidavit, duly signed and verified by him, in the words and figures following:

"STATE OF NEW YORK :
 City and County of New York :ss:
 :

George S. Graff, being first duly sworn, deposes and says:

PA 75 FURNISHING THE TITLE OF THIS POLICY SHOWN ON THE POLICY

That his mother, Caroline Graff, named as the beneficiary in policy numbered 136,953, issued by the Connecticut Mutual Life Insurance Company, died April 3rd, 1887, leaving surviving her the following named children only: George S. Graff, age last birthday 31 Years, Harry Graff, age last birthday 18 years.

And deponent further says that no child of said wife has died leaving surviving children.

(Signed) George S. Graff,
18 Charles Street,
New York City.

Subscribed and sworn to before me at the City of New York, County of New York and State of New York this 22nd day of March, A. D., 1888.

W. M. K. Olcott,
Notary Public, (42)
N. Y. Co."

That at the time of the presentation of said affidavit, to wit, the 22nd day of March, 1888, the said George S. Graff also delivered to the agent of this Company at the City of New York, Philip S. Miller, proof of death of the insured, Barney Graff, in accordance with the provisions of the policy, and thereupon, as appears by the affidavit of the said Philip S. Miller, he duly forwarded the said proof of death and the said hereinabove recited affidavit to the said The Connecticut Mutual Life Insurance Company at the City of Hartford, and the said documents were received by deponent.

DEPOSED BY THE COURT IN THE MATTER OF THE ESTATE OF CAROLINE GRAFF

That among the other duties performed by deponent as the *Vice President* of The Connecticut Mutual Life Insurance Company, is the examination of applications for payments of policies and the determination of the question whether the proofs of death and of ownership are sufficient to entitle ~~X~~ the applicant to payment.

That deponent duly examined said proof of death and the said affidavit hereinabove set forth, and believed the statements therein contained, and so believing the said representation made by the said Graff, that the said Caroline Graff left as her surviving children only the said George S. Graff and Harry Garff, and being deceived thereby, was induced, by reason of said false pretences and representations so made, to cause to be written out and delivered to the said Philip S. Miller, agent for the said The Connecticut Mutual Life Insurance Company, at the City of New York, for the purpose of delivering the same to the said George S. Graff, a draft or instrument in writing in the words and figures following:

"CONNECTICUT TRUST AND SAFE DEPOSIT COMPANY.

\$1,500

Pay to the order of George S. Graff & George S. Graff, Guardian, Fifteen hundred dollars .

To Messrs. Drexel, Morgan & Co.,
New York City.

No. 6652."

W. H. Whipple President

Which draft was duly signed by the President of the said Connecticut Trust and Safe Deposit Company.

That in order to obtain the said draft, this deponent caused to be paid the said Connecticut Trust and Safe Deposit Company the sum of Fifteen hundred dollars (\$1,500), being the sum of the face thereof.

That as deponent is informed and believes, the said draft was duly delivered by the said Philip S. Miller, agent as aforesaid at the City of New York of the said The Connecticut Mutual Life Insurance Company, to the said George S. Graff, on the 27th day of April, 1888, at New York City, and he thereupon collected the said draft of the drawee and received the full Fifteen hundred dollars (\$1,500) represented thereby.

~~That the said draft was immediately thereafter delivered by the said firm of Drexel, Morgan & Co., the drawees thereof, to the drawers, and by them delivered over to deponent.~~

That the moneys so paid out and received by the said George S. Graff were the proper moneys of the said The Connecticut Mutual Life Insurance Company, and were paid over to him in reliance upon the statements contained in his aforesaid affidavit, that he and his brother Harry Graff were the only children of the said Caroline Graff.

That the said draft so drawn as aforesaid was drawn in favor of the said George S. Graff and George S.

✓ Graff, Guardian; and this deponent, believing ^{ed} the representations made by the said George S. Graff to be true, and that he was entitled to receive individually one half of the amount due on said policy, and as Guardian for his brother the remaining half.

✓ That as deponent is informed and believes, in fact and in truth, the pretences and representations so made as aforesaid in the aforesaid affidavit of the said George S. Graff, that Harry Graff and the said George S. Graff were the only children of the said Caroline Graff, is wholly false and untrue, and that the fact is that the said Caroline Graff left her surviving three children, to wit, the said ^e George S. Graff, the said Harry Graff, and one Caroline Underhill, the wife of Frank L. Underhill, and who resides at No. 1,161 Bedford Avenue, in the City of Brooklyn and State of New York; and the said Caroline Underhill, as one of the children of the said Caroline Graff surviving her, was entitled to the full one third part of the aforesaid sum of Fifteen hundred dollars (\$1,500), all of which more fully appears by the affidavit of the said Caroline Underhill submitted herewith and made a part of this information; and that in fact and in truth the said George S. Graff well knew the said pretences and representations by him made as aforesaid to the said The Connecticut Mutual Life Insurance Company and its agent at the City of New York were utterly false and untrue at the time of making the same.

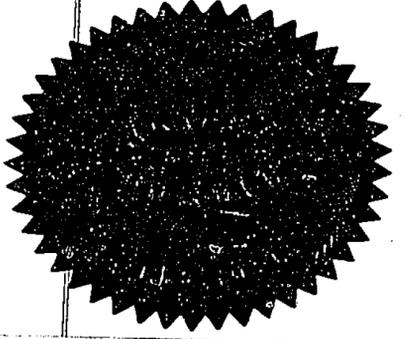
That the said George S. Graff, by means of the false pretences and representations aforesaid, feloniously, unlawfully, knowingly and designedly, did receive and retain from the said The Connecticut Mutual Life Insurance Company the sum of Five hundred Dollars (\$500) of the proper moneys and effects of the said The Connecticut Mutual Life Insurance Company with intent feloniously to cheat and defraud the said The Connecticut Mutual Life Insurance Company of the same, which moneys were so received by him at the City of New York, State of New York.

That as deponent is informed and believes, the said Caroline Underhill was wholly ignorant of the acts of her said brother, the said George S. Graff, in making the aforesaid representations and collecting the Five hundred Dollars (\$500) part of said policy belonging to her; and the said Five hundred Dollars (\$500) so belonging to her was collected by him without her knowledge, assent or authority.

John W. Taylor

*State of Connecticut
County of Hartford*

*Subscribed and sworn to before me
at the City of Hartford in the State of Connecticut
this twenty first day of July. A.D. 1881*



*Miss E. Thompson
Notary Public*

within and for said County, which is a Court of Record, and keeper of the Seal thereof, hereby certify that Charles D. Thompson Esquire, whose name is subscribed to the certificate or proof of acknowledgment of the annexed instrument, was at the time of taking such proof or acknowledgment of the annexed instrument, duly commissioned and sworn, with authority by the laws of this State to administer oaths and take the acknowledgment of deeds and other instruments; that I am acquainted with his handwriting and verily believe that the signature to the said certificate or proof of acknowledgment is genuine, and that said instrument is executed and acknowledged according to the Laws of the State of Connecticut.

IN TESTIMONY WHEREOF, I have hereunto set my hand and the Seal of said Superior Court, at Hartford, in said County and State, on this 21st day of July A. D. 188 8

Frederick G. Hamilton
Clerk

I, Frederick G. Hamilton, Clerk of the County of Hartford, and of the Superior Court of Connecticut, Hartford County, Superior Court, Clerk's Office, ss.

STATE OF NEW YORK, :
City and County of New York, : ss:
:

PHILIP S. MILLER, being duly sworn, deposes and says:

That he resides at No. 9 East 48th Street, in the City of New York, and that he is the General Agent at the City of New York for The Connecticut Mutual Life Insurance Company of Hartford, Connecticut.

That on the 22nd day of March, 1888, one George S. Graff called at deponent's office, No 1 Wall

Street in the City of New York, and presented a certain policy numbered 136,953, *or said that he had the same in his possession* issued on the 18th day of November, 1875 by The Connecticut Mutual Life Insurance Company, whereby it insured the life of one Barney Graff, of Johnstown, County of Fulton, State of New York, in the sum of Fifteen hundred dollars (\$1,500), which policy was issued for the sole use and benefit of Caroline Graff, the wife of the said Barney Graff; and by the terms of the said policy, the sum so insured was to be paid to the said Caroline Graff or her legal representatives within ninety days after due notice and satisfactory evidence of the death of the insured, Barney Graff, or if the said Caroline Graff should not then be living, the sum insured was, by the terms of the said policy, expressly made payable to the children of the said Caroline Graff, or their Guardian, if under age.

That at the same time and place the said George

S. Graff presented to this deponent an affidavit, duly signed and verified by him, in the words and figures following:

"STATE OF NEW YORK :
: ss:
City and County of New York. :

GEORGE S. GRAFF, being first duly sworn, deposes and says:

That his mother, Caroline Graff, named as the beneficiary in policy numbered 136,953, issued by The Connecticut Mutual Life Insurance Company, died April 3rd, 1887, leaving surviving her the following named children only: George S. Graff, age last birthday 31 years, Harry Graff, age last birthday 18 years.

And deponent further says that no child of said wife has died leaving surviving children.

(Signed) George S. Graff,
18 Charles Street,
New York City.

Subscribed and sworn to before me at the City of New York, County of New York and State of New York, this 22nd day of March, A. D., 1888.

W. M. K. Olcott,
Notary Public, (42)
N. Y. Co."

And at the same time and place the said George S. Graff also presented to deponent proof of the death of the insured, Barney Graff, in accordance with the provisions of the said policy.

That thereupon deponent duly forwarded the

aforesaid affidavit of the said George S. Graff, in which he stated that he and his brother Harry Graff were the only children of Caroline Graff, together with the proofs of death submitted by him, to The Connecticut Mutual Life Insurance Company of Hartford, Connecticut.

That thereafter, and on or about the 27th day of *April* 1888, the said The Connecticut Mutual Life Insurance Company of Hartford, Connecticut, duly forwarded to deponent a certain check in the words and figures following:

"CONNECTICUT TRUST AND SAFE DEPOSIT COMPANY.
 \$1,500 *Hartford Conn. April 26. 1888*
 Pay to the order of George S. Graff & George S. Graff, Guardian, Fifteen hundred Dollars.
 To Messrs. Drexel, Morgan & Co.,
 New York City.
 No. 6652."

Which check or draft was duly signed by the President of the said Connecticut Trust and Safe Deposit Company.

That thereupon deponent delivered the said check to the said George S. Graff, and received from him the original policy; and such check was so delivered by this deponent to the said George S. Graff at his office, No. 1 *Wall Street* in the City of New York, on the 27th day of *April* in the year 1888

That thereafter the said George S. Graff duly collected the full amount of the said draft, and said draft is now in deponent's possession, having been delivered up by the drawees after the payment thereof, to ~~The Connecticut Mutual Life Insurance Company, and by them delivered to~~ deponent.

Deponent further says, that he is informed and well believes, that the object of the said George S. Graff in presenting the said affidavit to deponent was to feloniously cheat and defraud The Connecticut Mutual Life Insurance Company aforesaid, and for the purpose of obtaining from the possession of The Connecticut Mutual Life Insurance Company aforesaid, by false representation a certain sum of money, to wit, the sum of Five hundred Dollars (\$500), and that the affidavit hereinabove set out, in which he stated that he and his brother Harry were the only children of the said Caroline Graff, is wholly false and untrue.

That at the time the said George S. Graff presented said aforesaid affidavit to this deponent, it was with knowledge on his part, and with intent that this deponent should send the same to the said The Connecticut Mutual Life Insurance Company, to induce them to pay the entire amount of the aforesaid policy to him, the aforesaid George S. Graff.

That as deponent is informed and well believes, the effect of the said affidavit was to induce the said

The Connecticut Mutual Life Insurance Company to pay the whole amount of the said policy, to wit, the sum of Fifteen hundred Dollars (\$1,500) to the said George S. Graff individually and as Guardian of Harry Graff.

That deponent is informed and well believes the said affidavit was duly examined by the proper officer of the said The Connecticut Mutual Life Insurance Company, who believed the representations made therein by the said George S. Graff, that the said Caroline Graff left as her surviving children only the said George S. Graff and Harry Graff, and being deceived thereby, was induced, by reason of said false pretences and representations so made, to cause to be written out and delivered to deponent the aforesaid check, which deponent delivered to the said George S. Graff.

That deponent is informed and well believes the moneys so paid out and received by the said George S. Graff on the aforesaid check, to wit, the entire Fifteen hundred Dollars (\$1,500), were the proper moneys of The Connecticut Mutual Life Insurance Company, and the same were paid over to him in reliance upon the statements contained in his aforesaid affidavit.

That the grounds of deponent's information and belief as to the matters thus far stated upon information and belief, are representations and statements made to him by *John M. Taylor* one of the officers of The Connecticut Mutual Life Insurance Company, whose

affidavit is attached to this information, and also from the facts hereinabove set out by deponent as within his personal knowledge.

That deponent is informed and well believes that in fact and in truth the pretences and representations so made as aforesaid in the aforesaid affidavit of the said George S. Graff, that Harry and the said George S. Graff were the only children of the said Caroline Graff, are wholly false and untrue, and that the said Caroline Graff has left her surviving three children, to wit, the said George S. Graff, The said Harry Graff, and one Caroline Underhill, the wife of Frank L. Underhill, and who resides at No. 1161 Bedford Avenue, in the City of Brooklyn and State of New York; and the said Caroline Underhill, as one of the children of the said Caroline Graff surviving her, was entitled to the full one third part of the aforesaid sum of Fifteen hundred Dollars (1,500), and in fact and in truth the said George S. Graff well knew the said pretences and representations by him made as aforesaid to the said The Connecticut Mutual Life Insurance Company to deponent were entirely false and untrue at the time of making the same.

That the grounds of deponent's knowledge and information as to this latter allegation, are statements made to deponent by Caroline Underhill, and her affidavit which is attached to and submitted with this information.

And deponent charges the fact to be that by rea-

son of the foregoing, the said George S. Graff feloniously, unlawfully, knowingly and designedly, did receive and retain from the said The Connecticut Mutual Life Insurance Company the sum of Five hundred Dollars (\$500), of the proper monies and effects of the said The Connecticut Mutual Life Insurance Company, with intent feloniously to cheat and defraud the said The Connecticut Mutual Life Insurance Company of the same, which moneys were so received by him at the City of New York, in the State of New York, as aforesaid.

~~Deponent farther says, that he is informed and well believes, by said Caroline Underhill, by her affidavit submitted herewith, that she was wholly ignorant of the acts of her said brother, the said George S. Graff, in making the aforesaid representations and collecting the Five hundred Dollars (500) part of said policy belonging to her; and the said Five hundred Dollars (\$500) so belonging to her was collected by him without her knowledge, assent or authority.~~

Sumner before me this 23 day 17 July 1884
Philip A. Muller
J. Williams
Police Justice

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

George S. Graff 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.

George S. Graff

Question.

How old are you? 3 years

Question.

Where were you born? New York

Question.

Where do you live, and how long have you resided there? 576 Greene Avenue Brooklyn 3 months

Question.

What is your business or profession? None

Question.

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

Answer.

I am not guilty

George S. Graff

Taken before me this

day of

188

Police Justice.

Police Court... District...

THE PEOPLE, &c.,
ON THE COMPLAINT OF

BAILED

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

George S. ...
Offence ...

Dated July 20 1888

Magistrate

Officer

Witnesses

No. 1161 Bedford ave

No. 1161 Bedford ave

No. 1161 Bedford ave

No. 1161 Bedford ave

RECEIVED
JUL 27 1888
CLERK OF THE DISTRICT ATTORNEY

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 10 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 1888 Police Justice.

George O. Graft

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

Dated 1888 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 1888 Police Justice.

day of the commission of the felony and grand larceny hereinafter alleged, to wit, on the 3d day of April, 1887, the said Caroline Graff died, and after the death of the said Caroline Graff, to wit, on the 10th day of March, 1888, the said Barney Graff also died, and upon his death the said sum of fifteen hundred dollars so insured became due and payable, by the terms of the said contract and policy of insurance (within ninety days after such due notice and such satisfactory evidence of the death of the said Barney Graff), to the children of the said Caroline Graff or their guardian if under age.

And the said George S. Graff, late of the City of New York in the County of New York aforesaid, well knowing the premises, afterwards, to wit, on the 27th day of April, in the year aforesaid, at the city and county aforesaid, with intent to deprive and defraud the said corporation of the proper moneys, goods, chattels and personal property hereinafter mentioned and of the use and benefit thereof and to appropriate the same to his own use, then and there feloniously and fraudulently did falsely pretend and represent to the said corporation--

That his mother, the said Caroline Graff, such beneficiary as aforesaid in the said contract and policy of insurance, left surviving her the following named children only, to wit, himself the said George S. Graff, aged last birthday thirty-one years, and Harry Graff, aged last birthday eighteen years, of whom he the said

George S. Graff was the guardian, and that they the said George S. Graff and Harry Graff were then jointly justly entitled to receive from the said corporation the said full sum of fifteen hundred dollars so insured by the said policy and contract of insurance.

George S. Graff was the guardian, and that they the said George S. Graff and Harry Graff were then jointly justly entitled to receive from the said corporation the said full sum of fifteen hundred dollars so insured by the said policy and contract of insurance.

And the said corporation then and there believing the said false and fraudulent pretenses and representations so made as aforesaid by the said George S. Graff, and being deceived thereby, was induced by reason of the false and fraudulent representations aforesaid to deliver and did then and there deliver to the said George S. Graff a sum of money, to wit, the sum of fifteen hundred dollars in money, lawful money of the United States of America and of the value of fifteen hundred dollars, and one written instrument and evidence of debt, to wit, a ~~signed~~ ^{certain} order for the payment of money of the kind commonly called cheques, drawn by the said corporation upon a certain copartnership doing business in the said City of New York in and by the firm name and style of Drexel, Morgan and Company, and addressed to them by the name and description of "Messrs Drexel, Morgan & Co." and directing them to pay to the order of George S. Graff & George S. Graff, guardian, fifteen hundred dollars, the same bearing date April 26th, 1888, and being then and there due and wholly unsatisfied and of the value of fifteen hundred dollars, of the proper moneys, goods, chattels and personal property of the said corporation.

...suffered to receive from the said corporation

...the said corporation by color and by aid of the

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

Whereas, in truth and in fact, the said Caroline Graff did ^{not} leave surviving her the said above named children only, to wit, the said George S. Graff and the said Harry Graff, but in truth left surviving her another child, to wit, one Carrie Underhill, and they the said George S. Graff and Harry Graff were not then jointly justly entitled to receive from the said corporation the said full sum of fifteen hundred dollars so insured as aforesaid, but were each then only entitled to a one-third interest in the said sum insured, and the said Carrie Underhill was likewise then justly entitled to a one-third interest in the same sum.

And whereas, in truth and in fact, the pretenses and representations so made as aforesaid by the said George S. Graff to the said corporation were then and there in all respects utterly false and untrue, as he the said George S. Graff at the time of making the same then and there well knew.

And so the Grand Jury aforesaid do say that the

George S. Graff, off the ...
...
...

said George S. Graff in manner and form aforesaid and
by the means aforesaid the said proper moneys, goods,
chattels and personal property of the said corporation
then and there feloniously did steal: against the form
of the statute in such case made and provided, and
against the peace of the People of the State of New
York and their dignity.

JOHN R. FELLOWS,
District Attorney.

0058

BOX:

329

FOLDER:

3115

DESCRIPTION:

Green, Harris

DATE:

11/12/88



3115

POOR QUALITY ORIGINAL

0059

70-July 2
Counsel,
Filed 12 day of Nov 1888
Pleads, Myself 13

THE PEOPLE
vs.
Harris Green
Burglary in the THIRD DEGREE
(Section 498, 506, 518, 531 and 550)

JOHN R. FELLOWS,
District Attorney.

A True Bill.

Wm. Macleay
Sheriff
John H. C. J.
Elmira Ref. P.B.M.

Witnesses:
Annie Kaufman
17 Allen St.

POOR QUALITY ORIGINAL

0050

Police Court— 3 District.

City and County of New York, ss.

of No. 17 Allen Street, aged 25 years, occupation Housekeeper being duly sworn

deposes and says, that the premises No. 53 Allen Street, 10th Ward

in the City and County aforesaid the said being a five story brick

tenement house, the first

floor of which was occupied by deponent as a dwelling

and in which there was at the time no human being, by name _____

were **BURGLARIOUSLY** entered by means of forcibly breaking

the front room door fastenings

on the 29 day of October 1888 in the Day time, and the

following property feloniously taken, stolen, and carried away, viz:

Twenty Dollars in Cash,

And wearing apparel of

the value of Sixty Dollars

all of the total value

of Seventy Five Dollars

(\$75.)

the property of Deponent

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid

BURGLARY was committed and the aforesaid property taken, stolen and carried away by

Harry Green (now here)

for the reasons following, to wit: At 11 o'clock a m

on the morning of said date

deponent locked, bolted and

effectually closed said premises.

At about eight o'clock

on the morning of said date

deponent found said room

door fastenings broken and

said property gone, and as a

POOR QUALITY ORIGINAL

0051

part of said property was found in the possession of said Defendant, Defendant now charges said Defendant with Burglariously entering said premises and taking, stealing and carrying away said property and prays that he be dealt with as the Law directs

Sworn to before me this 10th day of Nov 1888
Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Hundred Dollars and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.
Dated 1888
I have admitted the above named to bail to answer by the undertaking hereto annexed.
Dated 1888
There being no sufficient cause to believe the within named guilty of the offence within mentioned, I order he to be discharged.
Dated 1888
Police Justice.

Police Court, District
THE PEOPLE, vs.,
on the complaint of
vs.
1
2
3
4
Dated 1888
Magistrate.
Officer.
Clerk.
Witnesses, No. Street, No. Street, No. Street, to answer General Sessions.

POOR QUALITY ORIGINAL

0062

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Harris Green 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. *Harris Green*

Question. How old are you?

Answer. *18 years of age*

Question. Where were you born?

Answer. *Russia*

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

Answer. *I have no home*

Question. What is your business or profession?

Answer. *Laborer*

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

Answer. *I am not guilty*
Harris Green
mark

Taken before me this

day of

[Signature]

Police Justice.

POOR QUALITY ORIGINAL

0053

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

Police Court...
 District...
 1930

THE PEOPLE &c.
 ON THE COMPLAINT OF

James Campbell
217th Street
Manhattan

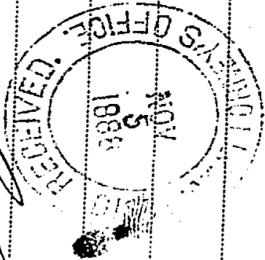
1
 2
 3
 4
 Offense _____
 Date _____ 188

James Campbell
 Magistrate
Robert
 Officer
 Precinct _____

Witnesses
 No. _____ Street _____

No. _____ Street _____

No. _____ Street _____
 to answer
 \$ _____



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

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 *Nov 1* 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

POOR QUALITY
ORIGINAL

0064

Harris Green
age 10
Born Russia
Res by Choyatin
Capt. Taylor
Single
Parents Living
Res by Choyatin

DEPOSIT YOUR SECURITIES
IN THE
STATE SAFE DEPOSIT VAULT
35 WILLIAM STREET, NEW YORK.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Haris Green

The Grand Jury of the City and County of New York, by this indictment, accuse *Haris Green* —

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

The said *Haris Green*,

late of the *South* Ward of the City of New York, in the County of New York aforesaid, on the *29th* day of *October*, in the year of our Lord one thousand eight hundred and eighty-*eight*, with force and arms, in the *day* time of the same day, at the Ward, City and County aforesaid, the dwelling house of one *Annie Kaufman* —

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 *Annie Kaufman* —

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.

POOR QUALITY ORIGINAL

0066

SECOND COUNT—

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

— Harris Green —

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

The said *Harris Green,*

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

did unlawfully and feloniously steal, take and carry away, of and from the said Annie Kaufman, of the value of sixty dollars, and the sum of fifteen dollars in money, lawful money of the United States and of the value of fifteen dollars.

of the goods, chattels, and personal property of one *Annie Kaufman,*

in the dwelling house of the said *Annie Kaufman.*

there situate, then and there being found, from 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

Samis Green —

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

The said *Samis Green,*

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

Samis attired in a dark suit and wearing apparel of a number and description to the Grand Jury aforesaid unknown, of the value of sixty dollars, and the sum of fifteen dollars in money, lawful money of the United States and of the value of fifteen dollars,

of the goods, chattels and personal property of *Annie Kaufman,*

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen from the said *Annie Kaufman,*

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

Samis Green, —

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.

JOHN R. FELLOWS,
District Attorney.

0068

BOX:

329

FOLDER:

3115

DESCRIPTION:

Griffin, Charles

DATE:

11/16/88



3115

POOR QUALITY ORIGINAL

0069

102-

Hempman

Counsel,

Filed, 16

day of

188

Pleas,

Charles Griffin

THE PEOPLE

vs.

·FRAUDULENT REGISTRATION.
[Comp. 410, Laws of 1882, § 1908.]

PI

Charles Griffin

W. G. Brown
Attorney

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Walter Macclay

Foreman.

Charles Griffin

S. P. & Mrs. H. M. M. P. M.

Witnesses:

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

Verdict of General Sessions.

The People

v.

Charles Griffin

Violation of Election Laws

Illegal Registration

Thomas Dolan, officer, 15th precinct, found defendant's name on the registration list of the 18th election district, 9th Assembly District, his residence given as 358 ^{a lodging house} Brewery. On inquiry at said place, witness was informed by John M. Piel that the defendant had stopped at said house on the 9th, 10th, 11th, 12th and 13th of October last, did not call there again until the 26th of October last, and since then has not shown up again. Mr. Piel is the night clerk of said house and giving the said information he referred to the register of the house. The defendant was arrested when he attempted to vote, upon a warrant pre-

vicariously sworn out by the witness

John M. Piel, 358 Downey,
night clerk of lodging house
in said premises. The de-
fendant slept there on the
4th, 10th, 11th, 13th and
26th of October, 1888. I did
not see him after the
last named day. He claims
that he was at the said
house on the night before
election and occupied room
109, but said room was
emptied ^{for the night} having
been rented ^{by another} person.
In the Police Court
he told the Judge that he
had lived at said house
for six consecutive weeks
previous to election.

John Cunningham, patrolman
15th precinct. ~~He~~ ^{attempted to vote} the
defendant ~~at~~ and thereupon
I arrested him on a warrant
procuredly obtained.

**POOR QUALITY
ORIGINAL**

0072

COURT OF GENERAL SESSIONS

THE PEOPLE, &c.

vs.

Charles Griffin

BRIEF OF FACTS.

For the District Attorney.

Deputy
Nov. 13 1888
Edward Grove

Deputy Assistant

POOR QUALITY ORIGINAL

0073

City and County of New York, ss.:

Police Court, 2 District.

Thomas Dolan

of 15th Precinct Police Street, aged 24 years, being duly sworn, deposes and says, that on the 26 day of October 1888

at the City of New York, in the County of New York, the same being a day duly appointed by law as a day for the general registration of the qualified voters of said city and county, Charles Griffin did personally appear before the Inspectors of Election of the 18th Election District of the 3rd Assembly District of the said City and County, at a meeting of the said Inspectors of Election then being held for the purpose of the general registration of the qualified voters of the said city and county, resident in the said Election District, at the duly designated polling place of the said Election District, and did then and there, at the said general registration of voters, feloniously register in the said Election District, not having a lawful right to register therein. He requested money from

358 Broadway

Wherefore deponent prays that the said Charles Griffin may be apprehended and dealt with according to law.

Thomas Dolan

Sworn to before me, this 3 day of Nov 1888

James D. ...
Police Justice.

POOR QUALITY ORIGINAL

0074

Sec. 193-200.

2

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Charles Griffin 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. *Charles Griffin*

Question. How old are you?

Answer. *26 years*

Question. Where were you born?

Answer. *N.S.*

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

Answer. *358 Bowery 3 or 4 months*

Question. What is your business or profession?

Answer. *Eas fitter*

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 a legal voter from 358 Bowery
Charles Griffin*

Taken before me this

day of *August* 188*8*

W. M. ...

Police Justice.

POOR QUALITY ORIGINAL

0075

City and County of New York, ss.:

IN THE NAME OF THE PEOPLE OF THE STATE OF NEW YORK.

To any Peace Officer in the County of New York.

Information upon oath having been this day laid before me that heretofore, to wit: on the 26 day of October in the year of our Lord one thousand eight hundred and eighty eight the same being a day duly appointed by law as a day for the general registration of the qualified voters of the said City and County, one Charles Suffer at the City and County aforesaid, did personally appear before the Inspectors of Election of the 3rd Election District of the 3rd Assembly District of the said City and County, at a meeting of the said Inspectors of Election, then being duly held for the purpose of the general registration of the qualified voters of the said City and County, resident in the said Election District, at the duly designated polling place of the said Election District, and did then and there, at the said general registration of voters, feloniously register in the said Election District, without having a lawful right to register therein.

You are therefore commanded forthwith to arrest the above-named Charles Suffer and bring him before me at the 2 District Police Court, in this City, or, in case of my absence or inability to act, before the nearest or most accessible Magistrate in this County.

Dated at the City and County aforesaid this 27 day of Nov 188 8

J. S. [Signature] Police Justice.

POOR QUALITY
ORIGINAL

0076

Chas Griffen

18-3'

358. Bowery

POOR QUALITY ORIGINAL

0077

*Justice's bond case
Please favor & determine
this within seven
my chambers*

*Walter
McClintock Justice*

BAILED,

No. 1, by _____

Residence _____ Street _____

No. 2, by _____

Residence _____ Street _____

No. 3, by _____

Residence _____ Street _____

No. 4, by _____

Residence _____ Street _____

W
Police Court... 2 1939
District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Samuel Adams

David Griffin

1 _____
2 _____
3 _____
4 _____

offence *Violation
Election Law*

Dated *November 6* 188*8*

Matthews Magistrate

McCormack Officer

1st Precinct

Witnesses *John M. Peck*

No. *558* Street _____

No. *Ed. Murray* Street _____

No. *215 R. P. S.* Street _____

\$ *2000* to answer



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

defendant

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

Dated *Nov 7* 188*8* *John McCormack* 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.

**POOR QUALITY
ORIGINAL**

0078

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

THE PEOPLE OF THE STATE OF NEW YORK,
against

Shades Higgins

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by
this indictment, accuse *Shades Higgins*
of a FELONY, committed as follows:

Heretofore, to wit: on the *26th* day of
October, in the year of our Lord one thousand eight hundred and eighty ~~eight~~ *eight* the
same being a day duly appointed by law as a day for the general registration of the
qualified voters of the said City and County, the said *Shades Higgins*
late of the City and County aforesaid, at the City and County aforesaid, did personally
appear before the Inspectors of Election of the *18th* Election District
of the *5th* Assembly District of the said City and County, at a meeting
of the said Inspectors of Election then being duly held for the purpose of the general
registration of the male residents of the said Election District as then were, or would be
on the day of election next following the said day of registration, (to wit: on the *19th*
day of November, in the year aforesaid, being the Tuesday succeeding the first Monday in
the said month of November, and being the day duly appointed by law for the holding of
a general election throughout the said State, and in the City and County aforesaid), entitled
to vote therein, at the duly designated polling place of the said Election District, and did
then and there, at the said general registration of voters, feloniously and fraudulently
register in the said Election District, not having a lawful right to register therein, in this,
to wit: that the said *Shades Higgins* was not then a male resident
of the said Election District as then was, or on the said day of election next following the
said day of registration would be entitled to vote therein, for the reason that he was not
then, nor would he on the said day of election have been, an inhabitant of the said State
one year next preceding such election, and the last four months a resident of the said
County of New York, and for the last thirty days a resident of the said Election District,
against the form of the statute in such case made and provided, and against the peace and
dignity of the said People.

JOHN R. FELLOWS. District Attorney.

0079

BOX:

329

FOLDER:

3115

DESCRIPTION:

Grogan, John

DATE:

11/26/88



3115

POOR QUALITY ORIGINAL

0080

311

Counsel,
Filed *26* day of *Nov* 188*8*
Pleads, *Maguly-27*

VIOLATION OF EXCISE LAW
(Selling without License.)
[III, R. S. (7th Ed.), page 1981, § 18, and
of 1888, Chap. 340, § 5].

THE PEOPLE

vs.

John Brogan

JOHN R. FELLOWS,

*For Decrt/8 District Attorney.
Transferred by consent to
Cory SS full trial.*

A True Bill.

Wm Macleod

For emch.

S.S.

Witnesses;

Geo. J. Lamy
Erwin Shepherd

7

POOR QUALITY
ORIGINAL

00001

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 Grogan

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

John Grogan

(III. Revised
Statutes [24th
edition] p. 1681
Section 13.)

of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS AND WINES
WITHOUT A LICENSE, committed as follows:

The said

John Grogan

late of the City of New York, in the County of New York aforesaid, on the *fifth*
day of *September* in the year of our Lord one thousand eight hundred and
eighty-*eight*, at the City and County aforesaid, certain strong and spirituous
liquors, and certain wines, to wit: one gill of wine, one gill of brandy, one gill of rum, one
gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale,
one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong
and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, in
quantity less than five gallons at a time, to

one James F. Seery and to
certain *other* persons whose names are to the Grand Jury aforesaid unknown, without
having a license therefor, as required by law, contrary to the form of the Statute in such case
made and provided, and against the peace and dignity of the People of the State of New York.

(Laws of 1883, chapter 340 sec-
tion 5)

SECOND COUNT—

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

John Grogan

of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, ALES, WINE AND
BEER WITHOUT A LICENSE, to be drank upon the premises, committed as follows:

The said

John Grogan

late of the City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, at the City and County aforesaid, and at the premises there situate, known as

number *three hundred and forty-four Water Street*

certain strong and spirituous liquors, and certain ales, wines and beer, to wit: one gill of
wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of
cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of
lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury
aforesaid unknown, unlawfully did sell to

one James F. Seery and to
certain *other* persons whose names are to the Grand Jury aforesaid unknown, to be
drank upon the premises aforesaid, without having a license therefor, as required by law,
against the form of the Statute in such case made and provided, and against the peace of
the People of the State of New York and their dignity.

**POOR QUALITY
ORIGINAL**

0082

(Laws of 1883,
chapter 840 sec-
tion 5.) **THIRD COUNT:**

And the Grand Jury aforesaid, by this indictment, further accuse the said *John Grogan* of the CRIME OF GIVING AWAY STRONG AND SPIRITUOUS LIQUORS, ALES, WINE AND BEER WITHOUT A LICENSE, to be drank upon the premises, committed as follows:

The said

John Grogan

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, and at the premises there situate, known as number

three hundred and forty-four Water Street

certain strong and spirituous liquors, and certain ales, wine and beer, to wit: one gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did give away to

certain _____ persons whose names are to the Grand Jury aforesaid unknown, to be drank upon the premises aforesaid, without having a license therefor, as required by law, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.