

0009

**BOX:**

542

**FOLDER:**

4932

**DESCRIPTION:**

Bailey, Francis P

**DATE:**

12/15/93



4932

POOR QUALITY ORIGINAL

00 10

Witnesses:

Bernard Malley

151 W. Clark

Counsel,

W. W. Malley

Filed

107 Dec 1893

Pleads,

Guilty.

THE PEOPLE

vs.

Francis B. Bailey  
Deer Ags

Frederick Dequited

Grand Larceny, *second* Degree,  
From the Person,  
[Sections 529, 53, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

Chas. I. Mc. 22 200 93

A TRUE BILL,

B. Lockwood

Foreman.

POOR QUALITY ORIGINAL

0011

Police Court ✓ District. Affidavit—Larceny.

City and County }  
of New York, } ss: Bernard Mally

of No. 237 W 46<sup>th</sup> Street, aged 39 years,  
occupation Coach Driver being duly sworn,

deposes and says, that on the 6<sup>th</sup> day of November 1893 at the City of  
New York, in the County of New York, was feloniously taken, stolen and carried away  
from the possession of <sup>and person</sup> deponent, in the day time, the following property, viz:

One hundred and four dollars  
in good and lawful money of the  
United States

\$ 104<sup>00</sup>/<sub>100</sub>

the property of Deponent

and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloni-  
ously taken, stolen and carried away by Mucci's P. Bailey (murder)

from the fact that deponent had  
said money in his inside vest pocket  
that he was in the saloon on the north  
west corner of Carmine and Bedford  
Street that deponent went into the water  
closet of said premises that deponent  
followed him into said closet and demanded  
said money from deponent that he then

could not hold of deponent and took said  
money from the pocket of deponent  
and then ran out of said saloon.

Deponent is informed by Daniel Norman  
that he saw the defendant follow deponent  
into said closet at said saloon and that he saw  
the defendant put something in his pocket.

Bernard Mally

Sworn to before me, this 10<sup>th</sup> day

of November 1893

Police Justice.

*[Handwritten signature]*

POOR QUALITY ORIGINAL

0012

1877

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Samuel Noonan*

aged *25* years, occupation *Canvasser* of No. *74*

*King* Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of *Bernard Malley*

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

Sworn to before me, this *16<sup>th</sup>* day of *June* 189*3* } *Sam Noonan*

*[Signature]*  
Police Justice.

Lined area for additional text or notes.

POOR QUALITY ORIGINAL

0013

Sec. 198-200.

✓ District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

*Francis P Bailey* 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. *Francis P Bailey*

Question. How old are you?

Answer. *32 years*

Question. Where were you born?

Answer. *W.S.*

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

Answer. *22 West 105 Street 2 months*

Question. What is your business or profession?

Answer. *None*

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

Answer. *I am not guilty  
Francis P Bailey*

Taken before me this

*16<sup>th</sup>*

day of *March* 188*7*

Police Justice

*[Signature]*

POOR QUALITY ORIGINAL

0014

BAILED,

No. 1, by \_\_\_\_\_ Street, \_\_\_\_\_

Residence \_\_\_\_\_ Street, \_\_\_\_\_

No. 2, by \_\_\_\_\_ Street, \_\_\_\_\_

Residence \_\_\_\_\_ Street, \_\_\_\_\_

No. 3, by \_\_\_\_\_ Street, \_\_\_\_\_

Residence \_\_\_\_\_ Street, \_\_\_\_\_

No. 4, by \_\_\_\_\_ Street, \_\_\_\_\_

Residence \_\_\_\_\_ Street, \_\_\_\_\_

Police Court... District, W 1231

THE PEOPLE N.C. ON THE COMPLAINT OF

*Edward Walker*

*934 W. 45th St. New York City*

Offence *Larceny*

Dated *Nov 16* 18*93*

*Hyman* Magistrate.

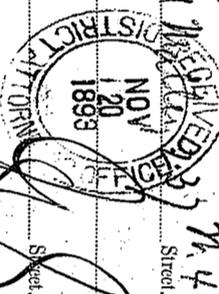
*Thomas W. Sullivan* Officer.

*David Morris* Precinct.

Witnesses *James J. [unclear]*

By *Stephen M. [unclear]*

No. *7* Street, *46*



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 *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 16* 18*93* *Hyman* Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

POOR QUALITY ORIGINAL

0015

1900

CITY AND COUNTY OF NEW YORK, ss:

POLICE COURT, 2 DISTRICT.

Sworn to before me, this 13th day of November 1895

of No. 237 West 46<sup>th</sup> St. to Mrs. McHalt Street, aged 1 years, occupation Driver being duly sworn, deposes and says, that on the 13 day of November 1895

at the City of New York, in the County of New York, he caused the arrest of Daniel Noonan (now held) on the charge of having committed a Larceny, and that since causing the arrest of said Noonan he is led to believe and does believe that said Noonan is not guilty of the charge preferred against him, deponent therefore says that he has no charge or complaint to make against said Noonan, and respectfully Prays the Court that he may be discharged.

day of Nov 13 1895  
Police Justice.



POOR QUALITY ORIGINAL

0017

AFFIDAVIT FOR COMMITMENT OF WITNESS.

4771

POLICE COURT 2 DISTRICT.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*James F Brennan*

of the 9<sup>th</sup> Precinct Police, being duly sworn, deposes

and says that Samuel Norman

(now here) is a material witness for the people against

Francis J Bailey charged

with Larceny. As deponent has

cause to fear that the said Norman

will not appear in court to testify when wanted, deponent prays

that the said Samuel Norman be

committed to the House of Detention in default of bail for his appearance.

*James F Brennan*

Sworn to before me, this 16<sup>th</sup> day of November 1895

*[Signature]*  
Police Justice.

POOR QUALITY ORIGINAL

0018

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

THE PEOPLE OF THE STATE OF NEW YORK

against

*Francis P. Bailey*

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

*Francis P. Bailey*

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

The said

*Francis P. Bailey*

late of the City of New York, in the County of New York aforesaid, on the *sixth* day of *November*, in the year of our Lord, one thousand eight hundred and ninety-*three*, in the *day* - time of the said day, at the City and County aforesaid, with force and arms,

*the sum of one hundred and four dollars in money, lawful money of the United States of America, and of the value of one hundred and four dollars*

of the goods, chattels and personal property of one on the person of the said then and there being found, from the person of the said 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.

*Bernard Mally*

*De Lency Nicoll,  
District Attorney.*

00 19

**BOX:**

542

**FOLDER:**

4932

**DESCRIPTION:**

Bain, Howard L.

**DATE:**

12/21/93



4932

POOR QUALITY ORIGINAL

0020

Witnesses:

*Chapman*

*Subpoena officer*

*Sept 27 1883*

~~*Judgment*~~

Counsel,

*Sept 27 1883*

Pleas

*Sept 27 1883*

THE PEOPLE

vs.

Grand Larceny, (Sections 528, 529, Degree, Penal Code.)

*Howard S. Bain*

*Sept 27 1883*

DE LANCEY NICOLL

District Attorney

*Sept 27 1883*

A TRUE BILL.

*Bloomfield*

*Sept 27 1883*

Foreman.

*Sept 27 1883*

STATEMENT OF THE CASE OF HOWARD L. BAIN.

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An application is now pending before Governor Flower for a pardon for Howard L. Bain who was sentenced October 9th 1893 to State's Prison on an indictment of grand larceny for the period of four years.

At the time of his arrest he was Cashier of the Home Bank of this City. He had been for 23 years in the employ of various banks including the Home Bank, the Sixth National Bank and the West Side Bank. Until the commission of the offence for which he was sentenced he had always borne an unblemished reputation and was entrusted either as a bank official or individually, with large sums of money and many stocks and bonds of great value.. For a short time prior to the commission of the offence he speculated in Wall Street. It appears upon margin his holdings during a period of depression having declined and he being required by his broker to advance more margin for security, was tempted to and did place with that broker certain securities which belonged to the Home Bank. This was his single lapse, and doubtless it was induced by the impression which seems to be ever present in cases of this kind, that the taking and placing of such bonds was a simple temporary use to be made of them to protect himself, but yet without any actual intent to steal them as the ordinary mind looks at such a transaction. As is usual in such cases he found himself unable to release and return the securities and

when his crime became known he fully confessed with all details the whole transaction and when indicted pleaded guilty and was sentenced by Judge Fitzgerald in the Court of General Sessions. After his arrest I was asked formally to act for him upon his arraignment for sentence, which I did and I can truly say that I never knew a more penitent man nor one who felt his disgrace so keenly. Not a penny had been saved either from his speculation or the abstraction, and when he went to prison he left a wife without means and utterly unable to support herself, a refined and educated woman, and two children, the youngest still in the mother's arms. There was presented to the Court a petition signed by the Directors and officers of the Home Bank, and many of its stockholders, asking for a suspension of sentence but Judge Fitzgerald, very rightly I think, felt compelled to impose the sentence which he did, stating that he had no just alternative, and that appeals for clemency could more properly be made to the Executive authority.

I know how frequently cases resembling this are discovered and prosecuted, but let me say that rarely, if ever, has there been a case where a person was so utterly ruined and disgraced by a single lapse and by his weakness in a single instance under strong temptation. Bain to-day has received severe punishment through disgrace, a disgrace which has fallen not only upon himself but more severely upon his innocent

**POOR QUALITY  
ORIGINAL**

0023

wife and children. After a thorough investigation of the case I can truly say that I should have no more hesitency in trusting Bain now, than I ever would. I believe his lesson has indeed been severely taught and I believe that the justice and punishing force of the law has been fully impressed upon him and through his example upon all others who know his case.

Further, honest employment is offered him immediately upon his discharge which will enable him to support himself and family and to reinstate himself, and I believe he will if opportunity is offered him, regain his good standing in this community.

There has been presented to Governor Flower a petition for his pardon, signed by the Trustees of the Home Bank and by the Directors, and officers of the leading financial institutions in this City, many of whom know him personally and know the facts of his career, besides many individual signers who sincerely request his pardon.

POOR QUALITY  
ORIGINAL

0024

*E. Stephenson, President.*

*H. L. Bain, Cashier.*

**The Home Bank**

EIGHTH AVENUE & 42<sup>ND</sup> STREET.

New York, Sept 2 1893

To the Honorable the Judge of the Court of General Sessions of the City of New York.

Sir.

At the request of the Officers and Directors of the Home Bank of the City of New York and very many of its depositors, I ask your Honor on their behalf, that in view of this the first offence of Howard L. Bain Cashier of said Bank, and the fact that Mr. Bain has performed more than twenty three years faithful service in Banks in this City, eleven years of which he was the Cashier of the Home Bank, and in view of the fact that during these years there was under his absolute control large sums of money which he could have taken if he intended to be dishonest, and in view of the fact that he has a wife and two children, a mother and two sisters dependent upon him for support, I respectfully beg leave to ask your Honor that you consider these facts set forth which I know to be true and extend to this most unfortunate man the clemency of the Court and, if it be possible and not inconsistent with justice permit sentence to be suspended.

Very Respectfully  
Edmund Stephenson  
President of the Home Bank

E. Stephenson, President; Edward Schwager, Vice President; H. L. Bacon, Cashier

**The Home Bank**

303 WEST 42ND ST.

New York, Nov 13<sup>th</sup> 1894

Vernon M Davis Esq  
Dear Sir

Mrs Howard L Bacon called  
on me this afternoon in  
relation to her husband <sup>who</sup> is  
in Sing Sing Prison  
she informs me that she  
presented a petition to  
Gov Schaefer for the pardon  
of her husband, but the Gov  
will not act until he hears  
from your office, I have  
not taken any part in the  
matter myself. a majority of  
our directors signed the  
petition, my sympathy is  
with Mrs Bacon, and on her  
account I trust your office  
will take speedy action in  
this case

Very truly  
Yours

E. Stephenson

POOR QUALITY  
ORIGINAL

0026

VI.

STATE OF NEW YORK.  
Executive Chamber,  
ALBANY.

Ind Sept 193  
Oct. 31, 1894

Sir:

Application for Executive clemency having been made on behalf of  
*Howard L. Bain,* who was convicted of *gr. larceny 1<sup>st</sup> deg.*  
in the county of *New York* and sentenced *Oct. 9, 1893.*  
to imprisonment in the *Sing Sing Prison* for the term of  
*four years* I am directed by the Governor  
respectfully to request that, in pursuance of Section 695 of the  
Code of Criminal Procedure, you will forward to him a concise state-  
ment of the facts of the case, together with your opinion of the  
merits of the application.

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

Very respectfully yours,

*J. S. Williams*  
Private Secretary.

*Hon. John R. Fellows,*  
*New York.*

**POOR QUALITY  
ORIGINAL**

0027

Mr. *Barn*

New York Oct. 4<sup>th</sup> 1893

Hon James Fitzgerald  
Judge of the Court of General Sessions  
Dear Sir:

The undersigned Shareholders and depositors in the Home Bank of the City of New York, respectively represent to your Honor that we are and have been for a number of years personally acquainted with Howard L. Bain late Cashier of the Home Bank in this city, our intercourse with him was almost daily, his character was without taint or suspicion, and he was held in the highest esteem by all who knew him, we most earnestly join with the Officers of the Bank in asking your Honor to take into consideration his previous good character without blot or blemish up to this most unfortunate occurrence, and that for the sake of his broken hearted wife and helpless children, his aged mother and sisters, who are dependent upon him for support, your Honor will extend to him such clemency as his case seems under the circumstances to merit.

Very Respectfully Submitted

Smith & Co.	750	8 <sup>th</sup> Avenue
John G. Smith	329	10 <sup>th</sup> St
Blask	703	8 Avenue
Frank J. Walgreen	358	St. 51 <sup>st</sup>
S. Merritt Hook	710	8 <sup>th</sup> Ave

David Richey 11 west 84 street  
 Joseph F. Lippe 454 West 47<sup>th</sup> St  
 Arthur E. Chapman 234 W 43<sup>rd</sup>  
 Cornelius J. Pennant 66 W 51<sup>st</sup>  
 W. M. Bishop 2544 - 8 - av lot  
 Etta Bianchi Woodlawn h. J. City  
 Joseph Ratzel 441 W 43<sup>rd</sup>  
 Geo W. Spolig 238 W 101<sup>st</sup> City  
 Auger Pymtas 59 W. 42nd St  
 Isaac Ebborn Linnard 49 West 97<sup>th</sup> Street  
 Bruno Eusner 510 West 48<sup>th</sup>  
 F. Friedman 653. 10<sup>th</sup> ave  
 Ferd. Jaeger 672 70<sup>th</sup> St.  
 William Wurz 42 West 71<sup>st</sup> St  
 Samuel Blumenthal 334 " 84<sup>th</sup>  
 Childs Leo 543 10<sup>th</sup> St  
 Saml Cameron 730 9<sup>th</sup> Ave  
 L. B. Kuckman 423 - 10<sup>th</sup> Ave  
 Edwin B. Weyenberg 601 W 33<sup>rd</sup> St  
 Patricia Rindgart 155 W 84<sup>th</sup>  
 John Scully 705 10<sup>th</sup> Ave  
 Schweizer o Walder 665 10<sup>th</sup> Ave  
 Samuel Thompson 654 - 8<sup>th</sup> Ave  
 Henry Pegerhandt 336 West 42<sup>nd</sup>  
 Salzman Pegerhandt 604 Eleventh Ave  
 J. Strumpf 348 45<sup>th</sup> St  
 David Christie 767 West End Ave  
 E. Rosenberg 137 Amsterdam Ave  
 Louis Wack 777. 8<sup>th</sup> Ave.  
 Leonard Ott 614 8<sup>th</sup> Ave  
 James Allen 360 W 42<sup>nd</sup> St

Terence M<sup>r</sup> Ginn  
 438-11-Ave  
 William Bedell 315 W 53rd St  
 Charles McCoy 558 9 Ave  
 Sigmund Beer, 955-8th Ave.  
 Gordon Roberts 59 West 42<sup>nd</sup> Street  
 Benjamin J. Form 717 8<sup>th</sup> St  
 Dora Marlow 608 8 Ave  
 William Scholtz 165 W 10<sup>th</sup> Amsterdam Ave  
 G. Gerber 411 W 42<sup>nd</sup> St  
 Frank B. Coogrove 875-10 Ave  
 Fred H. Ottew 350 W 45 St  
 Eugene Callahan 773 8<sup>th</sup> Ave  
 C. Kuentzler 612 W 147<sup>th</sup>  
 Max Fraun 274 W 43  
 Jacob Freund 202 Amsterdam Av.  
 H. Meermann 151 8 Ave  
 Bernard Daly 563 West 42 St  
 Robert Heiler 645-8<sup>th</sup> Ave  
 Edward Gregory 570-9<sup>th</sup> Ave  
 Merwin Frienstein 813-8 Ave  
 Christopher P. Schurck 448 11 Ave  
 Henry Carstens 1507 B'way  
 Timotheus Kluck 10<sup>th</sup> Ave Cor 51 St  
 Philip W. Sigman 705 8<sup>th</sup> Ave  
 W. Lamb 308 W 42<sup>nd</sup> St  
 Gustav Co. 306 W 43 St  
 A. Frank Root 114 119 W 46 St  
 H. Neuschmidt 45 Mack Centre

P. Schwartz 673 " 8<sup>th</sup> Ave.  
 J. Mandelbaum 306 W. 44<sup>th</sup> St.  
 Peter Mullough 227 W. 83<sup>rd</sup> St.  
 Jack Burger 608. 9<sup>th</sup> Ave.  
 F.H. Kastens 670 - 10 Ave  
 John H. Barklage 647 - 9 Ave  
 Henry Doerschen 680 - 10<sup>th</sup> Ave  
 H. Fritz Meyer 524 10 ave  
 M. Weiskant 407 8<sup>th</sup> Ave  
 Is. Moustak 689 8<sup>th</sup> Ave  
 H. Kurr 758 - 8<sup>th</sup> Ave  
 N. J. M. Mannis M.D. 251 W 42 St.  
 George Schmitt 352 W 52 St.  
 Dr. Smith 848 6<sup>th</sup> Ave  
 J. W. Winkels. 96 West 103<sup>rd</sup> St  
 M. J. Lindsay 770 - 10<sup>th</sup> Ave.  
 Hermann Fischer 343 west 52<sup>nd</sup> Street  
 John F. Green 261 West 42<sup>nd</sup> Street  
~~Max Lieber 367 Bowers N.Y.C.~~  
 Samuel Charig 613 - 8<sup>th</sup> Ave N.Y.C  
 J. G. Seely 442 Western Boulevard,  
 J. F. Wexler - 417 West 46<sup>th</sup> St  
 O. A. Kendall 205 West 44<sup>th</sup> St  
 Patrick Murray 674 tenth avenue  
 Mitchell Levy 615 8<sup>th</sup> Ave.  
 W. H. Luyster 313 West 53<sup>rd</sup> Street  
 Campbell & Gallon 207 West 42<sup>nd</sup> St  
 Adolph Colun 459. W 42<sup>nd</sup>  
 Hermann H. Sandwehrs 453 W. 42 St  
 Louis Sieberon 238 West 36 Street

Pp. Guenther 49 Chambers St.  
 A. D. Serrell Son 117 Ave. 58<sup>th</sup> Street.  
 Gustav Scholer M.D. 311 W. 48. Street.  
 Michael G. Stader 448 W 49<sup>th</sup> St  
 Geo. C. Frede 501 W. 54<sup>th</sup> St  
 Thomas Leonard 711 & 713 8<sup>th</sup> St  
 H. T. Douglas M.D. 354 W 42<sup>nd</sup> St  
 C. S. Schultz 690 - 8<sup>th</sup> Ave  
 H. Steinlauf 125 Crosby St City  
 James M. Lemack 695 Eighth Ave  
 S. W. Wobey 558 - 10 Ave.  
 James Clarkson 102 Amsterdam St  
 J. J. Turner 837 10 ave  
 Chas. R. Bullwinkel 665, 10 ave  
 M. H. Lloyd & Corroll 346 W. 42<sup>nd</sup> St  
 John Blackwood 410 W 44<sup>th</sup> St  
 Aud. V. Marsh 772. 8<sup>th</sup> Ave.  
 Thos. F. Myers 431 W. 47<sup>th</sup> St  
 C. E. Laboyer 792 - 6<sup>th</sup> St  
 Philips Leuz 535 West 46<sup>th</sup> St  
 Edw. Geiss 623 - 10 Ave  
 H. G. Calenberg New Rochelle  
 Jacob Abel No 210 212. W. 65<sup>th</sup> St  
 J. Sehenbach D.D. = " 440 - 442 - W. 46<sup>th</sup> St.  
 W. H. Hedney Son. 42 - 50 West 67<sup>th</sup> St.  
 J. Plumenthal & Co 531 8<sup>th</sup> Ave  
 G. J. Bruneman 300 W 42<sup>nd</sup>  
 Geo Walker & Sons 712 8<sup>th</sup> Ave

POOR QUALITY ORIGINAL

0033

Bernard Karoch 635 - 8 Ave  
 R. J. Hughes 401 W 53 St  
 R. L. Julian 238 Columbus Ave.  
 L. Kaplan 313 W 40 St  
 S. J. Curran 36-37 W 8 Ave  
 - 345 E 116 St  
 John Helinke 774 - 11 Ave.  
 A. E. Fink 690 8 Ave New York  
 Charles Martin 627 Ninth Ave NY  
 Harry Grant 695 10th Ave  
 L. McCoy Ree 1521 Broadway  
 Dr. H. Maxwell 706 8th Ave  
 Charles L. Hamman 575 West 53 St  
 Jay Allen 1501 Broadway  
 James J. Dooling 661 8th Ave  
 W. M. Wright's Bond 891 8th Ave  
 C. C. Carter 68 1/2 8 Ave  
 Gustav Brach 419 W 54 St  
 Wm. C. Singer 673 9 Ave  
 J. Weisskopf 738 - 8 Ave  
 Grob. Feldscher 787 - 11th Ave  
 John Keegan 551 West 53 St  
 John Schur Jr 239 West 49 St  
 Henry H. H. 358 W 46th St  
 Joseph J. Keenan 437 Lexington Ave  
 Andrew Robinson 627 8th Ave

Louise Chepsey  
 Edelmeier & Morgan 333 W 49<sup>th</sup> St  
 John H Edelmeier 226 W 71<sup>st</sup> St  
 Hermann Suter 617 W. 49<sup>th</sup> St  
 David H Hennessey 690 - 10<sup>th</sup> Ave  
 V. F. Lichtenthan 450 W 47<sup>th</sup> St.  
 F. R. Hill 164 E. 89<sup>th</sup> St.  
 W. H. Evans 2 Front St.  
 Hayerer 619 - 10 Ave  
 Michael Fennelly 169 W. 102<sup>nd</sup> St  
 Snyder & Rose 749 & 751 9<sup>th</sup> Ave  
 J. F. Krueger 316 W. 42<sup>nd</sup> St.  
 John H. A. Devermann. 712. 11<sup>th</sup> Ave.  
 G. J. Wolcott 708 - 8 Ave  
 F. M. Clark 678 Eighth Ave  
 O. J. Dennis 348 W 47<sup>th</sup> St  
 J. W. Parker 844 8<sup>th</sup> Avenue  
 B. Ballan 677. 8<sup>th</sup> Ave  
 Thomas Farrell 328 W. 41<sup>st</sup> St  
 J. E. W. Bondt 416. 9<sup>th</sup> St  
 Joseph Finch 106 W. 44<sup>th</sup> St  
 James Bradley 438 W. 48<sup>th</sup> St.  
 Geo Koender 698 - 10<sup>th</sup> Ave  
 J. W. Monte 613. 9<sup>th</sup> Ave  
 Herman Flint 741 8<sup>th</sup> Ave  
 W. G. Watson Weehawken N.J.  
 Gertrude Hoffman 805 Sixth Ave  
 Jacob Popella 611. 8 Ave  
 Edw R Gallow 309 W 41<sup>st</sup> St  
 W. Simpson Cor 44<sup>th</sup> St, 8 Ave

POOR QUALITY  
ORIGINAL

0035

THE HOME BANK,  
308 WEST 42<sup>d</sup> ST.,  
NEW YORK.

To the Honorable the  
Judge of the Court of General Session

Police Court 2 District.

Affidavit—Larceny.

City and County }  
of New York, } ss:

Edmund Stevenson

of No. 215 East 62nd Street, aged \_\_\_\_\_ years,

occupation President Home Bank being duly sworn,

deposes and says, that on the 1st day of August 1893 at the City of

New York, in the County of New York, was feloniously taken, stolen and carried away

from the possession of deponent, in the day time, the following property, viz:

Twenty-one thousand Webster Second  
Mortgage Bonds of the value of  
which was fifteen thousand one  
hundred and eighty five dollars  
\$16,185.

the property of The Home Bank

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloni-

ously taken, stolen and carried away by Howard L. Bain

(now dead) The said bonds were

kept in the safe of the said

bank, and deponent was cashier

of said bank and had access to

said property, and so admitted to

deponent that he had taken the

said property and appropriated it

to his own use, at said time

Edmund Stevenson

Sworn to before me, this \_\_\_\_\_ day of \_\_\_\_\_ 1893,  
Wm. H. [Signature] Police Justice.

POOR QUALITY  
ORIGINAL

0037



WILLIAM F. MOORE, JUSTICE.  
DANIEL WILLIAMS, CLERK.

Justices Chambers

December 17th 1894

My Dear Sir:-

I left with Mr. Flynn on Saturday the statement in the case of Howard L. Bain for whose pardon an application has been made to Governor Flower. The Governor has written that he is waiting an answer from his letter to your office and Judge Fitzgerald before acting on the application and I had a very pleasant interview with Judge Fitzgerald who I am sure will concur in any merciful recommendation your office will make.

I understand it has been partially arranged that some of Bain's friends would call on Governor Flower on Wednesday next. May I ask you as a personal favor that you write the Governor as soon as you can so that he will be ready to act on that day, when the application is brought up.

Yours truly,

*William F. Moore*

*W*

*Henry W. Hoagland Esq  
Dist atty office*

POOR QUALITY  
ORIGINAL

0038

District Attorney's Office,

CITY AND COUNTY OF NEW YORK.

Nov 29<sup>th</sup> 1894

CAPTAIN OR OFFICER IN COMMAND.

Dear Sir:

I desire to see Officers Crowley  
and McLoskey attached to your command in  
Sept 1893 in relation to the case of  
Howard L. Baine - U.S.  
sentenced Oct 9 1893 to 14 years  
years and months imprisonment by  
Judge Fitzgerald

Please ask the officer to bring such information in relation to the case, and as to the previous record of the prisoner, as he may be enabled to obtain.

Yours truly,

HENRY W. UNGER,

Deputy Assistant and Secretary to the District Attorney.

POOR QUALITY ORIGINAL

0039

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Howard L. Bran

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.

Howard L. Bran

Question. How old are you?

Answer.

40 years

Question. Where were you born?

Answer.

U.S.

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

Answer.

Newark N.J. 2 days

Question. What is your business or profession?

Answer.

Cashier

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

Answer.

I am guilty

Howard L. Bran

Taken before me this

day of

Handwritten signature of the official

Police Justice

POOR QUALITY ORIGINAL

0040

BAILED  
 No. 1, by Charles Jago  
 Residence 105 West 11 Street.  
 No. 2, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street.  
 No. 3, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street.  
 No. 4, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street.

Police Court 2 District 999

THE PEOPLE, Ac.  
ON THE COMPLAINT OF

Edward Stephen  
vs. Howard L. Bain  
2158 62

1  
2  
3  
4

Offence Larceny

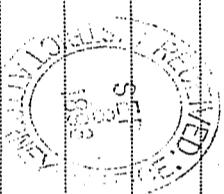
Dated Sept 16 1887

Ruel Magistrate.  
Brody & Co. Clerk Officer.  
C.C. Precinct.

Witnesses \_\_\_\_\_

No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.



Ed J Sd. Ct.  
to answer

Ch 238  
Lawrence

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 \_\_\_\_\_

Howard L. Bain

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of ten thousand ~~thousand~~ 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 Sept 16 1887 Ruel Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

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

THE PEOPLE OF THE STATE OF NEW YORK

against

*Howard S. Bain*

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

*Howard S. Bain*

of the CRIME OF GRAND LARCENY IN THE *first* DEGREE, committed as follows:

The said *Howard S. Bain,*

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

*lawfully issued and with the authority of the said said second mortgage bonds, issued by a corporation called the Western Real Estate Company, of the denomination and value of one thousand dollars each, (a more particular description thereof is to be found in the report of the Grand Jury aforesaid, and cannot now be given),*

of the goods, chattels and personal property of ~~one~~ a corporation called *the Home Bonds*.

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

*Deane Smith*  
*Attorney*

0042

**BOX:**

542

**FOLDER:**

4932

**DESCRIPTION:**

Baker, John

**DATE:**

12/21/93



4932

0043

**BOX:**

542

**FOLDER:**

4932

**DESCRIPTION:**

Sullivan, Dennis

**DATE:**

12/21/93



4932

POOR QUALITY ORIGINAL

0044

232

Counsel,  
Filed  
Pleads  
1893

Burglary in the Third Degree  
[Section 489, etc., 239, 240, 241]

THE PEOPLE  
vs.

John Baker  
and  
Dennis Sullivan

vs.

DE LANCEY NICOLL,  
District Attorney.

TRUE BILL.

*[Signature]*  
Dated *[Signature]*  
Lend *[Signature]*  
Each S.P. 3 y. l. a. o.

Witnesses:  
*[Signature]*  
20 Pound

POOR QUALITY ORIGINAL

0045

Police Court 2<sup>nd</sup> District.

City and County of New York, ss.:

John Gemmer

of No. 375 West 29<sup>th</sup> Street, aged 32 years,

occupation Butcher being duly sworn

deposes and says, that the premises No 504 West 29<sup>th</sup> Street,

in the City and County aforesaid, the said being a one story brick

Building and which was occupied by deponent as a Stable

~~and in which there was at the time a business being, by name~~  
we **BURGLARIOUSLY** entered by means of forcibly breaking a  
lock on a wooden gate, leading from the  
street into a yard, and then removing  
a bolt on a door, leading from said yard  
into said stable.

on the 16 day of December 1883 in the night time, and the following property feloniously taken, stolen, and carried away, viz:

a live horse, wagon, and harness,  
in all of the amount and value  
of about four hundred dollars.

( \$ 400<sup>00</sup> )

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 John Baker and Dennis Sullivan (both now here)

and while acting in concert with each other -

for the reasons following, to wit: that about the hour of 8  
o'clock P. M. of the 15<sup>th</sup> inst, deponent after  
placing the aforesaid horse and harness in  
said stable, bolted the door of said stable,  
and after securely locking said gate, deponent  
went away, leaving the aforesaid wagon standing  
in the street, in front of said stable, and that  
deponent is informed by Officer Michael Kelly  
of the 2<sup>d</sup> Precinct Police, that about the hour

POOR QUALITY ORIGINAL

0046

of 12.30 o'clock A.M. of said date, he saw the  
 Defendants in company with each other in front  
 of and attempting to force open said gate -  
 and that about the hour of 1.30 o'clock A.M.  
 said Officer again saw said Defendants in  
 Company with each other, in the street in front  
 of said stable, with a horse, harnessed and  
 attached to a wagon, in their possession -  
 And that defendant has seen said wagon  
 horse, and harness, which said Officer Kelly  
 saw in the possession of said defendants, and  
 fully recognizes the same as his property, and  
 as the aforesaid property stolen from him on  
 said date - defendant therefore asks that said  
 Defendants may be held to answer

Shewn to before me } John Gummer  
 this 16<sup>th</sup> day of December 1893 }

*[Signature]*  
 Police Justice

Police Court \_\_\_\_\_ District \_\_\_\_\_

THE PEOPLE, &c.,  
 ON THE COMPLAINT OF

vs. {

Burglary Degree

Dated \_\_\_\_\_ 188 \_\_\_\_\_

Magistrate \_\_\_\_\_

Officer \_\_\_\_\_

Clerk \_\_\_\_\_

Witnesses: \_\_\_\_\_

Committed in default of \$ \_\_\_\_\_ Bail \_\_\_\_\_

Bailed by \_\_\_\_\_

No. \_\_\_\_\_ Street \_\_\_\_\_

POOR QUALITY ORIGINAL

0047

CITY AND COUNTY }  
OF NEW YORK, } ss.

1877.

*Michael Kelly*  
aged \_\_\_\_\_ years, occupation *Police Officer* of No. *20*  
*Precinct Police* Street, being duly sworn, deposes and  
says, that he has heard read the foregoing affidavit of *John Gemmer*  
and that the facts stated therein on information of deponent are true of deponent's own  
knowledge.

Sworn to before me, this *16*  
day of *December* 189*3* *Michael Kelly*

*[Signature]*  
Police Justice.

**POOR QUALITY ORIGINAL**

0048

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

Dennis Sullivan 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. Dennis Sullivan

Question. How old are you?

Answer. 21 years

Question. Where were you born?

Answer. New York

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

Answer. 570 West 29 Street - 1 Month

Question. What is your business or profession?

Answer. peddle

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

Answer.

I am not guilty  
Dennis Sullivan

Taken before me this

Day of March 1888

Police Justice.

[Signature]

**POOR QUALITY ORIGINAL**

0049

Sec. 198-200.

2  
District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *John Baker*

Question. How old are you?

Answer. *22 years -*

Question. Where were you born?

Answer. *New York*

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

Answer. *305 West 29 Street - One week*

Question. What is your business or profession?

Answer. *Peddler*

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

Answer. *I am not guilty -*  
*John Baker*

Taken before me this  
day of *December*

188*8*

Police Justice.

*W. J. [Signature]*

POOR QUALITY ORIGINAL

0050

BAILED,  
 No. 1, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street \_\_\_\_\_  
 No. 2, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street \_\_\_\_\_  
 No. 3, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street \_\_\_\_\_  
 No. 4, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street \_\_\_\_\_

Police Court--- District 2 1342

THE PEOPLE, Co., ON THE COMPLAINT OF

*John Stannett*  
*John Stannett*  
*John Stannett*  
*John Stannett*

Offence *Burglary*

Dated *December 16 93*

*Morgan* Magistrate  
*Kelly* Officer  
 Precinct \_\_\_\_\_



Witnesses:  
 No. \_\_\_\_\_ Street \_\_\_\_\_  
 No. \_\_\_\_\_ Street \_\_\_\_\_  
 No. \_\_\_\_\_ Street \_\_\_\_\_  
 No. \_\_\_\_\_ Street \_\_\_\_\_

*Forrest Cook*  
*Forrest Cook*  
*Forrest Cook*  
*Forrest Cook*

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

guilty thereof, I order that *15* he be held to answer the same and *15* he be admitted to bail in the sum of *100* Hundred Dollars, *each* and be committed to the Warden and Keeper of the City Prison, of the City of New York, until *15* he give such bail.  
 Dated *December 15 93* *[Signature]* Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

POOR QUALITY  
ORIGINAL

0051

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 Baker*  
and  
*Dennis Sullivan*

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

*John Baker and Dennis Sullivan*

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

The said *John Baker and Dennis Sullivan, both*

late of the *20th* Ward of the City of New York, in the County of New York aforesaid, on the  
*sixteenth* day of *December*, in the year of our Lord one  
thousand eight hundred and ninety-*three* in the *night*-time of the same day, at the  
Ward, City and County aforesaid, a certain building there situate, to wit, the *stable* of  
one *John Gummer*

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

*John Gummer* in the said *stable*  
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

0052

SECOND COUNT.—

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

*John Baker and Dennis Sullivan*  
of the CRIME OF *Grand LARCENY in the second degree,* committed as follows:

The said

*John Baker and Dennis Sullivan, both*

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 *right*-time of said day, with force and arms,

*one horse of the value of two hundred and fifty dollars, one wagon of the value of one hundred dollars, one set of harness of the value of ~~four~~ ~~five~~ fifty dollars*

of the goods, chattels and personal property of one

in the

*John Gemmer*  
*stable* of the said *John Gemmer*

there situate, then and there being found, in the *stable* 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.

POOR QUALITY  
ORIGINAL

0053

THIRD COUNT.—

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

*John Baker and Dennis Sullivan*  
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

*John Baker and  
Dennis Sullivan, both*

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 horse of the value of two  
hundred and fifty dollars, one  
wagon of the value of one  
hundred dollars, and one set  
of harness of the value of  
fifty dollars*

of the goods, chattels and personal property of

*John Gemmer*

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

*John Gemmer*

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

*Baker and Dennis Sullivan*  
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.

DE LANCEY NICOLL,

*District Attorney.*

0054

**BOX:**

542

**FOLDER:**

4932

**DESCRIPTION:**

Bancalari, Giovanni

**DATE:**

12/06/93



4932

**POOR QUALITY ORIGINAL**

0055

Witness:  
*Christa Benardi*

*vs*  
Counsel,  
Filed *6* day of *Dec* 189*3*  
Platts, ~~*NY*~~

THE PEOPLE

vs.

Assault in the First Degree, etc.  
(Sections 217 and 218, Penal Code.)

*Giovanni Benardi*

DE LANCEY NICOLL,  
District Attorney.

A TRUE BILL.

*B. Woodward*

Foreman.

*Dec 6/93*

*Henri Krumholz*

*S. P. 2 years.*

POOR QUALITY ORIGINAL

0056

Police Court \_\_\_\_\_ District.

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

*Giuditta Ferrando*  
of No. *106* *Thompson* Street, aged *29* years,  
occupation *Housewife* being duly sworn

deposes and says, that on *27* day of *November* 18*88* at the City of New  
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by  
*Giovanni Baccaloni*

*(With force) with an arm and fist*  
*He struck me on the head on the*  
*mouth causing me some pain*  
*causing me severe pain*

with the felonious intent to take the life of deponent, or to do him grievous 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 bound to answer  
for the above assault, etc., and dealt with according to law.

Sworn to before me, this *28* day  
of *November* 18*88* *Giuditta Ferrando*

*[Signature]*  
Police Justice



POOR QUALITY ORIGINAL

0058

BAILED,  
 No. 1, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street \_\_\_\_\_  
 No. 2, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street \_\_\_\_\_  
 No. 3, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street \_\_\_\_\_  
 No. 4, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street \_\_\_\_\_

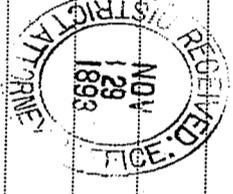
Police Court... 2  
 District... 1267

THE PEOPLE, &c.,  
 ON THE COMPLAINT OF  
 Suspect  
 Charles Thompson  
 Giovanni Bonardone  
 1  
 2  
 3  
 4  
 Offence... Pelvicinus Assault

Dated Mar 28 1893

Magistrate  
 Officer  
 Precinct

Witnesses  
 No. 125 Street & Ave Street  
 Near



No. \_\_\_\_\_ Street \_\_\_\_\_  
 \$ 1000 to answer \$ 50

to answer  
 C. W. Quinn

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  
 \$ 1000 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 Mar 28 1893 Police Justice.

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

Dated..... 18..... Police Justice.

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

Dated..... 18..... Police Justice.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Giovanni Bancalari

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

Giovanni Bancalari

of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said Giovanni Bancalari

late of the City of New York, in the County of New York aforesaid, on the day of November, in the year of our Lord one thousand eight hundred and ninety-three, with force and arms, at the City and County aforesaid, in and upon the body of one Guidetto Ferrando in the peace of the said People then and there being, feloniously did make an assault, and him the said Guidetto Ferrando with a certain hook

which the said Giovanni Bancalari in his right hand then and there had and held, the same being a deadly and dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, stab and wound,

with intent him the said Guidetto Ferrando thereby 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 GRAND JURY AFORESAID, by this indictment, further accuse the said

Giovanni Bancalari

of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said Giovanni Bancalari

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said Guidetto Ferrando in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and him the said Guidetto Ferrando with a certain hook

which the said Giovanni Bancalari in his right hand then and there had and held, the same being a weapon and an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully strike, beat, cut, stab and wound, 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

*Giovanni Bancalari*

of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

*Giovanni Bancalari*

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the said *Gustetto Ferrando* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and *him* the said

with a certain

which

in

*hook* the said *Giovanni Bancalari*  
*he* the said *Giovanni Bancalari*  
*his* right hand then and there had and held, in and upon the *face*  
of *him* the said *Gustetto Ferrando*  
then and there feloniously did wilfully and wrongfully strike, beat, stab, cut, bruise and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said *Gustetto Ferrando*

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

DE LANCEY NICOLL,  
District Attorney.

0061

**BOX:**

542

**FOLDER:**

4932

**DESCRIPTION:**

Barry, William

**DATE:**

12/13/93



4932

POOR QUALITY ORIGINAL

0062

Witness:

John Shelton

As the witnesses  
very slight  
recovered the  
acceptance of  
a plea of assault  
in the third degree

Jan 11 94

Jos W. Osborne  
Deputy

115

Counsel,

Filed, 13 Dec 1893

Pleas,

Guilty

THE PEOPLE

18  
1776 882 vs.  
John P.

William Barry.

Case - Jan. 11, 1894

Pleas and 3rd Deg.

Pen 6 months

Assault in the Second Degree.  
(Section 218, Penal Code.)

DE LANCEY NICOLL,

District Attorney.

Part 3, Sec. 1793 B.S.C.

A TRUE BILL.

As returned

Foreman.

POOR QUALITY ORIGINAL

0063

Police Court— 5 District.

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

of No. 76 East 86<sup>th</sup> Street, aged 26 years,  
occupation Butcher being duly sworn

deposes and says, that on the 27 day of November 1887 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by William Barry (now here) who wilfully and maliciously cut and stabbed deepwound in the left arm with a pen knife which he the deponent then and then held in his hand. Deponent further says that such assault was committed

with the felonious intent to ~~take the life of deponent, or to~~ do him grievous bodily harm; and without any justification on the part of the said assailant

Wherefore this deponent prays that he said assailant may be ~~apprehended and~~ bound to answer for the above assault, etc., and be dealt with according to law.

Sworn to before me, this 28 day }  
of Nov 1887 }

Johann Hebelin

Chief Justice Police Justice.

POOR QUALITY ORIGINAL

0064

Sec. 198-200.

1882 District Police Court.

City and County of New York, ss:

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

Question. What is your name?

Answer. William Barry

Question. How old are you?

Answer. 18 years old

Question. Where were you born?

Answer. Ireland

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

Answer. On 3 Ave + 82 St. 2 yrs

Question. What is your business or profession?

Answer. Driver

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

Answer.

I am not guilty this man struck me and threw me down and I cut him in self defense.

Wm Barry

Taken before me this

day of

28

1893

Charles J. Murray

Police Justice.

POOR QUALITY ORIGINAL

0065

See 29 Nov 1902  
O.A. \$1,000 bail

BAILED,  
 No. 1, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street \_\_\_\_\_  
 No. 2, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street \_\_\_\_\_  
 No. 3, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street \_\_\_\_\_  
 No. 4, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street \_\_\_\_\_

Police Court, 5 District

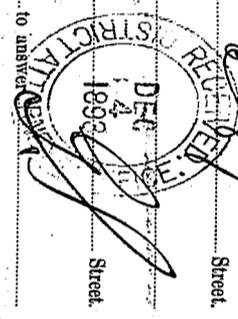
THE PEOPLE &c.,  
 ON THE COMPLAINT OF  
*William Barry*  
 760 86  
 Assault felony

Dated, Nov 29 1893

*Seiter* Magistrate  
*Wells* Officer

Witnesses  
 No. *1* *J. P. Moore* Street \_\_\_\_\_  
 No. *2* *Frank J. Davis* Street \_\_\_\_\_  
 No. *3* *208 E 87* Street \_\_\_\_\_

No. *1000* Street \_\_\_\_\_



*Wm Barry*

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

*Alexander Rank*

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

Dated, *Nov 29* 1893 *Thomas Seiter* Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

POOR QUALITY  
ORIGINAL

0066

New York Jan 6<sup>th</sup> 1914

This is to certify that  
William Barry was in my employ  
for one year as assistant  
Janitor in G. S. 87. I found  
him a good and honest young  
man

Respectly  
J. H. Galvin  
Janitor, Grammar School 87  
Amsterdam Ave & 77<sup>th</sup> St.

POOR QUALITY  
ORIGINAL

0067

New York Jan 6<sup>th</sup> 1940

To William Barry

I am grieved that you are in trouble and would do all in my power to assist you. I have made two attempts to see you in company with my son but failed. I was to the Tomb's door after receiving your first letter but would not be admitted.

I wish you had taken my advice. You say you are innocent, you should experience no difficulty in proving it, but as I have often told you, One is judged by the Company he keeps. If you will write and state exactly what you wish I

POOR QUALITY  
ORIGINAL

0068

will try my best for you.  
With sincere regrets I assure you I  
remain your

Sincere Friend  
J. H. Gardner

P.S. As I found <sup>you</sup> at all times while  
in my employ a faithful and honest  
young man, I do not hesitate  
in sending you a recommendation  
as you requested

POOR QUALITY  
ORIGINAL

0069

Company

A. Bowser 120 E. 84<sup>th</sup>

J. J. Daley 150 E. 84<sup>th</sup>

F. Lewis 208 E. 87<sup>th</sup> S<sup>th</sup>

N. Gillette 176 E. 85<sup>th</sup> S<sup>th</sup>

Wm Monark 337 E. 90<sup>th</sup> S<sup>th</sup>

E. Kyle 1403 3<sup>rd</sup> Ave

G. Traubert 1425-3 Ave

POOR QUALITY  
ORIGINAL

0070

Presbyterian Hospital,

70th ST. and MADISON AVE.,

C. IRVING FISHER, M. D.  
SUPERINTENDENT.

New York, Nov 29, 1893

This is to Certify that  
John Debelin is suffering  
from a state named of  
left arm & is now in a  
dangerous condition at present  
J. O. Stanley M.D.

POOR QUALITY  
ORIGINAL

0071

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

William Barry

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

William Barry

of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows :

The said

William Barry

late of the City and County of New York, on the twenty-seventh day of  
November in the year of our Lord one thousand eight hundred and  
ninety-three, at the City and County aforesaid, in and upon one

John Lebelin

in the peace of the said People then and there being, feloniously did wilfully and wrongfully  
did make an assault; and the said

William Barry

with a certain knife which he the said

in his right hand — then and there had and held, the same being then and there  
a weapon and an instrument likely to produce grievous bodily harm, him, the said

John Lebelin then and there feloniously did wilfully and  
wrongfully strike, beat, cut, stab ~~and~~ and wound, 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

0072

SECOND COUNT—

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

*William Barry*

of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows :

The said

*William Barry*

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, in and upon the said

*John Lebeling*

\_\_\_\_\_ in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault; and the said *William Barry* the said

with a certain

*John Lebeling*  
*knife*

which -

*he*

the said

*William Barry*

in

*his*  
*arm*

right hand then and there had and held, in and upon the

of

*him*

the said *John Lebeling*

then and there feloniously did wilfully and wrongfully strike, ~~beat~~, *cut stab* ~~bruise~~ and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said

\_\_\_\_\_ to the great damage of the said

*John Lebeling*  
*John Lebeling*

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

DE LANCEY NICOLL, *District Attorney.*

0073

**BOX:**

542

**FOLDER:**

4932

**DESCRIPTION:**

Bartholf, George Z.

**DATE:**

12/22/93



4932

POOR QUALITY ORIGINAL

0074

Witnesses:

A. M. Linder

On consultation with counsel for the People (Prosecution) who is of the opinion that the discharge of this defendant on his own recognizance. The case is a misdemeanor. It is felt that the defendant can not be found by the State.

George B. Bartholomew  
District Attorney  
23 Nov. 1898.

27th Nov 1898

Counsel,

Filed

189

Dec 3

ENTERED  
T. J. M.

Pleads,

Not Guilty (26)

THE PEOPLE

vs.

George B. Bartholomew

MISDEMEANOR.  
[Chap. 877, Laws of 1887, as amended by Chap. 181, Laws of 1888.]

DE LANCEY NICOLL,

District Attorney.

Nov 23/98.  
Bail Discharged.

A TRUE BILL.

B. Lockwood

Foreman.

POOR QUALITY ORIGINAL

0075

DISTRICT POLICE COURT.

State of New York, City and County of NEW YORK.

ss:

HERMAN W. LINKER, being sworn says; I am 27 years of age; I reside at 221 EAST 38th STREET New York My business is that of Detective

I am the agent of the A. Liebler Bottling Company, a corporation created by and at all the times hereinafter mentioned, existing under the Laws of the State of New York. Said Corporation is engaged in bottling and selling porter, ale, beer, lager beer and other beverages, in bottles and boxes with its name and other marks and devices branded, stamped, engraved, etched, blown, impressed and otherwise produced upon such bottles and boxes, and its principal place of business was at the times hereinafter mentioned ever since has been and now is at the city of New York, and County of New York and State aforesaid. The name and other marks and devices so as aforesaid produced upon said bottles and boxes, and a description thereof is as follows, viz: A. Liebler Bottling Co., Registered, 402 & 404 W. 126th St. N. Y. and a monogram of the letters A. L. B. Co. Said description of said name and other marks and devices so as aforesaid used by the said Corporation, upon said bottles and boxes, was on the 3rd day of March, 1890, duly filed in the office of the Clerk of New York County in the State of New York, and also in the office of the Secretary of State of the State of New York, on the 3rd day of October, 1890, and such description was by said Corporation thereafter caused to be printed and was printed for three weeks successively in two daily newspapers, published in said City and County of New York. Said Corporation has in all things complied with Chapter 377 of the Laws of the State of New York for 1887, as amended by Chapter 181 of the Laws of the State of New York for 1888. That said Corporation is the owner of the following described property, marked and distinguished as hereinbefore stated, viz.: divers bottles and boxes, the number of which is unknown to deponent. That the same are so marked and distinguished as aforesaid with and by the said name and other marks and devices of which a description has been, as hereinbefore stated, duly filed and published as provided in section I. of Chapter 377 of the Laws of the State of New York for 1887, passed May 18, 1887, Deponent further says that

George Z. Bartholf is a

junk dealer, dealer in second hand articles, vendor of bottles; and deponent has reason to believe, and does believe and avers the fact to be, that said

George Z. Bartholf

has in his possession and secreted on the premises hereinafter described, the said divers bottles and boxes, so marked and distinguished as aforesaid, and has been unlawfully buying, selling, giving, taking and otherwise disposing of and trafficking in said divers bottles and boxes, marked and distinguished as aforesaid in and upon the following described premises, used and occupied by the said George Z. Bartholf, viz: The buildings and premises known and described as numbers 1704, 1706 and 1708 Lexington Avenue in the City, County and State of New York, and the basement and cellar of the building immediately in the rear of said buildings numbers 1704, 1706 and 1708 Lexington Avenue. Said basement and cellar of said rear building being situated in said City and County of New York said rear building being being commonly known as the rink, and all barrels, boxes, and bottles, on the sidewalk in front of said premises numbers 1704, 1706, & 1708 Lexington Avenue and for the distance of one hundred feet north and south of said premises, all said sidewalks being in said City and County of New York, and the basements and cellars of the building and premises known and described as numbers 1695 Lexington Avenue and 157 East 10th Street in said City and County of New York

All of which the said George Z. Bartholf is and has been

doing contrary to the Laws of the State of New York in such case made and provided, and without having obtained the written consent of or having purchased the said divers bottles and boxes from the said Corporation.

That the reason for deponent's said belief, and the further facts upon which this affidavit is based are that on the 27th day of July 1892 Deponent was informed by one Joseph Wobker residing at said New York City, that he said Joseph Wobker later on and left upon said above described premises occupied by said Bartholf bottles marked and distinguished as aforesaid, on said 27th day of July 1892, and deponent only believed such information to be true. This is charged as a second offense in said deponent and George Z. Bartholf having at the City and County of New York, to wit; on the 20th day of June 1892, been by a court having jurisdiction in the premises convicted of a violation of section two of Chapter 377 of the laws of the State of New York for the year 1887 and a ch amendatory clause

Subscribed and sworn to before me, this 28th day of July 1892 John P. Corliss

H. Whicker

POLICE JUSTICE

**POOR QUALITY ORIGINAL**

0076

J. No. \_\_\_\_\_

THE PEOPLE, ETC.,

ON THE COMPLAINT OF

HERMAN W. LINKER.

vs.

*George J. Saito*

**AFFIDAVIT.**

**REGINALD HART,**

ATTORNEY FOR COMPLAINANT,

221 ~~38th~~ East 48th Street,  
NEW YORK CITY.

POOR QUALITY ORIGINAL

0077

Sec. 198-200.

*54* District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss:

*George J. Barthol*

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 sees 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 J. Barthol*

Question. How old are you?

Answer. *73 years*

Question. Where were you born?

Answer. *U. S.*

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

Answer. *1654 Madison Avenue, about 6 months*

Question. What is your business or profession?

Answer. *Boat dealer*

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

Answer. *I am not guilty and I demand a trial by a jury*  
*Geo. J. Barthol*

Taken before me this *21st*

day of *July* 189

*John W. ...*

Police Justice.

0078

POOR QUALITY ORIGINAL

State of New York,  
City and County of  
NEW YORK.

ss.

In the Name of the People of the State of New York.

To any Peace Officer in this State or in the County of NEW YORK.

Proof by affidavit having been this day made before me, by HERMAN W. LINKER of

221 EAST 38th STREET *New York City* that the following described property, to wit: divers bottles and boxes, the number of which is unknown to deponent, the property of the A. Liebler Bottling Company, a corporation created by and existing under the Laws of the State of New York, having branded, blown and otherwise produced on said bottles and boxes, A. Liebler Bottling Co. Registered, 402 & 404 W. 126th St. N. Y. and a monogram of the letters A. L. B. Co. *on certain of* was unlawfully taken, and has been and is being unlawfully had, used, filled, bought, sold, disposed of and trafficked in, contrary to the provisions of Chapter 377, Laws of the State of New York, for the year 1887, passed May 18, 1887, as amended by Chapter 181 of the Laws of the State of New York for the year 1888, passed April 26, 1888, and that there is reasonable ground to believe that the said property was unlawfully taken and has been and is being unlawfully had, used, filled, bought, sold, disposed of and trafficked in, contrary to the provisions of said act by

*George Z. Baithoff*

and that there is probable cause for believing that the said divers bottles and boxes, are now in the possession of the said

*George Z. Baithoff*

and are now concealed in and upon the following described premises used and occupied by said

*George Z. Baithoff viz: The build ding and premises known and described as numbers 1704, 1706 and 1708 Lexington Avenue in the City, County and State of New York, and the base and cellar of the build ding immediately in the rear of same and cellar numbers 1704, 1706 and 1708 Lexington Avenue second basement and cellar of said rear building being situated in said City and County of New York, said rear building being commonly known as *Churink's* and all barrels boxes and bags on the side walk in front of said premises numbers 1704, 1706 and 1708 Lexington Avenue and for the distance of one hundred feet north and one hundred feet south of said premises, all said side walks being in said City and County of New York and the basements and cellars of the build ding and premises known and described as numbers 1695 Lexington Avenue and 150 East 107th Street in said City and County of New York*

You are, therefore, in the name of the People of the State of New York, commanded and authorized, with proper assistance, in the day-time, or at any time of the day to enter the building and premises of the said

*George Z. Baithoff*

aforsaid, and there make immediate search for the said divers bottles and boxes, and if you find the same, or any part thereof, then you are likewise commanded to bring the same so found, together with the said

*George Z. Baithoff*

forthwith, before me, at *District Police Court in said New York City*

to be dealt with as the law directs

Dated at *New York City* the *28th* day of *July* 189*2*

*John P. Woodie*

POLICE JUSTICE.

**POOR QUALITY ORIGINAL**

0079

Inventory of property taken by Emile Kluge by whom this warrant was executed, from George J. Bantchof, from whom it was taken, in whose possession it was found, & from within described premises where the property was found, no person being there.

Bottles Filled, 127  
Bottles Empty, such of said bottles having no-  
duces thereon, A. Liebler Bottling Co.  
Boxes, Registered, 402 & 404 N. 126th  
St. N.Y. and a memorandum of  
the letters A. L. B. Co.  
Total, 127

COUNTY OF  
NEW YORK.

I Emile Kluge } ss: the officer by whom this warrant was executed, do swear that the above inventory contains a true and detailed account of all the property taken by me on this warrant.

Sworn to before me, this 28th day of July 1897  
John P. Woods  
POLICE JUSTICE.

Emile Kluge

THE PEOPLE, ETC.,

ON THE COMPLAINT OF

HERMAN W. LINKER.

vs.

George J. Bantchof

SEARCH WARRANT  
AND  
WARRANT OF ARREST.

REGINALD HART,

ATTORNEY FOR COMPLAINANT.

24 No. 159 East 159 Street,  
NEW YORK CITY.

POOR QUALITY ORIGINAL

00000

BAILLED,  
 No. 1, by Hugh Quinn  
 Residence 136 East 25<sup>th</sup> Street.

No. 2, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street.

Police Court, 113 District, 923

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Samuel D. Fisher

1 George J. Bantley  
2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_  
8 \_\_\_\_\_

Offense, Yes Breach

Dated July 28 1892

John P. ... Magistrate.

King ... Officer

Witnesses W. L. ...  
221 East 23<sup>rd</sup> Street.

No. \_\_\_\_\_ Street.  
Car ... Street.

No. \_\_\_\_\_ Street.  
1000 to answer G. J. Street.

Paul ...



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

Defendant

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of 200 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, July 25 1892 John P. ... Police Justice.

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

Dated, July 28 1892 John P. ... Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

POOR QUALITY ORIGINAL

00001

Sec. 568.

1343

District Police Court.

Undertaking to Answer.

CITY AND COUNTY OF NEW YORK, } ss.

An order having been made on the 28 day of July 189, by John R. Worth Police Justice of the City of New York, that George J. Bartholomew be held to answer upon a charge of

Vio of the Bottle Act

upon which he has been duly admitted to bail in the sum of 500 Hundred Dollars.

WE, George J. Bartholomew Defendant of No. 1654 Mad Ave Street, Occupation Bottle dealer; and Hugh Lunn of No. 136 E 25 Street, Occupation Bottle dealer

Surety, hereby undertake jointly and severally that the above-named George J. Bartholomew shall appear and answer the charge above-mentioned, in whatever Court it may be prosecuted; and shall at all times render himself amenable to the orders and process of the Court; and if convicted, shall appear for judgment, and render himself in execution thereof; or if he fail to perform either of these conditions, that we will pay to the People of the State of New York the sum of Four Hundred Dollars.

Taken and acknowledged before me this 29 day of July 189

George J. Bartholomew Hugh Lunn

John R. Worth POLICE JUSTICE.

**POOR QUALITY ORIGINAL**

0082

City and County of New York, ss.

Sworn to before me this 29 day of July 1897  
*James B. [Signature]*  
POLICE JUSTICE.

Hugh Quinn

the within-named Bail and Surety, being duly sworn, says, that he is a resident and Free holder within the said County and State, and is worth Ten Hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of a house and lot situated at 136 E 25 St and worth fifteen thousand dollars more or less  
Hugh Quinn

THE PEOPLE, &c.  
ON THE COMPLAINT OF  
vs.

Undertaking to Answer.

Taken the      day of      189      
Justice.  
Filed      day of      189

POOR QUALITY ORIGINAL

00003

BAILED,  
 No. 1, by *Hugh Quinn*  
 Residence *136 East 25<sup>th</sup>*  
 Street

No. 2, by \_\_\_\_\_  
 Residence \_\_\_\_\_  
 Street

No. 3, by \_\_\_\_\_  
 Residence \_\_\_\_\_  
 Street

No. 4, by \_\_\_\_\_  
 Residence \_\_\_\_\_  
 Street

Police Court, *113* District, *5*

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Shuman W. Spiker*

*Henry J. Roubady*

Offense, *Yes Breach*

Dated, *July 28* 189*2*

*Forbis* Magistrate.

*Henry Cook* Officer

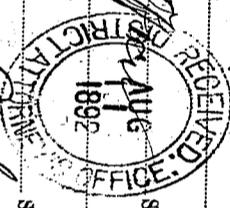
Witnesses *Wm. Spiker*

No. *221 East 33<sup>rd</sup>*  
Street

No. *Canal*  
Street

No. *1,000* to answer.  
Street *9<sup>th</sup>*

*Bailed*



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

*Defendant*

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

Dated, *July 25* 189*2* *John P. Roubady* Police Justice.

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

Dated, *July 28* 189*2* *John P. Roubady* Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

\*\*\*\*\*

THE PEOPLE

against

*George J. Bartholf.*

\*\*\*\*\*

This indictment is based upon Chapter 377 of the Laws of 1887 as amended and superseded by Chapter 161 of the Laws of 1888.

Chapter 376 of the Laws of 1896 contains (at page 346 of the Session Laws) a provision repealing all of Chapter 377 of the Laws of 1887 and all of Chapter 161 of the Laws of 1888--- but it contains no saving clause and the said Acts of 1887 and of 1888 were not in force when Chapter 376 of the Laws of 1896 took effect. The penal statute substantially re-enacting the said Act of 1888 was subsequently passed by the same Legislature. (See Chapter 933 of the Laws of 1896.) There was an interim of some weeks between the passing of the said acts of 1896.

Under the decision of the Court of Appeals in the case of *Hartung against The People*, 22 N.Y. 95--

"After expiration or repeal of a law, no penalty can be enforced, nor punishment inflicted for a violation of the law committed while it was in force, unless some special provision be made for that purpose by statute."

Moreover,

"The repeal of a law imposing a penalty though it takes place after conviction, arrests judgment, and when the repeal is after judgment, the judgment is to be reversed upon error."

A Fortiori, where the statute repealing an Act upon which the indictment is founded, <sup>was passed</sup> criminal process

**POOR QUALITY  
ORIGINAL**

0085

thereon is thereby arrested.

In view of the fact that the statute upon which this indictment is based was repealed without a saving clause in the repealing act, and that the re-enacting statute, Chapter 933 of the Laws of 1896 must be regarded as prospective in its operation, I am constrained, under the well settled case of Hartung against the People, to recommend the discharge of the defendant upon his own undertaking.

New York, ~~January~~ *Feb 10* 1899.

*Robert Townsend.*

Assistant District Attorney.

POOR QUALITY ORIGINAL

0086

6225

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

THE PEOPLE OF THE STATE OF NEW YORK

against

George J. Bartholomew

The Grand Jury of the City and County of New York, by this indictment accuse George J. Bartholomew of a misdemeanor, to wit: the crime of offending against the provisions of the second section of the Act of the Legislature of this State, passed May 18th, 1887, entitled: "An Act to protect the owners of bottles, boxes, syphons and kegs used in the sale of soda waters, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages," as the same was amended by a certain other Act of the Legislature of this State, passed April 26th, 1888, entitled: "An Act to amend Chapter three hundred and seventy-seven of the Laws of eighteen hundred and eighty-seven, entitled 'An Act to protect the owners of bottles, boxes, syphons and kegs used in the sale of soda water, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages,'" committed as follows:

Heretofore, and prior to the day of the commission of the crime and misdemeanor hereinafter alleged, a corporation called the A. S. Biddle Bottling Company having its principal place of business in the said City of New York, being at all the times hereinafter mentioned engaged in bottling and selling porter, ale, beer, lager beer and other beverages in bottles, with its name and other marks and devices branded, stamped, engraved, etched, blown, impressed and otherwise produced thereon, did duly file in the office of the Clerk of the said County of New York, to wit: on the 3rd day of November 1890, and also in the office of the Secretary of State of the State of New York, to wit: on the 30th day of October 1890, a description of the name, marks and devices so used by it and did duly cause such description to be printed and published for three weeks successively in two daily newspapers published in the said City of New York, as required by the Statute in such case made and provided, and among the marks and devices aforesaid so as aforesaid produced upon such bottles, and a description of which had been so duly filed and published as required by law as aforesaid, the said

corporation used the name "A. S. Biddle Bottling Co" upon such bottles with the following words, "Registered: 402 Street N. Y. C. N. Y." and a monogram of the letters "A. S. B. Co." upon such bottles.

And the said George J. Bartholomew late of the City and County aforesaid, afterwards to wit: on the 28th day of July, 1892, at the City and County aforesaid, did unlawfully buy from a certain person or persons to the Grand Jury aforesaid unknown, without the consent of the said corporation, divers to wit: one hundred & twenty seven certain bottles, which and each of which were and was then

and there marked and distinguished as aforesaid, with and by the said name, *marks and devices* of the said *corporation* being the name *marks and devices* of which a description had been so filed and published as aforesaid, which said bottles *\_\_\_\_\_* had not been purchased from the said *\_\_\_\_\_ corporation*; against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT.

And the Grand Jury aforesaid, by this indictment further accuse the said *George J. Bantley* of the same misdemeanor, committed as follows:

Heretofore and prior to the day of commission of the crime and misdemeanor hereinafter alleged, *certain corporation called the A. Siller Bottling Company* having *its* principal place of business in the said City of New York, being at all the times hereinafter mentioned engaged in bottling and selling *water, lemon, sage beer* and other beverages, in bottles *\_\_\_\_\_* with *its* name and other marks and devices branded, stamped, engraved, etched, blown, impressed and otherwise produced thereon, did duly file in the office of the Clerk of the said County of New York, to wit: on the *22* day of *November* 18*90*, and also in the Office of the Secretary of State of the State of New York, to wit: on the *30th* day of *October* 18*90*, a description of the name, marks and devices so used by *him*, and did duly cause such description to be printed and published for three weeks successively in two daily newspapers published in the said City of New York, as required by the Statute in such case made and provided, and among the marks and devices aforesaid, so as aforesaid produced upon such bottles, *\_\_\_\_\_* and a description of which had been so duly filed and published as required by law, as aforesaid, the said *corporation* used the name "A. Siller Bottling Co." upon such *bottles with the following words "Registered No. 402 of the letters "A. S. B. Co." upon such bottles."*

And the said *Charles Bantley*, late of the City and County aforesaid, afterwards, to wit: on the *25th* day of *July* 189*2*, at the City and County aforesaid, did unlawfully take from a certain person or persons to the Grand Jury aforesaid unknown, without the consent of the said *corporation* *\_\_\_\_\_* divers, to wit: *one hundred and twenty seven* certain bottles, *\_\_\_\_\_* which and each of which were and was then and there so marked and distinguished as aforesaid, with and by the said name, *marks and devices* of the said *corporation* being the name *marks and devices* of which a description had been so filed and published as aforesaid, and which said bottles, *\_\_\_\_\_* had not been purchased from the said *corporation*; 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 *George J. Bantley* of the same misdemeanor, committed as follows:

Heretofore, and prior to the day of the commission of the crime and misdemeanor hereinafter alleged, *certain corporation called the A. Siller Bottling Company* having *its* principal place of business in the said City of New York, being at all the times herein-

**POOR QUALITY ORIGINAL**

0000

after mentioned engaged in bottling and selling *porter, ale, beer, lager beer* and other beverages in bottles, \_\_\_\_\_ with *X* name and other marks and devices branded, stamped, engraved, etched, blown, impressed and otherwise produced thereon, did duly file in the office of the Clerk of the said County of New York, to wit: on the *2nd* day of *November* 18*90*, and also in the office of the Secretary of State of the State of New York, to wit: on the *20th* day of *October* 18*90*, a description of the name, marks and devices so used by *X* and did duly cause such description to be printed and published for three weeks successively in two daily newspapers published in the said City of New York, as required by the Statute in such case made and provided, and among the marks and devices aforesaid, so as aforesaid produced upon such bottles, \_\_\_\_\_ and a description of which had been so duly filed and published as required by law, the said *corporation* used the name "*A. Ziegler & Co. Bottling Co.*" together with the following upon such \_\_\_\_\_: "*Registered, 402 & 404 W. 126th St., N. Y. C.*" and a monogram of the letters "*A. Z. & Co.*" upon such bottles.

And the said *Thomas J. Santally*, late of the City and County aforesaid, afterwards, to wit: on the *28th* day of *July* 189*2* at the City and County aforesaid, did unlawfully traffic in and dispose of in a manner and by means to the Grand Jury aforesaid, unknown, without the consent of the said *corporation* divers, to wit: *one hundred and twenty seven* certain bottles, \_\_\_\_\_ which and each of which were and was then and there so marked and distinguished as aforesaid, with and by the said name *marks and devices* of the said *corporation* being the name *marks and devices* \_\_\_\_\_ of which a description had been so filed and published as aforesaid, and which said bottles \_\_\_\_\_ had not been purchased from the said *corporation*, \_\_\_\_\_ against the form of the Statute in such case made and provided against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,  
District Attorney.

POOR QUALITY ORIGINAL

00009

Pl March 22 1899

Witnesses:

*A. M. Linker*


Counsel,

Filed

day of

1893

Plends,

THE PEOPLE

vs.

*B*

*George Z. Barthoff*

MISDEMEANOR.

[Chap. 877, Laws of 1887, as amended by Chap. 181, Laws of 1888.]

DE LANCEY NICOLL,

District Attorney.

*Mar 30/99.*

*Bail Discharged.*

AS TRUE BILL,

*R. L. Towler*

Foreman.

POOR QUALITY ORIGINAL

0090

DISTRICT POLICE COURT.

State of New York, City and County of NEW YORK.

55:

HERMAN W. LINKER, being sworn says: I am 27 years of age; I reside at 221 EAST 38th STREET New York City My business is that of Detective; I am the agent of John Bolen, successor to and transferee of all the interests of the late firm of Bolen & Byrne, lately composed of said John Bolen and John Byrne, now deceased,

Said John Bolen, successor to and transferee as aforesaid, is engaged in bottling and selling lager beer, soda waters, mineral and aerated waters and other beverages, in bottles, boxes, syphons and kegs, with his name and other marks and devices branded, stamped, engraved etched, blown, impressed and otherwise produced upon such bottles, boxes, syphons and kegs, and his principal place of business was at the times hereinafter mentioned ever since has been and now is at the city of New York, and County of New York and State aforesaid. The name and other marks and devices so as aforesaid produced upon said bottles, boxes, syphons and kegs, and a description thereof is as follows, viz.: Bolen & Byrne.

Said description of said name and other marks and devices so as aforesaid used by the said John Bolen, successor to and transferee as aforesaid, upon said bottles, boxes, syphons and kegs, was on the 16th day of April, 1889, duly filed in the office of the Clerk of New York County in the State of New York, and also in the office of the Secretary of State of the State of New York, on the 15th day of April, 1889; and such description was by said John Bolen and John Byrne while co-partners as aforesaid, thereafter caused to be printed and was printed for three weeks successively in two daily newspapers, published in said City and County of New York. Said John Bolen, successor to and transferee as aforesaid, has in all things complied with Chapter 377 of the Laws of the State of New York for 1887, as amended by Chapter 181 of the Laws of the State of New York for 1888. That said John Bolen, successor to and transferee as aforesaid, is the owner of the following described property, marked and distinguished as hereinbefore stated, viz.: divers bottles, boxes, syphons and kegs, the number of which is unknown to deponent. That the same are so marked and distinguished as aforesaid with and by the said name and other marks and devices of which a description has been, as hereinbefore stated, duly filed and published as provided in Section I. of Chapter 377 of the Laws of the State of New York for 1887, passed May 18, 1887, as amended by Chapter 181 of the Laws of the State of New York for 1888 passed April 26th, 1888. Deponent further says that

George J. Barthol is a

junk dealer, dealer in second-hand articles, vendor of bottles; and deponent has reason to believe, and does believe and avers the fact to be, that said

George J. Barthol

has in his possession and secreted on the premises hereinafter described, the said divers bottles, boxes syphons and kegs, so marked and distinguished as aforesaid, the property of the said John Bolen, successor to and transferee as aforesaid, and has been unlawfully buying, selling, giving, taking and otherwise disposing of and trafficking in said divers bottles, boxes, syphons and kegs, marked and distinguished as aforesaid in and upon the following described premises used and occupied by the said

George J. Barthol viz: the buildings and premises known and described as numbered 1704, 1706 and 1708 Lexington Avenue in the City and County of New York and the basement and cellar of the building numbered 1704, 1706 and 1708 Lexington Avenue, said basement and cellar of said rear building being in said City and County of New York, said rear building being commonly known as the "Back of a barrel" and on all sides, walls, in front of said premises and in the basement and cellar of said rear building, all said buildings and premises being in said City and County of New York, and the basements and cellars of the buildings numbered 1704, 1706 and 1708 Lexington Avenue of 150 East 107 Street in said City and County of New York.

All of which the said George J. Barthol is and has been

doing contrary to the Laws of the State of New York in such case made and provided, and without having obtained the written consent of or having purchased the said divers bottles, boxes, syphons and kegs from the said John Bolen, successor to and transferee as aforesaid.

That the reason for deponent's said belief, and the further facts upon which this affidavit is based are that on the 27th day of July 1892 Deponent was informed by one Joseph Koback residing in said City of New York, that he said Joseph saw bottles marked and distinguished taken in to said above described premises occupied by said Barthol and left in and upon said premises on said 27th day of July, and deponent over his belief such information to the effect, this is charged as a second offense to said deponent and George J. Barthol, in being, after the City and County of New York, on the 20th day of June 1892, having a copy of the Laws of the State of New York, Chapter 377 of the Laws of the State of New York for 1887, and a copy of Chapter 181 of the Laws of the State of New York for 1888, and a copy of Chapter 377 of the Laws of the State of New York for 1887, and a copy of Chapter 181 of the Laws of the State of New York for 1888, and a copy of Chapter 377 of the Laws of the State of New York for 1887, and a copy of Chapter 181 of the Laws of the State of New York for 1888.

Subscribed and sworn to before me,

this 28th day of July 1892

John B. Bochio

A. W. Whicker

POLICE JUSTICE.

POOR QUALITY  
ORIGINAL

0091

J. No. \_\_\_\_\_

THE PEOPLE, ETC.,

ON THE COMPLAINT OF

HERMAN W. LINKER.

vs.

*George J. Rathoff*

AFFIDAVIT.

REGINALD HART,

ATTORNEY FOR COMPLAINANT,

22 *98th*

No. ~~120~~ East ~~124th~~ Street,

NEW YORK CITY.

POOR QUALITY ORIGINAL

0092

Sec. 198-200.

5th

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss:

*George Z. Barthol* 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 sees 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 Z. Barthol*

Question. How old are you?

Answer. *73 years*

Question. Where were you born?

Answer. *U. S.*

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

Answer. *1654 Madison Avenue, about 6 months*

Question. What is your business or profession?

Answer. *Book dealer*

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

Answer. *I am not guilty and I demand trial by a jury*  
*Geo. Z. Barthol*

Taken before me this

day of *July* 189*4*

*Joseph H. ...*

Police Justice.

**POOR QUALITY ORIGINAL**

0093

State of New York,  
City and County of  
NEW YORK.

ss:

**In the Name of the People of the State of New York.**

To any Peace Officer in this State or in the County of NEW YORK.

Proof by affidavit having been this day made before me, by HERMAN W. LINKER of

221 EAST 38th STREET *New York city* that the following described property, to wit: divers bottles, boxes, syphons and kegs, the number of which is unknown to deponent, the property of John Bolen, successor to and transferee of all the rights and interests of the late firm of Bolen & Byrne, lately composed of said John Bolen and John Byrne, now deceased, having branded, blown, etched and otherwise produced on said bottles, boxes, syphons and kegs, Bolen & Byrne, Was unlawfully taken, and has been and is being unlawfully had, used, filled, bought, sold, disposed of and trafficked in, contrary to the provisions of Chapter 377, Laws of the State of New York, for the year 1887, passed May 18, 1887, as amended by Chapter 181 of the Laws of the State of New York for the year 1888, passed April 26, 1888, and that there is reasonable ground to believe that the said property was unlawfully taken and has been and is being unlawfully had, used, filled, bought, sold, disposed of and trafficked in, contrary to the provisions of said act by

*George J. Bartholf.*

and that there is probable cause for believing that the said divers bottles, boxes, syphons and kegs are now in the possession of the said

*George J. Bartholf*

and are now concealed in and upon the following described premises used and occupied by said

*George J. Bartholf viz, the buildings and premises known and described as numbers 1704, 1706 and 1708, Lexington Avenue in the City, County and State of New York, and the basements and cellar of the building immediately in the rear of said buildings numbers 1704, 1706 and 1708 Lexington Avenue, said basement and cellar of said rear building being in said City and County of New York, said rear building being commonly known as the sink, and all barrels, boxes and kegs on the side walk in front of said premises numbers 1704, 1706 and 1708 Lexington Avenue and on all side walks in front of the adjoining premises for a distance of one hundred feet north and one hundred feet south of said side walks being in said City and County of New York and the basements and cellars of the buildings and premises known and described as numbers 1695 Lexington Avenue and 150 East 107th Street in said City and County of New York.*

You are, therefore, in the name of the People of the State of New York, commanded and authorized, with proper assistance, in the day-time, or at any time of the day to enter the building and premises of the said

*George J. Bartholf*

situate as aforesaid,

and there make immediate search for the said divers bottles, boxes, syphons and kegs, and if you find the same, or any part thereof, then you are likewise commanded to bring the same so found, together with the said

*George J. Bartholf*

forthwith, before me, at *4th District Police Court in said New York City*

to be dealt with as the law directs.

Dated at *New York City* the *28th* day of *July* 189*2*

*John B. Woodieis*

POLICE JUSTICE.

**POOR QUALITY ORIGINAL**

0094

Inventory of property taken by Emile Klinge by whom this warrant was executed, from George G. Bartholof from whom it was taken,  in whose possession it was found,  from within described premises where the property was found, no person being there.

20 Bottles Filled,  
25 Siphons Bottles Empty, each of said twenty bottles and  
each of said 25 siphons having  
Total, 45 } produced through Boland & Byline

COUNTY OF  
NEW YORK. } ss:

I Emile Klinge the officer by whom this warrant was executed, do swear that the above inventory contains a true and detailed account of all the property taken by me on this warrant.

Sworn to before me, this 28th day of July 1892  
John P. Toorkis  
POLICE JUSTICE.

Emile Klinge

THE PEOPLE, ETC.,

ON THE COMPLAINT OF

HERMAN W. LINKER.

vs.

George G. Bartholof

SEARCH WARRANT  
AND  
WARRANT OF ARREST.

REGINALD HART,

ATTORNEY FOR COMPLAINANT.

27 38th  
No. ~~148~~ East ~~14th~~ Street,

NEW YORK CITY.

POOR QUALITY ORIGINAL

0095

FILED,  
 No. 1, by *Joseph Quinn*  
 Residence *136 E 25* Street  
 No. 2, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street  
 No. 3, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street  
 No. 4, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street

Police Court, *5-2* District  
*NY P.O. 923*

THE PEOPLE, &c.,  
 ON THE COMPLAINT OF

*Abraham J. Fisher*

1 *George J. Southey*  
 2 \_\_\_\_\_  
 3 \_\_\_\_\_  
 4 \_\_\_\_\_

Offense, *No. 1086 ad*

Dated *July 28* 189*2*

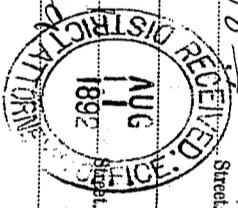
*Joseph* Magistrate

*King* Officer

Witnesses *A. W. Ginter*

No. *291 East 98th* Street

No. *Carroll Street* Street



No. *570* Street  
 \$ *570* FINE  
*E. J.*

*Charles*

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

*Defendant*

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

Dated, *July 28* 189*2*

*John B. Toole* Police Justice.

I have have admitted the above-named

*Defendant*

to bail to answer by the undertaking hereto annexed.

Dated, *July 28* 189*2*

*John B. Toole* Police Justice.

There being no sufficient cause to believe the within named

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

Dated, \_\_\_\_\_ 189

Police Justice.

POOR QUALITY ORIGINAL

0096

6225

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*George Bartholomew*

The Grand Jury of the City and County of New York, by this indictment accuse *George Bartholomew* of a misdemeanor, to wit: the crime of offending against the provisions of the second section of the Act of the Legislature of this State, passed May 18th, 1887, entitled: "An Act to protect the owners of bottles, boxes, syphons and kegs used in the sale of soda waters, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages," as the same was amended by a certain other Act of the Legislature of this State, passed April 26th, 1888, entitled: "An Act to amend Chapter three hundred and seventy-seven of the Laws of eighteen hundred and eighty-seven, entitled 'An Act to protect the owners of bottles, boxes, syphons and kegs used in the sale of soda water, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages,'" committed as follows:

Heretofore, and prior to the day of the commission of the crime and misdemeanor hereinafter alleged, *John Boden*, successor to said *Franklin* ~~of all the interests of~~ *the late firm of Boden & Eugene, lately composed of said John Boden, John Boden, now deceased,* having *his* principal place of business in the said City of New York, being at all the times hereinafter mentioned, engaged in bottling and selling *lager beer, port water, mineral & aerated water,*

and other beverages in bottles, ~~with~~ *a description thereof, had been made* with *of* name and other marks and devices branded, stamped, engraved, etched, blown, impressed and otherwise produced thereon, *did duly* file in the office of the Clerk of the said County of New York, to wit: on the *16th*

day of *April*, 18*89*, and also in the office of the Secretary of State of the State of New York, to wit: on the *16th* day of *April*, 18*89*,

a description of the name, marks and devices so used *by or against*, and *did duly cause* such description ~~to be printed~~ *was duly* and published for three weeks successively in two daily newspapers published in the said City of New York, as required by the Statute in such case made and provided, and among the marks and devices aforesaid so as aforesaid produced upon such bottles,

and a description of which had been so duly filed and published as required by law as aforesaid, the said *John Boden* used the name "*Boden & Eugene*" upon such *bottles.*

And the said *George Bartholomew* late of the City and County aforesaid, afterwards to wit: on the *28th* day of *July*, 189*2*, at the City and County aforesaid, did unlawfully buy from a certain person or persons to the Grand Jury aforesaid unknown, without the consent of the said *John Boden* divers to wit: *forty five* certain bottles, \_\_\_\_\_ which and each of which were and was then

POOR QUALITY ORIGINAL

0097

and there marked and distinguished as aforesaid, with and by the said name "Bolen  
Byrne" of the said John Bolen, being the name  
of which a description had been so filed and published as  
aforesaid, which said bottles \_\_\_\_\_ had not been purchased from the said John  
Bolen; against the form of the Statute in such case made and provided, and against the  
peace of the People of the State of New York and their dignity.

SECOND COUNT.

And the Grand Jury aforesaid, by this indictment further accuse the said  
George J. Bartholf of the same misdemeanor, committed  
as follows:

Heretofore and prior to the day of commission of the crime and misdemeanor hereinafter  
alleged, John Bolen, successor to and transferee of all the interests of  
the late firm of Bolen and Byrne, lately composed of said John Bolen and John Byrne, now deceased,  
having his principal place of business in the said City of New York, being at all the times  
hereinafter mentioned engaged in bottling and selling lager beer, soda water, mineral and aerated waters,  
and other beverages, in bottles \_\_\_\_\_ with a name and  
other marks and devices branded, stamped, engraved, etched, blown, impressed and otherwise produced  
thereon, did ~~did~~ <sup>a description whereof had been by the said firm of Bolen and Byrne theretofore duly</sup> file in the office of the Clerk of the said County of New York, to wit: on the 16th  
day of April 18 89, and also in the Office of the Secretary of State of the  
State of New York, to wit: on the 15th day of April 18 89,  
a description of the name, marks and devices so used <sup>as aforesaid</sup> by him, and ~~did~~ <sup>did</sup> ~~duly~~ <sup>use</sup> cause such description <sup>to be</sup>  
printed and published for three weeks successively in two daily newspapers published in the said City of  
New York, as required by the Statute in such case made and provided, and among the marks and  
devices aforesaid, so as aforesaid produced upon such bottles, \_\_\_\_\_  
and a description of which had been so duly filed and published as required by law, as aforesaid, the said  
John Bolen used the name "Bolen Byrne"  
upon such bottles.

And the said George J. Bartholf late of the City and County  
aforesaid, afterwards, to wit: on the 28th day of July 189 2, at  
the City and County aforesaid, did unlawfully take from a certain person or persons to the Grand Jury  
aforesaid unknown, without the consent of the said John Bolen  
\_\_\_\_\_, divers, to wit: forty-five certain bottles, \_\_\_\_\_ which  
and each of which were and was then and there so marked and distinguished as aforesaid, with and by the  
said name "Bolen Byrne" of the said John Bolen being the name \_\_\_\_\_  
of which a description had been so filed and published as aforesaid, and which said bottles,  
\_\_\_\_\_ had not been purchased from the said John Bolen  
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  
George J. Bartholf of the same misdemeanor, committed as follows:

Heretofore, and prior to the day of the commission of the crime and misdemeanor hereinafter  
alleged, John Bolen, successor to, and transferee of all the interests of the  
late firm of Bolen and Byrne, lately composed of said John Bolen and John Byrne, now deceased,  
having his principal place of business in the said City of New York, being at all the times herein-

**POOR QUALITY  
ORIGINAL**

0098

after mentioned engaged in bottling and selling <sup>aerated waters</sup> beer, soda water, mineral and other beverages in bottles, with a name and other marks and devices branded, stamped, engraved, etched, blown, impressed and otherwise produced thereon, <sup>a description whereof has been by the said firm of Bolen and Byrne heretofore</sup> did duly file in the office of the Clerk of the said County of New York, to wit: on the 16<sup>th</sup> day of April 1889, and also in the office of the Secretary of State of the State of New York, to wit: on the 15<sup>th</sup> day of April 1889, a description of the name, marks and devices so used <sup>as aforesaid</sup> and ~~did duly cause~~ <sup>was duly</sup> such description to be printed and published for three weeks successively in two daily newspapers published in the said City of New York, as required by the Statute in such case made and provided, and among the marks and devices aforesaid, so as aforesaid produced upon such bottles, and a description of which had been so duly filed and published as required by law, the said John Bolen used the name "Bolen & Byrne" upon such bottles

And the said George Z. Bartholf late of the City and County aforesaid, afterwards, to wit: on the 25<sup>th</sup> day of July 1892, at the City and County aforesaid, did unlawfully traffic in and dispose of in a manner and by means to the Grand Jury aforesaid, unknown, without the consent of the said John Bolen divers, to wit: forty-five certain bottles, which and each of which were and was then and there so marked and distinguished as aforesaid, with and by the said name "Bolen & Byrne" of the said John Bolen being the name

of which a description had been so filed and published as aforesaid, and which said bottles had not been purchased from the said John Bolen against the form of the Statute in such case made and provided against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,  
District Attorney.

0099

**BOX:**

542

**FOLDER:**

4932

**DESCRIPTION:**

Basson, Joseph

**DATE:**

12/22/93



4932

POOR QUALITY ORIGINAL

0100

307.

COURT OF OYER AND TERMINER.

Counsel,

Filed, 22<sup>nd</sup> day of Dec 1893  
Pleads, *Wm. J. ...*

THE PEOPLE

vs.

B

*Joseph Basan*

VIOLATION OF THE EXCISE LAW.  
Selling, etc., on Sunday.  
[Chap. 401, Laws of 1892, § 32.]

DE LANCEY NICOLL,

District Attorney.

I hereby consent and desire that  
this case against me be sent to the  
next Special Sessions for trial  
and final disposition.

Dated, *Nov. 18 1893*

*R. J. ...*  
Foreman.

Witnesses:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

POOR QUALITY  
ORIGINAL

0 10 1

6131

# Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Joseph Basson*

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

*Joseph Basson*  
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said

*Joseph Basson*

late of the City of New York, in the County of New York aforesaid, on the <sup>10</sup> day of *December* in the year of our Lord one thousand eight hundred and ninety-*three*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale 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

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of New York and their dignity.

## SECOND COUNT—

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

*Joseph Basson*  
of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

*Joseph Basson*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale 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 offer and expose for sale to one

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

*District Attorney.*

0102

**BOX:**

542

**FOLDER:**

4932

**DESCRIPTION:**

Baumann, Ann

**DATE:**

12/13/93



4932

0 103

**BOX:**

542

**FOLDER:**

4932

**DESCRIPTION:**

Sachs, Ernest W.

**DATE:**

12/13/93



4932

0104

**BOX:**

542

**FOLDER:**

4932

**DESCRIPTION:**

Kestenbaum, Max

**DATE:**

12/13/93



4932

0105

**BOX:**

542

**FOLDER:**

4932

**DESCRIPTION:**

Diamond, Samuel

**DATE:**

12/13/93



4932

0106

**BOX:**

542

**FOLDER:**

4932

**DESCRIPTION:**

Diamond, Samuel

**DATE:**

12/13/93



4932

As to deft. no. 1. (Mrs. Baumann) while it is true that she was the beneficiary of the conspiracy which is shown to exist between the other three, she cannot be shown to have had any part or lot in the procuring of the perjured testimony, she did have a hand in the making of inquiries relating to a person whose name was subsequently & admittedly unjustly as a consort of deft's husband, but this is by no means enough to establish her relations to the facts or circumstances upon which the charge of perjury & conspiracy is founded. The divorce action has been discontinued & refused to be reopened & I therefore recommend as to Mrs. Baumann the dismissal of the indictment.

P. 2. Sept. 9. 1895

Stephen J. Ottawa  
Dist. Atty

# 1.  
Indictment dismissed  
J. D.

Court of Oyer and Terminer  
30/12/94  
Counsel  
Filed Dec 1894  
P. 1. 1894  
THE PEOPLE  
Ernest W. Sachs  
Max Westerman  
Samuel Diamond  
DE LANCEY NICOLL  
District Attorney  
I Tye Bill  
General  
Sept 9 1895  
Indictment dismissed as to  
Mrs Baumann within  
30 days of trial date  
(see notes)

Witnesses:  
Diamond  
Bailed May 2/94  
By Frank C. ...  
339 E. 16th St.  
City  
Ernest W. Sachs  
Bailed May 29/94  
By Wm. H. Jones  
304 E. 109 St.

Feb 23. 1894  
# 3 Bailed by Ernest ...  
See Indictment as to Mrs Baumann within 30 days of trial date

As to deft. no. 1. (Mrs. Baumann) while it is true that she was the beneficiary of the Conspiracy which is shown to exist between the other three, she cannot be shown to have had any part or lot in the procuring of the perjured testimony. She did have a hand in the making of inquiries relating to a person whose name was subsequently & admittedly unjustly as a consort of deft's husband, but this is by no means enough to establish her relations to the facts or circumstances upon which the charge of perjury & conspiracy is founded. The divorce action has been discontinued & refused back & therefor recommend as to Mrs. Baumann the dismissal of the indictment.

P.2. Sept. 9. 1895

Stephen J. Ottawa  
Asst. Dist. Atty

# 101

Indictment dismissed  
per d

Count of Oyer and Terminer  
J. A. Kinley D.P.  
Counsel  
Filed Dec 1895  
day of  
Magistrate  
THE PEOPLE  
Magistrate  
Mrs Baumann  
Ernest W. Sachs  
Max Sternbaum  
Samuel Diamond  
DELANCEY NICOLL  
Attorney  
True Bill  
S. J. Ottawa  
District Attorney  
Indictment dismissed as to  
Mrs Baumann  
per d

Witness:  
Diamond  
Bailed May 29/94  
By Frank Gutschow  
339 E. 16th St.  
City  
Ernest W. Sachs  
Bailed May 29/94  
By Wm. H. Jones  
304 E. 109 St.  
Feb 23. 1894  
# 3 Bailed by  
Ernest W. Sachs

See Indictment as to  
Mrs Baumann within

POOR QUALITY ORIGINAL

0109

1877.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Bertha Jauch*  
aged *34*<sup>*2*</sup> years, occupation *married* of No. *59*  
*Bermonth* Street, being duly sworn, deposes and  
says, that she has heard read the foregoing affidavit of *Jacob Beermann*  
and that the facts stated therein on information of deponent are true of deponent's own  
knowledge.

Sworn to before me, this *18*  
day of *September* 18*93* } *Bertha Jauch*  
*[Signature]*  
Police Justice.

POOR QUALITY ORIGINAL

0110

Police Court, 2 District.

1001

City and County of New York, ss. Jacob Baumann  
of No. 59 7th Street, aged 41 years,  
occupation Superintendent being duly sworn, deposes and says,  
that on the 12 day of August 1893, at the City of New  
York, in the County of New York,

Ernest W Sachs

did unlawfully and willfully commit  
the crime of Perjury in the manner  
following to-wit. Deponent is the  
defendant in an action pending for  
Divorc. That deponent is informed  
by his counsel Benjamin Hoffman  
that said Sachs had made an  
affidavit charging deponent with  
adultery said affidavit being taken  
unsworn and made part of this  
complaint. Deponent is informed by  
Bertha Jauth that she resides at  
59 Seventh Street that said defendant  
never resided at the premises mentioned  
by him in his affidavit that said  
persons mentioned in his affidavit to-wit  
a person named Mary never resided  
with said witness or her mother at said  
place in Seventh Street and that the  
said affidavit is false and fraudulent.  
Deponent therefore charges the defendant  
with perjury and prays that he  
be arrested and tried to answer

Subscribed and sworn to before me this } Jacob Baumann  
18th day of September 1893 }  
[Signature]  
Police Justice

**POOR QUALITY ORIGINAL**

01111

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

*Ernest W Sachs*

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. *Ernest W Sachs*

Question. How old are you?

Answer. *19 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *239 Osborn Street Brooklyn L.I. N.Y.C.*

Question. What is your business or profession?

Answer. *Agent*

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

Answer.

*I am not guilty*

*Ernest W Sachs*

Taken before me this  
day of *Sept* 193*1*

Police Justice

*[Signature]*

POOR QUALITY ORIGINAL

0112

Sec. 151.

Police Court 2 District.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by Jacob Baumann of No. 59 Seventh Street, that on the 27 day of August 1889 at the City of New York, in the County of New York,

*Ernest W Sacks*  
*Charged with Perjury*

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

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

Dated at the City of New York, this 15 day of September 1889 *[Signature]*  
POLICE JUSTICE

POOR QUALITY ORIGINAL

0113

139 Attorney  
Police Court \_\_\_\_\_ District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

Warrant-General.

Dated \_\_\_\_\_ 188

Magistrate

Officer.

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

Officer.

Dated \_\_\_\_\_ 188

This Warrant may be executed on Sunday or at  
night.

Police Justice.

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

Dated \_\_\_\_\_ 188

*See Deane and  
with Deane  
for examination  
to the Warden*

Police Justice.

The within named

POOR QUALITY ORIGINAL

0114

6425-25-1893

11 St. N.

4100000 bail

*[Signature]*

FILED  
No. 27-1893

Residence  
No. 3, by  
Street

Residence  
No. 4, by  
Street

Residence  
No. 5, by  
Street

Residence  
No. 6, by  
Street

Be kept  
in confinement  
complaint

Police Court  
District

W-231 1216

THE PEOPLE &c.,  
ON THE COMPLAINT OF

John Bauman  
59 St. N.  
Small Books

Offence

John Bauman  
59 St. N.  
1895

Magistrate

Officer

Witnesses

59 St. N.  
Jacob Roman

59 St. N.  
Bertha Smith

59 St. N.  
Max Kapnick



It appearing to me by the within deposition... 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 Sep. 27. 1893 Police Justice.

I have admitted the above-named  
to bail to answer by the undertaking hereto annexed.  
Dated 18 Police Justice.

There being no sufficient cause to believe the within named  
guilty of the offence within mentioned. I order he to be discharged.  
Dated 18 Police Justice.

POOR QUALITY ORIGINAL

0115

64 Sept 25 1893

11 St. N.

1000 or bail

EL St

FILED  
No. 1, by  
Sept 27 1893

Residence  
Street

No. 2, by  
Street

Residence  
Street

No. 3, by  
Street

Residence  
Street

No. 4, by  
Street

Residence  
Street

All writing  
return in Confiding  
complaint

Police Court - District

THE PEOPLE, Ac.,  
ON THE COMPLAINT OF

Wm. B. ...  
59 St. N.  
East W. Sachs

Offence Perjury

Dated Sept 23 1893

Magistrate

Officer

Precinct

Witness

No. 59 7 St. N.  
East W. Sachs

W-231 1216



It appearing to me by the within depositions ... 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 ... 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 Sept 27 1893 Police Justice

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

Dated 18 Police Justice.

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

Dated 18 Police Justice.

**POOR QUALITY ORIGINAL**

0116

*Handwritten:* No. 1000  
*Handwritten:* 248  
*Handwritten:* 248

New York, *January 24* 189 *2*

**NINETEENTH WARD BANK**  
THIRD AVENUE AND FIFTY-SEVENTH STREET.

PAY TO THE ORDER OF  
*Thompson & Son* \$ *27*  
*Twenty Seven* Dollars.

*Handwritten Signature*

POOR QUALITY  
ORIGINAL

0117

Shelton & Son  
Frederick Shelton  
510 E 76

194  
1651/8

COURT OF OYER AND TERMINER

Of the City and County of New York.

-----X  
The People of the State of New York

- Against -

ERNEST W. SACHS.

-----X  
THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK,  
by this indictment, accuse Ernest W. Sachs of the crime of  
Perjury, committed as follows:

Heretofore, to wit: on the fourteenth day  
of August in the year of our Lord one thousand eight  
hundred and ninety-three, at the City and County aforesaid,  
there was ~~depending~~ <sup>commenced</sup> in the Court of Common Pleas for  
the City and County of New York, a certain action between  
Anna Baumann, plaintiff, and Jacob Baumann, her husband, de-  
fendant, for a judgment of the said Court divorcing the  
said Anna Baumann and Jacob Baumann and dissolving the  
marriage between them by reason of the adultery of the  
said Jacob Baumann.

And, on the day and in the year aforesaid, upon  
the pleadings and proceedings therein and certain affi-  
davits produced before the Honorable Leonard A. Giegerich,  
one of the Justices of the said Court, an order was duly

(2)

made by the said the Honorable Leonard A. Giegerich, such Justice as aforesaid, requiring the said Jacob Baumann to show cause before him, or one of the Justices of the said Court, at Chambers or Special Term thereof, at the County Court House in the said City of New York, on the eighteenth day of August in the year aforesaid, at Eleven thirty o'clock in the morning of the said day, or as soon thereafter as counsel could be heard, why an order should not be made in the said action, granting to the said Anna Baumann, such plaintiff as aforesaid, the sum of Twenty-five dollars alimony per week for the support of herself and children during the pendency of the said action, and also the sum of Two hundred and fifty dollars counsel fee to enable her to prosecute the same, and for such other order or relief as might be proper, with the costs of such motion therefor; and by which said order it was also provided that service thereof in less than eight days was sufficient.

A n d , afterwards, to wit: on the said fourteenth day of August in the year aforesaid, the said affidavits and order were duly served upon the said Jacob Baumann, such defendant in the said action as aforesaid, whereby the said Jacob Baumann had due notice of the making of the said motion.

A n d , afterwards, to wit: on the twenty-second day of August in the year aforesaid, the hearing of the said motion and the proceedings thereon having been duly

(3)

adjourned, and the same being then yet pending and undetermined in and by the said Court, at the City and County aforesaid, the said Ernest W. Sachs late of the City and County aforesaid, did personally go and appear before one John Webber the younger, Esquire, then being a Notary Public in and for the County of Westchester, in the said State of New York, duly appointed and qualified, and who had theretofore duly filed a certified copy of his appointment with his autograph signature in the office of the Clerk of the said County of New York, and who was by reason thereof authorized by law to exercise all the functions of his office in the said County of New York, and did then and there produce and exhibit to the said John Webber the younger, Esquire, such Notary Public as aforesaid, a certain affidavit in writing of him the said Ernest W. Sachs, entitled in the said Court and action, and prepared for use in the said action upon the said motion, and then and there intended by him, the said Ernest W. Sachs, for such use, and containing certain allegations and statements of and concerning the matters in question upon the said motion, the same being then and there duly signed and subscribed by him the said Ernest W. Sachs in his own proper handwriting, in and by the name and style of "E. William Sachs."

A n d , the said Ernest W. Sachs was then and there in due form of law sworn and did take his corporal oath

(4)

by and before the said John Webber the younger, Esquire, such Notary Public as aforesaid, touching and concerning the truth of the matters so contained in his said affidavit in writing, he the said John Webber the younger, Esquire, as such Notary Public as aforesaid, having then and there full and competent power and authority to administer the said oath to the said Ernest W. Sachs in that behalf.

A n d , the said Ernest W. Sachs being so sworn as aforesaid, then and there, to wit: on the said twenty-second day of August in the year aforesaid, at the City and County aforesaid, before the said John Webber the younger, Esquire, such Notary Public as aforesaid, upon his oath aforesaid, in and by his said affidavit in writing, feloniously, wilfully, knowingly and corruptly did falsely swear, depose and say, among other things, in substance and to the effect following, that is to say:

That he the said Ernest W. Sachs had seen the said Jacob Baumann and a woman named Gertie in bed together at the house known as number Fifty-nine Seventh Street in the said City, on the tenth day of August in the year aforesaid; that one Samuel Diamond was with him and saw the entire occurrence with him; that he the said Ernest W. Sachs and the said Samuel Diamond roomed in the said house together from the sixth day of August in the year aforesaid, until after the adultery was committed by the said Jacob Baumann with the said woman Gertie; that there

(5)

was a servant girl in the said house by the name of Mary who was discharged therefrom on the eleventh day of August in the year aforesaid; that the said Ernest W. Sachs saw the said Jacob Baumann take the said girl, Gertie, out of the said house on Sunday morning, the sixth day of August about nine o'clock and walk with her to number one hundred and fourteen First Avenue, where he left her, she going into that house, and that he saw the said Jacob Baumann get the said girl, Gertie, from the same house on Tuesday the eighth day of August in the year aforesaid, in the evening about half-past nine o'clock, and that the said Jacob Baumann and the said girl, Gertie, both went into a certain resort known as Koster & Bial's, on Twenty-third Street near Sixth Avenue in the said City, where they remained until about twelve o'clock, and then they both went to number Fifty-nine Seventh Street into that house, and where the said girl, Gertie, remained about half an hour, when she went out alone, and that upon this occasion he the said Ernest W. Sachs heard the said Jacob Baumann call the said girl Gertie; and that the said Jacob Baumann committed adultery in the said house number Fifty-nine Seventh Street with the said woman or girl by the name of Gertie and that he was an eye-witness to such adultery with the said Samuel Diamond.

Whereas, in truth and in fact the said Ernest W. Sachs did not see the said Jacob Baumann and the said

(6)

<sup>woman</sup>  
girl known as Gertie, in bed together at the said house known as number Fifty-nine Seventh Street on the said tenth day of August in the year aforesaid, and he and the said Samuel Diamond did not room together in the said house from the said sixth day of August in the year aforesaid until after the adultery was committed by the said Jacob Baumann with the said woman, Gertie; and there was not a servant girl in the said house by the name of Mary who was discharged therefrom on the eleventh day of August in the year aforesaid; and the said Ernest W. Sachs did not see the said Jacob Baumann take the said girl Gertie out of the said house number Fifty-nine Seventh Street on Sunday morning the sixth day of August in the year aforesaid, about nine o'clock, and walk with her to number One hundred and fourteen First Avenue, where he left her, she going into that house; and the said Ernest W. Sachs did not see the said Jacob Baumann get the said girl, Gertie, from the said house on Tuesday the eighth day of August in the year aforesaid, in the evening about half-past nine o'clock, and they did not both go into the said resort known as Koster & Bial's, and did not remain there until about twelve o'clock, and did not then both go to number Fifty-nine Seventh Street into that house, and the said girl, Gertie, did not remain there about half an hour, and did not then go out alone, and the said Ernest W. Sachs did not then hear the said Jacob Baumann call the said girl

(7)

Gertie;and the said Jacob Baumann did not commit adultery in the said house with the said woman or girl by the name of Gertie;and the said Ernest W.Sachs was not an eye-witness to such adultery with the said Samuel Diamond; all of which he the said Ernest W.Sachs then and there well knew.

And, afterwards,to wit: on the day and in the year aforesaid,at the City and County aforesaid,the said Ernest W.Sachs delivered the said affidavit in writing, so sworn to as aforesaid,by him,to some person or persons to the Grand Jury aforesaid unknown,with intent that it should be produced and used on behalf of the said Anna Baumann,such plaintiff in the said action as aforesaid,upon the said motion;and the said affidavit was thereafter by the act and procurement of him the said Ernest W.Sachs,produced and used on behalf of the said Anna Baumann,such plaintiff as aforesaid,upon the said motion.

And so the Grand Jury aforesaid do say that the said Ernest W.Sachs,in manner and form aforesaid,feloniously,wilfully,knowingly and corruptly did commit wilful and corrupt perjury; against the form of the statute in such case made and provided and against the peace of the People of the State of New York,and their dignity.

DE LANCEY NICOLL,

District Attorney.

POOR QUALITY ORIGINAL

0125

Court of Oyer and Terminer

231 / 231

Counsel,

Filed 13<sup>th</sup> day of Dec 1893

Pleas,

THE PEOPLE  
vs  
Ernest W. Sachs

ENTERED  
11 AM

Penal Code,

Section

DE LANCEY NICOLL,

District Attorney.

Pl. 3.

A True Bill

Jan 17

Oct. 24/98  
in Martin of Dist. Atty.  
Dep Secy of War  
Foreman.

Prof. E. A. ...

Daily reduced  
to 1000 on motion

Witness

Ernest W. Sachs

The deft was indicted for me  
bet in a conspiracy in which  
Ann Baumann was the prime  
mover. Her part was so adverse  
in fact, the indictment against  
her was dismissed on Sept 9, 1898  
I have conferred in this case with  
Mr. Hoffman, the atty for complain-  
ant and he agrees with me that  
at this late date no evidence  
can be had. I recommend  
that the deft be discharged  
his wife recognize

Oct 24/98  
Wm. ...

S. S. Blake  
Asst Dist Atty

So ordered.



**POOR QUALITY ORIGINAL**

0127

PEOPLE, E.C.,  
ON THE COMPLAINT OF

1213 District  
1216

Walter Berman

Alvin Berman

Ernest W. Sachs

Samuel Berman

Offence: Conspiracy

Dated: September 27 1935

Hofman Magistrate

John L. Quinn Officer

Central Precinct

Witnesses: Bertha Jurek

No. 59 7<sup>th</sup> Street

Max Aufreiter

No. 59 7<sup>th</sup> Street

Max Hoffman 59 7<sup>th</sup> Street

also and Louis Kelly

No. 11 7<sup>th</sup> Street

Sam Berman

2000 Madison Avenue

Full ordered  
RT 1000  
District

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

Defendants

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

Dated: November 11 1895

Hofman Police Justice

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

Dated: Nov 13<sup>th</sup> 18

B. Shuckler Police Justice

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

Dated: \_\_\_\_\_ 18 \_\_\_\_\_

Police Justice.

POOR QUALITY ORIGINAL

0128

GRAND JURY ROOM.

PEOPLE

vs.

Ann Baumann	} Conspirators
Ernest W. Sachs	
Max Kestnbaum	
Saml. Diamond	

For the reasons advanced in my recommendation as to Ernest W. Sachs, indicted for perjury Dec 13. 1893, I recommend that ~~def'ts~~ Sachs, Kestnbaum and Diamond, be discharged on their own recognizance.

Oct 22/98

Thurthwarder

S. J. Blake  
Assistant Atty

**POOR QUALITY  
ORIGINAL**

0129

COURT OF OYER AND TERMINER  
Of the City and County of New York.

-----x  
THE PEOPLE OF THE STATE OF NEW YORK

Against

Ann Baumann, Ernest W. Sachs, Max  
Kestenbaum and Samuel Diamond

-----x  
THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by  
this indictment accuse, Ann Baumann, Ernest W. Sachs, Max  
Kestenbaum and Samuel Diamond of crime of conspiracy,  
committed as follows:

The said Ann Baumann, Ernest W. Sachs, Max Kestenbaum  
and Samuel Diamond, all late of the City and County of  
New York aforesaid, on the first day of July in the year  
of our Lord one thousand eight hundred and ninety-three,  
at the City and County aforesaid, did unlawfully, fraud-  
ulently and corruptly conspire, combine, confederate  
and agree together, between and among themselves and  
with divers other persons whose names are to the Grand  
Jury aforesaid, as yet, unknown, to falsely institute  
and maintain an action in the Court of Common Pleas  
of the said City and County, between the said Ann Baumann  
as plaintiff and one Jacob Baumann, her husband, as  
defendant, for a judgment of the said Court in favor  
of the said Ann Baumann and against the said Jacob  
Baumann, divorcing the said Ann Baumann and the said  
Jacob Baumann, and dissolving the marriage between

(2)

them; by reason of the adultery of the said Jacob Baumann; for the care, custody and control of three children of the said Ann Baumann and Jacob Baumann, the issue of the said marriage; and for provision for the support of the said Ann Baumann and the said children out of the property and earnings of the said Jacob Baumann; requiring the said Jacob Baumann to secure the due performance by him of the said judgment or the order of the said Court and for the costs and expenses of the said action, and for other relief.

And the said Ann Baumann, in pursuance and furtherance of and according to the said conspiracy, combination, confederacy and agreement, afterwards, to wit: on the twelfth day of August in the year aforesaid, at the City and County aforesaid, did unlawfully, fraudulently and corruptly, without any just, proper or legal cause, make and verify a certain complaint in writing for the purpose of the said action wherein and whereby the said Ann Baumann did falsely allege, state and set up upon information and belief, among other things, that at divers times and theretofore and during the year aforesaid, the said Jacob Baumann had committed adultery and had sexual intercourse and carnal connection with certain women without the consent, connivance, privity or procurement of her the said Ann Baumann; she the said Ann Baumann having then and there no information nor belief that the said Jacob Baumann had committed such adultery, and having no proper or reasonable cause to suppose

(3)

that he had so committed adultery.

And afterwards, to wit: on the day and in the year aforesaid, did personally go and appear before one Wm. L. Carey, Esquire, a Notary Public in and for the County of Kings of the State of New York, whose certificate of appointment as such Notary Public <sup>and his autograph signature</sup> had theretofore been duly filed in the office of the Clerk of the County of New York, and who was by law then and there authorized to discharge the functions of his said office for the said City and County of New York, and before the said Wm. L. Carey, <sup>Esquire</sup> such Notary Public as aforesaid, did then and there falsely swear depose and say that she believed the said complaint, as to matters therein stated to be alleged to be on information and belief to be true.

Afterwards, to wit: on the fourteenth day of August, in the year aforesaid, the said Ann Baumann in the further pursuance and furtherance of and according to the said conspiracy, combination, confederacy and agreement, did unlawfully, fraudulently and corruptly cause and procure the said complaint, together with a certain summons entitled in the said Court and action to be served upon the said Jacob Baumann, and did thereby commence the said action.

And afterwards, to wit: on the said fourteenth day of August, in the year aforesaid, at the City and County aforesaid, the said Ann Baumann did produce and cause to be produced before the Honorable Leonard A.

Giegrich, one of the Justices of the said Court of Common

(4)

Pleas the said Summons and Complaint in the said action and certain affidavits prepared for that purpose and did thereupon obtain and procure from the said the Honorable Leonard A. Giegrich, such justice as aforesaid, a certain order of the said the Honorable Leonard A. Giegrich, as such justice of the said court, requiring the said Jacob Baumann to show cause before him the said the Honorable Leonard A. Giegrich, such justice as aforesaid, or one of the Justices of the said Court at Chambers, at a Special Term thereof at the County Court House in the City of New York, on the eighteenth day of August, in the year aforesaid, at the hour of half past eleven o'clock in the morning of the said day or as soon thereafter as counsel can be heard, why an order should not be made in the said action, granting to the said Ann Baumann, as such plaintiff, the sum of Twenty-five dollars, alimony, per week, for the support of herself and the children during the pendency of the said action, and also the sum of Two hundred and fifty dollars, counsel fees, to enable her to prosecute the said action and for such other and further relief as might be proper, with the costs of said motion and by which said order it was further provided that service thereof in less than eight days would be sufficient.

And afterwards, to wit: on the said fourteenth day of August, in the year aforesaid, the Ann Baumann, Ernest W. Sachs, Max Kestenbaum and Samuel Diamond, in further pursuance and furtherance of and according to the said conspiracy, combination, confederacy and agreement, did serve and cause to be served the said affi-

(5)

davits and order upon the said Jacob Baumann, said defendant in the said action aforesaid, by means whereof the said Jacob Baumann was notified that the said motion for the relief mentioned in the said order would be made as therein set forth; which said motion was thereafter adjourned, continuing to and including the first day of September, in the year aforesaid.

And afterwards, to wit: on the twenty-second day of August, in the year aforesaid, at the City and County aforesaid, and while the said motion was still pending and undetermined in the said court, the said Max Kestenbaum, in the further pursuance and furtherance of and according to the said conspiracy, combination, confederacy and agreement as aforesaid did personally go and appear before one G. B. Boyd, Esquire, a Notary Public for the City and County of New York, and before the said G. B. Boyd, Esquire, such Notary Public as aforesaid, did then and there make and swear to a certain affidavit in writing, entitled in the said court and action, wherein and whereby the said Max Kestenbaum did falsely swear depose and say, among other things, in substance and effect that on the evening of June 30th 1893, he personally saw the said Jacob Baumann go into the house, number 11 East Seventh Street in the said city and go up stairs to the third floor left hand side, where a woman called Miss Reilly then lived.

Whereas in truth and in fact he the said Max Kestenbaum did not personally see the defendant on the

(6)

evening of the said last mentioned day go into the said house, number 11 East Seventh Street, and did not see him go up stairs to the third floor, left hand side, where the said woman lived, as he the said Max Kestenbaum then and there well knew.

And afterwards, to wit: on the said twenty-second day of August, in the year aforesaid, at the City and County aforesaid, and while the said motion was still pending and undetermined, the said Ernest W. Sachs, in pursuance and furtherance of and according to the said conspiracy, ~~and~~ combination, confederacy and agreement, did personally go and appear before one John Weber, the younger, Esquire, a Notary Public in and for the County of Westchester, the certificate of whose appointment as such Notary Public <sup>with his autograph signature</sup> had been theretofore duly filed in the office of the Clerk of the City and County of New York, and then and there before the said John Weber, the younger, Esquire, such Notary Public as aforesaid, did make and swear to a certain affidavit wherein and whereby he swore, deposed and said, among other things, that on the tenth day of August, in the year aforesaid, he had seen the said Jacob Baumann commit adultery with a woman named "Gertie" in the house known as number 59 East Seventh Street in the said City.

Whereas, in truth and in fact, he the said Ernest W. Sachs had not on the said tenth day of August in the year aforesaid, seen the said Jacob Baumann commit adultery with the said woman named "Gertie" in the said

(7)

house as he the said Ernest W. Sachs then and there well knew.

And afterwards, to wit: on the said first day of September, in the year aforesaid, at the City and County aforesaid, the said Ann Baumann, Ernest W. Sachs, Max Kestenbaum and Samuel Diamond in the further pursuance and furtherance of and according to the said conspiracy, combination, confederacy and agreement, at the City and County aforesaid, did unlawfully, fraudulently and corruptly present and produce the said affidavits of the said Max Kestenbaum and Ernest W. Sachs to the said the Honorable Leonard A. Giegrich, Justice of the said Court of Common Pleas as aforesaid, as true and proper evidence in support of the said motion, they then and there well knowing the same to be false and untrue in divers respects and matters, and especially in the respect hereinbefore described; 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.

DeLancey Nicoll

DISTRICT ATTORNEY.

0136

**BOX:**

542.

**FOLDER:**

4932

**DESCRIPTION:**

Beaubier, John

**DATE:**

12/07/93



4932

Witnesses  
*Thomas Fitzgerald*

*certify officer F  
enough for 23.*

31 *J. P. O'Connell*

Counsel,

Filed

Pleads,

day of

1893

*Maginity*

THE PEOPLE

23

substantive

vs.

*Stewart & Conover*

*of Conover & Conover*

*John Beaubien*

*Part 2 - Jan. 12/1894.*

*Print and Committed*

*with return & money*

*Emerson R. J.*

*Jan 23/94*

*DE LANCEY NICOLL,*

*District Attorney.*

*Jan 3 Dec 18 93 B.S.U.*

Grand Larceny, & from the Person, Degree. [Sections 528, 529, Penal Code.]

A TRUE BILL.

*B. Lockwood*

Foreman.

POOR QUALITY ORIGINAL

0138

Police Court 5 District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

of No. 1032 5<sup>th</sup> Avenue Street, aged 26 years.  
occupation Coachman being duly sworn,

Thomas Fitzgerald

deposes and says, that on the 19 day of March 1893 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession

and person of deponent, in night time, the following property, viz:

One Gold Watch and Chain of the value of thirty five dollars  
\$35.00

Sworn to before me, this 19 day of March 1893

the property of Deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and carried away by John Bumber (number)

from the fact that on about the 19<sup>th</sup> day 10:30 A.M. on said date the said deponent met deponent on 5<sup>th</sup> Avenue and 23<sup>rd</sup> Street and represented to deponent that he was a police officer and stated to deponent that he was his prisoner. The said deponent took hold of deponent's arm and walked with deponent to 25<sup>th</sup> Street between 5<sup>th</sup> Avenue and Lexington Avenue and then told deponent that he could go. Deponent as soon as said deponent left him seized the said property from the left hand lower pocket of the coat that was then worn in the presence of deponent. Deponent accused the said

Police Justice

defendant of having taken said property  
and when defendant attempted to take said  
property from said defendant when said  
defendant threw said property away  
and defendant found said property on  
the street where said defendant had  
thrown it.

Defendant asks that said defendant  
may be dealt with as the law directs

Done & before me this } Thomas Fitzgerald  
19<sup>th</sup> day of March 1933 }

Chas H. Burke  
Notary Public

**POOR QUALITY ORIGINAL**

0140

Sec. 193-200.

*J*

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *John Beaubien*

Question. How old are you?

Answer. *24 Men*

Question. Where were you born?

Answer. *Canada*

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

Answer. *153 East 23 Street*

Question. What is your business or profession?

Answer. *Salaman*

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

Answer. *I am not guilty  
John Beaubien*

Taken before me this

Day of *April* 189*3*

*John W. [Signature]*

Police Justice

POOR QUALITY ORIGINAL

0141

BAILIED,  
 No. 1, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street  
 No. 2, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street  
 No. 3, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street  
 No. 4, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street

Police Court... District

THE PEOPLE, &c.,  
BY THE COMPLAINT OF

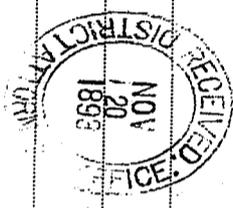
*James Fitzgerald*  
*103rd St*  
*John Rankin*

1  
2  
3  
4

Dated *Mar 19* 1893

*James* Magistrate

*11* Precinct



No. \_\_\_\_\_ Street  
\$ *1500* to answer *W*

*W*  
*W*

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 *Fifteen* 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 *Mar 19* 1893 *Wm H. Cooke* Police Justice.

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

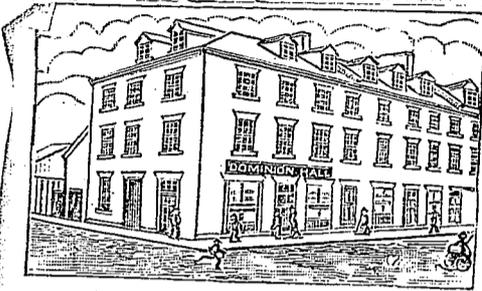
Dated \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice

POOR QUALITY  
ORIGINAL

0142



Dominion Hall,  
CORNER BANK AND SPARKS STREETS.

Ottawa, Jan. 10<sup>th</sup> 1894

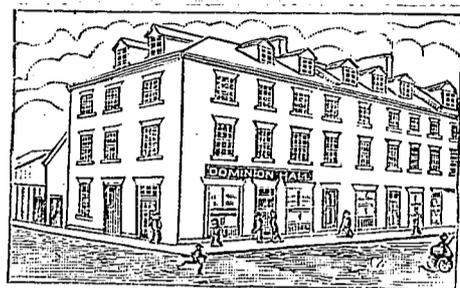
To whom it may concern,  
This is to certify that  
Mr. Bobie has been in  
my employ for the past  
two and a half years  
as a Book Keeper.

I have always found  
him a smart, honest  
and reliable young man.  
He is a respected  
citizen of Ottawa and  
has the good wishes  
of all who know him.

Respect yours,  
H. B. Simpson  
Prop. Dominion Hall.

POOR QUALITY  
ORIGINAL

0143



Dominion Hall,  
CORNER BANK AND SPARKS STREETS.

Ottawa, *July 10<sup>th</sup> 1894*

To Whom it May Concern  
I have much pleasure in  
stating that *Mr. J. Robier* has  
been in the employ of the above  
Hotel as Accountant for the past  
Two & a half years in which time  
he has <sup>given</sup> entire satisfaction, and  
I have every reason to believe him  
to be an honest, Intelligent, and  
trustworthy man in every way. I  
have stopped at the Dominion Hall  
for the past Four years and have  
known him to be as represented.

Yours Truly  
*R. McDougall*  
Dep't of Agriculture  
Ottawa  
Ont.

POOR QUALITY  
ORIGINAL

0144

JOHN C. GRANT,  
Solicitor, Conveyancer, &c.  
ROOMS 16 AND 17,  
ONTARIO CHAMBERS,  
48 SPARKS ST.,

Ottawa, Jan'y 15<sup>th</sup> 1894

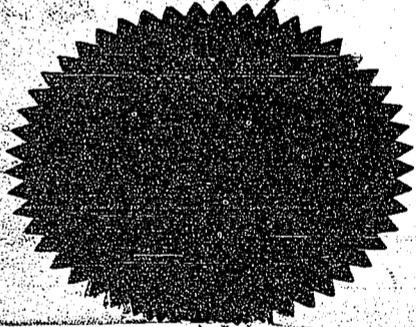
Dear Sir

Your brother called on me  
yesterday and told me that you were in  
trouble in New York

If it is of any assistance to you I  
can willingly certify that I have known  
you for the last ten years and that during  
that time you have conducted yourself  
honestly - I also certify that you are interested  
(as one of the heirs) in valuable real Estate  
in the City of Ottawa & that your father in  
his lifetime was Attorney in law in said City  
Hoping to hear of your future  
Success

John J. Bobier Esq }  
New York }

I remain  
Truly Yours  
John C. Grant  
Justice of the Peace  
Ottawa.  
Notary Public  
for Ontario



POOR QUALITY ORIGINAL

0145

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

\*\*\*\*\*

THE PEOPLE,	)	BEFORE
	)	
VS.	)	HON. RUFUS B. COWING,
	)	
JOHN BEAUBIER.	)	AND A JURY.
	)	

\*\*\*\*\*

TRIED, NEW YORK, JANUARY 11TH, 1894.

\*\*\*\*\*

INDICTED FOR GRAND LARCENY IN THE FIRST DEGREE.  
INDICTMENT FILED DECEMBER 7TH, 1893.

\*\*\*\*\*

APPEARANCES:

ASSISTANT DISTRICT ATTORNEY JAMES W. OSBORNE,	
	FOR THE PEOPLE.
JACOB BERLINGER, ESQ.,	
	FOR THE DEFENSE.

////////////////////

THOMAS FITZGERALD, the COMPLAINANT, testified that he lived at No. 1032<sup>0</sup> Fifth Avenue, and had lived there about three years. He is a coachman. On the night of November 19th, 1893, he, the complainant, had, on his person, a gold watch and chain, worth about \$35.00. Between 12 and 1 o'clock, on that night, while standing on the corner of 23rd Street and 3rd Avenue, parting from some friends, he, the complainant, had some talk with the defendant, and, before parting with the friends, the conversation began, and continued after the parting. He, the complainant, was speaking to two friends, one of whom lived in 24th Street, and he, the complainant, was going to part with them, and take the Elevated Railroad train at the station. His, the complainant,'s, friends were present when the conversation began, but walked away before it ended. He, the defendant, came up and addresses himself to him, the complainant, as a detective, and said, "I want you. I am looking for you."

Come with me. I am an officer." The names of the friends were Mike Cody, who works in Ike Dohleman's stable, in 24th Street, which runs through the block. The name of the other friend is Garrick Canton, he worked in Durlin's livery stable, near 9th Avenue, but has since left there. The defendant made that remark in the presence of himself, and of his two friends. He, the complainant, asked the defendant to show his authority or his badge, and, he, the defendant, said that it was not necessary to show his authority, but that he, the complainant, must go with him. He, the defendant, caught him, the complainant, by the lapel of his coat, and he, the complainant, walked along with him the defendant, up to 25th Street. The defendant had him, the complainant by the left arm, and his friends went away, and, the defendant took him, the complainant around the corner of 25th Street. He, the complainant, testified, "I insisted upon him letting me go, and he didn't do it, and, after the lapse of about five minutes talking, he let me go, and I went about fifty yards, back

to Third Avenue, and found my watch and chain was gone, and I returned and followed him and got him, and, when I came, he threw the watch away, and I picked up the watch, but not the chain. I seen him throwing it away, when I came and demanded my watch. He said that he had the watch, and wanted it for identification, and I picked up the watch, and I held him, and Officer Luman came up and arrested the man, and I went down to the station-house, with him, and made a charge."

IN

CROSS-EXAMINATION

the witness testified that he is a coachman. It was sometime after 12 o'clock, and he, the complainant, and his two friends had been together part of the time, but not all the time. He, the complainant, drank about five glasses of beer that day. He had been working, as coachman, and stopped at about six o'clock in the evening, and started from 2nd/2nd West 162nd Street, the stable, to see his friends. He, the complainant, took the car down to 24th Street, Caton being with him.

He, the complainant went to Mike Codey's house, near 2nd Avenue, and there had two glasses of beer. After leaving Codey's, he, the complainant, went to 23rd Street, to take an Elevated train, to go home. When he met the defendant, he the complainant was perfectly sober, and had his watch and chain in his vest pocket, ---in the left hand pocket of his vest.

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EDWIN V. LUMAN, testified that he is a member of the Municipal Police of the City of New York, formerly attached to the 18th Precinct, but now assigned to duty in the 25th Precinct. He, the witness, "On the 19th of November 1893, I heard the cry of "Police!" and I ran in that direction, and I saw the complainant, holding the prisoner. He had him pinned up against the wall, and I asked him what he done, and he said, 'He robbed me of my watch and chain,' and he was just after picking up the watch just about when I got there he picked up the watch. I locked up the prisoner, and went back again, and got a lantern because it was very dark there

and picked up the chain. It was about 30 feet East of where they were standing when he came up. The prisoner said he didn't know anything at all about it. He admitted however to Judge Burke, that he played detective. When he was brought before Judge Burke, he was asked if he played detective, and he said yes, just for fun.

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THE DEFENSE.

JOHN BEAUBIER, The DEFENDANT, testified, in his own behalf, "On the evening of the 19th of November, I was out with a couple of friends of mine, and we were out playing pool, and I live at the corner of 23rd Street and Third Avenue, and I had a room there. Some of my friends are employed there, and I come from Ottawa and I got a very comfortable room, there, And we were going to bed, when my friend, Mr. Hall, said, 'We had better have something to eat', and we went to the restaurant at 24th Street, and I asked them to have a glass of ale and a cigar with me, and we went into the

saloon, and, in the saloon, my stomach took sick,  
and I asked the proprietor's brother to let me  
out of the side door, and I walked out, and I came  
back after a while, and I had left a 2-dollar  
bill on the bar, and I didn't get my change, and,  
when I came back, Mr. Wall, had gone, and he had  
got my change, and, when I came, I asked a lot of  
horsemen standing there where my friend went,  
and they said, 'That way, ' (indicating), and some  
stranger, not the complainant, stepped up, and  
he said, 'It's a nice evening!' and my stomach  
took sick, and I leaned against a wagon, and vomit-  
ed, and he took a chip-pin out of my tie, and I  
found his hand in my pocket, and I caught hold of  
him by the hand, and he commenced to yell, ' I  
didn't take anything! Here's your pin!' and so  
he handed me the pin, and, with, that, I held  
him; and there was a woman that lives on 3rd  
Avenue between 23rd and 24th Street I used to see  
her standing there pretty near every evening,  
and she ran across the street, and one of the horse-  
men in the office of the stable there came out,  
and said, 'What's the matter?' and I said, 'I've

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just caught this man's hand in my pocket, and he stole my pin,' and he said, 'Why didn't you have him arrested?' We have been losing harness and other things,' and he went down the street, and I went along up 23rd Street, and this complainant, was standing there, and there were three or four others there, and I told the fellow that took my pin that I wanted him, and I told him I would have him arrested, and this fellow wanted to know what I had to do with it, he was standing on the corner with the complainant. He was talking to this complainant, and to one of the other fellows, one of the fellows that was with the complainant, he was talking to one of them. And then the crowd said, 'What do you want to have him arrested for? What did he do?' And I said, 'Well, I just caught his hand in my pocket, and I want the pin', and they said, 'You had better not have him arrested, or you will get yourself in trouble', and I asked the complainant, his name, and I wanted to write it down, and I said, 'Where do you live?' and he said, 'That's not this fellow's name. It is my name.' And I said, 'I don't want

your name. I want this other fellow's name.'

And then the fellow that had my pin went away, and, before he went away, one of them says, 'You had better buy a drink.' And he said, 'This fellow', meaning the complainant, 'Has five cents, and you put in a quarter, and we can have six drinks,' and so he said, 'Come up to the next corner,' and I walked up with them, and I think there was four or five of them, and I walked up with them, and, at the corner, they got wrangling between themselves, who will buy a drink, and searching on another for the money, and then they went away and left me at the corner all alone, and I was looking to see if I could see my friend, and there was no light in my room, as we passed 23rd Street, and I knew he was not in the house, and the complainant came back to me, after awhile, and he brought me up to the family entrance of a hotel, and he said, 'I want your watch,' and he said, 'Yes, you have---' and he said, 'Get the police!' and one of the fellows said, 'No; don't get the police. There's your watch.' and he motioned to the sidewalk, and picked it up, and the policeman came

up and arrested me, and I said I didn't know anything about the watch, and he said, 'Well, I will take you to the station-house, for impersonating an officer,' and I said, 'All right, I did say I was an officer, and would bring him to the station-house.'"

In

CROSS-EXAMINATION

the defendant testified that he did not walk off with the complainant, and did not have his hand on him. He, the defendant, said, "I am a detective." The thief walked away, over to 23rd Street. When he, the defendant, went up to have him arrested, the complainant commenced to talk to him, the defendant. He, the defendant, lived in the Cavanagh Building, corner of 23rd Street and 3rd Avenue. The names of his friends are William Wall and Ellsworth Tankerberry. Wall is a telegraph operator, and Tankerberry is engaged in some dry goods concern. He, the defendant had known them from childhood, but did not ask them to come to court and testify in his, the defendant's behalf. He, the defendant, lived

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at the address just mentioned, and, before that, lived at Slattery's Restaurant, on 6th Avenue. He, the defendant, was engaged in the flour and feed business and, his last employment was as bookkeeper for the Dominion Hall, in Ottawa, and was on a vacation when arrested. When he, the defendant, went up to talk to the man that stole his pin, there must have been five men standing there, including the complainant, and his two friends. He, the defendant, went up and charged the man with stealing his pin, but did not take hold of him, and did not know why he, the defendant, did not cry out for the police. He, the defendant, did not make any noise or outcry, but grabbed the pin from the man, and allowed him to go. He, the defendant, said to the man, 'I have a good notion to have you arrested, and, afterwards, said to the man that he, the defendant, was a detective. The defendant testified, "One of the crowd asked me what authority I had to take him to the station-house, and I said I was a detective. This complainant grabbed a hold of me, and asked my authority; he asked me what I had to

do with it, and put his hand on my shoulder, but did not arrest me." He, the defendant, did not have a quarrel or any trouble with the complainant, and did not know why the complainant charged him with stealing his watch and chain. The complainant grabbed him, the defendant, and held him up against the family entrance, and said he stole the watch. He, the defendant had \$2.05, only, on which to live and take himself back to Ottawa. He, the defendant, saw the complainant pick up the watch.

In

RE-DIRECT-EXAMINATION

the defendant testified that he got his pin back. He admitted to the officer who arrested him that he impersonated an officer, but did not take the complainant's property. He, the defendant, did not steal the watch and chain, but saw some one take it from the sidewalk. He had never been convicted, and always lived in Ottawa except when he came to New York for a vacation of two or three weeks.

In

RE-CROSS-EXAMINATION

the defendant testified that he came from 23rd Street

--- came from 24th Street to 23rd Street, and 3 or 4 or five men were with him, and they were arguing about the price of the drinks, and they all went away and left him, the defendant, standing on the corner alone, and the complainant came back alone and said, "Come here," and caught hold of him, the defendant, by the arm and brought him to the family entrance door, and said, "I want my watch," and he, the defendant, said, "I don't know anything about your watch. and the crowd was just going across the street, then, and he, the defendant, and the complainant were alone. Later on, the defendant testified that the complainant's crowd came up at the time that the complainant grabbed hold of the defendant.

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EDWIN V. LUMAN, being recalled by Mr. Osborne, testified that, at the time that the complainant and the defendant were struggling, a young man, a friend of the complainant, stood about a hundred feet away, and, by the time the witness took hold of the defendant,

both friends of the complainant had come up. The defendant told him, the witness, that he lived at 153 East 23rd Street, in the Washington Lodging House, a 15-cent lodging house.

In

CROSS-EXAMINATION

the witness testified that 153 E.23rd Street is between Lexington and 3rd Avenues, on the North side of the street, about 75 feet from 3rd Avenue. There is a liquor store on the Northwest corner. In the police-court he gave his address at 153 E.23rd, and on the present trial he gave it as 166 E.23rd Street. He was not certain as to the number. His room faced on 3rd Avenue.

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THOMAS FITZGERALD, the COMPLAINANT, being recalled, by The Court, testified that he was sure that he saw the defendant throw away the watch; As he took hold of him, he, the defendant, threw it behind him, and he the complainant saw him do it and heard the watch drop.

No one but themselves--defendant and complainant---

were present at the time, and they were on 24th Street midway between 3rd and Lexington Avenues; not on the corner. He, the complainant, went back with the officer to find the chain.

In

CROSS-EXAMINATION

the complainant testified that he came from Ireland, about four years ago. He is employed by Mr. Roosevelt Schuyler, at 252 West 46th Street, and had been employed there over ~~for~~ three years. He, the complainant, did not notice where his friends were when he, the complainant, took hold of the defendant. The defendant had the watch in his right hand, and threw it behind him, the defendant. The chain was broken. When the defendant saw the officer coming from 3rd Avenue, he tried to escape, at the same time saying, "Here's the officer coming.!" but he, the complainant, held him tightly. With one hand he, the complainant, picked up the watch, and, with the other, he held the defendant by the collar..

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EDWIN V. JUMAN, being recalled by Mr. Berlinger, the defendant's Counsel, for further cross-examination, testified that some one, other than the complainant, hollloed "Police!" or "Watch!" The witness testified, "The man that hollloed "Police!" was standing in the middle of the street, at 3rd Avenue and 25th Street, and he cried "Police!" and I was going West, through 25th Street, when I heard the cry. Right in the avenue he was standing on the corner of 25th Street and 3rd Avenue, and I was coming from 2nd Avenue, West, and he was on the Southwest corner, and I was on the North side of the street. The complainant had the defendang pinned up against the wall, about 150 feet West of 3rd Avenue, and they were alone when I got up there. I asked the man that hollloed "Police!" what was the matter, and he told me that a man had lost his watch and chain, and I ran in that direction, and I found the defendant pinned up against the wall. I found the chain between where I arrested the defendant and 3rd Avenue." The defendant gave him, the witness, his residence as "153 E. 23rd Street." When he was asked his address, in the police court he,

the defendant, answered, "153 East 23rd Street." He appeared to be perfectly cool and collected.

\*\*\*\*\*

MICHAEL CODY, called by THE PEOPLE, and sworn, testified that he is a stableman, at 24th Street, near 3rd Avenue, for Isaac H. Dahlman. He, the witness, had known the complainant for two years, in this country and in Ireland. The witness testified, I remember the night of the trouble. The complainant and I were talking at the corner of 23rd Street and 3rd Avenue, and the defendant came up and said to the complainant, 'I want you,' and he called him one side, and the complainant said, "What do you want me for?" and the defendant said, 'I am a detective, and I want your name.' The complainant said, 'What do you want me for?' and he said, 'I want your name.' And he wanted my name, too, but I wouldn't give him my name at the time. And myself and the other young gentleman walked as far as 24th Street, and the defendant and the complainant walked up as far as 24th Street after us, and between 24th

and 25th Street this defendant and the complainant were talking in the middle of the block, and the complainant says to me, 'Hold on! I will be with you, in a minute, Cody.' And this fellow pulled out a piece of card from his pocket, and he wrote my name and address on the card, and then they went as far as the corner, on the other corner. They came on after us as far as 25th Street, on the downtown side, and we went on the uptown side, and we were standing on the Equitable Gas Company's corner, and he had the complainant ---he took the complainant about 20 or 30 yards over, between 3rd and Lexington Avenue, and they were talking there, and they were talking for about five minutes, and I says to Fitzgerald, 'Come on!' I did not go up to him, but was standing out of the corner, and he says, 'I will be with you in a minute,' and he run over, and, about two or three seconds after that, the minute he came over, he said, 'My watch is gone! I lost my watch!' And I said, 'You go and get it. He hasn't gone yet,' and he turned right back, and he ran after the defendant, and the defendant was standing up against the door there, I seen him myself, and he ran and caught him, and pulled him out in the street, and I holloaed

'Police!' I was standing right on the corner of 25th Street, on the East side of 3rd Avenue, and I said, 'There is a watch taken from a man there' when the policeman came. And I didn't see him take the watch, but I know he had the watch before he left me, and I know that he hadn't the watch when he came up to me, and I saw them struggling together."

In

CROSS-EXAMINATION

the witness testified that when he, the complainant, left him, the witness, he, the complainant, had a watch-guard across his breast, but it was gone when he returned. He, the witness, saw the watch that night. It was a small watch--a lady's watch. He, the witness, is a man of family, and cannot afford to drink, but might have had a glass of beer on the night referred to. The complainant did not drink anything that night in his, the witness's, presence or company. He, the witness, stopped work at 6 o'clock that night, and saw the complainant at about half-past 9. The defendant told him, the witness, that he was a detective, and wanted his, the witness's, name.

and got it. He, the witness, and his friend, Caton, were about to leave the complainant when the defendant came up and spoke to him and the witness as has been described. and he, the witness, and caton walked away a short distance

\*\*\*\*\*

WILLIAM WALL, called by the defense, and sworn, testified that he is a telegrapher operator, with the Postal Telegraph Co., at 187 Broadway, and he came from Ottawa, Canada, but he lives at 161 E. 23rd Street, in the City of New York. He, the witness, had known the defendant about five years, and had known him in Ottawa. The defendant came to this City about 3 or 4 months ago. He, the witness, lived at 161 East 23rd Street, and Mrs. Cavanagh keeps the house. He lived there about a year and a half. The defendant had lived there, also, about two weeks. The defendant's reputation is good. He, the witness, had been with the defendant until about half past 12, on the night in question.

In

CROSS-EXAMINATION

the witness testified that the defendant slept with him the night before the alleged larceny, having given up his room three or four days before that night. He, the defendant, did not, to his, the witness's, knowledge, have any baggage at that place. His, the witness's, other friend left him about 10 o'clock that night. Mr. Tackaberry was not with him, that night; it was Mr. McGoldrick. He, the witness, and Tackaberry were not sick that night, nor was the defendant; but McGoldrick went home about 10 o'clock, because he was sick. He, the witness, did not see the defendant vomit.

In

RE-DIRECT-EXAMINATION

The witness testified that the defendant left him for a few minutes, and he did not know whether the defendant vomited during this absence. About four months ago he, the witness, met the defendant, when he came to the City, and, since then, he has not been doing anything, but understood that he received money from Ottawa to live on.

ELLSWORTH TACKABERRY, called by The Defense, sworn, testified, that he is employed in the pool-table factory of Jacob Alshew, on Avenue A. He, the witness, had known the defendant five or six years, and had known him in Ottawa, and had seen him often since his arrival in this City three or four months ago. His reputation was good.

In

CROSS-EXAMINATION

the witness testified that he was not with the defendant on the night of his arrest. In Ottawa the defendant worked as a bookkeeper or clerk in his father's flour and feed store. The defendant, during his three or four months' stay in this City, was not engaged in any business, so far as he, the witness, knew.

\*\*\*\*\*

JOHN BEAUBIER, the DEFENDANT, being recalled, by his counsel, testified that he had been in this City about three months---"pretty near three months."

POOR QUALITY  
ORIGINAL

0 167

When arrested, he, the defendant, had in his pockets ten cents. While in this City, he had received from Ottawa \$25.00. He, the defendant, remembered that he testified, before, that he had \$2.05 when arrested, although he now testified that he had only 5 or 10 cents. He, the defendant, left his baggage with Mr. Wall. Later on, in answer to the question, "Didn't you hear Mr. Wall say that he didn't know anything about it?" the defendant testified, "Well, I left my collars and shirts, and besides what I have in the laundry. I only brought one suit of clothes with me."

\*\*\*\*\*

(The Jury find the defendant Guilty of Grand Larceny in the First Degree, with a recommendation to the mercy of the court.)

//////

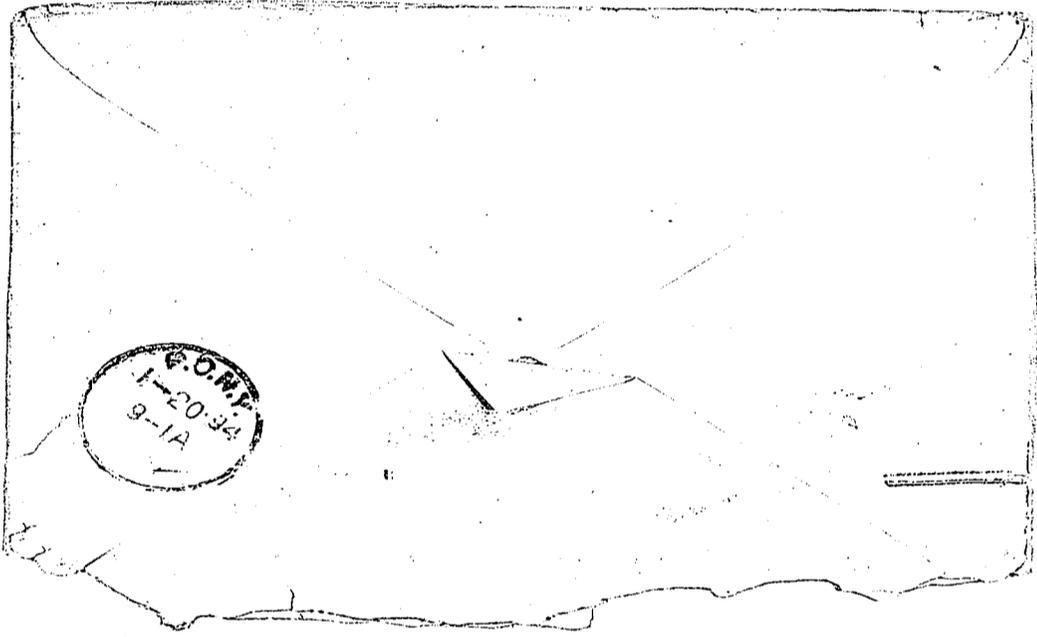
POOR QUALITY  
ORIGINAL

0168

*Mr. John Beaubien*  
*Franklin Centre<sup>St.</sup>*  
*New York City*  
*N. Y.*  
*City Prison*

**POOR QUALITY  
ORIGINAL**

0169



POOR QUALITY ORIGINAL

0170

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 Beaubier*

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

*John Beaubier*  
of the CRIME OF GRAND LARCENY in the *first* degree, committed as follows:  
The said *John Beaubier*

late of the City of New York, in the County of New York aforesaid, on the *nineteenth*  
day of *November*, in the year of our Lord, one thousand eight hundred and  
ninety-*three*, in the *night*-time of the said day, at the City and County aforesaid,  
with force and arms,

*one watch of the  
value of twenty-five dollars,  
and one chain of the value  
of ten dollars*

of the goods, chattels and personal property of one *Thomas Fitzgerald*  
on the person of the said *Thomas Fitzgerald*  
then and there being found, from the person of the said *Thomas Fitzgerald*  
then and there feloniously did steal, take and carry away, against the form of the statute in  
such case made and provided, and against the peace of the People of the State of New York  
and their dignity.

*De Lancey Recoll,  
District Attorney*

0171

**BOX:**

542

**FOLDER:**

4932

**DESCRIPTION:**

Beck, George

**DATE:**

12/08/93



4932

POOR QUALITY ORIGINAL

0172

Witnesses:

COURT OF OYER AND TERMINER.

Counsel,

Filed,

Pleads,

day of Dec 1893

THE PEOPLE

Transferred to the Court of Special Sessions for trial and final disposition  
VIOLATION OF THE EXCISE LAWS, [Chap. 401, LAWS OF 1892, selling, etc., on sundays]  
Part of Dec. 29, 1893

George Beck.

DE LANCEY NICOLI,

District Attorney.

A TRUE BILL.

R. S. Cox Foreman.

711

**POOR QUALITY  
ORIGINAL**

0173

632

## Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*George Beck*

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

*George Beck*

of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said

*George Beck*

late of the City of New York, in the County of New York aforesaid, on the <sup>26</sup> day of *November* in the year of our Lord one thousand eight hundred and ninety-~~three~~, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale 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

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of New York and their dignity.

### SECOND COUNT—

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

*George Beck*

of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

*George Beck*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale 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 offer and expose for sale to one

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

*District Attorney.*

0174

**BOX:**

542

**FOLDER:**

4932

**DESCRIPTION:**

Bellah, Annie

**DATE:**

12/19/93



4932

Witnesses.

Edward Collins  
Gary Carter

One of them indubitably the  
prosecutor cannot discontinue  
by proof, the other must be  
supported by the testimony  
of J. C. Dyer, Cashier of  
the Bank of Chester Co at  
Westchester, Penna. & show  
the falsity of the representation  
as to the check. He cannot  
be compelled to attend and he  
cannot refuse to testify if some  
evidence of the jurisdiction  
Following the suggestion of the  
Court & recommenders after  
discharge on both indict-  
ments be for our performance  
April 16/94 Stephen J. O'Neil  
Sta. Delatroy

10th Dec 1901  
W. M. Miller  
17/1/03  
1724 497

Counsel,  
Filed  
19 day of Dec 1893,  
Plends

W. M. Miller  
THE PEOPLE  
vs.  
L

Annie D. Ballah  
(2 names)  
Am. Items  
DELANCEY NICOLL,  
District Attorney.

George Obermann  
A TRUE BILL.  
B. J. Coe  
Sep 4 20/1901.

Foreman.  
Indictment dismissed  
on motion of Foreman  
F. A. 10/9/01  
I " 16/9/01

[Section 528, and 587, Penal Code.]  
LARCENY, 2nd DEGREE

**POOR QUALITY ORIGINAL**

0176

No. 1.

**THE WESTERN UNION TELEGRAPH COMPANY.**  
INCORPORATED  
21,000 OFFICES IN AMERICA. CABLE SERVICE TO ALL THE WORLD.

This Company TRANSMITS and DELIVERS messages only on conditions limiting its liability, which have been assented to by the sender of the following message. Errors can be guarded against only by repeating a message back to the sending station for comparison, and the Company will not hold itself liable for errors or delays in transmission or delivery of Unrepeated Messages, beyond the amount of tolls paid thereon, nor in any case where the claim is not presented in writing within sixty days after the message is filed with the Company for transmission.

This is an UNREPEATED MESSAGE, and is delivered by request of the sender, under the conditions named above.

THOS. T. ECKERT, President and General Manager.

NUMBER

SENT BY

RECD BY

CHECK

33 N. Co 12 Collect

RECEIVED at

Dated

To

Camden N.J. 2:30pm Oct 25 1897

M. Gilbert

33 Court St

Delah check now at first  
Nat Bank Hillsboro Bridge  
New Hampshire.

Elias Davis: Cashier

POOR QUALITY  
ORIGINAL

0177

- 3372 -



THE CAMDEN  
NATIONAL BANK

ZOPHAR C. HOWELL, President.  
JOHN COOPER,  
HENRY B. WILSON, } Vice-Presidents.  
ISAAC C. MARTINDALE, Cashier.  
ELIAS DAVIS, Cashier.

Camden, N.J. 10/25 1893

F. W. Gilbert Esq.,  
Dear Sir:

I have just received a  
telegram from J. C. Campbell  
Cashier First Nat Bank Wells-  
boro Bridge New Hampshire  
as follows "I enclose Joseph  
Bellah on you for fifty dollar  
good" I wired you about this  
in per request of J. W. Kendall  
Cashier Nat Bank of Stamford  
N.Y.

Yours respect  
Elias Davis  
Cash

POOR QUALITY  
ORIGINAL

0178

- 3372 -



# THE CAMDEN NATIONAL BANK

ZOPHAR C. HOWELL, President.  
JOHN COOPER,  
HENRY B. WILSON, } Vice-Presidents.  
ISAAC G. MARSHALL, Cashier.  
ELIAS DAVIS, Cashier.

Camden, N.J. 11/2 1893

J. W. Gilbert Esq.

Dear Sir:-

I am very sorry but I am unable to give you a list of Bellah checks as they have been mostly presented by runners of other banks and we have refused to pay them and of course have kept no record of them. Any that are presented in the future I will try and keep you posted in.

Yours respect  
Elias Davis  
Cash

POOR QUALITY  
ORIGINAL

0179

-3372-



THE CAMDEN  
NATIONAL BANK

Camden, N. J. Nov 3, 1893

ZOPHAR C. HOWELL, President.  
JOHN COOPER,  
HENRY B. WILSON, } Vice-Presidents.  
ISAAC G. MARTINDALE, Cashier.  
ELIAS DAVIS, Cashier.

J. N. Gilbert Esq.,

Dear Sir:-

Your favor of 11/1 has been received.

I don't think we can do anything with Bellah as he does not owe us anything. He has drawn checks on us that were not good but we have not paid them and therefore do not think we could do anything with him but I am willing to do what I can to locate him.

Yours respect  
Elias Davis  
Cash

POOR QUALITY  
ORIGINAL

0180

-3372-



THE CAMDEN  
NATIONAL BANK

ZOPHAR C. HOWELL, President.  
JOHN COOPER,  
HENRY B. WILSON, } Vice-Presidents.  
ISAAC G. MARTINDALE, Cashier.  
ELIAS DAVIS, Cashier.

Camden, N.J. Nov 8 1893

F. W. Gilbert Esq.,  
Dear Sir:-

A check of Joseph Bellak  
for 125.00 was presented to day.  
It came from Nat. Bank of Chicago  
and was drawn to order of W. B. Kern.  
It is dated Nov 4th and I  
did not think it worth while  
to telegraph you.

Yours respect  
Elias Davis  
Cashier

POOR QUALITY  
ORIGINAL

0181

-3872-



THE CAMDEN  
NATIONAL BANK

ZOPHAR C. HOWELL, President.  
JOHN COOPER,  
HENRY B. WILSON, } Vice-Presidents.  
ISAAC C. MARTINDALE, Cashier.  
ELIAS DAVIS, Cashier.

Camden, N.J. 11/10 1893

A. S. Stewart Esq;

Dear Sir:-

Joseph Bellah was introduced to us by one of our customers some time ago and kept a small account and then left the city. He drew his balance with the exception of a few cents before leaving and has since been drawing checks on us which he has been getting cashed among his friends or which his wife would have cashed by her friends.

If you can give any information as to the whereabouts of Bellah please inform F. N. Gilbert, 35 Court St. Binghamton N.Y. He has been employed

POOR QUALITY  
ORIGINAL

0182

-3372-



THE CAMDEN  
NATIONAL BANK

ZOPHAR C. HOWELL, President.  
JOHN COOPER,  
HENRY B. WILSON, } Vice-Presidents.  
ISAAC C. MARTINDALE, Cashier.  
ELIAS DAVIS, Cashier

Camden, N.J. 189

By one of Bellah's victims to  
look after the case, but they  
have been unable to locate  
him.

Yours respectfully  
Elias Davis  
Cash

POOR QUALITY  
ORIGINAL

0183

-3872-



THE CAMDEN  
NATIONAL BANK

ZOPHAR C. HOWELL, President.  
JOHN COOPER,  
HENRY B. WILSON, } Vice-Presidents.  
ISAAC C. MARTINDALE, Cashier.  
ELIAS DAVIS, Cashier

Camden, N.J. 11/13 1893

F. N. Gilbert Esq.

Dear Sir:-

Check presented to day  
for Bellah \$100 endorsed  
C. D. Rosa; 1st Nat Bank  
Albion, Iowa; Centennial Nat Bank,  
Chicago; Mechanics Nat. Bk, N.Y.

Yours respect

Elias Davis

Cash

POOR QUALITY  
ORIGINAL

0184

-3872-



# THE CAMDEN NATIONAL BANK

ZOPHAR C. HOWELL, President.  
JOHN COOPER,  
HENRY B. WILSON, } Vice-Presidents.  
ISAAC C. MARTINDALE, Cashier.  
ELIAS DAVIS, Cashier.

Camden, N.J. 11/16 1893

J. M. Gilbert Esq.  
Dear Sir:-

Check presented to day  
Joseph Beddab 75<sup>00</sup> dated Nov  
10<sup>th</sup> drawn to order of The Detroit  
Nat Bank and endorsed by Detroit  
Nat Bank, Nat City Bank N.Y.  
and Farmers & Mechanics Nat  
Bank Philad.

Yours respect  
Elias Davis  
Cash

POOR QUALITY  
ORIGINAL

0185

-3372-



# THE CAMDEN NATIONAL BANK

ZOPHAR C. HOWELL, President.  
JOHN COOPER,  
HENRY B. WILSON, } Vice-Presidents.  
ISAAC C. MARSHALL, Cashier.  
ELIAS DAVIS, Cashier.

Camden, N.J. 11/18 1893

J. N. Gilbert Esq.,  
Dear Sir:-

Check Joseph Bellah  
for 230 dated Nov 11 th to order  
John Henderson & Co. presented to say,  
It is endorsed John Henderson & Co  
Bank of B. N. America Montreal  
Canada; Nat City Bank N.Y.  
& Farmers & Mechanics Nat  
Bank Philada.

Yours respect  
Elias Davis  
Cash

POOR QUALITY  
ORIGINAL

0186

-3372-



# THE CAMDEN NATIONAL BANK

ZOPHAR C. HOWELL, President.  
JOHN COOPER,  
HENRY B. WILSON, } Vice-Presidents.  
ISAAC C. MARTINDALE, Cashier.  
ELIAS DAVIS, Cashier.

Camden, N.J. 11/29 1893

F. N. Gilbert Esq;

Dear Sir:-

Check Joseph Bellah pre-  
sented today for \$35<sup>00</sup> dated Nov  
25th to order Chas. S. Beebe, sundry  
Chas. S. Beebe; Nat Bank of Baltimore  
Md. and Nat Bank of the Repub-  
lic Philada

Yours respect  
Elias Davis  
Cash

0187

POOR QUALITY ORIGINAL

Northwest Corner  
 SECOND STREET & KAIGHN AVENUE  
 7/24/93  
 The Camden National Bank, <sup>5146</sup>  
 Camden, N. J. July 19 1896.  
 Pay to Mrs. A. D. Bunn or Bearer,  
 Fifty Dollars.  
 \$50.00  
 Joseph Bellah

**POOR QUALITY ORIGINAL**

0188

FIRST NATIONAL BANK  
JUL 24 1898  
CAMDEN, N. J.

Mrs  
A. J. Bellah -  
A. J. Duman  
FOR DEPOSIT ONLY  
The Benjamin Rha  
and Ellingworth Co  
By J. Hartshorne

PAID TO ORDER OF THE FIRST NATIONAL BANK OF CAMDEN, N. J. JUL 24 1898

40 funds

**POOR QUALITY ORIGINAL**

0 189

United States  of America.

The Camden National Bank  
 Pay to Mrs A D Bellah <sup>Camden N.J.</sup> or bearer. <sup>1893</sup>  
 Fifty Dollars  
 + 50.- Joseph Bellah  
 Enclosed  
 Mrs A D Bellah  
 A C. Deming  
 The Benjamin Atha & Ellingworth Co. By J B Hart  
 J W. Crooks, Cashier  
 J B. Stewart, Cashier

Be it Known, That on the day of the date hereof, I, SAMUEL T. DAVISON, Notary Public for the State of New Jersey, by lawful authority duly commissioned and sworn, residing in the City of Camden, in the said State, at the request of "THE FIRST NATIONAL BANK OF CAMDEN," exhibited the original Promissory Note, of which the above is a true copy, unto a clerk of the Bank where the same is made payable, and demanding payment, received for answer

I therefore duly notified the drawer and endorser of the non-payment thereof, to-wit, by a notice of which the following is a true copy: Camden, N. J., July 24 - 1893 Payment of Joseph Bellah in favor of Mrs A D Bellah and by her, endorsed for 50 Dollars Cents, being this day due, demanded and unpaid it is delivered to me for Protest by "THE FIRST NATIONAL BANK OF CAMDEN," and you will be looked to for payment, of which you hereby have notice.

SAMUEL T. DAVISON, Notary Public.

Served respectively as follows:

Joseph Bellah. Camden N.J.  
 Mrs. A D. Bellah  
 A C. Deming  
 The Benjamin Atha & Ellingworth Co. Essex County Nat Bank Newark N.J.  
 J W. Crooks, Cashier. Corn Exchange Philadelphia Pa.  
 J B. Stewart, Cashier.

Whereupon, I the said Notary, at the request aforesaid, do hereby solemnly protest against the drawer and endorser of the said Promissory Note, and all others concerned, for all exchange, re-exchange, cost, damages and interest suffered and to be suffered for want of payment thereof.

Thus done, and protested, at Camden, aforesaid, the Twenty fourth day of July 1893.  
 In Testimony Whereof, I have hereunto set my hand and affixed my Notary Seal, the day and year above written.  
 Samuel T. Davison  
 Notary Public.



0190

POOR QUALITY ORIGINAL

Check.

Joseph Bellah  
\$ 50.-

Mrs. A. S. Bellah  
A. C. Derrnan  
The Benjamin Atha & Illingworth Co.  
J. W. Crooks, Cashier  
J. B. Stewart, Cashier  
Essex New York

July 24 - 1893.

Post	1.30
Post	06
	<u>1.36</u>

J. H. G.

**POOR QUALITY  
ORIGINAL**

0 19 1

CAMDEN, N. J. July 24 1893.  
Payment of Joseph Bellah  
Promissory note in favor of Mrs. A. D. Bellah  
and by you Endorsed for 50 Dollars - Cents,  
being this day due, demanded and unpaid, it is delivered to me for  
Protest, by  
"THE FIRST NATIONAL BANK OF CAMDEN,"  
and you will be looked to for payment, of which you hereby have  
notice.  
To The Benjamin Ache & Illingworth Co.

Please Forward Notices.

SAMUEL T. DAVISON.  
Notary Public.

CAMDEN, N. J. July 24 1893.  
Payment of Joseph Bellah  
Promissory note in favor of Mrs. A. D. Bellah  
and by you Endorsed for 50 Dollars - Cents,  
being this day due, demanded and unpaid, it is delivered to me for  
Protest, by  
"THE FIRST NATIONAL BANK OF CAMDEN,"  
and you will be looked to for payment, of which you hereby have  
notice.  
To A. C. Durman

Please Forward Notices.

SAMUEL T. DAVISON.  
Notary Public.

**POOR QUALITY  
ORIGINAL**

0192

Rather stout man - probably  
weighs 160 - smooth face  
Brown hair - about 5/16  
Rather refined manners -  
probably 45 yrs old -  
long chin rather deep  
Wore black coat & plaid  
pants -

**POOR QUALITY  
ORIGINAL**

0193

To \_\_\_\_\_

Have heard  
that he stopped  
at Grand Union  
near 42nd St  
where you  
are



Form 1

**TELETYPE**

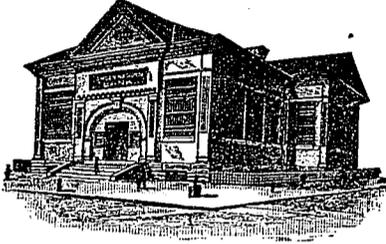
ALBERT P. CHANDLER,  
President and General Manager

Send the following message, without repeating subject:

POOR QUALITY  
ORIGINAL

0194

-3372-



THE CAMDEN  
NATIONAL BANK

Camden, N.J. 7/31/1893

ZOPHAR C. HOWELL, President.  
JOHN COOPER,  
HENRY B. WILSON, } Vice-Presidents.  
ISAAC S. MARTIN, Cashier.

A. DeFendof Esq.,  
Newark N.J.

Dear Sir! - Mr Joseph  
Bellah has a balance of a few  
cents to his credit but has  
made no deposits with us  
for a year or more

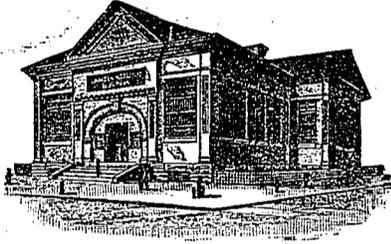
Yours respect  
Elin Davis  
Cash



POOR QUALITY  
ORIGINAL

0196

- 3372 -



THE CAMDEN  
NATIONAL BANK

ZOPHAR C. HOWELL, President.  
JOHN COOPER,  
HENRY B. WILSON, } Vice-Presidents.  
ISIDORE DAVIES, Cashier.

Camden, N.J. 7/29 1893

A. B. Deaman Esq.,  
Dear Sir:-

Joseph Bellah kept  
an account with us some time  
ago but there has been no activity  
on his ac for over a year. There  
is still a balance of a few cents  
to his credit.

This is the third letter of  
this kind I have received within  
the last few days.

He appears to be getting a  
check cashed wherever he can among  
his friends and must certainly  
know that he has not funds  
to pay them.

Yours respect  
Elias Davies  
Cash

**POOR QUALITY  
ORIGINAL**

0197

*Joseph Bellak  
July 19/93*

POOR QUALITY  
ORIGINAL

0198

The Benjamin Atha & Wingworth Co.  
Newark, N.J.

July 26. 1893.

Joseph Bellah.  
Camden N.J.

Dear Sir.

A few days since  
Mr. Bellah, called upon <sup>me</sup> to  
Cash your check for \$50.  
which I did, and the check  
is now reported protested.

I cannot but think some  
mistake has been made, and  
that you will promptly re-  
tify, by forwarding to me at  
once, certified check to assure  
the one protested.

Your early reply to above  
address will oblige

Yours Truly  
A. C. Thomas.

**POOR QUALITY  
ORIGINAL**

0199

Insurance Monitor, Insurance Law Journal,

HINE'S DAILY FIRE RECORD,

No. 137 Broadway.

C. C. HINE, Editor and Proprietor.

NEW YORK, Jan. 16th., 1894

A. C. Denman, Esq.,  
Newark, N. J.

Dear Sir:-

I have your welcome favor of the 15th and return you herewith Chief McIntosh's letter. I have also communicated to District-Attorney Lindsay, but I do not remember Mr. Bamberg's front name and have no means of identifying him. Were not his papers or at least his name in the bundle that you and the party who was working for you had?

I have several times spoken about "obtaining money under false pretences" in connection with these scamps, but nobody seems to respond to it. I wonder if there is nothing in that. Bellah may get off on the technical circumstances which surround his worthless check, but if he could only be tried on a commonsense basis, it seems to me that the false pretence ought to hold, but I do not know what the legal bearings of such an accusation would be.

Yours respectfully,

*C. C. Hine*

0200

POOR QUALITY ORIGINAL

No. \_\_\_\_\_ West Chester, Pa. July 21 1893  
 The National Bank of Chester County  
 Pay to the order of E. W. Collins Dollars  
Fifty <sup>00</sup>/<sub>100</sub>  
 \$ 50.00  
 A. S. Bellah

A. M. SPED & CO. 22 DEY ST. N.Y.

0201

**POOR QUALITY ORIGINAL**

FBI COLLECTION FOR  
DEPT. OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION  
WASHINGTON, D.C. 20535

*[Handwritten signatures and initials]*

UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION  
WASHINGTON, D.C. 20535

*[Handwritten signatures and initials]*

**POOR QUALITY ORIGINAL**

0202

Form No. 1.

**THE WESTERN UNION TELEGRAPH COMPANY.**  
INCORPORATED

**21,000 OFFICES IN AMERICA. CABLE SERVICE TO ALL THE WORLD.**

This Company TRANSMITS and DELIVERS messages only on conditions limiting its liability, which have been assented to by the sender of the following message. Errors can be guarded against only by repeating a message back to the sending station for comparison and the Company will not hold itself liable for errors or delays in transmission or delivery of Unrepeated Messages, beyond the amount of tolls paid thereon, nor in any case where the claim is presented in writing within sixty days after the message is filed with the Company for transmission.

This is an UNREPEATED MESSAGE, and is delivered by request of the sender, under the conditions named above.  
THOS. T. ECKERT, President and General Manager.

NUMBER SENT BY REC'D BY CHECK  
207 By Jx 24 Pd 1203

RECEIVED at the WESTERN UNION BUILDING, 195 Broadway, N. Y. *Jan 29* 1894

Dated *Doston 29*

To *John D Lindsey*  
*32 Chamber St*

*Attorney general says papers is all right  
you aught to be here before police  
judge tomorrow at nine am hearing at  
3 this afternoon*

*Phil Reilly*

POOR QUALITY  
ORIGINAL

0203

JAMES MILLARD.

OFFICE OF

JNO. R. MILLARD, M. E.

JAMES MILLARD & SON,

\* PHOENIX · FOUNDRY · AND · MACHINE · WORKS \*

NEAR WEST SHORE RAILROAD.

Benjamin Atha + <sup>H Kingston, N. Y.,</sup> Dlugiwaltz  
Newark, N. J. Feb 2nd 1894

Gentlemen:- You may furnish us with  
one (1) Hammered Steel Shaft, turned  
to size seven inches (7<sup>in</sup>) diameter,  
length of same to be given later.  
Price to be 47 lb. delivered at Kingston,  
N. Y. Please not to enter order until  
we send you length.

Yours truly,

James Millard & Son

0204

POOR QUALITY  
ORIGINAL

District Attorney's Office.

Mr McManus  
Put these with  
the Bellah papers  
J. A. Sunday

**POOR QUALITY  
ORIGINAL**

0205

ILLUSTRATED CIRCULAR  
— OF —  
EBERHARDT'S PATENT

July 7th, 1891.

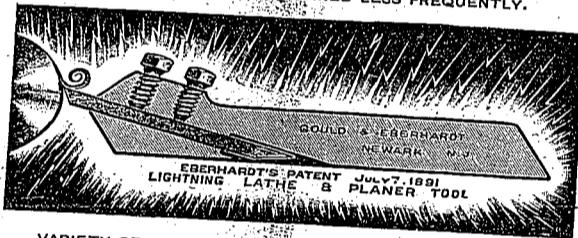
# TOOL HOLDER

For Lathes, Planers and Shapers.

**THIS TOOL SAVES ABOUT 75 PER CENT. OVER FORGED TOOLS.**

In brief, the following can be said of this Tool Holder:

- NO FORGING OR TEMPERING.
- NO OBJECTIONABLE PROJECTIONS.
- AVERAGE CUTTING RAKE ALWAYS GIVEN.
- TIME, LABOR, MONEY AND ANNOYANCE SAVED.
- GRINDING OF TOOLS REQUIRED LESS FREQUENTLY.



- VARIETY OF CUTTING SHAPES, GROUND RIGHT AND LEFT.
- STEEL WILL NOT SLIP IN HOLDER UNDER HEAVY CUTS.
- INCREASED SPEEDS AND FEEDS CAN BE OBTAINED.
- NO ADJUSTMENT OF HEIGHT NECESSARY.
- NO STOCK OF HEAVY STEEL ON HAND.
- TOOL SUPPORTED UP CLOSE.
- ECONOMY IN GRINDING.

**GOULD & EBERHARDT,**

Works, South of Market Street Depot, Penna. R. R.

Green Street,

N. J. R. R. Avenue,

Bruen Street.

NEWARK, NEW JERSEY,  
U. S. A.

— 1894 —

**POOR QUALITY  
ORIGINAL**

0206

EBERHARDT'S PATENT  
**NEW SYSTEM OF CUTTING TOOL**  
FOR LATHES, PLANERS AND SHAPERS.

Patented, July 7, 1891.

It was after trying in our own works most of the different makes upon the market, that **we were led to devise the ones shown in the engraving**, which we think after an experience of some years with probably 100 holders, that while possessing all the good points of others, this avoids their objections, and will be found to give nearer universal satisfaction than any heretofore introduced. Every workman desiring to advance the interests of the factory, and every manager and mechanic should feel pleased with this system.

1st. It takes up no more room and can be worked in as small a corner as the ordinary old style of tool.

2d. **It never requires forging**, consequently the extreme variations and annoyance of a tool being "too hard," "too soft," or "burnt" are entirely avoided, leaving the quality of the steel in the **best possible condition**, viz. as it comes from the mill.

3d. By reason of their being **no forging**, a vast amount of **time, labor, annoyance and money is saved**.

4th. Any desired form or shape of cutting edge can be ground in a very few seconds, there being but a small surface presented to be ground.

5th. The average rake or cutting angle **is always given**, due to the angle at which the steel is held in the holder.

6th. Experience has proven that the position in which the steel is held or brought in contact with the work as in this tool, is **far superior** to that of presenting the end grain, as it were, to the cut and strain.

7th. Largely **increased speeds and feeds** can be obtained through the use of this tool.

8th. No more time is consumed in handling or changing this tool than with the ordinary; in practice it will be found **more convenient**.

9th. Five pieces of **special self-hardening steel, each end ground** to a different shape, together with a suitable wrench, accompany each holder, which is **direct steel**.

10th. **Our Tool Holders** are furnished with **best tool steel (lathe cut) set screws**, not cheap steel.

These tools can be ground to the same shape at each end for right and left, or given any other desired shape.

For roughing or finishing either cast iron, wrought iron or machinery steel, also for roughing off tool steel, these tools will excel all others.

For finishing **tool steel**, a **water-hardened and tempered** steel will be found to give best results, as we have been unable to secure a self-hardening steel up to the present time, that would withstand this duty for accurate work.

We will furnish, when so ordered, **tempered steel** of the same size (as self-hardening) to fit the holders and to be used as with the others, **for finishing tool steel**.

**It is important**, when grinding the self-hardening tool on a **Wet Wheel**, that the same be **flooded** with water, so that the tool will not become heated and cracked, which is apt to happen if an insufficient amount of water is used.

On a **Dry Wheel**, (Emery or Corundum preferred), sufficient pressure may be applied to make the steel "red hot," if necessary, **but allow the steel to cool off naturally in the air**.

**To harden the self-hardening cutters:** Heat to a bright yellow (short of burning) and cool them by holding them over a strong cold air blast-pipe.

**POOR QUALITY  
ORIGINAL**

0207

**EXTRACTS FROM A FEW OF MANY  
TESTIMONIALS:**

GOULD & EBERHARDT,

Dear Sirs:—In answer to your favor, we would say that the Eberhardt's Patent Tool Holders, which are in use on a number of our machine tools, have and do give entire satisfaction, or we would not have continued ordering them for such machines on which a device of this kind is applicable. Their cheapness, as compared with forged tools, durability and simplicity are their recommendation to us and assure a continuance of their use.

Yours very truly,

THE DE LA VERGNE REFRIGERATING MACHINE CO.  
LOUIS BLOCK, Chief Engineer.

GOULD & EBERHARDT,

Dear Sirs:—We have received your favor, addressed to our works, and in reply to same would say that we have used your Patent Lathe Tool Holders constantly since purchasing them, and prefer them to any other that we know of. We anticipate placing a much larger order with you when an improvement in general trade sets in.

Yours truly,

CLAYTON AIR COMPRESSOR WORKS, by W. B. RESSINGER.

GOULD & EBERHARDT,

Gentlemen:—Replying to your esteemed favor of the 20th, would say that the patent Tool Holders are very satisfactory and in short time will send you orders for more. We find the temper in the Cutters to hold very well, and to last longer than our forged tools.

Yours very truly,

M. CAMPBELL, General Manager WOONSOCKET MACHINE & PRESS CO.

GOULD & EBERHARDT,

Gentlemen:—We have two sets of the Eberhardt's Patent Tool Holders, and have always found them satisfactory in every way. Aside from the quality of the steel used in them, there is great saving in time and labor over ordinary forged tools for the same purpose.

Yours very truly,

WEST VIRGINIA UNIVERSITY DEPT. OF MECHANIC ARTS.  
WM. S. ALDRICH, Director.

C. T. DEMAREST, Esq., Purchasing Agent N. Y. S. & W. R. R. Co.

Dear Sir:—Replying to your inquiry of the Gould & Eberhardt Shaper, now in use at the shops, will say I think it one of the most desirable tools of its kind possible to have. I am also well pleased with the patent Tool Holder and the self-hardening Tools that came with it. There is not only a great saving in steel, but does away with tool dressing and its frequent annoyances.

Yours truly,

W. C. ENNIS, M.M., North Paterson Shops.

**The Ball & Wood Co.,** Elizabethport, N. J.  
"We cannot suggest any improvement; gives us entire satisfaction."

**R. D. Nuttal Co.,** Allegheny, Pa.  
"They will do all the work that you claim, and are giving perfect satisfaction."

**Damon Safe and Iron Works Co.,** Boston, Mass.  
"Very much pleased with the working of Tool Holder."

**Buffalo Drop Forging Co.,** Buffalo, N. Y.  
"The Eberhardt Tool Holder is very satisfactory."

**Robinson & Pearce,** Scranton, Pa.  
"The Tool Holder gives perfect satisfaction and we think it an excellent tool"

**Hilles & Jones Co.,** Wilmington, Del.  
"We are using these Holders and they are doing their work well"

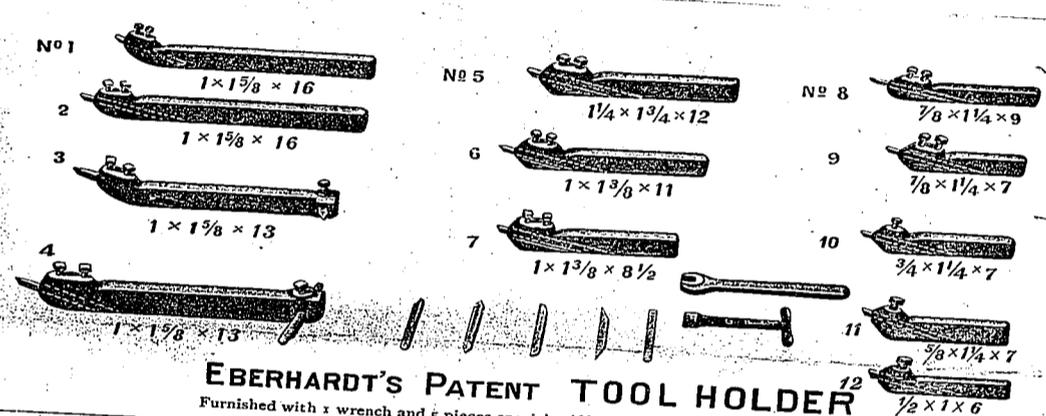
**A FEW OF THOSE WHO HAVE ADOPTED THESE  
HOLDERS AND TOOLS:**

S. Morgan Smith.....	York, Pa.
Jeanesville Iron Works.....	Jeanesville, Pa.
Aschman Steel Casting Co.....	Sharon, Pa.
Crescent Horse Shoe and Iron Co.....	Philadelphia, Pa.
De La Vergne Refrigerating Co.....	Foot E. 138th Street, New York City.
Howard & Morse.....	1197 Dekalb Avenue, Brooklyn, N. Y.
Krajewski & Pesant.....	35 Broadway, S. Brooklyn, N. Y.
Clayton Air Compression Works.....	Brooklyn, N. Y.
La France Fire Engine Co.....	Elmira, N. Y.
New Jersey Magnetic Concentrating Co.....	Leon Mountain, Clinton County, N. Y.
B. V. Covert.....	Lockport, N. Y.
Kingsford Foundry and Machine Works.....	Oswego, N. Y.
Curtis, Davis & Co.....	Cambridgeport, Mass.
Fitchburg Machine Works.....	Fitchburg, Mass.
Sherman Oil and Cotton Co.....	Sherman, Texas.
C. H. Merritt & Son.....	Danbury, Conn.
Waterbury Farrell Foundry and Machine Co.....	Waterbury, Conn.
Board of Education, Manual Training School.....	Duluth, Minn.
West Virginia University Department of Mechanic Arts.....	Morganstown, W. Va.
Wentworth Spring and Axle Co.....	Gardiner, Me.
Woonsocket Machine and Press Co.....	Woonsocket, R. I.
Brown & Sharpe Manufacturing Co.....	Providence, R. I.
Studebaker Bro.'s Manufacturing Co.....	South Bend, Ind.
John Maslin & Son.....	165 First Street, Jersey City, N. J.
Edwards and Walker.....	Portland, N. C.

AND OTHERS.

**POOR QUALITY ORIGINAL**

0208



**EBERHARDT'S PATENT TOOL HOLDER**  
Furnished with x wrench and 5 pieces special self-hardening steel, ground both ends.

No.	STYLE HOLDER	SIZE OF HOLDER			SIZE OF STEEL FOR TOOL	PRICE	No.	STYLE HOLDER	SIZE OF HOLDER			SIZE OF STEEL FOR TOOL	PRICE
		WIDE	HIGH	LONG					WIDE	HIGH	LONG		
1	Right-hand	1"	15"	16"	7/8" square	\$6 50	6		1"	15"	11"	7/8" square	\$6 25
2	Left-hand	1"	15"	16"	"	6 50	7		1"	15"	11"	"	6 00
3	Right-hand	1"	16"	18"	"	7 00	8		1"	15"	9"	"	6 00
4	Left-hand	1"	16"	18"	"	7 00	8a	Right-hand	1"	15"	9"	"	6 00
5	Right-hand	1 1/8"	16"	18"	"	9 00	8b	Left-hand	1"	15"	9"	"	6 00
5a	Right-hand	1 1/8"	16"	18"	"	9 30	9		1 1/8"	15"	15"	"	4 80
5b	Left-hand	1 1/8"	16"	18"	"	To order	10		1 1/8"	15"	15"	"	3 75
5c	Right-hand	1 1/8"	16"	18"	"	To order	11		1 1/8"	15"	15"	"	3 00
5d		1 1/8"	20"	20"	"		12		1 1/8"	15"	15"	"	2 40

Extra Tools, each end ground to shape, 1-4 in., 25 cts. each; 5-16 in., 30 cts. each; 7-16 in., 40 cts. each; 5-8 in., \$1 00 each.

Discount on complete Tool.....per cent. Discount from above prices for HOLDERS ONLY.....per cent.

**POOR QUALITY  
ORIGINAL**

0209

CAMDEN, N. J. July 24 1893.

Payment of Joseph Bellah.  
I have ~~received~~ note in your favor of  
and by you Endorsed for 50 Dollars - Cents,  
being this day due, demanded and unpaid, it is delivered to me for  
Protest by

"THE FIRST NATIONAL BANK OF CAMDEN,"  
and you will be locked to for payment, of which you hereby have  
notice.

To Mrs A D. Bellah

SAMUEL T. DAVISON.  
Notary Public.

Please Forward Notices.

POOR QUALITY  
ORIGINAL

0210

The Benjamin Alha & Wingworth Co.  
Newark, N.J.

July 26, 1893.

Mrs. A. D. Bellah.

Camden N.J.

Dear madam.

I was surprised  
this morning to receive notice  
of protest of check cashed  
for you a few days since,  
and enclose copy of notice  
addressed to you.

I assume there is some  
mistake in Mr Bellah's acts.  
that he will promptly rectify,  
by providing at once  
for payment to me of the  
amount advanced.

Yours Truly  
A. P. Truman

New York County, SS.:

Walter S. Carter being duly sworn deposes and says that he is an attorney at Law and is a member of the firm of Carter, Hughes, & Kellogg, Attorneys at Law of 96 Broadway, and 6 Wall St., New York.

Deponent further says that several years ago he boarded with his family at Stamford, Delaware County, N. Y. during the Summer season, and there became acquainted with one Anna Bellah and Joseph Bellah her husband, who were boarding there at the same time.

Deponent further says he had not seen the said Anna Bellah for several years until on or about the 6<sup>th</sup> day of September, 1893, when the said Anna Bellah appeared at deponent's office No. 96 Broadway, New York, and after some conversation with deponent ~~in which~~ she made the following representations

and statements, *that she had been away for the summer and was on her way home; that she was afraid she might run short of money and wanted to know if I would cash a check for her; I replied that I would and*

that then the said Anna Bellah presented a check purporting

to be signed by her husband, Joseph Bellah, drawn on the

*Camden* National Bank, of Camden, N. J. for \$50. That deponent

verily believed said representations, <sup>and</sup> that said check was not fraudulent but that the said Joseph Bellah had a right to draw the same upon the said National Bank of Camden, N. J., and that he had funds there to meet it, all of which was untrue as deponent verily believes. That deponent cashed said

check and the same was returned protested. And deponent verily

believes that by said statements made by the said Anna Bellah and by the presentation of said check, ~~that~~ the said Anna Bellah in conjunction with her husband the said Joseph Bellah, intended to defraud this deponent by color or aid of

**POOR QUALITY  
ORIGINAL**

02 12

said check, and <sup>with</sup> ~~when~~ said Anna Bellah and the said Joseph Bellah both knew that the said Joseph Bellah was not entitled to draw on the said National Bank for the said sum specified therein, or to order payment of said sum, and that she and they both thereby obtained from this deponent said money, \$50, by the aid of said fraudulent check and are guilty of stealing the same from deponent, and deponent desires that they be prosecuted according to the laws of the State of New York, in such case made and provided?

Subscribed and sworn before me,  
this <sup>6<sup>th</sup></sup> day of November, 1893.

*Wallis S. Lantry*

*Marshall B. Clark*

NOTARY PUBLIC,  
NEW YORK CO.

POOR QUALITY ORIGINAL

0213

*Haller & Carter*  
*Original*

*Handwritten signature*

this 23rd day of November, 1882.  
 subscribed and sworn before me,  
 in such case made and provided  
 prosecuted according to the laws of the State of New York,  
 the same from whom and the respondent desires that they be  
 by the said of said respondent check and the guilty of stealing  
 they both thereby obtained from this respondent said money \$20,  
 therein, or to other payment of said sum, and that she and  
 from on the said National Bank for the said sum specified  
 Jan both knew that the said Joseph Bellan was not entitled to  
 said check, and when said Anna Bellan and the said Joseph Bel-

*Handwritten signature*

**POOR QUALITY ORIGINAL**

0214

DISTRICT ATTORNEY'S OFFICE.

CITY AND COUNTY OF NEW YORK.

THE PEOPLE, ETC.  
ON THE COMPLAINT OF

*William S. Carter*  
*46 B'way*

*Anna D. Bellah*

Dated, *December 9<sup>th</sup>* 1893

Witnesses, *Edwin Davis*  
*Carrier Tender with Team*  
No. *Carleton* Street.

No. \_\_\_\_\_ Street,

No. \_\_\_\_\_ Street,

*G. P. C.*

*X. M. Gillies*  
*Brooklyn, N. Y.*

**POOR QUALITY ORIGINAL**

0215

Return to  
THE BENJAMIN MATHA & ILLINGWORTH CO.,  
NEWARK, N. J.,  
If not delivered within 10 days.

NEWARK, N. J.  
JUL 26  
4 30 PM  
1893

UNITED STATES POSTAGE  
TWO CENTS

STUDEN  
AUG 9  
10 AM  
93

RETURNED TO WRITER  
cannot be found by  
U.S.P.

*J. M. Matha*

POSTAL CARD ONE CENT

**United States American**

THIS SIDE IS FOR ADDRESS ONLY.

JUN 13  
7 M  
93

Ward Smith, Esq.  
800 Broad St  
Newark  
N. J.

NEWARK, N. J.  
JUL 26  
4 30 PM  
1893

UNCLAIMED.

Mrs. A. D. Bellah  
Camden, N. J.

ADVERTISE  
AUG 9  
93

**POOR QUALITY ORIGINAL**

0216

Return to  
THE BENJAMIN MATHA & ILLINGWORTH CO.,  
NEWARK, N. J.,  
If not delivered within 10 days.

NEWARK, N. J.  
JUL 26  
4 30 PM  
1893



CAMDEN, N. J.  
AUG 3  
10 AM  
93

*John C. ...*  
RETURNED TO WRITER  
cannot be found by  
AUG 3

POSTAL CARD ONE CENT

*United States American*

THIS SIDE IS FOR ADDRESS ONLY.

*John C. ...*  
JUN 13  
7 M  
93  
Ward Smith, Esq.  
800 Broad St.  
Newark  
N. J.



NEWARK, N. J.  
JUL 26  
4 30 PM  
1893



UNCLAIMED

Mrs. A. D. Bellah  
Camden, N. J.

ADVERTISED  
AUG 19  
93

POOR QUALITY  
ORIGINAL

0217

Northwest Corner of  
SECOND STREET & KAIGHN AVENUE

D.P. Bellah  
9/8/93.

The Camden National Bank,

Camden, N. J. Sept 6<sup>th</sup>, 1893.

Pay to Annie D Bellah, or Bearer,  
Fifty Dollars.

\$50.00

Joseph Bellah

**POOR QUALITY ORIGINAL**

02 18

*no friends*  
~~*no friends*~~

APR 18 1861  
RECEIVED  
AT THE  
OFFICE OF THE  
POSTMASTER  
GENERAL  
WASHINGTON

*Agnes D. Bellah.*  
*Walter S. Lister*

*W.S.L.*

POOR QUALITY ORIGINAL

0219

United States  of America.

The Camden National Bank. Sept 6th 1893.  
Pay to Annie D. Bellah. or bearer.  
Fifty Dollars  
\$ 50 = Joseph Bellah

Endorsed  
Annie D. Bellah.  
Walter S. Carter  
J. M. Donald, Cash  
Com Exchange Nat Bank Phila Pa

Be it Known, That on the day of the date hereof, I, SAMUEL T. DAVISON, Notary Public for the State of New Jersey, by lawful authority duly commissioned and sworn, residing in the City of Camden, in the said State, at the request of "THE FIRST NATIONAL BANK OF CAMDEN," exhibited the original ~~check~~ <sup>check</sup>, of which the above is a true copy, unto a clerk of the Bank where the same is made payable, and demanding payment, received for answer

Not sufficient funds.

I therefore duly notified the drawer and endorser of the non-payment thereof, to-wit, by a notice of which the following is a true copy: Camden, N. J., ~~September 8th~~ <sup>September 8th</sup> 1893 Payment of Joseph Bellah ~~Protest~~ in favor of Annie D. Bellah and by her endorsed for 50 Dollars - Cents, being this day due, demanded and unpaid it is delivered to me for Protest by "THE FIRST NATIONAL BANK OF CAMDEN," and you will be looked to for payment, of which you hereby have notice.

To

SAMUEL T. DAVISON, Notary Public.

Served respectively as follows:

Joseph Bellah } Box 621. Philada Pa  
Annie D. Bellah }  
Walter S. Carter }  
J. M. Donald, Cash } Hanover Nat Bank New York City  
Com Exchange National Bank } Philada. Pa

Whereupon, I the said Notary, at the request aforesaid, do hereby solemnly protest against the drawer and endorser of the said ~~check~~ <sup>check</sup> Note, and all others concerned, for all exchange, re-exchange, cost, damages and interest suffered and to be suffered for want of payment thereof.

Thus done, and protested, at Camden, aforesaid, the

Eighth day of September 1893.  
In Testimony Whereof, I have hereunto set my hand and affixed my Notarial Seal, the day and year above written.

Samuel T Davison

Notary Public.



POOR QUALITY  
ORIGINAL

0220

Checks

Joseph Bellah  
+ 50 =

146

50

Annie D Bellah

Walter S. Carter

J. M. Donald. Cash

Com Ex NYBK Phila

Harrover

Sep 8 - 1893.

Prot. 1.30

Int. .06

51 46

1.36

.10

Carter

96 Bway

POOR QUALITY  
ORIGINAL

0221

-3872-



THE CAMDEN  
NATIONAL BANK

ZOPHAR C. HOWELL, President.  
JOHN COOPER,  
HENRY B. WILSON, } Vice-Presidents.  
ISAAC G. MURFINDALE, Cashier.  
ELIAS DAVIS, Cashier.

Camden, N.J. 12/12 1893

F. N. Gilbert Esq.,  
Dear Sir:

Yours of 12/10 received.  
I will go to New York next  
Monday (Dec 13th) to testify in  
the Bellah case.

The subpoena states that  
it is A. D. Bellah that is  
to be prosecuted and the party  
who had my account with  
me was Joseph Bellah.  
I presume A. D. Bellah is  
his wife.

Yours respectfully  
Elias Davis  
Cash

POOR QUALITY  
ORIGINAL

02222

## The National Bank of Chester County

W. Townsend, President.  
J. Cary Carver, Cashier.

West Chester, Pa. Dec 15<sup>th</sup> 1893

J. D. Lindsay Esq  
Dist Atty's Office  
New York

Dear Sir:-

Your favor of 13 to R S Macdell Esq is  
before me. Unless something unforeseen  
should occur, I will be in New York  
City Monday Dec 18<sup>th</sup> on the train and  
at 9.33 A.M.

Very Truly  
Yours  
J. Cary Carver

POOR QUALITY ORIGINAL

0223



CITY \* OF \* WOBURN.

Police Station 1.

Woburn, Mass.,

Jan 13 1894

RECEIVED

JAN 15 1894

ENT'D

ACK.

ANS.

A. B. Lawrence Esq  
Dear Sir

Yours in regard to the Bellah raised  
and would say in reply that they are  
now in Essex Cambridge Jail awaiting  
trial. I think there is a possibility  
of Bellah getting clear as she  
may get the money on the checks  
I wish some one in your place  
would go before the Grand Jury and  
have him indicted, and I think  
there may be a chance for you to get  
her. Mrs Bellah will be held  
in the Court I think if not she  
will be taken to New York City for trial  
on two indictments the Cambridge Mass.  
Police hold a Bench warrant for her  
and she will be taken there in case they  
fail to hold her here.  
They have done the trick in five

POOR QUALITY  
ORIGINAL

0224

Placed in this State and are also  
wanted in various States.  
any further explanation you may obtain  
from the Chief of Police Cambridge  
Mass

Wm. R. Dr. Lusk  
Chief Police  
W. Mass

POOR QUALITY  
ORIGINAL

0225



CITY OF WOBURN

OFFICE OF CHIEF OF POLICE,

*Mr. L...*

Woburn, Mass. *Jan 26* 1894

District Attorney New York City  
Dear Sir,

The Ballah woman will fight extradition  
to Iowa and stand on with official  
means of identification as they will  
make a fight for. That point  
if the officer knows the woman, why  
of course it will be all right.

I write this because I am interested  
to see how you to New York where  
she will get what she deserves

Yours H.

W. P. M. ~~...~~  
Chief of Police

POOR QUALITY  
ORIGINAL

0226

TO THE CHIEF CLERK.

~~Please send me the Papers in the Case of~~

PEOPLE

vs.

*Anna D. Bellah*

*M. Flynn -*

*Please put  
this with the papers.*

*J. B. Hudson*  
District Attorney.

POOR QUALITY  
ORIGINAL

0227

OFFICE OF  
WALLACE BAMBERG,  
Manufacturer of  
NOVELTIES IN LADIES' HATS,  
643 BROADWAY,

New York, July 2/94

Mr W. A. Carter

96 Broadway N.Y.

Dear Sir! Having read in yesterday's Herald, that you had Mrs Bellah arrested for passing a worthless check on you & being one of her victims, would gladly aid you, in securing her conviction.

Most Respy Yours

Wallace Bamberg

Respectfully  
W. A. Carter  
WBC

POOR QUALITY  
ORIGINAL

0228

The Benjamin Atha & Wingworth Co.  
Newark, N.J.

was an old balance of a few cents. I do not know whether my case will hold, but will at once counsel with our Public Prosecutor, and if Grand Jury in session attempt to procure an indictment.

I know of two cases in N.Y. City. One is Mr. C. C. Hine 137 Bway to whom I write in this mail, but the other party, I do not at this moment remember, but think have his name & address, which, if find, will send to you, thinking you may wish it.

Yours Truly  
A. C. Dunman

POOR QUALITY  
ORIGINAL

0229

The Benjamin Alha & Mungworth Co.  
Newark, N.J.

July 15, 1894.

James H. Lindberg.

Inst. Dist. City N.Y.

Dear Sir.

I am extremely obliged  
for your reply to my letter  
relative to the Bellah, and  
have now one from the Chief  
of Police of Wolman Mass,  
who says they are both in  
East Cambridge Jail, awaiting  
trial. He does not express  
confidence in their ability to  
hold the man, but thinks  
the case good against the  
woman. If not he looks  
for extradition to New York.

The fund on me was  
in this state, I cashed to  
her, his check for \$50. in  
Bank in Camden, in which

POOR QUALITY  
ORIGINAL

0230

1.22.94  
Mr Lindsay, Sir I have a check  
given me last September, by  
Joseph Bellah, and wife,  
while they had furnished rooms  
in my home. I sent it to  
Camden Bank, it was returned  
with not sufficient funds  
written on it. Noticing by N.Y.  
papers they were to be brought  
to N.Y. for similar offences,  
will be known if there is any  
likelihood of my recovering the  
amount. If not hope it may  
do some good in their pun-  
ishment.

Mrs Bowden  
229 Warren St  
Jersey City  
N.J.

Please reply

POOR QUALITY ORIGINAL

0231

\$50.00

West Chester, Pa., July 21 1893

days after date promise to

pay to the order of at the

First National Bank of West Chester, County

Pay to the order of E. B. Rollins Fifty 00/100 Dollars,

without defalcation for value received

Credit the Drawer

ENDORSED.

[SIGNED]

A. D. Bellah

E. B. Rollins

Waverly Street

J. F. Thompson Cash

J. B. Stewart Cash

Be it known, That on the day of the date hereof, I, William Chalfant, Jr., NOTARY PUBLIC for the Commonwealth of Pennsylvania, duly commissioned and affirmed, residing in the Borough of West Chester, in said Commonwealth, at the request of the First National Bank of West Chester, in said Borough, exhibited the original <sup>check</sup> note, whereof the above is a true copy, unto an Officer there duly acting and attending, and competent to give answers, at the Bank where the same is made payable, and demanding payment, received for answer, that there was no provision made for the payment of the said ~~note~~ check

Wherefore, I gave notice of the non-payment thereof to the endorsers this day, by mail, through the West Chester Post Office, enclosed and directed to J. B. Stewart Cash

Corner E. 1st Bank Philadelphia Pa.

Whereupon, I, the said Notary, at the request aforesaid, have, and do hereby solemnly protest against the drawer and endorsers of the said <sup>check</sup> note, and all others concerned, for all exchange, re-exchange, costs, damage and interest suffered or to be suffered, for want of payment thereof.

THIS DONE AND PROTESTED, at West Chester, aforesaid, the 21<sup>th</sup> day of July Anno Domini 1893. IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year above written.

William Chalfant Jr. NOTARY PUBLIC.

POOR QUALITY ORIGINAL

0232

5175

7/26 1893

Protest of Check of

A. B. Rollins

TO

E. B. Rollins

Endorsed by

E. B. Rollins

Deaver Stout

J. F. Thompson Cash

J. D. Stewart Cash

Amt. - \$50.

Charges - \$ 1.40

\$ 51.65

Bank 5175

Deaver

New York County SS

E B Rollins being duly sworn deposes and says that he is engaged in business at No 60 Broadway, New York City. That he has done business in New York for several years. That several years ago deponent with his family boarded at Stamford Delaware Co N Y and there met or became acquainted with one Anna Bellah, said to be the wife of Joseph Bellah and who boarded at the same place. Deponent further says that he had not seen said Annah Bellah for several years. That on or about July 27 1893 the said Anna Bellah called at deponent's office at No 60 Broadway in the city of New York and made the following statement and rep-

resentations which deponent believes to be false. The said Annah Bellah stated that she, with her mother and son, were then stopping in Jersey City N.J. that she was anxious to see some of her old friends, among whom were myself and daughter, and also to replenish her wardrobe before going to the Catskills for the summer. With that view, and being short of ready funds, requested me to cash her check as below stated. She also said that her husband was engaged in the construction of a railroad in this State.

That deponent further says that at the time of making said representations she presented to deponent a check drawn by herself on the First National Bank of Chester Co Pa for \$50 and desired deponent to cash said check. She said Anna Bellah well knowing the same to be fraudulent or that she had no funds to meet said check. Deponent further says that relying on said representations, deponent cashed said check and paid said Anna Bellah the sum of \$50. That thereafter the said check was returned protested there being no funds to meet the same in said bank. And deponent further says

POOR QUALITY  
ORIGINAL

0234

that the said Annah Bellah wilfully thereby with intent to defraud by color or aid of said check, she well knowing that <sup>she</sup> ~~the said Joseph Bellah drawer or maker thereof~~ was not entitled to draw on the said First National Bank of Chester Co for said amount or to order payment of the same, obtained from deponent said sum of money and that she is thereby guilty of stealing the same from deponent and deponent desires that she be punished accordingly.

Subscribed and sworn before me

this 9<sup>th</sup> day of November 1893

*Eliza B. Rollins*

The words "as the letter bearing the bank will show" in the first page between 28<sup>th</sup> and 29<sup>th</sup> line inserted before signing.

The word "she" added between 2<sup>d</sup> + 3<sup>d</sup> line in second page + the words "the said Joseph Bellah drawer or maker thereof" erased before signing.

*J. M. ...*  
Notary Public  
New York Co.



POOR QUALITY  
ORIGINAL

0236

## The National Bank of Chester County

W. Townsend, President.  
J. Cary Carver, Cashier.

West Chester, Pa. July 28 1893

E. B. Rollins Esq.  
New York

Dear Sir:-

Replying to yours of July 27<sup>th</sup> A. D.  
Bellah has had no account with us since  
Jan'y 21<sup>st</sup> 1893, at which time it was closed  
with an overdraft of eighty two cents. On  
May 12<sup>th</sup> 1892 she opened an account with us  
by depositing two checks on funds in New York,  
both of which checks were protested, one of which  
was paid before being returned. During the  
time she had an account here, her deposits  
were small, from \$4 to \$15. Her checks were  
frequently presented, before the deposit was made  
many of them going to protest. The last  
check for which provision had been made was  
paid Jan'y 21<sup>st</sup> 1893 leaving her account as

POOR QUALITY  
ORIGINAL

0237

## The National Bank of Chester County

W. Townsend, President.  
F. Cary Carver, Cashier.

West Chester, Pa. \_\_\_\_\_ 189\_

state short ~~of~~ <sup>of</sup> this over draft she  
was aware, as we had notified her  
two or three times, requesting that it be  
made good. At the time you accepted  
her check she knew that there was no  
money in this Bank to meet it. You are  
not the only one that has been caught by  
this woman. Several checks for similar  
amounts have been presented here and  
protested since her account was closed  
here. I know that there is an effort  
being made by one of your citizens to  
have her picked up.

Very truly  
F. Cary Carver

**POOR QUALITY ORIGINAL**

0230

DISTRICT ATTORNEY'S OFFICE.

CITY AND COUNTY OF NEW YORK.

THE PEOPLE, ETC.  
ON THE COMPLAINT OF

*Eliza B. Robbins*  
60 River

*Anna B. Robbins*

*[Handwritten signature]*

Dated, *December 9* 189*3*

Witnesses, *A. Camp Connor*  
*Cashier, West River of*  
No. *Charleston* Street,  
*West Chester, Pa.*

No. \_\_\_\_\_ Street,

No. *67* Street,  
*16*

POOR QUALITY ORIGINAL

0239

-----M  
 :  
 THE PEOPLE OF THE STATE OF NEW YORK :  
 :  
 -against- :  
 :  
 ANNIE D. BELLAH. :  
 :  
 :  
 :  
 :  
 -----M

The defendant was indicted on the 19th of December, 1893, for the Crime of Grand Larceny in the Second Degree (False pretences), for having passed upon the complainant Elisha B. Rollin a cheque on the National Bank of Chester County, Pennsylvania, she not h

*EAB* *indictment was found of the same date, for a similar offence.*

having any money on deposit in said bank at that time. It appears by the original indictments that the defendant was discharged on her own recognizance on April 16th, 1894, upon the recommendation of Deputy Assistant District Attorney Stephen J. O'Hare, for the reasons set forth over his signature.

More than Seven years have elapsed since the discharge of the defendant, and she now makes application through her counsel Messrs. House, Grossman and Vorhous, which letter is hereto annexed, for the dismissal of the indictment.

It appears by the statements contained in this letter that the defendant is a married woman having grown up children; that her husband is a prosperous business man, and that she has been subjected to annoyance because of the fact of the pendency of these indictments. It is also stated that the complainant,

-2-

Elisha B. Rollins, has signified his willingness to have the indictment dismissed.

In view of the fact that the defendant has conducted herself with propriety for more than Seven years, and that she has been subjected to mortification and annoyance because of these indictments, I am of opinion that no public good would be served by placing her upon trial now or hereafter, and that the best interests of society require the dismissal of the indictments, which I accordingly recommend.

*Dated September 20, 1901.*

*John F. Cowan*  
*Deputy Ass. Dist. Atty.*

*Approved*

*20 Sept 1901*

*Eugene W. Philbin*  
*District Attorney*

**POOR QUALITY  
ORIGINAL**

0241

*Carter, Hughes & Dwight,*  
Attorneys & Counsellors at Law,  
96 BROADWAY & 6 WALL ST. (NUMBERS 150-160)

CABLE ADDRESS "CARSWAL"

*Walter S. Carter, Charles E. Hughes,  
Edward S. Dwight, Arthur C. Rowland,  
Marshall B. Clarke, Geo. W. Schurman,  
Carl H. Hansmann, Lindsay Russell,  
Thomas H. Postwell.*

*New York,* May 21st, 1901.

G. W. Schurman, Esq.,  
District Attorney's Office, City.

My dear Schurman:-

Some eight or nine years ago I got caught to the tune of \$50, by endorsing the check of the husband of a lady whom Mrs. Carter got acquainted with at a summer boarding house a year or two before. I went to the authorities with the matter and got the woman indicted, and I believe the indictment is still pending. I understand from a reliable source that the woman is now repentant, and so far as I am concerned I am quite willing to have the indictment dismissed.

Very truly yours,

*Walter S. Carter*

50.

*Elisha B. Rollins  
60 B'way*

} 2<sup>nd</sup> view

POOR QUALITY  
ORIGINAL

0242

Telephones: 3522 } John.  
3523 }

Cable Address "Lawhouse."

House, Grossman & Vorhaus,  
Counsellors at Law,  
World Building,  
Rooms 189-194.

Frederick B. House,  
Moses H. Grossman,  
William Grossman,  
Louis J. Vorhaus.

New York, June 4, 1901.

George W. Schurman, Esq.,  
Ass't District Attorney,  
New York City.

Dear Sir:-

In the matter of Mrs. Annie D. Bellah, concerning which our representative spoke to you the other day, we have written to the District Attorney, and enclose a copy of said letter to you. Our representative also saw Mr. Carter, who signified a willingness to assist Mrs. Bellah. We are informed that Mr. Rollins will do likewise. We trust and hope that you will find it consistent to recommend that both indictments against Mrs. Bellah be dismissed and she be given the opportunity she seeks of passing through life without fear of being maliciously annoyed by some unscrupulous person on account of the pendency of these indictments.

The indictments are now eight years old, proper restitution has been made, the complainants have shown their willingness by letter to a dismissal of the indictments, and we hope you will help this lady, and have the indictments dismissed.

Very respectfully yours,

House, Grossman & Vorhaus

Enclosures.

POOR QUALITY  
ORIGINAL

0243

Telephones 3522, 3523, 3524

Caller Address "Lawhouse."

*House, Grossman & Vorhaus,*  
*Counsellors at Law,*

*Frederick B. House,*  
*Moses H. Grossman,*  
*William Grossman,*  
*Louis J. Vorhaus.*

*World Building,*  
*Rooms 189-194.*

*New York,* June 4, 1901.

Hon. Eugene A. Philbin,  
District Attorney,  
New York County.

Dear Sir:-

Mrs. Annie D. Bellah of this City has called on us and requested that we communicate with you concerning two indictments against her found in the years 1893 and 1894 respectively. The complainant in one case was Mr. Walter S. Carter of the law firm of Carter, Hughes & Dwight, and the complainant in the other case was a Mr. E. B. Rollins, a stock broker of the Consolidated Exchange. Soon after the finding of these indictments, we are informed, Mrs. Bellah was discharged upon her own recognizance. It appears that about that time the defendant was charged with giving two checks on a bank where she had an account, which checks were subsequently returned no good, as there was not sufficient funds in the bank to meet them. The defendant, we are informed, completely satisfied the persons interested that it was all due to an oversight, and not an intentional misdeed, and she was accordingly discharged as aforesaid.

Since then, Mrs. Bellah, who is a married lady having grown up children, and whose husband is a prosperous business man, has been subjected to the malicious attacks of an unscrupulous per-

**POOR QUALITY  
ORIGINAL**

0244

Telephones 3522 (John)  
3523 (John)

Cable Address "Lawhouse."

*House, Grossman & Vorhaus,  
Counsellors at Law,  
World Building,  
Rooms 189-194.*

*Frederick B. House,  
Moses H. Grossman,  
William Grossman,  
Louis J. Vorhaus.*

*New York.*

E. A. P. - 2.

son, and on account thereof many of Mrs. Bellah's friends have ostracized her, and even have gone so far as to expel her from a club in which she had been a member in good standing for quite some time.

Mr. Carter and Mr. Rollins, whose claims on the checks have been paid in full, have signified their unqualified willingness to a dismissal of the indictments against Mrs. Bellah, if you can find it consistent so to do; and Mr. Carter writes to the attorney for Mrs. Bellah, - "I care more about the effort Mrs. Bellah is making to restore her good name than I do for the restitution she has made to me."

This matter was called to the attention of Assistant District Attorney Schurman, and, at his suggestion, we write this letter to you, embodying the facts in this case, as above. Trusting that you will find it consistent to recommend a dismissal of the indictments against Mrs. Bellah, we are,

Very respectfully yours,

POOR QUALITY  
ORIGINAL

0245

Telephones 3522, 3523 John.

Cable Address "Lawhouse."

House, Grossman & Vorhaus,  
Counsellors at Law,

World Building,  
Rooms 189-194.

Frederick B. House,  
Moses H. Grossman,  
William Grossman,  
Louis J. Vorhaus.

New York, June 7, 1901

Hon. George W. Schurman,  
Ass't District Attorney,  
New Criminal Court Bld.,  
New York City.

Dear Sir:-

Pursuant to the conversation which our representative had with you this afternoon, concerning the case of the People v. Bellah, we herewith enclose to you the letter notifying Mrs. Bellah of her expulsion from the club of which she had been a member, which is but one of a series of injustices done to Mrs. Bellah by unscrupulous persons who have become aware of the pendency of the indictment against her. As you are informed, the indictments are nearly nine years old; Mrs. Bellah was soon after they were found discharged on her own recognizance; the giving of the checks on banks which subsequently returned them n. g., we are informed by her, was not the result of an intentional misdeed, but that of an oversight; Mrs. Bellah is married, and lives with her husband in this City, having grown-up children; and furthermore, the complainants have voluntarily requested a dismissal of the indictments against her. We trust you will find this a worthy case for your intervention, and when you are through with the enclosed letter, may we ask you to return it to us.

Thanking you, we are,

(P.S. Mrs. Bellah informs us over the phone that when she gave the checks, she had accounts in the banks, but they were not large enough, hence, the inadvertence.)

Very respectfully yours,

*House, Grossman & Vorhaus*

*Encl.*

POOR QUALITY  
ORIGINAL

0246

New York May 15: 1901

Miss Anna D. Bellah

Dear Madam

Yours are hereby notified that at a regular meeting of the Colonial Whist Club held May 14<sup>th</sup> 1901 the charges preferred against you were heard and by a unanimous vote of the members present you were expelled from membership in that club.

S. S. Gleason  
Secretary

POOR QUALITY ORIGINAL

0247

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

Annie D. Bellah

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

- Annie D. Bellah -

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

The said Annie D. Bellah, -

late of the City of New York, in the County of New York aforesaid, on the sixth day of September, in the year of our Lord one thousand eight hundred and ninety-nine, at the City and County aforesaid, with force and arms, with intent to deprive and defraud one Walter S. Parker

of the proper moneys, goods, chattels and personal property hereinafter mentioned, and of the use and benefit thereof, and to appropriate the same to her own use, did then and there feloniously, fraudulently and falsely pretend and represent to the said Walter S. Parker, -

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

" True Randen Richard Santa,  
Randen N.Y. Sept 6th, 1892  
Came to Annie D. Bellah, on bearer,  
Twenty - \$20.00  
# 50. # Joseph Bellah "  
and signed " Annie D. Bellah "  
which she the said Annie D. Bellah

then and there produced and delivered to the said Walter S. Carter, was then and there a good and valid order for the payment of money, and of the value of fifty dollars,

By color and by aid of which said false and fraudulent pretenses and representations, the said

— Annie D. Bellah —

did then and there feloniously and fraudulently obtain from the possession of the said

Walter S. Carter, the sum of fifty dollars in money, lawful money of the United States of America, and of the value of fifty dollars,

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

— Walter S. Carter, —

with intent to deprive and defraud the said Walter S. Carter, —

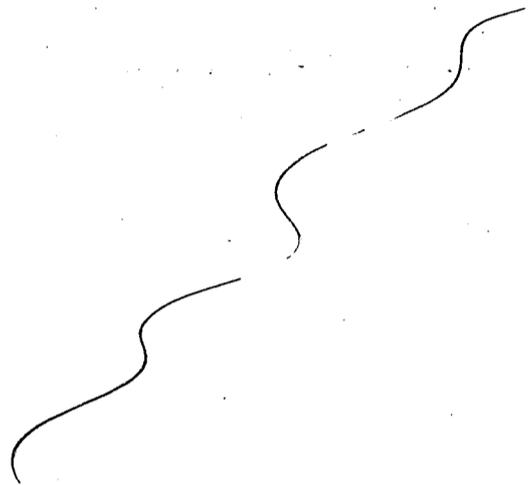
of the same, and of the use and benefit thereof, and to appropriate the same to her own use,

**Whereas,** in truth and in fact, the said paper written which she the said Annie D. Bellah as an aforesaid then and there produced and delivered to the said Walter S. Carter, was not then and there a good and valid

**POOR QUALITY ORIGINAL**

0249

order for the payment of money,  
and was not of the value of  
fifty dollars, or of any value,  
but was wholly worthless.



**And Whereas,** in truth and in fact, the pretenses and representations so made as afore-  
said by the said Annie D. Bellah —  
to the said Walter S. Carter — was and were  
then and there in all respects utterly false and untrue, as she the said

Annie D. Bellah —

at the time of making the same then and there well knew;

**And so the Grand Jury Aforesaid,** do say that the said

Annie D. Bellah —

in the manner and form aforesaid and by the means aforesaid, the said proper moneys, goods,  
chattels and personal property of the said Walter S. Carter, —

then and there feloniously did STEAL, against the form of the statute in such case made and pro-  
vided, and against the peace and dignity of the said people.

DE LANCEY NICOLL,  
District Attorney.

POOR QUALITY ORIGINAL

0250

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

Annie D. Bellah

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

Annie D. Bellah

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

The said Annie D. Bellah,

late of the City of New York, in the County of New York aforesaid, on the 27th day of July, in the year of our Lord one thousand eight hundred and ninety-three, at the City and County aforesaid, with force and arms, with intent to deprive and defraud one Richard B. Robbins

of the proper moneys, goods, chattels and personal property hereinafter mentioned, and of the use and benefit thereof, and to appropriate the same to her own use, did then and there feloniously, fraudulently and falsely pretend and represent to the said Richard B. Robbins,

That she the said Annie D. Bellah, with her mother and son, was then stopping in Jersey City in the State of New Jersey, and was soon to go to the Catskill mountains for the summer; that she was anxious to see some of her old friends and also to replenish her wardrobe, and needed ready money for that purpose; that she then had money on deposit in the Eastern National Bank of Camden, in the State of New



**POOR QUALITY ORIGINAL**

0252

or to replenish her wardrobe, and did not need ready money for that purpose; and she did not then have money on deposit in the said National Bank of Chester County, to the amount of upwards of fifty dollars, and the said paper written which she so as aforesaid then and there produced and delivered to the said Andrew B. Bellair was not then and there a good and valid order for the payment of money, and was not of the value of fifty dollars, or of any value, but was wholly worthless.



**And Whereas,** in truth and in fact, the pretenses and representations so made as aforesaid by the said Annie D. Bellair to the said Andrew B. Bellair was and were then and there in all respects utterly false and untrue, as she the said

— Annie D. Bellair —

at the time of making the same then and there well knew;

**And so the Grand Jury Aforesaid,** do say that the said

— Annie D. Bellair —

in the manner and form aforesaid and by the means aforesaid, the said proper moneys, goods, chattels and personal property of the said Andrew B. Bellair.

then and there feloniously did STEAL, against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

DE LANCEY NICOLL,  
District Attorney.