

County Court, County of Columbia.

---

Theodore Schmalholz, et. al.,

Plaintiffs,

against

Robert Valentine,

Defendant.

---

Sir:-

Please to take notice that an application will be made to Hon. Levi F. Longley, County Judge of Columbia County, at County Court Chambers in the City of Hudson, Columbia County, New York, on the eighteenth day of December, 1896, at ten o'clock in the forenoon, or as soon thereafter as counsel can be heard, for an order extending to the judgment recovered in favor of the above named plaintiffs, the receivership of George McClellan, Esq., who was appointed receiver of Robert Valentine, the above named defendant, upon a judgment recovered in favor of The Graves Elevator Company, by an order of this court bearing date the thirteenth day of November, 1896.

Yours &c.,

M. P. O'Connor,  
Attorney for Plaintiff,  
41 Park Row,  
New York City.

To Robert Valentine, Esq.,

To Greene & Johnson,  
Attorneys for Graves Elevator Company,  
41 Park Row,  
New York City.

To Messrs. Theall & Beane,  
Attorneys for

County Court,  
Columbia County.

---

Theodore Schmalholz, et.ano.

Plaintiff,

against

Robert Valentine,

Defendant.

---

NOTICE OF MOTION.

---

M. P. O'Connor,

Atty. for Plaintiff,

41 Park Row,

New York City.

cat. NO.  
10,312

THE PEOPLE OF THE STATE OF NEW YORK ,  
LEVI SHAW, ESQ.

GREETING:

WE COMMAND YOU, that all business and excuses being laid aside, you appear and attend before the undersigned Referee Charles E. Barrett at his office in the town of Chatham, Columbia County in the State of New York on the 17th day of November, 1896 at one o'clock in the forenoon to tesify and give evidence in the certain proceeding now pending before the said Referee entitled "In the Matter of the Examination of Robert Valentine, a judgment debtor in proceedings supplementary to an execution issued upon a judgment recovered in favor of The Graves Elevator Company a judgment creditor", on the part of the judgment creditor and that you bring with you and produce at the time and place aforesaid the original noviate covenant of the United Society of Believers (called Shakers) residing in the County of Columbia and State of New York and all memoranda and books of account showing the dealing of the trustee of the Community since 1878 and any books or papers showing the property held by the Community and how the said property is held and all papers, letters and memoranda as to communications and instructions given to one Robert Valentine by yourself and by the ministry of the said Society since 1878, also all return vouchers or stubs of checks drawn by any or all of the trustees of the Community from 1878 to the present time, especially those drawn by Robert Valentine, trustee on the Pittsfield National Bank, also all letters and communications had by you or the ministry with Dillon C. Willoughby, The Otis Realty Company,

Theodore C. Gross or the owners of any of the properties recently leased by Robert Valentine in the City of New York now in your custody, and all other deeds, evidences and writings, which you have in your custody or power concerning the premises. And for a failure to attend you will be deemed guilty of a contempt of Court and liable to pay all loss and damage sustained thereby to the party aggrieved and forfeit Fifty Dollars in addition thereto.

Witness:

Levi F. Longley,  
County Judge.

*C. E. Barrett,*  
Referee.

Greene & Johnson,  
Attorneys for Plaintiff.

San. Phew

Attorneys for Defendants  
George & Yehonah

County Clerk  
David E. Houston  
Witness:

D. E. Houston  
Notary

and I certify that the above is a true and correct copy of the original.

Done and signed and sealed in my office on this 1st day of January 1900.

Witness my hand and seal of office at the City of New York on this 1st day of January 1900.

cat. NO.  
10,318-A

THE PEOPLE OF THE STATE OF NEW YORK

To Levi Shaw,

GREETING:

WE COMMAND YOU, That all business and excuses being laid aside, you and each of you appear and attend before Charles F. Berrat, Esq., Referee, at his office in the town of Chatham, County of Columbia and State of New York, on the 17th day of November, 1896 at one o'clock in the afternoon to testify and give evidence in a certain proceeding now pending before the said Referee"entitled "In the Matter of the Examination of Robert Valentine, a judgment debtor in proceedings supplementary to an execution issued upon a judgment recovered in favor of The Graves Elevator Company, a judgment creditor", on the part of the said judgment creditor and for a failure to attend you will be deemed guilty of a contempt of Court, and liable to pay all damages sustained thereby by the party aggrieved: and forfeit Fifty Dollars in addition thereto.

WITNESS, Honorable Levi F. Longley, County Judge at the City of Hudson, the 13th day of November one thousand eight hundred and ninety six.

Greene & Johnson,  
Attys. for Plaintiff.  
41 Park Row,  
New York City.

cat. no.  
10,316a

THE PEOPLE OF THE STATE OF NEW YORK,

To Levi Shaw, GREETING:

WE COMMAND YOU, That all business and excuses being laid aside, you appear and attend before Hon. ~~Alton B. Parker~~ <sup>Emory R. Chase</sup>, or one of the Justices of the Supreme Court of the State of New York, at the County Court House, in Hudson, Columbia County, New York, at a Trial Term of said Court on the 10<sup>th</sup> day of May, 1897, at ten o'clock in the forenoon, to testify and give evidence in a certain action now pending undetermined in said Court, between The Graves Elevator Company, plaintiff, and Benjamin Gates and Levi Shaw, as trustees of the United Society of Believers, called Shakers, defendants, on the part of plaintiff, and that you bring with you and produce at the time and place aforesaid the so-called Shaker church covenant; the original covenant, to which the brethren and sisters of the United Society of Believers, called Shakers, residing in the County of Columbia and State of New York, have attached their names; the novitate covenant, which the members of the said Society have signed; the declaration of trust made by you when you were appointed a trustee of the society aforesaid; the declarations of trust which have been signed by you, either individually or as trustees of the said society, relating to property in the Counties of Columbia, Albany or New York, in the State of New York, or either of said Counties, or in the State of Massachusetts, or in the State of Florida; all stubs of check stub books kept by you; all returned checks or vouchers, signed by you individually or as trustee, or in any representative capacity of the said society, from Jan. 1, 1891, to Jan. 1, 1897; all books, papers and documents containing records of investments made by you or in which you have taken a part, either individually or as trustee, or in any representative capacity of the said society; all bonds, mortgages, assignments of deeds in your possession relating to property

of the said society; all minutes or memoranda of meetings of the trustees or of the ministry of said society, relating to the advisability of investing moneys of the said society in sundry enterprises; all books in your possession relating to the investment of moneys, or as to the sanction of the ministry, or of the trustees as to investment of moneys of said society; all books, documents or papers, showing a list of the properties and securities held by the said society; all letters or communications had with Dillon C. Willoughby, Thomas S. Smith, William S. Munn, Joseph Holden, Benjamin Gates, Levi Shaw, Robert Valentine, or an Emma Neal, or either of them, in relation to (matters pertaining to) the <sup>transactions</sup> ~~transcriptions~~ of Robert Valentine in the City of New York from the 1st day of January, 1895, to the <sup>first</sup> day of May, 1897, or to the transaction and investments of the said society for the same period, now in your custody, and all other deeds, evidences and writings, which you have in your custody or power, concerning the premises. And for a failure to attend, you will be deemed guilty of a contempt of Court, and liable to pay all loss and damages sustained thereby to the party aggrieved, and forfeit Fifty Dollars in addition thereto.

WITNESS, ~~Hon. Alton B. Parker~~, *Emory A. Chase*

Justice of the Supreme Court, State of New York.

*May 3, 1897.*

*Emory A. Chase*

Attorneys for Plaintiff.

*Seal*

*Isaac P. Resford*

Clerk.



SUPREME COURT  
COLUMBIA COUNTY

---

---

The Graves Elevator Company  
- against -  
Benjamin Gates and Levi Shaw  
as Trustees, etc.

---

---

*copy*  
SUBPOENA DUCES TECUM.

---

---

GREENE & JOHNSON,  
Attorneys for Plaintiff,  
41 PARK ROW,  
NEW YORK CITY.

*L*  
*Levi Shaw*

*Service of a copy of the within*  
..... *is hereby*  
*admitted this* ..... *day*  
*of* ..... *189 .*

.....  
*Attorney for* .....

Cat. No.  
10,317a

THE PEOPLE OF THE STATE OF NEW YORK,

To

Robert Valentine, Emma Neal, Levi Shaw and Joseph Holden, GREETING: WE COMMAND YOU, that all business and excuses being laid aside, you appear and attend before Hon. Samuel Edwards or one of the Justices of the Supreme Court of the State of New York, at the County Court House, in Hudson, Columbia County, New York, at a trial term of said Court on the 12th day of October, 1897 at ten o'clock in the forenoon, to testify and give evidence in a certain action now pending undetermined in said Court, between The Graves Elevator Company, plaintiff, and Benjamin Gates and Levi Shaw, as Trustees of the United Society of Believers, called Shakers, defendants, on the part of plaintiff, and that you bring with you and produce at the time and place aforesaid the so-called Shaker church covenant; the original covenant to which the brethren and sisters of the United Society of Believers, called Shakers, residing in the County of Columbia and State of New York, have attached their names; the noviate covenant, which the members of the said Society have signed; the declaration of trust made by you when you were appointed a Trustee of the society aforesaid; the declarations of trust which have been signed by you, either individually or as trustee of the said society, relating to property in the Counties of Columbia, Albany or New York, in the State of New York, or either of said counties, or in the State of Massachusetts, ~~or in the State~~

~~of Massachusetts~~, or in the State of Florida; all stubs of check stub books kept by you; all returned checks or vouchers, signed by you individually or as trustee, or in any representative capacity of the said society, from January 1, 1891, to January 1, 1897; all books, papers and documents containing records of investments made by you or in which you have taken a part, either individually or as trustee, or in any representative capacity of the said society; all bonds, mortgages, assignments of deeds in your possession relating to property of the said society; all minutes or memoranda of meetings of the trustees or of the ministry of said society relating to the advisability of investing moneys of the said society in sundry enterprises; all books in your possession relating to the investment of moneys, or as to the sanction of the ministry, or of the trustees as to investment of moneys of said society; all books, documents or papers, showing a list of the properties and securities held by the said society; all letters or communications had with Dillon C. Willoughby, Thomas S. Smith, William S. Munn, Joseph Holden, Benjamin Gates, Levi Shaw, Robert Valentine, or an Emma Neal, or either of them, in relation to (matters pertaining to) the transactions of Robert Valentine in the City of New York from the 1st day of January, 1895, to the first day of May, 1897, or to the transaction and investments of the said society for the same period, now in your custody and all other deeds, evidences and writings, which you have in your custody or power, concerning the premises. And for a failure to attend, you will be deem-

ed guilty of a contempt of Court and liable to pay all  
loss and damages sustained thereby to the party aggrieved,  
and forfeit Fifty Dollars in addition thereto.

WITNESS:

Hon. Alton B. Parker,  
Justice of the Supreme Court, State of New  
York.

Greene & Johnson,  
Attorneys for Plaintiff,  
41 Park Row,  
N.Y. City.

(SEAL)

Isaac P. Rockefeller,  
Clerk.

S U P R E M E C O U R T,  
C O U N T Y O F C O L U M B I A.

---

---

THE GRAVES ELEVATOR COMPANY  
Plaintiff,  
-against-  
BENJAMIN GATES and LEVI SHAW,  
as Trustees etc.,  
  
Defendants.

---

---

SUBPOENA DUCES TECUM.

---

---

GREENE & JOHNSON,  
Attorneys for Plaintiff  
41 PARK ROW,  
NEW YORK CITY.

*To Levi Shaw*

*Service of a copy of the within*  
.....*is hereby*  
*admitted this*.....*day*  
*of*.....*189 .*

.....  
*Attorney for*.....