

0035

BOX:

124

FOLDER:

1305

DESCRIPTION:

Baker, Mary A.

DATE:

01/16/84



1305

0036

Counsel, *A. J. Rogers*

Filed *16* day of *Jan'y* 188*7*

Pleads *Not Guilty 21*

THE PEOPLE

vs.

B

*Mary A
Baker*

Peter B. Olney
JOHN MCKEON

District Attorney.

A True Bill.

True & Accepted

Foreman

*Original number of indictment
and return returned to court
Jan'y 1887 - which
never returned.*

*Grand Larceny, first degree,
(Section 57, and 570)*

0037

First District Police Court.

The People vs. On Complaint of
Michael M. Hanley

BEFORE HON.

Andrew J. White

Police Justice

September 15 1883

STENOGRAPHER'S MINUTES.

INDEX.

WITNESSES.	Direct Ex.	Gross Ex.	R. D. Ex.	R. C. Ex.
Michael M. Hanley —		2,	17,	21.
Mary M. Baker —	28,	39,		65,
Margaret Hanley —	55,	57,		
Henry Lett —	59,	61,		
Clara Disson —	62,	63,	64	
Henry Baker —	75,	81,	92 & 95,	94,
Wm. L. Hanley —	96,	103,	113,	

JAMES A. LYON.

Stenographer.

101 Centre St.

N.Y. City

0038

N. Y. Oct. 8th 1883.

Michael M. Hanley, the complainant being duly sworn, testified as follows: on

Cross Examination - by - Mr. Rogers

Q What is your business?

A I am a liquor dealer, at No. 963 1st Avenue, this City.

Q Did you buy a house and lot from Mrs. Baker, this defendant?

A Yes sir.

Q When.

A On the 1st of March 1883, I bought the house at the corner of 144th St. & College Avenue.

Q What was the price you agreed to give for it?

A \$4,250 was the price; I paid \$2,400 cash and \$1,850 was to remain on bond & mortgage.

(2)

Q Was there any mortgage on the house when you bought it?

A I guess not.

Q Was there no mortgage except that on the house?

A Yes sir.

Q You paid \$2,400 cash & left \$1,850 remain on mortgage?

A Yes sir.

Q Is any money due it now?

A Yes sir.

Q How much?

A When the interest came due every six months and part of the mortgage could be paid in account & all of it.

Q Did you go to Mrs. Baker to pay interest at any time?

A Yes sir.

Q When?

A On the 1st of September 1853.

Q Did you pay it?

A Yes sir.

Q And got a receipt for it?

A Yes sir.

Q Let me see it?

A Yes. (Receipt here produced & marked "Plaintiff's Exhibit-A")

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Q Who drew that receipt?

A I did.

Q Did you pay any other money that day except this interest?

A Yes sir.

Q How much more?

A I paid \$900. cash that day and \$100. rent for the house for three months which I gave a receipt for.

Q You went there to pay interest?

A Yes sir.

Q Had you also paid \$1,000 in money?

A No sir I paid \$900. in money first and the interest afterwards.

Q What part of the day was it that you paid that money?

A About 5 o'clock in the afternoon.

Q Did you take a receipt for the \$1,000?

A Yes sir.

Q Where is it?

A It is destroyed.

Q Who destroyed it?

A Mrs. A. Baker, the defendant here.

Q Where did she destroy it?

A On the 7th of September 1883.

Q That was six days after you paid her this money?

(4)

A Yes sir.

Q Did you have that receipt in your possession from the 12th to the 1st of September?

A Yes sir.

Q What did it say?

A Here is a copy of it (copy produced and marked, "Complaints Exhibit B," being two receipts on paper.)

Q What did you write that for?

A So it would be easier to keep.

Q Where the other receipts - the one for the interest and the other for the \$1,000 in one piece of paper?

A No sir; they were in two pieces of paper.

Q When did you write these other two?

A A couple of days after I paid the money.

Q And you had the other two in your possession when you wrote them?

A Yes sir.

Q This one here - this copy of the two, was it signed?

A No sir.

Q After the 1st of September when you received the \$1,000 receipt and the

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receipt for the interest - on the 2^d day of September you drew those two receipts?

A Yes sir, it was on a Thursday I wrote them - it was about the 6th of September.

Q What made you date them the first?

A Because I paid the money on the first.

Q And on the 7th of September you went to Mrs Baker to have her sign them?

A Yes sir, to have her & her husband sign them - her husband was present when I got there the 7th of September.

Q That is the day she destroyed the first receipt for \$1,000?

A Yes sir.

Q And her husband was present at the time?

A Yes sir.

Q Where was he?

A He was inside of the counter at the west end of the store.

(6)

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- Q What time in the day was that?
- A About 5 o'clock in the afternoon.
- Q You are sure her husband was there?
- A Yes sir, I am positive of it.
- Q You handed her the receipts?
- A No, I laid them down on the counter the receipt for \$1,000 and the two unsigned receipts, Mr & Mrs Baker were both there together and she took up the \$1,000 receipt and he took up the \$55.50 receipt.
- Q Did Mr Baker have anything to do with the mortgage?
- A No sir.
- Q Did you buy the property off of him?
- A No sir.
- Q Did he sign the deed when you bought it?
- A I don't know.
- Q Did she hand this \$1,000 receipt to her husband?
- A No sir.
- Q Was any one else present at the time?
- A Yes, William J. Hanley.
- (7)

0044

I don't know whether he is a relative
or not exactly.

Q How did he come to go there?

A I brought him there.

What for?

A As a witness should any thing occur.

Q Did you expect anything to occur?

A I was told something.

What were you told?

A These lawyers told me they were very
tricky people - his name is
Smith Williamson. He told me
that when I bought the house.

Q You take a witness with you to
see that they signed the receipts?

A Yes sir.

Q If they signed the receipts that
would have been enough would it?

A I suppose so.

Q This man was not with you when
you paid the \$1,000?

A No sir.

Q Nobody was with you then?

A No sir.

Q Did you say anything about the \$1,000
(8)

0045

on the 7th of September?

A. I handed the papers to her husband and herself, laid them on the counter the two small and one large one and I told Mr. Baker that I wanted him to sign them, that his wife had signed them. She took one receipt and he the other and she went in another room, she was looking for a pen.

Q. When did you pay this money on the 1st of September?

A. In cash, in \$300. 100 and two \$100 bills.

Q. Is your wife a bank account?

A. Yes sir.

Q. Is your wife a cashier?

A. Yes sir.

Q. You go and get the money?

A. I generally have it in my pocket.

Q. Will you pay for this property out of your pocket?

A. Yes, I got the money from the bank and paid it in cash - \$2,400.

Q. Where?

A. Somewhere in Broadway, some I've

- insurance Company's office I think.
- Q How did you come to pay it there?
- A There was a mortgage in the house and we had to go there.
- Q Who else was present when you paid this \$1,000 on up of the mortgage and the interest on the 1st of September?
- A No body was present but Mrs Baker and myself.
- Q The husband was there the second time you went there?
- A Yes sir.
- Q How many receipts did you draw out on the 7th of September?
- A Five or six.
- Q How long were you there on the 7th of September?
- A I was there from 3 to 5 o'clock.
- Q What were you doing there so long?
- A I was waiting for her husband to come in.
- Q What did you say when you went there?
- A I asked her if her husband was in and she said "no" that she expected

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him in every minute.

Q Did you commence to draw receipts then?

A Yes sir, for two hours I was drawing receipts.

Q How you tore some up?

A Yes sir.

Q What made you draw so many?

A Because I made blunders and couldn't get them to suit me.

Q Where did you draw those two, that one on this one piece of paper - one for \$1,000 money paid on acct of mortgage - & the other for \$55.50 interest on Mortgage?

A In my own house.

Q You had them ready when you got there on the 7th?

A Yes sir.

Q And you drew them there the second time?

A Yes sir.

Q Were you there for 3 or 4 hours on the second day?

A No sir.

Q Didn't people come in there and see

(11)

0048

you drawing receipts on the second day?

A I didn't draw any on that day.

Q How many receipts did you draw on that second day?

A I did not draw any.

Q You just said you did?

A No it was the first day I drew these.

Q It was only the first day?

A Yes sir.

Q What receipt did Mrs Baker sign?

A This one here for the interest and this one for \$5,000 which is destroyed.

Q Did you draw up two receipts?

A I drew up three.

Q How soon after you drew up that receipt did she sign it?

A Two hours afterwards.

Q You kept those receipts for a week in your pocket?

A Yes sir.

Q And the mortgage was payable to her only?

A I think so.

Q Do you know Mark Lett?

A No sir, not by the name, I may know him if I see him.

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Q Do you remember a man coming in the store when you were there the first day?

A Yes sir.

Q Do you remember any woman in there that day?

A Yes, I saw a woman "fleeing" in the door.

Q When Mrs Baker saw this receipt - what did you say?

A I don't know - whether she took it or not - she did with it in the room.

Q She took it in the room with her?

A Yes sir.

Q Was her husband there at that time?

A Yes sir.

Q What did she do?

A She went in the room looking at it - were for a pen or ink. She said "this is a nice business writing here - all day - I will have to bring a bill against you for all the paper you have used up. She was excited and said is that what you have been doing here and she wanted her shawl in order to go out and have

- one arrested. She said this is a nice piece of business you have been doing. She called me everything she could think of. Then I said to her "you villain" is that my receipt you are tearing up? She was fumbling something in her hands.
- Q Did she tear your receipt?
- A To the best of my remembrance it was my receipt she was fumbling and destroying in her hands.
- Q How far near it was?
- A In it.
- Q How far near she was signed such a receipt?
- A Of course she did.
- Q Why didn't you then demand the return of your money?
- A Because I wanted to see my lawyer.
- Q You didn't say anything else except that you wanted to see your lawyer.
- A In it.
- Q What was your lawyer?
- A Mr. Green.
- Q You wanted to see Mr. Green

Before you said anything about your money?

A I told her I had paid the money and I would see my lawyer about it.

Q When didn't you tell her to give you your money back?

A I asked her for my receipt and she said she had no receipt and her husband said I didn't pay anything of the \$1,000. I said I paid my interest \$55.00 and \$1,000 waf of the mortgage for which his wife signed two receipts.

Q Did you go and see your lawyer after you said to them that you would?

A I saw him that evening at seven o'clock.

Q How soon you had given a bond for the mortgage?

A Yes sir.

Q And you know that bond was payable to Mr. Baker?

A Yes sir.

Q And to nobody else?

A No sir.

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- Q Why didn't you have this endorsement -
this payment endorsed on the deed?
- A Because I didn't understand it.
- Q It was ignorance on your part?
- A Yes sir.
- Q Have you ever paid any mortgage
before?
- A No sir.
- Q Never had any transaction of that
kind?
- A No sir.
- Q After this you say you went away?
- A Yes sir.
- Q What time was that?
- A About 5 1/2 o'clock.
- Q What did you say to the woman
who was with you?
- A I told him to come home.
- Q She had told you then that you
had not paid her \$1,000?
- A Yes sir, and she said I didn't get
any receipt.
- Q Didn't she say you were trying to
rob her of \$1,000, and that she would
have you arrested and order you
out of the house

0053

- A No sir.
Q Did it she threaten to have you arrested?
A Yes sir.
Q What for?
A I don't know.

Direct Examination by Mr. Baer

- Q On the 1st of September when you got these two receipts, one for interest on mortgage for \$35.29 and one for \$1.00 which you paid in of your mortgage what did you do with them from the 1st to the 7th of September?
A I gave them to my wife to keep.
Q And they remained in her possession from the 1st of September up to when?
A Yes sir, she had them in her possession during that time when I wanted to get the husband's signature - she gave them to me - that was the 7th of September.
Q Where were you & in to Bakur on the 1st of September and remained there
(17)

From 3 to 3 o'clock did Mrs Baker tell you that her husband would be in soon?

A. She said he would be in in a few minutes, she said the horse had picked up a nail and he went to the blacksmith's shop with him.

Q. You were waiting for Mr Baker to come in and sign those receipts?

A. Yes sir.

Q. What occurred on the 7th of September when you handed those two receipts to be signed by Mr Baker - those two proposed receipts and the receipts already signed?

A. I laid them down on the Counter in the presence of Mr Baker and his wife and asked them to sign them. She picked up the \$1,000 receipt and he picked up the interest receipt. She took the receipt for the \$1,000 and went in another room, saying she was looking for ink. Then she asked me to read the receipt for her husband I said I would read both of them. She was looking she said for

0055

a few and in - and at the same time there was a fur risk on the store window.

Q Could she have seen it - ?

A Yes she could. She remained in the inside room about a minute and a half - then she came out and said I was trying to rob her.

Q What occurred after you said to her "you villian is that my receipt you are tearing up"?

A I made a grab for her hand and said "you villian. is that my receipt you are tearing up - she jerked her hand away and gave what she had in her hand to William J. Hanley.

Q When she passed the paper to Hanley what occurred?

A She said she would hold him responsible for them and took his name & address and then I said to Hanley it was time to go. I was sure I had the fragments of the receipt - that is that Hanley had - I left them and went home and when I got home I examined them & saw it was only pencil marked paper.

(19)

Q You found me this money.

A Yes sir.

Q And what did you pay her?

A There was rent for three months amounting to \$100. I called that amount and gave her a receipt for it.

(To the defendant.)

Q Have you got that receipt?

A Yes. (receipt shown and marked Plaintiff's "Exhibit A")

(Lease of premises was here put in evidence and marked "Defendant's Exhibit A")

Q This is the mortgage & bond (shown entire)

A Yes sir.

(Examⁿ of complainant, continued)

Q What became of the fragments of the paper which Hanley seized from Mrs. Baker on the 1st of September?

A He has them still, I suppose he has.

McC Cross - Exam by Mr. Rogers.

Q Mrs Baker keeps a grocery store does she not?

A Yes sir.

Q Have they ink there in the store?

A Yes sir.

Q You had used the ink in their store?

A Yes, the first day I did.

Q Was there a pen and ink there on the 7th of September in the grocery store, as usual?

A Yes sir.

Q You say Mrs Baker passed the fragments of paper to Mr Hanley?

A Yes sir.

Q They were torn?

A Yes sir.

Q Were there any other papers torn on that day?

A No sir.

Q Did you tear any papers in the store?

A No sir.

Q Did you see any torn papers around?

A No sir.

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Q You suggested when you left the house on the 7th of September that you had the receipt?

A Yes sir.

Q And when you got out you found you had another?

A Yes, it was so. I had written with a pencil which I didn't finish.

Q Did you hand Mrs Baker the principal receipt for \$5,000. that she had already signed to have her husband sign it?

A No sir.

Q What did you hand her?

A Nothing.

Q On the 7th of September?

A I mean that day.

Q Did you lay the receipts down on the counter - the receipt she had already signed for \$5,000.

A Yes sir.

Q Did you lay any other receipt down?

A Yes sir.

Q What - how many?

A One other, the paper which was not signed & had the two receipts on it.

(22)

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Q What did you do that for?

A Because it would be easier to keep.

Q You keep the new one from the old one?

A No sir, I laid them all down together.

Q And you didn't keep the new from the old receipts?

A No sir.

Q Is this the new receipt for \$55.30?
(showing defendants Exhibit B)

A Yes sir.

Q Was Hanley here before to Court?

A Yes, he was.

Q When after?

A Twice.

Q Did he promise to come here to day?

A Yes sir.

Q Did you have any detectives looking after Mrs Baker?

A No sir.

Q Never had any?

A No sir.

Q Did your lawyer have any?

A Not that I know of.

Q Didn't you send a detective through your lawyer to Mrs Baker?

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0060

A No sir.

Q Didn't your detective tell you there was no evidence against the lady?

Objection as being incompetent -
Objection sustained.

Exception taken

Q The first day you went to Mrs Baker - the 1st of September did she tell you her husband was in the house? in the next room?

A No sir.

Q Did you see him there the first day?

A No sir.

Q Was he there the first day?

A No sir.

Q Do you remember him coming there the first day and you cleaning out?

A No sir.

Q Do you remember coming back again?

A No sir.

Q Is that your handwriting? (Shows into new folder marked Defendants Exhibit 8)

0061

A Yes sir.

Q When did you draw that?

A On the 1st of September.

Q Were some of the receipts in ink and some in pencil?

A Yes sir.

Q How did you come to write in pencil?

A Because I couldn't make out with the pen at first and then I took the pencil - there was mistakes made in the writing.

Q Were you nervous that day?

A No sir.

Q Did she offer to write for you?

A No sir.

Q You didn't think they were satisfactory?

A No sir.

Q You first drew some in lead pencil?

A Yes sir.

Q You took out your pencil and commenced to write?

A No sir; she handed me her pencil.

Q And you wrote them with a pencil?

A Yes sir.

Q What did you do after that?

A I laid them on the counter as being

(287)

useless.

Q You wrote on until we visited you?

A Yes sir, and read it over three or four times before she signed that.

Q Where did you write that?

A On the 12th of September.

Q You left the papers that you had partially written on the counter?

A Yes sir.

Q And finally you succeeded in finishing one that satisfied you?

A Yes sir.

Q When you on the 7th of September, laid those two receipts and this new one - these proposed two receipts there was present Hanley and who else?

A Henry & Mrs Baker and myself.

Q When you handed those receipts over - did they make any objection to signing them?

A No; Mrs Baker said she was going for the ink. Baker had one receipt and Mrs Baker had the other and that was the last I saw of this \$1,000 receipt. Mrs Baker took it and Baker took up the interest receipt.

0063

I have now taken up the \$1,000 rec'd 1-4

A. Use sin.

4. Had you ever seen it since?

A No Sir, I never have.

4. Did you demand your receipt for the share?

A *4.2* *iv.*

2 And she did not having received it.

A the vic. Michael Mortanley,

The Prosecution, ex parte me, reserves
the right to go two additional
witnesses at a later stage of the proceed-
ings.

Mary H. Baker, in standard case
has been testified as follows:

Direct Communication to Mr. Rogers.

2 Where do you reside?

Ac. 1. 1444. 4. *Shocking College Harmon.*

28 Go on and make a statement in re-
gard to this alleged receipt of
\$1,120.

(27)

From before one two
one and one 1880
Glenbrook
Pier Duval

Rich Jackson

0064

Mr. Harvey came to my store on
Saturday, the 18th of September, at
about eleven o'clock in the forenoon
when my first customer, I told him
he was trying to sell his own
it again. I asked him to sit down
and wait for him as he would
be up in a few minutes. I told
him I would make him up to
see him particularly.
Harvey said to never mind that he
would go out and would come back
again and then he left very quickly.
After that Mr. Baker at
up and I told him that Harvey
had been there and wanted to see
him. He waited some for some time
seeing Harvey return and finally
he said "what does Harvey want
with me now?" He said his horse
was requiring very much having
picked up a nail that he could
wait any longer but would go and
bring the horse to the blacksmith's
shop; would he come soon. He
had hardly got around the corner
(28)

0065

when Mr. Manning showed to the store.
 He asked a bit of time to Baker and I
 told him that we had gone out, hav-
 ing waited for him some time. I said
 to him that we should not Monday
 or Tuesday, if he didn't want to wait
 to see Mr. Baker and that if he wanted
 to see him particularly I would send
 Mr. Baker down. I asked him what
 he wanted with Mr. Baker, and he
 said he wanted me not to pay his
 debt with him. I said we had no leg
 since a pen & ink and I looked at
 him and seeing he was disposed to
 be cross, I complied with his wish.
 He took this paper (I gave him C
 & D) and put it in his hand
 and started to write. I turned the
 desk around to him so that it
 would be easier to write on. He
 kept on writing for some time & I
 was alone. He took a sheet of note
 paper, scribbled it in two. On the
 top of the top of the note paper
 was writing and the bottom of the
 sheet was blank. He reached over

The paper to me with the same side, I
 asked and asked me to sign it. I said
 "I will read it first." He read it him-
 self, but said it was not right,
 but we would not let me see it al-
 though he would let me sign it. He
 would let me sign the back side
 of it. He wrote in this way and I
 don't know how many more words,
 my impression is he wrote this more,
 and when I wouldn't sign them with-
 out reading them he took them up, &
 threw them on the floor or put them
 in his pockets. He was there some about
 two o'clock until five o'clock or after.
 I said to him that he didn't appear
 to be able to manage & write to suit
 himself & asked him if he was nervous.
 He said "yes" God damn it, if I
 was I could write it." He
 was hard and said "Goddamn," (meaning
 my husband) was a hell of a business
 man. He said that at least twenty
 times. I told Mr Hanley it would
 be better for him to tell Mr Baker
 what we thought about him and
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not be telling it to me. When I told him
that I might be able to help him & asked
him what he was writing. He said
if I was home he could write papers.
I told him to allow me to write the
first receipt for him as he was not
home and he said "no" that he could
do it himself & soon came home. Mr
Lett the Surveyor came in then & told
me some things that I should know.
He said he was in time. He then
succeeded in making out
a receipt that suited him and hand-
ed it to me. I asked him if it was
all right and he said "yes" and then
I signed it. This is it, the name
which is marked by initials "C. M. L."
He then paid me \$35.20 which
was six months interest on the \$1830
mortgage, which he owed me. He first
made a receipt made out for \$34.00
and I told him that was only the
interest on \$1800 for six months.
That this mortgage was for \$1830 &
six months interest would be \$35.20.
He said "no" but he knew now
(31)

money he owed me and that it was
 \$1,000 too much, meaning I suppose
 that he gave \$100 too much for the
 property. He said it was \$1,000 too
 much for the God damn place. I
 told him he owed me \$1530, and he
 told me to convince him that he did.
 I went to a tin box where I keep papers
 and I produced a bond or mortgage,
 I don't know - which he looked at
 the counter and a bird he snatched it
 from me when I drew back in fright
 and put the paper in the box and
 put the box away. Then he said
 "now God damn couldn't you see". He
 was so angry I thought he was
 coming to hit me. Then I took the
 \$54 and he gave me 1/2 dollar in
 silver - the \$54 was in paper money.
 He sat there a long time in
 the store. I didn't want to pay
 the rent that day to him but I
 got some more money and put it
 to that which he gave me, and
 I paid him the rent. About half
 past three o'clock Mr Baker came in
 (32)

Q. He wanted to see the money and said
 "Have you Mr. Hornley? And Hornley
 was present then."

Q. How long was that before you had
 signed the receipt for \$33.50?

A. An ill-defined time.

Q. What time in the day did you
 sign that receipt?

A. I don't know exactly.

Q. How long did Hornley remain there
 after you signed that receipt?

A. About a hour and a half. There
 was a young lady who came in the
 place three times while he was there.
 Mr. Hornley was very ugly, and cross
 and while he was waiting I told him
 that if he was waiting for his
 suit I would give it to him. I did
 not make out a receipt for it
 for \$100. which he did. I gave him
 the money and he gave me the re-
 ceipt. I am not sure. (Receipt
 for rent produced and marked
 "Exhibents E. Shillit 11")

Q. That was all that took place on
 the 1st of September?

Q Yes sir.

Q Did Hanley pay you any more money that day than you have stated?

A No sir.

Q Did you sign any receipt for \$1,000?

A No sir.

Q Did he tell you on the first day that he wanted your husband to sign the receipt with you?

A Yes, he asked me if I would get my husband to sign the interest-receipt and I told him I would.

Q What did you do after Mr Hanley went away?

A I went to straighten up the counter and was surprised to find amongst my papers a receipt for \$1,000 - I remembered it as being the last paper I saw in his hand, he must have left it with me then.

Q Was that the first you knew about the \$1,000?

A Yes sir, I read it over and thought to myself, what did it mean?

then thought of the papers he had
 thrown on the stoop and I went out
 to the stoop and gathered the pieces
 of paper up that were there. It was
 now dark then and I brought them
 in the house, wrapped them up and
 put them away. Then this young
 lady asked me about Henry, was
 living there all day and why he
 was acting so strangely. I told
 her I didn't know but that I was
 sure he was gone. I told her I
 thought it was mean of my in-
 friend not to have stayed home
 with me. I then looked at the pa-
 per again and saw Mary A Baker
 written all over them and it then
 struck me that he was trying to
 forge my name. That is what I
 thought; because Mary A Baker
 was written so often. I kept those
 papers and Mr Hanley's friend Mr
 Hanley took them from me on the
 7th of September, I had them rolled
 up.

28 Well now tell us about the 7th of
 (33)

September 4

On the 7th of September Mr Hanley came to my store. I think about 2 o'clock in the afternoon, he had another man with him. When he came in he asked for Mr Baker and I told him he had gone to the Photographers in Camden. I told Mr Hanley that my husband expected him. Mr Hanley said he would take a week and come back again - he and his friend went away. He came back again and asked if Mr Baker was in & I told him not yet. I asked Mr Hanley if he would have a glass of milk & he said he would take something stronger & I said I was sorry, that I hadnt anything stronger. They waited for Mr Baker for some time and at last Mr Baker came in. Then I said to Mr Baker, "take your pen and ink and sign this receipt for Mr Hanley, for he is not satisfied without it" Mr Baker smiled and

went behind the counter and Mr. Hanley
 said there, "that is the paper on the coun-
 ter," (meaning "Expenditure Exhibit A+B")
 I had been taking care of the baby
 and she had made some trouble in the
 counter. Then there was a silence and
 I asked what this large paper was
 and Hanley said that that was the
 paper to sign. I then went to the
 window. I saw my hands and then
 I came back and asked Mr. Hanley
 to read that paper as I never saw it
 before. He started to read it and I said
 I never heard it before and I walked
 over to a glass where I had seen him
 and taking them out I said "you're
 cat is that what you have been doing
 all this time?" I thought I would
 catch him. I had taken these pieces
 of paper out of the glass and I said
 to the gentleman, the other Hanley,
 whom I thought was an outsider,
 "this is a villain, see what he has
 been doing." I spoke to him about
 waisting paper and told him I
 would have a bill against him.

This I said before that. I said that I want
 I wanted an affirmation and I hand-
 ed the little bundle of papers to Stanley's
 friend, saying "this is what he has
 been doing, showing him at the time,
 my name written in many places in
 these fragments. Mr. Baker wanted to
 know what money we were talking
 about. Then Stanley said to me "I
 am sure those were this 'on the
 other day". I said that he didn't give
 me one cent except the interest and I
 told him I had caught him at
 what I suspected I could. Then
 Stanley caught hold of my hand, "these papers are mine," & I said they
 are mine. The other man said he
 would keep them and then Stanley
 the way, went to the other
 Stanley to come home. Then I told
 my husband to give me my hat
 and shawl. I said I must have
 the papers. I was very much ex-
 cited at the time and wanted
 to get a physician but I was too
 excited to go and asked my husband

to do so - he wouldn't. Then I said to the other Mr. Hander "what is your name & what are you here for? Will he'd you responsible for those papers. He said his name was William Hander. Then they both went away. Since then an old gentleman came to see me.

Q. You mentioned to act a policeman?
A. Yes sir, I said let me see what you had to Smith Williams & get a woman, with that they cleared out.

Cross Examination - to Mr. Brew

Q. You said give me my hat?

A. Yes sir.

Q. When was your hat?

A. It was under the counter.

Q. Couldn't you get your hat yourself?

A. No sir.

Q. When was Mr. Baker standing?

A. By the end of the counter.

Q. Where were you standing?

A. By the other end - Mr. Baker was outside of the counter.

Q And you said to him "give me my hat?"

A Yes sir.

Q What did you want your hat for - ?

A I wanted to go after Kennedy and see what he would do with the papers.

Q Did you examine them?

A Not thoroughly, but I saw my name in them.

Q What was the name of these papers?

A I thought they were signed because I saw my name there in so many places.

Q Then you did sign some other papers except that receipt?

A No sir.

Q Didn't you say that?

A I said I saw my name in so many places on those papers that I didn't know what it might be.

Q When you said that your name might be in it, you were stating then something that was not true?

A I was stating what I suppose.

Q You stated that you thought they were important because you had

seen your name in different places on those papers and that you hid it from your name was to it?

A I thought that perhaps Mr. Hanley signed it.

Q You thought your signature was to that paper and that was the reason you wanted to go after Hanley?

A I thought Mr. Hanley had signed my name to them.

Q You thought Mr. Hanley forged your names?

A I said that the papers were in Mr. Hanley's handwriting and that Mary A. Baker was signed in a great many places.

Q You think he had signed your name to those papers on the first day?

A Yes sir.

Q These other papers were something like these?

A Yes sir.

Q What importance did you attach to those papers?

A Because he grabbed them and ran away with them. I thought they were

important.

Q. He did grab them?

A. Yes sir.

Q. He said first to you "let me see them" you are leaving up that receipt?

A. Yes sir.

Q. What did he say?

A. I wasn't leaving up anything.

Q. You simply took the papers from the glass and Hamley made a grab for them?

A. This other Hamley who was there showed them to Hamley and then Hamley said "they are mine" and the other Hamley closed his hand on them. I said "give them to me, I have had them since last Saturday." He said they were his and he told the other Hamley to come out - to come along.

Q. And there the matter ended?

A. Yes sir.

Q. Didn't you say to someone that you went as far as the door to follow them and that you fell down fainting, you were so excited?

- A No sir.
- Q When Hanley was going away on the 1st of September, he said he would come back again to have Mr Baker sign the receipt?
- A He asked me if Baker would sign the receipt and I told him, if it was necessary, he would.
- Q And he said he would come back the next day or some day?
- A He said, "if I come back again will Baker sign it?" I asked him what he wanted him to sign it for.
- Q In his ignorance he thought it was necessary?
- A I don't know what he was thinking.
- Q He said he would come back?
- A He said, "if I come back will Baker sign it." And I said he would.
- Q You were expecting him back on Sunday?
- A I told him if it was necessary to have Mr Baker sign it he would do so.
- Q When Hanley came back on the 7th

0080

September you told him you expected him before that?

A I said to him that Mr Baker expected him through the week.

Q That was all that was said on that subject?

A He didn't say anything except to let whoever Mr Baker was in and I told him he was at the D. O. Legation to have his pictures taken.

Q Did you expect him all on Sunday?

A He said when he went away on the 1st of September, Saturday, "if I come up tomorrow with Baker sign this interest receipt" and I told him, if it was necessary, he would.

Q Did he say this interest receipt or this receipt?

A I ain't sure.

Q You said this interest receipt all along?

A I understood it to be the interest receipt because there was no other receipt.

Q Is it not true that when Mr

Handley came there on the 14th of September to
that you said to him you were very
short you didn't have the rent for
him then?

A Yes sir.

Q How then anything said about the
rent?

A Yes sir.

Q Didn't he say to you that he came
to pay you money instead of tak-
ing it?

A Yes sir, he asked when Mr Baker was
and I told him he was leaving
his wife and if he would wait he
would be up soon.

Q Didn't he ask you to get Baker?

A Yes sir.

Q How say Mr Baker was taking a
year?

A Yes sir, I knew that his wife
would be over soon and I told
Mr Baker to wait a minute.
Now Handley went away and some-
time after that Mr Baker got up
and I told him that Mr Handley
had been there. Handley came-

there again in about an hour and he asked for Mr Baker, but Baker had gone out.

Q How long was Baker away?
A He came back about 3 1/2 o'clock and saw Mr Humley.

Q Humley went away while Baker was sleeping?
A Yes; he stayed until nearly dark, he was writing all that time, and was writing when Mr Baker came in.

Q After he had written that receipt Mr Baker came there?
A Yes sir.

Q Where did your husband go after that?
A He went out in the stable to see the feed man.

Q How long did he remain out with the feed man in the stable?
A Until after Mr Humley went away, he went to the Photographer to have some pictures taken over which were not satisfactory - he had to have them taken over again.

0083

Q When did Humley go away?

A About 5 1/2 o'clock.

Q He was after writing the receipt at the time?

A Yes sir.

Q Did he sign the receipt when he came there the first time?

A Yes, before Baker came in and saw Humley.

Q Did you pay Humley the rest of that day?

A Yes sir.

Q After or before he paid you the interest?

A After.

Q What did you pay it in?

A In money - in bill.

Q You didn't give him a check in your bank?

A No sir.

Q How have you account in the Chambers Street Bank - The Emigrant Bank?

A Yes sir.

Q Any other bank?

A No sir.

(47)

0084

Q. Your husband has an account there also?

A. I suppose he has.

Q. Does he run account in any other bank?

A. I don't know.

Q. What is his business?

A. He deals in horses occasionally.

Q. In what other business is he engaged?

A. I don't think he does anything else for a business. He is a general farmer by trade.

Q. How sometimes give him money?

A. Yes sir.

Q. How much money did you give him recently - within the last month?

A. I couldn't say exactly - maybe fifty cents or so - when he goes to the River Road and has no change.

Q. Inside of the last five weeks have you given your husband \$5.00 or thereabouts in cash?

A. Yes sir.

0085

Q. You gave him no such sum?

A. No sir.

Q. You are positive about that?

A. Yes sir.

Q. You never stated to anybody that you did?

A. No sir, I never stated that I gave him that amount of money or any such sum.

Q. Or any money at all?

A. I may have given him money but I never gave him that amount nor did I ever state that I did. I knew he had drawn that money - I have been counting it up.

Q. From what bank did he draw it?

A. I think you had better ask him - I can't tell you particularly. Inside of five weeks I have not given him 1/20 of that amount.

Q. Did he buy a great many horses, do you know in that time?

A. I don't know.

Q. You said sometime ago that you remarked that it was a shame for Mr Baker leaving you alone?

(49)

A Yes sir.

Q You said that-?

A Yes sir.

Q How often do you frequently?

(No answer)

Q Didn't you say it was a shame to leave you alone on that day?

A I told the young lady who was there that day that it was a shame for Baker to leave me alone, in this way, for Saturday is my busy day. I knew it was not because you were afraid of Hanley that you said that?

A No sir.

Q Didn't you say ^{that} you were afraid of Hanley?

A I said I thought he was going to strike me.

Q Did he say he made a grab at the bond or mortgage?

A Yes sir.

Q What did he do - that for?

A I don't know

Q And then you said it was a shame your husband should leave you

alone?

A Yes sir. This young lady asked me what Hanley was doing there, and I told her I paid him the rent and I was glad he was gone.

Q You say that on the 7th of September, when it was almost dark, you went on the stoep and picked up some papers?

A No sir; I didn't say anything about going on the stoep on the 7th it was on the 12th of September.

Q It was nearly dark?

A Yes sir.

Q You are sure about that?

A Yes sir.

Q And that was immediately after Hanley left?

A Yes, after I saw the paper with my name written on it - I went out on the stoep.

Q How long was it after Hanley left that you found the pencilled paper?

A About a quarter of an hour.

Q There was other papers on your

0000

deck?

A Yes sir.

Q What did you do after you found that paper?

A I went on the stoop or gathered up the "contents" of the papers which was thrown on the front stoop.

Q How long was that after Mr Stanley had gone away?

A It was near dark - it was within half an hour from the time he left.

Q It was dark?

A It was near dark.

Q Did you pick up the papers on the stoop?

A Every way I could get them.

Q Were they on the stoop or on the side of the stoop?

A Right on the stoop.

Q And you picked them up?

A Yes sir.

Q And brought them in the house?

A Yes sir.

Q And examined them then?

A Not then

Q When did you examine them?

A On that night.

Q And then you put them in a glass

A Yes sir; I put them in a paper in
wanting to look at them again and
I put the paper in a glass when
I kept in the window, in order to
put them together some time.

Q You sold that property once before
did you not?

A Yes sir.

Q To whom?

A To Isaac Selms.

Q Did you get any money on that
sale?

A Yes sir.

Q How much?

A \$30.

Q Did you execute a deed?

A I don't know whether I did
or not. I know I went to sign
a deed for it for the lady.

Q Would she accept it?

A No sir; I went to her lawyers

Office to sign it - ?

23 11/14/1914

A. There was some restricting clause in the title, to which the Currier objected.

Will you swear that you went
to her lawyer's office to see that
book? Sent the said Book By ^{Smith} Walker
(No answer) ^{Mr. Smith} and Mr. Insb

(No answer) Mr. Langley

And you give Mr. Hendley my af-
fects - about it - ?

(No answer)

You never find back the \$30. de-
posit which you received from this
body V.

A. H. Siv.

Mary A. Baker

Mr Rogers moved to strike out all that portion of the evidence relating to the contract of sale to Mrs Selman.

Attn.

(over)

(54)

Margaret Hamley, a witness for the Prosecution being duly sworn testified as follows:—

Direct Examination by Mr. Brown

Q Where do you reside?

A 936-1st Avenue.

Q You are the wife of Mr. Hamley the complainant—here?

A Yes sir.

Q Do you recollect the 1st of September 1883 when Mr. Hamley told you he was going to Mr. Baker at 144th Street and College Avenue?

Objected to as leading

Q You recollect Mr. Hamley leaving the house on that day?

A Yes sir.

Q When he returned did he give you any papers?

A Yes sir.

Q Did you read the papers he handed you?

0092

A Yes sir, he handed me two papers
one was a receipt for \$1,000 +
the other was a receipt for \$33.50
interest, both signed Mary A Baker.

Q Did you keep those receipts in your
possession?

A Yes sir.

Q Did he hand them to you?
showing witness ~~Plaintiff~~ Exhibit
(A)

A No sir.

Q What were the two he handed
you?

A One was a receipt for \$1,000 + the
other a receipt for \$33.50 - in-
terest.

Q Did you keep those in your possession
in?

A Yes.

Q Until when?

A Until the 7th of September.

Q What did you do with them then?

A I handed them to my husband.
He asked me for them he said he
was going up town to get Mr.
Baker to sign them.

(56)

Q. You recollect the two papers?

A. Yes sir.

Q. Do you recollect this (meaning "Exhibit A") as one of them?

A. I know the paper I got was smaller than that - it was half a sheet of paper or more.

Q. You got two papers?

A. Yes sir.

Q. Did you send them in which was a receipt for \$1,000?

A. Yes sir.

Q. Would you recollect if it was the same handwriting as this "Exhibit A"?

A. Yes it was.

Cross Examination by Tom Rogers

Q. Did you ever see Mary A. Baker write?

A. No sir.

Q. You never received any letter from her?

A. No sir.

Q. And you don't know her hand -

writing except that you saw her name
to a paper?

A Yes sir.

Q Do you know she signed her name
to it?

A To her receipt?

Q Did you see her write her name?

A Yes sir.

Q Where?

A At her house. I have seen her
handwriting in the original papers
and I saw a letter which she
wrote to my husband.

Q Will you swear it is her hand-
writing?

A I will, from the original papers
and her letter to my husband.

Sworn to before me this
8th day of October 1883

Andrew J. White

Police Justice

(1001)

Henry Telli, a witness for the
defence being duly sworn testified
as follows:

Direct Examination by Mr Rogers

Q Where do you reside?

A At No 537 East 144th Street.

Q What is your business?

A I am a civil Engineer and Surveyor.

Q Do you know Mary A Baker this
defendant?

A Yes sir.

Q Do you know Mr Michael W
Hanley the complainant?

A Yes sir.

Q Did you ever see him?

A Yes.

Q Where?

A At Mrs Bakere home and I see
him here now. (Witness points
out Mr Hanley the complainant.)

Q When did you see him there at
Mrs Bakere?

- Q About the 1st of September I had some business with Mrs Baker and I went to her place to transact it. I went there three times. The first time I went there I saw Stanley, who was busy writing and I came out again. About half past four afterwards I went back again and found him there still. I didn't want to interrupt him and I went away again. Then I came there again about 5 o'clock and Stanley was there still. He was sitting in a big room. I went in and transacted my business with Mrs Baker. I noticed a lot of pieces of paper upon the floor near where Mr Stanley was sitting. Later in the evening I passed outside - passed by the store and I noticed there was a lot of paper torn up in small squares outside of the door - on the steps and on the ground adjoining the store.
- Q What time did you go there first?
- A Between 1 and 2 o'clock in the afternoon.

Q And the last time you went there what time was it?

A It was after 3 o'clock, I think.

Q How were in there three times that day?

A Yes sir.

Q What was Houdley doing there?

A The first two times he was writing and the next time - the third time he was sitting on a box in the store.

Q Was Mr. Baker there himself?

A I believe he was.

Q What time was that?

A I think he was there when I made my first visit - passing through.

+ Henry Lett.

George Cunningham - Mr. Green

Q You don't know what those scraps of paper were which you saw on the floor and on and around the shop?

A No sir.

(over)

(61)

Sum before me the
S. J. of 1883
S. J. of 1883
S. J. of 1883

John Baker

Edmund Kisser, a witness on behalf of the defence being duly sworn testified as follows: in

Direct Examination - by Mr Rogers

- Q Where do you reside?
- A At 144th Street and College Avenue.
- Q Do you live in the same house with Mrs Baker?
- A Yes sir.
- Q Were you there on the first of September last?
- A Yes sir.
- Q What did you see there on that day?
- A I saw Mr Stanley standing at the counter in the store, in front of the counter. Mrs Baker was behind the counter. That was the first time when I saw him in the store that day. The second time I saw him in the store that day he was writing. That was all I saw. I went away into the kitchen and came into the store about five times: Mr Baker wasn't there and I saw
- (62)

that Mrs Baker was insane and I thought I would keep her company. I did not see Mr Baker there at all.

Q How long was Mr Stanley in there?
A He came there about two o'clock and the last time he came in was about 3 o'clock.

Q Were you there at that time?

A Yes sir.

Q What was he doing there?

A The first time I saw him there is that day he was standing by the counter and the second time he was writing and the third time he wasn't doing anything.

Q Did you see any papers on the floor?

A No sir; but Mrs Baker showed me papers afterwards which had been there.

Cross Examination by Mr. Brown

Q Do you live in the same house with

Mrs Baker?

A Yes sir.

Q Do your parents live there?

A No sir; they are both dead. I keep house for my brothers up stairs.

Q You are not the person who was minding the City for Mrs Baker on that day?

A No sir.

Q Did you loan her any money on that day?

A I believe I did.

Q How much?

A I couldn't say; it was \$12. I think.

Q What did you loan her the money for?

A I couldn't say, I only know I gave her \$12 on that day the first of September.

Q How about while Mr Hensley was there?

A I couldn't say.

Re Direct Examination by Mr Rogers

Q Did you pay Mrs Baker any rent

Exam before me this
8th day of October 1883
Jesse W. Smith
Notary Public

on that day?

Yes, I paid her \$12. for rent.

+ Clara M. Deussen
Mary A. Baker, the defendant recall-
ed by. Mr. Brown

Re - Cross Examination

Q You sold this property to Mr. Hanley?

A Yes sir.

Q On the 1st of March 1883?

Q How much was agreed upon as the price to be paid for the property?

A Sixty Two Hundred and Fifty Dollars and half of the commission in the sale to be paid by the purchaser.

Q How much cash did Mr. Hanley have down?

A I could not say exactly. Smith.

Williamson, a lawyer, arranged what I was to get.

Q How much were you to get?

A There was a mortgage on the property of \$650. and some tape.

Q How much cash did you get?

A I couldn't say.

Q Did you receive \$1,000?

A Yes, more than that.

Q Did you receive \$1,200?

A Yes, more than that.

Q Did you receive \$1,500?

A Yes, more than that.

Q Did you receive \$1,800?

A I don't know - there were things to be deducted, taxes + commissions.

Q It was over \$1,500?

A Yes, I think so.

Q Did you deposit that money in the Bank?

A I hardly think I did that day.

Q Did you put it in the bank at all?

A Not that I know of.

Q Will you swear that you didn't?

A I don't know what I did with it - it may have gone in the bank.

Q What did you do with the money that you received from Mr. Hendry?

A I took it home.

Q Did you deposit any of it?

A Yes, in part of it.

Q In what Bank?

Q I do business at the Chambers Street-Bank.

Q Did you put that money in the Chambers Street-Bank?

A Not all of it.

Q How much of it?

A I don't remember going to the Bank.

Q Then you didn't put any of it in the Bank?

A No sir, I hardly bought another piece.

Q What place?

A Robinson's place in 111 E. Street.

Q How much did you pay for it?

A He says how much deposit?

Q Yes?

A (\$30) Fifty Dollars.

Q Did you pay any more than that for that property?

A No, I sold it.

Q How much did you get back for it?

A I don't know.

Q How did you get back the \$30. deposit-money?

A No sir.

Q What did you do with this money?

A I loaned some of it to my sister, husband & some of it I used for the

store, and some of it I used in the purchase of this fence I bought.

Q Did you put any of that money in the Bank at any time?

A Yes sir, a part of it.

Q In what bank?

A The Farmers Trust Bank.

Q How much did you put in that bank?

A It might be \$10. or it might be \$500. I cannot hear of this money.

Q How much did you loan?

A I think I loaned about \$1600.

Q To whom did you loan it?

A To my husband - Mr Baker I think I gave him the money and asked him to take care of it for me until I would want to use it - I think it was \$1600.

Q How much did you put in the Farmers Trust Bank?

A I can't say; it may have been a small amount.

Q Have you got your bank book now?

A Yes sir.

Q How much did you deposit in the

Let me see what I have in the bank book.

A. (\$150) One hundred and fifty dollars.

Q. Then you did know how much you had in there when I asked you?

A. I didn't know how much I put in there that day - I can't see what is in the book now.

Q. Can you tell whether there is \$500. in there?

A. No sir.

Q. Can you tell whether there is more than \$500. there?

A. I ain't sure.

Q. Then your statement a little while ago wasn't correct when you said it might be \$100. or it might be \$500.?

A. No sir.

Q. Didn't you put any other money in some other bank?

A. No sir.

Q. When did you give this \$1000. to Mr. Baker?

A. In the Mutual Life Insurance Company's office when I settled

with Mr. Hinkley. - the 1st of March?

Q Are you in the habit of handing your husband any large amounts that you receive?

A No sir; I was in the city this day and he was with me and I gave him the money for safe keeping.

Q Were you giving him any other money since that time?

A Yes sir; maybe four or five dollars at a time or ten dollars.

Q How much more than five or six hundred dollars together?

A No sir.

Q And you never stated to anybody that you gave him \$570.?

A No sir; I stated to a gentleman that Mr. Baker used \$570. in June - I didn't let him have the money at all. This man asked me if I knew how much money Baker used really, and I told him he used \$570. in June, but what he has used since I don't know.

(over)

(To)

(Paper marked "Exhibits" "Exhibit 2")
How long is it in evidence?

Q You found that paper in Northbrook
Museum?

A No sir.

Q Have you any account in the Northbrook
Museum Bank?

A No sir.

Q Have you husband?

A I don't know.

Q Have you any account in the Northbrook
Museum Bank?

A No sir; nor in any other bank.

Q Have you husband?

A I don't know.

The witness here said she wanted to
say something additional in regard
to Mr. Hanley's visits which was allow-
ed.

"On both these occasions when Mr.
Hanley was to my door he wanted
me to give him liquor and on one
occasion he brought liquor with

(71)

him, I believe it was the same one.
On another occasion he wanted me
to give him a bottle in order to cure
it and not return. I wouldn't do it.
I told him all I could give him was
milk.

His illness (continued) by Mrs. Bacon

- Q Did he want you to drink with him?
A He said "we will have a drink."
Q Did he want you to drink?
A Yes; when he had this bottle of
Black and Key that he brought with
him he wanted me to take some of
it, but I refused.
Q Would this be at home?
A He wanted me to give him a bottle
so that he could get liquor in it.
Q How do you say he bought this prop-
erty?
A The 1st of March 1883.
Q Did your husband take a drink with
Mr. Hanley in your house on the
1st of September?
(72)

Q Mr Stanley didn't speak to him at all.

Q And Mr Baker you say walked in the store when Mr Stanley was there - after Stanley got the receipt from you - and he said "Good evening, Mr Stanley?"

A Yes sir.

Q In a few minutes after that didn't Stanley go away?

A No sir; he didn't go away until 5 o'clock.

Q The time Mr Stanley got the receipt in the 12th of September Mr Baker was away?

A Yes sir; he came in the store when Mr Stanley was there. - Mr Baker said "Good day Mr Stanley" & Stanley indicated that he didn't see him and Mr Baker passed in and went into the stable.

Q Stanley was standing in the store after he got the receipt for \$55.50 at the time Mr Baker passed through?

A Yes sir.

Q And he had that receipt in his possession when Mr Baker passed through?

A Yes sir.

Q He said he would return some other day?

A Yes, I said he would come again in order to have Mr Baker sign the interest receipt.

Q And when he came on the 7th of September you said to him you expected him before?

A No, I said Mr Baker did.

Q Didn't you say you were expecting him before that?

A No sir: I said Mr Baker was expecting him. Mary A Baker

Sworn before me this
8th day of October 1883
S. W. J. (1111)

John D. Foster

Henry Baker, a witness for the defence
being duly sworn testified as follows:

Direct Examination by - Mr Rogers

Q How do you live?

A At 144 E Street and College Avenue.

Q You are the husband of Mary A.
Baker - the defendant?

A Yes sir.

Q Do you recollect when this sale of
that property was closed up by
Mr Henry?

A Yes sir.

Q When was it?

A It must have been the latter part
of February or the early part of
March.

Q Did your wife get any money on
that day?

A Yes sir, I got the money.

Q How much did you get?

A Twenty Four Hundred Dollars was
to be paid down and out of that

0112

was to be deducted the amount of the mortgage which was against the property then, the commission, taxes &c. what was left amounted to about \$1600.

Q Did you get that money?

A My wife took it home and afterwards gave it to me to put in the bank for her.

Q Did you put it in the bank?

A Yes sir.

Q In what bank did you put it?

A In the Commercial Trust Bank.

Q You are credited there with \$1600?

A Yes sir.

Q Are you holding it for her?

A Yes, it is her money I am holding it in trust for her.

Q Were you present at any time when these receipts were passed?

A I was there on the 1st of September.

Q What was at your house?

A Her son.

Q What did you see there?

A Nothing but Handley writing.

Q What time in the day was that?

A That was from 3 to 3 1/2, o'clock in

0113

the afternoon.

Q What was he doing there?

A Writing.

Q What was he writing?

A I couldn't say.

Q Did you see any slips of paper around

him? Were they lying around the corner with him where he was standing?

Q Did you know anything about the instant receipt which was given on that day?

A No sir.

Q Did you speak to Mr. Hamley on that day?

A Yes sir. I said to him "How do you do Mr. Hamley?" He said he never made any reply.

Q Did you see him there after that day?

A No sir.

Q What did you go after you saw him?

Q I went to the store and from there I went to the Photographers.

(77)

0114

Q. Yes, sir.

Q. What time did you come back again?

A. About half past 5 o'clock.

Q. How far from there?

A. I don't know.

Q. Did you see anyone else around there?

A. Yes, sir.

Q. Did your wife say anything to you about Hanley wanting you to sign an interest receipt?

A. No, she said Mr Hanley wanted to see me.

Q. Did you know of his being there again?

A. Yes, I saw him there on the 7th of September - he was waiting for me.

Q. I came back from the Photographic Gallery and he was there in the South?

Q. What time was that?

A. That was from 4 to 5 o'clock somewhere about that time.

Q. Hanley was in your store when you got there?

A. Yes, sir.

(78)

0115

Q. Had he been writing?

A. No sir, I don't know.

Q. Had you see any papers around?

A. No sir.

Q. How did you see it that day?

A. I told you to look the receipt and I went to it. I found it and took it to it.

Q. Did you read it?

A. No sir.

Q. How did you get it?

A. My wife said to read it. It was a peculiar receipt he handed me - he said it was a receipt for the interest. Then he said there was another receipt too and my wife asked him to read it. He read it in a peculiar way and my wife asked him to read it again. Then she came from behind the counter and she said to me, "What are you have been doing here you scoundrel?" and then she got the slips of paper from a pass behind the counter and she brought them around and showed them to the other Mr. Stanley who

(79)

was with Nancy. She said that we
 that he had been practicing. He
 then showed out the bill in his hand
 for \$100.00 and said that was all that
 he had "let us go".

Q. Was there any kind of paper
 or then he brought with him?

A. Yes, a piece of paper about which
 income tax was there!

Q. Was your idea that the two receipts
 which were in the one paper were
 signed?

A. Yes sir.

Q. And the income tax receipt was
 for \$100.00 was that correct for the
 interest \$55.20?

A. Yes sir.

Q. How long ago was that?

A. About a year ago. It was the

Q. What did you think of it to see and
 you asked him if that was what
 he was practicing. Did he read
 that the receipt was for \$100.00.

Q. What did Nancy say when your
 wife made this charge?

Q. I don't recollect; I am sure I never saw
 that and I never saw the signs of papers
 to the other two I never saw it
 I never saw it.

Q. I am sure I don't know where
 it was kept or what it was.

Q. I am sure I don't know where it was
 kept or what it was.

Q. I am sure.

Q. I am sure I don't know where it was
 kept or what it was.

Q. I am sure.

Q. I am sure I don't know where it was
 kept or what it was.

Q. I am sure; that is the only one I saw
 and I am sure there is no other
 that I saw and I am sure it was
 there.

Cross Examination - by Mr. Brown

Q. You are positive that there was
 no piece of paper upon which
 (84)

now within the two proposed receipts?

A. Yes sir.

Q. One was for \$55.20 which we went over and the the other was for \$1.00.

A. Yes sir.

Q. You say that the receipt was not a copy of the original but it was a copy of the original?

A. I couldn't say, it is possible in one sheet of paper, the two receipts, they were separated.

Q. One receipt was for \$1.00 and the other was for \$55.20?

A. Yes sir.

Q. Did you read them?

A. Yes sir.

Q. Did you hear it read - that paper?

A. Yes sir, the ladies read it.

Q. What did it read?

A. I couldn't say.

Q. What was the \$1.00 receipt for?

A. I didn't say any particular attention, I didn't know what it was for. I would have read but I don't know what we read.

Q It read \$1,000?

A I don't know because I didn't pay any attention to it.

Q You don't know - it read for \$1,000?

A I couldn't say.

Q It is possible that the receipt was for \$1,000?

A Yes, I could have read that.

Q Is that true?

A Yes sir.

Q When was read for \$1,000?

A Yes sir.

Q When you did know what the was for?

A Yes, we was for \$1,000 which he claimed he had paid to my wife on account of the mortgage and as far as I can remember it read \$1,000 paid on 1/2 of mortgage \$1,500.

Q Is that all he read it and he read it again?

A Yes sir.

Q As to the first reading what did you say?

A Nothing.

- Q Did your wife say anything?
 A She called him a scoundrel.
 Q Was that after he read it the first time.
 A Yes sir; that was after the second time.
 Q What time did she read it the first time?
 A One week before he read it again.
 Q What did you say?
 A Nothing.
 Q Then he read it again?
 A Yes sir; he then read it the second time.
 Q And what did your wife say then?
 A She said: "You scoundrel is that what you have been practicing?"
 Q When did how "Took" this man that "Jockey" said he would come back to show you since the receipt?
 A The first of September.
 Q She told you he was coming back to get you to sign the interest receipt?
 A Yes sir.
 Q What day did she tell you he was

0121

coming back?

A. I didn't say.

Q. What time was it?

A. I don't know.

Q. What time was it?

A. About one or half past one.

Q. What time did you have dinner?

A. At 12 o'clock.

Q. And after dinner you took a nap?

A. Yes sir.

Q. Until when?

A. Until half past one.

Q. What then did you do?

A. I went to the stable and remained there until about two o'clock.

Q. Was that on the 1st of September?

A. Yes sir.

Q. Where was Mr. Hanley then?

A. He was not there but had gone away again.

Q. It was then your wife told you that Mr. Hanley was coming back again?

A. Yes sir.

Q. Did she tell you what he was coming back for?

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A. He now said that he wanted to see me.

Q. Did she say for what he wanted to see me?

A. He said.

Q. Did he say anything to you about Henry wanting you to sign a receipt?

A. He said; she said he wanted to see me.

Q. Did it go to you a receipt, that she said Henry wanted you - that she had signed a receipt?

A. He said; not to my knowledge.

Q. You remained in your house or around there until two o'clock?

A. He said.

Q. How far did you go?

A. I went to the back of the shop.

Q. How far did you go away from there?

A. Not more than two hours.

Q. Did you get back about 3 1/2 o'clock?

A. About that time I would think so - about 3 or half past three.

Q. Was Mr. Henry there then?

(86)

Q Yes sir.

Q Where - in the store?

A Yes sir.

Q Did you see him there?

A Yes sir.

Q Did you speak to him?

A Yes sir; I said "How do you do Mr Stanley."

Q Did he salute you?

A No sir.

Q Did he see you?

A I couldn't say, I said to him "How do you do Mr Stanley?" and he never made any reply. Then I went to my introduction and from there I went to the store.

Q How was Stanley dressed?

A He was dressed as the counter.

Q Was he not sitting in a chair?

A No sir.

Q Was he not writing?

A I couldn't say.

Q What was he doing?

A My wife was talking to him.

Q Your wife saw you passing through?

A Yes, I suppose she did.

Q How that about half past 3 o'clock?
 A I think so.

Q Did she tell you, at the time, in that
 same afternoon that at your house
 they were to
 be given?

A Yes, that she had given him a
 receipt?

A Yes, she said she had given him a
 receipt six six months interest.

Q And she told you then that Mr.
 Stanley wanted you to sign that
 receipt?

A Yes, not then: I don't know where
 she told me that, whether it was
 that day or on the 7th of Septem-
 ber.

Q But you did tell me a that day
 that she had given a receipt?

A Yes sir.

Q And subsequently to that she
 told you that he wanted you
 to sign it?

A I didn't say exactly.

Q Now have just now said that you
 know that she did tell you that

but that you don't remember when she
told it to you?

A She said that Mr. Conley wanted
to see me.

Q Did he tell you that Mr. Conley
wanted to see you about?

A Yes, said Mr. Conley that what he
wanted to see me about was I
was asked that you go to see him
to see me in regard to us court me
that wanted to buy the place.

Q What did she say then?

A She said she didn't know what
he wanted to see me about.

Q Did she state what he wanted to
see you about?

A I don't remember; I have a very
faint memory now I can't remem-
ber all these things.

Q You expected Mr. Conley back?

A Yes sir, my sister told me he
was coming back.

Q And you asked her what he was
coming back for?

A Yes sir.

Q And what did she say?

Q. He said probably he wanted to see me about that man that wanted to buy the place.

Q. What man do you mean?

A. There was a man there and then looking at the place.

Q. Could you tell me what that probably Mr. Henry wanted to see you about this morning?

A. No sir; she didn't say that; I have no memory in regard to that.

Q. Then she didn't tell you that Stanley wanted to see you probably about this man who had been looking at the place?

A. No sir.

Q. And you didn't say what for?

A. I can't remember; my memory is very poor since I had the typhoid fever.

Q. In what bank did you put this \$100 that your wife gave you in the 1st of March?

A. In a Farmers' and Merchants' Bank.

Q. Did you put all of it in there?

A. I don't know whether I put all of

it in the bank; it was pretty
much all.

Q. Have you not an account at some
other place?

A. No sir.

Q. Have you not an account in
any other bank?

A. No, and I don't mean I did.

Q. For the last three years have you had an
account in any other bank?

A. No sir.

Q. Have you had an account in the
Hudson River Bank?

A. No sir.

Q. Have you had an account in the
Western Union Bank?

A. No sir.

Q. Have you received any of that \$100.
out of the bank?

A. No sir.

Q. Have you not put any money
in the Commercial Bank?

A. Not since March last and I don't
know whether I put in any then.

(over)

Re - Direct Examination by Mr. Rogers

Q Do you remember having had any conversation with your wife after Stanley went away about signing this interest receipt for \$5.25?

A She told me Stanley wanted me to sign it.

Q Where did you tell her that?

A On the 1st of September.

Q What time in the day?

A In the evening.

Q Was that the conversation you were meaning to refer to or was it some earlier conversation?

A I couldn't say. It was in the afternoon or towards dusk.

Q Do you remember her saying any thing to you about your signing this interest receipt for Stanley?

A She told me in the afternoon that Stanley wanted me to sign that interest receipt.

Q What time in the afternoon did she tell you that?

A Somewhere between three and five

clock.

Q Why didn't you say so when Mrs Brown asked you that question - you told me Brown in answer to his question that you wife told you that Mr Harvey wanted to see you?

A This is what I told her at first but that wife told me that Mr Harvey wanted me and I asked her what he wanted me for - I told her that she always transacted the business. I then waited an hour for him and my horse was suffering from a lame foot and I took him to the blacksmith shop.

Q What time was that?

A When I came with the horse Mr Hanley was there and I went to the stable and found that I went to the West side of the city and when I came back from the photographs Hanley was gone.

Q What did she say to you about Harvey wanting you to sign a receipt?

A She said Hanley wanted me to

Q And you saw or short time ago
that she didn't tell you anything
of the kind?

A Yes, I am very sure.

Q Then you told your wife told
you that he was reflecting on
you, and then it, for the
first time, with her about
the same date, you say?

A Yes sir.

Q So you recollect that you saw
a while ago, that you asked your
wife what Stanley wanted with
you and that she said that
probably he wanted to see you
in relation to selling the house.
A Yes, I think I made that state-
ment - it must be correct or it
won't be correct.

Re-Sirect Examination by Rogers

Q Did you have me in the conversation
that day with your wife in
relation to Stanley coming to
(937)

0132

Q. Now you?

A. I had two.

Q. When was the first?

A. About two weeks in the winter.

Q. When was the second?

A. About between 3 or 4 of October in the evening.

Sworn to before me this } Henry Baker
8th day of October 1883.

Andrew White

Police Justice

William L. Hardley, a witness for
the prosecution being duly sworn
testified as follows:

Chief Constable of the Borough

Q. What do you reside?

A. No 32 Oak Street.

Q. Do you know the prisoner?

A. Hardley, this Constable - yes?

Q. Yes sir.

Q. Is he a relation of yours?

A. Yes sir.

Q. Now you?

A. I had two.

Q. When was the first?

A. Let me see what in the afternoon.

Q. When was the second?

A. Somewhere between 3 and 4 o'clock in the evening.

Sworn to before me this 8th day of October 1883.

Andrew White

Police Justice

William L. Hurdley, a witness for the prosecution being duly sworn testified as follows:

Direct Examination by the State

Q. Where do you reside?

A. No 32 Oak Street.

Q. Do you know John Marshall Hurdley, this couple's infant here?

A. Yes sir.

Q. Is he a relation of yours?

A. Yes sir.

Q. you?

A. I had two.

Q. When was the first?

A. About two weeks in the first week.

Q. When was the second?

A. About three or four days of it in the evening.

Sworn to before me this 8th day of October 1883

Andrew White

Police Justice

William L. Harding, a witness for the prosecution being duly sworn testified as follows:

Direct Examination by the State

Q. When do you reside?

A. 32 Oak Street.

Q. Do you know the Machine

Company, this company in fact - here?

A. Yes sir.

Q. Is he a relation of yours?

A. Yes sir.

Q. Do you know Mrs. Baker, the defendant here?

A. Yes sir.

Q. Do you know Mrs. Baker, the defendant here?

A. I was at his house.

Q. Did you go with your brother, up there on the 7th of July?

A. Yes sir.

Q. Did you go up in the car together?

A. Yes sir.

Q. Did he tell you where he was going, and what he was going there for?

A. Yes sir; he pulled the receipts out of his pocket and showed them to me.

Q. What receipts did he show you?

A. One was a receipt for \$33.33 and the other was a receipt for \$1.00.

Q. Look at that receipt (showing witness Exhibit A) did you see it on that day?

A. Yes sir.

Q. Did you see any other like it that day?

0135

A 14. mi.

What were the trees?

It was a paper of about the same size - it was a receipt for \$1.00.

10

2000

11/11/11

14. 11. 1941

Should we say it was the same
signature as that showing witness
the "American" Pipe "Edwin A."

A 2d looked like the 1st.

It was for \$1000. and was signed
by Andy L. Baker.

4

Did not see the same Baker's store
any more.

1400

And here in the day was it.

A 24 was after 3 o'clock, I think.

2. How has B.K. done?

14. 11.

9. And the Baker also?

in 40 liv.

Q What did you do then that Mr Baker was not there?

A He waited a few minutes and then took a walk and came back.

Q When you came back were taking a walk were Mr Baker there?

A Yes sir.

Q What did you do then?

A He waited until we did come and then when we came there Mrs Baker was behind the counter and Mr Harder produced two receipts, one was a receipt for the interest \$5.50 - the one that is marked "Plant's Earnings" and the other was one for \$1.00 and he also produced a sales slip which were with the receipts which were not used by him.

Q He took the two pieces of paper and laid them on the counter?

A Yes, he showed them to Mr Baker.

Q What did you see there at that?

A Mr Baker took me to small account for \$55.50 and Mrs Baker

0137

- look the one of \$1000 up.
- 2) And what became of the two hundred dollars which were in the one paper?
- 3) She remained in the counter. Then Mr. Baker asked her husband if he had a pen. He said he had not. She said she wanted a pen. I had this receipt in my hand at the time. She went out in a minute or so without a pen, at the same time asking her husband if he had a pen, and I think he said he had not. Then she went to a drawer to look for one, took some papers out of it but didn't find a pen there either. She took some papers out of the drawer though and found a pen somewhere in there. She then asked Mrs. Baker to join the society and Baker said that she didn't see any money. Then Nancy said to Mrs. Baker "didn't I give you \$1000 last Saturday?" and Mrs. Baker said "no you
- (100)

"better, I know you were doing something
 " when you were writing all that
 " last day you were here. - I know
 " that is a fact in your eye." She then
 came from behind the counter and
 was very much excited, working up
 and down in the store and want-
 ed me to come and stand that she
 might see me. Her husband asked
 me what she wanted me that and
 want to see and she said she want-
 ed to go out and see me because
 so Stanley said. She then sat down
 near the door and she had some
 pieces of paper in her hand which
 she appeared to be writing or tear-
 ing up - being so disturbed and
 said "What is this you are tear-
 ing up my receipts you villain?"
 Q What did Stanley do when he said
 that to her?

A He made a grab for the papers
 in her hand but he didn't suc-
 ceed in getting them from her
 and then Mrs Baker handed them
 to me. Then after that Mrs Baker

and Stanley wanted me to give them
 the papers which I had but I would-
 not give them to either of them. I'm
 Mr. Baker told me to keep them, that
 she would be responsible for
 them. I told him what my name
 was and when I said that I told
 her I thought it was the receipt
 which I had.

- Q To which might do you refer?
- A To the receipt of \$100.
- Q What did you do when you got
 these four papers?

A I laid one to them and took them
 with me when I left the house.
 Mr. Stanley and I went out together
 and when we got out we looked
 at the papers. I say now, on two
 were Stanley's name "they were given
 him by me" and put them together
 and went to Mr. Stanley's house and
 put the papers on a table but
 we were unable to make anything
 out of them. They appeared to be
 part of his four receipts and we
 couldn't make a full receipt out

of them.

Q What next did you do?

A Mr. Turner and I rode up-town to see Mr. Baker, his wife's lawyer.

Q Did it occur to you that?

A That since he was an actor, it was likely that he still in theatre.

Q Did you then have Baker take up this photograph?

A Yes sir.

Q And did you return it to me because?

A Yes sir.

Q Did we ask you it?

A Yes sir; several times.

Q And you refused to return it to us?

A Yes sir.

Q And you are distinctly taking up this photograph for \$500. and more money with it?

A Yes sir.

Excer. Examination by Mr. Turner

Q You say Mrs. Baker took up this

0141

receipt for \$100?

A. Yes sir.

Q. Who handed that receipt to Mrs. Baker?

A. Mr. Stanley, came then down and Mrs. Baker picked up the car for \$1.00.

Q. What was done with the other receipt - the one for \$35.50?

A. Mrs. Baker picked that up.

Q. Where did Mrs. Baker go when she took that receipt?

A. In a room off the store.

Q. What did she do in there for?

A. She said she was looking for a man.

Q. Was there a man in the store?

A. I didn't see one.

Q. Didn't you know it was the receipt?

A. I don't know.

Q. Again you say there was no man in the store?

A. I didn't see any.

Q. Was it that Mrs. Baker engaged Stanley with giving a

(104)

being?

A. I have told her to give him his
weight for \$100.

I said while we were there by us
she is very busy & writing most
times and I don't know how often
she will be home. I don't know how
often she will be home that!

A. I will wait to write a note
to her when she is out of sight.

I did see her when I said there
was a paper up?

A. No sir.

I did see her when that one pointed
those papers up in the shop?

A. No sir.

I have seen those papers of papers in
the shop.

A. I have seen them.

I have seen them at the shop?

A. I don't know.

I have seen them at the shop
I don't know if there are any more
in the shop or if they are in the
shop or if they are in the shop.

A. I don't know.

I did see her more than one re-

right in her hand?

A. I then going to the drawer?

Q. Did you see her take them out of the drawer?

A. I didn't.

Q. Did you see the drawer?

A. I saw it when I went into the room.

Q. Did you see her take them out of the drawer?

A. I've never seen her take them.

Q. She took up the receipt?

A. Yes sir.

Q. These three pieces of paper that you said she gathered up in the house writing of Ramsey?

A. I suppose so; I don't know his hand writing very well—they appeared to be in his handwriting!

Q. Now you might say Ramsey said a bad dinner?

A. He didn't say.

Q. What did you hear him say when he was there?

A. I don't know.

Q. Did he say "you are trying to get a receipt for \$1,000 out of me"?

Q. Yes sir.

Q. Did she say it hadn't given her
Bloss?

A. Yes sir.

Q. He said when he saw a (Hawley) reading
the receipt?

A. Yes, he read it twice. That is the
general receipt was read twice.
Sir he read it of Mr. Baker - after
he read it once, he said, "read
that one again."

Q. Was that after Hawley had read
it once?

A. Yes sir.

Q. He read it twice?

A. Yes sir.

Q. And the second time he read it
did he call him a liar?

A. Yes sir.

Q. Did he call him a liar?

A. Yes, Hawley asked Baker to sign
the receipt.

Q. And then he read it?

A. Yes sir.

Q. When he read the receipt what
did she say?

(107)

Q. She made no remark but asked him to read it again.

Q. And then what did she say?

A. She said nothing.

Q. What did she do with the receipt then?

A. She put it in the counter and asked Brown to sign it.

Q. Didn't he ask Mrs Baker to sign it?

A. No sir.

Q. These were the supposed receipts which were unsigned by anybody?

A. Yes sir.

Q. You are sure he didn't ask Mrs Baker to sign those supposed receipts?

A. He did not ask her to sign them.

Q. The receipts that were unsigned. But now you are that Mrs. Baker didn't want Mrs Baker to sign them?

A. He didn't ask me to give anything — he only wanted Mrs Baker's signature.

Q. He didn't ask me to sign anything?

A. No sir.

Q. Then why did she take up this \$1,000 receipt?

A. I don't know.

Q. She didn't take it up to sign it?

A. I only know that she took it up.

Q. Did Mr. Baker refuse to sign these proposed receipts?

A. He refused to sign anything until he got the money. He said, he didn't see any money.

Q. Did he refuse to sign the proposed receipts?

A. He refused to sign anything, proposed or otherwise.

Q. Did Mr. Hanley ask Baker to sign these receipts?

A. There was no mention made, only he laid down the receipts.

Q. Did Mr. Hanley lay down the two unsigned receipts for Mr. Baker or anybody to sign?

A. I couldn't say. He laid down the two proposed receipts and the other is for \$1,000.

Q. Did he ask anybody to sign them?

A. He asked Mr. Baker.

Q. Now lady else?

A. No sir.

Q. What did Mr. Ramsey say when she called him a liar?

A. I don't know that he said any thing.

Q. Did she say she was going to get a policeman to come and arrest?

A. I didn't see or hear any so.

Q. Didn't she say that an officer was going to get an officer?

A. No sir.

Q. You swear that she didn't?

A. She walked up and down, threatening that she was going out, but she didn't say for what she was going out.

Q. Then long after that did you and Ramsey remain there.

A. We remained there until she got down - she had a man in her hands and appeared to be leaving them - then Ramsey grabbed for them saying "You villains are now tearing me apart" and she handed them to me!

Q What did you do with them?

A I gave them since to a man named
Lewis Alexander.

Q Was he there at?

A I don't know.

Q Was he there last Saturday?

A Yes, I think he was.

Q Did he have - well the papers
that were torn or written in
ink or pencil?

A Pencil.

Q Are you sure that they weren't in
ink?

A I am sure they were in pencil
anyway.

Q Did you ever see Mrs. Baker
handwriting?

A No, sir.

Q When you said that Mr. Hanley
was a hatter and she was walk-
ing up and down in an excited
condition did Mr. Hanley say to
her "I want my \$1,000."

A He made a noise looking for
his receipt.

Q Did he say she paid \$1,000 to her.

(III)

A He says I didn't hear that.

Q Wasn't that receipt that was talked about - this receipt? Plaintiff Exhibit 10-9?

A He says.

Q Did that the receipt that Mr. Harnley wanted Mr. Baker to sign? Was it brought with the receipts that for that purpose - he wanted Baker to sign them.

Q And he didn't want Mr. Baker to sign any more?

A He says.

Q And he wanted Baker to sign the enclosed receipts?

A Yes, until Baker refused to sign anything without he got the money.

Q And he used to use these pieces of paper, is that right?

A He says.

Q And you sent out what from?

A He thought he had the \$1,000 receipt.

Q What was the size of the paper that had the two proposed re-

receipts in it?

A It was about $\frac{3}{4}$ of a sheet of fish-
car paper.

Q How many were those two receipt to
each other in that paper?

A They were right - one each there.

Q Which one was in the top of the
bundle?

A I don't know.

Q Did you see any receipts in ink
that day except the two one?

A No sir.

Re-direct Examination by Mr. Breen

Q You said that you didn't hear Mr.
Harvey say on that day he had
"paid" Mrs. Baker \$1,000?

A He said to her "didn't I give you
\$1,000 on Saturday last?"

Re-direct Exam

Q When you heard Mr. Harvey say -

to Mrs Baker "Didn't I give you \$1,000 on Saturday last?" what did Mrs Baker say?

A She said, "I know there was something wrong, but I'll never know you were milking so much."

Q Did she say whether or not she got the \$1,000

A No sir.

Q Did you hear Stanley used the proposed receipts twice?

A Yes sir.

Q When Mr Stanley asked Mr Baker to sign the receipt for \$1,000 what did Mr Baker say.

A He said he didn't see any money and wouldn't sign anything.

By Mr Brown (continued)

Q Where did Stanley take the two receipts that were signed by Mrs Baker and the two proposed receipts from?

A He took them from the inside pocket of his coat and laid them on

0152

Sworn before me
10th of October 1883
Judge of the Peace
for the County of Middlesex

the counter.

Q Was Mrs Baker in the inside of the counter at that time?

A Yes sir.

By The Court

Q Did Mr. Stanley ask Mr. Baker to sign a receipt on that day?

A No sir.

Q Did Mr. Stanley ask Mrs Baker to return him his \$1000.?

A No sir.

Wm J Stanley

Counsel for the defence here called for the production of the scraps of paper which were in the possession of one "Lina".
Counsel for the Prosecution promised to produce them in a day. or two.

The above is a correct transcript of Stenographic minutes taken at the above examination.

N.Y. Oct. 26th 1883

James H. Lyon
Official Stenographer
No 101. Centre St.
N. Y. City

0153

1st District Police Court.

the People on Complaint of

Michael Deth. Hanley

vs.

Mary A. Baker &

Henry Baker

TESTIMONY.

Before Hon.

Andrew White

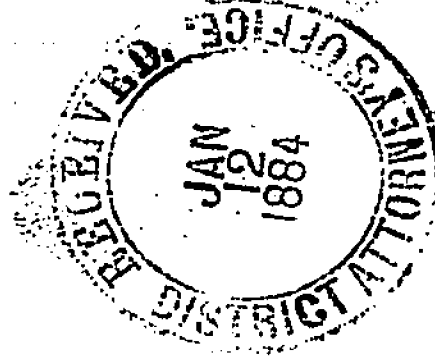
September 15th 1883

JAMES A. LYON,

Stenographer.

101 Centre St.,

Prof. City



Michael M. Hanley
vs
Mary A. Baker

Mary A. Baker

TORN PAGE

0154

~~GREETING:~~

Mr. Green

...o'clock in the fore noon,

...o'clock in the fore noon,

plaintiff

defendant on the part of the defendant and that you bring with you and produce, at the time and place aforesaid, certain books as follows

defendant on the part of the defendant and that you bring with you and produce, at the time and place aforesaid,

James Francis Thompson

Examinations

~~pos much attached~~

Veronica M. M. M.

for Henry ~~John~~-Clement Ma

A Zuker

know in your custody, and all other deeds, evidences and writings, which you have in your custody or power, concerning the premises. And for a failure to attend, you will be deemed guilty of a contempt of Court, and liable to pay all loss and damages sustained thereby to the party aggrieved, and forfeit FIFTY DOLLARS in addition thereto.

Essays

James P. Brown

Attorney

for Dep
attorney

Arthur Poeper

Clerk.

POOR QUALITY
ORIGINAL

TORN PAGE

0 155

against

Plaintiff

Affidavit of Service.

(Subpoena Duces Tecum.)

Defendant

County of ss.:

being duly sworn, says

on the day of 18.....

red the within Subpoena Duces Tecum upon
ness named therein, by delivering to and leaving with him personally a true copy thereof, and at
e time and place exhibiting to him the within original, and paying to him the sum of
....., his fees for traveling to and from the place where he was required to
attend, in and by the said Subpoena Duces Tecum, and for one day's attendance thereat: and that he
knew the said to be the individual
mentioned and described in said Subpoena Duces Tecum as such witness.

Sworn to before me, this day }
of 18..... }

SUBPOENA,
DUCES TECUM.

M. P. Green
M. P. Green

0156

POOR QUALITY
ORIGINAL

he also read its contents as the paper laid on the counter before him and there is no dispute as to its contents. Now does not this admission conclusively demonstrate that Hanley's conduct was altogether open and candid and that his statement of what took place on the 1st of September is true. If that most absurd story of the accused is true that Hanley was attempting to fraudulently procure her to sign a receipt for \$1,000, or as she says in another place (page 36) that he was trying to forge her name, *in her presence*, and then *because* he was not successful to thus *cheat* her, (and she says he failed to cheat her,) he then boldly had her *arrested* and *indicted* on a charge of grand larceny; if as she claims this is the truth then why did Hanley give his scheme so badly away in the presence of the accused and her husband by reading aloud the receipt he wanted to cheat them into signing?

III.

The accused swears that when Hanley called on the 1st of September, he asked for Baker, that Baker was taking a nap, that Hanley went off saying he would return in an hour or so that Baker woke up after Hanley left, that she told him Hanley wanted to see him, but that Baker did not wait his return as he had to go somewhere, that Hanley returned and then commenced to write, that the *interest* receipt was signed by her and nothing else, that Hanley was anxious to have Baker sign the receipt, that she told him if he would call some other day Baker would do so (page 45), that while Hanley was standing leaning over the counter talking with accused and waiting for Baker, *with the receipt signed by her in his pocket* that Baker passed through the store behind Hanley's back and went up stairs, that ~~she~~ saw Baker pass through, that she had just before that agreed with Hanley that he should return some other day for Baker's signature, then ~~what~~ did she not call her husband as he passed and say to Hanley, "you needn't come again, here is my husband now?" (See pages 33, 34, 35, 47, 48, 49 and 75 for foregoing admissions.)

IV.

The accused admits that next day (after 1st September) she informed her husband that Hanley was coming up to see him and get his signature to receipt (page 46). Baker says that she informed him that Hanley wanted to see him, but that it was about buying another house (pages 91, 92) but in another place he says she told him it was to get his signature to a receipt (page 96).

V.

Can it be credited that Hanley was so extremely anxious to have a mere interest receipt signed by the husband as pretended by the accused? Why should he wait for Baker a whole day for this purpose and why should he come all the way from 53d street and First avenue to Morrisania to get his signature to such an insignificant paper as a receipt for \$55.50.

0157

POOR QUALITY
ORIGINAL

*This is for Mr
Meredith - Cornman*

*Michael H. Hansen
or
Mary A. Baker*

*Forward
Mainland.
... about and
... Poor
...
... 230 E. 55th St*

POOR QUALITY
ORIGINAL

0158

COURT OF GENERAL SESSIONS.

The People &c., on complaint of
Michael M. Hanley, against
Mary A Baker

STATEMENT OF CASE.

In the month of March, 1888, Michael M Hanley, who resides at 53d street and 1st avenue, in this city purchased from the accused, Mary A Baker, the house and lot situated on the corner of College avenue and 144th street, Morrisania, for the sum of \$4,250, paying \$2,400 cash and leaving on bond and mortgage, \$1,850. The bond and mortgage was made payable in 3 years, but it contained a provision that the mortgagees had the privilege of paying off any portion of it before that time, when the interest became due, every 6 months. The accused after the sale, and on the day of sale, rented from Hanley the said premises mentioned for the term of 1 year for \$400, where she continued, as before the sale, to carry on a small grocery business. She is a married woman and her husband, Henry Baker, is a horse jobber by occupation.

On the 1st of the following September, when 6 months interest became due Hanley, in pursuance of the privilege given in the bond and mortgage, concluded he would pay \$1,000 of the same, with the \$55.50 due for interest.

After consulting with his wife as to his intentions in this regard, and receiving from her his bank book, he went on the morning of September 1st to the Emigrants Industrial Savings Bank and drew out \$900 in bills, (he has never yet drawn a check), returned to his home and counted the money drawn with other money in his possession in his wife's presence, and after some little delay proceeded to Morrisania to the store of the accused. He found her alone and stated that he desired to see herself and her husband. Baker, the husband, was "taking a nap" so the accused stated to Hanley. Hanley told her he would take a walk and return again, which he did. On his return the accused said her husband had gone out. Hanley waited quite a length of time, but Baker not appearing, informed the accused that he wanted to pay \$1,000 of the mortgage. It was the first transaction Hanley had in regard to real estate, and he was anxious to pay on that day as that would comply with the privilege in the mortgage, and he supposed that because the husband signed the deed of conveyance that it was also requisite that he should sign the receipt for the money paid on the mortgage. The husband not having come he paid the accused \$900 in bills and gave her a receipt for \$100, the amount of one quarters rent of store due him by her, thus making a payment of \$1,000. He also at the same time paid her \$55.50 interest due on mortgage. The accused signed two separate receipts drawn by Hanley, one for \$1,000, as part payment of mortgage of \$1,850, the other for \$55.50, 6 months interest on mortgage. Both receipts recited what

POOR QUALITY
ORIGINAL

0159

the payments were made for. Hanley, as before stated, was anxious for Baker's return in order that he should also sign the receipt, and not having returned (as Hanley thought) it was agreed between the accused and himself that he should return some other day for that purpose. This agreement is admitted by the accused (pages 45, 46) but she says it had reference *only* to the interest receipt for \$55.55. It appears (pages 33, 34, 49, 75, 76) that *after* Hanley had made this agreement with her and *while* he had the receipts in his pocket, that Baker passed through the store behind Hanley's back and that the accused saw her husband so passing and never drew attention to it. Hanley returned home and gave the two receipts to his wife who kept them in her bureau drawer until the 6th of the same month when Hanley asked her for them and then he took a large sheet of paper and giving his wife the two receipts she dictated them while he copied them on the large sheet. He did this so as to have both receipts in one paper, and have them signed by the accused and her husband when of course the two receipts ~~already signed were to~~ be surrendered or destroyed. Having prepared this paper he went on the following day (7th September) to the store of the accused, in company with one Wm. J. Hanley. He found the accused and her husband at home and they both went behind the counter of their store. The accused admits (pages 45, 46, 76) that she then said that she and her husband were expecting him before that day. Hanley took from his pocket the two receipts (already signed by accused) and the one paper containing exact copies of these receipts, which when signed was to be a substitute for them as before stated, and placed ~~them on the counter before the accused~~ and her husband and asked to have the proposed receipt signed. The accused by a quick movement picked the \$1,000 receipt from off the counter and saying that she wanted pen and ink retired to a room off the store and destroyed or made away with it. When she returned behind the counter she asked Hanley to read the large paper. He read it in a loud and distinct voice. She again asked him to read and he read it for them a second time. This is admitted by both accused and her husband, (pages 38, 48, 85) she declared then that she never received \$1,000 and never gave receipt for such an amount. While talking in this manner she was fumbling with some paper in her hand, and Hanley seeing this darted forward and tried to grasp her hand saying, "is that my receipt? you are tearing, you villain?" She pulled her hand away when William J. Hanley took the torn papers from her, and Hanley on observing this, took from the counter the interest receipt and the paper containing the two proposed receipts and saying to his companion Wm. J. Hanley, "come along, I guess we are all right, we can put the pieces together," left the store, supposing that he had the receipt in its torn condition. Hanley as he got outside made a hasty examination of the fragments of paper, but could not

0160

People ?
Baker S

On the 1st of Sept: 1883 Michael &
Hanley went to the store of the dept.
Cor. College Avenue & 144th St.
to pay the dept: \$1000. on a mortgage
of \$1800 on the premises above
mentioned. In March 188

0161

6

boldly

on this

of the defence is true that Hauley attempted
to defraud ~~the~~ the prisoner into the signing
of a receipt for \$1000. ~~or~~ or as she
says ~~the~~ another part of her evidence ^{(page} that
he was trying to forge her name to
~~the~~ receipt & that because he was
not able to ~~cheat~~ thus cheat her he
had her arrested & indicted; if as
she claims this is true, why did Hauley
give himself so badly away in
the presence of the prisoner & her husband
by reading aloud the ~~two~~ receipts -
he wanted to cheat them into signing?

0162

to go all the way
to ~~come~~ ~~another~~ from 5-3rd St
& 1st av to Morrisania for that sole
purpose?

~~The mortgage has~~

The prisoner has commenced a
foreclose of the mortgage which has
nearly ~~two~~ ^{on the ground} two years to run, ~~of~~
of nonpayment of interest on \$1850.
Haley on 1st March ¹⁸⁸⁴ tendered
interest on \$850 which was
refused, and immediately thereafter
suit was begun.

IV

The prisoner & her husband & aunt (prizes
) that when Haley ~~read~~ ~~came~~
said the papers on the 7th Sept. ~~before~~
them on the 7th Sept. that on request he
read them aloud twice & Baker swears that
the contents of one of them as thus read
was to the effect that it was a receipt
for \$1000 ~~paid~~ ^{paid} on mortgage and he
says further ~~pages~~) that he read
its contents as it ~~was~~ ^{was} on the counter
before him.

Now does not this conclusively show on
their own admission that Haley's conduct
was open & candid & is in striking proof
of his statement of what took place on
the 1st Sept. If ~~he~~ ^{he} ~~absured~~ ^{absured} ~~them~~

5/

Accuser says she told Baker after Hanley left that he was coming up some that day to see him - Baker says that he thought it was almost a week or thereabouts that he says it was to sign a receipt

in his

then signed by her ~~and was~~ ⁱⁿ pocket, that Baker passed through the door behind Hanley back & went up stairs - She says she saw Baker pass behind Hanley back, ~~that Baker~~ She has just before arranged with Hanley ^{that he} to have Baker ~~sign~~ signature. Then why did she not call ^{husband} he, as he passed & say to Hanley "here is my husband" "you needn't come up again, here is my husband now" Hanley, she says, remained about an hour and a half after she signed the receipt. (see pages 33, 34, 35, 47, 48, 49, 75 ~~for~~ for foregoing admissions)

III

It is ~~not~~ credible that Hanley was so anxious to have a more interest receipt for \$55-⁵²/₁₀₀ signed by ~~the~~ ^{the} Baker as alleged by the prisoner. Why should he wait so long for Baker's ~~signature~~ ^{signature} to this insignificant paper when she has already signed it and why should ~~he~~ ^{he} regard it as ^{he} important enough to ~~make~~ make arrangements

0164

attempted to seize it from her (prisoner's testimony page 43) ~~He said "is that being receipt for you are taking your will?"~~

If she has not signed another receipt on the 1st of September why should Hanley make a "grab" for what she had in her hand when the one, she says, she signed, was on the counter?

II.

Prisoner says that when Hanley called on the 1st he asked for Baker — that Baker was taking a nap, that Hanley went off saying he would return that Baker woke up after Hanley left that she told him Hanley wanted to see him, but that Baker ~~would~~ not wait his return as he had to go some where, that Hanley returned and commenced to write receipts that the interest receipt was signed by her and nothing else, that Hanley was anxious to have Baker sign the receipt, that she told him if he would call some other day Baker would do so (page 45), that while Hanley was standing leaning over the counter ^{& waiting for Baker} talking with prisoner with the receipt

4

that these two papers ^{did} ~~contain~~ ^{contain} not the missing receipts Hanley ~~returned~~ returned that night to Morrisania to see his lawyer Mr. Green who resides there & laid the matter before him. Again another effort was made to put the papers together ~~together~~, but by Mr. Green without success. ~~Then the~~ The two Hanleys & Mr. Green ~~went~~ visited the police station that night & laid the matter before the Acting Sergeant &c. Next day papers were prepared for the depts arrest.

Points for the prosecution
based on the ~~depts~~ ^{depts} testimony of
before police justice

It is ^{admitted} ~~conceded~~ by prisoner's husband that on the 7th Sept. Hanley laid on the Counter the interest receipt and the ~~two~~ proposed two receipts (in one paper) - She swears she signed but one receipt (interest receipt) on the 12th Sept. Now she admits (page 43) that while these two papers were on the Counter on the 7th Sept. Hanley, seeing ~~her~~ the prisoner fumbling with another paper in her hand, "grabbed" for it and ~~took~~

pulled her hand away from him
 when William J Hanley his Companion
 took the torn papers from her ^{with her consent} and
 Hanley seeing this ~~and~~ immediately took
 up from the Counter the interest ~~receipt~~
 receipt & the ~~torn~~ paper containing the
 two proposed receipts & saying to
 his Companion Wm J Hanley - "Come
~~all~~ along, I guess ~~we are~~ all right.
 We can put the pieces together" supposing
 he had the receipt in ~~its~~ torn condition.
 Hanley immediately went home, took
 the torn fragments, & spread them on the
 table ~~and tried to put the~~ but they proved
 to be nothing but pieces of paper he
 had written on while endeavouring to
 draw up the receipt on the 1st Sept -
 It should be here stated that on the 1st
 of Sept while waiting for deft husband
 Hanley wrote several receipts until
 he got them in ~~proper~~ ^{to suit} shape, and after
 he had written ^{several of them} ~~them~~ in pencil he
^{carelessly} ~~then~~ shoved them aside on the
 Counter where he was writing, and
 it was these papers in the torn condition
 which she had been fumbling in her
 hand & which she handed to Wm J
 Hanley as before mentioned. ^{Findings}

She asked Stanley what the large paper was
 passed him to read it. He read both receipts for them in
 a distinct voice. Again she asked him to read it & he read
 them to her a second time (admitted pages)

to the store of the dept. in company
 with ^{one} William J. Hanley. He found
 the dept & her husband at home
 & they both went behind the counter
 of their store. The dept admits (page
) that ^{she said then} they were expecting ~~her~~
 Hanley up before that. Hanley took
 from his pocket the two receipts and
 the one paper containing ^{the} two proposed
 receipts ~~to be substituted for the other~~ ^{and above referred to} and
 being exact copies of them ^{and} placed
 them on the counter before the dept and
 her husband and asked to have ~~them~~ ^{the}
~~signed~~ proposed receipt signed. The
 dept quickly snatched the \$1000 ~~off~~
~~off the counter~~ saying that she wanted pen & ink
 retired to a room off the store, and
 destroyed or made away it. When
 she returned ~~she said he took away her~~ ^{she declared}
~~receipt~~ that she never rec'd \$1000. and
 that she never gave a receipt for
 that amount. While taking ~~in this~~
 in this manner she was fumbling with
 some paper in her hand, and Hanley
 seeing this, jumped forward & ~~made~~
 made an effort to take it from
 her saying "Is that my receipt
 you are tearing you villain" She

recited what the payments were made for.
 The husband not having returned it
 was then there agreed & understood
 (~~as this the defendant's receipt in her
 testimony before the Magistrate page~~) that
 Hauley should return some other day
 for the husband's signature.

This agreement & understanding is
 admitted by the ~~deft~~ (page) book
 in examination (page) but
 she says it had reference only to
 her husband's signature to the interest receipt of \$55-⁰⁰ ^{two}.

Hauley returned home & gave the ^{two} receipts
 to his wife who ~~had~~ kept them in her bureau
 drawer until the 6th of the same month
 when Hauley ~~called~~ ^{asked} her
 for them & then he took a large sheet
 of paper & giving his wife the two
 receipts asked her to dictate them
 to him while he wrote copies of them.
 He did this ~~so~~ so as to have both
 receipts in one ~~large~~ paper, and have
 them signed by the defendant, and
 her husband, when ^{of course} he was to surrender
 the two already signed by the def.
 & ~~have them destroyed~~ Having pre-
 pared this paper he went the following
 day to the station (7th September)

her husband's signature to

or destroy

0169

2

formed her that he wanted to pay
 \$1000. of the mortgage. ~~He then paid~~
~~her \$900 in bills & gave her a receipt~~
 He waited ^{as} the evidence shows until
 about 5 o'clock for the husband of the
 def. ^{the purchase of his property} Hanley had never before ~~been~~
 a real estate ~~transaction~~ transaction. he was
 anxious to pay it that day (1st Sept) as
 it was only on that day privilege
 of paying was given by the terms of
 the mortgage, and he supposed that
 because the husband ~~was~~ ^{had} ~~was~~ ^{was} obliged
 to sign the deed of conveyance that it
 was also necessary that he should sign
 the receipt for the money paid on
 the mortgage. ~~The~~ The husband not
 having come he paid ~~\$900~~ the deft
 \$900 in bills & gave her a receipt for
 \$1000 ^{the} amount of one quarter rent of
 store due him by defendant that day,
 thus making a payment of \$1000.
 He also at the same time paid her \$55-⁵⁰/₁₀₀
 interest due on mortgage. The deft
 signed two separate receipts ~~one for~~
~~\$1000~~ drawn ~~up~~ by Hanley - one for
 \$1000. as part payment of mortgage of
 \$1850, and one for \$55-⁵⁰/₁₀₀ interest
 on mortgage. Both receipts ~~are~~ ^{attached}

when six months interest became due
 Hawley in pursuance of the ^{privilege} ~~provision~~
~~of~~ given in the ^{bond} mortgage ~~made~~ concluded
 that he would pay \$1000 of the ^{same} ~~same~~ ^{same} ~~same~~
 as well as with the \$55.50 due for
 interest. He ~~and after receiving the bank book~~ ^{and after receiving the bank book} ~~proceeded~~
 morning of the 1st September to the ~~the~~
 Emigrant Industrial Savings Bank
 & drew out \$900 in bills, returned
 to his home.

After consulting with his wife as to
 his intentions in this regard, ^{he received from}
 her his bank book & went on the morning
 of the 1st of September to the Emigrant
 Industrial Savings Bank & drew out
 \$900 in bills, ^{the husband through a check} returned his home, counted
 the money drawn, with other money he
 had in his pocket, in his wife's presence
 and ~~after~~ ^{and after} some time ^{proceeded} ~~went~~
 to Morrisania to the store of the deft.
 He found her alone, & stated that he ~~desired~~
 desired to see herself & husband. ~~She~~
 The husband, the defendant, ^{said} ~~was in bed~~
 was "taking a nap" & Hawley went away
 saying he would return in an hour or
 so. ^{During return} ~~Having returned~~ the defendant
 said her husband had gone out. Hawley
 waited some time longer & then he in =

0172

Hanley she says remaining about
an hour and a half after she
signed the receipt

the counter at 3 1/2 o'clock with
the receipt then signed & in his pocket
that Baker came in & passed through
the store & went up stairs & never
made known his presence to Hanley.
She says she said Baker pass
behind Hanley. Baker knew he
wanted to wait to see him, ~~she~~
~~knew it~~ ~~why~~ why did they
not prisoner call her husband
then & say to Hanley "You needn't
come up again here is my husband
word" ³³ ³⁵ pages 34, 47, 48, 49, 75-

Baker passed through store at 3 1/2
o'clock while Hanley was waiting to see
him & then went to help feed man in the
stable & did not come back until after
Hanley left at 5 1/2 o'clock (page 48)

0173

Points for Prosecution
~~Mary A. White~~
 on Prisoner's testimony before
 Police Magistrate -

It is conceded that on the 2nd
 September Hanley laid down ~~one receipt~~
 for \$55.50 and for ~~paper~~
 embracing ~~that receipt~~ & ~~a receipt~~
 two proposed receipts.

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It is conceded by prisoner that on the
 7th Sept. Hanley laid on the counter the
 interest receipt & the proposed two receipt
 (in one paper). ~~She said~~ She appears
 that she signed but one receipt ^(interest) on
 the 1st Sept. Now she admits ^{page 43} that
 while these two papers were on the
 counter on the 7th Sept. Hanley seeing
 her ~~that~~ prisoner ~~was~~ fumbling with
 the paper in her hand & "grabbed" for

page 43

It endeavored to take it away from her
 (He said "is that my receipt you are
 tearing you william"). If she had
 not signed another ~~receipt~~ ^{receipt} on the 1st
 why should Hanley ~~grab~~ make
 a "grab" for what she had in her
 hand when the one she says she

4250
 4850
 2400

0174

signed was on the Certificate -
 When Hawley after his friend got
 possession of torn paper took up
 the interest ~~receipt~~ ^{from the country} & two proposed
 receipts & left the store at once
 saying to his friend "I guess ~~we are~~
 all right. We can put the pieces
 together" ~~supposing as to say~~, that
 he had his \$1000 receipt in the torn
 paper -

2nd Prisoner says that when Hawley called
 on the 1st he asked for Baker - that Baker
 was taking a nap. that Hawley went off saying
 he would return, that Baker ~~got~~ woke
 up ~~at~~ after Hawley ~~left~~, that she told
 him Hawley wanted to see him, but that
 Baker would not wait his return as
 he had to go some where, that Hawley
 returned & commenced to write &c,
 that the interest receipt was signed
 by them & nothing else, that Hawley, ~~and~~
~~she afraid that the same came~~
 was anxious to have Baker sign
 the receipt & she told him if he
 came ~~back~~ up some other day Baker
 would sign it ^{page 45 Baker signed his page 46} that while he was
 standing ~~with~~ & leaving ~~over~~ over

0175

Third District Court-

The Mayor is of the
City of New York

Hanley came there about two
o'clock - went away came back
& wrote - The whole writing was
over at Court ^{before} 3 1/2 o'clock
& he had receipt in his pocket
but he remained ~~until~~ ^{waiting for Baker}
5 1/2 o'clock pages 48 & 49

Hanley's testimony

Hanley says he paid about 5 o'clock
in the afternoon - page 4

Hanley says he isn't sure whether
Baker signed deed page 9

Waiting for husband to come in
page 10

for two hours I was drawing
receipts page 11

proposed receipts
in evidence - page 11 -

tore some up - page 11 -
two hours after he drew receipts -
she signed it - page 12 -

0176

TORN PAGE

5- When Hanley came on 7th Mrs Baker
told him that she had a receipt for
7th Mrs Baker passed a receipt
to Hanley and receipt for
the 7th away until 5 o'clock 75-76

37-46
37-45-
37-44-45-
37-43-44-45-
37-42-43-44-45-
37-41-42-43-44-45-
37-40-41-42-43-44-45-
37-39-40-41-42-43-44-45-
37-38-39-40-41-42-43-44-45-
37-37-38-39-40-41-42-43-44-45-
37-36-37-38-39-40-41-42-43-44-45-
37-35-36-37-38-39-40-41-42-43-44-45-
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37-0-1-2-3-4-5-6-7-8-9-10-11-12-13-14-15-16-17-18-19-20-21-22-23-24-25-26-27-28-29-30-31-32-33-34-35-36-37-38-39-40-41-42-43-44-45-

Hanley
Baker
1st Mrs B. swears that she signed receipt
at page 34-
she admits that on the 7th September, that
Hanley "grabbed" for a receipt
which she (Hanley) thought she was
tearing. See page 34-
Now Hanley
must have had another receipt that
day besides the interest receipt.
for while the interest receipt was
on the counter he "grabbed" for
the papers in her hand & said "is
that my receipt - You are tearing
you villain" while this interest
receipt lay on the counter with
the two proposed receipts

6th Hanley read proposed receipt
38-39-40-41-42-43-44-45-
38-37-38-39-40-41-42-43-44-45-
38-36-37-38-39-40-41-42-43-44-45-
38-35-36-37-38-39-40-41-42-43-44-45-
38-34-35-36-37-38-39-40-41-42-43-44-45-
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38-32-33-34-35-36-37-38-39-40-41-42-43-44-45-
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38-29-30-31-32-33-34-35-36-37-38-39-40-41-42-43-44-45-
38-28-29-30-31-32-33-34-35-36-37-38-39-40-41-42-43-44-45-
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38-15-16-17-18-19-20-21-22-23-24-25-26-27-28-29-30-31-32-33-34-35-36-37-38-39-40-41-42-43-44-45-
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38-8-9-10-11-12-13-14-15-16-17-18-19-20-21-22-23-24-25-26-27-28-29-30-31-32-33-34-35-36-37-38-39-40-41-42-43-44-45-
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38-1-2-3-4-5-6-7-8-9-10-11-12-13-14-15-16-17-18-19-20-21-22-23-24-25-26-27-28-29-30-31-32-33-34-35-36-37-38-39-40-41-42-43-44-45-
38-0-1-2-3-4-5-6-7-8-9-10-11-12-13-14-15-16-17-18-19-20-21-22-23-24-25-26-27-28-29-30-31-32-33-34-35-36-37-38-39-40-41-42-43-44-45-

TORN PAGE

0177

57 was ~~where~~ Wm Barker says that when Harry Callahan / et al Sept 1, 1935
he asked for Barker - that he was having a drink - Hanley went away & when
he came back Barker was gone, but - also told Barker that Hanley wanted
to see him, Barker returned at 3 1/2 o'clock & saw Hanley in the - 1935
page 47, 48 Barker received was them ~~same~~ ³⁴ page 47, 48, 49-75.
page 47, 48 Barker was to ~~be~~ ³⁴ page 47, 48, 49-75.

W^m Baker swears that she never signed
any receipt but the true for interest (\$5-50)
~~but~~ she admits - (page 43) that
on the 7th September, while the interest-receipt
& the two proposed receipts were lying on
the counter, Hanley "grabbed" for a paper
she had in her hand. ~~and he said~~ He said "is
that my receipt you are tearing, you
villian?" So that according to ~~her own~~^{this}
testimony Hanley must have had another
receipt signed by her, or he would
~~have acted & said what is testified~~
~~to~~ Again it is admitted on all sides
that when his friend gains possession of ~~the~~
~~it is a~~ the papers he "~~grabbed~~" for
Hanley left the store at once, ~~and~~
supposing he had receipt in its
true condition, and he even ~~said~~^{told} I guess
we are all ~~right now~~ of it & can put
this piece together.
A blank paper, sent to me by Mr. [unclear] who says that he has found the original receipt in his collection.

0178

Contract for Property.

W. Reid Gould, Law Blank Publisher and Stationer, 108 Nassau St., N. Y.

Article of Agreement,

MADE and entered into the — 23^d — day
 of January in the year one thousand eight hundred and eighty three
 Between Mary A. Baker of the City of New York

party of the first part, and Michael M. Hanley of the same place

party of the second part, in manner following: The said party of the first part, in consideration of the sum of One hundred dollars, to her duly paid, the receipt whereof is hereby acknowledged, hereby agrees to sell unto the said party of the second part all that certain house and lot situate at the south east corner of 144th Street and College Avenue in the 23^d Ward of the City of New York - Beginning at the south east corner aforesaid; running south along College Avenue 14 feet 8 inches; thence easting parallel with 144th Street back of the way through the centre of a party wall 100 feet; thence northing parallel with College Avenue 14 feet 8 inches to 144th Street; thence northing along 144th Street 10 feet to the front and place of beginning

for the sum of Two thousand three hundred and fifty dollars, which the said party of the second part hereby agrees to pay to the said party of the first part, as follows: The sum of One hundred dollars on the signing hereof Two thousand three hundred dollars in cash at the time of the delivery of the deed hereinafter mentioned - Eighteen hundred and fifty dollars to be secured by Bond mortgage for \$9000, to bear interest at six per cent payable half yearly - To contain the usual tax, assessment & insurance conditions - To be drawn by the attorney for said Baker at the expense of said Hanley. Hanley shall have the privilege of paying off any part of said principal sum at any time the interest is payable - There is a mortgage on said premises which amounts to \$650 - and to be paid off out of \$2300 - by the purchaser and the balance of \$1650 - to be paid Baker, each to pay on Day of Dunsomms Contributions

And the said party of the first part, on receiving such payment at the time and in the manner above mentioned, shall at her own proper costs and expense, execute, acknowledge and deliver to the said party of the second part, or to his assigns, a proper deed for the conveying and assuring to him them the fee simple of the said premises, free from all encumbrances except that said conveyance shall be made subject to the insurance & building conditions in Deed Mort to Fire & Lightning - said deed to be delivered at the Office of the Mutual Life Insurance Company in Broadway New York on March 1st 1883, at 11 AM which deed shall contain a general warranty and the usual full covenants.

And it is understood, that the stipulations aforesaid are to apply to and bind the heirs, executors, administrators and assigns of the respective parties.

In Witness whereof, the parties to these presents have hereunto set their hands and seals the day and year first above written.

Sealed and delivered in the presence of

Mary A. Baker
Michael M. Hanley

0179

May A. Baker

TO

Michael M. Hamby

Contract for Property.

Dated Jan'y 23^d 1883

SMITH WILLIAMSON,
ATTORNEY & COUNSELLOR,
Third Avenue & 144th Street,
NEW YORK.

A Complete Chain of Title from 1643 to 1874 of
nearly 4000 City Lots in the 23d and 24th Wards.
Examination of Titles in these Wards a Specialty.

0180

POOR QUALITY
ORIGINAL

General Sessions

People

May A. Baker

Charge Grand Larceny.
of a receipt for \$1000.

Michael M. Hanley.

Sept 7 He introduced
to defendant a
receipt for \$1000. signed
by her on Sept. 1. for
\$1000 received by her on
that day. The receipt
was handed to her
for the purpose and with
the understanding that
it was to be signed
by her husband Henry
Baker and defendant
unlawfully detained or de-
stroyed the receipt so
as to prevent complainant
from using it as evidence
of payment of the \$1000.

POOR QUALITY
ORIGINAL

0181

Cross Ex of Michael M. Hanley

Bought a house and lot
of defendant Mrs. Baker
Paid \$2400 cash and
\$500 on mortgage.

Sept 1, 1883 had to pay
interest on mortgage: Paid
it got receipt exhibit A
Paid some day \$500 cash
and \$1000 for the house
for three months provided
gave a receipt. Took a
receipt for the \$1000. Also
Baker defendant de-
stroyed the receipt on
Sept. 7, 1883. Had the
receipt in his possession
from Sept 1 to Sept. 7. Ex-
hibit B is copy of receipt
being two receipts on one paper.
Made these copies two
days after the receipts were
given. On the 7th of September
went to Mrs. Baker there
her and her husband signed
the receipts. Gave the
receipts down on the

0182

POOR QUALITY
ORIGINAL

Hanley says
writing for me
Kane or more
couldn't get the
receipts to
quit him the way.

Counter. She took up
the \$1000 receipt and
to took up the \$50⁵⁰ receipt.
Mr. Baker had nothing
to do with the mortgage.
William J. Hanley was
present when they took
up the receipts off the
Counter. took him along
because her lawyer told that
they were very tricky people.
Nobody with anything when
he paid the \$1000. On Sept 7th
I told Mr. Baker I
wanted him to sign. She
took the receipt and went
in another room looking for a
pen. Paid the money Sept
1, in cash ^{one 300 bill} and
4 \$100 bills.

Wrote five or six
receipts on Sept 1 at
Mrs Baker's house. Couldn't
get them to quit me.

On Sept. 7th Mrs. Baker
went in the other room
then got excited and
called me names and
wanted to have me arrested.
Said I hadn't paid her
\$1000 and didn't get any receipt.

POOR QUALITY
ORIGINAL

0183

Re direct of Hawley

Gave receipts my wife
to keep from Sept. 1 to Sept
7. On Sept. 7 Mrs.
Baker took the receipt in
and the room said she was
looking for a pen ^{stood a minute and a half} and then
said she was trying to get
her. Mrs. Baker ~~passed~~
the fragments of paper
to W. J. Hawley. I sup-
posed they were the frag-
ments of the receipt. When
I got home found they were
pencil marks on paper.
which I didn't finish.
I never saw the ¹⁰⁰⁰ re-
ceipt after Mrs. Baker
took it up from the counter.

Mary A. Baker, Complainant came
defendant. My house Sept 1.
Asked for pen & ink
He took a sheet of note
paper doubled it in two
on the top of the note paper
was writing and then

0184

POOR QUALITY
ORIGINAL

bottom of the sheet
was blank. He reached
over the paper box with
the blank side exposed
and asked me to sign it.
He would not let me see
it, wanted me to sign
the blank side. He
wrote three more and
when I would not sign
~~the blank side~~ ^{the printed} reading
then he tore them up
of put them in his
pocket. Mr. Lett Sur-
veyor came in three or four
times while Hanley was there.
Hanley finally made out
a receipt that printed him
and handed it to me. I
asked him if it was all
right: he said yes and
I signed it Defendant's
Exhibit A. Then he paid
me \$55.50. I showed
him the bond or mortgage
and he tried to snatch it
away saying "how bad
damn careful you are!"

POOR QUALITY
ORIGINAL

0185

I got some money and
just to that he gave me and
paid the rent: he gave me
a receipt. Sept 6th A.
Hanley did not pay any
more money on that
day and I did not
give him a receipt for
\$1000. After he was gone
found a paper a receipt for
\$1000, the first paper I saw
in his hand.

on Sept. 7 Hanley came in
with a friend waited a
while for Mr. Baker then
asked to have receipt signed
by Mr. Baker. Hanley
said I gave you \$1000 and
this was the other day. I
denied it. then the other
Hanley took the payment
of paper Hanley had written
before.

Margaret Hanley.

Wife of complainant.

Sept 1. My husband gave
me a receipt for \$1000 and

POOR QUALITY
ORIGINAL

0186

one for \$50-50, both
signed by Henry A. Baker
and I kept them in my
possession until Sept. 7.
then handed them to my
husband. I had seen
her write and will swear
the signature was hers.

Henry Lett.

Surveyor. Saw Hanley
at Mrs. Baker's about
Sept. 1. writing Sur piece
of paper on the floor in the
evening.

Deissen
Olga Deissen

Saw Hanley at Mrs
Baker's loaned her
1/2 dollar day and paid
her 1/2 cent.

Henry Baker.

Saw Hanley on Sept
7th wanted me to sign
two receipts one for \$100
and one for \$50-50. My

POOR QUALITY
ORIGINAL

0187

wife did not take
any receipt off to the
back room.

Ans &c.

The two receipts were
on one piece of paper.
Hanley used the receipts
over twice. One was
for \$1000 on account of
the mortgage of \$1050. My
wife called this a
perambulation.

William J. Hanley.

Went with Complaint
to Mrs Baker on Sept
7. Complaint
on the way showed
written receipt for \$1000
signed Mary A. Baker
at Mrs Baker's Hanley
produced a receipt for
\$500 and one for \$1000
and a paper upon which were
written two receipts not
signed by anybody. He
handed the three pieces of
paper to Mrs. Baker

POOR QUALITY
ORIGINAL

0188

Mr. Baker took the one
for \$53.82 and Mrs.
Baker took the one for
\$1000 up and the two
signed receipts on one
paper remained on the
counter Mrs. Baker asked
her husband for a pen
she had the receipt when
hand then she went into
an inside room and in a
minute or two returned
without a pen. They found
a pen and then Hawley
asked Mrs. Baker to sign
the receipts and Baker
said he didn't see any
money Hawley said to
Mrs. Baker didn't give
you \$1000 last Saturday?
"Oh"
Mrs. Baker said "yes" then
I knew you were doing
something when you were
writing all that day you
were here. I knew there
was something up." She
had some pieces of paper
in her hand pulling or
tearing up trying to destroy

POOR QUALITY
ORIGINAL

0189

and Hanley said to her
"are you tearing up my
receipt you villain?"
Hanley made a grab for
the papers but didn't
get them and Mrs Baker
laughed then some. I
carried the torn pieces
away. They appeared to be
a part of two torn
receipts. Saw Mrs. Baker
take the receipt for \$1000
and make away with it
and she refused to give it
up to Hanley on his asking
her for it.

Good Ev.

Hanley laid down
the receipt and Mrs
Baker picked up the
one for \$1000. The pieces
of paper that Mrs Baker
said she gathered up
were in the handwriting
of Hanley I suppose.
Hanley didn't ask Mrs.
Baker to sign anything.
The papers that were torn

POOR QUALITY
ORIGINAL

0190

up were written in pencil.

Proper

Mary A. Barber

Diary of

Esther Bennett

(Margaret)

0191

lynes. The dept. took up the
\$1000. receipt & going into a
room off the store destroyed
~~destroyed~~ or made away with
it.

Paints-

0192

People re on Complaint of Hauley

vs
Mary A. Baker

In the month of March 1883 Michael M. Hauley purchased from the above defendant the house & lot situated on the corner of College ~~St~~ & 144th St., leaving a ~~sum~~ due on bond and mortgage the sum of \$1800.

~~The defendant~~ The defendant after the sale (on Sunday) leased the premises from Hauley for one ^{at a rental of \$4.00} year & continued to carry on a grocery ~~store~~ business in the store thereof. The mortgage provided that the mortgagor may pay any portion of it any way he paid when the interest became due (every six months)

On the 1st of Sept. in pursuance of this provision Hauley went to the store of the defendant & paid her \$900 in full & gave her besides a receipt ^{for \$900} for rent due him ~~for~~ by her for said premises. He also paid her then \$55.50 six months interest due on the said mortgage. ~~The~~

0193

The debt signed two separate receipts
one for \$1000. and the other for
\$5500 interest. ~~He returned~~
~~home~~ Thinking that this signature
of the debt husband was also
necessary ^{to the receipt} it was agreed between
the debt & Hauley that he should
come some other day when her
husband was home. ~~He~~ ^{Hauley} returned
home & gave receipts to his wife
who held possession of them until
the 7th of ~~September~~ same month, when
Hauley ~~did~~ drew up in one
large paper two receipts being
exact copies of ~~the~~ ^{two} ~~ones~~ already
signed in separate pieces of paper
with a view of having ~~the~~ ^{these}
~~read~~ ~~the~~ debt. When husband
saw this as being more easily
~~the~~ easily kept, ~~where~~ ~~the~~
~~other two should be~~ & then
to destroy the other two -
On the 7th of Sept. ^{Hauley} ~~they~~ in Company
with one Wm J. Hauley went
to the debt - Stone & placed before
the debt & her husband the three
papers referred to above & asked
to have the proposed receipt

0194

Contract for Property.

W. Reid Gould, Law Blank Publisher and Stationer, 108 Nassau St., N. Y.

Article of Agreement, MADE and entered into the 23rd day
of January in the year one thousand eight hundred and Eighty three
Between Mary A. Baker of the City of New York

part y of the first part, and

Michael M. Hanley of the same place

part y of the second part, in manner following: The said part y of the first part, in consideration
of the sum of One hundred dollars,
to her duly paid, the receipt whereof is hereby acknowledged, hereby agree s to sell
unto the said part y of the second part all that certain house and lot situate at the
South East corner of 144th Street and College Avenue in the 23rd Ward of the
City of New York - Beginning at the South East Corner aforesaid, running
Southerly along College Avenue 17 feet 8 inches; thence Easterly parallel with
144th Street part of the way through the Centre of a party wall 100 feet; thence
Northerly parallel with College Avenue 17 feet 8 inches to 144th Street; thence
Westerly along 144th Street 100 feet to the point and place of beginning

for the sum of Two thousand two hundred and fifty dollars,
which the said part y of the second part hereby agree s to pay to the said part y of the first part,
as follows: The sum of one hundred dollars on the signing hereof. Two
thousand three hundred dollars in Cash at the time of the delivery of the
Deed hereinafter mentioned. Eighteen hundred and fifty dollars to be
secured by Bond & Mortgage for 3 years to bear interest at six per
cent payable half yearly. To contain the usual tax, assessment &
insurance conditions. To be drawn by the attorney for said Baker at
the expense of said Hanley, Hanley shall have the privilege of
paying off any part of said principal sum at any time. The
interest is payable. There is a Mortgage on said premises which
amounts to \$650 - and is to be paid off out of the \$2300 - by the
purchaser and the balance of \$1650 to be paid Baker, each to
pay one half of Drumsnores Commissions.

And the said part y of the first part, on receiving such payment at the time and in the manner
above mentioned, shall at her own proper costs and expense, execute, acknowledge and deliver to
the said part y of the second part, or to his assigns, a proper deed for the conveying and assuring
to him or them the fee simple of the said premises, free from all encumbrances except that said
conveyance shall be made subject to nuisance and building conditions in
Deed MRS To Bruchtricht. Said Deed to be delivered at the Office of the Mutual
Life Insurance Company in Broadway New York on March 1. 1883, at New
which deed shall contain a general warranty and the usual full covenants.

And it is understood, that the stipulations aforesaid are to apply to and bind the heirs, executors,
administrators and assigns of the respective parties.

In Witness whereof, the parties to these presents have hereunto set their hands and seals the day
and year first above written.

Sealed and delivered in the presence of

Mary A. Baker

Michael M. Hanley



0195

Mary A. Baker

TO

Michael M. Hauley

Contract for Property.

Dated January 23rd 1883

0196

MATTHEW P. BREEN

LAW OFFICES OF

JERIS A. SPELLISSY

People v
Baker

BREEN & SPELLISSY,
TRIBUNE BUILDING,

New York, Dec^r 10th 1883

Hon. A. J. Rogers

Dear Sir:

I understood
from Judge White - some
days ago that you were
to have ^{your} witnesses in court
in above case

this morning to sign the
testimony given by them

Please ~~advise~~ ^{advise} me on the subject & oblige
Yours

Matthew P. Breen

0197

Hanley
vs
Baker

0198

MATTHEW P. BREEN,

DENIS A. SPELLISSY.

LAW OFFICES OF

BREEN & SPELLISSY,
TRIBUNE BUILDING,

People

Baker vs

New York, Dec^r 14th 1883

Mr. S. J. Rogers

Dear Sir,

Judge White

has put down the above
Case for Saturday the 15th
inst. at half past two
o'clock P. M.

~~It is necessary~~
that your witnesses ^{are expected}
& sign the testimony at that
time. In any case I shall
then ask that the case be disposed
of -
Yours &
Matthew P. Breen

0199

Hanley
vs
Baker

0200

LEASE.

W. Reid Gould, Law Blank Publisher and Stationer, 108 Nassau St., N. Y.

Dft. Robert C.
 This Indenture

made the ninth day
 of March one thousand eight hundred and eighty three Between
Michael M. Hawley of the City of New York of the first
 part and Mary A. Baker of the same place

of the second part. Witnesseth, That the said party of the first part
 has letten, and by these presents doth grant, demise, and to farm let, unto
 the said party of the second part All that certain lot and
premises situate at the southeast corner of
College Avenue and 144th Street in the 23^d Ward
 of the City of New York. said premises being
 17 feet and 8 inches on College Avenue by 100
 feet on 144th Street

with the appurtenances, for the term of one year from
 the first day of March one thousand eight hundred
 and eighty three at the yearly rent or sum of Twenty hundred
dollars

to be paid in equal quarterly payments in advance

And it is agreed that if any
 rent shall be due and unpaid, or if default shall be made in any of the
 covenants herein contained, then it shall be lawful for the said party of the

first part to re-enter the said premises, and to remove all persons therefrom.
And the said party of the second part do the
 covenant to pay to the said party of the first part, the said yearly rent as
 herein specified viz: The sum of seven hundred dollars
per year, payable in equal payments quarterly
 in advance, viz: \$100 - on the signing hereof, which
 shall be for rent for the months of March, April
 & May \$100 - on June 1st 1883 - which shall be for
 rent for the months of June July & August &
 \$100 - on the 1st day of September 1883 - which shall
 be for rent for September October & November 1883 -
 \$100 on the first day of December 1883 - which
 shall be for rent for the month of December 1883
 & January & February 1884

And at the expiration of the said term, the said party of the second
 part, will quit and surrender the premises hereby demised, in as good state
 and condition as reasonable use and wear thereof will permit, damages by the
 elements excepted.

Should said premises be destroyed by fire at any
 time during this term then this lease shall at
 once be null & void for any further period -

And the said party of the first part, do the covenant that the said party of
 the second part, on paying the said yearly rent, and performing the covenants
 aforesaid, shall and may peaceably and quietly have, hold, and enjoy the
 said demised premises for the term aforesaid.

And said Mary A. Baker does hereby make this
 a separate charge upon her real & personal
 estate, this lease being made as a benefit trust
In witness whereof the parties have
 hereunto set their hands & seals the day

0202

and now first above written
In presence of

Mary A. Baker

Michael Instaley,



IN CONSIDERATION of the letting of the premises above mentioned to the above named
.....and of the sum of One Dollar to me paid by the said part.....
of the first part.....do hereby covenant and agree, to
and with the part.....of the first part above named, and.....legal representatives, that if default shall at any
time be made by the said.....in the payment of
the rent and performance of the covenants above contained on.....part to be paid and performed, that.....
will well and truly pay the said rent, or any arrears thereof that may remain due unto the said part.....of the first
part, and also all damages that may arise in consequence of the non-performance of said covenants, or either of them,
without requiring notice of any such default from the said part.....of the first part.
Witness.....hand and seal this.....day of.....in the year of
our Lord, one thousand eight hundred and.....

WITNESS,

0203

State of _____
_____ of _____
County of _____ } SS.

On the _____ day of _____ in the year
one thousand eight hundred and _____ before me personally came

to me known, and known to me to be the individual described in, and who
executed the foregoing instrument, and _____ acknowledged
that he executed the same.

Michael M. Stanley

TO

Mary A. Baker

-LEASE-

Dated March 9th 1883

SMITH WILLIAMSON,

Attorney and Counsellor.

Third Ave. and 144th St.,

NEW YORK.

A complete chain of Title from 1643 to 1874, of nearly 4,000

City lots in the 23d and 24th Wards.

Examination of Titles in these Wards a specialty.

0204

176 Broadway
Jan 19. 84

Indictment of
Mary A Baker.

Dear Alney.

Mrs. Baker will
plead Monday -
What time of day
shall I come here
then? She will be
ready for trial Tues.
She will be confined
inside of a week or about
there. Hence the necess-
ity of an early trial.
Will she be prepared

0205

2
to renew her bail?
or give the present
bail as sufficient?
J. J. Rogers

A. J. Rogers
att. of dec. to

0206

TORN PAGE

MATTHEW P. BREEN.

LAW OFFICES OF
BREEN & SPELLISSY,
TRIBUNE BUILDING,

DENIS A. SPELLISSY.

New York, *Jan 22nd* 1884

Hugh Donnelly Esq
Chief Clerk Dist. Ct. office

Dear Sir:

I am informed that the
case of the People against Mary A.
Baker is set down for Friday
next. It is a very important
case and as the complainants
are seeking evidence which
will aid the prosecution
I trust the case will go over
until the next term

Yours
Matthew P. Breen

P.S. The deft is a man jail -

7020

176 BROADWAY,

NEW YORK, March 26th, 1884.

John R. Fellows, Esq.

Dear Sir,

In the matter of the indictment
against Mary A. Baker, for Grand Larceny, which I am informed you
are to try, and as I know you have no desire to convict an inno-
cent woman, and as I believe the facts have been misrepresented to
you by a person whose name I will not mention, I suggest that you
examine the evidence taken before the committing Magistrate and
say in your own judgment whether you don't think that Hanley should
have been indicted instead of Mrs Baker. I am no "Tombs Shyster," as
you know, and call your attention to the facts simply in the inter-
ests of justice, and in behalf of an oppressed and wronged woman.

Yours truly,

A. J. Rogers,

Attorney for Defendant.

0208

First District Police Court.

The People vs on Complaint
of
Michael M. Hanley
vs
Mary A. Baker and
Henry Baker

See affidavit of Michael M. Hanley
on which the Complaint against
defendants was founded and also
his testimony on cross-examination
at page 4 of Stenographers minutes

This testimony is corroborated by
the testimony of William J. Hanley
see pages 104 and 105 of minutes

Matthew P. Breen
Atty. for Complaint
154 Nassau St.
N.Y.

0209

1st Dist. Police Court

The People vs on Complaint

of Michael McManley

vs

Mary Parker et al

02 10

TORN PAGE

\$60. in Cash at signing.

\$2,400 in Cash at delivery of
Deed on 5th Nov^r 1881

but \$1,150 by taking the
Deed subject to a mortgage for that
Amt - now on the premises.

Deed was delivered at the

Office of Elias G. Brown 2,
Nassau St. N. Y. at one o'clock
P. M. ~~5th Jan^y 1881~~ on 5th day of
Nov^r 1881

Agreed that the agreement is binding
herein ~~as~~ ^{as} ~~admitted~~ ^{admitted} & assigned of the
respective parties - and action thereon to
be delivered at this time without ~~separate~~ ^{separate} tenants.

0211

TORN PAGE

Agreement by Mary A.
Baker to

Anna H. Selmes, Flatbush
New York

Dated Oct. 12th 1881

Recorded Dec. 21. 1881

Liber 1638 of Deeds page 5:

Con. #50

\$ 3600

02 12

General Sessions.

-----x
The People :
- vs. - :
Mary A. Baker. :
-----x

Charge, Grand Larceny of a receipt for \$1,000.

MICHAEL M. HANLEY.

Sept. 7' he handed the defendant a receipt for \$1,000, signed by her on Sept. 1st. for \$1,000 received by her on that day. The receipt was handed to her for the purpose and with the understanding that ^{be} it was to ^{be} signed by her husband, Henry Baker, and defendant unlawfully detained or destroyed the receipt so as to prevent complainant from using it as evidence of payment of the \$1,000.

CROSS-EX. Of Michael M. HANLEY.

Bought a house and lot of defendant, Mrs. Baker; paid \$2,400 cash; left \$1,500 on mortgage. Sept. 1st., 1883, went to pay interest on mortgage; paid it; got receipt, Exhibit A. Paid same day \$900 cash and \$100 rent for the house for three months, for which gave a receipt. Took a receipt for the \$1,000. Mrs. Baker, defendant, destroyed the receipt on Sept. 7', 1883. Had the receipt in his possession from Sept. 1st. to Sept. 7', 1883. Exhibit B is copy of receipt, being two receipts on one paper. Wrote these

02 13

copies two days after the receipts were given. On the 7' of Sept. went to Mrs. Baker to have her and her husband sign the receipts. Laid the receipts down on the counter. She took up the \$1,000 receipt and he took up the \$55.50 receipt. Mr. Baker had nothing to do with the mortgage. William J. Hanley was present when they took up the receipts off the counter. Took him along because her lawyer told witness they were very tricky people. Nobody with witness when he paid the \$1,000; only Mrs. Baker and himself. On Sept. 7' told Mrs. Baker I wanted her to sign. She took one receipt and went into another room, looking for a pen. Paid the money Sept. 1st. in cash, one \$500 bill and 4 \$100 bills. Wrote five or six receipts on Sept. 1st. at Mrs. Baker's house. Couldn't get them to suit me. On Sept. 7' Mrs. Baker went int the other room; then got excited and called me names and wanted to have me arrested. Said I hadn't paid her \$1,000, and didn't get any receipt.

RE-DIRECT OF HANLEY-

Gave receipts to my wife to keep from Sept. 1st. to Sept. 7'. On Sept. 7' Mrs. Baker took the receipt in another room; said she was looking for a pen; staid a

02 14

minute and a half, and then said I was trying to rob her. Mrs. Baker passed the fragments of paper to W. J. Hanley. I supposed they were the fragments of the receipts. When I got home I found they were pencil marks on paper which I didn't finish. I never saw the \$1,000 receipt after Mrs. Baker took it up from the counter.

MARY A. BAKER, defendant.

Complainant came to my house Sept. 1st. Asked for pen and ink. He took a sheet of note paper, doubled it in two; on the top of the note paper was writing and the bottom of the sheet was blank. He reached over the paper to me with the blank side exposed and asked me to sign it. He would not let me see it; wanted me to sign the blank side. He wrote three more, and when I would not sign them without reading them he tore them up or put them in his pocket. Mr. Lett, surveyor, came in three or four times while Hanley was there. Hanley finally made out a receipt that suited him and handed it to me. I asked him if it was all right; he said yes and I signed it (Defendant's exhibit A), then he paid me \$55.50. I showed him the bond or mortgage and he tried to

02 15

snatch it away, saying "How God damned careful you are!" I got some money and put to that he gave me and paid the rent; he gave me a receipt (Defendant's Exhibit A). Hanley did not pay any more money on that day and I did not give him a receipt for a \$1,000. After he was gone found a paper, a receipt for \$1,000, the first paper I saw in his hand.

On Sept. 7' Hanley came in with a friend; waited a while for Mr. Baker; then asked to have receipt signed by Mr. Baker. Hanley said "I gave you \$1,000 across this bar the other day." I denied it. Then the other Hanley took the fragments of paper Hanley had written before.

MARGARET HANLEY.

Wife of complainant. Sept. 1st. my husband gave me receipt for \$1,000 and one for \$55.50, both signed by Mary A. Baker, and I kept them in my possession until Sept. 7', then handed them to my husband. I have seen her write and will swear the signature was hers.

HENRY LETT.

Surveyor. Saw Hanley at Mrs. Baker's about Sept. 1st. writing; saw pieces of paper on the stoop in the evening.

02 16

CLARA DEISSEN.

Saw Hanley at Mrs. Baker's. Loaned her \$12 that day and paid her \$12 rent.

HENRY BAKER.

Saw Hanley on Sept. 7'. Wanted me to sign two receipts, one for \$1,000 and one for \$55.50. My wife did not take any receipt off to the back room.

CROSS-EX.

The two receipts were on one piece of paper. Hanley read the receipt over twice; one was for \$1,000 on account of the mortgage of \$1,850. My wife called him a scoundrel.

WILLIAM J. HANLEY.

Went with complainant to Mrs. Baker's on Sept. 7'. Complainant on the way showed witness receipt for \$1,000 signed Mary A. Baker. At Mrs. Baker's Hanley produced a receipt for \$55.50 and one for \$1,000, and a paper upon which were written two receipts, not signed by anybody. He handed the three pieces of paper to Mrs. Baker. Mr. Baker took the one for \$55.50 and Mrs. Baker took the one for \$1,000 up, and the two proposed receipts on one paper remained on the counter. Mrs. Baker asked her husband for a pen; she had the

02 17

receipt in her hand. Then she went into an inside room and in a minute or two returned without a pen. They found a pen and then Hanley asked Mr. Baker to sign the receipts and Baker said he didn't see any money. Hanley said to Mrs. Baker "Didn't I give you \$1,000 last Saturday?" Mrs. Baker said "Oh, you robber. I knew you were doing something when you were writing all that day you were here. I knew there was something up." She had some pieces of paper in her hand, rolling or tearing up, trying to destroy, and Hanley said to her "Are you tearing up my receipt, you villain?" Hanley made a grab for the papers but didn't get them, and Mrs. Baker handed them to me. I carried the torn pieces away. They appeared to be a part of two torn receipts. Saw Mrs. Baker take the receipt for \$1,000 and make away with it and she refused to give it up to Hanley on his asking her for it.

CROSS-EX.

Hanley laid down two receipts, and Mrs. Baker picked up the one for \$1,000. The pieces of paper that Mrs. Baker said she gathered up were in the handwriting of Hanley, I suppose. Hanley didn't ask Mrs. Baker to sign anything. The papers that were torn up were written in pencil.

0218

Perseus C. C. C.

Beck

Henry A. Baker

Abstract - Petroleum
before 1849 - 1850

0219

The People vs on Complaint of Hauley
Against
Mary A. Baker

In the month of March 1883 Michael M. Hauley purchased from the above defendant the house and lot situated on the corner of College Ave & 144th Street, leaving due on bond & mortgage the sum of \$1800. The defendant on same day leased from Hauley the premises in question for one year at a rental of \$400, and the defendant continues to occupy the premises and carry on the grocery business. The Mortgage was for three years but it provides that any portion of it may be paid when interest became due (every six months).

On the 1st of Sept. in pursuance of this provision, Hauley went to the store of the defendant and paid her \$900. in bills & gave her besides a receipt for \$100, being the amount due him by her for one quarter rent of said premises, and he then also paid.

0220

her \$55.⁵⁰/₁₀₀ being the amount of six months interest due on said mortgage. Hanley drew up two separate receipts - one for \$1000. (for part payment of mortg. age) and another for \$55.⁵⁰/₁₀₀ (for interest on mortgage). These two receipts the defendant signed. Hanley, supposing that because the defts husband signed the deed of conveyance, it was also necessary for him to sign receipt, asked him for him, but being not at home (as Hanley supposed) it was agreed between the defendant & Hanley that he should come some other day when defendants husband would sign them. Hanley returned home & gave the two receipts to his wife who held possession of them, or has them in her bureau drawer until the 7th of same month, when Hanley drew up in one large piece of paper the two receipts, (so as to have them in a more convenient form), intending that when signed by the defendant and her husband, that the two already signed should be surrendered or torn up. With this object in view Hanley in company with one William

J. Hanley went to the defendant's home & placed before herself and husband the three papers referred to, and asked to have the proposed receipt signed. The husband asked Hanley to read the receipt - Hanley did so, reading it ~~aloud~~ in a loud voice. He was asked to read it a ~~the~~ second time and he again read both receipts to them. (Thus the deft & her husband gave as will be hereafter pointed out.) The deft during the early portion of his interview took up the \$1000 receipt & on pretence of looking for a pen & ink went into a room back of stove & destroyed or ~~made~~ away with it.

Points for ^{the} prosecution

I

It is conceded by prisoner that on the 7th Sept. Hanley laid on the counter before herself & husband the interest receipt, and the proposed two receipts (in one paper), and it is admitted by all present that Hanley read out to

0222

them distinctly the two proposed receipts (which were to be in place of ones already signed) - Both the defendant and her husband recite their contents as read by Hanley ~~see page 38, 82~~ - see def's test: page 38 and ~~her~~ Henry Baker's pages 82, 84, 85 - Now the deft. swears that she signed but one receipt on the 1st Sept. (being the interest receipt), but she admits (page 43) that while these two papers were on the counter on the 7th Sept. Hanley ~~with~~ observing her fumbling with another paper ~~in~~ her hand "grabbed" for it and endeavoured to take it from her. He said "I - that - my receipt you are tearing you villain" - If she had not signed another receipt on the 1st why should Hanley make a "grab" for what she had in her hand, when it is admitted that the one she ^{swears} signed was on the counter?

II

~~Then~~ After Wm J. Hanley got possession of the paper "grabbed" for by Hanley when the deft had it in her hand. Hanley took up the interest receipt

and the ~~two~~ paper containing the two proposed receipts from the Counter & left the store at once saying "I to his friend "I guess I am all right. We can put the pieces together." Supposing that he had this \$1000 receipt in a torn form (see Wm J. Hanley's test: page 104)

III

Deft. says that when Hanley called on the 1st Sept. he asked for Baker (deft's husband) - that Baker was taking a sleep - that Hanley went off saying he would return, that Baker ~~would~~ got up after Hanley left, that she told him Hanley wanted to see him, but that Baker did not wait his return as he had to go somewhere, that Hanley returned & commenced to write & that the interest receipt was signed & nothing else, that Hanley was so anxious to have Baker sign this interest receipt that she told him he must come some other day & it was so agreed (page 45) and that Baker was expecting him the next day (page 46). That yet while Hanley was standing

0224

leaning over the counter with the
 receipt then signed and in his
pocket that Baker came in & passed
 behind Hauleys back through the
 store & never made known his
 presence to Hauley who was all
 day looking for him & who had
 just before then agreed with her
 to come back some other day and
 Baker knew Hauley wanted to see
 him, because deft says she told
 him so when he got up from
 bed. (pages 33, 34, 35, 47, 48, 49, 75)
 If her statement is true that Hauley
 wanted him simply to sign an interest
receipt for \$55 ⁵⁰/₁₀₀ & that he was
 to come back some other day for
 that sole purpose, ~~why~~ why did
 she not say to Hauley as Baker
 passed behind him "Mr. Hauley
 You need not come up again; here
 is my husband now & he will sign
 it."

IV.

The deft. supposed it ~~was~~ being a
 three year mortgage & not being
~~aware~~ informed that a portion of it
 could be paid every time interest

0225

was payable she thought he would
have to pay it over again if she
could get receipt out of the
way.

There will be testimony showing
that she said after the ~~fact~~ the
Dept. that Hailey did not pay
her & that it ^{was} not the legal
for him to do so being a three
years mortgage ~~on~~

0226

People as
was

Mary A. Baker

—

Points for
the presentation

—

0227

TORN PAGE

General Sessions, Part *One*

THE PEOPLE
vs.

INDICTMENT

For

Sam A Baker

To

Mr Ludwig Klein

No. *315* East *54* Street.

The indictment against the above-named defendant, for whose appearance you are bound, has been placed upon the Calendar for *Trial* at the Court of GENERAL SESSIONS of the Peace, at the Sessions Building, adjoining the New Court House, in the Park of the said City, on *Thursday* the *27* day of *March* instant, at eleven o'clock in the forenoon.

If the defendant is not produced at that time, your bond will be forfeited.

PETER B. OLNEY, **JOHN McKEON,**
District A.

0228

TORN PAGE

315 0

Mar 26 / 84
Put on for Friday
instead of Thursday
J. R. Fullen

0229

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Mary A. Baker

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

of the crime of GRAND LARCENY, in the *first* degree, committed as follows:
The said *Mary A. Baker*

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

three promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one thousand dollars, and of the value of one thousand dollars each: three promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five hundred dollars, and of the value of five hundred dollars each: twenty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one hundred dollars, and of the value of one hundred dollars each: thirty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of fifty dollars, and of the value of fifty dollars each: fifty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars each: sixty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of ten dollars, and of the value of ten dollars each: eighty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five dollars, and of the value of five dollars each: ninety promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of three dollars, and of the value of three dollars each: one hundred promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of two dollars, and of the value of two dollars each: one hundred and twenty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one dollar, and of the value of one dollar each: one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of one hundred dollars: one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of fifty dollars: two promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty dollars each: three promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of ten dollars each: ten promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars each: ten promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of three dollars each: fifteen promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of two dollars each: thirty promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of one dollar each: bank bills of banks to the jurors aforesaid unknown, and of a number and denomination to the jurors aforesaid unknown, of the value of one thousand dollars. Two gold coins (of the kind usually known as double eagles), of the value of twenty dollars each: three gold coins (of the kind usually known as eagles), of the value of ten dollars each: six gold coins (of the kind usually known as half eagles), of the value of five dollars each: fifteen gold coins (of the kind usually known as quarter eagles), of the value of two dollars and fifty cents each: ten gold coins (of the kind usually known as three dollar pieces), of the value of three dollars each: thirty gold coins (of the kind usually known as dollar pieces), of the value of one dollar each: gold coin of the denomination to the jurors unknown, and a more particular description whereof cannot be given, of the value of one thousand dollars. Sixty silver coins (of the kind usually known as dollars), of the value of one dollar each: sixty silver coins (of the kind usually known as half dollars), of the value of fifty cents each: one hundred and fifty silver coins (of the kind usually known as quarter dollars), of the value of twenty-five cents each: three hundred silver coins (of the kind usually called dimes), of the value of ten cents each: six hundred silver coins (of the kind usually known as half dimes), of the value of five cents each: one thousand silver coins (of the kind known as three cent pieces), of the value of three cents each: silver coin of a denomination to the jurors unknown, and a more particular description whereof cannot be given, of the value of fifty dollars. Three thousand coins (of the kind known as cents), of the value of one cent each: five hundred coins (of the kind known as two cents), of the value of two cents each, and one written instrument

of the kind commonly called receipts, acknowledging the payment of the sum of one thousand dollars in money, the same being signed by the said Mary A. Baker in her own proper handwriting of the value of one thousand dollars a more particular description whereof is to the Grand Jury aforesaid unknown of the goods, chattels, and personal property of one *Michael McStanley* then and there being found,

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

Peter B. Olney
~~JOHN McKENNA~~ District Attorney