

UNITED STATES CIRCUIT COURT,
SOUTHERN DISTRICT OF NEW YORK.

UNITED STATES OF AMERICA

-vs-

SHELTON C. BURR, EUGENE H. BURR,
CHARLES H. TOBEY and EDWIN WESLEY
PRESTON.

Indictment under U.S.
Revised Statutes, Sec.
5480 as Amended.

DEMURRER.

Defendant CHARLES H. TOBEY, having heard the indictment read herein, says that the indictment and each count thereof, and the matters therein contained, in manner, form and substance as the same are therein stated and set forth, are not sufficient in law and do not state facts sufficient to constitute an offense against the United States.

WHEREFORE, for the want of sufficient indictment in this behalf, said defendant prays judgment that by the Court he may be dismissed and discharged from the said premises under said indictment.

Dated, N.Y., March 15, 1911.

GEORGE S. GRAHAM,
Attorney for Defendant Charles H. Tobey.
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42 Broadway, Borough of Manhattan,
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John H. McCrahon,
Of Counsel.