

0790

BOX:

508

FOLDER:

4635

DESCRIPTION:

Feinberg, Julius

DATE:

01/24/93



4635

Henry Zimmerman

THE PEOPLE

vs. B

Julius Femberg

May 29/93

7. Fred & Ben put out

DE LANCEY NICOLL,
District Attorney.

Off Mar 14th upon Receipt
A TRUE BILL. *of John C. Canal*
Deposited
March 14th 1837

J. Catharine Foreman.

off till May 29/93
J.B.

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

0791

0792

Police Court— District.

1081

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

of No. 184 Judson Street, aged 23 years,
 occupation Shirt manufacturer being duly sworn,
 deposes and says, that on the 13 day of January 1893 at the City of New
 York, in the County of New York,
 he was violently and feloniously ASSAULTED and BEATEN by

Julius Lieberg (now here)
who violently struck deponent
about the head with a pair of
shears firmly cutting deponent's
head.

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 be dealt with according to law.

Sworn to before me, this 13 dayof January 1893

H. J. Harrison
Police Justice.

0793

Sec. 198—200.

1882

District Police Court.

City and County of New York, ss:

Julius Feinberg 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.

Julius Feinberg

Question. How old are you?

Answer.

58 years

Question. Where were you born?

Answer.

Prussia

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

Answer.

4 Allen Street 4 months

Question. What is your business or profession?

Answer.

Clothing manufacturer

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
J. Feinberg*

Taken before me this

18th day of January 1882

Police Justice.

0794

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

Alfred Smith
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, January 2nd 189 W. B. Smith Police Justice.

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

Dated, January 2nd 189 3 W. B. Smith Police Justice.

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

Dated, _____ 189 _____ Police Justice.

0791

The presiding magistrate
is authorized to hear and
determine this case in my
absence, and to accept bail.

A. T. M. M. M.
Police Justice.

Police Court

District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Henry J. ...
184 ...
1. *Julius ...*
2. *...*
3. *...*
4. *...*

Offense *...*

BAILED,

No. 1, by *Abraham Feinberg*
Residence *...* Street.

No. 2, by *...*
Residence *...* Street.

No. 3, by *...*
Residence *...* Street.

No. 4, by *...*
Residence *...* Street.

Dated *January 13* 189*3*

M. M. M. Magistrate.
Paranoff Officer.
Precinct.

Witnesses *Ego. Sefkowitz*
No. *263* Street.

M. M. M.
No. *27* Street.
155 Madison

No. *...* Street.

\$ *500* to answer *...*
1000 bail & Jan 21. 9*am*

Bailed

0796

Sec. 192.

District Police Court,

Undertaking to appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before Samuel M. Mahon a Police Justice
of the City of New York, charging Julius Feinberg Defendant with
the offence of Flaunovis Research

and he having been brought before said Justice for an examination of said charge, and it having been made
to appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and
the hearing thereof having been adjourned,

We, Julius Feinberg Defendant of No. 14
Allen Street; by occupation Clothing Manufacturer
and Samuel Mahon of No. 51 Wagner
Street, by occupation Shirts Surety, hereby jointly and severally undertake
that the above named Julius Feinberg Defendant
shall personally appear before the said Justice, at the 101 District Police Court in the City of New York,
during the said examination, or that we will pay to the People of the State of New York the sum of Five
Hundred Dollars.

Taken and acknowledged before me, this 13 Decemberday of January18 94Samuel Mahon POLICE JUSTICE.

0797

CITY AND COUNTY } ss.
OF NEW YORK, }

Sworn to before me, this
1st day of
March 1893
at New York City
Police Justice.

the within named Bail and Surety being duly sworn, says that he is a resident and
holder within the said County and State, and is worth Twenty 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 Household and

situated at 254 Madison Street
and worth Thirteen thousand
dollars clear of all encumbrances
L. Gordon

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Underlying to appear
during the Examination.

Taken the day of 18

Justice.

0798

1723

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Julius Feinberg

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

Julius Feinberg

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

The said

Julius Feinberg

late of the City of New York, in the County of New York aforesaid, on the *thirteenth* day of *January* 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 *Herman Zimmerman* in the peace of the said People then and there being, feloniously did make an assault, and *him* the said

Herman Zimmerman with a certain *shear*,

which the said

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 *Herman Zimmerman*

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

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

The said

Julius Feinberg

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

Herman Zimmerman in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and *him* the said *Herman Zimmerman*

with a certain

shears,

which the said

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.

0799

THIRD COUNT—

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

Julius Feinberg

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

The said

Julius Feinberg

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 *Herbert Zimmerman*
Zimmerman 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 *steak*, — *Herbert Zimmerman* —
which *he* the said *Julius Feinberg*
in *his* right hand then and there had and held in and upon the
— *head* — of *him* the said *Herbert Zimmerman*
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 wrong-
fully inflict grievous bodily harm upon the said

Herbert Zimmerman

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.

0800

BOX:

508

FOLDER:

4635

DESCRIPTION:

Felder, Harris

DATE:

01/05/93



4635

0801

POOR QUALITY
ORIGINAL

Witnesses:

Morris Annawetz

Art Carl

Counsel,

Filed

day of Aug

189

Pleads,

THE PEOPLE

vs.

Harris Felder

for Morris
Felder

DE LANCEY NICOLL,
District Attorney.

Grand Larceny, second Degree.
[Sections 523, 59, Penal Code.]

A TRUE BILL.

J. G. Gathin

Foreman.

W. H. G. H. 2nd
H. M. G. H. 2nd
P. H.

0002

POOR QUALITY
ORIGINAL

Witnesses:

Morris Annowitz

Butcher

12

Counsel,

Filed

day of

189

Pleads,

THE PEOPLE

vs.

Harris Felder

Grand Juror, D.C. & Degree,
(Section 828, M.C.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

J. Catlin

Foreman.

H. M. G. Wood

0803

(1865)

Police Court— District.

Affidavit—Larceny.

City and County } ss.
of New York,

of No. 882 9th Morris Arnowitz Street, aged 35 years,
 occupation Jeweler being duly sworn,
 deposes and says, that on the 17 day of November 1892 at the City of New
 York, in the County of New York, was feloniously taken, stolen and carried away from the possession
 of deponent, in the day time, the following property, viz:

Four Gold Watches, Four Gold
filled Case Watches, Twelve Gold Rings
Two Gold Locks, One Gold Bracelet
together of the value of about three hundred
dollars and good and lawful money
to the amount of Four dollars together
of the amount of three hundred and four
dollars

354 00

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 Samuel Heller (nowhere)
 from the fact that on said
 date said deponent was in
 the employ of deponent in the above
 premises. Said deponent left deponent
 employ and after his departure
 deponent missed the above property.
 Deponent caused the arrest of said
 deponent by Officer Frank Morris of the
 22d Precinct. Said deponent admits
 and confesses that he did take, steal
 and carry away said property.

M. Arnowitz

Sworn to before me this
 1892 day

William M. [Signature]
 Police Justice.

0804

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

Namir Felder 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. *Namir Felder*

Question. How old are you?

Answer. *22 years*

Question. Where were you born?

Answer. *Russia*

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

Answer. *Manhattan*

Question. What is your business or profession?

Answer. *Jeweler*

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*
Fingerprints

Taken before me this
day of

25

Police Justice.

0805

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 Chapman

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of 100 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, Dec 25 189 2 J. V. Smith Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

0000

12

1612
1334

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Morris Arnowitz
887 9th Ave
Harris Felder

Charles J. Glick

Offense

2
3
4

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated, Dec 25 189 2

Magistrate.

Officer.

22 Precinct.

Witnesses _____

No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ 1000 to answer _____

0007

505

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Harris Felder

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

Harris Felder

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

The said

Harris Felder

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-*two*, at the City and County aforesaid, with force and arms,

six watches of the value of twenty five dollars each, four watches of the value of fifteen dollars each, twelve finger & rings of the value of five dollars each, two lockets of the value of twenty dollars each, and the sum of four dollars in money, lawful money of the United States of America and of the value of four dollars —

of the goods, chattels and personal property of one

Morris Arnovitz

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.

W. E. Lancy McCall
District Attorney

0000

BOX:

508

FOLDER:

4635

DESCRIPTION:

Ferris, Robert R.

DATE:

01/05/93




4635

Witnesses:

James A. Henderson

John Maynard

 Counsel,
Filed *5* day of *Aug* 18*93*
Pleads, *Not guilty*

THE PEOPLE

Robert R. Jarvis
142
15
16

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

DE LANCEY NICOLL,
District Attorney.

Per: J. C. Jarvis

A TRUE BILL

May 31 1893
J. C. Jarvis

Foreman.

John B. Henderson
Pleads Guilty

5 yrs & P.

08 10

Police Court, 2 District.

1001

City and County of New York, ss.
of No. 16 E Greenwich Street, aged 29 years,
occupation, Board War being duly sworn, deposes and says,
that on the 20 day of Apr 1891, at the City of New
York, in the County of New York.

James S. Henderson

Robert R. Ferris who did with
intent to defraud make for and
utter a certain forged and fraudulent
instrument in writing purporting to
be a check on the Farmers Bank
Bank of New York made payable to the
order of R. B. Ferris or bearer for
the sum of Seventeen dollars and eighty
five cents and signed J. L. Maynard
in violation Section 509 of the Penal
Code of the State of New York
on the reasons following to wit
that the defendant came to defendant's
place of business on the above described
and presented said fraudulent forged
check and stated to defendant that he
defendant would pay defendant's debt
of some money defendant had borrowed
from defendant if defendant would give
defendant the difference as he had
just received the money check from
Mr. Maynard defendant believing said
representations made by defendant to be true
gave defendant the difference in money of
twelve dollars and eighty five cents for said
check. Defendant further says that he is
informed by J. L. Maynard that the
signature to said money check is a
forgery as the signature is not in his
usual writing and that he said Maynard
never signed said check or never authorized any
other person to sign his said Maynard name
to said check wherefore defendant prays
said defendant may be apprehended and dealt
with according to law

date

deposited before me this 10th day of Dec 1891

James S. Henderson
Notary Public

0811

CITY AND COUNTY } ss.
OF NEW YORK, }

aged 53 years, occupation Music Electrons of No.

114 Liberty

Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Amos A. Anderson

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

Sworn to before me, this

day of

1896,

John L. Maynard
Amos A. Anderson
Amos A. Anderson
Police Justice.

08 12

Sec. 198-200.

District Police Court.

City and County of New York, ss:

Robert R. Ferris 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 answer cannot be used against him on the trial.

Question. What is your name?

Answer.

Robert R. Ferris

Question. How old are you?

Answer.

42 years

Question. Where were you born?

Answer.

New York City

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

Answer.

246 Seventh Ave. I have lived there for 10 years

Question. What is your business or profession?

Answer.

Shoe 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 guilty

Robert R. Ferris

Taken before me this

day of

1897

Police Justice

08 13

Sec. 151.

Police Court 2 District.

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

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

of No. 162 Greenwich Street, that on the 20 day of Sept

1888 at the City of New York, in the County of New York,

*Roth R. Davis with intent to defraud did
 make and utter a certain forged and
 fraudulent instrument in writing purporting
 to be a check on the Adirondack Park Bank made
 payable to the order of R. R. Davis for Seventeen
 dollars and six fine cents signed J. D. Maynard
 in violation Section 309 Penal Code of the State of New York*

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
 forthwith before me, at the DISTRICT POLICE COURT, in the said City, or in case of my absence
 or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to
 be dealt with according to law.

Dated at the City of New York, this 15

day of Sept

1888

John R. Ryan POLICE JUSTICE.

08 14

Police Court _____ District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Warrant-General.

Dated _____ 188

Magistrate

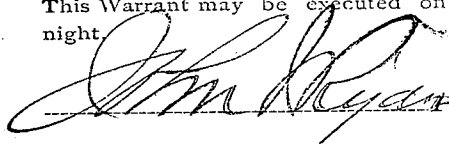
Officer.

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

Police Justice

The within named

08 15

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 Seamus

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

Dated, 189 189 Police Justice.

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

Dated, 189 189 Police Justice.

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

Dated, 189 189 Police Justice.

08 16

Police Court---

District.

1508

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James O. Henderson
Robert H. Jones

2
3
4

Offense

BAILED,

No. 1, by.....

Residence..... Street.

No. 2, by.....

Residence..... Street.

No. 3, by.....

Residence..... Street.

No. 4, by.....

Residence..... Street.

Dated, *Dec 22* 189*2*

Magistrate.

William H. Bonnier Officer.

Precinct.

Witnesses

No. *114* Street.

No. *42 E. 11th* Street.

No. *Hotel Albert* Street.

\$ *1500* to answer *J.S.*

40152
d w 6

0017

New York,

Jan 31 93

189

Col. Townsend.

In re' People Vs Ferris. Ellis, Roberts
and other assumed names

I do not know that you have evidence except as to the
one charge (Henderson) on which the Indictment was
found.

I do not know that a mem' that I sent to Mr Weeks as
to other charges has reached you.

Hence this memo'.

I can give details as to other forgeries where my
name was used as follows

~~Worcester~~ Worcester Mass Sept 15 92--\$20

1, S A Maynard.. both Check and telegram was forged
I have them with affidavit.

2, A H Godfrey Lynn Mass \$1 2,

3, J A Greenwood \$50. In this case check and
bank certificate was forged.

4,----- Syracuse Sept-- \$50

5 Dec 6 Chas I Baker Troy N Y \$75. In this case Check,
a letter to himself (Ellis), and a letter to Mr Baker
were forged.

6 Dec 2 Lane Bros Poughkeepsie \$50

7, Nov 19 Israel Lefavour Beverly Mass \$30

8, Henderson-Indictment.

I also know of other forgeries where other names than
mine were used

Two on 5th Av Bank Brooklyn. I do not know the names.

Two on J A De Camp Brooklyn. -Warrant out and in
hands of N Y police.

One \$50 C H Reed Danbury Ct--got it cashed by--Taylor
Bridgeport

One --- ROBERTS Utica. Officer has this.

An order Mulverhill Brooklyn on which he got money.

I have heard of others concerning which I have
no definite information.

[Handwritten signature]

0820

Kings County, N.Y.

OFFICE OF THE DISTRICT ATTORNEY,

COURT HOUSE BROOKLYN. Jan. 5, 1895.

Hon. John D. Lindsay,

District Attorney's Office,

N.Y. City.

My dear Lindsay:-

You I have an indictment in *your* office against Robt. R. Ferris, for forgery; and his sister writes me from Philadelphia, asking me to let her know the condition of his case, whether it is an aggravated one, and whether the evidence against him is strong enough to convict him. I have known his family for a great many years, as well as the defendant himself, and wish to send to her a true condition of his situation. If you will drop me a note as to what you think about the matter, I will feel greatly obliged to you.

Yours very truly,

James W. R. [Signature]

(Dictated M.I.B.)

0821

STATE OF NEW YORK, } ss.
ONONDAGA COUNTY,

James H. Gorman
being duly sworn, deposes and says, that he resides in
City of New York
that the name of *John Ryan*

signed to the within warrant, is the handwriting of
John Ryan
who is one of the Justices of the Peace of the
of *New York*
in the County of *New York*
by whom the within warrant was issued.

(Signed,) *James H. Gorman*

Sworn before me this *25* day
of *August* 188*7*

John Ryan
Police Justice.

This Warrant may be Executed in the
County of *Onondaga*.
James H. Gorman
Police Justice.

0822

Judge Fitzgerald

Dear Sir,

Please
pardon seeming intrusion
upon your valuable time,
but I want to write to you
in behalf of Robert Ferris, my
brother, & entreat your lenien-
cy in his case.

Of course his offense ought
not go unpunished, nor
would I dream of asking
that it should; but please
do not let the punishment
be too severe - The only boy in
the family, his faults have per-
haps been too much over-looked,
& he has done things without
stopping to think, but his arrest
has been a very efficient
check, & his further imprison-

0823

-ment will impress the lesson
more deeply upon him, I am
sure. He is anxious now to
retrieve the past, & is truly
penitent, & as his sister &
wife (Thank Heaven our Mother
is dead) who know him best,
are afraid a very severe
sentence will break him down
utterly, & he by too long dwell-
-ing upon it - all become
utterly discouraged & dis-
-heartened.

Please do what you can
for us.

Thanking you for your
kind attention, I remain
Yours respectfully

Mrs M. E. Pratt
North Brother Island
N. Y. City

Jan 27-93-

0824

ELEVATORS HOISTING APPLIANCES OVERHEAD RAILWAYS **DUMBWAITERS**
114 LIBERTY STREET.
JOHN Q. MAYNARD,
HARRINGTON HOISTS, OVERHEAD RAILWAY, CRANES.

Dec 2 92

New York,

1892

To the National Park Bank,
State of New York,
City and County of New York.

JOHN Q. MAYNARD being duly sworn says that the Check hereto attached dated Sept 19 1892 purporting to be drawn ~~by~~ to the order of R R Ferris by me is a forgery and was not issued by me, but was made drawn and signed by one R R Ferris to whose order the same was made payable.

John Q. Maynard

Sworn to before me the second day
of December 1892

Thomas M. Rowlette
Notary Public
New York County

0825

ELEVATORS HOISTING APPLIANCES OVERHEAD RAILWAYS **DUMBWAITERS**
114 LIBERTY STREET,
JOHN Q. MAYNARD,
HARRINGTON HOISTS, OVERHEAD RAILWAY, CRANES.

New York,

Nov 5 1892

189

To the National Park Bank.

I hereby certify that
the enclosed check numbered 375-amount \$17.85
Date Sept 19 1892 was not issued nor signed by me.

John Q. Maynard

*Sworn to before me this
5th day of Nov 1892*

W. A. Harris

W. A. Harris

0826

214 Broadway.

No. 875

New York, Sept 19th 1892

THE NATIONAL PARK BANK
OF NEW YORK

Pay to the order of *Wm. A. Lewis or bearer*
Seventeen $\frac{55}{100}$ Dollars.

\$ $\frac{17.55}{100}$

L. D. Magnard

0827

R. R. Ferris.

James B. Henderson

165 W. 4th St. St. Louis, Mo.

0028

518

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Robert R. Ferris

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

Robert R. Ferris

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

The said

Robert R. Ferris

late of the City of New York, in the County of New York aforesaid, on the *20th* day of *September* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, with intent to defraud, feloniously did forge a certain instrument and writing, which said forged instrument and writing is as follows, that is to say:

No. 375

New York Sept 19th 1892

*The National Park Bank
of New York*

*Pay to the order of R. R. Ferris or bearer
Seventeen ⁸⁵/₁₀₀ ——— Dollars*

\$17 ⁸⁵/₁₀₀

J. L. Maynard

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.

0029

SECOND COUNT.

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

Robert R. Ferris

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

The said *Robert R. Ferris*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with intent to defraud, did feloniously utter, dispose of and put off as true, a certain forged instrument and writing, which said forged instrument and writing is as follows, that is to say:

No. 375 New York, Sept 19th 1892
The National Park Bank
of New York
Pay to the order of R. R. Ferris or bearer
Seventeen $\frac{85}{100}$ ——— dollars
\$17.85
J. L. Maynard

the said

Robert R. Ferris

then and there well knowing the same to be forged, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

District Attorney.

0830

BOX:

508

FOLDER:

4635

DESCRIPTION:

Finnen, Thomas

DATE:

01/03/93



4635

Berry Sandwich

Mr. Ponney

N. Y. Merc. & Manuf.
Co.

394 1876-1877

Best offence

Wt

Filed (v)

Play's

THE PEOPLE

712

Thomas Finney

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL

Foreman.

1993

Dear Sir, 26/09

100

Grand Larceny, second Degree, ~~Sections 528, 58,~~ Penal Code.]

0031

0032

1012

Police Court—2 District.

Affidavit—Larceny.

City and County } ss.
of New York,of No. 347 Hudson Street, aged 32 years.occupation Commission Dealer being duly sworn,deposes and says, that on the 22 day of December 1892 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in day time, the following property, viz:

and chain of the value of one
hundred and thirty dollars
a gold watch

\$130-

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 Thomas Finnen (now he). The said watch and chain were kept in a trunk not locked in deponent's room, and was missed by deponent on Dec 25. Deponent saw defendant on the 22nd day of December and when the property was missed deponent suspected defendant, and accused him, and defendant admitted to deponent and in the presence of Policeman John J. Clarker of the 8th Precinct, that he defendant had stolen said property on Dec. 22 and pawned it in a pawn shop on 2nd Avenue between 47th and 48th Street.

Henry Landwehr

Sworn to before me, this
1892

John J. Clarker
Police Justice

0033

Sec. 198—200.

2 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

Thomas Finnen being duly examined before the under-
signed 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.

Thomas Finnen

Question. How old are you?

Answer.

19 years

Question. Where were you born?

Answer.

U. S.

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

Answer.

111 King St - 9 months

Question. What is your business or profession?

Answer.

Labourer

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

Answer.

I am guilty Thomas Finnen

Taken before me this

27

day of

September

1888

Police Justice.

0034

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

Thomas Men

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, Dec 27 1892 [Signature] Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

0035

Police Court---

1626 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Benj. Landwehr
347 Anderson
Norman Finnen

Offense.

BAILED,

No. 1, by
Residence Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

Dated, *Dec 27* 189 *2*

White Magistrate.
Samuel S. Clarke Officer.

Witnesses *Officer Clarke*
No. Street.

No. Street.

No. Street.

\$ *100.00* to answer *G. S.*

Y. Com

0036

505

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Thomas Finnen

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

Thomas Finnen

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

The said *Thomas Finnen*

late of the City of New York, in the County of New York aforesaid, on the *23rd* day of *December* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, with force and arms,

one watch of the value of eighty dollars and one chain of the value of thirty dollars

of the goods, chattels and personal property of one

Henry Landwehr

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.

De Lancey Nicoll,
District Attorney

0037

BOX:

508

FOLDER:

4635

DESCRIPTION:

Fitzgerald, John

DATE:

01/19/93



4635

0030

Witnesses:

Officer Paul

By the Court
asked that
he be committed to
R.C.P.

[Signature]

(11) *[Signature]*
Counsel,
Filed 19 day of May 1893
Pleads,

THE PEOPLE

vs.

John Fitzgerald

Grand Larceny, First Degree,
(DWELLING HOUSE.)
[Sections 529, 530, 531 Penal Code.]

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

J. Cathin

May 19/93. Foreman.

*Heard by Jury
R.C.P. 1893*

0039

Court of General Sessions
The People

vs.
John Fitzgerald

REPORT OF THE NEW YORK SOCIETY FOR
 THE PREVENTION OF CRUELTY
 TO CHILDREN.
 100 EAST 23D STREET,

New York, January 12th 1893.

CASE NO. _____

DATE OF ARREST _____

CHARGE _____

OFFICER _____

AGE OF CHILD _____

RELIGION _____

FATHER _____

MOTHER _____

RESIDENCE _____

January

Grand Larceny

Eleven years

Catholic

James

Margaret

319 E 56th Street

AN INVESTIGATION BY THE SOCIETY SHOWS THAT boy lives
 in a fair home with respectable parents.
 His father desires to have him committed
 to the Catholic Protectors. Society records
 show nothing against him.

All which is respectfully submitted,

William L. McKim
Pres.

To Sir

band of

General Sessions

The People

vs.

John Fitzgerald

Brand & Lawrence
PENAL CODE, §

Report of the New York Society
for the Prevention of Cruelty
to Children.

ELBRIDGE T. GERRY,
President, &c.

100 East 23d Street,
New York City.

0840

0841

(1365)

Police Court—14 District.

Affidavit—Larceny.

City and County }
of New York, } ss.

Theresa Schneider
of No. 220 East 72nd Street, aged 32 years,
occupation domestic being duly sworn,
deposes and says, that on the 2 day of January 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 night time, the following property, viz:

Three Hundred and Fifty-four Dollars,
good and lawful money of the United States
\$354⁰⁰/₁₀₀

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 Fitzgerald (now here)

from the fact, that, on the above named
date, said money was in a trunk in
the apartment of the brother-in-law of deponent
at No. 319 East 56th Street: on January 5, 1893
deponent missed said money and is informed
by one Lizzie Kleinstein her niece, who lives
at said number in said street, that on the
aforesaid date, she saw the defendant
counting an amount of money in the
bedroom of Apartment occupied by deponent's
brother-in-law: that deponent is further
informed by James Fitzgerald, of No. 319
East 56th Street the father of defendant
that twenty dollars, good and lawful money

Sworn to before me, this

day

189

Police Justice.

of the United States was returned when
said James Fitzgerald by one Nicola Spottone
who told said Fitzgerald that said money
was given when by the defendant for safe-
keeping on January 3, 1893. Wherefore
Deposent accuses Defendant of having
stolen said money and prays that he
may be dealt with accordingly, &c.

Sworn before me this } Theresa Galt Schneider
9 day of January 1893 }

Charles J. Lantieri
Police Justice

0043

CITY AND COUNTY }
OF NEW YORK, } ss.

1877.

Lizzie Klingenstein
aged 11 years, occupation Shoe girl of No.

319 East 56 Street, being duly sworn, deposes and

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

Sworn to before me, this

day of

Aug 9 } *Lizzie Klingenstein*
1893

Charles W. Lantz
Police Justice.

0844

CITY AND COUNTY }
OF NEW YORK, } ss.

1877

James Fitzgerald
aged *35* years, occupation *laborer* of No.

319 E. 56 Street, being duly sworn, deposes and

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

Sworn to before me, this

day of

9 } *James Fitzgerald*
Jan 189*3*

Police Justice.

0845

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss.

District Police Court.

John Fitzgerald 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 Fitzgerald*

Question. How old are you?

Answer. *10 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *319 E. 16 St. 2 years*

Question. What is your business or profession?

Answer. *School boy*

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 Fitzgerald

Taken before me this

day of

March 1913

Police Justice.

0046

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

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, Dec 9th 1893

Charles W. Luntz 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 Defendant
_____ guilty of the offense within mentioned, I order h to be discharged.

Dated, _____ 189

Police Justice.

0847

#500 for by
Jan 9/93 13 AM.

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court--- 11 District. 48

THE PEOPLE, &c.,
ON THE COMPLAINT

Thomas Schneider
220 East 72nd St
John Fitzgerald

2 _____
3 _____
4 _____

Offense Grand Larceny

Dated, Jan 9 1893
Fairfax Magistrate.

Vail Officer.
Court

Witnesses Wm H. King
No. 108 E. 23rd Street.

No. _____ Street.

No. 500 _____ Street.
to answer

Committed to the
Society for the Protection of Children
to Elmhurst

0848

461

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 Fitzgerald

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

John Fitzgerald
of the CRIME OF GRAND LARCENY in the first degree, committed as follows:

The said

John Fitzgerald

late of the 19th Ward of the City of New York, in the County of New York aforesaid,
on the second day of January 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, with force and arms,

*the sum of three hundred and
fifty-four dollars in money, law-
ful money of the United States
of America, and of the value of
three hundred and fifty-four
dollars*

of the goods, chattels and personal property of one

Theresa Gattschneider

in the dwelling house of the said

Theresa Gattschneider

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

0849

SECOND COUNT—

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

John Fitzgerald
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:
The said *John Fitzgerald*

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

*the sum of three hundred and
Fifty-four dollars in money law-
ful money of the United States
of America, and of the value of
three hundred and fifty-four
dollars*

of the goods, chattels and personal property of one *Theresa Gattschneider*

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

unlawfully and unjustly did feloniously receive and have; the said

John Fitzgerald
then and there well knowing the said goods, chattels and personal property to have been
feloniously stolen, taken and carried away, against the form of the statute in such case made
and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

District Attorney.

0050

BOX:

508

FOLDER:

4635

DESCRIPTION:

Flanagan, Michael

DATE:

01/12/93



4635

0851

BOX:

508

FOLDER:

4635

DESCRIPTION:

Hernan, Thomas

DATE:

01/12/93



4635

0852

Witnesses:

Kate McEwen

Sam Lorr

Wm. Herman

344 E. 32nd St

Exposition
By

(10)

Counsel,

Filed

day of

189

Pleas,

THE PEOPLE

vs.

Michael Flanagan

and

Thomas Herman

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

J. Catlin
Jan 12/93 Foreman.

Butler
Head Jury 2d
Mr. G. P. D.
Jan 13/93

Burglary in the Third Degree.
[Section 408, Laws of 1882, c. 582, § 1.]

0053

*Court of General Sessions
of the People*

vs.

Thomas Stearns

REPORT OF THE NEW YORK SOCIETY FOR
THE PREVENTION OF CRUELTY
TO CHILDREN.

100 EAST 23D STREET,

New York, January, 1893.

CASE NO.

19787

DATE OF ARREST

OFFICER

CHARGE

January 5, 1893

Bungla

AGE OF CHILD

RELIGION

FATHER

Four years

Catholic

MOTHER

Michael

RESIDENCE

344 Mar. 6. 52nd St.

AN INVESTIGATION BY THE SOCIETY SHOWS THAT *boy* lives in a fair home with his widowed mother. He does not work. On August 13th 1891. he was arrested for disorderly conduct and was arraigned at the 4th Dist. Court where he was ~~arraigned~~ *reprimanded and discharged.*

All which is respectfully submitted,

John J. [unclear]

[unclear] Secretary

Board of

General Supervisors

The People

By

Thomas Herman

RECEIVED
FEB 10 1904

Report of the New York Society
for the Prevention of Cruelty
to Children.

ELBRIDGE T. CERRY,

President, &c.

100 East 23d Street,

NEW YORK CITY.

0054

0055

Court of General Sessions
The People

Michael Shanagan.

REPORT OF THE NEW YORK SOCIETY FOR
THE PREVENTION OF CRUELTY
TO CHILDREN.
100 EAST 23D STREET.

New York, January 1895.

CASE NO. 69787
DATE OF ARREST
CHARGE.

OFFICER King
January 3rd 1895

Burglary

Fourteen years

AGE OF CHILD.
RELIGION
FATHER

Michael

MOTHER

RESIDENCE

344 E. 22nd Street.

AN INVESTIGATION BY THE SOCIETY SHOWS THAT boy lives in a fair home with his parents who are said to be respectable. He does not work or attend school. Society records show nothing against him.

All which is respectfully submitted,

C. E. Brown Secretary

To Court of Sessions

Board of

General Sessions

The People

vs

Michael Flanagan

Penal Code

Report of the New York Society
for the Prevention of Cruelty
to Children.

ELBRIDGE T. GERRY,

President, &c,

100 East 23d Street,

NEW YORK CITY.

0056

0857

Police Court—4 District.City and County } ss.:
of New York }of No. 344 East 32 Street, aged 32 years,
occupation married being duly sworndeposes and says, that the premises No. 344 East 32nd Street, 21st Wardin the City and County aforesaid the said being a four-story brick
tenement building, the fourth floor front room
and which was occupied by deponent as a dwelling apartment
and in which there was at the time a woman being, by namewere **BURGLARIOUSLY** entered by means of forcibly prying off
the lock of the door leading to said
apartmenton the 31st day of December 1893 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:One clock and a quantity of
pink ribbon, the whole of the value
of two dollars\$2.00the property of deponentand 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 byMichael Flanagan & Thomas Moran
(both now here) acting in concert,

for the reasons following, to wit:

That, on the aforesaid date,
deponent saw said door securely locked
and fastened at 8 P.M., at which time
deponent and her husband left said premises.
That, on January 2nd 1893 at 9:30 P.M., deponent
returned to said premises and found the lock
on said door to be tampered with, and marks
on said door and said property to be missing.
That, on January 4th 1893, the defendants Moran

0058

admitted deponent that he and the defendant Flanagan, acting together in concert, did feloniously break open said door and take said and carry away said property; that a clock was found in the apartment of the defendant Flanagan which deponent identifies as part of the missing property. Therefore deponent prays that the defendant may be dealt with as the law directs.

Sworn to before me this }
5th day of January 1893 }

Kate M. Goverd

Charles N. Taintor

Police Justice

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

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

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

Police Court, District,

THE PEOPLE, &c.,
on the complaint of

vs.

Offence—BURGLARY.

1
2
3
4

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses,

No.

Street,

No.

Street,

No.

Street,

\$ to answer General Sessions.

0859

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK } ss.

District Police Court.

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

Question. What is your name?

Answer. *Michael Flanagan*

Question. How old are you?

Answer. *14 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *34 x E. 32 St.*

Question. What is your business or profession?

Answer. *Chamber's helper*

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 -*

Michael Flanagan

Taken before me this

5

day of

1884

Charles H. Starnes Police Justice

0060

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

Thomas Hernon 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.

Thomas Hernon

Question. How old are you?

Answer.

14 years

Question. Where were you born?

Answer.

N.Y.

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

Answer.

244 E. 32 St. — 4 years

Question. What is your business or profession?

Answer.

—

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.

Thomas Hernon

Taken before me this *5* day of *June* 18*93*
Charles W. Justice
District Police Justice.

0061

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, each and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated, May 5 1893 Charles J. Smith Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

0862

Police Court--- 4 District. ²⁹

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Kate M. Gorman
344 E. 32
Michael Hanagan
Thomas Herman

Offense

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated, *Jan 5* 1893

Garrett Magistrate.

Tracer Officer.

21 Precinct.

Witnesses *Joe M. Gorman*

No. *344 E. 32* Street.

Wm H. King

No. *108 E. 23rd* Street.

No. *500* Street.

\$ *5.00* to answer

B

Jan 5

0063

462

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

THE PEOPLE OF THE STATE OF NEW YORK

against
Michael Flanagan
and
Thomas Herman

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

Michael Flanagan and Thomas Herman

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

The said

Michael Flanagan and Thomas Herman, both

late of the *21st* Ward of the City of New York, in the County of New York aforesaid, on the
31st day of *December* in the year of our Lord one
thousand eight hundred and ninety-*two*, with force and arms, in the *night* time
of the same day, at the Ward, City and County aforesaid, the dwelling house of one

John McGovern

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*
McGovern in the said dwelling house then and there being, then and there
feloniously and burglariously to steal, take and carry away, against the form of the statute in
such case made and provided, and against the peace of the People of the State of New York and
their dignity.

SECOND COUNT—

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

Michael Flanagan and Thomas Herman

of the CRIME OF *Petit* LARCENY

committed as follows:

The said

Michael Flanagan and Thomas Herman, 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 *night* time of said day, with force and arms,

*one clock of the value of
two dollars and ten yards of
ribbon of the value of ten
cents each yard*

of the goods, chattels and personal property of one

John Mc Govern

in the dwelling house of the said

John Mc Govern

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

*De Lancey Nicoll
District Attorney*

0865

BOX:

508

FOLDER:

4635

DESCRIPTION:

Foley, Daniel

DATE:

01/05/93



4635

0066

14
James S. ...

Witnesses:

John Malone
Officer Patten

Counsel, _____
Filed, 5 day of Jan 1893
Pleads, _____

THE PEOPLE

vs.

Daniel Foley

INJURY TO PROPERTY.

[Section 654, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

J. C. Catlin
Foreman.
Jany 5/93
Hearst, Sperry and
C. H. Henderson
H. H. Mass

0067

Sec. 198—200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

Quinn Foley 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.

Quinn Foley

Question. How old are you?

Answer.

47 Years

Question. Where were you born?

Answer.

Ireland

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

Answer.

220 East 56 Street

Question. What is your business or profession?

Answer.

Horse Show

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

Quinn Foley
Mar 10

Taken before me this

29

day of

*Mar**1911*

Police Justice.

J. H. Smith

0068

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 5 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, Dec 25 1892 J. H. Bell Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

0869

(14)

Police Court---

1609
1334
District.

THE PEOPLE, &c
ON THE COMPLAINT OF

John Maloney
1091 3rd Ave
Quinn Foley

John Maloney
Magistrate

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated, *Dec 25* 189*2*

Kenneth Magistrate.

Patton Officer.

25 Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

500 to answer *Git*

0870

1852

CITY AND COUNTY }
OF NEW YORK, } ss.POLICE COURT, Y DISTRICT.

John Malone
of No. 1091 3 Avenue Street, aged 26 years,
occupation Liquor Dealer being duly sworn, deposes and says
that on the 24 day of December 1892
at the City of New York, in the County of New York, James Foley

(nowhere) who did maliciously
unlawfully and maliciously break and
destroy a plate glass window and
a quantity of bottled liquor in the
premises 1091 3 Avenue of the
value of about one hundred & fifty
dollars the property of defendant
by maliciously throwing a brick
from his hand at said window
John Malone

Sworn to before me this

of

the 2

189

25

day

John W. ...
Police Justice.

0871

Court of General Sessions of the Peace

517

IN AND FOR THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
AGAINST

Daniel Foley

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

Daniel Foley
of the CRIME OF UNLAWFULLY AND WILFULLY *destroying* PERSONAL PROPERTY OF ANOTHER,
committed as follows:

The said *Daniel Foley*

late of the City of New York, in the County of New York aforesaid, on the *24th*
day of *December* in the year of our Lord one thousand eight hundred and
ninety-*two*, at the City and County aforesaid, with force and arms,
one pane of plate glass of the value
of one hundred and twenty five
dollars and twenty-five bottles of liquor
of the value of *twenty-five dollars*
of the goods, chattels and personal property of one *John Malone*
then and there being, then and there feloniously did unlawfully and wilfully *break*
and destroy:

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.

0072

SECOND COUNT.

And the Grand Jury aforesaid, by this indictment further accuse the said
Daniel Foley
of the CRIME OF UNLAWFULLY AND WILFULLY *destroying* REAL PROPERTY OF ANOTHER,
committed as follows:

The said *Daniel Foley*,

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

one pane of plate glass

of the value of *one hundred and twenty five dollars,*
in, and forming part and parcel of the realty of a certain building of one *John*
Malone there situate, of the real property of the said
John Malone
then and there feloniously did unlawfully and wilfully *break and*

destroy:

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:

508

FOLDER:

4635

DESCRIPTION:

Foster, Arthur T.

DATE:

01/13/93



4635

0074

BOX:

508

FOLDER:

4635

DESCRIPTION:

Stanton, George A.

DATE:

01/13/93



4635

0075

POOR QUALITY
ORIGINAL

Witnesses:

Henry B. Beecher
Solis A. Wheat
Arthur J. Foster

The defendants herein have made
a motion to dismiss this indictment
for lack of prosecution - In my
opinion - a trial of this case would
not result in a conviction.
I therefore recommend the
dismissal of this indictment.
Mch 13. 1894.

Henry H. Davis
Crist.

130

J. Henry Dwight
48 Wall St.

Asst. P. Fitch

Counsel,

Filed

day of

1893

Pleads,

THE PEOPLE

vs.

ARTHUR T. FOSTER

and

GEORGE A. STANTON

DE LANCEY NICOLL,

District Attorney.

18th Jan. for Pleading. V. M.D.

A TRUE BILL.

J. Catlin

Foreman.

Part 2. Mar. 21 before
day for trial - No. 1 - M.D.
Res. on no. of 12 Aug
1894 discharged
1894

Publishing & Litol

0076

POOR QUALITY
ORIGINAL

Witnesses:

(501)

Henry B. Beecher

Solis A. Wheat

Arthur J. Foster

The defendants herein have made
a motion to dismiss this indictment
for lack of prosecution - In my
opinion a trial of this case would
not result in a conviction.
I therefore recommend the
dismissal of this indictment.
Mch 13. 1894.

Veronica H. Davis
Asst.

130 J. Henry Dwight
48 Wall St.
Asst. P. Fitch
Bennett Bling

Counsel,

Filed

day of

1894

Pleads,

THE PEOPLE

vs.

73

ARTHUR T. POSTER

and

GEORGE A. STAMON

Publishing a Libel

DE LANCEY NICOLL,

District Attorney.

18th Jan. for Pleading. V. M. D.

A TRUE BILL.

J. Cathin

Foreman.

Res. on m.o. of A. Aig
Bill discharged
Mch 19/94 - JY

0077

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

Henry B. Beecher being duly sworn, deposes and says: That since making the information herein, subscribed and sworn to, by him on the 14th day of January 1892. facts have come to his knowledge showing that the John Doe mentioned in said affidavit is George A. Stanton who does business at No 155 Broadway in the City of New York and that the said John Doe is the said George A. Stanton as this deponent is informed and verily believes, and that the person referred to in the warrant issued upon said information, as John Doe is the said George A. Stanton.

Sworn to before me }
 this 5th day of January 1893 } Henry B. Beecher
 J. W. T. Brady }
 Police Justice

0878

George A. Sullivan

No. 4791

New York Dec 16th 1892

National Bank of the Republic

Pay to the order of Cash

Thirty Eight ¹⁰/₁₀₀

Dollars

Resp. S. Danton

538

NEW YORK, N.Y.

0879

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

Edmund Newell _____

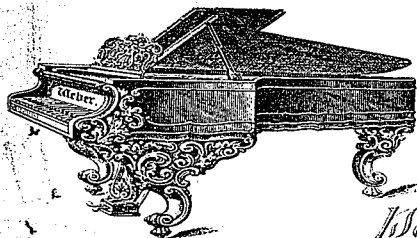
Being duly sworn deposes and says that
 he is bookkeeper _____

in the National Bank of the Republic of
 New York, that said Bank has in its
 possession the check hereto annexed
 dated December 16th, 1892 No. 4791
 drawn upon said Bank for the sum
 of Thirty eight $\frac{10}{100}$ ^{Dollars} by George A Stanton
 to the order of Cash, _____

The said check was in the usual course
 of business delivered to said Bank
 on or about December 21st 1892 and
 said check has been paid by the said
 Bank.

Sworn to before me } Bro. Newell
 this 6th Day of January 1893 }
 J. H. Gady
 Police Justice

00000



New York, Dec 20th 1892.
THE Chemical National Bank
OF N. Y.

Pay to the order of William Foster
Thirty-eight ¹⁰/₁₀₀ DOLLARS.

WEBER PIANO COMPANY.

No. 213
\$ 38.10

By William Foster, Cashier

days since we is ...
Chemical National Bank

00001

13

Pay to the order of
William J. Foster,

Pay to the order of

W. J. Foster

per *William J. Foster*

0882

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

Stephen Mercelis
being duly sworn deposes and
says that he is bookkeeper in the
Chemical National Bank New York
that said bank has now in its
possession the annexed check
dated Dec 20th 1892 No. 213. drawn
upon itself for the sum of \$38¹⁰/₁₀₀
by the Custer Prairie Company by
William Foster Vice Pres to the
order of William Foster and bearing
the endorsement of William Foster to
A. F. Foster and the endorsement
of A. F. Foster to C. G. Burgoyne
The said check - has in the usual
course of business through the clearing
house come to the Chemical Bank
on or about Dec 23-1892 and the
said check has been paid by the
Chemical Bank.

Sworn to before me
this 5th day of January 1893

Stephen Mercelis
Not. P. J. Gaud
Police Justice

0003

Sec. 198-200.

1882
District Police Court.

City and County of New York, ss:

Arthur J. Foster 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. *Arthur J. Foster*

Question. How old are you?

Answer. *35 years*

Question. Where were you born?

Answer. *United States*

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

Answer. *565 Chambersland Street Brooklyn*

Question. What is your business or profession?

Answer. *Insurance*

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 very quiet
Arthur J. Foster

Taken before me this

day of

*Oct**1883*

Police Justice.

0004

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 Arthur J. Foster
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, January 10th 1893 Wm. H. Brady Police Justice.

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

Dated January 10th 1893 Wm. H. Brady Police Justice.

There being no sufficient cause to believe the within named Defendant Arthur J. Foster
guilty of the offense within mentioned, I order he to be discharged.

Dated, 189 Police Justice.
1881

0005

130
Police Court District. 42

THE PEOPLE, vs.,
ON THE COMPLAINT OF

Henry B. Beecher

Arthur J. Foster

Thomas A. Stanton

Offense
Lured

BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by Cash deposit
Residence 155 Broadway Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Dated, Jan 6 1893
Wm. J. Sheldon Magistrate.
C. O. Officer.
Precinct.

Witnesses _____
No. _____ Street.
No. _____ Street.
No. _____ Street.
\$ 500 to answer 92

0006

State of New York
City and County of New York

Charles C. Marvin

being duly sworn deposes and says that he is bookkeeper for Charles G. Burryne Job printer at Nos 146-150 Centre street in said City that on or about the 14th day of December 1892 he sent to A. F. Foster No 165 Broadway in said City by mail a bill to the amount of thirty eight $\frac{15}{100}$ 38 $\frac{15}{100}$ dollars for the printing of the circular set forth and contained in the information of Henry B Beecher verified on the 4th day of January 1893. that on or about the 22nd day of December 1892 deponent received a check in payment of said bill and that to the best of deponent's recollection said check was indorsed by said Foster. The said check was deposited by deponent for his employer in the Merchants Exchange National Bank New York

before me and this 4th day
of January 1893

Wm. J. Brady
Police Justice

Charles C. Marvin

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

Louis A. Wheat

being duly sworn says that he is clerk
for Charles G. Burgoyne a job printer carry-
ing on business at numbers 146-150 Centre
Street in said City that on or about the
12th day of December 1892 one A. F.
Foster of number 155 Broadway in said
City delivered personally to deponent a
writing and at the same time requested
that the same be printed and made
a circular of. That one hundred copies
of the same be printed and delivered
to him at his said office and that
the bill for the same be made out
to him and sent to his said office. That
the circular in print headed "To the
subscribers to the Beecher Schenck
& Co Lloyd's" and subscribed "One who
Knows". set forth and contained in the
information of Henry B. Beecher
verified on the 14th day of January 1893
is a true and correct printed copy
of the said writing delivered to deponent
by said Foster and is one of the printed
circulars printed on his order. That
about one hundred copies of the said
circular were printed and delivered to
said Foster at his said office. That
the proof copy of said circular was
sent to said Foster for correction if any
together with the manuscript writing of said
and that said writing was by him retained

Sworn to before me this
4th day of January, 1893

Thos. H. Brady

Louis A. Wheat

0000

Information for Libel
against

A. F. Foster
and John Doe

affidavit of Louis A. Doe
R. B. Broughton

00009

Information for Libel.

State of New York,

ss: -

City and County of New York,

of the City of New York and doing business in Henry B. Beecher, a
resident ~~of~~ the City of New York, being duly sworn, deposes
and says, that he is a member of the firm of Beecher,
Schenck & Company, the general managers and Attorneys in
fact for the "Assurance Lloyds of America," whose business
of fire and other insurance is conducted at numbers 40 - 44
Pine Street in said city; that on or about the ^{12th} day of
December, 1892, at the City of New York, one A F.
Poster of Number 155 Broadway in said city, and one John
and one Richard Roe
Doe, also of said city, as deponent is informed and verily
believes, did falsely, maliciously and scandalously frame,
make and write and compose in a certain false, scandalous
and libellous writing of, concerning and against the said
firm of Beecher, Schenck & Company, of which deponent is
a member as aforesaid, to the purport and effect following,
to wit: _____

TO THE SUBSCRIBERS TO THE

"Beecher, Schenck & Co." Lloyds.

You are quoted as being a subscriber to a Lloyds' to be managed by Beecher, Schenck & Co. Allow me to make the following queries:

1. Do you know these men well and their record?
2. Do you know the record of Schenck and Midgley (of this firm) for veracity, and are you acquainted with their general business reputation?
3. Do you know how the American Steam Boiler Company of New York, of which these men were officers, has either failed or retired from business, and how it is stated that the shareholders will receive less than \$50 per share on shares which cost the holders \$200; namely, par and a surplus paid in?
4. Are you aware how false statements in previous years have been made to the Insurance Department of this State as to the financial condition of this company by its officers Schenck and Midgley?
5. Are you aware of the retirement of Mr. Benedict from the firm of Beecher, Schenck & Benedict, because as an honorable man he would not be a party to the dishonest methods pursued by Beecher, Midgley and Schenck in the management of the American Casualty & Security Insurance Company of Baltimore, of which company said firm were general managers?
6. Are you aware of the vast number of *honest* claims which the parties injured cannot collect, except by long, tedious and expensive law suits, as made against the above company or the parties whom said company insured, and of which Casualty Company Beecher, Schenck and Midgley are now general managers, and which claims do not appear in the official statements of said company as a liability?
7. Examine into this *particularly*: The North River Bank of this city failed in 1890; in December, 1890, by the official statement filed in the New York Insurance Department, the officers of the American Steam Boiler Insurance Company, of which Schenck and Midgley were officers, showed that the company were not shareholders in said bank. Kindly examine the "Insurance Reports" of the same Insurance Department, showing the condition of this same company as of December, 1891, and published in 1892, and you will observe that they held as an asset \$12,000 of the shares of this bank, the value of which was stated to be \$18,000. Were these shares not possessed by this company in December, 1890, and other securities put in their place, so as to make an acceptable statement to the public, or will you be asked to believe that the officers actually purchased during the year 1891 \$12,000 of the shares of this insolvent bank and paid therefor \$18,000, remembering that the bank failed in *November, 1890*, and was in the hands of a receiver?
8. If these facts as stated in query 7 are not true, why are Schenck and Midgley doing everything within their power at the present time to buy up the shares of this Steam Boiler Company, offering privately therefor \$100 per share while it is conceded that the value of its shares are less than \$50, unless

0891

in the management of the American Casualty & Security Insurance Company of Baltimore, of which company said firm were general managers?

6. Are you aware of the vast number of *honest* claims which the parties injured cannot collect, except by long, tedious and expensive law suits, as made against the above company or the parties whom said company insured, and of which Casualty Company Beecher, Schenck and Midgley are now general managers, and which claims do not appear in the official statements of said company as a liability?

7. Examine into this *particularly*: The North River Bank of this city failed in 1890; in December, 1890, by the official statement filed in the New York Insurance Department, the officers of the American Steam Boiler Insurance

Company, of which Schenck and Midgley were officers, showed that the company were not shareholders in said bank. Kindly examine the "Insurance Reports" of the same Insurance Department, showing the condition of this same company as of December, 1891, and published in 1892, and you will observe that they held as an asset \$12,000 of the shares of this bank, the value of which was stated to be \$18,000. Were these shares not possessed by this company in December, 1890, and other securities put in their place, so as to make an acceptable statement to the public, or will you be asked to believe that the officers actually purchased during the year 1891 \$12,000 of the shares of this insolvent bank and paid therefor \$18,000, remembering that the bank failed in *November, 1890*, and was in the hands of a receiver?

8. If these facts as stated in query 7 are not true, why are Schenck and Midgley doing everything within their power at the present time to buy up the shares of this Steam Boiler Company, offering privately therefor \$100 per share while it is conceded that the value of its shares are less than \$50, unless it is for the reason that certain shareholders have threatened to bring these facts before the courts and have the officers indicted by the Grand Jury?

Some further idea of their methods can be gained by your carefully reading the enclosed "legal papers."

Under such circumstances can you, as an upright and honorable man, afford to be allied with such parties and allow them to act as your attorney, and in your name and with your authority bind you on contracts of indemnity, and not see what the results will be to you?

Investigate all the facts as above stated, making your investigations *outside of their "charmed circle,"* and after you have completed them you will thank the undersigned for giving you this timely warning. Act promptly, and retire if you find any or all of the facts to be as stated.

ONE WHO KNOWS.

//

0092

as deponent is informed and verily believes, and that with intention to scandalize and disgrace the said firm of Beecher, Schenck & Company, and the deponent as a member thereof, and to bring said firm and the deponent as a member thereof into contempt, infamy and disgrace, the said ^{and the said Richard Roe} A. Boster and the said John Doe ^{did afterwards,} to wit: on or about the 20th day of December, 1892 at the City of New York, openly deliver and publish to ^{W. W. Flanagan} ~~Rathbone~~ of said city and to divers other persons whose names are at present unknown to deponent the said false, scandalous and libelous matter hereinbefore set forth in that as deponent is informed and verily believes, the said ^{and the said Richard Roe} A. Boster and the said John Doe did envelope and in writing direct to the said ^{W. W. Flanagan} ~~R. C. Rathbone~~ and to divers other persons, and did deliver to and deposit in the United States Post Office in the said city the said scandalous and libelous matter, and did deliver and circulate the same to the said ^{W. W. Flanagan} ~~R. C. Rathbone~~ and to divers other persons whose names to deponent are unknown as aforesaid.

Sworn to before me this

^{4th} day of January, 1893.

Henry B. Becker
W. W. Flanagan
Police Justice

0093

Information for label
against

A E. Foster
and John D. Q.

Adversant of
Henry B. Beecher

1000 bond & Jan. 6, 1897

0894

At a Term of the Court of General Sessions of the Peace of the City and County of New York held at the Court House in said City and County on the 27th of February, 1893.

PRESENT:

HON. J. DEWITT CLARK,

Recorder.

The People of the City and County of New York,

-vs-

ARTHUR T. BOWEN and others
vs. the People.

Upon reading and filing a petition wherein dated January 20th, 1893, and the affidavit of F. Henry Bower, verified before me on the 10th, 1893, and the affidavit of Charles A. Stinson, verified before me on the 11th, 1893, and in a hearing thereon said petitioners that an issue of fact is joined upon an indictment wherein the defendants are charged with publishing a libel, and that the testimony of John C. Jackson, Jr. and P. Ayers, C. Everett Boardman and William L. Jones, all of whom reside at Baltimore in the State of Maryland, out of the State of New York, is material to the defense of the petition, and that their examination is necessary to the maintenance of justice.

NOW, THEREFORE, it is ordered, in relation of F. Henry Bower, Esq., attorney for the defendants, after hearing the District Attorney on behalf of the People,

ORDERED that a commission issue out of this Court in this action, directed to

Esq.

of No. 31 St. Paul St., Baltimore, Maryland, as Com-

0045

2.

missioner, authorizing him to examine and to question in-
 terrogatories and answers interrogatories to be annexed to
 the Commission, and said John F. Tamm, John P. Ayers,
 C. Everett Rousden and William H. Jones, ^{and John M. Phillips} as witnesses on
 behalf of the defendants and to take and return to the Com-
 mission of said witnesses according to the directions to
 be given with the Commission, present to him.

It is further ordered that the said witnesses return
 said interrogatories, answers and affidavits to be annexed to the
 said Commission to John F. Tamm, William H. Jones, Chief of
 General Division of the Bureau of the City and County of
 New York, at his office at No. 100 Broadway in the
 City of New York.

And it is further ordered that the trial of the in-
 dictment against the said defendants be held for a period
 of ^{seven} weeks, or such longer time as the court, upon
 the court's own motion, may deem reasonably sufficient for the
 execution and return of the Commission and other for
 that purpose.

0096

COURT OF GENERAL SESSIONS OF THE PEACE

Pol. 1. OF THE CITY AND COUNTY OF NEW YORK.

----- x
The People of the State :
of New York, :
-against- :
Arthur T. Foster and George :
A. Stanton. :
----- x

To
Delancy Nicoll, Esq.,
District Attorney.

Sir:-

- 2 TAKE NOTICE that upon the affidavits of T. Henry Dewey
sworn before February 10th 1893 and the affidavit of
~~and~~ George A. Stanton verified herein February, 8th 1893,
copies of which are herewith served upon you, we shall
move this Court at a Term thereof to be held on the 13th
day of February, 1893, at 11 o'clock A. M. or as soon
thereafter as counsel can be heard for an order that a
Commission issue in this action directed to one or more
persons at Baltimore Maryland, authorizing them as Com-
missioners to examine under oath upon interrogatories
3 to be annexed to the Commission, John J. Jackson, John
P. Ayers, G. Everett Reardon and William H. Jones, as wit-
nesses on behalf of the defendants, and to take, certify
and return the depositions of said witnesses according to
the directions to be given with the Commission and pursuant
to law, and for a stay of the trial of the indictment against
the said defendants until the execution and return of said
Commission, and for such further and additional or other
relief as to the Court may seem just and proper in the prem-

ises.

Sailed Feb. 10th 1893

T. Henry Dewey
Atty. for Defendants

Vol. 1. COURT OF GENERAL SESSIONS OF THE PEACE
OF THE CITY AND COUNTY OF NEW YORK.

----- x
The People of the State
of New York,
-against-
Arthur T. Foster and George
A. Stanton.
----- x

City and County of New York, ss:

2 T. Henry Dewey being duly sworn deposes and says
as follows:

I am an attorney and counsellor at law, having an
office at No. 48 Wall Street in the City of New York. I am
and one of the Counsel
the attorney for the above named defendants, Arthur T.
Foster and George A. Stanton.

3 This action is upon an indictment against the defendants,
Arthur T. Foster and George A. Stanton charging them with
having, on the 29th day of December 1892 at the City of
New York, published and procured to be published a libel
upon Henry B. Beecher, Henry Ward Beecher, John W. Taylor,
Vincent R. Schwack and William D. Midgley. Issue of fact
has been joined on said indictment by said defendants
pleading thereto not guilty.

3 I have, in conversation with the defendant, Stanton,
gone carefully over the facts of the case, and have inves-
tigated the facts from other sources and by other means.
Said Stanton has, as I verily believe, fully and fairly
stated the facts to me. After such statement and investi-

gation, I verily believe, and have advised said Stanton that John J. Jackson, John P. Ayers, G. Everett Reardon and William H. Jones are persons whose testimony is material to the defense of this action. Said witnesses all reside in the City of Baltimore, Maryland, as I am informed. Said John J. Jackson is the Secretary of the American Casualty Insurance and Security Company of Baltimore City; said John P. Ayers is an accountant of said City; said G.

- 4 Everett Reardon is a Commissioner in said City for the State of New York, and said William H. Jones is a Notary Public in said city, as I am informed and verily believe. I desire to show upon the trial of said defendants under said indictment, that the publication of the alleged libel set forth in the indictment, if it was in fact published by the defendants, was both justified and excused; that the matter therein charged as libellous is true and was published with good motives and for justifiable ends, and was honestly
- 5 made in the belief of its truth, and upon reasonable grounds for that belief. Facts, within the knowledge of the said Jackson, Ayers, Reardon and Jones, in my judgment, will be competent evidence to establish a part of such defenses, and are material and necessary to the establishment of such defenses. The facts which I desire and intend to establish in whole or in part by the testimony of said witnesses are the record of Schenck and Midgley mentioned in said indictment for veracity, which is one of the matters referred to in
- 6 said alleged libel. I desire also to show by said Jackson and Ayers, the dishonest methods pursued by Beecher, Midgley and Schenck in the management of the American Casualty

00899

3.

Insurance and Security Company of Baltimore City, also referred to in said indictment and therein alleged to have been the cause of the retirement of Mr. Benedict of the firm of Beecher, Schenck and Benedict, the general manager of said company. I desire also to show by said Jackson and Ayers, that there are a vast number of honest claims which the parties injured cannot collect, except by long tedious and expensive law suits as made against said company, or the parties when said company insured, and of which company Beecher, Schenck and Widdley are alleged in said alleged libel to be the general managers and which claims do not appear in the official statements of said company as a liability, which is also referred to in said alleged libel. I desire, therefore, that an order may be made that a commission issue to one or more persons at Baltimore, Maryland, authorizing them to examine said witnesses upon oath on interrogatories to be annexed thereto and to take and return the depositions of the witnesses according to the directions to be given with the Commission and pursuant to the provisions of the statute in such case made and provided.

Sworn to before me this :

*J. Henry Dwyer*10th day of February 1893 :

M. A. Potter
Notary Public
M. A. Leo

0900

Vol. 9 COURT OF GENERAL SESSIONS OF THE PEACE
OF THE CITY AND COUNTY OF NEW YORK.

-----x
The People of the State :
of New York, :
 :
-against- :
 :
Arthur T. Foster and George :
A. Stanton. :
 :
-----x
 :

City and County of New York, ss:

George A. Stanton being duly sworn deposes and says
as follows:

- 10 I am the defendant named in the indictment herein.
I have fully and fairly stated the facts of this case
to my attorney and counsel, T. Henry Dewey, whose office
address is No. 48 Wall Street in the City of New York.
After such statement I am advised by said Dewey, and verily
believe, that the testimony of John T. Jackson, John P.
Ayers, G. Everett Reardon and William M. Jones, all of
Baltimore in the State of Maryland, is material and neces-
sary to the defense upon the trial of such indictment. I
11 desire to prove, and believe that I can prove, by the tes-
timony of said Reardon and Jones, that Midgley, one of the
persons referred to in the alleged publication, has sworn
to statements made to the Insurance Departments of the
State of Maryland and the State of New York which are false.
I desire to show, and believe that I can show, by the testi-
mony of said Jackson and said Ayers, the dishonest methods
pursued by Beecher, Midgley and Schenck referred to in said

indictment, and as stated in the alleged libel set forth
 12 in said indictment, that there are a vast number of honest
 claims which the parties injured cannot recollect, except
 by long, tedious and expensive law suits as made against
 the company referred to in said in said indictment or the
 parties whom said company insured, which claims do not ap-
 pear in the official statements of said company as a liabil-
 ity. I therefore desire that an order be made that a Com-
 mission issue to one or more persons at Baltimore, Maryland,
 authorizing them, as Commissioners, to examine said wit-
 13 nesses under oath upon interrogatories to be annexed to the
 Commission and to take and return the deposition of the
 witnesses according to the directions to be given with the
 Commission pursuant to law.

Sworn to before me this :
 8th day of February 1893 :

M. A. Potter
 Notary Public
 W. S. Ho.

George A. Stanton

Fol.1. COURT OF GENERAL SESSIONS OF THE PEACE
OF THE CITY AND COUNTY OF NEW YORK.

----- x
THE PEOPLE OF THE STATE :
OF NEW YORK, :
 :
-against- :
 :
Arthur T. Foster and George :
A. Stanton. :
 :
----- x

City and County of New York, ss:

Eugene Prayer being duly sworn deposes and says
as follows:

2. I am an attorney and counsellor-at-law, having an office at No. 52 William Street in the City of New York. I have been retained as counsel for the defendants in this action, and the matter of obtaining the testimony necessary to be obtained from other States by Commission has been placed in my hands by the defendants and their attorney T. Henry Dewey. In the course of the preparation of interrogatories to be annexed to the Commission asked for in the annexed notice of motion herein dated February
3. 10th, 1893, I have discovered that to obtain a part of the information which it is necessary for the defendants to obtain for the purpose of establishing their defense upon the trial and which we had expected to obtain from the examination of John J. Jackson, the Secretary of the American Casualty Insurance and Security Company of Baltimore City, it will be necessary to examine also John W. ^{at Baltimore} Pulis, the Assistant Secretary of said company, as to a portion of the facts. I therefore without waiting to

0903

2

4. obtain the formal affidavit of the defendant and thus delaying the granting of the order for such Commission ask, on behalf of the defendant, that the name of said John W. Pulis be included in the order and Commission as one of the witnesses to be examined on behalf of the defendant, in addition to the witnesses named in said notice of motion.

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

Eugene Frayer.

John E. Irwin
Notary Public.

County General Sessions
 N.Y. City and County

The People of the
 State of New York

-against-

Arthur T. Foster and
 George A. Stantoni

(Court)
 Affidavits, Notice and
 Order for Commission

J. Henry Dewey
 Dep't. Atty.
 48 Wall St.
 N.Y. City

0905

Grand Jury Room.

PEOPLE

vs.

Arthur G. Parker

John C. Stanton

Mr. [illegible]

Stanton & Co.

By [illegible]

for [illegible]

of [illegible]

0906

Sec. 568.

District Police Court.

Undertaking to Answer.

CITY AND COUNTY }
OF NEW YORK, }

An order having been made on the 6th day of January 1893 by
Thomas F. Brady Police Justice of the City of New York, that
Arthur J. Foster be held to answer upon a charge of

Libel

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

WE, Arthur J. Foster

Defendant

of No. 265BrooklynStreet, Occupation Insurance

; and

Occupation Vice President Surety, hereby undertake jointly and severally

that the above-named Arthur J. Foster shall appear and answer the charge
 above-mentioned, in whatever Court it may be prosecuted; and shall at all times render h^{is} self amenable
 to the orders and process of the Court; and if convicted, shall appear for judgment, and render h^{is} self 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 Five Hundred Dollars.

Taken and acknowledged before me this

day of

6thJanuary1893Arthur J. Foster
William Foster
Police Justice.

0907

City and County of New York, ss:

day of
1891
Police Justice

Sworn to before me this

6th

Murman Foster

the within-named Bail and Surety, being duly sworn, says, that he is a resident and
holder within the said County and State, and is worth Twenty 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 The one hundred shares

of stock of the Western Union Company
valued at Ten thousand dollars
William Foster

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Undertaking to Answer.

vs.

Taken the day of 1891

Justice.

Filed day of 1891

0908

GOFF & POLLOCK,
COUNSELORS-AT-LAW.

JOHN W. GOFF.
FRANCIS W. POLLOCK.

Times Building, 41 Park Row,

New York, Dec. 21st 1893.

Hon. Vernon M. Davis.

My Dear Sir:

I have seen the parties
in reference to the libel matter. Please do not
do anything for the present. The probabilities are
that an amicable understanding will be arrived at,
and that soon.

Your thoughtfulness in the matter is very
much appreciated.

Very Truly Yours,

John W. Goff

0909

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

SS:-

Samuel G. Sheldon, being duly sworn, deposes and says, that there is a detective sergeant of Police attached to the Central Office of New York City. That in company with his brother officer, John Heard, also a detective sergeant, he received on the fourth day of January, 1893, from the Hon. Thomas F. Grady, a Police Justice of the City of New York, a warrant for criminal libel against George A. Stanton and others. That he has on several occasions visited Stanton's office, No. 155 Broadway, New York, and also his residence, No. 270 Henry Street, Brooklyn, and also several places where said Stanton had daily frequented. That he and his said brother officer have made diligent search in every known and possible place where said Stanton was likely to be found, and that they have failed to find the said Stanton and to arrest him on said warrant. That deponent has been informed at said Stanton's house by members of his family that he had left and gone to Philadelphia, and that from various other sources and from all the various circumstances surrounding the case, and the proceedings before the Police Justice, deponent has been informed and he verily believes that said Stanton has left this State for the purposes of avoiding arrest, and that with the knowledge that such warrant had been issued against him he evaded its service and is now a fugitive from justice. Sworn to before me this 9th day of January, 1893.

W. T. McMahon
Police Justice

Samuel G. Sheldon

09 10

1428

COUNTY OF NEW YORK, ss.:

In the Name of the People of the State of New York, To any Sheriff, Constable,

Marshal or Policeman in this State, GREETING:

An indictment having been found on the 13th day of January
1893, in the Court of General Sessions of the Peace of the County of
New York, charging George A. Stanton

with the crime of Publishing a Libel

You are therefore Commanded forthwith to arrest the above named George A. Stanton and bring him before that Court to answer the indictment; or if the Court have adjourned for the term, that you deliver him into the custody of the Keeper of the City Prison of the City of New York, or if he require it, that you take him before any Magistrate in that County, or in the County in which you arrest him, that he may give bail to answer the indictment.

City of New York, the 13th day of January 1893

By order of the Court,

John F. Carroll
Clerk of Court.

0911

New York General Sessions of the Peace.

THE PEOPLE
OF THE STATE OF NEW YORK,
against

George A. Stanton

BENCH WARRANT FOR MISDEMEANOR.

Issued *January 13th* 1893

.....129
TO
arrested
Committed to
.....

☒ The defendant is to be admitted to bail
in the sum ofdollars.

09 12

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

----- x
The People of the State of
New York,

-against-

Arthur T. Foster and George
A. Stanton.
----- x

DeLaney Nicholl, Esq.,
District Attorney.

TAKE NOTICE that upon the affidavit of George A.
Stanton verified herein March ^{4th} 1893, and the affidavit
of *Eugen Drayer* - verified herein March ^{6th} 1893,
copies of which are herewith served upon you, and upon the
indictment herein, ^{in Part III} we shall move this Court at a Term
thereof to be held at the Court House, No. 32 Chambers
Street in the City of New York on the ^{10th} day of March,
1893 at 11 o'clock A. M. for an order directing that a
Commission issue in this action directed to some suitable
and proper person at Boston in the State of Massachusetts
as Commissioner, authorizing him to examine upon oath on
interrogatories to be annexed to such Commission, George S.
Merrill, Albert E. Pillsbury, George A. Marden, John C.
Paige, Samuel Hoar, M. F. Dickinson, William E. Sprout,
Robert F. Herrick and Philip R. Rust as witnesses on be-
half of the defendants and to take and return the depositions
of such witnesses according to the directions to be given
with the Commission and pursuant to law, and for a stay
of the trial of the indictment for a time to be specified
in such order reasonably sufficient for the execution and

09 13

return of the Commission and for such further and additional or other relief as to the Court may seem just and proper.

Dated New York, March 6th, 1893.

T. Henry Dewey,

Atty. for Defts.

Fol.1. COURT OF GENERAL SESSIONS OF THE PEACE
OF THE CITY AND COUNTY OF NEW YORK.

----- x
The People of the State of :
New York, :
 :
-against- :
 :
Arthur T. Foster and George :
A. Stanton. :
 :
----- x

City and County of New York,ss:

George A. Stanton being duly sworn deposes and says
as follows:

2 I am one of the defendants in this action. This
action is upon an indictment charging the defendants with
the publication of a libel upon Henry B. Beecher, Henry
Ward Beecher, John W. Taylor, Vincent R. Schenck and Wil-
liam E. Midgley, alleged to be co-partners carrying on
business under the firm name and style of Beecher, Schenck
& Company. Said indictment was filed, as I am informed
and believe, on or about January 13th, 1893, and an issue
of fact has been joined thereon by the defendants appear-
3 ing and entering a plea of not guilty. The action has not
yet been tried.

The alleged libel, as set forth in the indictment,
among other things asks the following questions;

1. Do you know these men well and their record?
2. Do you know the record of Schenck and Midgley of
this firm for veracity, and are you acquainted with their
general business reputation.
5. Are you aware of the retirement of Mr. Benedict from

4 the firm of Beecher, Schenck & Benedict, because as an honorable man he would not be a party to the dishonest methods pursued by Beecher, Midgley and Schenck in the management of the American Casualty ^{and} Security Insurance Company of
Y Baltimore of which company said firm were general managers.

6. Are you aware of the vast number of honest claims which the parties injured cannot collect, except by long, tedious and expensive law suits as made against the above company, or the parties whom said company insured, and of
5 which casualty company Beecher, Schenck & Midgley are now general managers and which claims do not appear in the official statements of said company as a liability.

I have fully and fairly stated the facts of this case and of my proposed defense therein to my attorney and counsel, Mr. T. Henry Dewey, whose office address is No. 48 Wall Street in the City of New York, and after such statement I am advised by said Dewey, and verily believe, that the testimony of George S. Merrill, Albert E. Pillsbury, George A. Narden, John C. Paige, Samuel Hoar, Robert
6 F. Herrick, Philip R. Rust, M. F. Dickinson and William B. Sprout, is material and necessary to the defense of this action. Said witnesses, as I am informed, all reside without the State of New York and in or near Boston, Massachusetts and have their offices for the transaction of business in Boston.

I am informed that said George S. Merrill is and has been since early in the year 1889, Insurance Commissioner
7 of the Commonwealth of Massachusetts; that the laws of Massachusetts in 1889 provided that no company authorized

to transact business in that Commonwealth should insure in a single hazard a larger sum than one tenth of its net assets, and that any insurance company that should insure upon a single risk a larger amount than the law permits should be punished by a fine of \$500.; that it appeared from the annual statements of the American Steam Boiler Insurance Company of New York to the Insurance Department of the Commonwealth of Massachusetts for the year ending December 31st, 1887, that the net assets of the company were \$851,006., and according to the like statement for the year ending December 31st, 1888, the assets were \$864,628; that subsequent to the receipt of the last mentioned statement, said Merrill, as Insurance Commissioner of the Commonwealth of Massachusetts, addressed to said American Steam Boiler Insurance Company a letter inquiring as to the largest amount which that company had at risk in any one hazard, and in reply said company, over the signature of William E. Midgley, Vice-President thereof, stated that the largest amount was \$50,000; that said William E. Midgley is the same person of that name mentioned in said indictment and was, at the time of the writing of said letter, Vice-President and practically in control of said American Steam Boiler Insurance Company; that after the receipt of that letter, said Merrill, as Insurance Commissioner as aforesaid, ascertained, and said American Steam Boiler Insurance Company admitted, that it had at the time said letter was written \$100,000 at risk in a single hazard covering the plant of the Boston Heating Company at Boston, Massachusetts; that thereupon said Merrill, as Insurance Commissioner as aforesaid, placed the facts before the At-

- torney General of the Commonwealth of Massachusetts for his action thereon pursuant to law in a letter written and dated March 25th, 1889, setting forth the facts and the law; ^{that} upon, such proceedings were taken by the Attorney General of Massachusetts; that a fine of \$500. was imposed upon the said American Steam Boiler Insurance Company for violation of the law in insuring in a single hazard the said Boston Heating Company's plant for more than ten percent. of the net assets of the company, and that such fine was paid by said company on or before the 5th day of April, 1889; that said George S. Merrill is personally acquainted with the facts, and is in possession of the correspondence received by him as such Commissioner relating thereto and of copies of the correspondence written by him or under his direction from his office in relation thereto; that Albert E. Pillsbury is the Attorney General of Massachusetts and the keeper of the books and records of the Attorney General's office which will show the proceedings taken for the imposition of said fine and its payment and collection, and that said fine was turned into the Treasury of the Commonwealth of Massachusetts on or about April 9th, 1889, and that there is on file and of record in his office the letter above mentioned from the Insurance Commissioner to the Attorney General of the Commonwealth of Massachusetts dated March 25th, 1889, upon which proceedings for the imposition of said fine were taken; that George A. Marden is the Treasurer and Receiver General of the Commonwealth of Massachusetts, and the keeper
- 11
- 12
- 13

of the books and records of the office of such Treasurer and Receiver General and in possession of the records which will show the receipt by that office of the fine
14 paid by said American Steam Boiler Insurance Company, a sum paid for a violation of the law aforesaid. I desire to show by the testimony of the above named Merrill, Pillsbury and Harden, the facts above set forth, and all the facts connected therewith as a part of the record of said Schenck and Midgley, referred to in said indictment, and the alleged libel set forth therein.

I am also informed, and verily believe, that John C. Paige is the general agent or general manager for the
15 Commonwealth of Massachusetts and New England, of the said American Casualty Insurance and Security Company of Baltimore City, the company referred to but inaccurately described in said indictment as the American Casualty and Security Insurance Company of Baltimore, and he is, or should be personally familiar with the facts relating to the business of that company in Massachusetts and New England; that policies have been issued to the Boston and Albany Railroad Company; the West End Street Railway Company of
16 Boston; the Boston and Maine Railroad Company; the Old Colony Railroad Company, besides many other policy holders in that territory; that there are a vast number of claims as made against said company or the parties whom said company insured which the parties injured could not collect except by long, tedious and expensive law suits, and which claims do not appear in the official statements of said company as liabilities; of all which said Paige is or should be personally cognizant; that among such claims

- 17 there were, on December 31st, 1891, upwards of thirty against the Boston and Albany Railroad Company upon liabilities covered by the policy issued by said insurance company to that railroad for amounts aggregating upwards of \$250,000, and more than a hundred against the said West End Street Railway Company for amounts aggregating upwards of \$650,000; while the total amount of the liabilities of said company for its total gross amount of claims for losses, is stated in its annual report to the Insurance
- 18 Commissioner of the State of Maryland, in which said company is incorporated, for the year ending December 31st, 1891, to be on that date only \$87,586.89 on a business covering not only Massachusetts and New England, but practically the entire United States, and including not only the said railroads, but many other persons, firms and corporations as policy holders in Massachusetts, besides a large number of railroads, individuals, firms and corporations in other States, including among many others, the East Cleveland
- 19 Railroad Company and the Broadway and Newburgh Street Railroad Company of Cleveland, Ohio; The Toledo Consolidated Street Railway Company of Toledo, Ohio; the St. Paul City Railway Company; the Minneapolis Street Railway Company and the Twin City Rapid Transit Company of St. Paul and Minneapolis, Minnesota; the North Chicago Street Railroad Company, and the West Chicago Street Railroad Company of Chicago, Illinois; the Central Railway Company of Peoria Illinois; the Long Island Railroad Company, the Second
- 20 Avenue Railroad Company, the Central Crosstown Railroad Company and the North and East River Railroad Company in New

York; The Newark Passenger Railway Company of Newark, New Jersey; The Birmingham Railway and Electric Company of Birmingham, Alabama. The Omnibus Cable Company, The California Street Cable Railway Company, and the Ferris and Cliff House Railway Company of San Francisco, California and many others, against whom there were, as I am informed and believe, on December 31st, 1891, claims aggregating millions of dollars covered by the policies of said American Casualty Insurance and Security Company of Baltimore City which could not have been included in said total of \$17,586.89 of total gross amount of claims for losses.

I am informed that suits pending against the Boston and Albany Railroad Company above mentioned were resisted and defended on behalf of the said insurance company, by its attorney, Samuel Hoar above mentioned, and that the suits upon the claims against the West End Street Railway Company were and are defended by H. F. Dickinson and William B. Sprout above mentioned. I am also informed that it is the settled policy of the said company to resist the payment of all claims made upon its policy holders, regardless of the merits of the claim, and that it has instructed its agents and attorneys to make such resistance. I am informed that Robert F. Herrick and Philip R. Rust are attorneys for the said American Casualty Insurance and Security Company of Baltimore City, in charge of the defense of claims and suits made against said company and its policy holders in and about Boston and Massachusetts other than the railroads.

8.

I am informed that Solomon Lincoln of Boston, Massachusetts, is the attorney for said American Casualty Insurance and Security Company of Baltimore City in charge on behalf of said company of the defense of suits brought against said Boston and Maine Railroad Company upon claims covered by the policies of said insurance company, and that J. H. Benton, Jr., of Boston, Massachusetts, is the attorney for said Insurance Company in charge on behalf of said company of suits brought against said Old Colony Railroad Company upon claims covered by policies issued by said Insurance Company to said railroad company.

I desire to show, and believe that I can show, by the testimony of the witnesses above named, the facts hereinabove briefly stated, and the particular claims pending against said company and its policy holders on December 31st, 1891, and on June 30th, 1892, which were resisted by said company, and which the persons injured cannot collect, except by long, tedious and expensive litigation; that among such claims were many honest claims, and that such claims, within the personal knowledge of the said Paige, Herrick, Rust, Dickinson, Sprout, Hoar, Lincoln and Benton, amounted on December 31st, 1891 and June 30th, 1892, to more than ten times the entire amount of all claims for losses which appear as liabilities in the official statements of said company for the year ending December 31st, 1891, and the six months ending June 30th, 1892.

I therefore desire that a Commission may be issued out of this Court in this action as provided by Chap. 4 of the Code of Criminal Procedure of this State to examine

0922

and take the testimony of the said George S. Merrill,
Albert E. Pillsbury, George A. Hadden, John C. Paige,
Samuel Hoar, M. F. Dickinson, W. B. Sprout, Philip S. Rust,
Robert F. Herrick, Solomon Lincoln and J. H. Benton, Jr.,
for the purpose of proving the facts hereinabove referred
to, and such other facts as they may know material to the
defense of this action and that a stay of the trial upon
said indictment may be granted for such reasonable time
as to the Court may seem sufficient and proper for the ex-
ecution and return of the Commission.

Sworn to before me this:

4th day of March, 1893;

George A. Stanton

M. A. Potter
Notary Public
N.Y. Co.

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

----- x
The People of the State of
New York,
-against-
Arthur T. Foster and George
A. Stanton.
----- x

Eugene Prayer being duly sworn deposes and says
as follows:

I am an attorney and counsellor at Law having an
office at No. 52 William Street in the City of New York.
I am retained as one of the counsel for the defendants in
this action. I have read the affidavit of George A.
Stanton hereto attached verified herein March ^{4th} 1893,
I am familiar with the facts therein set forth, and am in-
formed and believe that they are true. I have a copy of
the letter of George S. Merrill, Insurance Commissioner of
Massachusetts dated March 25th, 1889, therein referred to,
and a certificate of the Treasurer and Receiver General
of the Commonwealth of Massachusetts that a fine of \$500.
referred to in said affidavit was paid as a penalty for
the offence therein set forth. I have caused investiga-
tion to be made into the facts briefly summarized in
said affidavit, and after such investigation, am informed
and verily believe the statements of said affidavit to be
true. I have in my possession a lists of suits pending
against most of the policy holders of the American Casualty
Insurance and Security Company of Baltimore City, mentioned

in said affidavit brought during the continuance of the policies issued by said company to them, nearly all of which are, according to my information and belief, upon claims and liabilities insured against in the policies issued by that company to said policy holders. The lists of such suits which I have include, to the best of my information and belief, from 750 to 1,000 suits upon liabilities so insured against, and the amounts claimed therein average from \$6,000 to \$10,000 each, or even more. I am further informed that in many of such cases judgments have been recovered by the plaintiffs since December 31st, 1891 and June 30th, 1892, and in some cases two or more verdicts have already been rendered in favor of the plaintiff, but the payment of the claims is still resisted and settlement refused. From information in my possession, I verily believe that the liabilities of said company as stated in its statements to the Insurance Commissioners and Insurance Departments of the several states for the year ending December 31st, 1891 and June 30th, 1892, did not include the one fiftieth part of the claims made against said company, and the parties whom it has insured upon liabilities covered by the policies of that company; and I consider it material and necessary for the defendants in establishing their defense to prove the facts briefly summarized in said Stanton's affidavit, and the Commission to Boston now asked for is advised and asked for in good faith for the purpose of obtaining testimony believed to be material and necessary to the defense and of using such tes-

timony upon the trial in establishing such defense.

Sworn to before me this : Eugene Frayer.
6th day of March, 1893 :

Jno. E. Brown
Notary Public,
Hemp Co
(Cert. filed in N.Y. Co.)

NY General Sessions Court.

The People of the State
of New York

Plaintiff

against

Arthur J. Foster and
George A. Stanton

Defendant

Affidavit and
notice of motion

WARNER & FRAYER,

Attorneys for Defendants

52 WILLIAM STREET.

NEW YORK CITY.

To Deane Picoll Esq.,
Attorney for District Attorney

Proving timely service of a copy of the within

is hereby admitted.

Dated March 6th 1893
Deane Picoll
Atty. for D.A.

C. B. MERWIN, PRINTER, 218 FULTON ST., N. Y.

COURT OF GENERAL SESSIONS OF THE PEACE
Of the City and County of New York

-----x
The People of the State of New York
Against

Arthur T. Foster
and George A. Stanton

-----x
THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK,
by this indictment accuse Arthur T. Foster and George
A. Stanton of the crime of publishing a libel, committed
as follows:

The said Arthur T. Foster and George A. Stanton,
both late of the City of New York, in the County of New
York aforesaid, on the 29th day of December, in the
year of our Lord one thousand eight hundred and ninety-two
at the City and County aforesaid, being persons of envious,
evil and wicked minds, and of ~~the~~ most malicious dispo-
sitions, and wickedly, maliciously and unlawfully minding,
contriving and intending, as much as in them lay, to injure,
oppress, agrieve and vilify, the good name, fame, credit
and reputation of Henry B. Beecher, Henry Ward Beecher,
John W. Taylor, Vincent R. Schenck and William E. Midgley,
who were then and there copartners carrying on business
then and there in and by the firm, name and style of
Beecher, Schenck and Company, and who as such copartners
and so constituting the said copartnership ^{were} then and there
the general managers and attorneys in fact of a certain
voluntary association of individual underwriters of insu-

(2)

rance known as the Assurance Lloyds of America, duly appointed and constituted to transact as such general managers and attorneys in fact all the business of insurance of the said Assurance Lloyds of America, such voluntary association as aforesaid, and to bring the said Henry B. Beecher, Henry Ward Beecher, John W. Taylor, Vincent R. Schenck and William E. Midgley into public scandal, contempt, obliquy and disgrace and to injure them in their said business, unlawfully and maliciously did publish and cause and procure to be published, by then and there sending the same, and causing the same to be sent to and received by one W. W. Flanagan, and to divers others persons to the Grand Jury aforesaid unknown, a certain false, malicious scandalous and defamatory libel of and concerning the said Henry B. Beecher, Henry Ward Beecher, John W. Taylor, Vincent R. Schenck and William E. Midgley, and of and concerning their said copartnership and their business, the same being a malicious publication by printing, in the form of a printed circular addressed as follows, to wit: "To the subscribers to the 'Beecher, Schenck & Co.' Lloyds" (meaning the subscribers of the said voluntary association of which the said copartners were then and there the managers and attorneys in fact as aforesaid) which said false, scandalous, malicious and defamatory libel is as follows, that is to say:

(3)

"You are quoted as being a subscriber to a Lloyds' to be managed by Beecher, Schenck & Co. Allow me to make the following queries:

1. Do you know these men well and their record?
2. Do you know the record of Schenck and Midgley (of this firm) for veracity, and are you acquainted with their general business reputation?
3. Do you know how the American Steam Boiler Company of New York, of which these men were officers, has either failed or retired from business, and how it is stated that the shareholders will receive less than \$50 per share on shares which cost the holders \$200; namely par and a surplus paid in?
4. Are you aware how false statements in previous years have been made to the Insurance Department of this State as to the financial condition of this company by its officers Schenck and Midgley?
5. Are you aware of the retirement of Mr. Benedict from the firm of Beecher, Schenck & Benedict, because as an honorable man he would not be a party to the dishonest methods pursued by Beecher, Midgley and Schenck in the management of the American Casualty & Security Insurance Company of Baltimore, of which company said firm were general managers?
6. Are you aware of the vast number of honest claims which the parties injured cannot collect except by long, tedious and expensive law suits, as made against

(4)

the above company or the parties whom said company insured, and of which Casualty Company Beecher, Schenck and Midgley are now general managers, and which claims do not appear in the official statements of said company as a liability?

7. Examine into this particularly: The North Rive Bank of this city failed in 1890; in December, 1890, by the official statement filed in the New York Insurance Department, the officers of the American Steam Boiler Insurance Company, of which Schenck and Midgley were officers, showed that the company were not shareholders in said bank. Kindly examine the "Insurance Reports" of the same Insurance Department, showing the condition of this same company as of December 1891, and published in 1892, and you will observe that they held as an asset \$12,000 of the shares of this bank, the value of which was stated to be \$18,000. Were these shares not possessed by this company in December 1890, and other securities put in their place, so as to make an acceptable statement to the public, or will you be asked to believe that the officers actually purchased during the year 1891 \$12,000 of the shares of this insolvent bank and paid therefor \$18,000, remembering that the bank failed in November, 1890, and was in the hands of a receiver?

8. If these facts as stated in query 7 are not true, why are Schenck and Midgley doing everything within their power at the present time to buy up the shares of

(5)

this Steam Boiler Company, offering privately therefor \$100 per share while it is conceded that the value of its shares are less than \$50, unless it is for the reason that certain shareholders have threatened to bring these facts before the Courts and have the officers indicted by the Grand Jury?

Some further idea of their methods can be gained by your carefully reading the enclosed "legal papers"

Under such circumstances can you, as an upright and honorable man, afford to be allied with such parties and allow them to act as your attorney, and in your name and with your authority bind you on contracts of indemnity, and not see what the results will be to you?

Investigate all the facts as above stated, making your investigations outside of their "charmed circle", and after you have completed them you will thank the undersigned for giving you this timely warning. Act promptly, and retire if you find any or all of these facts to be as stated.

ONE WHO KNOWS."

which said publication exposed the said Henry B. Beecher, Henry Ward Beecher, John W. Taylor, Vincent R. Schenck and William E. Midgley to hatred, contempt and obloquy, and tended to cause them to be shunned and avoided, and had a tendency to injure them in their said business; to the great damage of the said Henry B. Beecher, Henry Ward Beecher, John W. Taylor, Vincent R. Schenck and William E. Midgley,

0932

(6)

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

0933

BOX:

508

FOLDER:

4635

DESCRIPTION:

Francis, Walter

DATE:

01/11/93



4635

Witnesses:

Gertrude Simmons

George

John Wagner

413 W 38th

Michael Quinn

Car of 38" & 9 ft

& affixes

Walter Ch. Bay

123

Counsel,

Filed *11* day of *Aug* 1893

Pleads, *Not Guilty*

THE PEOPLE

vs.

F

Walter Francis

DE LANCEY NICOLL,

District Attorney.

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

A TRUE BILL.

J. Cathin
Foreman.
Aug 18 93

Heads & hands & side

4.43.6. Mrs. J.P.

Aug 20 93

no

0935

Police Court—2 District.City and County { ss.:
of New York,of No. 420 West 32nd Street, aged 17 years,occupation Washing and Ironing being duly sworndeposes and says, that on the 3rd day of December 1888 at the City of New

York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Walter Francis

Lawrence, who did wilfully
cut and stab in the left hip
and left thigh with the blade
of a pen knife the defendant
held in his hand and said
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 the 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 3rd dayof January 1888Gertrude SimonsJohn J. Ryan Police Justice.

0936

Sec. 198-200.

1882
District Police Court.

City and County of New York, ss:

Walter Francis 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.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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
Walter A Francis

Taken before me this

day of *April* 189*7*

[Signature]
Police Justice.

0937

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 Deushan

Deushan 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 1 189 John A. Ryan Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

0938

Police Court---

District. ²⁷

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Gertrude Spindus
Walter Francis

1 _____

2 _____

3 _____

4 _____

Offense

John A. Ward

Dated, *Aug 27* 189 *3*

Magistrate.

Officer.

Precinct. *19*

Witnesses _____

No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ *10* to answer *98*

Com.

Ward

BAILED.

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

0940

District Attorney's Office,
CITY AND COUNTY OF NEW YORK.

19
OCT 4 1893

CAPTAIN OR OFFICER IN COMMAND.

Dear Sir:

I desire to see Officer Fanning at
Sullivan attached to your command in
June 1903 in relation to the case of
Walter Francis
sentenced June 20, 03 to 4
years and 6 months imprisonment by
Reverend Smith.

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.

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Walter Francis

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

Walter Francis

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

The said

Walter Francis

late of the City of New York, in the County of New York aforesaid, on the *thirty-first* day of *December* in the year of our Lord one thousand eight hundred and ninety-*two*, with force and arms, at the City and County aforesaid, in and upon the body of one *Gertrude Simons* in the peace of the said People then and there being, feloniously did make an assault, and *he* the said *Gertrude Simons* with a certain *knife*

which the said

in *his*

Walter Francis 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

he the said

Gertrude Simons

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

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

The said

Walter Francis

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 *Gertrude Simons* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and *he* the said *Gertrude Simons*

with a certain

knife

which the said

in *his*

Walter Francis 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

Walter Francis

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

The said

Walter Francis

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 *Bertrude* *Simons* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and *her* the said

with a certain *knife* *Bertrude Simons*

which— *he* the said *Walter Francis*

in *his* right hand then and there had and held, in and upon the *hip and thigh* of *her* the said

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

Bertrude Simons
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.

0943

BOX:

508

FOLDER:

4635

DESCRIPTION:

Frank, Charles

DATE:

01/03/93



4635

Witnesses:

Leada V. Kahn

Officer Bush

Melle Carlson
Brietta
578 West 40th

C. Shuler

Brietta
448-11th

Leafor Gambel
and for appen

Franklin
Ch. - Brietta
Carnegie
Hos. - 5M

(13)

Counsel,
Filed

day of Jan 1893

Pleas,

THE PEOPLE

vs.

Charles Frank

Grand Larceny, second Degree,
[Sections 828, 831, Penal Code.]
(Brietta and Service)

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

Foreman.

Jan 3/93
H. J. 2nd
L. J. 2nd
C. J. 2nd
J. J. 2nd
J. J. 2nd

0945

Police Court 2nd District.

Affidavit—Larceny.

City and County }
of New York, } ss:

Idine Cahn
of No. 456-9-Avenue Street, aged 28 years,
occupation Butcher being duly sworn,
deposes and says, that on the 10 day of December 1892 at the City of
New York, in the County of New York, was feloniously taken, stolen and carried away
from the possession of deponent, in the day time, the following property, viz:

A quantity of Meat of the
Amount and value of thirty
dollars, and seventy eight cents.

(\$ 30 ⁷⁸/₁₀₀)

the property of Louis and Cahn and in
deponents care and custody.

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 Charles Frank (now here)
from the following facts to wit: that said
defendants was in the employ of deponent
as Saleoman - and by virtue of said employment
on the 26th day of October 1892 - he informed
deponent that he had received an Order from
the Paulist Fathers. at 59th Street and 9th Avenue,
to supply them with Meats - and that deponent
relying on the representations of defendant did
then and there give him the amount of Meat
mentioned in the bill hereto annexed under
date of October 26-92 - and that on the aforesaid
date deponent still relying on the representations
of said defendant, did then and there give
the aforesaid property, to the defendant to be

be delivered to the Paulist Fathers and that
 deponent is informed by John Hoey who is
 Book-keeper for said Paulist Fathers - that
 no contract or order for Meats was made by
 said Paulist Fathers with said defendant
 and that no Meats was received or delivered
 to said Paulist Fathers by said defendant
 and that the representation made by the defendant
 to deponent was false - and was made for the
 purpose of deceiving and defrauding - deponent
 therefore charges the defendant with having
 committed a Larceny and asks that he may
 be held and dealt with as the Law may direct

Done to before me this } Richard J. ...
 23 day of December 1892 }
 A. J. ...
 Police Justice

0947

CITY AND COUNTY }
OF NEW YORK, } ss.

John Hoer
aged _____ years, occupation Book-keeper of No.

415 West 59th Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of William Cahn

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

Sworn to before me, this 23
day of December 1890 } John Hocy

A. J. [Signature]
Police Justice.

0948

Sec. 198, 200.

District Police Court.

City and County of New York, ss:

Charles Frank

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.

Charles Frank

Question. How old are you?

Answer.

29 years

Question. Where were you born?

Answer.

Germany

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

Answer.

47 West 36 St - 8 Months

Question. What is your business or profession?

Answer.

Butcher

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

Charles Frank

Taken before me this

day of *September* 189*8*

Police Justice.

0949

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 Myndant

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of Four 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, Decemr 23 189 [Signature] Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

0950

1625

Police Court---(254) District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Edna Capn
7456 22 ave
Charles Frank

BAILED,

No. 1, by.....

Residence..... Street.

No. 2, by.....

Residence..... Street.

No. 3, by.....

Residence..... Street.

No. 4, by.....

Residence..... Street.

2.....
3.....
4.....

Dated *Dec 23* 189 *2*

White Magistrate.
Becker & Delany Officer.

0 Precinct.

Witnesses *John Doe*
No. *415 W 59* Street.

No. Street.

No. Street.

\$ *50.00* to answer

Dec 28/23

gk
Trick & Davis

0951

New York. 188
 Mr. Paulist - Father 59th St 9th Ave

Bought of **EUGENE L. LOUIS,**

Meat, Poultry, Game, &c.,

456 NINTH AVENUE,

BRANCH OF 403 SEVENTH AVE.

HOTELS AND RESTAURANTS SUPPLIED.

Oct	26	109	kils Loins		19 62
Nov	"	181 1/2	-		32 67
Dec	3	28 1/2	Ham	4 22	
		125	Loins kils	22 50	26 78
	10	17	-		30 78
					<hr/>
					\$ 109.85

0952

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, ² DISTRICT.

Sherron Beeley
of No. *20 Precinct* Police Street, aged _____ years,
occupation *Police Officer* being duly sworn deposes and says,
that on the *21* day of *December* 188*9*

at the City of New York, in the County of New York,

he arrested
Charles Frank (now here) on the Complaint of
Sidney Cohn charging said Frank with
having committed a Larceny. Deponent
therefore asks that said Frank may
be held to enable deponent to procure
further evidence

Theo. Beeley

Subscribed before me, this

of [Signature]

188

day

[Signature]
Police Justice.

0953

Police Court, ²~~(254)~~ District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Charles Grant vs.

AFFIDAVIT.

Dated

Dec 22 188*9*

White

Magistrate.

Perly & Delany

Officer.

Witness,

20

Disposition,

By Dec 23. 90

0954

505

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Charles Frank

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

Charles Frank

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

The said

Charles Frank

late of the City of New York, in the County of New York aforesaid, on the *10th*
day of *December* in the year of our Lord one thousand eight hundred and
ninety-*two*, at the City and County aforesaid, with force and arms,

*one hundred and seventy one
pounds of meat of the value
of eighteen cents each pound*

of the goods, chattels and personal property of one

Isidore Kahn

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.

*De Lancey Nicoll,
District Attorney*

0955

BOX:

508

FOLDER:

4635

DESCRIPTION:

Frost, Hiram

DATE:

01/12/93



4635

Witnesses:

Simon Misen

Officer W. Mammus

(101)

Counsel,

Filed

day of

Pleads,

THE PEOPLE

vs.

Hiram Frost

July 20 1893

Ordn. & requested

Dr LANCEY NICOLL,

District Attorney.

A TRUE BILL.

J. Cathin

Foreman.

Part III Jan 30 1893

Part I

Sub by order of Court Feb 16

Set 20

[Section 498, of the Code of Criminal Procedure, Chapter 10, Title 1, of the Laws of the State of New York, relating to the Trial of Juries, and to the Trial of Cases in the Third Degree.]

0957

Police Court—1st District.City and County { ss.:
of New York,of No. 1090- 2nd Avenue Street, aged 30 years,
occupation Jeweller being duly sworndeposes and says, that the premises No. 1090- 2nd Ave Street, 19th Wardin the City and County aforesaid the said being a five story tenement
one half of the ground floor of
and which was occupied by deponent as a Jewellery store
~~and which was occupied by deponent as a Jewellery store~~were BURGLARIOUSLY entered by means of forcibly breaking open
a door leading into said storeon the 12th day of December 1883 in the day time, and the
following property feloniously taken, stolen, and carried away, viz:A quantity of jewelry
valued at Six hundred
dollars12\$ 600.00the 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 byAdrian Frost (name here)
for the reasons following, to wit: at the hour of twelve
o'clock, mid-day on said day deponent
securely locked and fastened the
doors and windows of said store
the said jewelry being in the show-
window in said store and deponent
having found the said door fast
open and said property missing
from said window he is informed

0958

by Detective Sergeant M. C. Mann
 that the M. C. Mann saw the defendants
 throw a paper basket into the street which
 paper basket the M. C. Mann subsequently
 recovered. Defendant has since
 seen the ring which said paper basket
 represented and identified said ring as
 being a portion of the property which
 was burglariously stolen and
 carried away. The defendant in the
 presence of Detective M. C. Mann and
 says admits to having the said
 paper basket.

Sworn to before me } S. Mieser
 this 29th day of November 1885

Thos. J. Gandy
 Police Justice

Dated 1885 _____
 guilty of the offence within mentioned, I order him to be discharged.
 Police Justice.

Dated 1885 _____
 There being no sufficient cause to believe the within named
 Police Justice.

I have admitted the above named
 to bail to answer by the undertaking hereto annexed.
 Dated 1885 _____
 Police Justice.

Dated 1885 _____
 of the City of New York, until he give such bail.
 and be committed to the Warden and Keeper of the City Prison
 Hundred Dollars.

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
 committed, and that there is sufficient cause to believe the within named
 It appearing to me by the within depositions and statements that the crime therein mentioned has been

Police Court, District.

THE PEOPLE, &c.,
 on the complaint of

Offence—BURGLARY.

ss.

1.
2.
3.
4.

Dated 1885 _____

Magistrate.

Officer.

Clerk.

Witness.

No. Street.

No. Street.

No. Street.

\$ to answer General Sessions.

0959

CITY AND COUNTY }
OF NEW YORK, } ss.

1021

aged

36

years,

occupation

Charles B. McManus
Detective, Police

of No.

30 Mulberry Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of

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

Sworn to before me, this

29

day

of

December 189

Charles B. McManus

W. H. Brady

Police Justice.

0960

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

aged 33 years, occupation Collector of No.

300 Mulberry Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of Simon Thiers

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

Sworn to before me, this

29

day

of

November 1892

Henry Lang

W. F. Brady

Police Justice.

0961

Sec. 198-200.

1882
District Police Court.

City and County of New York, ss:

Hiram Fross 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. *Hiram Fross*

Question. How old are you?

Answer. *27 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *235 W. 35th St. 3 months*

Question. What is your business or profession?

Answer. *Car 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. I deny the charges against me.*
Hiram Fross
made

Taken before me this

29

day of

December

1892

Police Justice.

0962

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 _____

Reginald
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, Jan 5 1893 189 3 _____ Police Justice.

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

Dated, Jan 5 1893 189 3 _____ 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.

096

Police Court---

29 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Samuel Hiser
1090 ~~1090~~ *1090* ~~1090~~ *1090*
Hiram Hiser

Dungray
Officer

BAILED,

No. 1, by

William Tait

Residence

1090 1090

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

2

3

4

Dated,

Dec 29

189

Magistrate.

W. H. Hanger

Officer.

P. O.

Precinct.

Witnesses

Officers

No.

John Keller

Street.

No.

81 Nassau

Street.

No.

\$

1000

to answer

G. D.

Street.

\$1000 to. Jan 1/93 P.M.

0964

483

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

THE PEOPLE OF THE STATE OF NEW YORK
against

Hiram Frost

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

Hiram Frost

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

The said

Hiram Frost

late of the *19th* Ward of the City of New York, in the County of New York aforesaid, on the
twelfth day of *December* in the year of our Lord one
thousand eight hundred and ninety-*two*, in the *day*-time of the same day, at the
Ward, City and County aforesaid, a certain building there situate, to wit, the *store* of
one

Simon Mueser

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 *Simon*
Mueser in the said *store*
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.

0965

SECOND COUNT—

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

Hiram Frost
of the CRIME OF *Grand LARCENY in the first degree*, committed as follows:
The said *Hiram Frost*

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

*nineteen watches of the value of
fifteen dollars each, eight finger
rings of the value of twenty-five
dollars each, one pair of earrings of the
value of fifty dollars, and sixty other finger
rings of the value of four dollars
each*

of the goods, chattels and personal property of one

in the

store of the said *Simon Mieser*

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

THIRD COUNT:

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

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

The said

Hiram Frost
~~late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year afore-~~
said, with force and arms, at the Ward, City and County aforesaid,

nineteen watches of the value of
fifteen dollars each, eight finger rings
of the value of twenty-five dollars
each, one pair of earrings of the
value of fifty dollars, and sixty
other finger-rings of the value
of four dollars each

of the goods, chattels and personal property of

Simon Mieser
by a certain person or persons to the Grand Jury aforesaid unknown, then lately before felon-
iously stolen from the said *Simon Mieser*

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

Hiram Frost
then and there well knowing the said goods, chattels and personal property to have been felon-
iously 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.

0967

BOX:

508

FOLDER:

4635

DESCRIPTION:

Fuller, George

DATE:

01/26/93



4635

copy 1000 9-11-98

Witnesses:

Robert Schell
Daniel Ames
Officer Frank

The Grand Jurors in
this case I would
advise you are the
Grand Jurors
I would the Company
others has asked
that the Company be
advised that I would
remain the Grand
Jurors

What I would
ask with you
Pl. 2 March 12th 98

27
J. B. Schumacher
Counsel,
Filed 26 day of Aug 1898

Pleads, Myself
THE PEOPLE,

vs.
George Fuller
B
Indemnity letter
[Section 539, Penal Code]

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

J. C. Catlin
Foreman.
Indemnity dismissed on
motion of D.A.
Mar 12 98 W. J. M. H.

0969

JOHN DELAHUNTY,
SANTIAGO P. CAHILL.

People vs George Fuller.

280 BROADWAY,

NEW YORK. March 29, 1885.

Robert Townsend, Esq.,

Dear Sir:-

I beg to acknowledge receipt of
your favor of the 28th inst. Mr. Robert
who
Schell, was the complainant in this case,
withdrew the complaint, and my recollection
is that he filed at the time a written paper
to that effect. Mr. Macdona had charge of
it.

If you do not find a withdrawal of the
complaint, I will prepare one and send it to
him for signature.

Yours very truly,

John Delahanty

JOHN DELAHUNTY,
COUNSELLOR AT LAW,
280 BROADWAY,
NEW YORK.

0970
May 3, 1893.

Assistant District Attorney Davis,

Dear Sir:-

In the case of George Fuller, No. 11 on your calendar, one of the principal witnesses for the prosecution, is detective William Frink, who is, at present, absent from the State, and I understand in Europe, without whose testimony ~~a~~ ^a case cannot be made out. He had charge of the case with me from the beginning. If the case is to be tried, will you please have it adjourned on that ground until his return?

When this case was on the calendar before, I saw Mr. Macdona about it, and made a statement to him in regard to it, and the desire of Mr. Schell, the complainant, to withdraw the complaint. At Mr. Macdona's request, I filed a written statement signed by Mr. Schell accordingly, and subsequently understood from Mr. Macdona that the matter had been or would be arranged in that way.

Yours very truly,

John Delahanty

0971

J. George Thurnmer
Attorney & Counselor at Law
289 Greenwich Street, Cor. Warren
Trinity National Bank Building

New York, June 21st, 1893.

The People vs. Fuller.

De Lancey Nicoll, Esq.,
N. Y. District Attorney,
#32 Chambers Str., City.

Dear Sir:-

The above named defendant~~x~~ has been indicted on a charge of sending threatening letters to one Robert Schell, an offense punishable under Section 559 of the Penal Code. The surety, Mr. Wm. Henry Hall, in whose employ the defendant is in the capacity of a butler, has been notified at least four times to produce his principal for trial, and I attended in his behalf, prepared to proceed, but the assistant, in charge of the case postponed it in each instance. Mr. Schell, who is the President of the Bank of the Metropolis, is not disposed to prosecute the case, as I am informed he now believes in the innocence of the prisoner, and his private counsel, Mr. John De-lahunty has written to you, I believe, asking that a nolle prosequi be entered. Now, while the defendant does not wish to shirk a trial, I do not wish to be placed in a position to be called at any time, whether prepared or not, during the coming summer months, more especially as the defendant is engaged every summer in the Grand Union

0972

J. George Hammer,
Attorney & Counselor at Law,
289 Greenwich Street, Cor. Warren.
Young National Bank Building

(2)

New York, 1892

Hotel at Saratoga, where he is well thought of and where he has been re-employed for this summer. Will you be good enough, under the circumstances, to give this case your personal attention, and either postpone the trial thereof until October next, or recommend a dismissal of the complaint? Awaiting your reply, I am,

Yours very truly,

0973

Police Court, 1 District.

See originals

City and County } ss.
of New York,

of No. 33 West 56th St.

Robert Schell

Street, aged 77 years,

occupation Banker

being duly sworn, deposes and says, and at divers subsequent dates

that on the 15th day of September 1892, at the City of New York, in the County of New York, Deponent has received several

anonymous written threats to wit on or about September 22nd 1892 the letter hereto attached and marked Exhibit A - On or about December 2nd 1892 another threatening letter hereto attached and marked Exhibit B - Deponent has come to believe and does believe that the aforesaid two letters were sent to him by one George Fuller a former servant in deponent's employ. Deponent is informed by Det. Supt. Wm. E. Frink of the C. O. that he (Frink) has had the handwriting in the two aforesaid letters (marked exhibits A and B) with another letter hereto attached marked exhibit C compared by experts in handwriting and that in the report of said experts they pronounce the handwriting in exhibits A and B to be the same handwriting as letter marked Exhibit C. Wherefore deponent charges that the said two anonymous letters were sent to him by the said George Fuller and he therefore charges him with the violation of Section 532 of the Penal Code and prays that he be apprehended and dealt with as the law may direct.

Sworn before me this }
14th day of January 1893 }

Robt. Schell

D. W. McMahon
Police Justice

0974

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss:

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

Question. What is your name?

Answer. *George Fuller*

Question. How old are you?

Answer.

47 Years

Question. Where were you born?

Answer.

W. S.

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

Answer.

242 W 60th

Question. What is your business or profession?

Answer.

Waiter

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
George Fuller

Taken before me this

George Fuller
1893

Police Justice.

0975

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 Three Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York until he give such bail.

Dated Jan 17 1893 Chas Edlin Jr Police Justice.

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

Dated Jan 17 1893 Chas Edlin Jr 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 Jan 17 1893 Chas Edlin Jr Police Justice.

0978

BAILED, *Mr H Hall*
No 1, by *Mr H Hall*
Residence *220 Greenwich* Street.
No. 2, by _____
Residence _____ Street.
No. 3, by _____
Residence _____ Street.
No. 4, by _____
Residence _____ Street.

271
ordered
Police Court, *1* District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Robt. Schell
33 W. 36 St.

1 _____
2 _____
3 _____
4 _____
Offense _____

Dated *Jan 17* 189*7*
Mr H Magistrate.
Frank Officer.
C.O. Precinct.

Witnesses, *Call Officer*
No. *Dr Gervatter* Street,
265 Bway
James 202 Bway
No. _____ Street.

No. _____ Street.
\$ *300.* to answer *G.S.*

Bailed
Recd Dist Atty's Office
Jan 23 193

0977

Robert C. [unclear] "Exhibit A"

[Faint, mostly illegible handwritten text, possibly a list or notes]

0978

A

Exhibit C

23 2
1 3 4 3

11.05.1942 Dec 27/42

Mr. George H. Sage,

Will take the mail. L. W. Smith

I waited at the W. R. Hotel here long
and some occasion in the guestrooms
but, residing in the dining room and
I am doubtless the person who your
wife would recommend as being

Mr. Leger I would be pleased
to accept your offer were I not
employed for the winter at my
present situation.

Many thanks for your
kindness

George Fisher

Q. W. S. S. S. S.

O.S.W. 50. St. reg. George's

0979

P. O. Box, 2293

OFFICE AND LABORATORY

DAVID N. CARVALHO,

-Photographer & Expert Examiner of Questioned Hand-Writing, Inks, Etc.

Manufacturer of SPECIAL BANK INKS.

No. 265 BROADWAY,

Residence, No. 42 East 133d Street.

Refers by permission to leading Banks and Lawyers in this and other States.

New York City, June 6th 1893

John De la Huntly Esq.
280 Broadway N.Y.

Dear Sir:- I have made a careful and exhaustive examination of the writings submitted to me by you for my opinion and desire to hand you here with the result which I have embodied in the accompanying report. I have marked the two anonymous letters for identification A.C. - one and two and the checks and letter signed "George Fuller," all of them B.C. The two papers A.C. are of precisely the same form and size and the same quality of paper which comes under the head of "Bank note"; they were both taken from a "pad". The handwriting appearing thereon is simulated and disguised and unquestionably that of the writings written by "Fuller" on the exhibits B.C. The disguises are very thin and poorly done, and you may feel sure that you have the right person.

Very respectfully

David N. Carvalho

Fu 2522

DNC

0980

Sec. 151.

CITY AND COUNTY } ss.
OF NEW YORK,

Police Court..... District.

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 Robert DeBell of No. 33 West 5th Street, that on the 15 day of September 1892 at the City of New York, in the County of New York,

he received several written threats and charged
me George Fuller with sending or causing the
same to be sent in violation of Section 559
of the Penal Code

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 1 DISTRICT POLICE COURT in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 14 day of June 1893

1893

A. T. McMahon Police Justice.

098

Police Court..... District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Warrant-General.

Dated..... 189

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 July 14 189 3

This Warrant may be executed on Sunday or at
night.

H. M. Mahoney 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

189

Police Justice.

The within named

0982

Sec. 198-200.

1882
District Police Court.

City and County of New York, ss:

George Fuller 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.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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
George Fuller

Taken before me this

day of *January* 189*3*

John J. Smith
Police Justice.

0983

**POOR QUALITY
ORIGINAL**

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 Three Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated, Jan 17 - 189 Police Justice.

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

Dated, Jan 17 - 189 Police Justice.

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

Dated, Jan 17 - 189 Police Justice.

0981

271 Paid
Police Court--- W. 100 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Robert Schell
33rd St. 5b.
George Fuller

2
3
4

Dated, June 1893

M. H.
Trink

C. C.

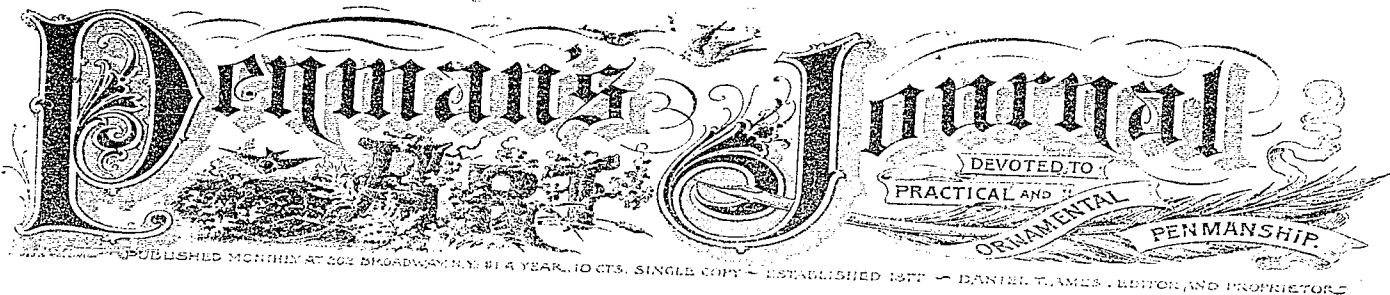
William E. Trink
Central Office
H. R. Canales 265 Bway
H. J. Lewis 202 Bway

No. 300 to answer

Offense, in of Section
559 of the Penal Code

Magistrate.
Officer.
Precinct.

0985



New York, Jan. 10, 1893.

In the matter of anonymous letters addressed to Robt. Schell.

This is to certify that I have examined certain anonymous letters and envelopes marked by me for identification from A 1 to A 9 inclusive and that I have compared the writing upon the same with that in a letter bearing date New York, Dec. 28, 1892 addressed to George H. Page, together with the superscription upon the envelope containing the same and marked by me for identification Aa and Aa¹/₂. That I reach a very clear conviction that the said anonymous writings A 1 to A 9 inclusive were written in disguise by the same person who wrote said letter and superscription Aa and Aa¹/₂.

First I find the mechanical arrangement respecting margins and positioning of composition the same as between the two writings. As examples of coincident characteristics I refer first to the capital R which appears in Aa line 16 and this letter is exactly duplicated in its character in A 1 line 7. This form is so highly personal in its character that it would scarcely be alike in two writings by mere accidental coincidence. Also the capital P which is in Aa¹/₂ in the third line is exactly duplicated in its propor-

(2)

tioning and in its character in A 1 line 12. The capital D which is present in Aa line 1 and 3 is peculiar in its large and conspicuous loop on the base line and the manner in which it returns *over* ~~from~~ the staff to form the oval. This letter is duplicated in this peculiar respect in A 3 lines 1 and 7. Especially line 7 is to be compared with the D in line 1 of Aa. The capital F, the manner in which it is formed and also the loop at the ~~end of~~ ^{cross} of the staff is in Aa line 17. This is duplicated in its character in A 3 line 4. The figures 1 and 6, 6 especially is twice in Aa line 18. The peculiarity is in the very large oval part. In the first instance in Aa it would be taken for a capital O and in the second the oval is over half the height of the letter. Upon envelope A 6 we have the same proportioning in the figure 6 and also in A 5 we have the same form and positioning of both the figures 1 and 6. There the 6 would be certainly taken for a capital O were it *also like "As"* standing alone. The figure 2 in the date line of exhibit Aa is a peculiar figure in that it has a break in the middle. A figure 2 after the same manner is in Aa line 22. The capital B is in A 9 line 3 made continuously after the same manner as is the capital B in envelope Aa¹/₂ line 2, also the same B is in A 2 line 16 and in A 5 line 2. These letters are essentially the same in their character. The small s in Aa as it appears in line 6, first word and also four times elsewhere in the line and the ss in line 8 and elsewhere in this writing is a peculiar letter in that it has a large loop dividing the s about in the middle and frequently with a loop at the base. S's corresponding exactly with these in character are in A 2

#3)

lines 4, 8, 13, 15, 16, 19, 20 and in A 1 in lines 6 and 12.

These letters are quite peculiar and therefore personal in their character and are not liable to be coincident in two different writings by accident. The small a as well as the d and g is peculiar in that the first member begins either with a hook or is made so as to give a complete small e inside of the oval. Examples of this are in Aa in line 2 in the word Page, both the a and g showing the two phases of these letters, also in lines 3, 5, 6, 7, 8, 9, 10 etc. The peculiar form of the initial as it is presented in the a in Page line 2 is quite personal in its character. This particular phase of the a is in A 2 line 9 in the word January, also in the word are line 16. A's, d's and g's showing the peculiar e or hook are also manifest in A 1 lines 7, 8, 9, 10, 12, 13, 15, also frequently in A 3. The small w in most instances is so constructed that the first member is ~~the~~ some considerably longer than the second giving the w a sort of a retreating effect as to its size. Examples of this are in Aa in lines 5, 8, 10, 11, 12, 18. Corresponding and coincident forms are in A 1 lines 5, 6 twice, 8 and 11. The small d is made sometimes with a closed staff and sometimes ~~wx~~ with an open pointed staff. The examples of the staff closed are in Aa line 7, 9, 10 and 15. Corresponding examples are in A 2 line 3 and 5, 7 and 10. The d made with an open and pointed staff in Aa is in line 8 and 12. Corresponding examples are in A 1, lines 2, 9 and 14, in A 2 line 6. This is also true of the staff of the t in both sets of writing. The ex is somewhat peculiar combination in its form and in the manner in which it rests after its comple-

0988

(4)

tion in joining the next letter. This is in Aa in line 11. A corresponding combination is in A 2 line 18, A 3 line 10. The loops to the y's and g's are peculiar letters in that they are quite extended with the down stroke straight or even curved frequently to the left making a compound curve, turning abruptly at the base line and making a sharp curve to the left, crossing the down line nearly up to the base line. Examples of this letter are in Aa lines 5, 6, 7, 8, 14 and 16., A 1 line 10, 11, and 13, 16 and 18, in A 2 line 5, 6, 9, 12, 14, 16. The word as is quite a peculiarly constructed word and has an example which is in Aa line 9. Exact counterpart is in A 1 line 12. The th in this is in Aa is usually an open staff letter. This is not the rule in the disguised writing, yet a good example of t in th is in A 3 line 5 in the word this. Corresponding examples are in Aa lines 5, 6, 8 etc. The final t is usually made in Aa with a line striking up from the base forming an acute angle. This is in Aa line 5, 6, 7, 11, 13, in A2 in lines 2, 3, 9 and 18.

These are a portion of the very numerous coincident unconscious habits that I find existing between these two sets of writings and are sufficient in my mind to render it certain that the said anonymous writings A 1 to A 9 inclusive were written by the same person as ^{here} Aa and Aa¹/₂.

C. J. Lewis

Examiner of disputed writings

0989

B. M. C. No. 2
 The following is a list of
 names of persons who have been
 received at the
 St. Lawrence County Jail
 since the last report was made.
 Subject - person
 to meet - person
 do not - person
 C. H. H. H.

0990

454

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 Fuller

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

of the crime of *knowingly sending a threatening letter*, —

committed as follows:

Heretofore, to wit: *on the second day of December, 1892, at the City and County aforesaid, the said George Fuller, late of the City and County aforesaid, well knowing the contents thereof, did unlawfully send, and cause to be sent to and received by one Robert Schell, a certain letter and writing threatening to do an unlawful injury to the person of the said Robert Schell, to wit: to kill and murder him, which said letter and writing is as follows, that is to say:*

" W. H. Bee" 2/92

Robert Schell

Sir -

I reply two weeks ago this day, Sage received this dynamo = this day, Agula, has received, this = you are

my next Subject - prepare to meet your
 God - it is sure =

By E. O. N. 14.

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

Be James M. Hall

attest at Albany