

0009

BOX:

21

FOLDER:

262

DESCRIPTION:

Abbott, Henry

DATE:

10/22/80



262

Violation of Lottery laws.

278

## A True Bill.

Oct 29. 1885.

Send quickly,  
The Valley Forge

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

*Dennis J. Fogarty*  
of No. 319 Broadway Street,

being duly sworn deposes and says, that on the 3<sup>rd</sup> day of

Sept 1889 at No. 319 Broadway  
Street, in the City and County of New York,

*Levi W. Abbott* now here  
did unlawfully and feloniously sell and vend to

*Deponent* for the sum of  
five dollar  
a certain paper and document, the same being what is commonly known as,  
and is called a Lottery Policy, and which said Lottery Policy, writing, paper,  
and document is as follows, that is to say:

the annexed paper  
purporting to insure a chance in the drawing  
of drawn numbers of a certain Lottery authorized by the  
laws of the State of New York  
Wherefore deponent prays that the said *Abbott*

may be dealt with according to law.

Sworn to before me this

day of

Sept 1889

*Dennis J. Fogarty*

*M. H. Irving*

Police Justice.

0012

Police Court-- District.

THE PEOPLE, & C.,  
vs. THE COMPANY OF  
SELLING LOTTERY POLICIES.

*David J. Gentry*

Bailed by

Residence

*Henry W. Smith*  
Street.

*Sept 13*  
Dated 1888

Police Justice.

*Munroe*

Officer.

Witness:

to answer.

§



0013

Police Court—First District.

CITY AND COUNTY }  
OF NEW YORK. } ss.

*Henry W. Abbott* being duly examined before the under-  
signed, according to law, on the annexed charge; and being informed that he was at  
liberty to refuse to answer any question that may be put to him, states as follows,  
viz:

Question. What is your name?

Answer.

*Henry W. Abbott*

Question. How old are you?

Answer.

*30 years*

Question. Where were you born?

Answer.

*Philadelphia*

Question. Where do you live?

Answer.

*218 West 10th Street*

Question. What is your occupation?

Answer.

*Clerk*

Question. Have you anything to say, and if so, what relative to the charge  
here preferred against you?

Answer.

*I am not guilty.  
Henry Abbott*

Taken before me, this

Police Justice.

0014

COUNSEL FOR COMPLAINANT.

Name, \_\_\_\_\_

Address, \_\_\_\_\_

COUNSEL FOR DEFENDANT.

Name, \_\_\_\_\_

Address, \_\_\_\_\_

145  
Police Court—First District

Affidavit

THE PEOPLE, &c.,

vs.

THE COMPLAINANT OF

vs.

THE DEFENDANT

BAILED

No. 1, by

Residence,

No. 2, by

Residence,

No. 3, by

Residence,

No. 4, by

Residence,

No. 5, by

Residence,

No. 6, by

Residence,

Magistrate

Officer

Clerk

Date \_\_\_\_\_ 18

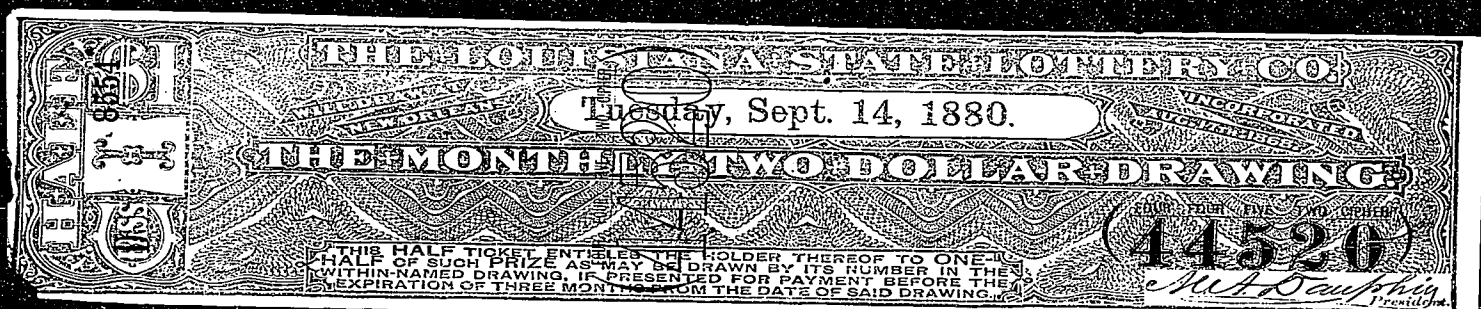
Witnesses

500 to answer

at Sessions

Received at Dist. Atty's office

0015



001A

*D. J. F.*

**NOTICE.**

~~25~~ Pieces of Tickets, or Tickets made up of pieces, or Altered Numbers, or without the President's Signature, or in any manner having been Cancelled, will not be held good by this Company.



**SCHEME.**

**TWO DOLLAR DRAWING.**

*Class I, — Sept. 14, 1880.*

100,000 Tickets at \$2 00 Each.

**LIST OF PRIZES.**

- 1 Prize of \$30,000 is.....\$30,000
- 1 Prize of 10,000 is.....10,000
- 1 Prize of 5,000 is..... 5,000
- 2 Prizes of 2,500 are ... 5,000
- 5 Prizes of 1,000 are ... 5,000
- 20 Prizes of 500 are ...10,000
- 100 Prizes of 100 are ...10,000
- 200 Prizes of 50 are ...10,000
- 500 Prizes of 20 are ...10,000
- 1,000 Prizes of 10 are ...10,000

**Approximation Prizes.**

- 9 Approx. Prizes of \$300 are \$2,700
  - 9 Approx. Prizes of 200 are 1,800
  - 9 Approx. Prizes of 100 are 900
- 1,857 Prizes, amounting to \$110,400

*f. j. f.*



0017

CITY AND COUNTY } ss.  
OF NEW YORK, }

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
in and for the body of the City and County of New York,  
upon their Oath, present:

That *Henry Abbott*

late of the *Fifth* Ward, in the City and County aforesaid, on the *Third*  
day of *September*, in the year of our Lord, one thousand eight hundred and  
*Eighty*, at the Ward, City and County aforesaid, with force and arms, did  
unlawfully and knowingly vend, sell, barter, furnish, and supply to one

*James J. Fogarty*

and did procure and cause to be procured for the said

*James J. Fogarty*

a certain paper and instrument, being and purporting to be a ticket of a certain lottery,  
to wit:

*The Louisiana State Lottery Company*

the same being a lottery for the purpose of exposing, setting to sale, and disposing of  
certain moneys, in a manner to the jurors aforesaid unknown, and in an amount to the  
jurors aforesaid unknown, which said paper and instrument

*Called a Lottery ticket*

is as follows, that is to say:

*Will draw at  
New Orleans*

*The Louisiana State Lottery Co.*

*Incorporated  
Aug. 17<sup>th</sup> 1868*

*Tuesday Sept. 14<sup>th</sup> 1880*

*The Monthly Two-Dollar Drawing*

*Eight Four Five Two Sixteen*

*This Half ticket entitles the holder thereof to one  
Half of such Prize as may be drawn by its number in the  
within-named drawing. It is counted for payment before the  
expiration of three months from the date of said Drawing.*

*M. H. Dauphin  
President*

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.

*Half  
blat  
1 8554*



0018

And the Jurors aforesaid, upon their oath aforesaid, do further present  
That the said *Henry Abbott*

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,  
did unlawfully and knowingly vend, sell, barter, furnish and supply to one

*Dennis J. Fogarty*

and did procure and cause to be procured for the said

*Dennis J. Fogarty*

a certain paper and instrument being and purporting to be a part and share of a ticket  
of a certain lottery, to wit:

*The Louisiana State Lottery Company*

the same being a lottery for the purpose of exposing, setting to sale, and disposing of  
certain moneys, in a manner to the jurors aforesaid unknown, and in an amount to the  
jurors aforesaid unknown, which said paper and instrument

*called a lottery ticket*

is as follows, that is to say:

*The Louisiana State Lottery Co.*

*Tuesday Sept. 14 1880*

*The Monthly Two Dollar Drawing*

*Form Four Five Two Six*

*4 5 7 0*

*This Half ticket entitles the holder thereof to One  
Half of such Prize as may be drawn by its number in the  
within named drawing, if presented for payment before the  
expiration of three months from the date of said drawing.*

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.

BENJ. K. PHELPS, District Attorney.

0019

BOX:

21

FOLDER:

262

DESCRIPTION:

Abbott, William

DATE:

10/05/80



262

0020

5.

Filed 5 day of  
Pleads

Oct 1880

45  
182 Hamill  
segar maker

THE PEOPLE

vs.

William Abbott

Felonious Assault and Battery.

BENJ. K. PHELPS,

*District Attorney.*

**A True Bill.**

Chas H. Hamill

*Foreman.*

Part Two - Oct 5 - 1880

Pleads A. & B.

Pen 30 days.

0021

Form

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

POLICE COURT—FIRST DISTRICT.

*Timothy Murphy*  
of No. *126 Cherry* Street, being duly sworn, deposes and says,  
that on the *19<sup>th</sup>* day of *September* 18*80*

at the City of New York, in the County of New York, he was violently and feloniously assaulted and  
beaten by *William Abbott*, now here,  
*who did then and there wilfully  
and maliciously cut, stab  
and wound dependent on the  
left side of the stomach with  
the blade of a knife which  
knife he, said Abbott, then  
and there held in his hands.*

Deponent believes that said injury, as above set forth, was inflicted by said.....

*William Abbott*  
with the felonious intent ~~to take the life of the deponent~~ to do him bodily harm, and without any justification  
on the part of the said assailant :

Wherefore this deponent prays that the said assailant may be ~~apprehended and~~ dealt with accord-  
ing to law.

*Timothy Murphy*

Sworn to, before me, this

day of

*September*

18*80*

Police Justice.



0022

Police Court—First District.

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

William Abbott being duly examined before the under-  
signed, according to law, on the annexed charge; and being informed that he was at  
liberty to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer. William Abbott

Question. How old are you?

Answer. Forty-five years of age

Question. Where were you born?

Answer. Spain

Question. Where do you live?

Answer. No. 18 Hammett St.

Question. What is your occupation?

Answer. Seigar Maker

Question. Have you anything to say, and if so, what—relative to the charge  
here preferred against you?

Answer. I am not guilty of the  
charge. William <sup>his</sup> Abbott  
(mark)

Taken before me, this  
18<sup>th</sup> day of September 1876  
San Francisco  
POLICE JUSTICE.



0023

COUNSEL FOR COMPLAINANT.

Name,.....

Address,.....

COUNSEL FOR DEFENDANT.

Name,.....

Address,.....

Police Court—First District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
*James Murphy*  
*126 Cherry St.*  
*William Abbott*

AFIDAVIT—Felonious Assault & Battery

BAILED:

No. 1, by.....

Residence,.....

No. 2, by.....

Residence,.....

No. 3, by.....

Residence,.....

No. 4, by.....

Residence,.....

No. 5, by.....

Residence,.....

No. 6, by.....

Residence,.....

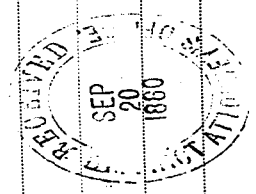
Dated, *September 19* 18*80*

*Patterson* Magistrate.

*McGully* Officer.

*McG* Clerk.

Witnesses,.....



§ *1000* to answer

at General Sessions *Conrad*

Received at Dist. Atty's Office,

CITY AND COUNTY } ss.  
OF NEW YORK,

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
in and for the body of the City and County of New York,  
upon their Oath, present :

That

*William Abbott*  
late of the City of New York, in the County of New York, aforesaid, on the  
*nineteenth* day of *September* in the year of our Lord  
one thousand eight hundred and *eighty*, with force and arms, at the City and  
County aforesaid, in and upon the body of *Timothy Murphy*  
in the peace of the said people then and there being, feloniously did make an assault  
and *kill* the said *Timothy Murphy*  
with a certain *knife*  
which the said

*William Abbott*  
in *his* right hand then and there had and held, the same being a deadly and  
dangerous weapon, wilfully and feloniously did beat, strike, stab, cut, and wound  
with intent *kill* the said *Timothy Murphy*  
then and there, feloniously and wilfully to kill, 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 Jurors aforesaid, upon their Oath aforesaid, do further present : That  
afterwards, to wit, on the day and in the year aforesaid, at the City and County  
aforesaid, the said *William Abbott*

with force and arms, in and upon the body of the said *Timothy Murphy*  
then and there being, wilfully and feloniously did make an  
assault and *kill* the said *Timothy Murphy*  
with a certain *knife* which the said *William Abbott*

in *his* right hand, then and there  
had and held, the same being then and there a sharp, dangerous weapon, wilfully  
and feloniously, and without justifiable and excusable cause, did then and there beat,  
strike, stab, cut, and wound, with intent to then and there wilfully and feloniously  
do bodily harm unto *him* the said *Timothy Murphy*  
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 Jurors aforesaid, upon their Oath aforesaid, do further present : That  
afterwards, to wit, on the day and in the year aforesaid, at the City and County afore-  
said, the said *William Abbott*

with force and arms, in and upon the body of *Timothy Murphy*  
in the peace of the said people then and there being, feloniously, did make another  
assault and *kill* the said *Timothy Murphy*

with a certain *knife*  
which the said *William Abbott* in *his* right  
hand then and there had and held, wilfully and feloniously did beat, strike, stab, cut,  
and wound, the same being such means and force as was likely to produce the death  
of *him* the said *Timothy Murphy* with intent *kill* the

0025

said *Timothy Murphy* then and there feloniously and wilfully to kill, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

FOURTH COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present: That afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, the said

*William Abbott* with force and arms, in and upon the body of the said *Timothy Murphy* then and there being, wilfully and feloniously, did make another assault and ~~beat~~ *hit* the said *Timothy Murphy* with a certain *knife* which the said *William Abbott* in ~~his~~ right hand then and there had and held, the same being then and there a deadly weapon, wilfully and feloniously did then and there beat, strike, stab, cut and wound, with intent to then and there wilfully and feloniously maim ~~him~~ *him* the said *Timothy Murphy* 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.

BENJ. K. PHELPS, District Attorney.

5.

Filed 5 day of *Oct* 188*6*  
Pleas

*45*  
*18*  
*William Abbott*  
THE PEOPLE  
vs  
08.

*William Abbott*  
F  
Felonious Assault and Battery.

BENJ. K. PHELPS,  
District Attorney.

A True Bill.

*John H. Howell*

Foreman.

*Part due - Oct 5 - 1886*

*Placed at P.B.*

*Per 30 days.*

0026

BOX:

21

FOLDER:

262

DESCRIPTION:

Ackerman, Gunther

DATE:

10/02/80



262

0027

Day of Trial,

Counsel,

Filed 2 day of Oct 1880

Pleads

*Wm. H. Smith*

THE PEOPLE

vs.

*Samuel C. Ackerman*

*Indemnit*

BENJ. K. PHELPS,

District Attorney.

A True BILL.

*Charles L. Smith*

Foreman.

*Star X*



City and County }  
of New York } ss.

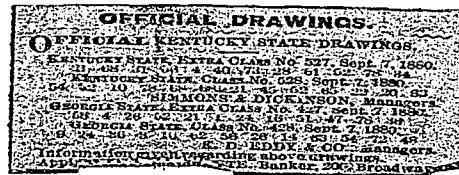
The jurors of  
the people of the State of New York  
in and for the body of the City and  
County of New York upon their  
oath present:

That Gunther C. Ackerman

late of the first ward of the City  
of New York in the County of New  
York aforesaid on the eighth  
day of September in the year of  
our Lord one thousand eight hundred  
and eighty at the City and County  
of New York aforesaid unlawfully  
did <sup>and did aid and abet in printing and publishing</sup> print and publish an account  
of an illegal lottery called the  
Kentucky State Lottery  
<sup>and at the time the same was stated</sup> then and there existing and <sup>being</sup> carried  
on in the State of Kentucky  
stating when and where the same  
was to be drawn, the prizes therein  
and where tickets therein might  
be obtained, and the said account  
of said illegal lottery was so  
printed and published by the  
said Gunther C. Ackerman

0029

by printing and publishing the same in a certain newspaper called "The New York Star" then and there issued published and circulated in the City and County of New York aforesaid and which said account so published as aforesaid is as follows: that is to say



Meaning by said account so printed  
 and published as aforesaid among  
 other things that a lottery of the  
 said Kentucky State Lottery and  
 a drawing of such lottery took  
 place and was drawn on the seventh  
 day of September in the year of our  
 Lord one thousand eight hundred  
 and eighty and that at and in  
 such lottery and drawing as  
 aforesaid, lottery tickets numbered  
 respectively twenty one, sixty eight,  
 thirty one, fifty six, four, forty  
 seventy three, twenty eight, sixty one  
 fifty two, seventy eight, thirty four,  
 fifty four, thirty two, ten, seventy  
 eight, sixty eight, thirty eight, twenty one,  
 forty five, fifty two, twenty two  
 twenty and sixty three were drawn,  
 and respectively drew and became  
 entitled to, and entitled their  
 respective holders and owners, to  
 prizes in the said lottery and  
 drawing thereof which so took  
 place and was drawn as aforesaid  
 and from the said Kentucky  
 State Lottery by reason thereof  
 Against the form of the

0031

statute in such case made and  
provided and against the peace  
of the people of the State of  
New York and their dignity

Benj. K. Phelps  
District Attorney

0032

BOX:

21

FOLDER:

262

DESCRIPTION:

Alliger, Elijah

DATE:

10/02/80



262



0033

124

*R. B. Steele*

Counsel,

Filed 2 day of Oct 1886

Pleads Not Guilty only

THE PEOPLE

P

*Elyah Elizar*

(Three Cases)

*Indefinite*

Larceny, and Receiving Stolen Goods.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

*Richard L. L...*

Foreman.

Part 2.

November 30, 1880.

Tried + acquitted

0034

CITY AND COUNTY }  
OF NEW YORK, } ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
in and for the body of the City and County of New York, upon  
their Oath, present:

That

*Elijah Alliger*

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

One certain instrument and writing  
of the kind called a Rail Road Bond  
the same being known as a Chicago  
and North Western Railway Company  
consolidated Sinking fund Bond  
and numbered ~~six~~ six thousand  
six hundred and Eighty seven  
the value of said instrument being  
the sum of one thousand dollars, the  
same being the amount that might  
be collected upon the said bond, and  
which was then and there due, and  
then and there remaining unsatisfied

of the goods, chattels, and personal property of one

*Francis Sherwood* 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.

And the Jurors aforesaid, upon their oath aforesaid, do further present

That the said

*Elijah Alliger*

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,

one certain instrument and writing,  
of the kind called a Rail Road Bond,  
the same being known as a Chicago  
and North Western Railway Company  
Consolidated Sinking fund Bond  
and numbered Six Thousand Six  
hundred and Eighty Seven the  
value of the said instrument being  
the sum of one thousand dollars,  
the same being the amount that  
might be collected upon the said  
bond and which was then and there  
due, and then and there remaining  
unsatisfied

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

by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously  
stolen of the said

*Francis Sherwood*

*Francis Sherwood*

unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have (the said

*Elijah Alliger*

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.

**BENJ. K. PHELPS, District Attorney.**

Counsel,  
Filed 2 day of  
Pleas Not Guilty Oct 4 1880

THE PEOPLE

vs.  
LARRY, and RECEIVING STOLEN GOODS.  
on request of right. & claims  
for 2nd day  
The above named  
no application for a writ of  
made with a writ of habeas  
corpus.

Elijah Miller  
(Three names)

BENJ. K. PHELPS,

District Attorney.  
Chas. W. Phelps, Jr. Esq.  
Att. Gen.

Chas. W. Phelps

Foreman.

Paul Phelps at  
\$2500.00 on March  
handwritten. 1880  
Dec 10/80

Paul  
Isadore Kymus  
506 Broadway

0036



0037

## Police Court—First District.

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

John D. Wilton  
 of No. 78 Broadway <sup>propane</sup> ~~Street~~  
 being duly sworn, deposes and says, that on the 10<sup>th</sup>  
 day of May 1880, at the City and County of  
 New York, as Defendant is informed  
 & believes Right. Alleges  
 delivered to the firm of  
 Hamilton & Bishop brokers  
 of No. 19 Nassau Street  
 a certain bond of the  
 Hamilton & St Joseph  
 Railroad Company. The  
 said Company is a  
 corporation under the  
 laws of the State of  
 Missouri and Defendant  
 is the Secretary thereof.  
 The said bond is numbered  
 2984 is for \$1000. and has  
 been altered by the erasure  
 of the name of the transferee  
 thereon. Defendant  
 informed Hamilton that  
 the said bond had been  
 so altered when delivered  
 by said Alleges & was  
 so delivered by him with  
 a knowledge of that  
 fact.

Wherefore Defendant prays  
 that said Alleges may be  
 held & proceeded against  
 on all action on the premises  
 he may take.  
 Sworn to before

Hamilton & St Joseph  
 Railroad Company

0038

Thurs 17th June 87  
August 1886

James Smith

J.A. Hilton

0039

COUNSEL FOR COMPLAINANT.

Name, .....

Address, .....

COUNSEL FOR DEFENDANT.

Name, .....

Address, .....

Police Court—First District.

THE PEOPLE, &c;

*John A. Hollen*  
ON THE COMPLAINT OF  
*Wm. V. Rafter*

*Eugene A. Oliver*



Office

Dated *17 Aug - 88*

*John A. Hollen*  
Magistrate.

Officer.

Clerk.

Witnesses,

\$ ..... to answer

at *General* Sessions,

Received in Dist. Atty's Office,

BAILED,

No. 1, by .....

Residence, .....

No. 2, by .....

Residence, .....

No. 3, by .....

Residence, .....

No. 4, by .....

Residence, .....

No. 5, by .....

Residence, .....

No. 6, by .....

Residence, .....

0040

Police Court—First District.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Elijah Alliger* being duly examined before the undersigned,  
according to law, on the annexed charge, and being informed that he was at liberty  
to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer.

*Elijah Alliger*

Question. How old are you?

Answer.

*39 years*

Question. Where were you born?

Answer.

*W. S.*

Question. Where do you live?

Answer.

*110 East 57 St.*

Question. What is your occupation?

Answer.

*Broker*

Question. Have you anything to say, and if so, what—relative to the charge here  
preferred against you?

Answer.

*I am not guilty*

*E. Alliger*

Taken before me, this

*28th*  
at *1892*

POLICE JUSTICE



0041

Form 112.

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

Police Court—First District.

Westport Harbor *Francis Sherman*  
of ~~the~~ *County, State of Connecticut*  
and says, that on the *or about* 10th day of *February* 18 *88*  
at the ~~City of New York~~, in the County of New York, was feloniously taken, stolen, and carried  
away from the possession of deponent, *and from the First National*  
*Bank of Westport State of Connecticut*  
the following property, viz: *Fifteen Bonds of the value*  
*of one thousand dollars each. Twelve of said*  
*bonds being bonds of the State of North*  
*Carolina and numbered respectively as follows*  
*1411. 3125. 71. 70. 2962. 2961. 509. 2957. 1678. 1675. 2468*  
*1201. Also one bond of the North Western and Chicago*  
*Railway, <sup>Chicago and</sup> ~~Company~~ <sup>and</sup> ~~numbered~~ <sup>numbered</sup> 6687. Two*  
*bonds of the North Western and Chicago Railway <sup>Chicago and</sup> ~~Company~~ <sup>and</sup> ~~numbered~~ <sup>numbered</sup> 3608. 2651 in all*  
*First Mortgage, <sup>due August 1st 1885</sup> numbered*  
of the value of *Fifteen Thousand* Dollars,  
the property of *Deponent*

and that this deponent has a probable cause to suspect, and does suspect, that the said property  
was feloniously taken, stolen, and carried away by *Some person to deponent*  
*unknown, that said bonds were feloniously*  
*brought into the county of New York*  
*That deponent was thereafter informed*  
*by Moses V. Bayle that one Elijah*  
*Alliger had obtained a loan in the*  
*first twelve bonds mentioned in*  
*the above affidavit from the firm*  
*of Hammett and Bishop that deponent*  
*said said mentioned bonds <sup>were</sup> in the*  
*possession of said Hammett & Bishop*  
*That deponent was also thereafter inform-*  
*ed by Ferdinand Blaukenhorn out cashier of*

*Chicago and North Western Railway Company*  
*Consolidated Savings Fund Bond.*  
*6687.*

The Third National Bank of the City of New York that one Elijah Alliger had obtained a loan on the three bonds of the Chicago and North-western Railway Company mentioned in the ~~above~~ affidavit from the said Third National Bank of the City of New York & the same are now in its possession. Deponent therefore upon information and belief charges and believes that said Elijah Alliger did feloniously receive said bonds hereinabove described in his possession, knowing the same to have been stolen.

Sworn to before me  
 this 24 day of August 1888 } Francis Sherwood  
 J. J. Guernsey  
 Police Justice

City County of New York, Moses P. Bayles, being sworn says that he knows the contents of the <sup>above</sup> affidavit that so much of the ~~same~~ as relates to deponent is true.

Sworn to before me this  
 24 day of August 1888 } M. P. Bayles  
 J. J. Guernsey  
 Police Justice

City County of New York, Ferdinand Bleck-  
 enhorn, being sworn says that he knows the contents of the <sup>above</sup> affidavit, that so much of the ~~same~~ as relates to deponent is true.

Sworn to before me this  
 24 day of August 1888 } F. Bleckenhorn  
 J. J. Guernsey  
 Police Justice

0043

Police Court—First District.

CITY AND COUNTY }  
OF NEW YORK } ss.

being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to refuse to answer any question that may be put to him, states as follows, viz:

*Question.* What is your name?

*Answer.*

*Question.* How old are you?

*Answer.*

*Question.* Where were you born?

*Answer.*

*Question.* Where do you live?

*Answer.*

*Question.* What is your occupation?

*Answer.*

*Question.* Have you anything to say, and if so, what—relative to the charge here preferred against you?

*Answer.*

Taken before me, this \_\_\_\_\_ day of \_\_\_\_\_  
Police Justice.

Residence,.....

Address, .....



City & County of New York

Charles O. Brent Jr.  
of said Kentucky being duly sworn says. That on the 3<sup>d</sup> day of May 1880. four bonds were taken and identified as being stolen from the Citizens Bank of said Kentucky. That said bonds are four bonds of the denomination of One thousand dollars each issued by the Cincinnati and Southern Rail Road and numbered respectively 1685. 4029 1550. & 240.

That said bonds are the property of deponent who is a stockholder in said Citizens Bank. where he had them deposited for safety.

C. O. Brent Jr.

I have before me  
this 13<sup>th</sup> Sept 1880.  
J. W. Blewett



0046

Compliment of

C. S. Pratt Jr

or

Elyas Allagis

0047

THE PEOPLE, &C.,

VS.

ELIJAH ALLIGER.

THE DISTRICT ATTORNEY, BY LEAVE OF COURT, ENTERS A NOLLE PROS  
ON ~~XXXX~~ EACH OF THE INDICTMENTS AGAINST THE ACCUSED. THE DEFENDANT  
WAS TRIED IN NOVEMBER 1880, UPON ONE OF THE THREE CHARGES WHICH  
WAS BELIEVED TO BE MOST LIKELY TO RESULT IN CONVICTION. THE TRIAL  
OCCUPIED ABOUT TWO WEEKS AND RESULTED IN ANACQUITTAL. IT IS NOT  
DEEMED LIKELY, <sup>that,</sup> UPON THE TRIAL OF EITHER OF THE OTHER INDICTMENTS,  
THE DEFENDANT WOULD BE CONVICTED.

*Saml G. Rollins*

DISTRICT ATTORNEY.

DECEMBER 19, 1881.

0048

**Police Court—First District.**

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

Moses V. Baylis  
of No. 19 Nassau Street,  
being duly sworn, deposes and says, that on the 10<sup>th</sup>  
day of May 1880, at the City and County of  
New York,

Elizah Altizer  
came to the Barber's House of  
Hammett & Bishop at No 19 Nassau  
street and there obtained a loan  
upon a certain bond to wit One  
Railway Bond of the value of One  
thousand Dollars together with  
the interest and premium thereon  
said bond being on the Hannibal  
and St Joseph Rail Road, the  
number thereof being No 2984 —  
that said bond was delivered  
to deponent as cashier of said  
firm as security of said loan  
the bond so delivered is the bond (now here shown)  
and marked Exhibit A

Sworn to before me  
the 11<sup>th</sup> day of August 1880  
J. J. Cunningham  
Police Justice

M. V. Baylis

0049

Police Court—First District.

CITY AND COUNTY }  
OF NEW YORK. } ss.

*Elijah Alliger* being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer.

*Elijah Alliger.*

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

Question. Where do you live?

Answer.

Question. What is your occupation?

Answer.

Question. Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer.

Taken before me, this ..... day of ..... 18.....  
Police Justice.

0050

Police Court—First District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*Charles V. Baylis*

*Elyah Alliger*

Affidavit

BAILED

No. 1, by

Residence,

No. 2, by

Residence,

No. 3, by

Residence,

No. 4, by

Residence,

No. 5, by

Residence,

No. 6, by

Residence,

COUNSEL FOR DEFENDANT.

Name,

Address,

Dated August 17 1888

Magistrate.

Officer.

Clerk.

Witnesses

to answer

at Qual Sessions

Received at Dist. Atty's office



0051

Form 112.

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

Police Court—First District.

of No. Owen O. Connor  
492 Vanderbilt Avenue <sup>City of Brooklyn</sup>  
 and says, that <sup>Street, being duly sworn, deposes</sup> in the month of September 18 73  
 at the City of New York, in the County of New York, was feloniously taken, stolen, and carried  
 away from the possession of deponent,

the following property, viz: Bonds of the Yammabee and  
St Joseph Rail Road to wit 48 bonds  
of the value of One thousand dollars each  
numbered respectively 139 to 145. also 410 to  
434 also Bonds No's 909-2210-2682-2686-  
(2984) 3034-3035-3226-3227-~~3228~~ 3294-3430-  
3431 and 3480 to 3484 also two bonds  
of the value of five hundred dollars each  
numbered respectively 3987-4022

of the value of Fifty Thousand Dollars,  
 the property of deponent and registered in  
deponent name on the books of the  
Company

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 Eljah Alliger (now here)

Said property was stolen from deponent's  
possession as aforesaid, deponent was  
informed by Charles V. Baylis that on  
the 10th day of May 1880 said Alliger  
came to said Charles V. Baylis and  
obtained a loan of nine hundred and  
dollars upon bond numbered 2984  
as above specified, which said  
bond now shown in court deponent  
identifies as a portion of said  
stolen bonds. Wendell B. B. B.

Subscribed and sworn to before me, this

1880

Police Justice.

0052

City and County of New York ss.

Moses V. Baylis of No 19 Nassau  
street being sworn says that he  
knows the contents of the affidavit  
of Owen O'Connor that so much  
of the same as relates to deponent  
is true

Sworn to before me  
the 20<sup>th</sup> of August 1881

MARY BAUGH

John H. Baugh  
Police Justice

0053

I do not understand that Mr O'Connor or any other person charges me with stealing any of his Bonds, ~~but on the other hand~~ As to the charge in O'Connor's affidavit upon which I am held to bail, I understand him to swear ~~that~~ not only that I did not steal his Bonds, but that some other person did. If <sup>notwithstanding</sup> it is the proper thing for me to plead to the charge in his affidavit, I plead ~~not guilty to it~~.

*E. Mizer*

In the two ~~other~~ charges I ~~admit~~ am not guilty of any criminal act in connexion with my possession of the securities described in the affidavits of Merrill Trimble, or those described in the affidavit of Francis Sherwood. <sup>as alleged</sup> I took these <sup>securities</sup> bonds from the person who gave them to me for the purpose of negotiating a loan upon them for him, and in the usual and public way submitted the securities for examination to the persons from whom <sup>the</sup> loans were ~~obtained~~ procured. In good time, I have no doubt my entire innocence will be made to appear.

*E. Mizer*

Taken before me this  
28<sup>th</sup> day August 1880

*John W. Smith* Police

0054

Police Court—First District.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Elifah Alliger* being duly examined before the undersigned,  
according to law, on the annexed charge, and being informed that he was at liberty  
to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer.

*Elifah Alliger*

Question. How old are you?

Answer.

*39 years*

Question. Where were you born?

Answer.

*N. S.*

Question. Where do you live?

Answer.

*110 E. 57th St.*

Question. What is your occupation?

Answer.

*Broker*

Question. Have you anything to say, and if so, what—relative to the charge here  
preferred against you?

Answer.

*I am not guilty*

*E. Alliger*

Subscribed before me, this

*28*

day of

*August* 1876

Police Justice.



0055

Police Court—First District.

CITY AND COUNTY }  
OF NEW YORK, } ss.

.....being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to refuse to answer any question that may be put to him, states as follows, viz:

*Question.* What is your name?

*Answer.*

*Question.* How old are you?

*Answer,*

*Question.* Where were you born?

*Answer.*

*Question.* Where do you live?

*Answer*

*Question.* What is your occupation?

*Answer.*

*Question.* Have you anything to say, and if so, what—relative to the charge here preferred against you?

*Answer.*

Taken before me, this ..... day of ..... 18.....  
Police Justice.



0056

COUNSEL FOR COMPLAINANT.

Name, .....

Address, .....

COUNSEL FOR DEFENDANT.

Name, .....

Address, .....

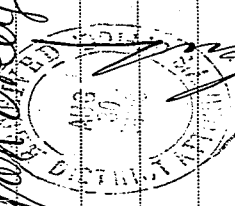
Police Court—First District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*Queen O'Connor*

*Elyah W. W. W. W. W.*



Dated *Aug 29* 18 *90*

Magistrate.

Officer.

Police Clerk.

Witnesses:

*W. W. W. W. W.*

*Wood* to answer

at *General* Sessions

Received at Dist. Atty's office

*Comel*

BAILED

No. 1, by

Residence,

No. 2, by

Residence,

No. 3, by

Residence,

No. 4, by

Residence,

No. 5, by

Residence,

No. 6, by

Residence,

0057

## Police Court—First District.

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

Merrick Trumble

Street,

of No. 59 East 25<sup>th</sup> Street,  
being duly sworn, deposes and says, that on the 15<sup>th</sup>  
day of October 1879, at the City and County of  
New York, the following property was  
feloniously taken stolen and carried  
away from the possession of deponent to wit  
Nineteen Bonds of the Burlington Cedar  
Rapids and Northern Railway Company  
First Mortgage first of the value of One  
Thousand Dollars each and numbered  
respectively as follows, from No. 1124 to  
1142 inclusive also six Bonds of the  
same Railway Company of the value of Five  
Hundred (\$500) dollars each numbered  
respectively as follows, 5779- 5780- 5782  
5783- and 5786.

That deponent was after  
wards informed by Inspector Thomas  
Byrnes, of the Central Office Police that  
he, said Byrnes, was shown a large  
portion of said Bonds by C. M. Jordan  
the Cashier of the Third National Bank  
of said City of New York. That deponent  
has obtained the information that said  
Bonds had been hypothecated at said  
Bank by Elijah Alliger now here.

That deponent therefore upon such  
information and belief, charges and  
believes that Elijah Alliger did feloniously  
receive said Bonds in his possession  
knowing them to have been stolen.

Subscribed before me

the 23<sup>rd</sup> day of August 1879

Merrick Trumble

Merrick Trumble

1124<sup>th</sup> -  
Burlington Cedar Rapids and Northern Railway Co. of Iowa

First Mortgage 5 per cent Bonds

The Third National Bank of the City of New York

0058

City & County of New York ss.

Thomas Barnes being sworn says that  
he knows the contents of the note in question  
that so much of the same as relates to deposit  
is true.

Given to keep me  
this 23 day of August 1890

Wm. H. Smith

Thomas Barnes

Wm. H. Smith

0059

Police Court—First District.

CITY AND COUNTY } ss.  
OF NEW YORK, }

*Elijah Alliger* being duly examined before the undersigned,  
according to law, on the annexed charge, and being informed that he was at liberty  
to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer.

*Elijah Alliger*

Question. How old are you?

Answer.

*39 years*

Question. Where were you born?

Answer.

*U S*

Question. Where do you live?

Answer.

*110 East 57 St.*

Question. What is your occupation?

Answer.

*Broker*

Question. Have you anything to say, and if so, what—relative to the charge here  
preferred against you?

Answer.

*I am not guilty*

*E. Alliger*

Taken before me, this

*28*

day of

*August*

18*88*

POLICE JUSTICE.

0060

COUNSEL FOR COMPLAINANT.

Name, .....

Address, .....

COUNSEL FOR DEFENDANT.

Name, .....

Address, .....

Police Court—First District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*David G. Smith*

BAILED,

No. 1, by

Residence,

No. 2, by

Residence,

No. 3, by

Residence,

No. 4, by

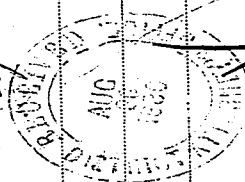
Residence,

No. 5, by

Residence,

No. 6, by

Residence,



Dated *23 August* 1880

Magistrate.

Officer.

Clerk.

Witnesses

\$ *5000.*

to answer

at *General* Sessions.

Received in Dist. Atty's Office,

*Comd*



0061

F r a n c i s S h e r w o o d, having been duly sworn deposes  
and says:

Q Where do you reside, sir?

A Westport, Fairfield County, Connecticut.

Q Your business is what if you please?

A Not anything in particular now.

Q You were President of the First National Bank of Westport,  
Conn.

✓ A ~~Yes~~ sir.

Q Have you any official connection with that Bank?

A Director.

Q Are you such Director now?

A Yes sir.

Q Some time about the 10th of February 1880 was there a burglary  
committed upon the Bank?

A There was.

Q And as the result of that burglary was any of the property of  
the Bank stolen, securities?

A I think not, sir.

Q You had the bonds which you have described in your affidavit,  
in this complaint, on deposit in the Westport Bank?

A Yes sir.

Q A special deposit?

A Yes sir.

Q They were your property?

A Yes sir.

Q Was there anything else stolen from the Bank at the time  
these securities of yours were stolen: did the Bank lose any  
thing or any other special depositor?

A Not that I heard.

0062

Q Were those bonds, those twelve bonds of the State of North Carolina, described in your affidavit, interest bearing bonds?

A They were.

Q What rate of interest did they bear, sir?

A Six per cent.

Q All of them?

A I think so.

Q I would like you to be as certain now about that as you can, sir?

A They were all at six per cent.

Q Interest was not paid upon them?

A No sir.

Q How long have you owned the twelve?

A Between ten and twelve years.

Q Did you buy them in open market?

A I bought them of the firm of Donnit & Nichols, Brokers.

Q Was it in Wall Street if you recollect?

A It was in this City: I may have bought a few of them of H. T. Morgan.

Q What did you pay for the twelve bonds of the State of North Carolina when you bought them?

A All the way from 60 to 42 cents on the dollar.

Q Did you ever collect any of the interest upon any of the bonds of those twelve after your purchase of them?

A No sir.

Q This one bond of the Chicago & North Western Railway Consolidated Sinking Fund when did you buy that, sir?

A I think I bought it in 1878 about February 2nd or 3rd.

Q Do you recollect what you paid for the other three?

A I think I paid 107 and 108, I think 107 for the First Mort-

0063

gage and 108 for the Second Mortgage.

Q Who bought those for you, sir?

A I bought them myself.

Q In open market?

A No, sir, in Westport where I live: they were registered in my brother's name.

Q Have you collected interest on those bonds?

A Yes sir.

Q Do you know Mr. Alliger personally?

A No sir, I know him now.

Q What knowledge you have in respect to his supposed guilty possession of these securities is stated in this affidavit, am I right sir?

A Yes sir.

Q And your belief that Mr. Alliger did come by these securities feloniously is founded alone upon what you have been informed and upon what you have stated in this affidavit?

A Yes sir.

Sworn to before me this

26 " day of August 1880.

Police Justice.

*Francis Sherwood*

0064

M o s e s V. B a y l i s being duly sworn deposes and says:

Q Mr Baylis, you have read the affidavit of Francis Sherwood and heard his testimony?

A Yes sir.

Q Did you at any time see the bonds mentioned and numbered as they are in this affidavit at any place or in the custody of any person?

A Yes sir.

Q Where were they?

A At our office 19 Nassau Street.

Q Have you the bonds in your possession now?

A Yes sir.

Q From what source did you get them?

A I was absent at the time, but by our books and documents we supposed they came from Alliger.

Q Of your own knowledge you do not know?

A No sir.

Q Who received those bonds in your office?

A My assistant.

Q Is he present?

A No sir.

Q You know from your books that the bonds of the numbers corresponding to the numbers in the affidavit of Francis Sherwood were received in your office?

A Yes sir.

Q What is the name and address of your assistant?

A Francis Dykes, Jr., 19 Nassau Street.

:  
:  
:  
:

C r o s s   e x a m i n e d.

Q   Are you acquainted with the market value of these twelve bonds of the State of N. C. numbered as in your affidavit?

A   The 11000 I know reasonably well, and the other I am not certain as to its market value.

Q   What is the market value of the 11000?

A   About 2 cents on the dollar.

Q   In other words the lot is worth \$220 in the market?

A   Yes sir.

Q   The eleven of them?

A   Yes sir: the other 1000 is worth about ten cents: the remaining bond of the twelve is worth about 100.

Q   And that would be an aggregate of \$320 for the twelve?

A   Yes sir.

Q   Do you know what the market value of one bond of the Chicago & North Western Railway Consolidated is?

A   No sir.

Q   Do you know what the market value of the two bonds of the North Western Railway due August 1st 1885 is?

A   No sir.

Sworn to before me this       :  
                                     :  
          day of August 1880.    :

Police Justice.



0055

F e r d i n a n d B l a n k e n h o r n being duly sworn de-  
poses and says:

Q You reside at Englewood, New Jersey?

A Yes sir: and my place of business is 20 Nassau Street.

Q You are the Assistant Cashier, as I understand it, of the  
Third National Bank?

A Yes sir.

Q You have read or heard read the affidavit of Francis Sherwood  
the complainant in this case?

A Yes sir.

Q Did you on any occasion see the bonds numbered as specified  
in this affidavit, and if so where and under what circumstan-  
ces?

A The three northwesterly bonds were pledged with the Bank.

Q Of your personal knowledge?

A Yes sir.

Q By whom?

A By Mr. Alliger.

sworn to before me this :  
:  
day of August 1880. :

0067

Mr. Busteed, Counsel for Elijah Alliger now moved that in the case of Trimble the defendant be admitted to bail in a moderate sum, and that the bail be reduced.

The Court denied the motion to reduce the bail, to which Counsel excepted. The Court fixed the bail in this case at \$5000.

Counsel made a similar motion in the O'Connor case; the rulings were as above: the bail in this case was also fixed at \$5000.

Counsel also moved for a reduction of bail in the case of Sherwood against Alliger. In this case the Court fixed the bail at \$1000.

0068

West-C. Grant

The People

-H-

John Miller

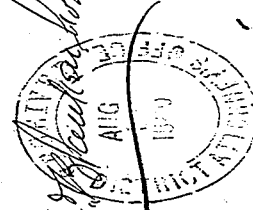
Aug 1880

born 22<sup>nd</sup> of

Francis Sherman

Wm Baylis

Dr. J. H. Sherman



is paid for on the

Ch. of Sherman

Shaw at H. B. S. d.

in each case.

see 1880 FJ

Francis Sherman

P.O. San Francisco Station

Wm Baylis

Francis Sherman

19 September

Question

Answer

Owen O Connor being cross examined says that before he resided at 492 Vanderbilt Avenue, <sup>he resided</sup> at the Grand Boulevard Hotel 59 at and Broadway. I acquired the bonds about the time when they were lost.

How did you lose these bonds? describe the manner of their loss.

I had a safe in the safe deposit company the bonds being repositored I thought. They were perfectly safe having been repositored in my name. I carried them down to Vesey Street through Broadway stopped at a store to get an additional lock for my trunk, I left the bonds on the counter and a person said to me look what you dropped I stooped down and when I got up the bonds were gone.

Question

Answer

whose store was that in Vesey Street? I cannot remember I do not remember the name of the person who kept the store, it was a store where locks were sold. I had the bonds tied in a brown paper package when I went into the store. I went from the store where I lost them to Mr

Nelson the broker who bought them  
 for me, I advertised my loss in the  
 Post and other papers and left  
 to Mr Nelson the work of  
 advertising them at the Board  
 of Brokers.

Question Can you tell us what kind of  
 person it was when you met  
 in the store in Vesey st and who  
 told you, you have dropped  
 something as you have stated

Answer I can tell it was not Alliger  
 I ~~could~~ have told the man three  
 years afterwards.

Question How long have you known Alliger

Answer I believe ten or twelve years  
 I had some business transacted  
 in his office, I never suspected  
 him of stealing those bonds. I  
~~do not suspect him now~~ I  
 had no such suspicion in respect  
 to him

Question Did you ever have or have you  
 now any probable cause to suspect  
 that your property was feloniously  
 taken stolen and carried away  
 by Alliger

Answer I never had and have not now



Question

When you signed and swore to that affidavit these words in print and that the defendant has a probable cause to suspect me does suspect that the said - Property was feloniously taken stolen and carried away by ~~Edgar Miller~~

Answer

No I did not know that was there at all there was another interpretation given to me that part was not shown to me

Question

And if at the time you signed and swore to this affidavit you had known that it contained these charging words against Edgar Miller would you have signed and swore to it

Answer

No I would not I was told I had cause to believe that he had traded them away and got rid of them

Sworn to before  
me this day.

By the Court -

3 a I consider that - your bond

4 That is the number 2984  
of one of my bonds,

I swore to fore  
me this 24<sup>th</sup> day of ~~December~~  
August - 1880  
Freeman Fuller

Moses R. Bailey Baylies  
of 494 Vanderbilt Avenue Brooklyn  
I am a Cantler. The bond now  
shown in court is the bond specified  
in the affidavit of Mr O'Connor  
I received the bond from Mr. Alger  
on the 10<sup>th</sup> of May 1880.

Cross Ex. I examined the bond carefully <sup>at the time</sup> and  
was satisfied it was genuine

Question Had Mr. Alger procured any other loans  
from you before the procurement  
of this loan and upon what securities  
Answer He has made loans before this  
number of them but the nature of  
the securities I do not now  
remember I know him about  
a year.

0073

2

Question Have any of the securities upon which  
you made any of those prior loans  
been returned to you as worthless  
or have they to your knowledge  
been impeached in any way

Answer Not to our knowledge

Wm. W. Wright

Sworn to before me this 24<sup>th</sup> day of June 1880  
Police Justice

Motion to discharge made  
motion denied

Wm. W. Wright being duly  
affirmed - says he resides  
#59 East 25<sup>th</sup> Street - New York City

Question Where do you reside

A 59 East 25<sup>th</sup> St.

2 What is your business

A Commission Merchant

2 What was your business  
formerly

A Commission Merchant in  
this City

2 In any particular line  
or generally in commission  
business

A Mainly in iron  
 Q Have you during those years being in the habit of buying Railroad stocks or bonds?

A Occasionally  
 Q On Commission, or for your self which?  
 A Both.

Q Did the bonds that you have described in your affidavit in this case belong to you.

A Not individually  
 Q Did any part of them belong to you individually

A No -  
 Q To whom did those bonds belong on the 15<sup>th</sup> of October 1879.

A They belonged to the independent liberal church of which I am Treasurer  
 Q When were they purchased by the church.

A They were not purchased  
 Q Were they donated to the church

A No.



- Q Do you know in what manner they came into the possession, and became subject to the claim of ownership by the Church?
- A They were delivered to me by the ~~agent~~ Continental National Bank as agents of this Railroad Company on its reorganization of the Railroad Company.
- Q For what purpose were they so delivered to you?
- A They were delivered to me as the Treasurer of the Church which owned them.
- Q Where they delivered to you as a gift to the Church?
- A No sir.
- Q Did the Church or you as its Treasurer at any time preclude or subsequent to their delivery to you give or part with any valuable or other consideration for those bonds?
- A Yes -
- Q State the consideration.
- A Bonds of the old Company



(2)

a which went to ~~facile~~ and  
~~the~~ vote new bonds in lieu of  
 the old ones -

2 What was the title of the  
 old company and any  
 was surrendered -

a It was a similar name  
 Burlington Cedar Rapids and  
 something like that -

2 at the time of the surrender  
 of the old bonds and the taking  
 by the church of the new  
 ones - was not the old  
 corporation insolvent?

a I suppose it was, but  
 I don't know - I was not  
 the treasurer of the church  
 at the time -

2 And did the new bonds -  
 represent anything but  
 the insolvency of the old  
 company - In other words  
 was there any increase  
 of assets or ownerships  
 of new assets - which  
~~were~~ available for the new  
 bonds -

a I don't know in details

2 Tell us what you do know  
 about it -

- A New Bonds were secured  
 by a first mortgage on  
 the road. ~~and were written~~
- 2 Were not the old bonds  
 secured precisely that-  
 way.
- A I can't say.
- 2 Do you know they were  
 or were not so secured.  
 the old bonds
- A My impression they were  
 various mortgages on differ-  
 ent sections of the road and  
 different classes of bonds.
- 2 And were not some of  
 these first mortgages
- A I believe they were
- 2 And will you testify  
 the bonds which this Church  
 has surrendered as you  
 have stated were not -  
 secured by some of these  
 first mortgages
- A I will not.
- 2 had you any thing to  
 do with the Church's acquir-  
 ing possession of the bonds  
 as you have stated.
- A I think I have a part  
 of them.

2 how many of the houses  
so possessed by the church  
did you have to do with  
getting them into its possession

a I don't remember -

2 About how many give  
me your best recollection  
on that subject

a I don't recollect -

2 Were there as many as  
twenty -

a I don't remember

2 Were the old houses which  
you procured for the church  
as you have stated, secured  
by a first mortgage on  
the Rail Road -

a I think they were on one  
division or another

2 And is it not a fact that  
when this scheme of yielding  
up the old houses, and taking  
the new ones was devised  
the Railroad Company  
was involved

a I believe it was -

2 And of your own knowledge  
was the new Company any  
more solvent than the old

than old one at the time  
of the exchange of new for  
old bonds as you have  
stated.

A best of my knowledge &  
belief

2 of your own knowledge

A I don't know anything  
about it of my own know-  
ledge.

2 When did this transaction  
of changing bonds occur

A I think I rec'd new bonds  
in 1876

2 What time of 1876.

A I don't remember

2 Are you sure it was in  
76-

A It may be early in 77-

2 From the time you rec'd  
these new bonds until the  
15th of October/79 - when were  
they kept.

A In my possession

2 as Treasurer of that Church

A Yes Sir

2 And do I understand  
you in your affidavit  
in this case that bonds



0080

which are therein described  
are the identical bonds  
which you received as Treas-  
urer and which you kept  
in your possession until the  
15th of October 1879 -

Q They are the identical bonds.

2 Did you ever offer any of  
them for sale -

Q No.

2 Did you ever negotiate a  
loan upon their security  
for any amount -

Q No.

2 How did you come to lose  
possession of these bonds on  
the 15th of October 79 -

Q They were stolen.

2 State the manner of their  
theft in detail.

Q They were the door of the safe  
was left open, they were taken  
by parties coming to my office  
professedly on other business.

2 What are such sneaky things  
how do you know the  
persons that stole those  
bonds were commonly  
called sneaky thieves.



- Q Circumstances of the Case  
 A From what place were they  
 stolen  
 Q In your office in the Coal & Iron  
 Exchange  
 A Were they in your safe  
 A They were  
 Q Were they contained in  
 any boxes in the safe or were  
 they lying loose in the safe  
 A They were in the what is cal-  
 led <sup>the</sup> burglar proof section.  
 lying in a bundle in that  
 section -  
 Q Was any thing else stolen  
 from you on that occasion  
 A They were other boxes which  
 as yet have not turned up.  
 Q Of this same company  
 A Yes  
 Q Did you lose any other  
 property than the boxes  
 stolen at the time  
 A No.  
 Q What time of day was it  
 A Between 12 & 2 o'clock  
 Q What did you do to  
 notify the public. And

0082

Copy

The following Bonds have been  
Lost

From the Office of Merritt Trimble,  
21 Cortlandt Street,  
Burlington, Cedar Rapids & Northern R. W. Co.  
1st Mortgage 5s.

No. 1124 to 1143 --- 20 of \$1000 each, . . . \$20.000  
5779 to 5786 --- 8 of \$500 each, . . . 4.000  
8391 --- 1 of \$100 . . . . .1.00

State of Alabama 8s of 1892

No. 275 to 278 --- 4 of \$1000 each, . . . \$4.000

All persons are forbidden negotiating the same.  
A liberal Reward will be paid for their  
return

This copy should  
be lost for next one

0003

- when did you do it. -
- @ I notified the police, Capt. Kerley at head quarters associated press & since evening. Early next morning communication with stock like graph - 300 hand bills - among the brokers & banks.
- 2 Similar to the one <sup>now</sup> produced and of which the following is copy.
- a Yes.

Hand bill

2 have you seen any of those persons since

a not to recognize them -

2 was Mr. Alliger one of those three

a I think not

2 have you the slightest doubt upon your mind as being one of those parties

a I have not the slightest doubt of his not being one of them -

2 How does it happen that in this bound book which you caused to be printed and distributed as you have stated - you describe the property as lost. When at the time you knew it was stolen

a I was so advised

2 Have you any personal acquaintance with Mr. Alliger who sits here

a no -

2 when did you first know Mr. Narciso Brown inspector

a the first time I saw him to know was yesterday



- Q Did he introduce himself to you or was he introduced by somebody else? See if so by whom.
- A I think I asked for him here and he was pointed out.
- Q Why did you want him at that time & for what?
- A about this business.
- Q what business.
- A business of the arrest of an Alliger possessing stolen bonds some of which belonged to me.
- Q what time of the day was that.
- A about half past ten.
- Q morning.
- A yes.
- Q And was it then that the Spectator Bureau informed you that he would show a large portion of said bonds as you state in the affidavit.
- A I believe so.
- Q It was then yesterday morning.
- A yes.



0086

- 2 and is it not true that at that time and in connection with the information he then gave you, Inspector Brown urged you to make a Complaint against Mr Allegan.
- A I don't think he urged me to make a Complaint.
- 2 Did he ask you to make one
- A I don't remember that he did. I came here for that purpose.
- 2 Was there not a Complaint drawn up & presented to you for your signature and oath on yesterday morning
- A I think no Complaint was completed. I stopped it when it got it as far as to the <sup>preparation</sup> of it. Which charged Mr Allegan with taking the books from my office.
- 2 and is it not true that you left this Court yesterday morning & went about your business, without making any Complaint against Mr Allegan.
- A I left because the Complaint was not drawn up & I had no other

0087

- opportunity - to <sup>make</sup> a Complaint  
such as I desired
- Q And the fact is that you  
yesterday morning I did  
not make any Complaint  
A I made no Complaint then  
because the Court adjourned  
and I had no opportunity to  
make it -
- Q What kind of a Complaint  
did you want to make  
against the alligies on  
yesterday morning  
A Complaint for receiving  
& being possession of books  
stolen from my office. Know-  
ing them to have been stolen
- Q And the fact is that you  
returned here yesterday  
afternoon at about 2.00 o'clock  
Did you make the Com-  
plaint signed & ~~affirmed~~ <sup>affirmed</sup>  
to me now shown to you
- A Yes

0000

Q Now between the time you left this Court yesterday morning and the time of your return to it yesterday afternoon did any person connected officially with the administration of justice see and talk with you in respect to the affidavit made by you yesterday afternoon?

A I think not.

Q Will you testify that no such person did talk with you in that interim?

A Do you mean that I was influenced by other parties interested?

Q I mean the question which I have put to you and nothing else.

A Well, I suppose that the Counsel, and the Judge, and the Clerk and I talked that question over together.

Q What Counsel?

A Mr. Wagstaff.

Q Your Counsel?

A My Counsel.

Q With what Magistrate did you talk about that?

A I do not think I said much to the Magistrate: the Magistrate spoke about getting on faster.

Q Did you speak with Inspector Byrnes upon the subject in that interim?

A I remember having said to him that I did not propose to—

Q In whose hand-writing do you know is your affidavit signed and sworn to yesterday?

A It was written by Mr. Wagstaff.

Q It is in his hand-writing?

A Yes sir.

Q Your Counsel?

A Yes sir.

Q Your private Counsel here?

0089

A Yes sir: I really do not know whether this is the one Mr. Wagstaff wrote, or whether it was copied by some of the Clerks here: I am not familiar with his writing.

Q If it is not in his hand-writing it was copied from one in his hand-writing?

A I believe so.

Q Do you know where that copy is from which this was supposed to have been made?

A No sir.

Q It is not in your possession is it?

A It is not in my possession.

Q Do you know Mr. C. M. Jordan personally Cashier of the Third National Bank?

A I have seen him about here.

Q Talked with him?

A I did.

Q Frequently?

A I do not know that I ever had any conversation with him before yesterday morning.

Q Have you ever had any conversation with Mr. Jordan prior to yesterday morning here?

A No, sir, I came here from Boston yesterday morning.

Q So that Mr. Jordan is a stranger to you?

A He is not one of my intimate friends, I know him when I see him.

Q Is he a stranger or an acquaintance, which if you please?

A He is hardly either, I know him and he knows me when we meet.

Q You never saw him before at the Third National Bank, except about this matter?

A I think not.



0090

Q And when did you first see him at the Third National Bank about this matter?

A Some time yesterday, I will tell you all about it if you want to know.

Q I want to know just what I asked you, sir, and no more: I want to know when you first saw Mr. Jordan on this subject at the Third National Bank?

A Yesterday during the recess.

Q And before you made this affidavit?

A Yes, sir, before I made this affidavit.

Q In whose company did you go to the Third National Bank to see Mr. Jordan during the recess of yesterday?

A I went first alone on his invitation.

Q In whose company did you go afterwards?

A In company with Mr. Wagstaff.

Q Anybody else besides you and Mr. Wagstaff?

A No sir.

Q Are you sure of that?

A Yes sir.

Q And who did you meet when you went to the Third National Bank in company with Mr. Wagstaff, who did you see besides Mr. Jordan?

A A number of clerks.

Q Did you see any one connected with the administration of justice?

A No sir.

Q Were you not introduced to Mr. Jordan yesterday?

A I met him here.

Q Were you not introduced to Mr. Jordan yesterday?

A I do not know whether I was introduced to him yesterday or not.



0091

Q You do not know whether you were or were not?

A No, sir, I do not: I made his acquaintance yesterday.

Q If Inspector Byrnes had not told you what you say he did tell you about Mr. Alliger would you have had any cause to suspect Mr. Alliger of guilt in connection with these bonds?

A Yes sir.

Q What would it be beside what Mr. Byrnes told you?

A The public press.

Q Anything else, any other ground of suspicion now, supposing Inspector Byrnes had not said a word to you on this subject of Mr. Alliger's supposed connection with these guilty transactions?

A Well, it is probable I would not have taken the account in the press alone, but I would have made inquiry.

Q It was upon what the Inspector said to you, and what you read in the newspapers that formed the basis of your belief, as stated in this affidavit, that Mr. Alliger feloniously received those bonds into his possession knowing them to have been stolen?

A That and other circumstances.

Q State now fully the other circumstances?

A Well, I was informed and believed that Mr. Alliger had pledged these bonds: I knew who he was, and I believed that no person in his position could be honestly in possession of those bonds.

Q Now who so informed you?

A Informed what?

Q Informed you as in your answer to the question last above given by you under the head of other circumstances given to you other than by information by Inspector Byrnes, and infor-

0092

mation from the public newspapers?

A Mr. Jordan admitted to Mr. Wagstaff and myself that he had pledged ~~two~~ <sup>22000</sup> of my bonds in the Bank, they were pledged by Mr. Alliger.

Q Now if Mr. Jordan had not so informed you would you have been willing upon the strength of the hearsay of Captain Byrnes and the reports in the public newspapers to have made this affidavit?

A I should.

Q Aside from that entirely?

A I think there was enough in the public press uncontradicted.

Q And was the fact that Mr. Alliger was said to have negotiated these bonds, his possession of them being thus evidenced satisfactory proof to you that they came into his possession feloniously, and that he knew them to have been stolen when he got them?

A It was in the absence of evidence to the contrary: I believe no intelligent man could have taken those without knowing they were tainted.

Q Mr. Jordan told you that Alliger had procured loans from the Third National Bank upon their security yesterday morning?

A Yes sir.

Q You believed Mr. Jordan to be an intelligent man do you?

A Yes sir.

Q Do you believe that when he loaned Mr. Alliger moneys upon the strength of those securities he knew they were tainted?

A I do not think he did; I presume he did not personally; he was very careless.

Q Then why Mr. Alliger being a stranger to you, Mr. Jordan being a stranger to you should you presume guilty knowledge in Mr.

0093

Alliger from the bare fact of possession and not presume guilty knowledge in Mr. Jordan from the same fact of possession?

A One had an interest and the other had not I suppose.

Q An interest in what do you mean?

A In disposing of bonds.

Q And which of them did you suppose had an interest and which of them did you suppose was not interested in the transaction?

A I supposed that Mr. Alliger had a personal interest and Mr. Jordan was simply an official at the time.

Q Did you suppose that the Bank of which Mr. Jordan was a principal officer, these very securities being subjected to his scrutiny and examination, had not quite as much an interest in seeing that the moneys of the Bank were not loaned upon tainted securities as Mr. Alliger had in getting money from the Bank upon those same securities?

A I do not know that I can explain that satisfactorily but I think there is a distinction in my own mind, I may be mistaken about it, but that is my opinion.

Q Did you know anything whatsoever of Mr. Elijah Alliger, of his standing in society, what character he has maintained in this City prejudicial to him except what you believed against him in connection with his possession of these securities?

A I had no personal knowledge of anything else.

*affirmed*  
Sworn to before me this *20th*  
*August* day of August 1930.

*James H. Smith*  
Police Justice.

0094

T h o m a s B y r n e s sworn and cross examined.

Q You are an Inspector of police of the City of New York?

A Yes sir.

Q And have been for some years last past?

A No sir.

Q For how long?

A Six months.

Q You have been for a long time connected with the Police Department of this City?

A Yes, sir, about eighteen years.

Q You made the affidavit upon the back of the affidavit made by Merrett Trimble?

A Yes sir.

Q When did your personal acquaintance with Mr. Elijah Alliger commence?

A I think about two o'clock on last Tuesday.

Q Did you arrest him upon that day?

A Yes sir.

Q Had you a warrant for his arrest?

A I did not.

Q Had any complaint been made by you before a Magistrate against him preceding his arrest?

A No sir.

Q On arresting him what did you do with him?

A I brought him to an office in Wall Street; I kept him there for a short time; then I brought him to this Court, and he was arraigned before Judge Smith on the following morning or afternoon.

Q On whose complaint was he arraigned?

A Mr. Hilton, Secretary of the Hanibal and St. Joseph Railway

Q Were those papers shown or read to Mr. Alliger upon his arraignment?

0095

raignment?

A I think not.

Q When were those affidavits made having reference to the time of the arrest, after or before the arrest?

A After the arrest, between two and half past four o'clock on that afternoon.

Q And when Mr. Alliger was actually in custody?

A He was here, sir.

Q He was not present when those affidavits were made?

A I think he was in a room in there.

Q He was not present when they were made?

A No sir.

Q They were not read to him?

A No sir.

Q Did you furnish him with a copy of either of those affidavits at any time?

A No sir.

Q Do you know where those affidavits are now?

A I have not the slightest idea.

Q You presume they were left here?

A I presume they are now in possession of the Court.

Q Was the arrest of Mr. Alliger by yourself at all dependent upon any information conveyed to you before the arrest by Mr. Hilton Secretary of the Hannibal and St. Joseph Railroad?

A Yes sir.

Q When did he give you any information?

A It was some time between ten and eleven o'clock when he and Mr. Root came to my office.

Q What was the information which the Secretary of the road gave to you?



0096

A He told me they had discovered one of their bonds in Nassau Street: I asked him where the bond came from, and he said he did not know but he would go and find out. I remained in the office and they went out and came back some time afterward, and they said it came from Mr. Alliger in Broadway.

Q And as I understand you it was mainly upon that information, conveyed to you in that way upon that morning that you subsequently arrested Mr. Alliger?

A Yes sir.

Q Did you suggest to either the lawyer Mr. Root or to the Secretary Mr. Hilton that they should have gone to a Magistrate and made a complaint before the arrest of Mr. Alliger?

A No, sir, I did not.

Q Since the arrest of Mr. Alliger have you been in pursuit of any parties that are the subjects of suspicion in connection with the larceny of these securities?

A I decline to answer that question.

Q Have you received since the arrest of Mr. Alliger any information charging or tending to charge any other person or persons with the larceny of these securities?

A Well I also decline to answer that question.

Sworn to before me this

day of August 1880.

Police Justice.

0097

F e r d i n a n d B l a n k e n h o r n being duly sworn de-  
poses and says.

Q Where do you reside?

A Englewood, New Jersey.

Q You have read or heard read the affidavit of Merritt Trimble  
in regard to five bonds of \$500 each of the Burlington, Cedar  
Rapids & Northern Railway Company?

A No, sir, I did not hear it read.

Q Do you know or have you seen bonds of the Burlington, Cedar  
Rapids & Northern Railway First Mortgage 5s, so known as,  
numbered respectively 1124— 1142 inclusive, and do you know  
also six bonds of the same railway company numbered ~~5779~~, 5780, <sup>5781</sup>5782, 5783, 5786, have you seen those bonds?

A I think I have as near as my memory serves me.

Q Can you state to the Court where you saw them?

A I have seen them in the possession of the Third National Bank.

Q Do you know how they came into the custody of the Bank and  
from whom?

A The Bank advanced money upon them.

Q To whom?

A To Mr. Alliger.

Sworn to before me this  
day of August 1880.

Police Justice.

*F. Blankenhorn*

The People on

bought of

Orson Brown

-H-

Elyah Alliger

Thomas - Mass Bayless

— " —

(P) Dr Bought of

Merrett Sprinkle

-H-

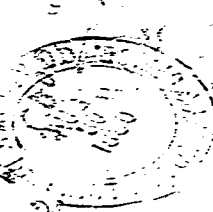
Elyah Alliger

William:

John A. Brown

Rev. D. Blanchard

No 1 10000 to 10000



Went there to

Orson Brown

Bayless

Merrett Sprinkle

59225

Received from  
Orson Brown  
10000 to 10000  
1860

0099

CITY AND COUNTY }  
OF NEW YORK, } ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
in and for the body of the City and County of New York, upon  
their Oath, present:

That

*Elijah Alliger*

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

*One certain instrument and writing, of the kind  
called a Rail Road Bond, and the same being  
known as a Hannibal and St. Joseph Rail  
Road Company's (bond) and numbered Twenty.  
Nine hundred and Eighty four, the value of  
the said instrument being the sum of One  
thousand Dollars. The same being the amount  
that might be collected upon the said bond  
and which was then and there due and  
then and there remaining unsatisfied*

of the goods, chattels, and personal property of one

*Owen Connor*

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.

0100

And the Jurors aforesaid, upon their oath aforesaid, do further present

That the said

*Elijah Alliger*

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,

One certain instrument and writing of the kind called a Rail Road Bond (the same being known as a Hannibal and St. Joseph Rail Road Company's (bond) and numbered twenty-nine hundred and eighty four) the value of the said instrument being the sum of one thousand dollars, the same being the amount that might be collected upon the said bond and which was then and there due and then and there remaining unsatisfied

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

*Owen O'Connor*

by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously stolen of the said

*Owen O'Connor*

unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have (the said

*Elijah Alliger*

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.

**BENJ. K. PHELPS, District Attorney.**





CITY AND COUNTY }  
OF NEW YORK, } ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
in and for the body of the City and County of New York, upon  
their Oath, present:

That

*Eliaz Allegre*

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the  
*Fifteenth* day of *October* in the year of our Lord  
one thousand eight hundred and ~~eighty~~ *seventy nine* at the Ward, City and County aforesaid  
with force and arms,

One certain instrument and writing of the  
kind commonly called a *First Mortgage*  
*Five per cent Bond* the same being issued  
by the *Burlington Cedar Rapids and Northern*  
*and Northern* ~~and Northern~~ *and Northern* ~~and Northern~~ *and Northern*  
*Railway Company of Iowa* the money de-  
manded by the said bond, and which might  
then and there be collected thereon, and which  
was then and there remaining unsatisfied  
being the sum of *one thousand* dollars,  
the same being the value of the said  
instrument

of the goods, chattels, and personal property of one

*Merritt M. M. M.*

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.

then and

And the Jurors aforesaid, upon their oath aforesaid, do further present  
That the said

*Elijah Alligar*

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,

one certain instrument and writing of  
the kind commonly called a "First Mortgage-  
Five Percent Bond" the same being issued by  
the Burlington, Cedar Rapids and Northern Railway  
Company of Iowa and numbered eleven  
hundred and twenty four - the money  
secured by the said bond, and which  
might then and there be collected  
thereon, and which was then and there  
remaining unsatisfied, being the sum  
of one thousand dollars, the same being  
the value of the said instrument.

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

*Merritt Trimble*

by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously  
stolen of the said

*Merritt Trimble*

unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have (the said

*Elijah Alligar*

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.

**BENJ. K. PHELPS, District Attorney.**

0104

BOX:

21

FOLDER:

262

DESCRIPTION:

Anderson, Frank

DATE:

10/05/80



262

0105

BOX:

21

FOLDER:

262

DESCRIPTION:

Kearns, John

DATE:

10/05/80



262



Counsel,  
Filed 5 day of Oct 1880  
Pleads *John Quincy*

Larceny, and Receiving Stolen Goods.

THE PEOPLE

vs.

*I*  
*Paul Anderson*  
*John Kearns*

BENJ. K. PHELPS,  
District Attorney.

A True Bill.

*Chas. N. Marshall*  
Foreman.

*John W. Marshall*

*Wm. Andack*  
*filed Oct 8/80*

0107

CITY AND COUNTY }  
OF NEW YORK, } ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
*in and for the body of the City and County of New York, upon  
their Oath, present:*

That

*Frank Anderson and John  
Kearns each*

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

*One* Promissory Note for the payment of money, the same being then and there  
due and unsatisfied, and of the kind known as *a* United States Treasury Note of the  
denomination of *one* dollar and of the value of *one* dollar.

*One* Promissory Note for the payment of money, the same being then and there  
due and unsatisfied, and of the kind known as *a* Bank Note of the denomination of  
*One* dollars and of the value of *one* dollar.

*Two coins of a number kind and de-  
nomination to the jurors aforesaid unknown  
and a more particular description of which  
cannot now be given of the value of  
sixteen cents  
One pocket book of the value of one  
dollar*

of the goods, chattels, and personal property of one

*Emmie Rising*

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.

0108

And the Jurors aforesaid, upon their oath aforesaid, do further present  
That the said

*Frank Anderson and John  
Kearns each*

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,

*One* Promissory Note for the payment of money, the same being then and there  
due and unsatisfied, and of the kind known as *a* United States Treasury Note of the  
denomination of *one* dollar and of the value of *one* dollar

*One* Promissory Note for the payment of money, the same being then and there  
due and unsatisfied, and of the kind known as *a* Bank Note of the denomination of  
*One* dollar and of the value of *one* dollar

*Divers coins of a number kind and de-  
nomination to the jurors aforesaid  
unknown and a more particular  
description of which cannot now be  
given of the value of sixteen cents  
One pocket book of the value of  
one dollar*

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

by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously  
stolen of the said

*Eunice R. Rising*  
unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have (the said

*Frank Anderson and John Kearns*  
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.

BENJ. K. PHELPS, District Attorney.

0109

BOX:

21

FOLDER:

262

DESCRIPTION:

Anderson, Frank

DATE:

10/08/80



262

0110

BOX:

21

FOLDER:

262

DESCRIPTION:

Kearns, John

DATE:

10/08/80



262



Counsel,  
Filed *Oct* 1880  
Pleads *Not Guilty No. 2*

THE PEOPLE

*19 11 50*  
*vs.*  
*Harmon*

*Frank Anderson*  
*2*  
*John Kearns*  
*2*  
*11 11 50*  
*vs.*  
*Harmon*

*Larceny, and Receiving Stolen Goods.*

BENJ. K. PHELPS,

District Attorney.

*Cont No Oct 8. 1880*  
*Not Pleads Pardon*  
*A True Bill.*  
*No 2 Fred 5 - convicted 2 years*  
*John H. Hamell*  
*S. P. Foreman.*  
*Oct 11, 1880.*

0112

STATE OF NEW YORK,  
CITY AND COUNTY OF NEW YORK, }

FORM 89½

SS.

POLICE COURT SECOND DISTRICT.

*Eunice Rising*  
of No. *24 East 35<sup>th</sup>* Street, being duly sworn, deposes  
and says, that on the *28* day of *September* 18 *80*

at the City of New York, in the County of New York, was feloniously taken, stolen and carried  
away, from the possession of deponent, *and from deponent's*

*person*

the following property, to wit:

*A Pocket Book Containing  
good and lawful money viz. One Nation-  
al Bank Bill of the denomination and  
value of One dollar and Silver -  
Nickel and Copper Coins said property  
being in all*

of the value of *Two 16/100* Dollars,

the property of *deponent and James C. Rising*  
*deponent's husband*

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

*Frank Anderson and  
John Reams (now here) for the rea-  
sons following - that on the said date  
deponent was standing in East 35<sup>th</sup>  
Street in said city when the said de-  
fendants, <sup>were</sup> in company with each other  
when one of the said defendants  
snatched the said property from de-  
ponent's right hand and said defend-  
ants ran off together - deponent pur-  
sued and caused the arrest of said  
defendants - that said property was  
found by Officer J. J. J. in the posses-  
sion of said Anderson*

*Eunice R. Rising*

Sworn to before me, this

*30*

day

of *September* 18 *80*

*Police Justice*

City and County S.S.  
of New York

Henry Jagers of the 39<sup>th</sup> Precinct being  
duly sworn says on the 28<sup>th</sup> day of  
September 1880 deponent arrested Frank  
Anderson and John Reams in East 35<sup>th</sup>  
street in the act of running together and  
being pursued by the within named com-  
plainants deponent found the property  
within named in the possession of said  
defendant Anderson

Sworn to before me this Caroline L. Hickman  
30<sup>th</sup> day of September 1880

Police Justice

0114

Police Court—Second District.

CITY AND COUNTY  
OF NEW YORK. } ss.

*John Kearns* being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he is at liberty to refuse to answer any question that may be put to him states as follows, viz:

QUESTION.—What is your name?

ANSWER.—

*John Kearns*

QUESTION.—How old are you?

ANSWER.—

*Nineteen years*

QUESTION.—Where were you born?

ANSWER.—

*Ireland*

QUESTION.—Where do you live?

ANSWER.—

*422 Dr. 38<sup>th</sup> Street*

QUESTION.—What is your occupation?

ANSWER.—

*Junk Dealer*

QUESTION.—Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer.—

*I am not guilty of the Charge*

*John Kearns*  
*mark*

Taken before me, this

*30*

day of *September*

1880

Police Justice.

0115

Police Court—Second District.

CITY AND COUNTY }  
OF NEW YORK. } ss.

*Frank Anderson* being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he is at liberty to refuse to answer any question that may be put to him states as follows, viz:

QUESTION.—What is your name?

ANSWER.—

*Frank Anderson*

QUESTION.—How old are you?

ANSWER.—

*Nineteen years*

QUESTION.—Where were you born?

ANSWER.—

*New York*

QUESTION.—Where do you live?

ANSWER.—

*452 or 50<sup>th</sup> Street*

QUESTION.—What is your occupation?

ANSWER.—

*Carnisher*

QUESTION.—Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer.—

*I am not guilty of the charge*

*his*  
*Frank X Anderson*  
*mark*

Taken before me, this

30

day of Sept

1884

Police Justice.



0116

Form 80j

POLICE COURT—SECOND DISTRICT

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Emmie Orling*  
24 E 35th St

*Frank Anderson*

*John Wearn*

DATED *Sept 30* 18 *80*

*Crandell* MAGISTRATE

*Jagter* OFFICER *29-*

WITNESS:

*Caroline S. Wilkinson*

*13 Park Avenue*



BAILED BY

No. \_\_\_\_\_ STREET.

0117

CITY AND COUNTY }  
OF NEW YORK, } ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
in and for the body of the City and County of New York, upon  
their Oath, present:

That

Frank Anderson and John Kearns  
Each

late of the First Ward of the City of New York in the County of New York, aforesaid, on the  
ninth day of September, in the year of our Lord  
one thousand eight hundred and eighty at the Ward, City and County aforesaid  
with force and arms,

One Promissory Note — for the payment of money, the same being then and there  
due and unsatisfied, and of the kind known as a United States Treasury Note of the  
denomination of One dollar and of the value of One dollar

One Promissory Note — for the payment of money, the same being then and there  
due and unsatisfied, and of the kind known as a Bank Note of the denomination of  
one dollar and of the value of One dollar

Overs comes of a number and denominated  
to the jurors aforesaid unknown, and  
a more accurate description of which could  
not now be given of the value of Oysters could  
one packet box of the value of one dollar  
of the goods & chattels and personal  
property of one Eunice R. Resing, on  
the person of the said Eunice then and  
there being found, from the person  
of the said Eunice R. Resing

of the goods, chattels, and personal property of one

thereby 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.

0118

And the Jurors aforesaid, upon their oath aforesaid, do further present

That the said

Frank Anderson and John Kearns each

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,

One Promissory Note for the payment of money, the same being then and there due and unsatisfied, and of the kind known as a United States Treasury Note of the denomination of one dollar and of the value of one dollar

One Promissory Note for the payment of money, the same being then and there due and unsatisfied, and of the kind known as a Bank Note of the denomination of one dollar and of the value of one dollar

Divers coins of a number kind and denomination to the Jurors aforesaid unknown and a more particular description of which cannot now be given of the value of sixteen cents  
One pocket book of the value of one dollar

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

Eunice R. Rising

by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously stolen of the said

Eunice R. Rising

unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have (the said

Frank Anderson and John Kearns 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.

BENJ. K. PHELPS, District Attorney.