

0718

**BOX:**

367

**FOLDER:**

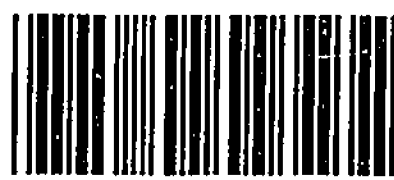
3447

**DESCRIPTION:**

Cahill, Katie

**DATE:**

10/10/89



3447

Witnesses:

Geo H. Young  
off. sec. juv. court, Chicago

Fredrick Ruffert

57

Counsel,

Filed

day of

1889

Pleads,

THE PEOPLE

vs.

Natie Cabell

VIOLATION OF EXCISE LAW.  
(Selling to Minor).  
[III Rev. Stat. (7th Ed.) p. 1982, § 15.]

JOHN R. FELLOWS,

District Attorney.

Sent to C. Lewis at

request of Defendant

A True Bill.

rt 11/19

Wm L. Cole, Foreman.

0719



0720

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Katie Cahill*

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

*Katie Cahill*

of a MISDEMEANOR, committed as follows:

The said

*Katie Cahill*

late of the City of New York, in the County of New York aforesaid, on the  
*fourth* day of *September* in the year of our Lord  
one thousand eight hundred and eighty-nine, at the City and County aforesaid,  
certain strong and spirituous liquors, and certain wine, ale and beer, to wit: One gill of  
wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of  
cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of  
lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury  
aforesaid unknown, unlawfully did sell to one *Frederick Ruppert*  
who was then and there *actually* *apparently* *sixteen* years, to wit: of the age of  
*nine* years, as *the* the said *Katie Cahill*  
then and there well knew and had reason to believe; against the form of the statute in such  
case made and provided, and against the peace of the People of the State of New York,  
and their dignity.

JOHN R. FELLOWS,

District Attorney.

0721

**BOX:**

367

**FOLDER:**

3447

**DESCRIPTION:**

Carbin, William

**DATE:**

10/22/89



3447

9th Dec 1889, under the  
amount of bail  
judicially  
set.

Witnesses:

Frank J. Moull  
M. C. Milner  
Mark Jacobo

Bailed Dec 31<sup>st</sup> 1889  
by Wm J. Clarke  
152 W. 25<sup>th</sup> St.

I recommend that this indictment be dismissed for 2 reasons  
1. I cannot get evidence sufficient to place the deft on trial & I believe no crime has been committed in N.Y.  
2. The deft & co-accused have made material admission & explanation of their change.  
Part 3 Dec 23/89  
Wm J. Clarke  
Def. - Part

N 170 1593

J. H. Van Noop  
212 Broadway

Counsel,  
Filed  
day of Dec 1889

Pleads, *Not guilty*  
THE PEOPLE

*Wm J. Clarke*  
William L. Carlin

*and Verdict*  
Dec 17/89  
JOHN R. FELLOWS.  
District Attorney.

Wick - 27 to 1 day  
Part 3.  
A TRUE BILL. W.O.F.

*M. L. Cole*  
Foreman.

Part 3 Dec. 4  
Part III December 23.  
Indictment dismissed

0722



0723

STATE OF NEW YORK.

.....X  
In the matter of  
William L. Carbin,  
a fugitive from justice.  
.....X

City and County :  
: ss.  
of New York :

Frank T. Morrill being duly sworn,  
deposes and says:

~~That he is an officer and stockholder of the United~~

A That he is an officer and stockholder of the United  
States Commercial and Trading Company, and that at all the  
times hereinafter mentioned, the said United States Commer-  
cila and Trading Company, was and still is a corporation  
duly created and existing under and by <sup>written</sup> authority of the Laws of the  
State of New Jersey, and having a place ~~at~~ <sup>in</sup> ~~the~~ <sup>City</sup> ~~County~~ <sup>and</sup> for the  
general transaction of business in the ~~said~~ <sup>City</sup> County and  
State of New York.

c That <sup>at</sup> all the times hereinafter mentioned, William  
L. Carbin was the vice-president and general manager of  
said Company.

That at or about the time of the organization of  
said company, certain by-laws for the government and regula-  
tion of the affairs of said company, were adopted, in the  
adoption of which, said William L. Carbin concurred, and  
that said by-laws were in force at all the times hereinafter  
mentioned.



0724

That Article XII of said by-laws reads as follows:

"All bills, notes, checks, or other negotiable instruments of the company shall be made in the name of the company, and shall be signed by the treasurer, and countersigned by the president, or in his absence or incapacity to act, by the vice-president."

"No officer or agent of the company, either singly or together, have power to make any bill, note, ~~or~~ check, or other negotiable instrument in the name of the company, or to bind the company thereby, except as in this Article prescribed and provided."

That on or about the 14th. day of May, 1889, in violation of the terms of said Article XII, of the by-laws of said company, the defendant, William L. Carbin, without the knowledge, consent or authority of the Board of Directors of said company, ~~feloniously~~ <sup>certain</sup> feloniously, wilfully, knowingly and with intent to defraud, and in violation of section 591 of the New York Penal Code, executed, signed and issued, and placed in circulation the following <sup>certain</sup> evidences of debt, purporting to be a promissory note of said company. *in substance as follows,*

New York, May 14th. 1889.  
Thirty days after date, we promise to pay to the order of ourselves, at the National Broadway Bank, \$141.89-100  
*Value received.* United States Commercial & Trading Company  
By  
William L. Carbin, vice-president and general manager.

That said promissory note was endorsed by said William L. Carbin, in the manner and form following.

"Pay to the order of Frederick Palmer"  
"United States Commercial and Trading Company"  
"By William L. Carbin, vice-president & general manager"

0725

That said note was not issued or given for any purpose to benefit said company, or in payment of any debt or obligation recognized or admitted by said company, and that said company received no ~~xxx~~ consideration and derived no benefit therefrom.

That said Willaim L. Carbin, on or about the 14th. day of May 1889, feloniously, knowingly and with intent to defraud, signed, executed, issued and placed in circulation in like manner five other evidences of debt, purporting to be obligations of said company, by making and delivering five other promissory notes without being authorized so to do by said company, and without the consent or knowledge of the Board of directors of said company, or in payment of any debt or obligation recognized by said company, and from which said company received no benefit or consideration, but in violation of section 591 of the New York Penal Code and in violation of Article XII, of the by-laws of said company, which notes are for the following amounts.

\$79.33-100

\$83.17-100

\$119.35-100

\$238.76-100

\$75.50-100

B That said Carbin was actually in the City of New York, at the time of the commission of said crime as I am informed and believe.

I saw him in the City of New York a few days previous thereto and have been informed by other persons that he was seen in said City shortly ~~after~~ thereafter. His

0726

place of residence and abode being at the time in the City of New York.

C That after the commission of said crime, Carbin fled from the jurisdiction of this State, and is now at Tom's River, in the State of New Jersey, a fugitive from the justice of this State.

Deponent further says, that said flight from the jurisdiction of this State, occurred between the 5th. and 24th. days of July, 1839. His knowledge of this fact is based upon information given by his attorneys, of said Carbin in the ~~State~~ State of New Jersey.

Deponent is informed and believes that the reason of the flight of said Carbin is, that when said notes became due and payable, at which time the officers of the said United States Commercial and Trading Company first learned of their existence, that they protested against the payment of said notes, and refused to pay the same, stating to the parties who were then the holders of said notes that the issuance of the same by said Carbin was wrongful and without authority.

Deponent has reason to believe that the position taken by said company was communicated to said Carbin and that thereafter and through fear of proceedings being ~~instituted~~ instituted against him by said company, has fled from the jurisdiction of this State.

D The reputation of said Carbin as far as deponent has been ~~informed~~ able to ascertain is bad. It is to the effect; that he has frequently been guilty of frauds in business transactions.



0727

That he was once arrested in a civil suit in which one Stone was plaintiff.

He is a married man as deponent is informed and believes. But a year ago he abandoned his wife and child, but as to whether he has since returned to his wife, deponent knoweth not.

In his management of the affairs of said company, deponent believes that he has been deceitful and corrupt, and has frequently made false statements and representations

E

This application is made on behalf of the United States Commercial and Trading Company, in good faith for the sole purpose of punishing the accused, and deponent does not desire or expect, nor does said corporation desire or expect to use the prosecution for the purpose of collecting a debt, or for any private purpose, and if the requisition hereby applied for be granted, these proceedings shall not be used for any of said objects.

Sworn to before me this } Frank T. Monell.  
21<sup>st</sup> day of October 1889 }

Attest  
My Father  
at New York



0728

1593  
DISTRICT ATTORNEY'S OFFICE,  
City and County of New York.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Frank T. Merrill  
17 Vandewater St  
N.Y.

William L. Carlin

Offence Violation of  
§ 591 Penal Code

Dated October 18<sup>th</sup> 1889

Witnesses, M. E. Milnor

No. 229 Broadway Street,

Mark Jacobs

No. 112 Canal Street,

L. J. Behringer

No. 19 Broadway Street,


The District Attorney directs  
the admission of this case  
to the grand jury Oct 19/89  
Subpoena issued Oct 21/89  
J. S. Palmer

Wm. F. S. Palmer,  
150 Nassau Street  
or Geo. Brooks

0729

*March 11*  
*4, 20*  
M. OLEILAND MILNOR,  
COUNSELLOR AT LAW,  
229 BROADWAY,  
Room 51.  
NEW YORK.

0730

 \$ 119 <sup>35</sup>/<sub>100</sub> New York 14 May 1889  
Three Days after date we promise  
to pay to the order of Our selves  
One Hundred and thirty five <sup>35</sup>/<sub>100</sub> Dollars  
at the National City Bank  
Value received for  
No. 109 Due 16/6/89 By Wm L Carbin  
The United States Commercial and Trading Co.  
Vice Pres. & Genl. Mgr.

Godlove & Elliot, Stationers, 47 Broad St. N.Y.



0731

1922

Pay the order of  
Frederick Palmer

The United States Commercial and Trading Co.

By W. P. Austin

New York

March 20

Pay to the order of

Frederick Palmer

For Collection

Maryland

112 Canal

United States of America,

109



0732

GLUED PAGE

United States of America, }  
State of New York. } ss.

I, RICHARD B. KELLY, Notary Public, duly commissioned and sworn,  
dwelling in the City of New York, Do Hereby Certify, that on the 17  
day of June one thousand eight hundred and eighty nine  
the original promissory note hereto annexed, for \$ 119.35  
*Mark Jacobs* dated 14 May 1889 was, at the request of the  
NATIONAL BANK, in the City of New York, presented by me at  
The National Broadway Bank

and payment thereof demanded which was refused.

Whereupon I, the said Notary, at the request aforesaid, did Protest, and by these  
presents do publicly and solemnly Protest, as well against the maker drawer  
and endorser of the said note as against all others whom it doth  
or may concern, for exchange, re-exchange, and all costs, damages and interest  
already incurred, and to be hereafter incurred for want of payment of the said  
note and due notice of the foregoing Protest I deposited in the Post  
Office at the City of New York, on the 17 day of June 1889  
directed as follows, viz.: (The Postage thereon being prepaid.)

To The United States Commercial & Trading Co  
Wells Building 18 Broadway N.Y.C.  
To Frederick Palmer, room 56, Astor House N.Y. City  
To as G. Mark Jacobs  
To Mark Jacobs

(Each of the above-named places being the reputed place of residence or business of the person to whom the notice was  
directed, and the Post Office nearest thereto.)

In Testimony Whereof, I have hereunto set my hand and affixed  
my official seal, at the City of New York aforesaid, this  
17 day of June 1889

*Richard B. Kelly*  
NOTARY PUBLIC,

No. 237 Broadway, New York City.

0733

No. 17 June 1889  
New York,

PROTEST.  
*The Commercial Trading Co*

FOR

~~FIFTH NATIONAL BANK~~  
*Mark Jacobs*

Dated, 14 May 1889  
\$ 119<sup>30</sup>

Fee 75 Cts.

Notices 40

Postage 08

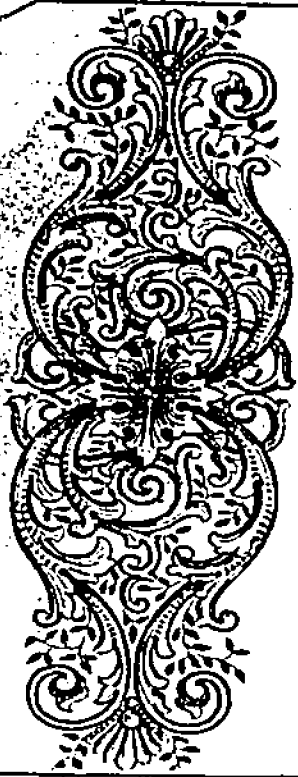
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\$

KELLY & MACRAE,  
ATTORNEYS & NOTARIES,  
237 BROADWAY, N. Y.



0734



\$ 75 <sup>50</sup>/<sub>100</sub>

New York 14<sup>th</sup> May 1889

Thirty Days after date we promise

to pay to the order of *ourselves*

Seventy Five <sup>50</sup>/<sub>100</sub> Dollars

at The National Broadway Bank

The United States Commercial and Trading Co.

Value received.

No. 117 Due 16/6/89

*Wm. L. Carver*  
Vice Pres. & Gen. Mgr.

Goodwin & Elliot, Stationers 47 Broad St. N.Y.

0735

1921  
Pay to the order of  
Frederick Palmer  
The United States Commercial and Trading Co.  
J. H. Carlin

New York & Co. Inc.  
16 60 - 10 ave  
Pay  
Mark Jacobs  
at  
Westchester  
for collection  
Mark Jacobs  
112 Canal

United States of America,  
State of New York. } ss.

I, RICHARD B. KELLY, Notary Public, duly commissioned and sworn,



0736

GLUED PAGE

United States of America, }  
State of New York. } ss.

I, RICHARD B. KELLY, Notary Public, duly commissioned and sworn,  
dwelling in the City of New York, Do Hereby Certify, that on the 17th  
day of June one thousand eight hundred and eighty nine  
the original Premium note hereto annexed, for \$ 75.00  
dated 14 May 1889

Mark Jacobs was, at the request of the  
The National Broadway Bank in the City of New York, presented by me at

and payment thereof demanded which was refused.

Whereupon I, the said Notary, at the request aforesaid, did Protest, and by these  
presents do publicly and solemnly Protest, as well against the maker drawer  
and endorser of the said note as against all others whom it doth  
or may concern, for exchange, re-exchange, and all costs, damages and interest  
already incurred, and to be hereafter incurred for want of payment of the said  
note and due notice of the foregoing Protest I deposited in the Post  
Office at the City of New York, on the 17th day of June 1889  
directed as follows, viz.: (The Postage thereon being prepaid.)

To The United States Commercial & Trading Company  
Halls Building, 18 Broadway, N.Y. City  
To Frederick Palmer, Room 56, Astor House N.Y. City  
To do  
To % Mark Jacobs  
To Mark Jacobs

(Each of the above-named places being the reputed place of residence or business of the person to whom the notice was  
directed, and the Post Office nearest thereto.)

In Testimony Whereof, I have hereunto set my hand and affixed  
my official seal, at the City of New York aforesaid, this  
day of June 1889

Richard B. Kelly  
NOTARY PUBLIC,  
No. 237 Broadway, New York City.

0737

No. 17 June 1889  
New York, 17 June 1889

PROTEST  
of Me. M. Commercial & Trading Co.

FOR  
~~FIFTH NATIONAL BANK~~  
Shank Jacobs

Dated, 14 May 1889  
\$ 75<sup>00</sup>

Fee 75 Cts.

Notices 60

Postage 06  
(121)

KELLY & MACRAE,  
ATTORNEYS & NOTARIES,  
237 BROADWAY, N. Y.



0738

No. 17 June 1889  
New York,

PROTEST  
of Me. Mt. Commercial & Trading Co.

FOR  
~~FIFTH AVENUE NATIONAL BANK.~~  
Mark Jacobs

Dated, 14 May 1889  
\$ 70<sup>50</sup>

Fee 75 Cts.

Notices 40

Postage 06  
(12)

\$

KELLY & MACRAE,  
ATTORNEYS & NOTARIES,  
237 BROADWAY, N. Y.



0739

TO THE CHIEF CLERK.

Please send me the Papers in the Case of  
PEOPLE

vs.

*A. L. Carhu*  
*T. J. Day*  
*Mar 27/90*

District Attorney.

0740



\$ 79 <sup>33</sup>/<sub>100</sub>

New York 14<sup>th</sup> May 1889

Thirty Days after date We promise

to pay to the order of Ourselves

Seventy nine <sup>33</sup>/<sub>100</sub> Dollars

at The National Broadway Bank

Value received.

No. 118 Due 16/6/89

J. M. Carter  
Per Post 14/6/89

Goulet & Elliot, Stationers 27 Broad St N.Y.

0741

22 1920  
Pay to the order of  
Frederick Palmer  
The United States Commercial and Trading Co.  
of New York  
New York  
1610 10 Ave  
Pay to the order of  
Mark Jacobs  
at  
New York  
Astor House  
For Collection  
New York  
212 Canal St  
New York

United States of America,  
State of New York. } ss.

118



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0742

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I, RICHARD B. KELLY, Notary Public, duly commissioned and sworn, dwelling in the City of New York, Do Hereby Certify, that on the 17<sup>th</sup> day of June, one thousand eight hundred and eighty-nine, the original promissory note hereto annexed, for \$ 99.33 dated 14 May 1889 was, at the request of the

FIFTH NATIONAL BANK, in the City of New York, presented by me at The National Broadway Bank

and payment thereof demanded which was refused.

Whereupon I, the said Notary, at the request aforesaid, did Protest, and by these presents do publicly and solemnly Protest, as well against the maker drawer and endorser of the said note as against all others whom it doth or may concern, for exchange, re-exchange, and all costs, damages and interest already incurred, and to be hereafter incurred for want of payment of the said note and due notice of the foregoing Protest I deposited in the Post Office at the City of New York, on the 17 day of June 188 9 directed as follows, viz.: (The Postage thereon being prepaid.)

To The United States Commercial & Trading Co.

To Wells Building, 18 Broadway, N.Y. City

To Frederick Palmer, Actor House, room 56, N.Y. City

To do of Mark Jacobs

To Mark Jacobs

(Each of the above-named places being the reputed place of residence or business of the person to whom the notice was directed, and the Post Office nearest thereto.)

In Testimony Whereof, I have hereunto set my hand and affixed my official seal at the City of New York aforesaid, this 17 day of June 188 9

Richard B. Kelly  
NOTARY PUBLIC,

No. 237 Broadway, New York City.

0743

No. 17 June 1889  
New York, 17 June 1889

PROTEST  
of The U.S. Commercial Trading Co

FOR  
~~FIFTH NATIONAL BANK~~  
Mark Jacob

Dated, 14 May 1889  
\$ 79.33

Fee 75 Cts.

Notices 40

Postage 06

1.21

\$

KELLY & MACRAE,  
ATTORNEYS & NOTARIES,  
287 BROADWAY, N. Y.



0744

District Attorney's Office.

PEOPLE

vs.

W. L. Carlin

Mr Jerome

I enclose  
your letter from  
John H. Van Ness  
who claims to be  
attorney for defendant  
I send it to you  
as you have the  
papers in the case  
JL



0745

TO THE CHIEF CLERK.

PLEASE SEND ME THE PAPERS IN THE CASE OF

PEOPLE

vs.

*Wm. J. S. Palmer*

*Tomb's Police Court.*

*Compt 10<sup>th</sup> S. Carbin*

*Compt for Larceny*

*in July or August 189*

District Attorney.

0746

BY-LAWS  
OF  
THE UNITED STATES  
COMMERCIAL and TRADING CO.

INCORPORATED 1888.

OFFICERS:

FRANK T. MORRILL, President.  
Of Messrs. Geo. H. Morrill & Co., Mfrs., Boston, New York, Chicago and  
San Francisco,  
WILLIAM L. CARBIN, Vice-Pres't and Gen'l Manager.  
C. H. MCKINSTRY, Treasurer.  
CHARLES O. DUE, Secretary.

BOARD OF DIRECTORS:

FRANK T. MORRILL.	WILLIAM L. CARBIN.
C. H. MCKINSTRY,	CHARLES O. DUE.
M. CLELAND MILNOR,	OSCAR WAGNER.

NEW YORK:  
McWILLIAMS PRINTING Co., 81-83 ELM STREET.  
1888.

0747

BY-LAWS  
OF  
THE UNITED STATES  
COMMERCIAL AND TRADING CO.

INCORPORATED 1888.

CAPITAL STOCK, \$300 000.  
6,000 SHARES OF THE PAR VALUE OF \$50 EACH  
ISSUED, FULL PAID AND UNASSESSABLE.

OFFICERS:

FRANK T. MORRILL, President.  
OF Messrs. Geo. Morrill & Co., Mfrs., Boston, New York, Chicago and San Francisco  
WILLIAM L. CARBIN, Vice-Pres't and Gen'l Manager.  
C. H. MCKINSTRY, Treasurer.  
CHARLES O. DUE, Secretary.

BOARD OF DIRECTORS:

FRANK T. MORRILL,	WILLIAM L. CARBIN.
C. H. MCKINSTRY,	CHARLES O. DUE.
M. CLELAND MILNOR,	OSCAR WAGNER.



0748

BY - LAWS  
OF  
THE UNITED STATES  
COMMERCIAL AND TRADING CO.

ARTICLE I.

The number of directors of "THE UNITED STATES COMMERCIAL AND TRADING COMPANY" shall be five, or more, not exceeding twelve in number, who shall respectively be stockholders in such company. Such directors shall be elected annually by ballot, at a meeting of the stockholders of said company held for that purpose, as hereinafter set forth in Article XXI., at which election each stockholder shall be entitled to one vote, irrespective of the number of shares held by such stockholder, and the persons receiving the greatest number of votes cast shall be directors for the ensuing year.

ARTICLE II.

If for any cause the annual meeting of the stockholders shall not be held at the time prescribed in Article XXI., or any election of directors shall not then be made, the directors then in office shall hold over and continue in office until a new election is held, and they shall appoint the time and place for such new election, and shall give due notice thereof by mail and publication, as provided in Article XXI.

ARTICLE III.

The Board of Directors shall meet regularly once every month, on the last Monday thereof.

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ARTICLE IV.

The Board of Directors shall have the management and control of the affairs and business of the corporation, and shall employ such agents and employes as they deem advisable, and fix the rate of compensation of all officers, agents and employes, and in all such matters a majority shall control.

ARTICLE V.

Whenever any vacancy shall occur in the Board of Directors, by death, resignation, or otherwise, the same shall be filled at the next regular monthly meeting by a majority vote, by ballot, of the remaining members of the Board, and the persons so chosen shall hold the office until the next annual meeting, or until a new Board is elected.

ARTICLE VI.

In the event of such vote to fill such vacancy, as alluded to in Article V., being a tie vote, then the Secretary shall within five days thereafter mail to each stockholder, or deliver personally, or do both, or either, a written or printed notice of the facts, stating time of next regular monthly meeting, and requesting that each stockholder send by mail a written ballot over each one's own signature, directed to the Board of Directors, for one of the nominees for the vacant directorship, by or before the time of the next regular monthly meeting, and a majority of such ballots shall decide the election.

ARTICLE VII.

Three Directors shall constitute a quorum for the transaction of business at all meetings of the Board of Directors.

ARTICLE VIII.

The Board of Directors shall immediately after organizing, elect by ballot the officers of the company for the

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ensuing year; and a majority vote of the Directors present shall be necessary for the election of each of said officers.

ARTICLE IX.

The officers of this company shall consist of a President, Vice-President, General Manager, Secretary and Treasurer, of whom the President, Vice-President, General Manager and Treasurer shall be Directors of the corporation. They shall be annually elected, as provided in Art. I., but may be removed at any time by a majority vote of all the Directors, on due cause shown, at a regular meeting of the Board, provided that no such removal can be made at any regular meeting unless a written or printed notice is personally served upon all the Directors, or if it is impossible or inconvenient to deliver such notice personally to any director or directors, by mailing a copy thereof in the post-office to the post-office address of such director or directors respectively, at least five days before said regular meeting, clearly stating that such removal will be brought up for consideration at said meeting.

ARTICLE X.

In case of death, resignation, or removal from office of any of the officers of this company the Board of Directors shall forthwith elect his successor, who shall hold his office by the like tenure, and in case of a tie vote, the mode of election, as is provided in similar case for Director by Art. VI., shall be pursued.

ARTICLE XI.

The Treasurer and Secretary, before entering upon their duties, shall give to the company such bonds for the faithful performance of their said duties as the Board of Directors may direct.



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#### ARTICLE XII.

All bills, notes, checks or other negotiable instruments of the company, shall be made in the name of the company, and shall be signed by the Treasurer and countersigned by the President, or in his absence or incapacity to act, by the Vice-President. No officers or agents of the company, either singly or together, shall have power to make any bill, note, check or other negotiable instrument in the name of the company, or to bind the company thereby, except as in this article prescribed and provided.

#### ARTICLE XIII.

The President shall preside at all meetings of the Board of Directors, and shall act as temporary chairman at and call to order all meetings of the stockholders; he shall sign all certificates of stock of the company; shall countersign all bills, notes, checks and other negotiable instruments of the company, as provided in Article XII.; in the absence of the Treasurer shall indorse checks or drafts, or other negotiable instruments; and shall do and perform all acts appertaining to the office of the Treasurer.

#### ARTICLE XIV.

The Treasurer shall sign all certificates of stock of the company. He shall also record all transfers of stock, and cancel and preserve all certificates of stock transferred. He shall have the custody of and be responsible for all moneys, papers, books and accounts of the corporation, save only such papers, books and records as are hereinafter by Article XVI. directed to be kept by the Secretary; subject always to the control of the Board of Directors. He shall deposit all funds of the company which may come into his hands in such bank or banks as the Directors may designate. He shall keep the bank account in the name of the company, and shall exhibit his books and accounts to any Director, upon applica-

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tion at the office, at any time during ordinary business hours. He shall indorse for collection the bills, notes, checks and other negotiable instruments received by the company, making record of the same in the books of the corporation. He shall sign all bills, notes, checks and other negotiable instruments of the company as hereinbefore provided in Article XII. He shall sign all orders for the payment of money and shall pay out money as the business of the corporation may require, taking proper vouchers therefor; and shall, under the direction of the Board of Directors, give or negotiate such notes and bills as may be required in the business of the corporation; and at each annual meeting of the stockholders shall present a full statement of the affairs of the company; and shall generally perform all the duties appertaining to his office.

#### ARTICLE XV.

The Vice-President shall, in the absence or incapacity of the President to act, countersign all bills, notes, checks and other negotiable instruments of the company as hereinbefore provided and prescribed in Article XII; and shall in general, during such absence or incapacity to act of the President, do and perform all the duties of the President as set forth in the By-Laws, or in the act under which this corporation is organized, with all the powers and subject to all the restrictions thereby given or imposed upon said President.

#### ARTICLE XVI.

The Secretary shall keep a record, in proper books provided for that purpose, of all the meetings and proceedings of the Board of Directors; and also the minutes of the stockholders meetings. He shall record all the votes of the corporation, and shall keep such other records, and shall attend to such correspondence of the company, as the Board of Directors shall direct. He



0751

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shall notify the directors and stockholders of their respective meetings. He shall attend to the giving and serving of all notices of the company, and shall in general do and perform all the duties appertaining to his office. He shall also keep a book containing the names, alphabetically arranged, of all persons who are, or within six years have been, stockholders of this company, showing their places of residence, the number of shares of stock held by them respectively, and the time when they respectively became the owners of such shares, and the amount of stock actually paid in.

ARTICLE XVII.

No officer or agent of this company shall have power to indorse, in the name or behalf of the company, any note, bill of exchange, draft, check, or other written instrument for the payment of money, save only for the purpose of collecting of said instrument, unless thereunto duly and specifically authorized by the vote of the Directors of this company, duly had at a regular or special meeting of the Board of Directors, and entered on the minutes of said Board.

ARTICLE XVIII.

No officers or agents of the company shall singly or together, contract or cause to be contracted, any debt or liability in the name or in behalf of the company, beyond the necessary and current expenses thereof.

ARTICLE XIX.

Each holder of stock shall be entitled to a certificate under the seal of the corporation and signed by the President, or in his absence from the State of New York or incapacity, by the Vice-President, and by the Treasurer, stating the capital stock of the company; the number of shares into which it is divided; the par value of each share; the number of shares to which said holder

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is entitled, and the manner in which said certificate is transferable. All certificates shall be issued in order from a certificate book and duly numbered and registered in the order of their issue opposite each certificate in the margin of said book. It shall be the duty of the Treasurer to enter the names and residence, or place of business, of the owner thereof; and in case of the transfer or cancellation of such stock certificate, the date of such cancellation or transfer; and at the time of issue of any certificate it shall be receipted for on said margin by said owner or by his duly authorized agent. Shares may be transferred upon the books of the company by the holder or owner, either personally or by power of attorney, on the surrender of the certificate of such shares.

ARTICLE XX.

The seal of the corporation shall be circular in form, and the name of the company shall appear thereon with the year of the incorporation. It shall be kept in charge and custody of the Treasurer, and must be affixed to all instruments requiring a seal, together with the signatures of the Treasurer and President; or, in the absence or incapacity of either to act, of the Vice-President, in place of him, who is absent or incapacitated, in order to bind the company.

ARTICLE XXI.

An annual meeting of the corporation shall be held at the office of the company in Jersey City, N. J., on the first Monday of April in each and every year, at such hours as the Directors may appoint; and due notice of such meeting shall be given by a written or printed notice, signed by the Secretary of the corporation, and sent through the post-office at least thirty days prior to such meeting, to each stockholder of record appearing on the books of the corporation, at the address given in such books, and public notice of the time and place of

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holding such meetings; and the election of Directors shall be published not less than ten days previous thereto, in one or more newspapers published in New York City, and in a newspaper printed nearest to the place where the office of the company may then be, in New Jersey.

ARTICLE XXII.

Special meetings of the stockholders other than those provided for and regulated by statute, may be called by the Directors whenever they deem necessary, including a meeting for election of Directors in place of those holding over as mentioned in Article II.; and they shall order and call such meeting whenever persons, not less than five in number, and owning not less than one-third of the capital stock, shall in writing request the same. Said meeting shall be held at said office of the company as aforesaid, and notification thereof shall be given by mail and publication in all respects herein before provided in the case of annual meetings. But at all such special meetings of stockholders, at least one-half of the shares of the capital stock, exclusive of stock held by the company, must be represented, to constitute a quorum; and neither at an annual nor at a special meeting shall any stock held by the company be voted upon.

ARTICLE XXIII.

Dividends, payable from the net profits in hand, shall be declared and paid at such times and to such amount as the Board of Directors may from time to time designate.

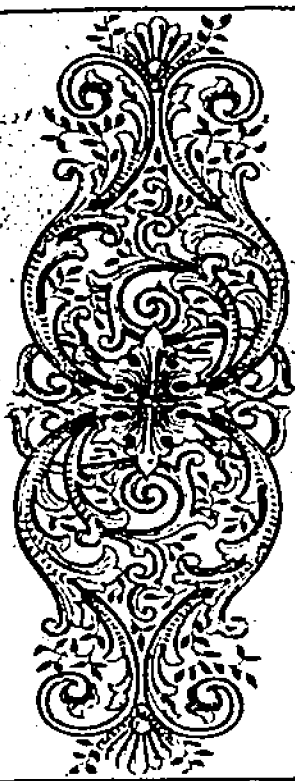
ARTICLE XXIV.

These By-Laws may be amended, added to, or altered by a two-third vote of all the Directors at any meeting called especially for that purpose, provided always that the notice of such meeting shall state such amendment, addition or alteration to be one of the objects of such meeting, shall specify the By-Law or By-Laws which it

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is proposed to amend, add to, or alter, together with a general statement of the nature of the proposed changes therein. At such meeting the Directors shall have no power to alter, amend or add to any By-Law other than those specified in said notice; but as those By-Laws so specified, the Board of Directors shall have full power and shall not be restricted to the proposed change set forth in such notice.

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\$ 83 <sup>17</sup>/<sub>100</sub>

New York 14<sup>th</sup> May 1889  
Thirty Days after date we promise

to pay to the order of Ourselves

Eighty Three <sup>17</sup>/<sub>100</sub> Dollars

at The National Broadway Bank

Value received,

The United States Commercial and Trading Co.

No. 119 Due 16/6/89

Wm. L. Carson  
Vice Pres. Gen. Mgr.

Gougeon & Elliot, Stationers, 47 Broad St. N.Y.



0754

Pay to the order of  
Frederick Palmer

The United States Commercial and Trading Co.

New York

New York

1510 - 10th Ave  
City

Pay  
Mark Jacobs

Fred K. Palmer

Astor House  
For Collection

Mark Jacobs

112 Canal

119

United States of A

0755

GLUED PAGE

United States of America, }  
State of New York. } ss.

I, RICHARD B. KELLY, Notary Public, duly commissioned and sworn, dwelling in the City of New York, Do Hereby Certify, that on the 17<sup>th</sup> day of June one thousand eight hundred and eighty nine the original promissory note hereto annexed, for \$ 88 marked 14 May 1889 was, at the request of the FIFTH NATIONAL BANK, in the City of New York, presented by me at the National Broadway Bank

and payment thereof demanded which was refused.

Whereupon I, the said Notary, at the request aforesaid, did Protest, and by these presents do publicly and solemnly Protest, as well against the maker drawer and endorser - of the said note as against all others whom it doth or may concern, for exchange, re-exchange, and all costs, damages and interest already incurred, and to be hereafter incurred for want of payment of the said note and due notice of the foregoing Protest I deposited in the Post Office at the City of New York, on the 17<sup>th</sup> day of June 188 9 directed as follows, viz.: (The Postage thereon being prepaid)

To The United States Commercial & Trading Co.  
To Wells Building, 18 Broadway, N.Y. City  
To Frederick Palmer & Co. 26 Astor House N.Y. City  
To do % Mark Jacobs  
To Mark Jacobs

(Each of the above-named places being the reputed place of residence or business of the person to whom the notice was directed, and the Post Office nearest thereto.)

In Testimony Whereof, I have hereunto set my hand and affixed my official seal, at the City of New York aforesaid, this 17<sup>th</sup> day of June 188 9

Richard B. Kelly  
NOTARY PUBLIC,

No. 237 Broadway, New York City.



0756

No. \_\_\_\_\_  
New York, 19 June 1889  
**PROTEST.**  
*of* The W. Commercial & Trading Co

FOR  
~~FIFTH NATIONAL BANK.~~  
*Wm. Jacobs*

Dated, 14 May 1889  
\$ 83 11

Fee \_\_\_\_\_ 75 Cts.

Notices \_\_\_\_\_ 60

Postage \_\_\_\_\_ 06

171

\$

**KELLY & MACRAE,**  
ATTORNEYS & NOTARIES,  
237 BROADWAY, N. Y.



0757

S T A T E O F N E W Y O R K.

.....X  
In the matter of  
William L. Carbin  
a fugitive from justice.  
.....X

City and County :  
: SS.  
of New York :

Frank T. Morrill being duly sworn, de-  
poses and says:

A That he is an officer and stockholder of the United States Commercial and Trading Company, and that at all the times hereinafter mentioned, the said United States Commercial and Trading Company, was and still is a corporation duly created and existing under and by virtue of the Laws of the State of New Jersey, and having a place for the general transaction of business in the City, County and State of New York.

That at all the times hereinafter mentioned, William L. Carbin was the vice-president and general manager of said company.

That at or about the time of the organization of said company, certain by-laws for the government and regulation of the affairs of said Company were adopted, in the adoption of which, said William L. Carbin concurred, and that said by-laws were in force at all the times hereinafter mentioned.

That Article XII of said by-laws reads as follows:

By William L. Carbin, Vice-President and General Manager

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" All bills, notes, checks, or other negotiable instruments  
" of the company, shall be made in the name of the company,  
" and shall be signed by the treasurer, and countersigned  
" by the president, or in his absence or incapacity to act,  
" by the vice-president. "

" No officer or agent of the company, either singly  
" or together, have power to make any bill, note, check or  
" other negotiable instrument in the name of the company, or  
" to bind the company thereby, except as in this Article  
" prescribed and provided. "

That on or about the 14th. day of May, 1889, in violation of the terms of said Article XII, of the by-laws of said Company, the defendant, William L. Carbin, without the knowledge, consent or authority of the Board of Directors of said company, feloniously, wilfully, knowingly and with intent to defraud, and in violation of section 591 of the New York Penal Code, executed signed and issued, and placed in circulation <sup>certain</sup> ~~the following~~ evidences of debt, purporting to be a promissory note of said company, *in substance as follows:*

New York, May 14th. 1889.  
Thirty days after date, we promise to pay to the order of ourselves, at the National Broadway Bank, \$141.89-100.  
*Value received.* United States Commercial & Trading Company.  
By  
William L. Carbin, vice-president and General Manager.

That said promissory note was endorsed by said William L. Carbin, in the manner and form following.

"Pay to the order of Frederick Palmer"  
"United States Commercial and Trading Company"  
"By  
"William L. Carbin, vice-president and General Manager"

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That said note was not issued or given for any purpose to benefit said company, or in payment of any debt or obligation recognized or admitted by said company, and that said company received no consideration, and derived no benefit therefrom.

That said Willaim L. Carbin, on or about the 14th day of May 1889, feloniously, knowingly and with intent to defraud, signed, executed, issued and placed in circulation in like manner five other evidences of debt, purporting to be obligations of said company, by making and delivering five other promissory notes without being authorized so to do by said company, and without the consent or knowledge of the Board of Directors of said company, or in payment of any debt or obligation recognized by said company, and from which said company received no benefit or consideration, but in violation of section 591 of the New York Penal Code and in violation of Article XII, of the by-laws of said company, which notes are for the following amounts.

\$79.33-100

\$83.17-100

\$119.35-100

\$238.76-100

\$75.50-100

B That said Carbin was actually in the city of New York, at the time of the commission of said crime, as I am informed and believe.

I saw him in the City of New York a few days previous thereto and have been informed by other persons that he was seen in said city shortly thereafter.

His place of residence and abode being at the time



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in the City of New York.

C That after the commission of said crime, Carbin fled from the jurisdiction of this State, and is now at Toms River, in the State of New Jersey, a fugitive from the jurisdiction of this State.

Deponent further says, that said flight from the jurisdiction of this State, occurred between the 5th. and 24th. days of July, 1839. His knowledge of this fact is based upon information given by the attorneys, of said Carbin in the State of New Jersey.

Deponent is informed and believes that the reason of the flight of said Carbin is, that when said notes became due and payable, at which time the officers of the said United States Commercial and Trading Company first learned of their existence, that they protested against the payment of said notes, and refused to pay the same, stating to the parties who were then the holders of said notes, that the issuance of the same by said Carbin was wrongful and without authority.

Deponent has reason to believe that the position taken by said company was communicated to said Carbin and that thereafter and through fear of proceedings being instituted against him by said company, has fled from the jurisdiction of this State.

D The reputation of said Carbin as far as deponent has been able to ascertain is bad. It is to the effect, that he has frequently been guilty of frauds in business transactions.

0761

That he was once arrested in a civil suit in which one Stone was plaintiff.

He is a married man, as deponent is informed and believes. But a year ago he abandoned his wife and child, but as to whether he has since returned to his wife, deponent knoweth not.

In his management of the affairs of said company, deponent believes that he has been deceitful and corrupt, and has frequently made false statements and representations

E This application is made on behalf of the United States Commercial and Trading Company, in good faith for the sole purpose of punishing the accused, and deponent does not desire or expect, nor does said corporation desire or expect to use the prosecution for the purpose of collecting a debt, or for any private purpose, and if the requisition hereby applied for be granted, these proceedings shall not be used for any of the said objects.

Sworn to before me this } Frank T. Merrill.  
21<sup>st</sup> day of October, 1889

M. M. M. M.  
Notary Public  
St. Louis, Mo.

0762

People v. 1. 212 Broadway  
apx }  
W. L. Carlini } My Jan 17/90

John R. Fillion Esq.

Syr

Please note that  
I am counsel for W. L. Car-  
lini and desire to be sent  
all notices. The indict-  
ment is dated Oct 17<sup>th</sup>  
1889.

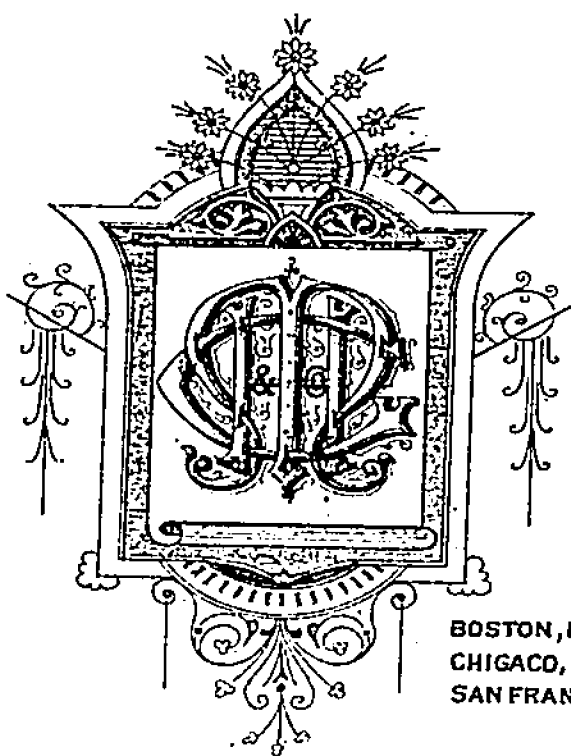
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John R. Van Ness

for W. L.



0763



GEO. H. MORRILL & CO.

MANUFACTURERS OF  
LETTER PRESS LITHOGRAPHIC INKS & VARNISHES.  
ALSO  
MANUFACTURERS & IMPORTERS OF DRY COLORS.  
11-31 VANDEWATER ST.

BOSTON, 146 CONGRESS ST.  
CHICAGO, 119 FIFTH AVE  
SAN FRANCISCO 520 COMMERCIAL ST.

NEW YORK, 10th April, 1890

Wm. Travers Jerome, Esq.,

District Attorney's Office, City.

Dear Sir:--

Enclosed I hand you copy of letter which was sent Mr. Palmer in pursuance of resolution passed by 'The United States Commercial and Trading Co'. on April 16th, 1889.

We haven't Mr. Palmer's present address in our possession, but will obtain same, and forward.

Yours very truly,

Frank H. Morrill  
Kerr

0764

C O P Y.

New York, N. Y., April 16, 1889.

Capt. Palmer,  
"Astor House", City.

Dear Sir:--

At a meeting of the Board of Directors, held this morning in the office of F. T. Morrill, Nos. 25 & 27 Rose St., New York City, the following resolution was passed.

"It is here resolved that we do not consider Mr. Palmer has done anything of any value, that he has not performed the contract he made with us, and that we decline to pay him the amount of money claimed, and that if he wishes to return the money advanced to him, we will waive all claims to the benefit, or supposed benefit, of anything that he has done, relinquishing all benefit that he alleges he has acquired for us. This relinquishment is only upon condition of the pre-payment to us of the amount advanced to him."

Yours very truly,

The United States Commercial and Trading Company,  
Frank T. Morrill, Pres't.

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Law Offices  
MILNOR & WILLIS,  
229 BROADWAY,  
New York.

Wm. Jacobs  
112 Canal St

Matter of William L. Carter  
a fugitive from justice



Return to GEO. H. MORRILL & CO.,  
/ to 31 Vandewater Street, NEW YORK, N. Y.,  
If not delivered within 10 days



Wm. Travers Jerome, Esq.,

District Attorney's Office,

City.



NOTHING BUT THE ADDRESS TO BE ON THIS SIDE.

M. Grubert,  
229 Broadway,  
City.

0766

0767

In the matter of the complaint against William L. Carbin, under section 591 of the Code of Criminal Procedure, for issuing evidence of debt, without the authority so to do, of the United States Commercial & Trading Company.

The following witnesses will prove as follows:

First. Frank T. Morrill, Presdt. of the U. S. C. & T. Co 17 to 25 Vandewater Street

will testify to the by-laws of the company: to the lack of authority on the part of William L. Carbin to issue any notes or evidence of debt purporting to be an obligation of the company: will identify the notes issued by Carbin and testify as to his hand-writing.

Second. M. C. Milnor, Lawyer, 229 Broadway, one of the directors of the U. S. C. & T. Co. will testify as to the by-laws of the company, and as to the lack of authority on the part of Carbin to issue evidence of debt purporting to be an obligation of said company: will identify the notes and can prove hand-writing of William L. Carbin.

Third. Frederick Palmer, prisoner in the Tombs was the payee of all the notes issued by Carbin and can prove the execution and hand-writing.

Four. Mark Jacobs, 112 Canal Street *Frederick* who caused the arrest ~~and conviction~~ of ~~Frank~~ <sup>Frederick</sup> Palmer for swindling him with these notes issued by Carbin, has all but one of these notes in his possession, or in the possession of John F. McIntyre, his attorney, 170 Broadway. Jacobs is necessary only for the production of notes.

Five. L. J. Behringer, 19 Broadway, wine merchant has one note issued by Carbin in the name of the U. S. C. & ~~A~~ Co. in his possession or in the possession of J. Travers King, 401 Broadway. *his Attorney*

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Matter of  
William L. Carbone

Name and Address  
of witnesses

DO YOU KNOW ANYONE WHOSE NAME IS  
WILLIAM L. CARBONE? IF SO, WHERE  
DOES HE LIVE? IF YOU KNOW HIS  
ADDRESS, PLEASE WRITE IT DOWN.



0769

STATE OF NEW YORK.

.....X  
In the matter of  
WILLIAM L. CARBIN  
a fugitive from justice.  
.....X

City and County :  
: SS.  
Of New York :

Frank T. Morrill being duly sworn,  
deposes and says:

A That he is an officer and stockholder of the United States Commercial and Trading Company, and that at all the times hereinafter mentioned, the said United States Commercial and Trading Company, was and still is a corporation duly created and existing under and by virtue of the laws of the State of New Jersey, and having a place for the general transaction of business in the City, County and State of New York.

That at all the times hereinafter mentioned, William L. Carbin was the vice-president and general manager of said Company.

That at or about the time of the organization of said company, certain byelaws for the government and regulation of the affairs of said company, were adopted, in the adoption of which, said William L. Carbin concurred, and that said by-laws were in force at all the times hereinafter mentioned.

That Article XII of said by-laws reads as follows:

" All bills, notes, checks, or other negotiable

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" struments of the company, shall be made in the name of  
" the company, and shall be signed by the treasurer, and  
" countersigned by the president, or in his absence or in-  
" capacity to act, by the vice-president. "

" No officer or agent of the comapny, either singly  
" or together, have power to make any bill, note, check, or  
" other negotiable instrument in the ~~name~~ <sup>name</sup> of the company, or  
" or to bind the company, except as in this Article pre-  
" scribed and provided. "

That on or about the 14th. day of May, 1889, in vio-  
lation of the terms of said Article XII, of the by-laws of  
said company, the defendant, William L. Carbin, without the  
knowledge, consent or authority of the Board of Directors  
of said comapny, feloniously, wilfully, knowingly and with  
intent to defraud, and in violation of section 591 of the  
New York Penal Code, executed, signed and issued, and placed  
in circulation ~~the~~ <sup>certain</sup> following evidences of debt, purporting  
to be a promissory note of said company, *in substance*  
*as follows,*

" New York, May 14th. 1889.  
" Thirty days after date, we promise to pay to the order of  
" ourselves, at the National Broadway Bank, \$141.89-100c  
" *Value received.* United States Commercial & Trading Company.  
" By  
" William L. Carbin, vice-president and general manager. "

That said promissory note was endorsed by said Wil-  
liam L. Carbin in the manner and form following;

"Pay to the order of Frederick Palmer United States'

"Commercial and Trading Company by William L. Carbin

"Vice President and General Manager"

That said note was not issued or given for any purpose  
to benefit said company, or in payment of any debt or obli-

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gation recognized or admitted by said company and that said company received no consideration and derived no benefit therefrom.

That said William L. Carbin on or about the 14th day of May 1889 feloniously, knowingly and with intent to defraud sign<sup>ed</sup>, executed issued and placed in circulation in like manner five other evidences of debt, purporting to be obligation of said company, by making and delivering five other promissory notes without being authorized so to do by said company, and without the consent or knowledge of the Board of Directors of said company or in payment of any debt or obligation recognized by said company, and from which said company received no benefit or consideration, but in violation of section 591 of the New York Penal Code and in violation of Article XII of the By-Laws of said company, which notes are for the following amounts

\$79 33-100

\$83 17-100

\$119 35-100

\$238 76-100

\$75 50-100

B That said Carbin was actually in the City of New York at the time of the commission of said crime as I am informed and believe.

I saw him in the City of New York a few days previous thereto and have been informed by other persons that he was seen in the said City shortly thereafter. His place of residence and abode being at the time in the city of New York.

C That after the commission of said crime, Carbin fled from the jurisdic



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fled from the jurisdiction of this State, and is now at Toms River, in the State of New Jersey, a fugitive from the justice of this State.

Deponent further says, that said flight from the jurisdiction of this State, occurred between the 5th. and 24th. days of July, 1889. His knowledge of this fact is based upon information given by the attorneys of said Carbin in the State of New Jersey.

Deponent is informed and believes that the reason of the flight of said Carbin is, that when said notes became due and payable, at which time the officers of the said United States Commercial and Trading Company first learned of their existence, that they protested against the payment of said notes, and refused to pay the same, stating to the parties who were then the holders of said notes, that the issuance of the same by Carbin was wrongful and without authority.

Deponent has reason to believe that the position taken by said Company was communicated to said Carbin, and that thereafter and through fear of proceedings being instituted against him by said company, has fled from the jurisdiction of this State.

D The reputation of said Carbin, as far as deponent has been able to ascertain, is bad. It is to the effect, that he has frequently been guilty of frauds in business transactions.

That he was once arrested in a civil suit in which one Stone was plaintiff.

He is a married man as deponent is informed and believes. But a year ago he abandoned his wife and child,

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but as to whether he has since returned to his wife deponent knoweth not.

In his management of the affairs of the company, deponent believes that he has been deceitful and corrupt, and has frequently made false statements and representations.

E This application is made on behalf of the United States Commercial and Trading Company, in good faith, for the sole purpose of punishing the accused, and deponent does not desire or expect, nor does said corporation desire or expect to use the prosecution for the purpose of collection of a debt, or for any private purpose, and if the requisition hereby applied for be granted, these proceedings shall not be used for any of <sup>said</sup> objects.

Sworn to before me this } Frank T. Morrell  
21<sup>st</sup> day of October, 1929 }  
Mary Burke  
of N.Y.

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 \$141 <sup>89</sup>/<sub>100</sub> - New York 14 May 1889  
Thirty Days after date we promise  
to pay to the order of ourselves  
One Hundred and Forty One <sup>89</sup>/<sub>100</sub> - Dollars  
at the National Broadway Bank.  
Value received. *M. J. Carbin*  
No. 110 Due 16/6/89 *M. J. Carbin*  
Vice President & Cashier  
Gordon & Elliot, Stationers, 47 Broad St. N.Y.



0775

1923

Pay to the order of  
Frederick Palmer

The United States Commercial and Trading Co.

By Wm. L. Arden

Vice Pres. & Gen. Mgr.

Pay Master

Frederick Palmer

Astor House

For Collection

Manuscript

112 Canal

110

0776

GLUED PAGE

United States of America, }  
 State of New York. } ss.

I, RICHARD B. KELLY, Notary Public, duly commissioned and sworn, dwelling in the City of New York, Do Hereby Certify, that on the 17 day of June one thousand eight hundred and eighty nine the original promissory note hereto annexed, for \$ 141.87

Mark Jacobs dated 14 May 1889 was, at the request of the First National Bank, in the City of New York, presented by me ok

The National Broadway Bank

and payment thereof demanded which was refused.

Whereupon I, the said Notary, at the request aforesaid, did Protest, and by these presents do publicly and solemnly Protest, as well against the maker drawer and endorser of the said note as against all others whom it doth or may concern, for exchange, re-exchange, and all costs, damages and interest already incurred, and to be hereafter incurred for want of payment of the said note and due notice of the foregoing Protest I deposited in the Post Office at the City of New York, on the 17 day of June 1889 directed as follows, viz.: (The Postage thereon being prepaid.)

To The United States Commercial & Trading Co.  
Wells Building, 18 Broadway, N.Y. City  
 To Frederick Palmer, room 56, Astor House, N.Y. City  
 To do % Mark Jacobs  
 To Mark Jacobs

(Each of the above-named places being the reputed place of residence or business of the person to whom the notice was directed, and the Post Office nearest thereto.)

In Testimony Whereof, I have hereunto set my hand and affixed my official seal, at the City of New York aforesaid, this 17 day of June 1889

Richard B. Kelly  
 NOTARY PUBLIC,

No. 237 Broadway, New York City.



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No. 17 June 1889  
New York,

PROTEST.  
*The W. Commercial & Trading Co.*

FOR  
~~FIFTH NATIONAL BANK.~~  
*March 1889*

Dated, 14 May 1889  
\$ 141.89

Fee 75 Cts.

Notices 40

Postage 06

1.21  
\$ 143 10

KELLY & MACRAE,  
ATTORNEYS & NOTARIES,

237 BROADWAY, N. Y.



0778

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

William L. Carlin

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

Indictment accuse William L. Carlin of a Felony,

of the crime of

committed as follows:

The said William L. Carlin,

late of the City of New York, in the County of New York, aforesaid, on the

fourteenth day of May, in the year of our Lord one thousand  
eight hundred and eighty-nine, at the City and County aforesaid,

to wit: the vice-president and general manager  
being an officer and agent of the United States  
Commercial and Trading Company, a corporation  
formed and existing under the laws of the State  
of New Jersey, wilfully and knowingly, with  
intent to defraud, did feloniously sign and  
execute, with intent to sell and issue, a certain  
instrument purporting to be an evidence of debt  
of the said corporation, which said instrument is  
as follows, that is to say:

\$141 89/100

"New York" May 14<sup>th</sup> 1889.

Thirty days after date, we promise to pay to  
the order of ourselves, at the National Broadway

0779

~~Bank~~, One hundred and forty one  $\frac{89}{100}$  Dollars  
at the National Broadway Bank. Value received  
United States Commercial & Trading Company

No. 110

By William S. Carlin, Vice-president and  
general manager

without being first thereto duly authorized by the  
said corporation against the form of the Statute  
in such case made and provided, and against  
the peace of the People of the State of New York,  
and their dignity.

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Second COUNT.

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

William L. Carbin of a Felony,

of the Crime of

committed as follows:

The said William L. Carbin,

late of the City and County aforesaid, afterwards to wit: On the day and in the year aforesaid, at the City and County aforesaid, being an officer and agent, to wit: the vice-president and general manager, of the United States Commercial and Trading Company, a corporation formed and existing under the laws of the State of New Jersey, wilfully and knowingly, with intent to defraud, did feloniously issue a certain instrument purporting to be an evidence of debt of the said corporation, which said instrument is as follows, that is to say:

\$141 <sup>89</sup>/<sub>100</sub> "New York, <sup>14</sup> May ~~14th~~ 1889

Thirty days after date we promise to pay to the order of ourselves at the National Broadway

Bank, One hundred and forty one <sup>89</sup>/<sub>100</sub> Dollars, at the National Broadway Bank. Value received.  
United States Commercial & Trading Company

By William L. Carbin, Vice-president and

no. 110

general manager



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without being first thereto duly authorized by  
the said corporation: against the form of the  
Statute in such case made and provided, and  
against the peace of the People of the State of  
New York, and their dignity.

John R. Fellows,

District Attorney

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**BOX:**

367

**FOLDER:**

3447

**DESCRIPTION:**

Carley, Ellen

**DATE:**

10/09/89



3447



POOR QUALITY  
ORIGINAL

0783

Witnesses:

W. Sheridan

W. Peck in the

West impudenc

W. Harper in

W. Van der

W. J. J. J. J.

W. J. J. J. J.

W. J. J. J. J.

W. J. J. J. J.

W. J. J. J. J.

W. J. J. J. J.

W. J. J. J. J.

Counsel, B. B. B. B. B.

Filed day of

1899

Pleads

THE PEOPLE

vs.

Ellen Carley

January 14/90

Sperry & Edwards

Grand Jurors

Nov 22 1899

JOHN R. FELLOWS

District Attorney

Nov 22 1899

W. J. J. J. J.

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W. J. J. J. J.



0784

The People  
vs.  
Ellen Carley.

{ Court of General Sessions, Part I.  
Before Recorder Smyth.

Monday, January 13, 1890.

Indictment for grand larceny in the second degree.

Robert Sheridan sworn and examined, testified:

I live 129 West 24th Street and lived there on the 15th of December, 1888; I am a police officer of the second precinct, I had the Defendant in my employ, my wife was very sick on the 4th of December 1888 and I had occasion to engage the girl to help her; I went to an office in Clinton Place near Broadway and engaged this girl on the 4th of December, 1888, at twelve dollars a month to do general housework; she came to my house the following morning, the 5th of December, and began to work; my wife was all who was living with me, the Defendant came on the 5th and left on the 15th of December 1888. My wife had occasion to go out Saturday afternoon to do some shopping, we left the house about a quarter to two leaving this girl in charge of the rooms; we returned about a quarter to five and found the door closed which had a spring lock, we went into the room and I was surprised to see no one there and on the table there lay a note stating, "for what you said to me last night I have left, I am going to Boston, you need not follow me." The note now shown me is the one that I found. There was no one else in the room when I and my wife got back. To the best of my knowledge the writing on this note is the Defendant's, she used to practice writing in the evening. I saw her write her name on the examination paper before the Magistrate.

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to the hotel only while I am here in New York. So you need not be on the lookout for me any more, I have never been in the east side at all. For what you said last night to me when you went out I went away and I am going to be in Boston before morning. Good-bye. For I am in a hotel, gone back and I will go where I came from." Then there is writing on the outside, Mrs. Barrett, 403 East 22nd St. second floor.

Witness: I went to the Defendant's bed-room and searched it, I found a fifty dollar bill and a five dollar bill gone and also a very fine rolled gold chain, a gold ring and a new petticoat gone belonging to my wife; that property was in the house that day, I put it in the closet two minutes before I left the room. I gave twenty-one dollars for the watch and nine dollars for the chain; the petticoat was valued at eight or nine dollars. After I discovered the loss of this property I notified Capt. Reilly at 30th St. but I got no clue to it till about five weeks afterwards when Mrs. Barrett came to my rooms and gave me some information, I did nothing because my wife was about dying and I had no time to attend to anything, I never recovered any of the property. I know Mrs. Reordan by sight. The watch was an Elgin movement hunting-case chased, a ladies watch and the chain was a little over a foot long; the ring was a small ladies ring with two blue stones and two pearls forming a cross. The Defendant gave no notice to my wife or I of her intention to leave except the note; she had a valise when she came to us and took that away. I next saw the Defendant on the 23rd of September, 1839, she was coming out of St. Peters Chrch corner of Barclay St. and Broadway, I arrested her and told her what for.

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She denied it and said she was not in the country at the time, she said she did not know anything at all about it.

Cross Examined. I would not be positive about the date whether it was the 22nd or 23rd of September but I know it was Sunday morning; I told her she robbed me not quite a year ago and she said she was not in this country at that time. She told me she worked for Mrs. Dudley 20 Nassau Street --- no, I have forgotten the name, Frost I think. I engaged her at an intelligence office on Clinton near Broadway, Mr. Danvers is the name of the man who keeps it, I have not subpoenaed him. My wife died shortly afterwards. Mrs. Barrett told me the Defendant robbed her too, Mrs. Barrett told me she held this property I have mentioned, the gold watch, the fifty dollar bill and the five dollar bill, Mrs. Barrett did not tell me where I could find the Defendant, she did not tell me that she knew the property that she held was mine; Mrs. Barrett told me that the Defendant told her that she got a present of a gold watch from a gentleman friend of hers and wanted Mrs. Barrett to keep it for her and also the ring, Mrs. Barrett said she kept it until she called for it and then gave it back to her. The watch now shown me is the watch which I had on the 15th of December, this is the first time I have had it in my hand since it was lost, I was told that Mrs. Reoirdan had the watch, she is in court now; I saw her for the first time about a week after I arrested the Defendant in her rooms on Third Avenue, I went to see if she had the watch and I subpoenaed her here as a witness, Mrs. Barrett told me she had the watch at the same time she told me about her holding the property. I have been fifteen years on the police force. I believe Ellen Carley told



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Mrs. Barrett that she knew Mrs. Reoirdan had the watch.

I paid the Defendant no money before she left. Mrs. Barrett called upon me at my house and I had a conversation with her; she asked me the reason why Ellen Carley left me and I told her that she robbed me of these articles I have mentioned, the gold watch, the fifty dollar bill, the five dollar bill, the gold ring and the petticoat; she said Ellen Carley gave it to her and that she gave Mrs. Reoirdan the watch as part payment for a board bill that she owed her. Mrs. Barrett gave me her address at the time, this was in January 1839, when Mrs. Barrett called on me, Mrs. Barrett told me that Mrs. Reoirdan lived somewhere up on Third or Second Avenue and after I arrested the defendant I found out Mrs. Reoirdan and she showed me the watch.

Ellen Barrett sworn and examined.

I live 403 East 22nd Street and have lived there nine years, I know the Defendant, I saw her last Christmas, December 1838 her uncle brought her to see my husband, that was sometime before Christmas, his name is Maurice Carley, I had known him sometime, he had been to my house before to see my husband, I was not acquainted with her before and when she was going away my husband told her that she must come again, that whenever she was out of a situation that she could come and stay with us, I was glad to see the girl and she stayed maybe an hour and a half that night. In about a week after she came to my house again alone, it was about five o'clock in the evening, she took off her things

0788

nd remained, she told me she was living in a place in 84th Street and the family had gone to visit and she did not want to stay in the house alone at night, she went back the next day to her place, this was a week before Christmas in 1888, she came to live with me altogether in about a week after; the next time I saw her she said she had left her place, I should say she was two or three weeks with me before she got a place, she was going to the intelligence office every day; she got a place and I remember it was in 24th Street with Mr Sheridan the police officer. I went to the place at the request of my husband because she had not been long in the country and I wanted to see if it was a good neighborhood, I went to West 24th Street on the right hand side going toward Sixth Avenue and I saw the Defendant, I asked her how she liked the place and she said she thought she would like it, I asked her what kind of a gentleman he was and she said he was a policeman, then I went home; she came to my house the next night and I asked her if she liked the place and she said she thought she would like it, she said he had a very delicate wife; a few nights after that she came to my house again and she said she did not think she would remain longer, I think it was eight or ten days that she was there and then she came back to me entirely, I asked her why she left the place and she said she did not care to stay there, I asked her "did she pay you the whole of the month's wages?" and she said, "twelve dollars." I said, "that was very good", and then she remained with me, I told her it was not worth while to be going to the intelligence office until after the holidays. She went out one day and said that she was

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going to a jeweler's in Sixth Avenue for her watch and when she came back she gave me her watch and chain to keep for her and also a fifty dollar bill, a five dollar bill and a small ladies ring with a blue stone in; I had those things in my possession. It was a watch like the one now shown me, I kept it during the time that she remained with me which was about nine weeks. She told me that she got a place out in the country, I forget the name of the place, and I have her all her things before she went, I think she spent five dollars of the money. She bought a trunk while she was in my house and in a few days sent an expressman for it but I did not want to give it to the expressman until I saw her; I gave the trunk to the lady friend of hers, Mrs. Reoirdan.

Cross Examined.

My husband is home

sick for the last week with the grip. My husband knows the uncle of the Defendant thistwenty or thirty years; six months was all the time he was in the country at that time, he lives in 24th Street between Avenue A and First Avenue and is a laboring man, he boards with an aunt of his named Lambert; I have been to Mrs. Lambert's once or twice. The Defendant had left me more than nine weeks before I told Officer Sheridan about her, I had missed things of my own two or three days after she left my house. It may have been the month of November 1888,

when she first came to my house. I went around to Officer Sheridan's house to see what kind of a place it was because my husband took an interest in her because he knew her people in the old country; she had a valise with her when she came to my house. I missed a new dress, I



0790

never wore it. I missed a pair of corsets and \$1.30 belonging to a child that was collected for a fair in the church, she put ten cents herself to it, the money was in a box. The little girl is nine years old and she is at school. There lived in the house with us my mother and my sister, my mother is home and my sister is at work. I missed these articles two or three days after the Defendant left; I went to the policeman's house nine weeks after, I did not know she had any stolen things, I went to see if he had paid her and to see if she was telling lies, I missed these things when she left me to go to live out in the country. She sent an expressman to my house and I did not give the trunk and the very same evening a knock came to the door and Mrs. Reoirdan came in, I was in bed and my sister opened the door and Mrs. Reoirdan asked what was the reason that Ellen Carley did not get her trunk that day. My sister told her that I would not give up the trunk until I saw her myself; she said she wanted to get her trunk for there was an accordion in it. My husband said, "no, you can't go to the trunk and nobody will open the trunk until Ellen comes herself." Mrs. Reoirdan said, "she can't come, she is in the country, I have got the key." I said, "no matter, the trunk will not be opened until she comes herself", and so the woman went away. About ten minutes after a knock came to the door and Ellen Carley came in with Mrs. Reoirdan to my house, I came out in the kitchen and asked her if she had taken anything belonging to me, that I had lost my new dress, I said nothing about the money at this time nor about the corsets; she said, "I know nothing about it."

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I said, "I will have you up to 57th Street Court in the morning; I don't say you stole it but it is between you and Jennie, the woman who washes for me. She went away quite angry, I did not ask her to look at the trunk to see if it was in; my husband said, "let her take the trunk"; this was about eleven o'clock at night. She said, "is it board money you want?" I said, "no, because my husband never intended to have her pay any board; I said, "I want you to give me my dress if you took it"; she said, "no, I did not." I said, "all right, I want the board money, I must have something." She went to her trunk and opened it and took out three ten dollar bills and handed them to me and asked me how much I wanted; I said twenty-three dollars, I kept two of the ten dollar bills. Said I, "will you come down Sunday and I will have Jennie here?" She said, "yes; I have no change now, I said, you can give me the other three dollars then. This was Friday night. She went away and took the trunk and I never seen any more of her until she sent me a postal card from where she lived. This is the postal card. I am positive that the Defendant is the young lady that was in my house and there cannot be any mistake about it. The woman who washed for me, Jennie Ames, is a married lady and lives in 15th Street near Avenue A. I told the officer that I had a gold watch belonging to Ellen Carley in my possession and I gave it up to her when she left me and the money and the pocketbook and the ring but he did not tell me anything about missing anything until I told him my story first. The Defendant told my husband that Mrs. Reoirdan had the watch, I may have told the officer that

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Mrs. Reoirdan had the watch. I told Officer Sheridan that she had my dress too; my husband got it from Mrs. Reoirdan and brought it home to my house and I took it back to her in 112th Street and gave it to her, I would not wear it because it was worn and dirty and greasy. This was in the middle of th summer, I can't tell the month. This was after I had seen the police officer that I took the dress and some letters up to Mrs. Reoirdan in 112th St. The policeman told me about the things he had lost and I told him I had these things in my possession. I was brought down to the Tombs to identify the Defendant at the Police Court; this was last summer but I can't tell the month. While the Defendant was at my house she gave me a likeness and I put it in my album, it is six months since I have seen it and it ought to be in the album now. The picture shown me is the one that she gave me I am sure.

Mr. Davis: I sent a police officer up after recess and he got it out of the album from the husband who is sick at home with the grip.

Witness continuing: It was to my sister she gave the picture, I looked at it at the time and I thought it was a good picture of her, I did not ask her where she got it taken.

Ellen Reoirdan sworn and examined.

I live No. 1890 Second Avenue, New York, and have lived there four years, I have known the defendant Ellen Carley since the 9th of last January 1889; she is in no way related to me, I first met her in Dobbs Ferry, Westchester Co. at my aunt's house Mrs. It was at a wedding, I cannot say whether I spoke to her that day or not, I saw



0793

her a week after at my house 1890 Second Avenue, she came there in the evening about eight o'clock, she went home that night but came back the next day; her cousin introduced her to me Ellen Cullinane, I have known Ellen since she was a child, she introduced her cousin as Ellen Carley I don't recollect any conversation, this was about the 18th of January 1889, she boarded with me about seven months, she went to a place in 112th Street, I cannot say what number, I bought a watch of her sometime in January 1889 for which I paid her twenty dollars (watch produced). She had clothing in a trunk when she was at my house. I asked her where she got the watch and she said she got it from a fellow named Sullivan in Boston as a present; she had a maroon colored dress there, I gave it to Mr. Barrett, he said it was his and he took it away; this girl was not in my house after she went to 112th Street; I next saw her in prison. There is no mistake about it but this is the girl who was at my house.

Cross Examined.. I went with the Defendant to Mrs. Barrett's house to get her trunk, I went there first alone, I did not tell Mrs. Barrett that she had gone to the country but that she had gone to Brooklyn, I did not think there was anything wrong about the girl, she told me to say she had gone to Brooklyn, I admit I told a lie but I never knew she was after stealing. I saw the Defendant pay Mrs. Barrett two ten dollar bills. Mr. Barrett told me she stole things from Officer Sheridan and he came to my house and asked me about her and he asked me if I would come to Court when I would be sent for and I said yes. I never had seen Mrs. Barrett before I went to take the

0794

trunk away. I talked with the Defendant in the prison ; I told her that Mrs. Barrett told me that the officer would give twenty dollars to any person that would find her out for him. I am positive that the Defendant is the girl who was at my house seven months and is the girl that was with me at the time I got the trunk from Mrs. Barrett.

Bridget Donohue sworn.

I live at 47 West 16th Street and moved from 129 west 24th Street on the 2nd of July, 1889; I lived there four years and a half, I lived on the parlor floor and basement, I know Officer Sheridan and he lived in the same house with his wife, on the second floor; I have seen the defendant Ellen Carley living with Mr. Sheridan, I think it was December 1888, I used to go in to their apartments once in a while when Mrs. Sheridan was sick and when she had no girl I went in to help, I met the Defendant in the hallway as I used to go up and down stairs, I asked her her name once and do not remember what it was she asked me why I asked her and I told her there was a letter and as long as she did not give me the name I did not tell her who the letter was for. I am sure the Defendant is the one I saw at that house. Sometimes I would go upstairs five or six times a day and maybe ten times and I might meet her once or twice, she was a servant for Mrs. Sheridan because Mrs. Sheridan told me she got anew girl, I saw Mrs. Barrett go to Mr. Sheridan's house in December when the Defendant was there, I opened the door for her.

0795

Margaret Gorman sworn.

I live at 123 West 24th Street and keep a small grocery store, I kept it in December 1888, and am there twelve years, I recollect Officer Sheridan living there in that year, I have seen the Defendant in my store in December 1888, she went in there to buy things for Mrs. Sheridan of 129 West 24th St. I could not say how many times the Defendant was in the place, sometimes five or six times a day maybe eight or nine times sometimes and at others only three or four, I did not know the girl's name at that time.

Cross Examined. I did not see her since till yesterday when I was brought down to Court; I don't know who gave me the subpoena and I never talked with anybody about the case, I saw the Defendant when I came here I remarked to the other witnesses that she was the girl, she was not pointed out to me, I have known Officer Sheridan for two years, since he dealt in my store.

Ellen Carley sworn and examined in her own behalf, testified:

I am nineteen years old and was born in Ireland, I came to this country on the 27th of June, 1889, on the steamship Alaska, I sailed from Queenstown. I was born in a place called Mallow about sixteen miles from Cork, my father is living but my mother is dead for five years, I have got two sisters; my passage here was four pounds, I came over in the steerage, I went from Castle Garden to Dobbs Ferry, I had my cousin's address from home, Mrs.

Cullinane.

I do not know Mrs. Reoirdan, I was at no



0796

wedding party, I never saw Mrs. Reoirdan until I saw her in this Court, I left Dobbs Ferry on the 28th of August, I went to Castle Garden for employment on account of being an emigrant and got employment at 20 Nassau Street with Mrs. Dudley. I don't know whether my cousin lives at Dobbs Ferry now or not, since I have been here in 20 Nassau St. I have written; she told me on my leaving she would like to go back to see my father and sisters and she must have gone or must have gone to Brooklyn to live again. I worked with Mrs. Dudley from the 28th of August to the 22nd of September, until I was arrested coming from church by this officer in Barclay Street; I was at communion this morning with three other girls, then the officer told me I robbed him last December and he made a charge against me, I told him no, that I had been in the country. I have heard all these witnesses testify here, Mrs. Barrett and Mrs. Reoirdan about the dress and watch and all that, it is not true for I never seen them before, I was locked up in the Tombs and afterwards was taken to the District Attorney's office where my statement was taken, I gave them specimen of my handwriting, I had a conversation with Mrs. Reoirdan in Court and she said to me that the officer told her he would be willing to pay any time twenty dollars if she would press the prosecution against me. I told Officer Sheridan when he arrested me that I was working for Mrs. Dudley. I was never arrested in my life before for anything. I can read and write, I know that perjury is false swearing.

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Cross Examined.

I am not mistaken

and there is no doubt about it but I got here on the 17th of June on the Alaska, I left Queenstown on the 10th of June; when I went on board I had a ticket and my name Ellen Carley was on it, I had to give the ticket up, I don't know who I gave it to, it must have been an officer of the boat that took it from me, I don't know the captain's name or any of the officer's names, I landed in New York on a Sunday, I never have been here before and I never went back to Ireland, I do not know that the purser's name of the Alaska was Robert Sharp, I don't know the name of any person on the steamer, there were about seventeen hundred passengers in the steerage, about twenty or twenty-five got on at Queenstown, I never made the acquaintance of any of them, I did not speak much to anyone on board only when I saw them sick I would help them along the best way I could, I do not know Miss Ruddy, I was never at 69 East 112th Street, Mrs. Boyle is the name of the lady at the Labor Bureau, I saw her when I landed and went back to her for employment, I made application to her for employment on the 23th of August, I then stated that I came over on the Alaska in June 1889, I got employment that day at 20 Nassau Street. I have no relative in this city, I do not know whether my relative Mrs. Callaghan is living in Dobb's Ferry or not, she told me she would like to go back again to Ireland; there was living with her Maggie and Katie Callaghan and her son Johnnie, John Callaghan was her husband's name, he is a laboring man; they lived in Dobb's Ferry not far from the depot, there is no number to the house and I do not know

0798

!

the street either, I made no acquaintance with any of the neighbors, I paid my fare up, I went to the Grand Central Depot and I guess it was the Hudson River Railroad I went by. When I landed in Castle Garden I inquired of the officer who was standing there at the Battery would he please direct me the right way to Dobb's Ferry; he said yes, and put me on a horse car and a gentleman at the Grand Central got the ticket for me, I paid forty cents for the ticket and stayed at Dobb's Ferry from the 17th of June to the 28th of August, I did not come down to New York during the time. I have not seen the book now shown me while it was in my counsel's hand (the register of the passengers on board the Alaska). I do not know as matter of fact that the Alaska was in the port of New York on the 9th of June, 1889; the Alaska is in my head I do not think there is any mistake, I do not know what was on the ticket, my father got the ticket. I went to this lady at Castle Garden to get work on the 28th of August, I made no acquaintances in Dobb's Ferry, I went to church there near the depot and the priest's name was Father Kane. When I left Ireland my father gave me two English sovereigns and I changed them at Castle Garden for American money.. A gentleman engaged me to go to work at Castle Garden who lived in Hudson Street and in the meantime the lady from Nassau Street came and got me, I went back and told Mrs. Boyle I did not want to go to Hudson Street, I went to the place 20 Nassau Street for I seen it and I liked it much better.



0799

Patricia Boyle sworn and examined.

I am matron at Castle Garden and I think I have seen this girl, the Defendant, before; on the 23th of August<sup>1888</sup> I gave her a place, I keep a record of the people I give places to, the copy now shown me is a correct copy of the record taken from the books.

The Counsel offered the paper in evidence which was objected to and excluded by the Court.

William Barrett sworn and examined.

I am the husband of Ellen Barrett, I have had the grip I was here yesterday at half past three and saw my wife. I know the Defendant and have known her since Christmas, 1888, she spent that Christmas in my house, she came sometime in the Fall, I would not be positive what month because I kept no account of it, she first paid a visit there and she spent the latter part of December in my house; there is no mistake about it, I know the girl well, I saw a photograph of her in the album in my house, I saw her here yesterday; the picture was called for by Officer Sheridan and I gave it to him, I believe the Defendant gave my sister-in-law a present of it, I did not see her have any property when she came to my house only what clothes she wore, I told her to come and stay there while she would be out of a place so that she would not be under any expense, I knew her uncle and her father and her grandfather, his name was Maurice Carley and her uncle's name was Maurice Carley and her father's name was John; her uncle is in Court to-day, he brought her to my

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house and introduced her.

Julius H. Steiner sworn.

I am a photographer at 77 Newark Avenue, Jersey City. The gentleman now shown me (Mr. Westerfeld) the lawyer, served me with a subpoena yesterday afternoon and I came to the Counsel's Office (Mr. Purdy) this morning. I take all the pictures in my office, I took the picture now shown me, I have seen the defendant this morning with her hat on. (The Defendant at the request of the Court removed her hat). I never took that lady's picture, that picture is taken from the negative, I took the negative and finished the picture; the name that is on the negative is Ellen Carley and the address the lady gave me at the time it was taken which was between the 10th and the 18th of August 1888, was 123 Broadway; the negative number is 5502. You undertake to say that that photograph is not a photograph of this individual. I never seen that lady in my place. Does that picture look something like this Defendant?, do you notice any resemblance in that picture to this Defendant? Not the least. I repeat the name she gave me was Ellen Carley.

Maurice Carley sworn and examined.

I was subpoenaed by an officer, I have a niece, I heard about this case before yesterday, Barrett told me about three or four months ago, I am not a particular friend of his. The Defendant at the bar is my niece, I took her to Mr. Barrett's house and introduced her, I am quite positive about that, I have not seen her for one

0001

year, that is my niece sure. I was born in Mallow, County Cork, Ireland.

Cross Examined. I introduced the Defendant to Mr. Barrett fourteen months ago in the latter end of 1838 in November or December. Her father's name is John Carley, I knew her father in Ireland, he is my brother, she is in the country probably about two years, I guess a little more, I do not recollect when she came to this country, I left her eleven years ago a little girl at home, I came to Boston eight years ago and I went home at the end of six years and when I got home her father told me she came to America, she was in Boston when I got back I remained eight months at home and when I came to New York I heard she was in New York, she came to see me, I was living in East 21st Street. Barrett being in her father's employ and working together all her lifetime, he was anxious to see her; she belonged to honest and respectable people and never did anything wrong; I thought he was a gentleman in every sense of the word and acquainted with him and his family, Barrett and his wife used her (the Defendant) as a lady and if she has done anything wrong I can't help it, she is my niece, I seen her when she was eleven years old and she is the same party I saw to years ago, I am forty years old.

Rebutting Evidence .

Sherman P. Colt sworn and examined.

What is your business? Superintendent of the Commissioners of Emigration Bureau, Ward's Island. Does that bureau keep a record of the emigrants or steerage



0002

passengers that arrive here during each month? Yes. Is that a record of the names of the steerage passengers or emigrants who arrived here during the month of June, 1889? (Record shown.) Yes. Does that record indicate what steamer they came by? Yes. Have you produced the record of the Bureau which contains the names of the steerage passengers or emigrants arriving here in June, 1889? I have the list here only of the Alaska, the list of the passengers who came here by the steamship Alaska on the 9th of June, 1889. Then the Alaska was in the port of New York on the 9th of June, 1889? Yes. Will you turn to the letter C and tell us whether there are any entries under that letter, just say yes or no? O yes, there are.

Cross Examined. How do you make up this record? That is furnished us by the Purser of the ship. You take it from him? Yes. Can you say what steamer it was that left Queenstown on the 10th of June, 1889? No, I cannot say here now. Was it not the Umbria? I could not tell you. Was it not the Etruria? I cannot tell anything about it. Do you know the Alaska was here on the 9th of June? Yes.

By the Court. Do you find under the letter C the name of Ellen Carley as a passenger on board the Alaska? No sir.

My Counsel. Do you know whether there was a steamer on the Guion Line that left Queenstown on the 10th of June? I do not know, I do not keep any track of them at all. During your experience is it not possible that names are sometimes omitted by the Purser? We have found names sometimes where we are satisfied that they came on the ship and their names did not appear on the list.

0003

Patrick W. Gibson sworn and examined.

I am passenger agent of the Guion Line and was such in June, 1889. The book now shown me is the passenger list of the Alaska on the June voyage, 1889, the Alaska is one of the ships of that line, she was in New York harbor on the 9th and 10th of June. I have examined the passenger list of the Alaska on that voyage and the name of Ellen Carley does not appear on the list. I do not know what steamer left Queenstown on the 10th of June but none of the Guion Line left on that day..

By the Court. There was no vessel then belonging to the Guion Line left Queenstown on the 10th of June? No, the 10th of June would be Monday, we sail on Sunday. The Etruria belongs to the Cunard Line and I do not know whether she left on the 10th or not.

Jemima N. Dudley sworn.

I would hardly know the Defendant she is so thin, she came into my employ sometimes in August last and she was with me nearly three weeks before she was arrested; my nephew hired her from Castle Garden.

The Jury rendered a verdict of guilty of grand larceny in the second degree, with a recommendation to the mercy of the Court.

She was remanded for sentence.

0004

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THE NEW YORK PUBLIC LIBRARY  
ASTOR LENOX TILDEN FOUNDATION  
155 E. 42ND ST. N.Y. 17, N.Y.

OUT FIVE TONS OF LOGS.

[illegible]

200501. TO: DIRECTOR, FBI FROM: SAC, NEW YORK (100-100000) (P)  
SUBJECT: JAMES EARL RAY; AKA; FUGITIVE; RE: NEW YORK TELETYPE TO BUREAU, 1/10/68.  
RE: NEW YORK TELETYPE TO BUREAU, 1/10/68.

TYPE OF THE VESSEL OR OTHER OBJECTS AND THE NAME OF THE  
THE OFF AND LOFT OF THE VESSEL. I HAVE EXAMINED THE RECORDS  
OF THE BUILDING OF THE VESSEL.

of the spirit of that time, and was in New York Harbor on  
of the Vikings on the same voyage, 1880. The Vikings is the  
same, 1880. The

1830-1835. The rock now showing is the basement of the  
I am convinced some of the cotton gins and was seen in

Bartholomew D. Simpson, Attorney at Law, Oklahoma City, Oklahoma

Testimony in the  
case of  
Ellen Carley  
filed



0805

Form No. 1.

# THE WESTERN UNION TELEGRAPH COMPANY.

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

THOS. T. ECKERT, General Manager.

NORVIN GREEN, President.

NUMBER	SENT BY	REC'D BY	CHECK
212	74	76	12 Bell
Received at PRODUCE EXCHANGE, New York. Jan 16 18			
Dated Boston Mass 16			
To Harry Graham			
4 Brooklyn Green			
Ellen Carley age nineteen arrived			
Boston October first Eighty Seven			
Catalonia			
S. J. Edwards			

Form 116.

## Western Union Telegraph Co.

Pay no Charges to Messenger unless written in Ink in Delivery Book.

No. 011

Harry Graham

NEW YORK PRODUCE EX

Charges 27¢

4 Bk Green

0806

Police Court 7 District.

Affidavit—Larceny.

City and County } ss.:  
of New York, }Robert Sheridanof No. 129 West 54<sup>th</sup> Street, aged 42 years,occupation Police officer being duly sworndeposes and says, that on the 15<sup>th</sup> day of December 1888 at the City of New

York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property, viz:

Good and lawful money of the United States of the value of Fifty five dollars. One watch and chain valued Thirty dollars. One gold ring valued Eight dollars. One petticoat valued Two and one pocket book, valued One dollar.

All valued Ninety nine dollars

the property of deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by Ellen Carley, (now here) for the

reasons that about said day the defendant was in deponent's employ as a servant in the above premises and deponent on said day left her in sole possession of said premises and said property was in his apartments. When Deponent returned the said defendant had left and deponent found the annexed letter informing deponent of her leave. Deponent then missed the said property. Ellen Barrett (now here) informs deponent that she Barrett is acquainted with the defendant and that on or about said day the defendant

Sworn to before me, this 1888 day

Police Justice.



0007

Came to her residence and entrusted to her  
a fifty dollar bill and a five dollar bill  
and a small gold watch with a chain attached  
and a ring and a new pocket book all of which  
properly from a description given  
by said Barrett, deponent identifies  
as being his property.

Sworn to before me }  
this 23<sup>rd</sup> September, 1889, }

John C. Keilly

Police Justice

Robert Sheridan



0000

CITY AND COUNTY } ss.  
OF NEW YORK, }

*Ellen Barrett*

aged *38* years, occupation *Keep house* of No.

*4031 East 22<sup>nd</sup>* Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of *Robert Sheridan*

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

Sworn to before me, this *23<sup>rd</sup>*  
day of *September* 188*9*

*Ellen Barrett*

*D. J. C. Hickey*  
Police Justice.

0009

Sec. 193-200.

CITY AND COUNTY } ss.  
OF NEW YORK, }

District Police Court.

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

Question. What is your name?

Answer. *Ellen Carley*

Question. How old are you?

Answer. *19 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *20 Nassau St. 25 days*

Question. What is your business or profession?

Answer. *Laundry work*

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

Answer. *I am not guilty*  
*Ellen Carley*

Taken before me this

*23*

day of *September* 188*7*

*Police Justice.*



08 10

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

defendant

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

Dated Sept 23 1889 Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.



0811

22 ✓ 77 Newark Ave  
Police Court--- 1453 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Robert Sheridan  
vs Ellen Carley

2  
3  
4

Date Sept 21 1889

O'Reilly Magistrate.

Sheridan Officer.

2 Precinct.

Witness Ellen Barrett

No. 403 E. 212 St.  
Ellen Barrett, 28 No. 187 2d Avenue

Bridget Donohoe

No. Bridget Donohoe Street.

47 West 16th St  
Margaret Donohoe

No. 173 West 16th St Street.

\$ 5.00

County

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

08 12

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THE PEOPLE  
against  
ELLEN CORLEY.  
-----

4 Dec '58 - ~~engaged~~ ~~def~~

MRS. ELLEN BARRETT residing  
at 402 East 22nd Street will swear:

I have known Ellen Corley the defendant for  
nearly a year. When I first met her she was brought to  
my house by her uncle Morris Corley, widower who now  
lives No. 24th street between Ave. "A" and 1st Ave., who  
is friend of my husband's, this was about November 1888.  
She staid with me over Christmas and New Years, about 9  
weeks in all, except the time she was staying with com-  
plainant Sheridan, which was a week or more. She came  
to my house on a Saturday night, when she left complain-  
ant, told me he had paid her a month's wages (\$12.00),  
She had been in my house several days after coming from  
Sheridan's when she handed me a \$50 bill and a \$5.00 bill  
and a new pocket book, and a ladies gold watch with a  
chain attached that looked like a gentleman's chain, a  
gold ring with bluish stones in it, which she asked me  
to take care of for her. About Christmas she asked me  
to change the \$50 bill which I did, giving her 5<sup>s</sup> and 10<sup>s</sup>.

When she first came to my house she told me  
she had just come from a house on 84th street, where she  
had been living as a servant.

\* Mrs. Ruddy  
+ Miss " "  
now residing  
at Morris Dock  
City

08 13

2

She left my house to go to 1890 - 2nd Ave. At that time I returned to her the property she had left with me. A married lady a Mrs. Reardon, called on me with defendant two or three days after for defendant's trunk, which I gave them, they carried it down stairs together. At that time defendant paid me \$20 for her board which I had demanded.

The next time I saw defendant was at 59 E. 112th Street, and this was about six weeks before she was arrested. The next I saw her was at the Tombs police Court, I fully identified her as the Ellen Carley I knew.

From what defendant told me she landed in Boston when she came from Ireland, which is about two years ago.



00 14

3

B R I D G E T   D O N O H O E ,   residing at  
47 West 16th Street will swear:

I have known Ellen Corley the defendant for  
nearly a year, first met her at 129 West 24th Street,  
where complainant lives, and I lived in same house, with  
Mrs. E. L. Bourgeins as her servant.   Used to meet her  
in the hall way at that house; the last time I saw her  
was at the Tombs Police Court where I identified her as  
the girl I knew at 129 West 24th Street, where she stop-  
ped about 10 days.

00 15

4

MRS . M A R G A R E T G O R M A N , residing at 123 West 24th Street will swear:

Complainant traded at our grocery store, and defendant whilst a servant used to come to our store and get groceries for complainant. She came in very often. On the day she left complainant I saw her pass our store with some bundles, that is the last time I saw her.

08 16

5

E L L E N   R E A R D O N , now residing at  
No. 1890 - 2nd Avenue, 2nd floor.

Have known defendant since January 9th 1889<sup>met her</sup>  
at my cousin's wedding at Dobbs Ferry (Mary Anna Mc Cul-  
lough now Mrs. Cronin, who now lives in Trenton N. J.).  
Defendant went to Dobbs Ferry on January 8th last to see  
her cousins (Mrs. Culinan and family). The wedding  
was across the street from the Culinan's. About a  
week after this, Ellen Culinan brought defendant to my  
house to make a call. Then a few days after defendant  
came to my house to board and remained there until about  
July last, when she went to a place in E. 112th street.  
She was to pay me \$3.00 per week board. She had been in  
the house about a month when she gave me a gold watch  
and a cheap chain, saying that she had no money and want-  
ed to know what I would allow her on the watch, I told  
her I would allow her \$20 on it. She told me a Mr.  
Sullivan working in Young's Hotel in Boston had given  
her the watch. When she first came to me she gave me a  
dress, which I learned belonged to Mrs. Barrett. Mr.  
Barrett called for it, told me defendant had stolen it.  
from his wife, and I gave it to him.

H. H.

Nov. 12/89



0817

COURT OF GENERAL SESSIONS.

THE PEOPLE, &c.

vs.

*Elean Carley*

BRIEF OF FACTS.

For the District Attorney.

*Attest*  
Dated November 12, 1889

*Henry H. Hartman*

Deputy Assistant.

08 18

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*Ellen Carley*

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

*Ellen Carley*

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

The said

*Ellen Carley*

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

*one* promissory note for the payment of money, of the kind commonly called United  
States Treasury Notes, of the denomination and value of *fifty* dollars; *one*  
promissory note for the payment of money of the kind commonly called Bank Notes, of the de-  
nomination and value of *fifty* dollars; *one* United States Gold Certificate,  
of the denomination and value of *fifty* dollars; *one* United States  
Silver Certificates, of the denomination and value of *fifty* dollars;

*one* promissory note for the payment of money, of the kind commonly called United  
States Treasury Notes, of the denomination and value of *five* dollars; *one*  
promissory note for the payment of money of the kind commonly called Bank Notes, of the de-  
nomination and value of *five* dollars; *one* United States Gold Certificate,  
of the denomination and value of *five* dollars; *one* United States  
Silver Certificates, of the denomination and value of *five* dollars;

*one watch of the value of twenty dollars, one*  
*chain of the value of ten dollars, one ring*  
*of the value of eight dollars, one pocketbook*  
*of the value of one dollar and one petticoat*  
*of the value of five dollars*

of the goods, chattels and personal property of one

*Robert Sheridan*

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

08 19

SECOND COUNT—

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

*Ellen Carley*  
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY committed as follows:

The said

*Ellen Carley*

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

*one* promissory note for the payment of money, of the kind commonly called United States Treasury Notes, of the denomination and value of *fifty* dollar \$; *one* promissory note for the payment of money of the kind commonly called Bank Notes, of the denomination and value of *fifty* dollars; *one* United States Gold Certificates, of the denomination and value of *fifty* dollar; *one* United States Silver Certificates, of the denomination and value of *fifty* dollars; *one* promissory note for the payment of money, of the kind commonly called United States Treasury Notes, of the denomination and value of *five* dollar; *one* promissory note for the payment of money of the kind commonly called Bank Notes, of the denomination and value of *five* dollars; *one* United States Gold Certificates, of the denomination and value of *five* dollar; *one* United States Silver Certificates, of the denomination and value of *five* dollar;

*one watch of the value of twenty dollars, one chain of the value of ten dollars, one ring of the value of eight dollars, one pocketbook of the value of one dollar, and one petticoat of the value of five dollars*

of the goods, chattels and personal property of one

*Robert Sheridan*

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

*Robert Sheridan*

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

*Ellen Carley*

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

JOHN R. FELLOWS,  
District Attorney.



0020

**BOX:**

367

**FOLDER:**

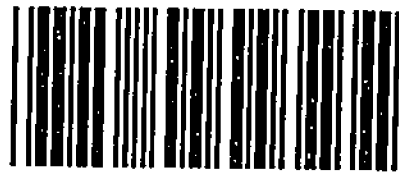
3447

**DESCRIPTION:**

Carrigan, John

**DATE:**

10/09/89



3447

David Hirsch

Randolph V. Adams



Filed,

Page 10

1

18

Pauline

~~THE PEOPLE,~~

514

514

best of luck!

John Carigan

**Forgery in the Second Degree.**  
(Sections 511 and 521, Penal Code.)

JOHN R. FELLOWS.

78/11-120 2d

District Attorney

pleads guilty

# A True Bill

A True Bill.  
State Refarming & Lumber

Mr L. Cole

**Foreman,**

*[Handwritten signature]*

0021

0822

CITY AND COUNTY  
OF NEW YORK, } ss.

POLICE COURT, 11 DISTRICT.

Michael J. Gilmore  
of No. 518 Hudson Street, aged 39 years,  
occupation Legion dealer being duly sworn deposes and says,  
that on the 24 day of August 1889

at the City of New York, in the County of New York, he was and has  
for more than eight years last past been  
the owner of the wine rooms 88. 3 Ave.  
518 Hudson Street. and that the card  
attached to the annexed affidavit is  
of David Skissek is deponent's business  
card.

That defendant John Carrigan. now  
present. never had any interest in said  
wine rooms. and is unknown to depo-  
nent.

Michael J. Gilmore

Sworn to before me, this

of

188

day

Police Justice.



0823

Police Court—4<sup>th</sup> District.

Affidavit—Larceny.

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

David Kirsch  
of No. 229, 231 & 233 East 41<sup>st</sup> Street, aged 61 years,  
occupation Cigar Manufacturer being duly sworn  
deposes and says, that on the 2<sup>d</sup> day of August 1889 at the City of New  
York, in the County of New York, was feloniously <sup>attempted to be</sup> taken, stolen and carried away from the possession  
of deponent, in the day time, the following property viz:

Four thousand cigars of the value of two  
hundred and sixty dollars. and  
three thousand cigars of the value of one  
hundred and five dollars. in all of the  
value of three hundred and sixty five dollars.

the property of Deponent & his Partner A. C.  
Wagmachers.

and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,  
and carried away by John Carrigan, now present.

That on said day the said defendant  
purchased said cigars showing de-  
ponent the annexed card <sup>marked</sup> and representing  
himself as M. J. Gilmore and as the  
owner of store hereon mentioned to wit:  
"Fine Rooms 86, 3 Avenue & 578 Hudson St.

That said Carrigan gave in payment for  
said cigars the annexed check No 219. drawn  
on the Pacific Bank to the order of D. Kirsch  
& Co. and signed Martin J. Gilmore. the  
said check having been made and signed  
by defendant in deponent's presence.  
That deponent was subsequently inform-  
ed that said check was false and worth

Subscribed and sworn to before me this

day of

Police Justice.



0825

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

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

Question. What is your name.

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

I am not guilty  
and I waive further  
examination

John Corrigan

Taken before me this

26

188

Police Justice.



0826

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

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

Dated *Aug 12* 188 *[Signature]* Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

0827

BAILED.

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

Residence \_\_\_\_\_ Street.

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

Residence \_\_\_\_\_ Street.

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

Residence \_\_\_\_\_ Street.

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

Residence \_\_\_\_\_ Street.

Police Court ✓ District 1766

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

David Harris  
229 1/2 233 East 41 St

John Corrigan  
2  
3  
4

Dated Aug 26 1889

Murray Magistrate

Flinders Officer.

21 Precinct.

Witnesses Michael F. Giblin

No. 518 Hudson Street.

R. V. O'Leary  
34 West 11th

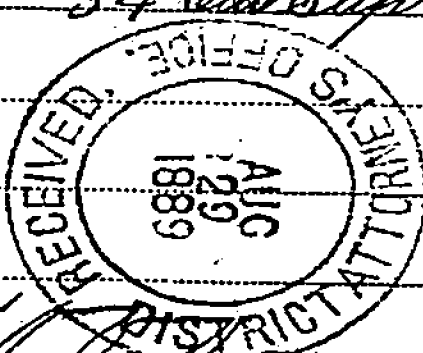
No. \_\_\_\_\_ Street.

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

\$ 10 to answer 98

Sam Long

X





0828

No 219

NEW YORK, August 24<sup>th</sup> 1889

THE PACIFIC BANK

470 BROADWAY.

Pay to the order of

J. Hirsch & Co

Three hundred and fifty <sup>no</sup> DOLLARS.

\$350 <sup>95</sup>/<sub>100</sub>

Martin J. Gibmore

Wither Allen & Co. Stationers 470 Broadway, N.Y.



0829

No Account  
in Pacific Bank  
Saml. E. Menzies

0030

TELEPHONE CALL,  
88 Third Ave.—"371 218 St."

TELEPHONE CALL,  
518 Hudson St.—"351 218 St."

*SA*  
\* M. F. GILMORE, \*

Wine Rooms,

88 THIRD AVENUE, AND 518 HUDSON STREET,  
Cor. 12th St. Cor. 10th St.

NEW YORK.

—♦♦♦♦—  
RETURNS OF ALL SPORTING EVENTS.

0831

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*John Carrigan*

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

*John Carrigan*

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

The said

*John Carrigan*

late of the City of New York, in the County of New York aforesaid, on the  
*twenty-fourth* day of *August* in the year of our Lord  
one thousand eight hundred and eighty-*nine*, with force and arms, at the City and  
County aforesaid, feloniously did forge, and cause and procure to be forged, and willingly  
act and assist in the forging a certain instrument and writing, *to wit: an*  
*order for the payment of money, of*  
*the kind commonly called bank cheques*  
which said forged *bank cheque*  
is as follows, that is to say:

*No. 219*

*New York, August 24th 1889*

*The Pacific Bank*  
*470 Broadway.*

*Pay to the order of B. Herick & Co*  
*Three hundred and fifty — Dollars*  
*\$350.00*  
*Martin F. Gilmore*

with intent to defraud, against the form of the Statute in such case made and provided, and  
against the peace of the People of the State of New York and their dignity.

*John R. Fellows,*  
*District Attorney.*



0832

BOX:

367

FOLDER:

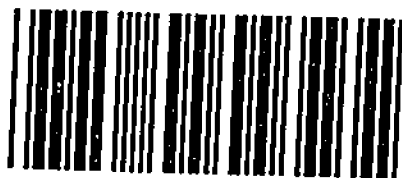
3447

DESCRIPTION:

Cassano, Gaberele

DATE:

10/16/89



3447

Witnesses:

*Harmon Hartman*

*John D. Marshall*

123

*Brd*

Counsel,

Filed

day of

1889

Pleads,

THE PEOPLE

*22-30 miles vs. P*

*Gabriele Cassano*

*257*

Assault in the First Degree, Etc.  
(Firearms)  
(Sections 217 and 218, Pennl Code).

JOHN R. FELLOWS,

*Part III October 29/89*

*Tried and convicted. Assault 2 deg*

*Wm J. R. J.*

31-

A TRUE BILL.

*M. L. Cole*

Foreman.

*Oct 29/89*

0033

0034

COURT OF GENERAL SESSIONS.

P a r t I I I .

-----  
The People of the State of New York. :  
a g a i n s t : Before Hon.  
G a e b r l e C a s s a n o . : Rufus B. Cowing  
: and a jury.  
-----

Indictment filed August 16th, 1889.

Indicted for Assault in the First Degree.

New York, August 29th, 1889.

APPEARANCES: For the People, Assistant District  
Attorney Forster.

For the Defendant: T. J. Sullivan.

HERMAN HARTMAN, a witness for the people sworn testified:

I reside at No. 679 East 134th Street in this City.  
On the 30th of September this year I was at Union Park  
in this City at 133rd Street and Willis Avenue There  
was a dance going on there. Myself and friend were  
standing on the platform and our attention was attracted  
by two men with two young ladies standing a little distance  
away from us. We looked at them and after a  
while they walked down the path and by and by came back  
and walked into the platform and we were still looking  
at them. This defendant Cassano turned around to me  
and he says "Who are you looking at?" and I says "I am  
looking at you"; with that he pulled out and struck me  
in the mouth. I struck him back, and he fell, and when



0835

2

he got up, I saw the glare of a revolver under the electric light. I ran off and as I ran he fired two shots at me. I don't know whether the revolver was pointed at me or not. My back was turned. I didn't strike him before he struck me.

Cross-examination.

I live up near this park and go there quite often. I didn't call this Italian any names whatever. I did knock him down when I hit him, but he got up on his feet again. I had run about twenty or thirty feet when I heard the report of the pistol.

JOHN D. MARSHALL? a witness for the people sworn testified:-

I know the complainant in this case. On the 30th of September I was at Union Park. While there our attention was attracted to the defendant and another young man and two ladies. The defendant came up and asked Hartman who he was looking at and Hartman told him he was looking at him. As soon as Hartman said that the defendant struck him and Hartman struck back. I then went for an officer and when we got back Hartman was running and the defendant was chasing Hartman shooting at him. He had the revolver pointed up and he fired two shots and he threw the pistol away and I took it up and gave it to the officer.

Cross-examination.

I saw the defendant knocked down by the complainant. He was on his feet running after the complainant.

0036

3

when he fired the shots. When the fighting commenced I was away after a policeman.

THOMAS J. JONES, a witness for the people sworn testified:

I am an officer of police attached to the 33rd Precinct. I was at Union Park on the night of Sep. 30th, 1889. The last witness came to me and told me there was some trouble. I went to the park and when I got there somebody told me that the Italian had a pistol. I saw Hartman running and the prisoner after him. I saw the prisoner chasing Hartman with his arm straight out and saw him fire two shots. The witness Marshall took the pistol up and handed it to me.

Cross-examination.

I came back to the grounds with the witness Marshall and this occurred as we were coming back. I was about 20 or 25 feet away from the defendant when this occurred. It was 10 o'clock at night. The defendant held his arm up while he was running and pointed the pistol only in front of him. There was sufficient light for me to distinguish everything that took place.

0037

4

D E F E N S E .

GABRIEL CASSANO, the defendant sworn testified:

I live at No. 248 Elizabeth Street in this City. I am a barber by occupation and have been living in the City of New York ten years. I have never been arrested before in my life. I am not married. On the night of the 30th of September I went to a ball at Union Park with a young lady named Alice Clark. I got there about six o'clock and was dancing and enjoying myself. At 9 o'clock I went outside to get some fresh air and I saw this complainant looking at me, and he made some remark and laughed, and I ~~turned~~ turned around and asked him if he was looking at me, and he said "Go on you ginney son of a bitch", and he hit me and knocked me down. When I was down he hit me. As soon as I could get up I took out my pistol and fired two shots in the air to attract the police. I didn't aim the pistol at the complainant. I never shot at anybody in my life. There was one blank cartridge and one loaded cartridge in this revolver.

Cross-examination: .

I had my revolver in my pocket that night in the house and forgot to take it out when I left home. I do not usually carry a revolver. The complainant was not running away from me when I fired. I didn't fire the shots in his direction at all.



0038

5

ALICE CLARK, a witness for the defendant sworn testified:

I live at 257 Elizabeth Street. I accompanied this defendant to the hall on the 30th of September. I heard the complainant call Cassano a "Ginney son of a bitch", and then he knocked him down and hit him in the face. I saw Cassano take out his revolver, and point it down at the ground and fire off two shots. I am sure he didn't aim the revolver at any one.

Cross-examination:

The complainant struck Cassano first. The complainant was not around when Cassano fired the shots.

THE JURY FOUND A VERDICT of GUILTY  
of ASSAULT in the SECOND DEGREE.

0039

Indictment filed Aug. 16-1889

COURT OF GENERAL SESSIONS

Part III.

THE PEOPLE &c.

against

GABRIELE CASSANO.

Abstract for testimony on

trial New York, October

29th 1889.

I being the defendant will declare a witness for of  
this defendant to the fact on the 20th of September.  
I live at 222 E. 11th Street. I accompanied  
ALICE CLARK, a witness for the defendant sworn testified:

*[Handwritten signature]*

0840

Police Court—6<sup>th</sup> District.CITY AND COUNTY  
OF NEW YORK, } ss.of No. 679 East 124<sup>th</sup> Street,

in the city of New York being duly sworn, deposes and says, that

on Monday the 20<sup>th</sup> day of Septemberin the year 1889 at the City of New York, in the County of New Yorkhe was violently and feloniously ASSAULTED and BEATEN by Gabriele

Cassano, now here, under the following  
circumstances, to wit: that on or about  
the hour of nine o'clock and thirty minutes  
the deponent was standing on the  
stoop of the platform at Union Park, the  
said Gabriele Cassano came up on from  
the platform and spoke to deponent, asking  
this deponent who he was looking at and  
deponent answered that he was looking at  
him; that then said Gabriele struck deponent  
and deponent struck back, and then defendant  
drew a revolver and struck deponent again,  
and deponent ran off and the said  
Gabriele Cassano ran after deponent  
and fired two shots at him with said  
revolver after firing the two shots  
he threw revolver away and that  
he charges that the said Gabriele  
Cassano with a felonious Assault  
and said Assault was committed

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

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

Sworn to before me, this 21<sup>st</sup> day  
 of October 1889.

Herman Hartman

Charles McIntosh POLICE JUSTICE.



0041

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 28 years, occupation Thomas J. Jones  
32 Precinct Policeman of ~~No~~

Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of Herman Hartman  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this First  
day of October 1889 } Thomas J. Jones

Charles N. Linton  
Police Justice.

0842

Sec. 198-200.

16<sup>th</sup>

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

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

Question. What is your name?

Answer.

*Gabriele Cassano*

Question. How old are you?

Answer.

*Twenty two*

Question. Where were you born?

Answer.

*Italy*

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

Answer.

*248 Elizabeth Street from months*

Question. What is your business or profession?

Answer.

*Painter*

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

Answer.

*I am not guilty.*  
*Gabriele ~~his~~ Cassano*  
*Thurs*

Taken before me this *16<sup>th</sup>*

day of *Sept*

189*4*

*Charles J. Fenwick* Police Justice.

0843

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

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

Dated October 1<sup>st</sup> 18 89 Charles N. Linton Police Justice.

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

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

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

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



0844

BAILED,

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

Residence \_\_\_\_\_ Street.

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

Residence \_\_\_\_\_ Street.

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

Residence \_\_\_\_\_ Street.

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

Residence \_\_\_\_\_ Street.

Police Court---

1482 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*Herman Hartman*  
*1679 East 134th*  
*Gabriel Casano*

1 \_\_\_\_\_  
2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

Office

Dated *October 10th* 1889

*Saintor* Magistrate.

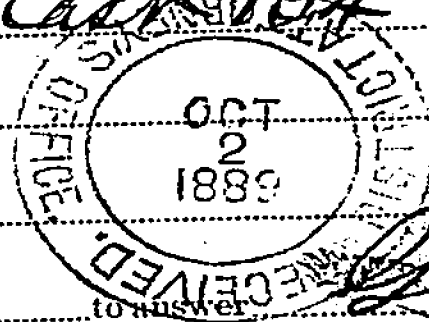
*Jones* Officer.  
*33rd* Precinct.

Witnesses *Officer Thomas J. Jones*  
*33rd Precinct*  
and \_\_\_\_\_ Street.

No. *John D. Marshall*  
*665 East 134th* Street.

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

\$ *500*



Committed *[Signature]*

0845

BAILED.

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

Residence \_\_\_\_\_ Street.

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

Residence \_\_\_\_\_ Street.

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

Residence \_\_\_\_\_ Street.

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

Residence \_\_\_\_\_ Street.

Police Court---

etc 1482 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Herman Kautman  
1629 East 134th  
Gabriel Casano

1  
2  
3  
4

Office

Dated October 10<sup>th</sup> 1889

Painter Magistrate.

Jones Officer.  
334 Precinct.

Witnesses Officer Thomas J. Jones  
and 334 Precinct

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

John D. Marshall  
665 East 134<sup>th</sup> Street.

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

\$ 5.00

Committed  
to the  
penitentiary

0846

<sup>17</sup>  
Could my mental  
health has been  
seriously affected  
by the nervous  
strain, & hence  
the result of that  
criminal & gas-  
cality. And I think  
it is quite time  
a part of Society  
like him should  
be brought to the  
Bar of Justice.

I regret to say  
that I have had



0847

very little assistance  
in the matter from  
the Ward Selection  
who immediately (I think)  
it should have  
found what disposal  
it was made of  
my trunk. You were  
obliged to me, could  
order it to be sent  
shipped to Lima-  
to go at the first  
chance, and with  
me that I had  
the misfortune

to distrust my trunk  
to very bad hands!  
I shall look  
for the favor  
of an early  
reply from  
you with regard  
to the matter. The  
case could easily  
be disposed of  
in an hour. I  
trust, and since  
there is no pos-  
sibility of me

0848

Measuring my  
property & am  
entitled to the  
small satisfaction  
of having  
contributed to  
the cause.

I am,  
Very truly yours,  
Jas. F. Drake  
To  
Atty Genl  
Harris

0049

13

The trunk to La-  
bapa. I do not  
was the receipt  
to prove that fact  
I remained at  
Sagasta a month  
during that time  
went daily once  
by train to the  
depot to look  
for my trunk.  
but it never came.  
I have hoped  
to return here



0850

The King was  
arrested but he  
remained on bail.  
He is waiting of  
about half a  
century. He has  
never suffered  
an hour for  
his villainy &  
has had the  
audacity to  
abuse my brother  
in the street

with the sword.  
I imagine to pro-  
voke my brother  
to attack him.

He is a con-  
firmed criminal  
having robbed  
his father and  
also the money  
trains of a  
conductor on  
several occa-  
sions which can-

0851

be proven. His  
father wants of the  
influence of Hol.  
Atorney's office  
in favor of the  
case affirmed.  
I am sure of  
nothing, but feel  
he is not right  
and look to your  
Court for the  
punishment of  
this criminal. He  
did the pecuniary  
loss I have in-

0052

Morning at 6 we left  
went to the Park and  
Hotel where I was  
to breakfast & again  
was assured by the  
elder Cornell that  
my trunk would be  
at depot in time &  
that his son was  
then getting his horse  
in harness.

I got to depot  
about 7.30 - my  
trunk was not there  
The head porter  
from the Park and  
Hotel was there



0853

in searching for it  
I waited till the  
moment of 8 when  
the train was almost  
in motion, and  
started with my  
trunk, against  
must confess, my  
better judgment but  
yielded to the re-  
sults of friends  
who said:

"The officer -  
man lives in  
the back - he  
is not a prisoner

you picked up in  
the street and when  
you cannot locate,  
your trunk will as-  
surely be sent  
after you &c &c.

I arrived in  
Sanlato and the  
same evening I  
telegraphed about  
my trunk & re-  
sult that it should  
be forwarded at  
once. Some days  
passed, but the

0854

Crunk did not ar-  
gue. In the mean-  
time the defend-  
ent Cornell said  
that he had put  
the trunk in the  
apartment. They both  
disputed this  
statement and  
found it a fab-  
rication. And  
finally when  
Cornell said  
he had shipped

0855

5  
very interested in this  
case, and I will take  
the liberty to make a  
brief synopsis of it  
to you separately and I  
will begin the second  
part.

I had Manning  
and family and  
had for five hours  
with Mr. Lowell  
at 32 1/2 - 18th St  
since I had a  
number of women who  
are now teaching  
Latin in the city.



0856

Your Cousins - Mr. New Deverax and  
 James and ~~John~~ are great fast pack-  
 Churchill was arranged and went and  
 then. - New York out in Sand.

This summer I  
prepared for my  
first visit to Santa  
Fea - intending  
to go with some  
friends about 100  
of June. They chang-  
ed their plans &  
concluded to start  
on the 24th May.  
Late the previous  
evening I received

their boxes and  
a great large pack-  
ed and trunk and  
then went out in sand.  
W. G. H. for ever.

It has been a very  
long time & I have  
been at G. C. depot

believe I and all  
the reformers were

I called on said  
they would not under  
take to deliver it.

Heat Lamp. One  
half hour. Home  
Lamp. One hour  
Lamp in a tailor

0857

and relatives of  
and relatives of  
asked if there was  
an opposite person  
there. The proprietor  
said his son had  
it and he would  
show me to the  
my bank which  
at F. L. Dept in  
line. I paid him  
his fee of 50.¢ for  
being really there  
and did not wait  
for a receipt. I  
called on the way

0858

1  
330 P. M. of the 21  
N. Y. Friday.

My dear  
Dear Sir

I had very much  
surprised and  
disappointed on  
Monday to find



that the case  
 against Howell  
 was postponed.  
 Some of the officials  
 had the authority  
 to notify me of  
 the fact and it  
 was fully known  
 here. After my  
 name was called  
 in court that my  
 brother accidentally  
 learned that the  
 case was postponed.

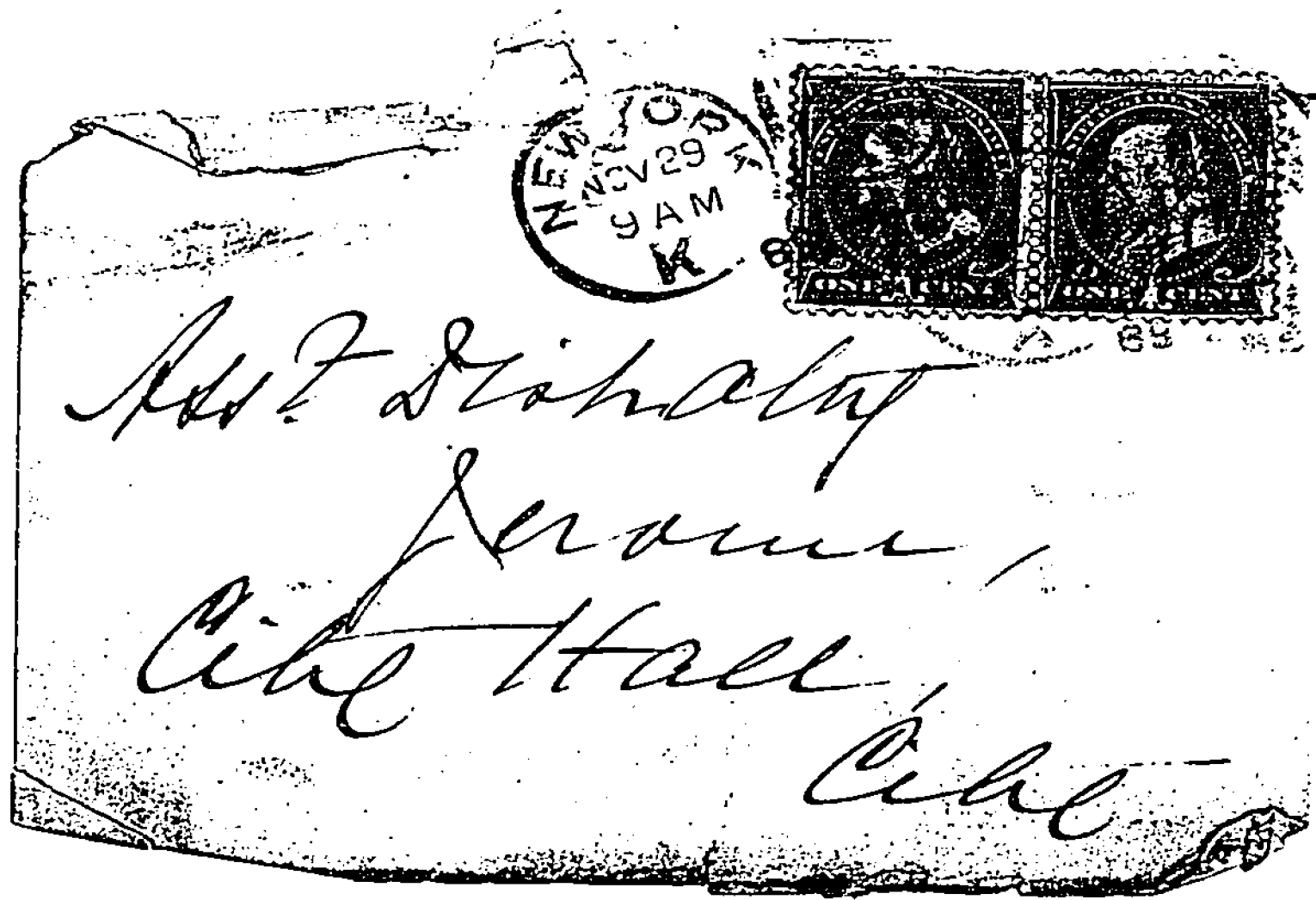
posed. The father  
 of the defendant  
 has been in  
 the neighborhood  
 that being his  
 influence in the  
 was postponed.  
 I wish to know  
 from the other  
 party.

To secure the  
 attendance of Gen.  
 Macaulay, formerly  
 Mayor of Indian  
 apolis. I visited

0860

a postscript  
but do not do so any  
longer as his Allm-  
ness is disappointed  
being now in the  
house - An officer of  
the Niagara Canal  
- I now regret that  
I had not been  
in the matter of  
having an other  
cave for 12 after

0861





0862

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Gaberele Cassano*

The Grand Jury of the City and County of New York, by this indictment, accuse  
*Gaberele Cassano*  
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said *Gaberele Cassano*

late of the City of New York, in the County of New York aforesaid, on the  
*thirtieth* day of *September*, in the year of our Lord  
one thousand eight hundred and eighty-nine, with force and arms, at the City and County  
aforesaid, in and upon the body of one *Herman Hartman*  
in the peace of the said People then and there being, feloniously did make an assault and  
to, at and against *him* the said *Herman Hartman*  
a certain pistol then and there loaded and charged with gunpowder and one leaden  
bullet, which the said *Gaberele Cassano*  
in *his* right hand then and there had and held, the same being a deadly and  
dangerous weapon, wilfully and feloniously did then and there shoot off and discharge,  
with intent *him*, the said *Herman Hartman*  
thereby then and there feloniously and wilfully to kill, against the form of the statute in  
such case made and provided, and against the peace of the People of the State of New York  
and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said  
*Gaberele Cassano*  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *Gaberele Cassano*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year  
aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of  
the said *Herman Hartman* in the peace of  
the said People then and there being, feloniously did wilfully and wrongfully make  
another assault, and to, at and against *him* the said  
*Herman Hartman*  
a certain pistol then and there charged and loaded with gunpowder and one leaden bullet,  
which the said *Gaberele Cassano*  
in *his* right hand then and there had and held, the same being a weapon and  
an instrument likely to produce grievous bodily harm, then and there feloniously did  
wilfully and wrongfully shoot off and discharge, against the form of the statute in such case  
made and provided, and against the peace of the People of the State of New York and  
their dignity.

JOHN R. FELLOWS,

District Attorney.