0421

BOX:
284
FOLDER:
2713
DESCRIPTION:
Lanigan, Mark

DATE:
11/21/87

2713

Witnesses:

On the application of the complainant and on his examination I am of opinion that a crime cannot be alleged and I recommend that the complaint be dismissed

Jerry Griffin
Asst DA

192

Counsel, J B Coleman

Filed 21 day of Nov 188

Pleads, Not Guilty 23

THE PEOPLE

vs.

B

Mark Lanigan

ASSAULT IN THE THIRD DEGREE.

(Section 219, Penal Code.)

Nov 19th 1888

To the Grand Jury Nov 20 Pr ASP

RANDOLPH B. MARTINE,

District Attorney.

Dec 8 P 3 ASP

Nov 16, 1888

Indictment dismissed

bail discharged.

A True Bill.

G. C. Magorne

Foreman

Dec 23d

G.J.B.

~~H Foreman~~

Dec 22d

G. S. B.

POOR QUALITY ORIGINAL

2240

New York General Sessions.

PEOPLE ON MY COMPLAINT,

VERSUS

Mark Lanigan

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself.

Owing to the fact that I did not receive any injuries at the time of the arrest.

I know beg leave to withdraw the above complaint in this action.

John Glancy

0424

Perfect
Lanigan

Form 485—4. '87—1,000

Draft

MANHATTAN RAILWAY COMPANY.

LEGAL DEPARTMENT.

Room 53. No. 71 BROADWAY,

Mr. Frank Lawson

NEW YORK, December 21st 188 7

My dear Sir

In the matter of the Proofs on Complt of Clancy, Young & Boyers employees of this Company I desire to state that the complainants above named do not wish to prosecute this prosecution and desire to withdraw the complt.

If in your judgment the interests of Justice shall not suffer by such a proceeding I will be pleased if you will strike the case from the Calendar on dismissal of complt and cancel

0426

The Supt Board
I remain always
Most truly yours

J. F. Brickers
Attorney for
Main Ry Co.

Hon J. J. Bushnell
Assist District Atty
N.Y. County

0427

MANHATTAN RAILWAY COMPANY,
71 Broadway,
NEW YORK.

Form 61—6, '87—3,000

Hon. G. J. Bedford
Asst Corpn Cnsl
Potter & Mark Sainguinetti New York City

Police Court— 1 District.

CITY AND COUNTY OF NEW YORK, } ss.

John Glancy

of No. 11 Hamilton Street, aged 44 years,

occupation Fireman being duly sworn, deposes and says, that

on the 11th day of September 1887 at the City of New York,

in the County of New York,

he was violently **ASSAULTED** and **BEATEN** by Mark Lanigan (man red) who violently struck deponent in the face and about the body with his clenched fists and tore deponents shirt

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 the above assault, &c., and be dealt with according to law.

Sworn to before me this 11th day of September 188 7

John Glancy

Police Justice.

Sec. 198—200.

_____ District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

Mark Lanigan 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 Mark Lanigan

Question. How old are you?

Answer 45 years

Question. Where were you born?

Answer. Ireland

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

Answer. 69 James Street 20 years.

Question What is your business or profession?

Answer Liquor dealer

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

Answer. I am not guilty I was sitting down on a chair at the White hall Street Elevated Station, when the complainant in company with my 8 other men took the chair I was sitting on away from me knocked me over and I defended myself. and I used no violence at all. and I demand a trial by Court of General Sessions by jury Mark Lanigan

Taken before me this _____ *day of* September *188* 9

Police Justice.

0430

BAILED,

No. 1, by Charles Hamm

Residence 15 East 125th Street.

No. 2, by

Residence Street,

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Police Court— 1 — 1472 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Mark Sullivan

1 Mark Sullivan

2

3

4

Offence Assault

Dated Sept 11 188 7

Examined Officer.

Precinct.

Witnesses Callie Griffin

No. Street.

Arnold Hartman

No. Street.

Edward Prisner

No. 83 East 125th Street.

Bailed by Owen

Discharged

Parden

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 Mark Sullivan *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 11 188 7 ..... *Police Justice.*

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

Dated Sept 11 188 7 ..... *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.*

0431

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Mark Sainsbury

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

— Mark Sainsbury —

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

The said Mark Sainsbury,

late of the First Ward of the City of New York, in the County of New York aforesaid, on the seventh day of September, in the year of our Lord one thousand eight hundred and eighty-seven, at the Ward, City and County aforesaid, in and upon the body of one John Flanagan in the peace of the said people then and there being, with force and arms, unlawfully did make an assault and him the said John Flanagan did then and there unlawfully beat, wound and illtreat, to the great damage of the said John Flanagan, 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.

RANDOLPH B. MARTINE,
District Attorney.

0432

BOX:
284
FOLDER:
2713
DESCRIPTION:
Larsen, Peter

DATE:
11/11/87

2713

Witnesses:

Off Corden

#48

Counsel,

Filed 11 day of Nov 1887

Pleads,

THE PEOPLE

vs.

Peter Larsen

Burglary in the Third Degree.

as Grand Larceny

[Sections 498, 506, 528 & 545 532.]

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

J. C. Magonn

Foreman

Nov 14/87

Pleads Guilty 3 deg

S.P. 2 yrs.

0434

Police Court— 3 District.

City and County of New York, } ss.:

Thomas McMahon

of No. 53 Henry Street, aged 42 years,

occupation Liquor dealer being duly sworn

deposes and says, that the premises No. 45 Henry Street, 7th Ward

in the City and County aforesaid the said being a five story brick building

and which was occupied in part by deponent as a Liquor Saloon

and in which there was at the time a human being, ~~by name~~

were BURGLARIOUSLY entered by means of forcibly breaking a pane of glass and entering therein with intent to commit a felony

on the 29 day of November 187 in the night time, and the following property feloniously taken, stolen, and carried away, viz:

Eighteen Segars and goods and lawful money of the United States consisting of Coin of the amount and value of fifty five cents all together of the One dollar ($1.00)

the property of deponent

and deponent further says that he has great cause to believe, and does believe, that the aforesaid BURGLARY was committed and the aforesaid property taken, stolen and carried away by Peter Larsen (Norway)

for the reasons following, to wit: from that deponent is informed by Officer James Crowley that at about 3.30 o'clock A.M. of the above date he saw defendant in said premises and arrested him with the said property in his possession

Thomas McMahon

Defendant pleads guilty

Sentence suspended

Judge

CITY AND COUNTY OF NEW YORK, } ss.

James Crosken

aged 29 years, occupation Police Officer of ~~No.~~ 26 9th Precinct ~~Street,~~ being duly sworn deposes and says, that he has heard read the foregoing affidavit of Thos McMahon and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 3 *day of* Nov 1887 } James Crosken

P. J. Geoghegan

Police Justice.

Sec. 198—200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Peter Larsen 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. Peter Larsen

Question. How old are you?

Answer. 26 years

Question. Where were you born?

Answer. Sweden

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

Answer. No 4 Rivington st. 2 weeks

Question. What is your business or profession?

Answer. Carpenter

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

Answer. I am guilty

Peter Larsen.

Taken before me this 3 *day of* May 188[illegible]

[illegible]

Police Justice.

0437

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street,

No. 3, by .....

Residence ..... Street,

No 4, by .....

Residence ..... Street.

Police Court— 3 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Chas. O'Neill 53 Henry St.

1 Geo. Lawrence

2

3

4

Offence Burglary

Dated Nov 3 188 7

Chas. Duffy Magistrate.

Chas. Kerr Officer.

Precinct.

Witnesses Cole

Heinbrecker Street.

No. Street.

No Street.

$ 1000 to answer

RECEIVED. NOV 7 1887 DISTRICT ATTORNEY'S OFFICE

Defendant

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 One ..... *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 Nov 3 188 ..... *~~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.*

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Peter Sorsen

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

— Peter Sorsen —

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

The said Peter Sorsen,

late of the Seventh Ward of the City of New York, in the County of New York, aforesaid, on the third day of November, in the year of our Lord one thousand eight hundred and eighty-seven, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the saloon of one

— Thomas McMahon, —

feloniously and burglariously did break into and enter, with intent to commit some crime therein, to wit: with intent, the goods, chattels and personal property of the said

Thomas McMahon

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

SECOND COUNT—

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

Peter Sorsen —

of the CRIME OF Petit LARCENY. — committed as follows:

The said Peter Sorsen,

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

eighteen wagers of the value of three cents each, and twenty coins of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of fifty five cents.

of the goods, chattels and personal property of one

Thomas Mahon. —

in the Saloon of the said

Thomas Mahon —

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

Randolph M'Donald

District Attorney.

0440

BOX:
284
FOLDER:
2713
DESCRIPTION:
Lawrence, Alexander

DATE:
11/10/87

2713

Witnesses:

.....

.....

.....

.....

Counsel,

Filed 10 day of Nov 1887

Pleads,

THE PEOPLE

vs.

Alexander Lawrence

Grand Larceny, 2nd Degree.
(From the Person.)
[Sections 528, 531 —— Penal Code].

RANDOLPH B. MARTINE,
District Attorney.

A True Bill.

A. C. Magaw

Foreman.

Nov 11/87

Plead Guilty

S.P. 2 years.

Police Court 4 District. Affidavit—Larceny.

City and County of New York, } ss.

William J. Ferguson

of No. 213 East 38th Street, aged 53 years,

occupation Baker being duly sworn

deposes and says, that on the 29th day of October 188 7 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession and person of deponent, in the day time, the following property viz:

A Silver Watch, of the Value of Ten Dollars

the property of Deponent who was asleep at the time

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 Alexander Lawrence now present from the fact that while deponent was asleep in a Room of the above named premises the watch was stolen from a pocket of deponents vest That the defendant was in the place while deponent slept, and after deponent had discovered that the watch was stolen, he accused the defendant with the larceny That the defendant then admitted having stolen the watch and gave deponent a pawn ticket representing the property which deponent has since redeemed and identifies as his property

William J. Ferguson

Sworn to before me, this 1st day of November 188 7

Police Justice.

Sec. 198—200.

4th District Police Court.

CITY AND COUNTY OF NEW YORK. } ss.

Alexander Lawrence 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. Alexander Lawrence

Question. How old are you?

Answer. 48 years

Question. Where were you born?

Answer, Sweden

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

Answer. In East 23 Street near 3 avenue

Question. What is your business or profession?

Answer, Coachman

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 was drunk and do not remember anything about it.

Alex. Lawrence

Taken before me this 3d day of October 188 9

M. Allen Police Justice.

0444

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Police Court 1 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

William Gillespie
213 East 130
Alexander Lawrence

Offence Larceny
Felony

Dated October 31 188 7

Murray Magistrate.

Connelly Officer.

114 Precinct.

Witnesses

No. ..... Street.

No. ..... Street.

No. ..... Street.

$ ..... to answer

RECEIVED NOV 8 1887 DISTRICT ATTORNEY'S OFFICE

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 Alexander Lawrence *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 31 188 7 ..... *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.*

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Alexander Lawrence

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

of the CRIME OF GRAND LARCENY in the second degree, committed as follows:

The said Alexander Lawrence,

late of the First Ward of the City of New York, in the County of New York aforesaid, on the twenty-ninth day of October, in the year of our Lord one thousand eight hundred and eighty-seven, in the day time of the said day, at the Ward, City and County aforesaid, with force and arms, one watch of the value of ten dollars,

of the goods, chattels and personal property of one William G. Bergman, on the person of the said William G. Bergman, then and there being found, from the person of the said William G. Bergman, 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.

Randolph B. Martine

District Attorney.

0446

BOX:
284
FOLDER:
2713
DESCRIPTION:
Layden, John J.

DATE:
11/10/87

2713

Witnesses:

25

Counsel, ...

Filed, 10 day of Nov 1887

Pleads, Arraigned

THE PEOPLE

vs.

John J. Layden

Grand Larceny degree

[Sections 528, 58 , Penal Code].

RANDOLPH B. MARTINE,

Dec 7 P 3 D20 *District Attorney.*

P. F.

A True Bill.

A C Magorn *Foreman.*

Part III - December 21 1887.

Bail forfeited

Police Court— 3rd District. Affidavit—Larceny.

City and County of New York, } ss.

James C. Lynch

of No. 376 Bowery Street, aged 29 years,

occupation Express Business being duly sworn

deposes and says, that on the 27th day of July 1887 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:

One trunk containing wearing apparel and other personal property of the value of fifty (50) dollars

the property of one Henry Boerig, and in care and charge of deponent as common carrier

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 Layden, from the Jail that said defendant was then in deponents employment as driver of express wagon. That deponent gave him said trunk to deliver to the Albany Boat, at the foot of West 22 Street. That the Jailer to deliver said trunk as directed, and has not returned to his employment or accounted for said trunk since said time. That deponent is informed of James Regan, then present that said defendant came to the pier at the foot of West 22 Street with a trunk for the Albany Boat, and

Sworn to before me this day of 188

Police Justice.

took it away again the back
door left the Pier that deponent
is informed by said Regan
that said deponent came with
said trunk at about 9 o'clock A.M.
on the said 27 day of July last.
That deponent prays said deponent
may be arrested and dealt with
as the law directs

Sworn to before me this
2nd day of August 1867

James V. Lynch

J. McPherson
Police Justice

CITY AND COUNTY OF NEW YORK, } ss.

James Rogan

aged 29 years, occupation Dock Master of No. 524 West 39th Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of James V. Lynch and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 1st *day of* August 188 }

James J. Rogan

J. M. Patterson

Police Justice.

Sec. 151.

3rd District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

In the name of the People of the State of New York; To the Sheriff of the County of New York, or any Marshal or Policeman of the City of New York:

Whereas, Complaint on oath, has been made before the undersigned, one of the *Police Justices* in and for the said City, by James V. Lynch

of No. 376 Bowery Street, that on the 27 day of July 188 7 at the City of New York, in the County of New York, the following article to wit:

One trunk containing wearing apparel and other personal property

of the value of Fifty (50) Dollars,

the property of one Henry Boeing

was taken, stolen and carried away, and as the said complainant has cause to suspect, and does suspect and believe, by John Lyden

Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to answer the said complaint.

These are, Therefore, in the name of the PEOPLE of the State of New York, to command you the said *Sheriff, Marshals and Policemen,* and every of you, to apprehend the body of the said Defendant and forthwith bring him before me, at the 3rd DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 1st *day of* August 188 7

J. M. Cornish Police Justice.

POLICE COURT 3 **DISTRICT.**

THE PEOPLE, &c.,

ON THE COMPLAINT OF

James V. Lynch

vs.

John Lyden

Warrant—Larceny.

Dated August 1st 188 7

Policeman *Magistrate*

Policeman 6 C. O. *Officer*

The Defendant taken, and brought before the Magistrate, to answer the within charge, pursuant to the command contained in this Warrant.

Officer.

Dated 188

This Warrant may be executed on Sunday or at night.

Police Justice.

REMARKS.

Time of Arrest,

Native of

Age,

Sex

Color

Complexion,

Profession,

Married

Single,

Read,

Write,

Sec. 198—200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK } ss.

John J Layden 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 he 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. John J. Layden

Question. How old are you?

Answer. 32 years

Question. Where were you born?

Answer, N. S.

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

Answer. 88 East Third St. 4 or 5 days

Question. What is your business or profession?

Answer, Bill poster

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

Answer. I am not guilty

J J Layden

Taken before me this 2 *day of* December 188 9

Police Justice.

0453

Police Court 3 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Offence Larceny

BAILED,

No. 1, by Patrick O'Connor

Residence 164 Canal Street.

No. 2, by

Residence Street,

No. 3, by

Residence Street,

No 4, by

Residence Street.

Dated Nov 2 188 7

Justice Matthews Magistrate.

Officer.

Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

RECEIVED. DISTRICT ATTORNEY'S OFFICE NOV 7 1887

$ to answer

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 [redacted] Layden

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of [redacted] *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 Nov 2 188 7 ..... *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.*

0454

July 27-87

8 pm To all

Look for bay horse
15½ hands - Blind - swollen
on knee of front leg and
hitch marks J. V. Lynch
Public truck - 355½ Bowery
on dash board ~~and~~ 5 in.
6329 on rider

Wm Murray

Copy

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

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

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

The said

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

one hundred of the value of
ten dollars, their articles of
clothing and wearing apparel, of a number and description to the
Grand Jury aforesaid unknown,
of the value of fifty dollars, and
divers other goods, chattels and
personal property, the more
particular description whereof is to
the Grand Jury aforesaid unknown,
of the value of fifty dollars,

of the goods, chattels and personal property of one

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.

District Attorney.

0456

BOX:
284
FOLDER:
2713
DESCRIPTION:
Lemmel, Jacob

DATE:
11/21/87

2713

Copy furnished to Dist. Atty.

Witnesses:

Bailed on another indictment

182 Ordered

Counsel,

Filed, 21 day of Nov 183

Pleads, Not guilty Decl

THE PEOPLE

vs.

B

Jacob Lemmel

(4 cases)

[Section 27 Penal Code].

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

J. C. Magown

Foreman.

June 28/99.
Bail Discharged.

P 1 June 28 1899

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Jacob Lemmel

The Grand Jury of the City and County of New York, by this indictment, accuse Jacob Lemmel of a Misdemeanor ~~of the Crime of~~

committed as follows:

The said Jacob Lemmel

late of the First Ward of the City of New York, in the County of New York aforesaid, on the twenty first day of September, in the year of our Lord one thousand eight hundred and eighty-seven, at the Ward, City and County aforesaid, with intent to defraud John F. Plummer, Albert T. Plummer and William S. Darling copartners, doing business under the name, style and firm of John F. Plummer and Company, Wesley Storey and William S. Darling, copartners, doing business under the name, style and firm of Storey and Darling; Henry Newman, Sanford Simon and Seymour Guggenheimer, copartners doing business under the name, style and firm of Henry Newman and Company, John J. Jaus, and divers other persons to the Grand Jury aforesaid unknown, then being creditors of him, the said Jacob Lemmel and also with intent to prevent his

property from being made liable for the payment of his debts, and levied upon by an execution or warrant of attachment, with force and arms, did unlawfully assign and convey to one Fabius J. Rosenberg, certain of his property, to wit: a certain claim and right of action arising out of a debt in the sum of three thousand dollars, then due and owing to him by a certain firm and copartnership carrying on business in the City of Chicago in the State of Illinois under the name and style of Wells & Rodney, 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.

Randolph Bernstein

District Attorney.

Copy forwarded to Dist. Atty.
[illegible]

Witnesses:

Bailed on another indictment

182. 1909.

Ordered

Counsel,

Filed, 21 day of Nov 188

Pleads, Not guilty Deft

THE PEOPLE

vs.

Jacob Lemmel

(4 cases)

[Section 2 Penal Code]

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

Jas C Magnus

Foreman.

June 2/99

Bail Discharged

P1 June 28 1899

THE PEOPLE

against

JACOB LEBOEL.

These indictments were filed in 1887 and allege the commission of a crime, which is virtually a purely commercial transaction. Whatever the merits of the case may have been in 1887, it would now be an utter impossibility to obtain a conviction herein. Nor should the defendant be called upon after a lapse of twelve years to defend an action wherein most of his witnesses cannot be found.

I therefore recommend the discharge of the defendant upon his own recognizance.

New York, June 27th, 1899.

John Schwarzkopf

Deputy Assistant District Attorney.

I concur in the above recommendation.

Robert Jameson

Assistant District Attorney.

THE PEOPLE

against

JACOB LEMMEL.

These indictments were filed in 1887 and allege the commission of a crime, which is virtually a purely commercial transaction. Whatever the merits of the case may have been in 1887, it would now be an utter impossibility to obtain a conviction herein. Nor should the defendant be called upon after a lapse of twelve years to defend an action wherein most of his witnesses cannot be found.

I therefore recommend the discharge of the defendant upon his own recognizance.

New York, June 27th, 1899.

John Schwarzkopf
Deputy Assistant District Attorney.

I concur in the above recommendation.

Robert Thomson
Assistant District Attorney.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Jacob Lemmel

The Grand Jury of the City and County of New York, by this indictment, accuse Jacob Lemmel of a Misdemeanor

~~of the Crime of~~

committed as follows:

The said Jacob Lemmel

late of the First Ward of the City of New York, in the County of New York aforesaid, on the ninth day of October, in the year of our Lord one thousand eight hundred and eighty-seven, at the Ward, City and County aforesaid, with intent to defraud John F. Plummer, Albert T. Plummer and William S. Darling, copartners, doing business under the name, style and firm of John F. Plummer and Company, Wesley Storey and William S. Darling, copartners, doing business under the name, style and firm of Storey and Darling, Henry Newman, Sanford Simon and Seymour Giggenheimer, copartners, doing business under the name, style and firm of Henry Newman and Company, John J. Jaus, and divers other persons to the Grand Jury aforesaid, unknown, then being creditors of him, the said Jacob Lemmel and also with intent to prevent

~~his~~ homestead from descended property from being made liable for the payment of his debts, and levied upon by an execution or warrant of attachment with force and arms, did unlawfully ~~secrete to four hundred and seventy nine pounds~~ ~~of the value of ten dollars goods, of the goods, chattels and personal property of him the said goods secreted;~~ 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

[illegible]

District Attorney.

Copy furnished to Dist. Atty.

Witnesses:

Bailed on all intd
Bailed by
Burkard Goodman
357 East 62 St

182.

RW Nov 22

1909
87

Counsel,

Filed, 21 day of Nov 1887

Pleads, Not guilty Deft

THE PEOPLE

vs.

B

Jacob Lemmel
(4 cases)

[Section [illegible] Penal Code].

RANDOLPH B. MARTINE,
District Attorney.

B7

A True Bill.

C. C. Magown
Foreman.

P June 28/99
Bail discharged
[illegible]

P I June 28 1899

THE PEOPLE

against

JACOB LEMMEL.

These indictments were filed in 1887 and allege the commission of a crime, which is virtually a purely commercial transaction. Whatever the merits of the case may have been in 1887, it would now be an utter impossibility to obtain a conviction herein. Nor should the defendant be called upon after a lapse of twelve years to defend an action wherein most of his witnesses cannot be found.

I therefore recommend the discharge of the defendant upon his own recognizance.

New York, June 27th, 1899.

John Schwarzkopf

Deputy Assistant District Attorney.

I concur in the above recommendation.

Robert Thomson

Assistant District Attorney.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Jacob Lemmel

The Grand Jury of the City and County of New York, by this indictment, accuse Jacob Lemmel of a Misdemeanor ~~of the Crime of~~

committed as follows:

The said Jacob Lemmel

late of the Twenty-first Ward of the City of New York, in the County of New York aforesaid, on the twenty-fifth day of October, in the year of our Lord one thousand eight hundred and eighty-seven, at the Ward, City and County aforesaid, with intent to defraud John F. Plummer, Albert T. Plummer and William S. Darling, copartners, doing business under the name, style and firm of John F. Plummer and Company, Wesley Storey and William S. Darling, copartners, doing business under the name, style and firm of Storey and Darling, Henry Newman, Sanford Simon and Seymour Guggenheimer, copartners, doing business under the name, style and firm of Henry Newman and Company, John J. Gans, and divers other persons to the Grand Jury aforesaid, unknown, then being creditors of him, the said Jacob Lemmel, and also with intent

to prevent ~~the~~ hereinafter described property from being made liable for the payment of his debts, and levied upon by an execution or warrant of attachment, with force and arms, did unlawfully secrete eighty four rocks, of the value of ten dollars each, of the goods, chattels and personal property of said John the said goods & chattels; 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.

Randolph S. Rappaport

District Attorney.

Copy furnished to Dist. Atty.

Witnesses:

Bailed on another indictment

182.

Counsel, Sampter & Glatzek 320 Bdwy

Filed, 21 day of Nov 188

Pleads, Arraigned - Dec 6

THE PEOPLE

vs.

Jacob Lemmel

(4 cases)

[Penal Code].

[Section

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

J. C. Magoun

Foreman.

June 28/99

Bail Discharged.

P 1 June 28 1899

THE PEOPLE

against

JACOB LEMMEL.

These indictments were filed in 1887 and allege the commission of a crime, which is virtually a purely commercial transaction. Whatever the merits of the case may have been in 1887, it would now be an utter impossibility to obtain a conviction herein. Nor should the defendant be called upon after a lapse of twelve years to defend an action wherein most of his witnesses cannot be found.

I therefore recommend the discharge of the defendant upon his own recognizance.

New York, June 27th, 1899.

John Thurston
Deputy Assistant District Attorney.

I concur in the above recommendation.

Asst Jerome
~~Assistant~~ District Attorney.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Jacob Samuels

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

Jacob Samuels of a Misdemeanor,

~~of the Crime of~~

committed as follows:

The said Jacob Samuels,—

late of the Sixth Ward of the City of New York, in the County of New York aforesaid, on the eighteenth day of September, in the year of our Lord one thousand eight hundred and eighty-seven, at the Ward, City and County aforesaid, with intent to defraud Julius T. Plummer, Albert T. Plummer and William S. Darling, copartners, doing business under the name, style and firm of Julius T. Plummer and Company; Wesley Stone and William S. Darling, copartners, doing business under the name, style and firm of Stone and Darling; Henry Newman, Sanford Simon and Benjamin Figgelsheimer, copartners, doing business under the name, style and firm of Henry Newman and Company; Julius G. Jones, and divers other persons to the Grand Jury aforesaid unknown, then being creditors of him the said Jacob Samuels, ~~and with~~

~~[illegible]~~

with force and arms, did unlawfully secrete, remove and dispose of certain of his property, to wit: the sum of three thousand dollars in money, lawful money of the United States, and of the value of three thousand dollars, 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.

Charles S. Whitman

District Attorney.

0473

BOX:
284
FOLDER:
2713
DESCRIPTION:
Lennon, John

DATE:
11/23/87

2713

Witnesses:

The complainant Mr. Wheeler & witness Mr. Marston tell me that the material witness Edward Van Hess is dead. Without his testimony dept must be acquitted. Complainant asks that prosecution cease.

I therefore recommend the dismissal of this indictment.

Sept 16 92

Vernon H. Davis
Asst

I concur.

DeLancey Nicoll
Dist Atty

Counsel, C D Evans
32 Liberty

Filed 23 day of Nov 188

Pleads,

THE PEOPLE

vs.

John D. Lennon

RECEIVING STOLEN GOODS

[Section 550, Penal Code.]

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

Foreman.

Please have this case referred for examination

Mr Dos Passos

Nov 22/88

Court of General Sessions.

The People
v
John D. Lennon

Memoranda for Opening.

1) The defendant is indicted for receiving stolen goods, melted gold and jewelry, the property of the firm of Wheeler, Parsons & Hays, of No. 2 Maiden Lane.

2) The defendant is a jeweler carrying on business at No. 142 Fulton Street.

3) The said goods were stolen from said firm by a porter of said firm colored man named Kidd, who when arrested, admitted his crime and is now serving a term in Sate Prison.

4) Kidd visited Lennon's place almost every week for about two years.

5) Lennon knew that Kidd was employed as porter by

Wheeler, Parsons & Hays, and that the goods sold to him by Kidd were stolen property.

Note:

Kidd should be called in rebuttal to Lennon's testimony as to the number of sales made to Lennon.

I shall examine Kidd when brought down from prison on the day of the trial.

Marston has not obeyed several subpoenas served upon him. He should be subpoenaed for the trial, and, if not appearing, should be arrested and then subjected to an examination. According to Mr. Van Ness's opinion, Marston knows a great deal about Lennon's knowledge of the character of the goods sold to him

Court of General Sessions.

The People v. John D. Lennon	R. S. G. Hathaway. Deft Atty.

Depositions:

Hayden W. Wheeler,

274 Washington Ave. Brooklyn.

In 1887 I was a member of the jewelers firm Wheeler, Parsons & Hays, of No. 2 Maiden Lane. The partnership was dissolved on the 1st of February, 1888, the business is, however, continued. Joseph G. A. Kidd, a colored man, was for 10 or 12 years employed as porter by the said firm. Our yearly inventory, taken in February 1887, showed a loss of about $4000 worth of goods. The first intimation of Kidd being the cause of said loss came through Mr. Van Ness to us. He informed us that Kidd had sold bumps of gold to the defendant. We thereupon employed detective King of Pinkerton's Agency to watch Kidd. Upon the strength of his reports, I

laid the case before Inspector Byrnes and he put two men on Kidd. They soon became satisfied that Kidd was stealing goods from us. Kidd was arrested, and at Police Headquarters made a full confession of his crime. He denied that Lennon knew the property sold to him to have been stolen. He was sent to State Prison.

Charles Gunther,

316 Washington Street, Hoboken

Jeweler. Have had a bench in defendant's room at No. 142 Fulton Street, for the last five or six years. There are four benches in the room adjoining each other. Mine is in the left hand corner. The defendant occupied the second bench to the right of me. At my left hand was the defendant's scale. In the rear of the room was a small closet partitioned off. I have seen the colored man Kidd a number of times call upon Lennon. The last time was in August or September, 1887. I never paid

special attention to Kidd. I know that the defendant has three or four unstamped weights.

Stephen John Brook.
207 Sandford St., Brooklyn.

Diamond Potter. Prior to October, 1887, I had a bench in the defendant's room. I was sitting in the right hand corner to the front. I have seen Kidd at least twenty times come to defendant's place. On the 11th of November 1886, Kidd was there and stood by the defendant, when he was weighing gold. Kidd seemed to be greatly interested in the weighing. About the month of March, 1887, objected to a friend of mine coming into the shop, because he did not want any stranger there. I replied that he could not afford to object to my friend calling, in as much as he had people call there whose character could not stand investigation. The defendant did not reply anything. Through the mirror that was hanging on the left hand side of the shop

I could observe the defendant when weighing gold, and I saw that when Kidd cast his looks away from the scales, the defendant would put more weights on the scale. Once I saw a number of solid gold rings with the stamp W. P. H. on defendant's church. Subsequently thereto I had to buy a ring for a friend of mine, and the man whom I sent out to make the purchase, brought me a ring that was also stamped W. P. H. The memorandum showed that it had been bought from Wheeler, Parsons & Hays. I could identify such a ring at any time. Kidd once offered a diamond ring to me for $15, which was worth at least $90. I told him that I had no money to buy it with. When the defendant came back to the shop I told him of Kidd's offer, and that I would not have anything to do with his customers. The defendant replied; Well I shall go around into the lane, (meaning Maiden Lane) and try to find him. On his return

the defendant said, he could get the ring for $13. He said to me that the colored man, Kidd, worked for a first class firm. Kidd's frequent visits at the shop and his and the defendant's conduct aroused the suspicion of every one in the place. It is a rule in the trade not to buy more than once or twice from a man without inquiring about him and the place from which the goods come.

Edward Van Ness.

142 Fulton Street,

Jeweler. Until October, 1887, I occupied a bench room in defendants shop, room 11, of 142 Fulton Street. In or about October, 1885, the defendant called me into his office in the rear of the shop and told me that Kidd had a big chunk of gold to sell, but that he, the defendant, had his suspicions that Kidd was not straight. I told him that if he thought

so, he better leave it alone. The defendant replied, that he had no money to buy it, but that he could arrange that. I thereupon said, that if the matter was crooked, it was no use to meddle with it. The defendant then remarked that if he did not buy it, some body else would buy it, and I replied that he must use his own judgment about it. I do not know whether he thought that piece at the time. Kidd came there every week, often twice. In the spring of 1886 I happened to get into defendants office on several occasions when Kidd was there. Once I saw a package on the table; it looked as if it contained gold. A few minutes afterwards the defendant came out of the office and weighed a lump of gold. Kidd stood by the scales. I saw the defendant time and time again weigh gold in the presence of Kidd he being evidently interested in the weighing. On the 31st of August,

1887, Kidd brought to the defendant a piece of melted gold weighing 115 pwts. I saw Kidd come in and meet the defendant in the office, who thereafter came out, and weighed the gold and went back to the office. After Kidd was gone, the defendant came out again and showed me the gold. He placed it on the bench, so that everyone of us could see it. I took it in hand to feel the weight of it. The defendant said: That is a good big chunk; I got it from Kidd. The lump contained parts of a chain which had been imperfectly melted. On the 24th of September, 1886, Kidd came in with another piece of gold which the defendant weighed. The scale showed that it weighed 95 pwts., but the defendant told Kidd in the office that it weighed only 10 pwts. A week or ten days thereafter the defendant called me into the office and told me that every body, even his wife, were finding out his business with

was suspicious
Kidd. He added, that if he should bring the scales into the office Kidd will watch every movement he would make. He did not see why the other people did not mind their own business and leave him alone. When Kidd came first to the defendant, he requested me to follow him to see whether he was in collusion with any body else. Next time that Kidd came to the shop, I followed him to the Brooklyn Bridge and told the defendant, that Kidd acted very suspiciously; that he suddenly stopped in the street and looked around to see whether anybody followed him. I told the defendant that I did not follow him over the bridge, as he might have seen me, and the defendant said, that this was right, as I might have scared him, so that he would not have come again. At the next time I followed him, he met a man in the hallway of No. 65 Nassau Street, with whom he held a conversation, but I did not see

any money pass between them. Kidd then went to Wheeler, Parsons & Hays business. When I reported to the defendant, he said: I guess that is all right, let it go. He often expressed his surmise that Kidd was in collusion with some other man in the shop, as it was impossible for him to get that quantity of gold without the assistance of somebody else. When last summer the newspapers reported the arrest of a man at Newark, N.J., for stealing gold from a factory, the defendant expressed the belief that that was the place where Kidd got the gold he had sold to the defendant, and that, if his suspicion was correct, the supply would be cut off. But Kidd came as regularly afterwards as before. The defendant told me on two or three occasions that he was short of money, and that, if Kidd should call, I should tell him to bring more gold, so that he could make the money needed by him. He also requested me to attract Kidd's attention, when he,

the defendant, would weigh gold brought by Kidd, so that he could manipulate the weights. Several times I went to the scales, after the defendant had weighed the gold brought by Kidd, to see what the weight was. I then saw that the pieces of brass, which the defendant had cut himself, were in the cups. The defendant himself has told me that he made these weights to use them on Kidd, that they were false weights. That the nigger was so quick, that he could not get the weights quick enough into the cups. On the 31st of August 1887, I went to Mr. Wheeler and informed him that Kidd had sold 115 pros. of gold to the defendant. I am positive that it was on the 31st of August. Whenever we spoke about this matter, the defendant said, that if he should be arrested for this thing, he would claim that he paid the market ~~price~~ value for the gold. I asked him, how he could make this out. He replied that he cheated him

ten or fifteen pwt. - everytime he came. On August, 1887, ~~the defendant~~ Kidd offered ~~to the~~ parties in the shop a diamond ring, several chains and a watch for sale. The defendant was not in at the time. When he afterwards heard of it, he went out, and on his return, he told me that he had bought the ring. The largest piece of gold that Kidd brought there, weighed 200 pwt. That was in or about February, 1887. The transactions between Kidd and the defendant formed the topic of conversation among the parties in the shop. We expected that the matter would get into the courts, and we might all be arrested and be involved in the case. That was the reason why I informed Mr. Wheeler. When the papers reported Kidd's arrest, the defendant called me into his office and told me that he had a masonic jewel and other goods of Kidd in his possession. He wanted to know, what he should do with them, I told him to consult his counsel,

Augustus Francis King
662 Baltic Street, Brooklyn.

Detective, employed by the Pinkerton Agency. In the fall of 1887 I was directed to watch the movements of a colored man by the name of Kidd. One afternoon I saw ~~him~~ a man standing on the corner of Maiden Lane and Broadway; he seemed to wait for somebody. This attracted my attention, although I did not know the man. It was after five o'clock in the afternoon, when I saw him first. At about six o'clock Kidd came out of No. 2 Maiden Lane, Wheeler, Parsons & Hays' place, and crossed directly over to the man who had been waiting. They walked ~~together~~ around the corner. I stood on a stoop at the Northwest corner of Broadway and Cortlandt Street. I saw Kidd pass something wrapped up in white tissue paper to the other man. It seemed to me jewelry of some kind, because it was glittering. Kidd opened the paper. I have pretty good eyes. The two continued to walk, went into Fulton Street and entered Brosnan's saloon, at No. 121 Fulton Street. I followed them in and, standing

with my back towards Kidd, listening to their conversation; but they spoke in such a low tone, that I could not understand what they said. They were drawing a diagram on the wet on the counter of the bar. After about five minutes' conversation, they left the saloon and continued their conversation for several minutes on the sidewalk. Then they separated. The one man, whom I afterwards learned to be James D. Lennon, went into 142 Fulton Street, and Kidd, I think, entered a building on Broadway.

COURT OF GENERAL SESSIONS.

THE PEOPLE, &c.

vs.

John D. Lennon

BRIEF OF FACTS.

For the District Attorney.

Dated March 5th 1888.

Edward Grosse

Deputy Assistant.

H A Y D E N W. W H E E L E R, CROSS-EXAMINED

BY MR FROMME:

Q Do you know a firm by the name of Langerman & Son? of 9 John Street?

A Yes sir.

Q Did you have any information that Mr.Kidd mentioned in your complaint your porter had brought gold to Langerman & Son and sold it to them?

A Yes sir.

Q When did you first find it out?

A About three weeks ago, I should say.

Q How did you ascertain that fact?

A I went around and saw Mr.Langerman myself.

Q And he told you?

A Yes sir, he told me.

Q Do you know how much gold he had sold to Langerman & Son?

A The parcel was about three pennyweight.

Q Did Langerman & Son tell you that?

A Yes sir.

Q Was it on more than one occasion that he came to Langerman and Son?

A Not that I know of.

Q Did Langerman & Son tell you that it was on more than one

M1

occasion that he came there?

A Permit a little liberty and I will answer your question.

Q No, sir; just answer the question?

A Yes, sir.

Q He told you it was more than one occasion?

A Yes, sir, more than one occasion.

Q Did he tell you how many occasions Kidd your porter came there and sold gold to him?

A He thought two or three times in the last year.

Q He was not sure about it, was he?

A Yes, sir; I think he was.

Q He didn't state to you he was certain---he said he merely thought it was two or three times that Joseph Kidd came and sold him gold?

A He only knew it from memory.---it may be more.

Q Did you hear of any other place where Mr. Joseph Kidd had sold gold to in the last six months?

A Yes, sir.

Q Where?

A Mr. John Lennon.

Q Any other besides Mr. Lennon?

A No, sir.

Q You didn't hear of any other place, except John Lennon and

m2.

Langerman & Sons?

A No, sir.

R E - D I R E C T E X A M I N A T I O N

BY MR. TAFT:

Q How much did you say that you learned he sold to Langerman & Sons?

Objected to by Mr. Fromme.

By THE COURT:

A Three penny weight.

Q Altogether?

A About three penny weight---on the last sale made to Langerman & Sons.

Q How much on the previous occasion?

A I have no recollection.

Q Did you ascertain when these sales took place?

A Well, Langerman's reply to my direct question was that he did not think he had been in their once for six months previous.

Q But once for six months previous to the sale?

A Yes, sir.

Q The John Lennon that you refer to is the party complained of against here?

A Yes, sir.

m3

Q Had Joseph Kidd any authority or consent from you or your firm or any member of your firm to take and sell any of your goods?

* Objected to by Mr. Fromme.

BY THE COURT:

Q And had you any knowledge of the sales that he made?

BY MR. FROMME:

Objected to.

BY THE COURT:

A No, sir; no knowledge whatever.

Q What you know about it is what you learned since---and with in what period of time?

A Three months.

Q When did you ascertain the goods had been taken?

A Our first knowledge came from an inventory taken in February 1887.

Q What did that show?

BY MR. FROMME. Objected to.

BY THE COURT:

BY MR. FROMME. Was it in writing?

THE WITNESS: Yes, sir.

BY MR. FROMME: Then we object to it on the ground that it is in writing and it will show for itself.

BY THE COURT:

Q Did you assist in taking the inventory?

A Yes, sir.

BY MR. FROMME: I object to the answer and move to strike it out as being a conclusion, and the inventory speaks for itself, and it is incompetent, immaterial and irrelevant.

BY THE COURT:

A It discloses the fact that we were short in weight in rings and solid gold cases, to the extent of about three to four thousand dollars---- I don't exactly recollect the figures to-day.

Q Did you ascertain from Mr. Kidd himself at any time that he had been taking your goods---I mean at any time before the present time---that he had been taking your goods, and if so, when did you ascertain that from him.

BY MR. FROMME: Objected to, as being immaterial and irrelevant to this investigation, and whatever he could ascertain from Mr. Kidd in the business of Mr Lennon cannot be any evidence in this case.

BY THE COURT: Objection

A No information ever received from Mr. Kidd, until after his arrest.

m5

Q When was he arrested?

A Saturday evening October 8th.

Q Since that time what have you ascertained from him?

Objected to by Mr. Fromme as being hearsay, incompetent, irrelevant and immaterial.

BY THE COURT: Objection

A He stated that he had taken gold rings, gold chains, gold watch cases, in large quantities.

Q Did he state that to you?

A I heard him state it.

Q Did he state what he did with it?

A He melted it up and sold it.

Q To whom?

Objected to by Mr. Fromme, as being hearsay, incompetent, immaterial and irrelevant.

BY THE COURT: Objection.

A Mr. John Lennon.

Q The party complained of against here?

A Yes, sir.

Q Did your firm ever send Mr. Kidd to sell anything?

Objected to by Mr. Fromme as being incompetent, immaterial and irrelevant.

BY THE COURT: Objection.

A No. old gold, or gold of any kind has ever been sent out by us or by any of our firm, or any individual member, with Mr. Kidd to sell.

Q Or any articles of jewelry?

A Or any articles of jewelry.

Q What was his position in your office?

A Porter.

Q What was his duties?

Objected to by Mr. Fromme as immaterial and irrelevant.

BY THE COURT: Objection

A To keep the office clean---open it up---see that everything was in working order---close it up at night and be a general errand messenger boy throughout the day.

E D W A R D V A N N E S S, being duly sworn, deposes and says.

BY THE COURT:

Q Where do you reside?

A 122 Fulton Street.

Q What is your age?

A 45.

Q What is your business?

m7

A Jeweler.

Q Mr. VanNess did you at any time have a bench in the premises occupied by this John Lennon, the defendant here?

A Yes, sir.

Q At what office?

A 122 Fulton street.

Q And you know Mr. Lennon?

A Yes, sir.

Q How long have you known him

A Four to five years.

Q And where is his place of business been during that time?

A You mean what number?

Q Yes.

A 142 Fulton.

Q On what floor?

A Third floor.

Q What rooms?

A Front rooms, room 11.

Q Did he have a room in the rear of it?

A Yes, sir.

Q Was that room sometimes called an office?

A Yes, sir.

Q And the front room called the work room?

A Yes, sir.

mB49

Q How was the back room, as you call it let?

A By gas.

Q Was there any day light that could get in except through the door way?

A Yes, sir; I say the door way and through the front of the shop.

Q I am speaking of the office in the back---how did he get it there?

A He got it through the light of the building, well hole.

Q Was there any light inmthe inner room?

A No, sir, ~~xxxx~~

Q None excepting what he got through the front door?

A No, sir.

Q In which room was your bench?

A In the front room.

Q Of whom did you hire bench room?

A Mr. John J. Lennon.

Q How long did you keep that bench room?

A May be three years---I guess about that.

Q And is your bench still there?

A Yes, sir.

Q Do you mean three years last last?

A Yes, sir.

Q What was Mr. Lennon's business?

m10

A Manufacturer of badges.

Q Manufacturing them for orders?

A Which ever way he could get them.

Q During the time that you were there, was it your habit to be there every day?

A Yes, sir.

Q What was your work?

A Badges too.

Q Did you work for him?

A No, sir.

Q Did you work for yourself?

A Yes, sir.

Q Did Mr. Brooks have his place there at the same time?

A Yes, sir.

Q What is his name?

A Stepehen J. Brooks.

Q Where does he live?

A Sand Street.

Q Where?

A Brooklyn.

Q Do you know his number?

A No, sir; I don't.

Q Do you know Mr. Joseph Kidd?

A Yes, sir.

mll

Q Is he now present in the Court room?

A Yes, sir.

Q Is this the man here?

A Yes, sir.

Q He is a colored man, isn't he?

A Yes, sir.

Q Did you see him go in there to Mr. Lennon's place, during the time that you were there?

A Yes, sir.

Q How far back do you remember seeing him come there?

A Two years---that is about the approximate time.

Q How frequently did you see him come there during that time?

A I judge, most every two weeks.

BY MR. FROMME:

I move to strike out what he judges, what he did.

BY THE COURT: Objection.

Q Did you ever see Mr. Lennon buy gold of him?

A I often saw Mr. Kidd come in there and Lennon would go to the scales and weigh the gold and he would go right up to him and look directly over his shoulders and see him weigh it.

Q Which room did he weigh it in?

m12

A In the front room.

Q What was the distance apart?

A Three or four feet.

Q How often did you see him weigh the gold?

Objected to by Mr. Fromme.

BY THE COURT: Objection

Q You saw defendant Kidd when he came in there and Mr. Lennon weigh gold that he brought in?

A Yes, sir.

Q I mean every time that he came in?

A There were times when they would come in the shop together

Q The shop is in the front room?

A Yes, sir.

Q And they would both walk up to the scales and see the gold weighed?

A Yes, sir.

Q And were there other times when he would remain in the office?

A Yes, sir.

Q Did you see the gold?

A Yes, I saw numbers of pieces of it.

Q Did you ever handle any of it?

A Yes, sir.

Q Had it in your hand, did you?

A Yes, sir.

Q State when you saw it?

A On or about the 1st of September last.

Q What did you see?

A I saw him have a chunk of gold weighing about 115 penny weight.

Q You saw who have it?

A Mr. Lennon.

Q Where was Mr. Kidd?

A He brought it in there and left it there, and had gone out.

Q Who did Kidd leave the gold with?

A Mr. Lennon.

Q And you were present when he left it?

A I knew that he was there.

Q How did you happen to have hold of it?

BY MR. FROMME: I move to strike out the answer to the question, that he knew it was left there.

BY THE COURT:

Q How did you know it?

A Mr. Lennon told me he got it from Mr. Kidd.

BY MR. FROMME: I object to it and move to

strike it out.

BY THE COURT:

Q How did you happen to have it in your hand?

A Mr. Lennon came along and handed it to me.

Q And you looked at it?

A Yes, sir.

Q How did it appear?

A It was improperly melted.

BY MR. FROMME: Objected to as immaterial.

I move to strike it out.

BY THE COURT:

Q What do you mean by that.

BY MR. FROMME: Objected to as immaterial.

BY THE COURT:

Q What do you mean by that?

A There were chains on top of it---what I mean by that is links of the chains.

Q Any talk between you and Mr. Lennon about that?

A I told him it was a good solid piece to get.

Q Anything further said?

A He took it back in and walked away with it to the back office.

Q By that you mean he took it back from you and walked into

m15

the office with it; was anything said between you and Mr. Lennon about the chains ~~comparing~~ appearing at that time? r

BY MR? FROMME: Objected to.

BY THE COURT:

A No, nothing said.

Q Was there any other time when you saw gold that appeared to be imperfectly melted before this.

MR. FROMME: Objected to.

BY THE COURT: Objection

A I saw him have one piece that appeared to have watch cases in it.

BY MR. FROMME: Objected to and move to strike it out.

BY THE COURT: Objection

Q Kidd brought it there?

A Yes, sir.

Q Did you have any talk with Mr. Lennon about that?

A No, none paeticularly; he merely said he got it from Kidd.

BY MR. FROMME: I move to strike out the answer as not being respeonsive.

BY THE COURT: Objection.

Q Did you at any time say anything to Mr. Lennon that

m16

you thought Mr. Kidd was a thief?

BY MR. FROMME: Objected to as irrelevant, leading and indefinite; and it does not fix any time or place.

BY THE COURT: Objection sustained on the point of its being leading.

Further examination was adjourned until Wednesday October 12th, at 2 P. M.

F I R S T D I S T R I C T

P O L I C E C O U R T.

THE PEOPLE on complaint of HAVEN W. WHEELER -against- JOHN D. LENNON.	Charged with Receiving Stolen Goods.

October 12th, 1887.

B E F O R E,

H o n. J a m e s F. K i l b r e t h,

P O L I C E J U S T I C E.

A P P E A R A N C E S:

All parties being present the examination proceeded.

m18

E D W A R D V A N N E S S, recalled for further examination.

EXAMINED BY MR. TAFT:-

Q During the time that Mr. Kidd was bringing gold there that you testified about were there any conversations between Mr. Lennon and you in regard to the character of Kidd?

BY MR. FROMME: Objected to.

BY THE COURT: Objection sustained.

Q Do you recollect any conversation that you had with Mr. Lennon about Mr. Kidd at all?

A I cannot fix the particular dates.

Q Do you recollect any conversation?

A Yes, sir.

Q More than once?

A Yes, sir.

Q And how long ago did you have a conversation with him?

A Well I presume about the 1st of September.

Q September last?

A Yes, sir.

Q State what that conversation was---~~xxxxx~~ where was that conversation---

A In his office.

m19

Q Is it in what you call the working room?

A No, sir---his office.

Q That was the inner room of the two?

A Yes, sir.

Q Nobody in there but you and he?

A No, sir.

Q State what the conversation was?

A There was some trouble in regard to his family and he called me in and told me about it and when this trouble--- and then this trouble and this excitement was going on at the time, and that it would not be long before every thing would be up set, between him and Mr. Kidd.

Q What did he say?

A He said everybody was prying into his business and interfering and paying more attention to his business that they were to their own business.

Q Do you recollect anything further that was said at that time?

A No, sir; nothing that I can recollect now.

Q Any previous conversations before that?

A Yes, sir; he sent me out on two occasions to follow Mr. Kidd.

Q When was it?

m20

A Somewhere last summer.

Q What conversation did you have with him at that time?

A He told me he thought the man was crooked, and I told him there was no doubt about it in the world--- that he was crooked, and I went out and followed him.

Q Did you make any report to Mr. Lemmon about that?

A Yes, sir.

Q What did you make to him?

A I told him that he acted very strange to me; that he stopped suddenly in the street and looked around, and saw whether anybody was following him, and if he would have seen me, ~~p~~ I had followed him it would have been suspicious.

Q What did Mr. Lemmon say to that?

A He said that was all right.

Q You say that Mr. Lemmon told you that Kidd was crooked?

A Yes, sir.

Q Did he ~~xxx~~ use any other language besides that?

A He said he knew the gold was crooked and was stolen---- that was the purport of the conversation.

Q Previous to last summer did you have any conversation with him about it?

A Yes, sir.

m21

Q When and where?

A Right in the office.

Q When was it?

A Last winter.

Q What conversation ddd you have with him?

A He said that he was not coming there, and he was a little short of money, and if I saw him to tell him to come up there.

Q Mr. VanNess, you have seen Mr. Lennon weigh the gold when Mr. Kidd was there looking over his shoulders?

A Yes, sir.

Q On many occasions?

A Yes, sir.

Q And I think you said on an average of once a week or once in two weeks?

A That is what I said.

Q On these occasions that you saw Mr. Lennon weigh the gold where did he weigh it?

A In what I call the shop.

Q Were the scales in which the weighing took place kept in the front room?

A Yes, sir.

Q And could they be moved?

A Yes, sir.

Q Those scales are what are called Troy weight jewelers scales?

A Yes, sir.

Q How far was your bench from those scales?

A From here to here (Pointing and illustrating).

Q That would be about five or six feet?

A Yes, sir; that is about the distance.

Q And do I understand you to say that you saw Kidd and Lennon both there, and Lennon weighing the gold brought up by Kidd?

A Yes, sir.

Q State what you know about the using false weights?

Objected to by Mr. Fromme.

BY THE COURT: Objection sustained.

Q You may state anything that you observed in regard to weights?

A There were four pieces of brass that he had there--- they were short weights and they were put in the scales

Q Regular scale weights, wrre they cups?

A Yes, sir.

Q Cup to put plates in the weight?

A Yes, sir.

m23

Q How many brass pieces were there?

A Four.

Q Were those brass pieces in regular cup weight on the scale?

A Yes, sir.

Q That is, you could put these brass weights in the cups and weigh with them---is that what you mean?

A Yes, sir.

Q Did you see him weigh that in the scale?

A After he left the weight I went there and picked it out. and found it in the cups covered up in another cup.

Q While he was weighing did you see him use the weights?

A I saw him put weights in the scale--I couldn't say that I actually seen him put them on in there but I was in there as soon as he left.

Q But after he had weighed them you went in there and he found them there?

A Yes, sir.

Q Was he weighing the gold that was brought there by Kidd?

A Yes, sir.

Q These brass weights that you speak of---were they round?

A Yes, sir.

Q What thickness?

A An eighth of an inch thickness, taking the largest one---

about the size of a quarter dollar.

Q Others were smaller?

A Yes sir.

Q When did you last see that scale and those weights?

A Today.

Q Are they still in the shop?

A Yes sir.

Q And were they there when you went there?

A Yes sir. Allow me to correct it-- last night I saw it, I can't say that I saw them there today, because I didn't look, but I did last night.

Q During how long a period was Lennon using that scale and those weights, as you desc ibe it, in buying gold from Kidd?

A He was using them upwards of two years, but I can't say that he was constantly doing it.

Q Were they always there?

A They were.

Q Did you ever have any conversat ion with Lennon about those weights?

A I saw them when he was making them.

Q When was it?

A Two years ago this last winter.

Q Did you ever have any conversation with him in weighing

the gold that Kidd brought in?

A Yes, sir.

Q What was it?

A We had a conversation once I twice---I have no recollection of it.

Q Was Lennon in the habit of buying gold except of Kidd?

A Yes, sir.

Q In regard to Lennon' business I understand you to say that he was making badges?

A Yes, sir.

Q The gold that he bought from Kidd, - --did he ever use that in ma ing badges.

Objected to by Mr. Fromme.

BY THE COURT: Admitted.

A Some of it.

Q What about the balance?

A He sold the balance.

Q You have spoken of using gold brought there by Kidd, that you say was imperfectly melted---that is to say, you could see the signs of chains and watch cases and rings in it?

A Yes, sir.

Q Do you know anything about whether Lennon remelted this before

he sold it?

A Some he did and some he didn't.

Q Do you know whether in any instance that he did sell this imperfect gold?

A I can't say.

Q You have been more or less connected with the work of jewelers for a good many years?

A All my life.

Q Now the bringing of gold there, improperly melted, ---did it convey any impression to your mind what sort of a dealer it was that brought it.

BY MR. FROMME: Objected to.

BY THE COURT: Objection sustained.

Q In the course of your experience have you ever known gold to be bought melted, as in the case of Mr. Kidd and having already been melted to re-melt it and then again sell it?

BY MR. FROMME: Objected to.

By THE COURT: Question allowed.

A I can't say that I have.

Q Where did Mr. Lennon remelt the gold?

A Right in the shop.

Q Do you know whether gold that he bought from other par-

m27

parties, was remelted by other parties before?

BY MR. FROMME: Objected to.

BY THE COURT: Question admitted.

A I never knew him to buy any gold that was re-melted by other parties.

Q Except from Kidd?

A Yes, sir.

Q You spoke of a lump of gold that you say Mr. Lennon handed you and you handed back to him?

A Yes, sir.

Q What did you say was the weight of it?

A 115 Penny weight.

Q What was the date of that?

A On or about the 10th. of September.

Q Last September?

A Yes, sir.

Q That is the gold that Mr. Kidd brought there?

A He told me he got it from Kidd.

Q Who told you?

A Mr. Lennon.

Q Did that lump of gold show any signs that it was already melted before?

A There were links of chains, and cases on it.

m28

Q You know whether Mr. Lennon remelted that?

A I can't say--yes he did remelt it.

Q Where?

A In the shop.

Q How soon after he bought it from Mr. Kidd?

A I think he melted it the next day.

Q In the shop?

A Yes, sir.

Q Did you know what he done with it?

A Part of it he gave to make badges out of for some parties--part he sold to people to make badges, in the same building, and I understood him to say that he had a little balance which he locked up in his safe.

Q When did he say that to you?

A In the course of a day or two afterwards.

Q Did you hear anything further in regard to it?

A No, sir.

Q He never said anything further to you?

A No, sir.

C R O S S E X A M I N A T I O N

BY MR. FROMME:

Q Where do you live?

m29

A 142 Fulton street.

Q In the shop of Mr. Lennon?

A Yes, sir.

Q How long have you lived there?

A Oh, in about the neighborhood of a year.

Q No longer?

A No, sir.

Q How long do you say you have your bench there?

A I had my bench there two years.

Q Do you pay any rent?

A Yes, sir; I pay rent.

Q When did you pay rent last?

A I cannot recollect now distinctly.

Q How long ago?

A The 1st of September---may be a year.

Q Don't you know when you paid your rent last?

A I paid him some two weeks ago.

Q And you were owing him for a year when you paid him some?

A Yes, sir.

Q How much did you pay him?

A $5.

Q What day of the month was it?

A I can't say.

mSO

Q Was it on or about the 1st of September?

A No, sir.

Q Well, give us on or about the time?

A On or about the 16th of this month.

Q How muxh do you still owe him?

A I owe him a years rent.

Q How much is it?

A I can't tell you

Q Don't you know as an experienced jeweler how much rent you owe him for a year?

A I owe him $5. a month for a year.

Q $60?

A Yes, I may owe him more.

Q Does it include lodging, as well as for the bench room?

A I presume it does,---he never said anything one way or the other.

Q You are in doudt?

A I am.

Q What did you do just prior to two years before you came to Mr. Lennon--what were you doing?

A Making jewelry and badges.

Q Brass badges?

A Anything that I could get.

m31

Q Where?

A No. 6 Liberty Place.

Q In the City of New York?

A Yes, sir.

Q Who gave you a bench there?

A The firm of Teets & Meyer.

Q How long did you have a bench there with them?

A Six months.

Q Don't you know?

A I approximate that.

Q When did you go there to them?

A I ~~xxxxxx~~ left Mr. Lennon and went there .

Q When did you come there to them?

A I left Mr. Lennon and came there.

Q And then you went to Mr. Lennon before you went to Meyer & Teets place in Liberty Street?

A Yes, sir.

Q How long had you been with Mr. Lennon then?

A Probably a year or about.

Q Can you fix the time when you left?

A No, sir.

Q ---fix the time when you left 6 Liberty Place?

A No, sir.

Q Were you lodging at 6 Liberty Place?

A No, sir.

Q Where were you lodging then?

A With my sister.

Q Where?

A 437 5th. street.

Q What is her name?

A Withprall.

Q Does she live there still?

A Yes, sir.

Q And what were you doing at that time?

A Well I was employed on the railroad.

Q What railroad.

A Broadway & Seventh Avenue.

Q As what?

A A conductor.

Q How long did you remain there altogether?

A About a year.

Q When did you go there on the Broadway & Seventh Aenue Railroad?

A I can't give you the exact date--- about four years ago.

Q In the winter?

A In the winter, and summer both.

Q Did you go there in the winter?

A In the summer.

Q Broadway & Seventh Avenue R. R.

A Yes, sir.

Q And before that what was your business?

A I was selling goods.

Q What kind of goods?

A Dry goods and notions.

Q Where?

A Long Island.

Q In a store?

A No, sir.

Q Peddling?

A Yes, with a wagon.

Q You were peddling dry goods?

A Yes, sir.

Q Where were younliving then?

A At the hotel where I put up.

Q You had no fixed place of abod ethen?

A Yes, sir.

Q Where?

A Wherever I stopped. When I was in the City I went to the address of my sister, and she moved from there to

A 85th. street.

Q What was that address?

A I don't recollect the number.

Q And when you went to Long Island you had no place except when you came to the City of New York, and then lived with your sister?

A Yes, sir.

Q How long were you in Long Island peddling dry goods and notions?

A All during the summer.

Q What year?

A Somewhere in the neighborhood of five years ago.

Q That would bring it down to 1882?

A Yes, sir.

Q Will you say it was 1882?

A About this.

Q When you were on the Broadway & Seventh Avenue Railroad, under what name were you there as a conductor?

A My own.

Q VanNess?

A Yes, sir.

Q And what did you do before you were peddling dry goods and notions?

A I worked in a a firm in 13th. street---- Wheeler or

m35

Wilson---some such name as that---it is in 13th. Street near 4th. avenue.

Q When did you go there with them?

A Somewhere in the neighborhood of seven or eight years ago.

Q Then between the time that you were selling dry goods and notions and the time you went to Wheeler & Wilsons in 13th. street you had no business?

A Yes, sir; I was doing something all the time---I was either selling goods or was doing something of some description.

Q What sort of goods were you selling?

A Notions.

Q Where?

A In the vicinity of the city---New York, Brooklyn and NJersey City.

Q And when you went around selling these notions and goods you stopped at the place where you were selling them ?

A Sometimes I did and sometimes I would return home to the City.

Q Where would you stop in the City?

A With my sister.

Q She lived in 5th. street?

A Yes.

m36

Q What number in 5th. street?

A I can't tell the number---it was in 5th. street, near second avenue next door to Knaus's butcher shop.

Q Is it a flat owned by Mr. Heilis?

A I think Mr. Knaus owns that.

Q Now what were you selling?

A Needles and badges.

Q Now isn't it a fact that at the time you were on the railroad?

A That is a fact, I was on the railroad.

Q What railroad?

A The second avenue railroad.

Q In the City?

A Yes, sir.

Q How long?

A Ten or 12 years ago.

Q Then you were selling notions, and needlesfor yourself for four years at various places?

A Yes, sir; about that time.

Q And you stopped at the places where you got at night time to sell these goods?

A Yes, sir.

Q Unless you were in the City?

m37

A Yes, sir.

Q And then you went with the second avenue railroad?

A Yes, sir.

Q How long ago?

A Two eyears.

Q Fourteen years ago you were on the road?

A Yes, sir.

Q That would bring it down to 1873?

A Yes, sir.

Q Was Mr. Wood Secretary of the road at that time?

A Yes, sir.

Q What did you do before that?

A I worked for my brother, in the silver ware business.

Q Where?

A 56 Liberty Street.

Q What was ~~xxxx~~ his name?

A VanNess.

Q What was his first name?

A George.

Q Does he have a silver place still?

A No, sir.

Q How long ago is that?

A 15 or 18 years ago.

m38

Q What kind of work did you do there?

A Manufactured silver ware.

Q Did they buy gold?

A No, sir.

Q Did they sell gold?

A No, sir.

Q Did they make anything up in gold?

A No, sir.

Q About 16 or 18 years ago?

A Yes, sir.

Q What did you do between the time of 18 and 14 years ago?

A I can't recollect distinctly now.

Q Why?

A I can't refresh my memory.

Q Were you selling gold?

A I may have been.

Q Then the four years is a blank to you?

A I was selling notions and buying and selling them---that included only needles and pins and notions.

Q xWas gold one of the notions?

A No, sir.

Q What did you do 18 years before you went with George Van-Ness?

A I came out of th army.

Q When did you come out of the army?

A In 186 1.

Q That is 26 years ago?

A Yes, sir.

Q What did you do between the 26 years ago and the 18 years, which would be eight years?

A I was with George Van Ness in the silver business.

Q The whole of the eight years?

A No, I was probably there two years.

Q What became of the other six years?

A I was selling goods and working on the railroad on Third Avenue.

Q As a conductor?

A Yes, sir.

Q When were you on the Third Avenue---about what time?

A 10 or 15 years ago.

Q 15 years ago you were on the Second Avenue road?

A Yes, sir.

Q And four years before that time it is a perfect blank to you, what you did, isn't it?

A Yes, sir.

Q 14 years ago you were in the silversmith business?

A Yes, sir.

m40

Q How far back do you want to go to?

A 1870 or 1871.

Q How long were you in the silverware business, before you went with George VanNess?

A May be one or two years.

Q Then you came there probably in 1869 or 1870?

A Yes, sir.

Q What did you do between 1869 and 1871?

A Making up goods.

Q What kind of goods?

A Butter knives.

Q Made of what stuff?

A Brass.

Q Made out of anything else?

A Nothing that I know of, and I was working also for a gentleman by the name of The Hall ---Manufacturing cheap goods.

Q Where did he keep?

A In Elm Street.

Q What number?

A I can't tell you.

Q About what street was it?

A Near Grand.

m41

Q Is he there now?

A No, sir; I do not know that he is. I think he is somewhere is Centre street.

Q In the same business?

A Plated ware.

Q He is in the same business?

A Yes, sir.

Q Near what street?

A Near Howard and Centre.

Q How long were you there, with Mr. Hall in Elm street? and Howard Street and Grand street?

A During the summer months.

Q In what year?

A 1873---along there 1874.

Q Then it was not in the sixties?

A I left George VanNess's place and went to work for Mr. Howard.

Q What year was it in?

A 1865 or 1870---along about 1869--somewhere around there.

Q How long did you stay there?

A The summer months.

Q Of the year 1869?

A Yes.

m42

Q What else did you do besides that between 1865 and 1869?

A I was working up in Dutch Street ---Manufacturing.

Q What number?

A I can't tell you now what the number is----

Q How long did you manufacture for yourself in 1860

A I don't know.

Q What was it---silver work?

A Brass.

Q Did you buy any gold then?

A No, sir.

Q Did you sell any gold then?

A No, sir.

Q What did you do before that?

A I can't tell you what I did---I was in the notion business.

Q That is, peddling notions?

A Yes, sir.

Q Were you not on the railroad in Brooklyn?

A Yes, sir.

Q What railroad were you on?

A Brooklyn City Railroad.

Q What year was it?

A Probably six years ago.

m43

Q We are talking now between 1861 and 1869?

A I am mistaken about that.

Q Did you work for any railroad during that period between 1861 and 1869?

A 1861 I came out of the army.

Q You stated 1865?

A Yes.

Q You stayed four years in the army 1861 to 1865?

A Yes, sir.

Q And before you went to the army what was your business?

A I was working for my father, in the silver ware business.

Q Where?

A 6 Liberty Place.

Q You say you were working for your father?

A Yes, sir.

Q How long did you work for your father?

A Off and on five or six years.

Q In the silverware business?

A Yes, sir.

Q Did he buy or sell gold?

A No, sir.

Q You say at 6 Liberty Place?

A Yes, sir.

Q Is he alive?

A No, sir.

Q What is your brothers business now?

A He hasn't got any.

Q Does he live in the City?

A No, sir.

Q Did you do any other business besides that, previous to the time you were in the way than work for your father in the silverware business?

A Yes, sir.

Q Where?

A Worked in a jewelry store, corner of Broome and Bowery.

Q What was the name?

A Jackson & Money.

Q When?

A From 1851 to 1852.

Q Did they buy gold?

A I guess they did. They sold gold goods.

Q Did they sell gold?

A No, sir.

Q Did they buy gold?

A Goods that were gold they bought.

Q I mean lump gold?

A No, sir.

Q Any other jewelry store that you worked in, besides Jackson & Money?

A Yes, sir.

Q Who?

A Bennett & Company.

Q How long ago?

A Previous to the War.

Q What year?

A 1859.

Q Did they buy gold and sell gold?

A No, sir.

Q Any other jewelry store?

A Yes, sir---George Cooley.

Q Where was he?

A Lispernard & Broadway.

Q What year?

A Along about the same time.

Q Did he buy and sell gold?

A No, sir.

Q Anybody else?

A Not that I can recall to memory now.

Q You say that you have always been employed by Mr. Shepard?

A Yes, sir.

Q When?

A Four or five years ago, before I went to Mr. Lennon.

Q Where was he?

A In the same building.

Q What was his business?

A Manufacturing badges---jeweler.

Q Did he buy and sell gold?

A He bought and sold gold.

Q Where besides Mr. Shepards place; and at this defendants place---where have you ever been where gold was bought and sold, that you were employed there on the bench---have you ever been anywhere".

A No, sir.

Q How comes it then that you stated to the Court that you were more or less employed, the whole of your life, in the jewelry business, when you have been with no one who has been in the jewelry business, but you have been peddling notions the bigg st portion of your time; and have been on the railroad?

A I have been with Mr. Shepard and I have been with Mr. Money and with various other people, that I told you; I was employed in the jewelry business and in the silver-

ware business.

Q And that is what you want to state to the court---how do you know how gold is bought and sold.

BY MR. TAFT: Objected to:

BY THE COURT: Question excluded.

Q How long were you at Mr. Shepards place altogether?

A About two years off and on, fourbyears altogether.

Q Did you see Mr. Shepards weights?

A Yes, sir.

Q Are those weights that you say you saw in Mr. Shepards gold Troy weights, and are they such as used by Mr. Lennon, and used by this defendant, and are they used by all the jewelers?

A They are not the same weights that are used; Mr. Lennon's had cups in them.

Q Do you mean to say that Mr. Shepard used different weights than Mr. Lennon?

A I do---I mean to say they were square weights---they were honest weights and true weights.

Q And you have not been in any jewelry house since 1869?

A I know the kind of weights, jewelers use.

Q How do you know that they were jewelers weights?

A Because I have seen them in jewelers stores.

Q These people that you refer to, didn't buy gold, did they?

A They had the scales there.

Q Did you ever see these same weights in any other place?

A Yes, sir, the scales I saw in different places.

Q Did you see when you were in Mr. Shepards place, that they put in any different weights?

A I saw them have the little brass weights, the penny weight weights---the smaller weights---four pieces, five or six pieces.

Q Do you know how gold is made up? Do you know anything about it---for manufacturers?use?

A It is alloyed .

Q Do you know anything about any other manufacturers, except Mr. Lennon and Mr. Shepard,---how they do business, or how fix up their alloy?

A No, sir.

Q I understand you to say that in the summer you had a conversation with Mr. Lennon in which he told you to follow Kidd?

A Yes, sir.

Q Did you know where Kidd came from, at that time?

A Yes, sir.

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Q Did you know that he came from the complainants?

A I knew that he was employed there.

Q Did you go to Mr. Wheeler's place?

A No, sir.

Q Did you tell Wheeler anything about your suspicions?

A No, sir.

Q You kept that to yourself?

A Yes, sir.

Q And you also said that you knew of it---a winter ago you had your suspicion?

A Yes, sir.

Q Did Mr. Lennon tell you to follow Kidd?

A Yes, sir.

Q Did you know then that Kidd came from Wheeler's?

A Yes, sir.

Q Had you informed him that before the winter or the summer?

A No, sir.

Q Who else is in this shop 142 Fulton street, besides you, that has a bench there?

A Mr. Gunther and Mr. Brooks.

Q Who else?

A That is all at the present time.

Q I suppose they do not sleep there?

m50

A No, sir.

Q When you say on or about the 1st of September, do you mean the 1st of September or after September?

A I mean between that and the 6th.

Q That is the time that you say that this niget of gold was in the possession of Mr. Lennon, weighing 115 penny weight?

A Yes, sir.

Q What time in the morning was it, or what time of day was it, that you saw it?

A In the afternoon.

Q What time was it?

A Two or three o'clock.

Q Was Mr. Gunther or Mr. Brooks there?

A Yes, sir; they were there.

Q Were they there when Mr. Lennon had that ~~xxxxxxxx~~ piece of gold in his hand?

A Yes, sir.

Q Did you say that they heard the conversation?

A Yes, sir; they heard it to the best of my knowledge.

Q How far away from you was Mr. Lennon?

A Three or four feet.

Q And as I understand you Mr. Lennon said to you in your

conversation that he got that gold from Kidd?

A Yes, sir.

Q You didn't see him weigh it?

A Yes, sir; I saw him.

Q When Kidd was there?

A No, sir; Kidd was in the office.

Q And it weighed 115 penny weights?

A Yes, sir.

Q Did you give in your direct examination, the whole conversation you had with Mr. Lennon, at the time?

A I believe I did.

Q You say, that Kidd was in the room partitioned off from the work-shop, where you were?

A Yes, sir; he had been in the office and had left.

Q Was he there when Lemon had the gold in his hand?

A No, sir.

Q When was Kidd there?

A In the fore part of the day.

Q In the morning?

A Yes, sir.

Q And this was in the afternoon?

A Yes, sir.

Q Kidd was in a different part of the room from wh a

you were in; is that right?

A He was in the office partitioned off.

Q You said, if I understood you right, that you were in the brass badge business?

A All kinds of badges, gold and silver.

Q Will you state what you said on your direct examination, of the conversation had between you and Lennon, when Brooks and Gunther were present?

A He showed it to me, Mr. Lennon did and said , "That that was a piece from Kidd a"

Q That was all?

A Yes, sir.

Q That is all that you know?

A Yes, sir.

Q And you say Mr. Brooks and Mr. Gunther were present at the time?

A Yes, sir; they were there to the best of my knowl dge.

Q When did you first see the complainant in this case?

A Mr. Wheeler?

Q Yes, sir.

A About a month ago---somewhere in that neighborhood.

Q That would be on or about the 1st of September?

A About that time.

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Q Then you say on or about the 1st of September?

A Yes, sir.

Q Where did you see him?

A At his residence.

Q Whereabouts is that?

A Washington Avenue.

Q Is it New York?

A No, sir; Brooklyn .

Q Did you then tell him what you saw Mr. Lemmon have?

A Yes, sir.

Q When did you see Kim after that?

A Two or three different occasions.

Q The first time then, was on or about the 1st of September?

A Probably a week afterwards.

Q Where?

A At his residence .

Q Both times in the evening?

A Yes, sir.

Q Did you receive any money from him the first evening you went there?

A No, sir.

Q When did you see him after that?

A In the course of the week.

Q That would be two weeks from about the 1st of September?

A Yes, sir.

Q Where did you see him then?

A At his residence.

Q During that time, had you seen any lawyer of his?

A No, sir.

Q Or anybody connected with him?

A I saw Mr. Allen who is in the jewelry business.

Q Where?

A Corner of Broadway and Maiden Lane.

Q Concerning Lennon?

A Yes, sir.

Q Is he connected with Mr. Wheeler?

A No, sir.

Q Mr. Wheeler sent you to Allen?

A He notified me to be there.

Q When did he do that?

A About two weeks after I first saw him.

Q That would be on or about the 15th of October?

A About.

Q Did you meet him before Mr. Lane?

A Yes, sir.

Q Was that after you were at Mr. Wheeler's house the second time?

A Yes, sir.

Q Did yo receive any money from Mr. Wheeler at his house when you went there the second time or the first time?

A No, sir.

Q You say you saw Mr. Allen at Broadway and Maiden Lane?

A Yes, sir.

Q Did you speak to Mr. Allen about Lennon?

A Yes, sir.

Q Did Mr. Allen give you any money?

A No, sir.

Q Did Mr. Wheeler?

A No, sir.

Q When next did you see Mr. Wheeler or anybody in his behalf?

A About a week ago.

Q Can you not fix it any nearer?

A No, sir.

Q Was it last Wednesday?

A I seen him, I think last Saturday.

Q When was the first time you saw Mr. Wheeler or anybody connected with him, or in his behalf between the 15th of September and last Saturday, which was the 8th of October?

A I saw Mr. Wheeler previous to that.

Q Where?

A In the course of four or five days previous to the 8th of October.

Q Previous to that?

A Yes, sir.

Q That would be the 3rd of October?

A Yes, sir.

Q Is that true?

A Yes, sir.

Q Where did you see Mr. Wheeler?

A In his office.

Q Corner of Broadway and Maiden Lane?

A No, sir.

Q Did he give you any money then?

A No, sir.

Q Was there anybody else there?

A No, sir.

Q You were alone?

A Mr. Wheeler was there.

Q Are you in doubt about it?

A No, sir.

Q And this was about the 3rd of October?

A Yes, sir.

Q And then you saw him the next time on Saturday the 18th?

A Yes, sir.

Q Who did you see then?

A All the firm.

Q Who else?

A And the officers that were on the case.

Q That was the first time you saw the officers?

A Yes, sir.

Q Did you receive any money then?

A No, sir.

Q Did you tell Mr. Lennon that you went to see Mr. Wheeler?

A No, sir.

Q And on any of these occasions you did not tell Mr. Lennon that you saw them?

A No, sir.

Q You professed friendship for Mr. Lennon during that time?

A Yes, sir.

Q You owed him a years rent?

A Yes, sir.

Q And did you expect to be put out?

A No, sir.

Q When did you make the affidavit? of

58 On the 8th of October?

Joseph G. A. Kidd of 63 Fleet Place Brooklyn, makes the following statement of his own free will and accord. In addition to the statement made by me to Inspector Thos. Byrnes, Oct. 8th. 1887, I desire to state that while in the employ of Wheeler, Parsons & Hayes, Jewellers, No. 2 Maiden Lane, New York City, I took about one dozen gold masonic pins without the knowledge of my employers, some of which I have sold and the remainder I have in my trunk at the above No. 63 Fleet Place Brooklyn, The gold chain attached to the watch found in my possession at the time of my arrest by detective Sergant Geo. W. Mc Clusky was feloniously taken from my employers place of business No. 2 Maiden Lane N.Y. City, without the knowledge by me about two weeks ago; about Sept. 5th. 1887 I took three or four gold rings with small stones therein and sold them. I do not think I have taken more than ten pairs of bracelets which are now in my trunk at my residence. I have also six sets of jewelry consisting of breast pins and two gold plated chaines in my trunk at my residence, which were stolen by me from my employers. I desire to correct the statement made Oct. 8th. 1887, to Inspector Thos. Byrnes, so far as relates to the number of rings and chains stolen by me from my employers. I have taken in all about three hundred chains which were melted by me and sold for old gold. I have also taken in the vicinity of about six hundred plain gold rings, which I also melted and sold for old gold. I usually arrived at my employers place of business very early in the morning and would take a piece of charcoal and dig it out so that it would hold a chain or three or four rings which I had

taken during the previous day, I would then insert the jewelry in the piece of charcoal and by means of a blow pipe melt the jewelry which I would sell for old gold and appropriate the same to my own use.

(sd) Joseph G.A. Kidd.

Witnesses.

(sd) Frank Mangin, Jr.

(sd) Geo. W. Mc Clusky.

Joseph G.A. Kidd, residing at No. 63 Fleet Place, Brooklyn makes the following statement of his own free will and accord:

I was employed as porter by Wheeler, Parson and Hayes, Jewellers Maiden Lane this city, July 1881, and have worked for said firm ever since, a watchmaker named Dunn in 1883 or 1884 was employed by the above firm who instructed me how to melt gold, I frequently went to my employers place very early in the morning and at Dunn's solicitation, would build a charcoal fire and would melt gold chains, and Dunn would dispose of them by selling them for old gold; I sold them only on two occasions, This stealing was carried on for about a year, when Dunn left. I have no idea where he is now and since that time I have continued to melt gold chains, rings etc., and sell it for old gold, up to the present time. During the period of my stealing I have taken in the vicinity of about fifty gold chains and about one hundred gold rings which I melted and sold for old gold. I have taken four or five sets of ladies Brest pins and earings, I have also taken about ten pairs of gold bracelets and sold them to various persons, whose names I cannot now recal. The chains and rings stolen by me and melted by me were sold to John Leonard, a Jeweller at 142 Fulton St., this city, excepting two or three lots which I sold to Lahman & Son assayers at No. 9 John St. Dunn was the man who taught me how to melt gold.

The above is a true statement as near as I can recollect of the property stolen from the above firm by me and the

disposition made of it.

sd Joseph G. A. Kidd.

Witnesses.

sd Frank Mangin, Jr.

sd Geo. W. Mc Clusky.

People
vs
John D. Lemmon
Resp States Atty

Confession of
Joseph G. A. Todd
made in Singing
a the Hill for the
State the Jail &
Sold it to Def

POOR QUALITY
ORIGINAL

0552

Police Court Examination

Hayden W. Wheeler:

Kidd has sold gold to Langerman ~~[illegible]~~ two or three times I pw.

He also sold gold to Lemmon

First knowledge of sales from inventory taken in February. 1887

It disclosed the fact that firm was short in weight in rings and solid gold cases — $3000 to $2000

After October the 8th Kidd stated that he had taken gold rings, gold chains, gold watch cases in large quantities and sold it melted to Mr. Lemmon.

Our firm never sold out any old gold etc.

Kidd was porter of the firm

Edward Van Ness:

Had a lunch in Lemmon's premises 142 Fulton Street, 3 floor, room No 11,

There was front and rear room.

I was in front room, About 3 years.

Lemmon manufacturer of badges

Was there every day.

Worked badges also.

Stephen J. Brooks had also place of L.
For about two years Kidd came to L.
almost every two years.
He brought gold to L. who weighed
it. I was three or four feet away.
Handeld some of it.
On or about September last K. bought
a chunk of about 115 pw. L. handed
it to me. Chains in it
Nothing said.
Other piece seemed to have watch
cases in it. L said he got it from
K.
Last September had conversation with
L., that everything would be up-
set very soon between him and K.
Twice he sent me out to follow K.
He told me the man was crooked
I reported to him that K. ~~he~~ acted
very strange, stopped suddenly in
the street, looked around and saw
whether anybody was following
him
L said he knew the gold was stolen
Saw L. weigh the gold
L. had four false weights ~~of~~ brass in
cup form, 1/8 inch thick
Found them there right after weighing

L. used them for two years
I saw him make them
Some of K. gold L. used for badges
some he sold.
L. remelted some of it
L. Never ~~long~~ remelted gold bought
from other parties
He remelted the 115 pcs.

Cross:

I made up my mind that this was going on to such an extent, it was time that somebody knew something about it.

Redirect: The firm was robbed to such an extent I thought it was involving everybody connected with the place 14 & Fulton Sts, and I thought the best way to do, would be to make a clean breast of the whole thing.

~~Wheeler~~ L. told me that K. came from Wheeler-Parsons & Harps.

Stephen J. Brooks:

Occupy bench room in L. premises

Three or four traditions weight

Saw K. in L. place [illegible] twice a day.

Saw lump of gold on 5th of Sept.

Four rings. ~~Two~~ marked W. P. H.

Bright bore of W. P. H., same mark

K. gold was weighed with fictitious weights

Diamonds offered

Chocs:

115 pw. remelted by L.

Re d.

Gold sold by weight — 4 cts a carat

Robert S. Cook. 142 Fulton St

Pieces of chains etc in lump of gold would arouse suspicion

James Q. Peafield

39 John St.

City of
County of
State of New York }

I John D Lennon, residing at 922 Myrtle Av. Brooklyn, County of Kings, State of New York, and now doing business at 142 Fulton Street, in the city of New York, as a manufacturing Jeweler, doth depose and say, that he has done business at the above number and street for the past 12 years, and during that time his business methods and integrity has never to his knowledge been questioned, and that all his transactions have been honorable and just between man and man -

Further this deponent does depose and say, that in the matter of the charge now pending against him, as to the allegation that he purchased Old (or bullion) gold from one Mr Kidd, a colored man, late in the employ of Mess Wheeler, Parsons, and Hays, doing business at 80 & 82 Maiden Lane New York, of 115 pennyweights of melted gold on the 31st day of August, 1887 knowing that the same was stolen, or surreptitiously obtained, is untrue, both as to purchase and weight - as he did not buy from Mr Kidd, of Wheeler, Parson and Hays, or from any one else, on that date any old gold (or bullion) or new gold -

Further this deponent does depose

and say, that the first he knew of Mr Kidd, in any way was on the occasion of the said Mr Kidd calling upon him at his place of business to have the deponant to make for him a Masonic ring; and after agreeing upon the price Viz $50, Mr Kidd gave the deponant the Order to make such ring - this transaction occurred on the 10th day of February 1885.

Further this deponant deposes and says that between the 10th day of February 1885. and the 11th day of August 1886, Mr Kidd frequently came to his place of business to obtain figures as to the cost of making this and that article of Jewelry And that during one of these visits Mr Kidd asked the deponant, "if he bought Old Gold and Silver;" the deponant answered "that he did sometimes;" Mr Kidd then told the deponant that his employers frequently sent him (Kidd) out to sell old billion for them, which they - the firm - had taken from their customers in part payment of Bills due them, and that the next time he (Kidd) was sent out, he would Come to him - the deponant, answered him "all right" and asked of Mr Kidd, "who were the firm he was employed by;" and Mr. Kidd, answered, "Wheeler Parsons, and Hays, no 14 Maiden lane;"

Further this deponent doth depose and say, that on or about the 11th day of August, 1886, Mr Kidd, the colored man aforesaid called upon him at his place of business and gave the deponent an Order to make a Double headed Eagle of Gold, and that on the 17th day of said month and year, Mr Kidd brought to him a lump of melted gold weighing 27 1/3 pennyweights and offered the same ~~for~~ to him – which piece he bought and paid therefore 70 cents per pennywt, the full market value – without any knowledge however that the same was stolen, as Mr Kidd, informed the deponent at the time, that it was a piece his employers had received that day, and the deponent fully believed him –

Further this deponent doth depose and say that the said Mr Kidd called upon him several times after the above transaction and offered small pieces of melted gold for sale, but as the deponent had no immediate use for it at the times when offered he did not buy it – but on or about Nov 2d 1886 Mr Kidd came in and offered for sale a lump of melted gold weighing about 24 pennyweights, which the deponent bought paying the full value thereof, and credited the same to a/c of Wheeler, Parson, + Hays for Kidd

in his memorandum book, as with the former purchase —

This deponent further deposes, and says That on or about December 6, 1886, he bought from Mr Kidd a piece of Old gold, weighing 22 2/3 pennyweights, for which he paid him the full value, Viz 15,98/100, Also, on January 10, 1887 he bought another piece, weighing 11 pennyweights and on or about February 17th 1887, he purchased another piece of melted gold weighing 20 1/2 pnwgts and that on or about August 5th 1887, he bought another piece of Old gold weighing 21 1/2 pnwgts; all of which pieces came to him in a melted form and varying in fineness from 10 to 14 Karets; also, that he paid for each piece the full market value and in one instance, more the market value — and that he never had the least intimation or suspicion or knowledge, that the same was stolen by Mr Kidd, but upon the contrary really believed that each and every piece so bought or received from Mr Kidd (six in number) were the property of Wheeler, Parson, and Hays, as so stated by the said Mr Kidd —

Further the deponent doth depose and say, that all of the peices (or billion) of gold bought, or received from Mr Kidd, to wit, is correctly stated as above, and since August 5, 1887, have not purchased or received from Kidd any old (or billion) gold — and that whole purchases from Mr Kidd from the first to the last aggregated in weight 127 pennyweights and the he (Mr Kidd) received on a/c of Wheeler Parson and Hays the full value thereof. Viz 82.73/100 dollars —

Affidavit of John D Lemon

Sworn to before me this 8th day of December 1887.

W. H. Lemon
Notary Public

John D Lemon

The People

v.

JOHN D. LENNON.

INDICTMENT FOR RECEIVING STOLEN GOODS.

Evidence for prosecution:

The property was stolen from Wheeler, Parsons & Hayes, wholesale jewellers, No. 2 Maiden Lane, by their colored porter, Joseph G. A. Kidd, and sold by Kidd to defendant.

Kidd's confession on file with Mr. Sparks, will show what he can testify to if called. Kidd can prove the stealing of the gold mentioned in the indictment, and that he sold it to defendant.

Also numerous previous instances of like thefts and sale to defendant, covering two years and upwards previous.

Also, we think, suspicious places where Kidd and defendant met from time to time, and intercourse between them such as tends to show that defendant could not have supposed Kidd was selling gold that he came by honestly.

m

HAYDEN W. WHEELER, will prove that Kidd was merely their porter, and had no authority to take or sell any gold or goods for them.

Also that the firm found in taking account of stock in February last, that goods were missing to the amount of upwards of $4,000.

Kidd made confession in the presence of Wheeler.

EDWARD VAN NESS was examined before the magistrate, and the stenographer's copy of his testimony is with the papers in the District Attorney's office.

He can testify more fully than was there drawn out from him as to what he witnessed of the dealings between defendant and Kidd---of defendant's disclosing to Van Ness his purpose to use false weights in weighing gold brought in by Kidd, and of his using them---of the false weights defendant had and their weight, how he made and disguised them from Kidd---of conversations between defendant and himself, Van Ness, in which they concurred in considering Kidd as a thief, and of defendant's saying what he should say if he should be prosecuted---and of the intercourse between defendant and Kidd.

STEVEN J. BROOKS's examination before the magistrate is also in the papers with that of Van Ness.

He is hard of hearing, and may testify that he did

not hear some of the things which Van Ness will testify were said in Brooks's presence.

It will be well to talk with him carefully before calling him.

Two other witnesses had benches in the shop of defendant, Charles GUNTER, and David Marsden and still remain there. Van Ness says they can testify similarly to himself and show guilty knowledge on the part of the defendant. And they were supposed to be good witnesses for the prosecution, but Van Ness says there are indications that defendant is exerting influence to prevent their testifying against him.

He thinks they should be subpoenaed nevertheless.

If defendant goes upon the stand he will find it difficult to stand a cross-examination in respect to his relations with and notions about Kidd and his business.

Defendant seems to have had on his string not only his proper wife, but another woman also, and he may have been a frequenter of policy shops.

(over)

0564

Messrs Wheeler Parsons & Hyde
Gentlemen

While you are looking into Mr Lemmons standing, it would be well to inquire, what connection he has with a lottery or policy office, which he frequently visits. Obtn 212 Broadway, 1st floor back room known as "Barker & Co Brokers"

Yours truly

No signature

The proofs for the prosecution in this case are very much like those in

Copperman v. The People, 56 N.Y.,591 & 1 Hun. 15

The People

v.

John D. Lennon.

Brief for Prosecution

ENOS N. TAFT,
COUNSELLOR AT LAW,
SEAMEN'S SAVINGS BANK BUILDING,
74 & 76 WALL STREET.

New York, Dec. 6th 1887.

Hon. Gunning S. Bedford.

The People v. John D. Lemon is an indictment for receiving stolen property. I learn that it will be on the calendar General Sessions Part 3 for tomorrow. Joseph G. A. Kidd a colored porter of Wheeler Parsons & Hayes stole the property from them and sold it to Lemon. Kidd is in Sing Sing having been sentenced for five years last term. His confession of stealing gold rings chains &c. from said firm and melting them up and selling the gold to Lemon for more than two years is on file with Mr. Shanks I believe. I attended the examination of Lemon before the magistrate. If you will let me know when and where to come I will call and see you about the case. Yours truly

E. N. Taft

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People
vs
John D. Lennon

0569

Sec. 192.

District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY OF NEW YORK, } ss.

An information having been laid before Hon James T. Kilbreth a Police Justice of the City of New York, charging John D. Lemon Defendant with the offence of receiving stolen goods

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

We, John D. Lemon Defendant of No. 922 Myrtle Avenue in the City of Brooklyn ~~Street,~~ by occupation a manufacturing jeweler and Wm. T. A. Stuart of No. 127 E. 56th Street N.Y. City ~~Street,~~ by occupation a undertaker Surety, hereby jointly and severally undertake that the above named John D. Lemon Defendant shall personally appear before the said Justice, at the 1st District Police Court in the City of New York, during the said examination, or that we will pay to the People of the State of New York the sum of Two thousand ~~Hundred~~ Dollars.

John D. Lemon

Wm T A Stuart

Taken and acknowledged before me, this 12th *day of* October 1887

J. Kilbreth

POLICE JUSTICE.

0570

CITY AND COUNTY OF NEW YORK, } ss.

Wm. A. Hart

the within named Bail and Surety being duly sworn, says, that he is a resident and house holder within the said County and State, and is worth Ten thousand ~~Hundred~~ Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of stock and fixtures at 67 Prince St, 542 Third Ave & 509 Madison Ave, also leasehold property 67 Prince Sheds 105 & 107 E. 13th Street, worth 15000 over and above all liabilities

Wm A Hart

Sworn to before me, this 24th day of Oct 188

Police Justice.

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Undertaking to appear during the Examination.

Taken the day of 188

Justice.

Police Court, 1 **District.**

City and County of New York, } ss.

Hayden H. O'Neill

of No. 2 Mulberry Lane Street, aged 60 years, occupation Dealer in Watches and Jewelry being duly sworn, deposes and says, that on the 28th day of September 188 , at the City of New York, in the County of New York, John Lennon did unlawfully buy a quantity of gold the well knowing at the time the same to have been stolen in violation of Section 550 of the Penal Code of the State of New York. For the reasons following to wit: Joseph Kidd who was employed by deponent admitted and confessed to this deponent to having stolen on divers time and about the said time large quantities of jewelry which jewelry the said Kidd admitted and sold the same to said John Lennon. Deponent is informed by Stephen L. Brooks that further on or about the said date he saw the said Kidd enter the manufactory owned by the said John Lennon the said informant having a break in said factory near where the said Lennon was working. Informant saw the said Lennon weighing a quantity of gold and saw said Lennon cheat the said Kidd in the weight of said gold by inserting false weights into the regular weights and also says that every time that the said Kidd brought gold to the said Lennon the Lennon in weighing the same would insert the said false weights and thus cheat the said Kidd. Informant Brooks further says that the said Lennon

knew that the said Kidd was employed by a large jewelry firm and ~~believe~~ ~~& from knew the common weights of the~~ ~~then the said gold which was bought by the said Kidd to said Lemmon~~. Deponent is further informed by Edmund Van Ness here present that he Van Ness saw the said Lemmon using the said false weights and at divers times paid the said Kidd divers sums of money for gold which he Kidd had brought to Lemmon. which jewelry he Lemmon had given to ~~Knight~~ him Van Ness to Wherefore deponent charges the said defendant with unlawfully receiving the said stolen property by the well knowing the same to have been stolen.

to [illegible] to Kidd for said gold

Sworn to before me
this 10th day of October 1887
J. M. Kilbreth

Hayden W Wheeler

Police Justice

Dated.................... 188 .... Police Justice.

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

Dated.................... 188 .... Police Justice.

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

Dated.................... 188 .... Police Justice.

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

Police Court— .... District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

1 ....
2 ....
3 ....
4 ....

Offence, ...

Dated 188

.... Magistrate.

.... Officer.

.... Clerk.

Witnesses, ...

No. .... Street,

No. .... Street,

No. .... Street,

$ .... to answer .... Sessions.

CITY AND COUNTY OF NEW YORK, } ss.

Edward Van Pess

aged 45 years, occupation Jeweller of No. 142 Fulton Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Hayden H. Wheeler and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 10th *day of* October 1887 } Edward Van Pess

A. Wickham

Police Justice.

CITY AND COUNTY OF NEW YORK, } ss.

Stephen J. Brooks

aged 37 years, occupation Commission Broker of No. 142 Fulton Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Hayden H. Wheeler and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 10th *day of* October 1887 } Stephen John Brooks

Police Justice.

0574

Sec. 198—200.

152 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. John D Lemon

Question. How old are you?

Answer. 54 Years

Question. Where were you born?

Answer. City of New York

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

Answer. 922 Myrtle Ave Brooklyn about 2 Years

Question. What is your business or profession?

Answer. Manufacturer Jeweller

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

Answer. I am not guilty I demand an examination

John D Lemon

Taken before me this 17th *day of* Oct 188 [illegible]

[illegible] *Police Justice.*

POOR QUALITY ORIGINAL

0575

Chas. Gunther
142 Fulton St.

Jos. Gill, Keeper
Sing Sing Prison

BAILED,
No. 1, by Wm J Hart
Residence 127 E 56th Street.
No. 2, by
Residence Street.
No. 3, by
Residence Street.
No. 4, by
Residence Street.

Police Court— 1 District. 237 13th 1890

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Hayden W Wheeler
2 Maiden Lane
John D Lemon

2
3
4
29 Nov 1888

Offence. Receiving Stolen goods

Dated Oct 18th 1887
Kilbreth Magistrate.
McCloskey & Mulholland Officer.
6 Precinct.
Witnesses Stephen L Brooks
No. 142 Fulton Street.
Edward Van Ness
No. 142 Fulton Street.
David H Mayston
No. 142 Fulton Street. Chas. Gunter

Margaret K King
66 Jackson Street
Joseph Gill Chanfield
State Prison
$ to answer
4 — for Oct 19 at 9.
30 " 13 — 2
See back of this for other witnesses. " 19 10.30

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

Dated November 10th 1887 J Kilbreth Police Justice.

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

Dated Nov 10 1887 J Kilbreth Police Justice.

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

Dated 188 Police Justice.

RECTORY,
26 EAST 50TH ST.

Cathedral,
Fifth Avenue,

New York, Nov 12th 1888

Hon. James Fitzgerald.
My Dear Sir;

Once more necessity compels me to ask your kind charity in the matter of the people agt Jno. D. Lennon. on your calender for the 15th inst. As this unfortunate man was ready the last day the case was called, had all his witnesses there, the case was adjourned on account of the absence of Mr Davis to the 15th. Mr Lennon informs me that he now finds it utterly impossible to obtain the presence of those witnesses (they are all manufacturing jewelers) until after the 7th of January as this is there most busy season. I myself am tied up with a three days celebration in the Cathedral and could not be absent under any circumstance. In conclusion Dear Friend as justice will not suffer by the delay & as I must sincerely promise you that any time you call the case after Jan. 7th he will be prepared to go to trial.

With sincere gratitude for your many kind acts
I remain Yours Truly
Wm. T. A. Hall.

To

Mr Davis

Please put with papers in Case of People v Lennon

0578

FOUNDED BY ALLAN PINKERTON.
ROBT. A. PINKERTON, Gen'l Supt. Eastern Division, NEW YORK.
WM. A. PINKERTON, Gen'l Supt. Western Div. CHICAGO.
1850

Pinkerton's National Detective Agency
"WE NEVER SLEEP."

OFFICES.
NEW YORK, 66 EXCHANGE PLACE, GEO. D. BANGS, SUPT.
BOSTON, 42 & 44 COURT STREET, JOHN CORNISH, SUPT.
PHILADELPHIA, 45 SOUTH THIRD ST., R. J. LINDEN, SUPT.
CHICAGO, 191 & 193 FIFTH AVENUE, WM. A. PINKERTON, SUPT.
ST. PAUL, 63 TO 66 UNION BLOCK, W. J. LOADER, SUPT.
DENVER, 1 & 2 OPERA HOUSE BLOCK, CHAS. O. EAMES, SUPT.

ATTORNEYS FOR THE AGENCY:
CLARENCE A. SEWARD, NEW YORK.
LEWIS C. CASSIDY, PHILADELPHIA.
D. W. MUNN CHICAGO.

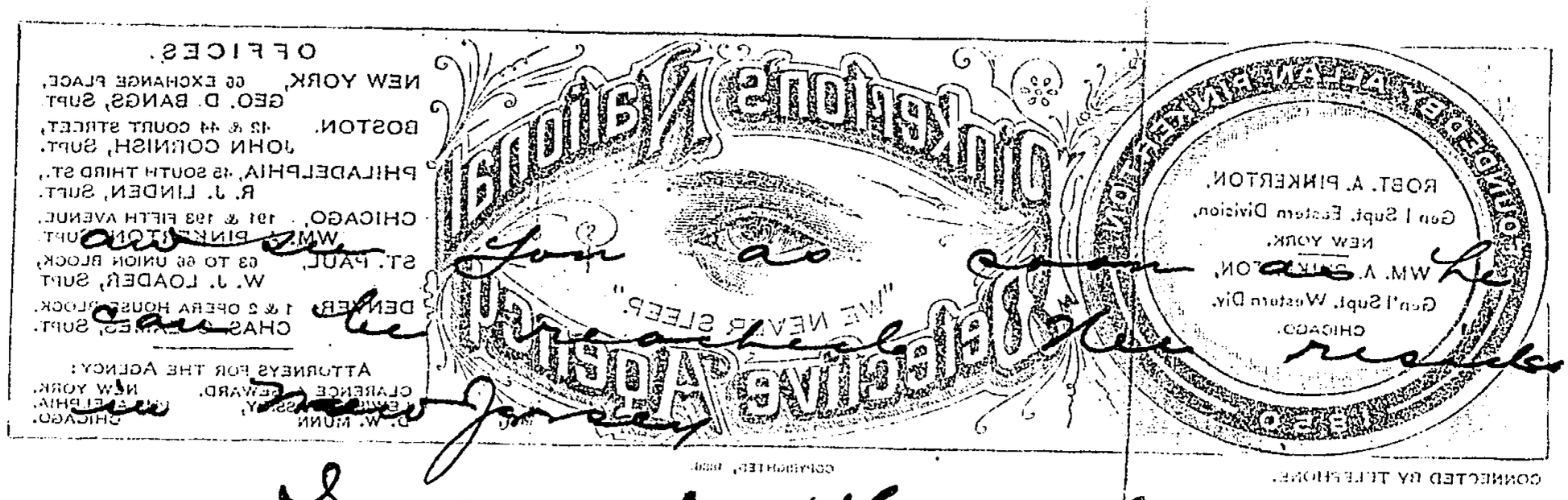
CONNECTED BY TELEPHONE.

Court of Genl Sessions
People vs
John D. Lennon

Edward Grosse
Dpty asst. dist Atty

Dear Sir

Yours of Mch 5th on the above matter rec'd. and contents noted. The other operatives on the case besides the Operative King were E. L. McP who has left our service and is now some where in the west and out of our reach. Optive Kelly also is out of our employ but I will have him come



I cannot leave this meet you as requested at noon today

Yours Truly
Robt A. Pinkerton
Philadelphia Div

City of New York
County of New York } S.S.
State of New York

I Robert H. Cooke residing at No. 240 West 12th Street and doing business at No 164 Fulton Street in the City of New York and being a manufacturing Jeweller, doth depose and say, that I have Known Mr John D. Lennon, also a manufacturing Jeweller, for the past 15 years and have every to believe that in the matter of purchasing Old gold and silver and other metals that enter into the manufacture of Jewelry Badges &c, have been and are identical with the practice in use of all respectable and honest dealing manufacturers of Jewelry - To wit, to purchase such old gold or silver, as may be needed from any and all persons (except minors) who may offer the same for sale - in a melted form, and for the same pay the market value as determined by the weight and fineness of the metal -

Further I do depose and say, that from my personal knowledge of the character and probity of the said John D Lennon, that I do not believe that he ever purchased, or cause to be purchased, any old gold or silver knowing the same to have been stolen or obtained in a serreptitious manner;

Further I do depose and say, That it is a common practice among purchasers of old metals, to ascertain the weight of the same, to use metal pieces equal in weight to the coins minted by the United States

in the absence of the denominational weight (Troy) that may perchance be mislaid or lost —

Sworn to before me
this 10th day of December 1887 Robert F. Cooke
L. Christian
Commissioner of Deeds
City & County of New York

On this the 10th day of december 1887, personal appeared before me Mr Robert F. Cooke as therein be described and says that the facts as stated in the above affidavit are to the best of his belief and knowledge true —

L. Christian
Commissioner of Deeds.
City & County of New York

Affidavit
of-
Robt. F. Cook

OFFICE OF
WM. T. A. HART & SON

67 Prince St. 609 Madison Ave.

842 THIRD AVENUE.

New York, Dec 12th 1887

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

J. Wm T. A. Hart residing in the City of New York and doing business at 842. 3rd Ave do hereby depose and say that I have known Mr John D. Lennon, for many years, both in a social & business way and I have never known him to be other than a fair, upright man in all his dealings; truthful in every particular, and one that would never, if it was known to him, cheat or defraud anyone; much less to violate law, all business relations of his occupation.

Further it is my belief, that the persons engaged in traducing his character, are actuated by motives not just or equitable; and it seems to me that from the statements that have come to my knowledge, that a black-mailing operation of some kind is at the bottom of the allegations

Sworn to before me this 12th day of December 1887
Daniel Bryan
Notary Pub. N.Y.Co.

Wm T A Hart

0584

City
County
State of New York

I James G. Scholefield residing at 35 Clinton St Newark N.J. and engaged in the business of Manufacturing Jewelry at No 33 John Street in the city of New York do hereby depose and say that I have known Mr John D. Lennon, a manufacturer of badges and charms, and small Jewelry, and doing business at 142 Fulton Street city of New York for the past 25 years, and for that period of time he has borne an unquestionable character for a correct business deportment in his transactions with the trade; and, so far as I know, his credit stands A no 1 for goods he wishes to purchase. I do hereby further depose and say, that for honesty and integrity his name is beyond reproach and that he is regarded both by his business and social acquaintances to be a man of truth and strictly conscientious in all his dealings.

James G. Scholefield

Sworn to before me this the Eighth day of December in the year of our Lord one thousand Eight hundred and Eighty Seven

[illegible]
NOTARY PUBLIC,
NEW YORK COUNTY.

Affidavit
of
Jas. G. Scholfield
affidavits of
Geo Characli

F I R S T D I S T R I C T

P O L I C E C O U R T.

THE PEOPLE on complaint of HAVEN W. WHEELER -against- JOHN D. LENNON.	Charged with receiving Stolen Goods.

October 11th, 1887.

B E F O R E,

HON. J a m e s K. K i l b r e t h,

P O L I C E J U S T I C E.

A P P E A R A N C E S.

All parties being present the examination proceeded.

CROSS - EXAMINED by Mr. Taft:

Q Where do you reside?

A I reside in Newark.

Q In New Jersey?

A Yes sir.

Q And your present place of business is there?

A 83 John St.

Q How long have you been there?

A Five years.

Q What part of the building do you occupy?

A Fronting on John St.

Q You would not call Wheeler, Hays and Parsons a small house, would you, or small dealers?

A Not by any means, they are among the most extensive dealers in the country.

Q You spoke about old gold, what do you mean by that?

A Old jewelry, that is, such as bracelets, rings, earrings.

Q How can you tell whether they were old or new?

A By being melted--- you can observe the form of the articles that have been melted.

Q Supposing it was old gold, perfectly melted, could you discover it, whether it was old gold or new gold?

A No sir.

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Q Suppose you got new gold that was imperfectly melted, could you say that was new gold or whether it was old gold?

A No sir, unless the melting is so very imperfect that there may be signs of it being new, but that is rarely.

Q What would be the sign of it?

A The sharpness-- the chasing of it.

Q And would that derive itself from the color?

A No sir.

GEO. W. McCLOSKEY, called on the part of the defendant, being duly sworn, deposes and says,

BY THE COURT:

Q What is your business?

A I am a Sergeant Detective.

Q How old are you?

A 26.

BY MR. FROMME

Q Were you present when Joseph G. A. Kidd was arrested on the complaint of Mr. Wheeler?

A Yes, I arrested him.

Q Did you ask him when you arrested him whether Mr. Lennon know that this gold that he sold Mr. Lennon was stolen?

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Objected to by Mr. Taft.

BY THE COURT: Objection sustained.

The further hearing was then adjourned until Friday October 21st, at 10 A. M.

A The affidavit I made is here.

Q Have you seen Mr. Wheeler or any one in his behalf between the 8th of October and the time you made the affidavit on the 10th?

A Yes, sir; I saw Mr. Wheeler.

Q Where?

A At his residence.

Q Between the 8th and the 10th?

A No, sir.

Q Have you seen anybody in his behalf?

A No, sir.

Q How did you come to go to Court?

A I was served with a subpoena.

Q Between the 1st of September and the 8th of October didn't you go to St. Louis?

A Yes, sir.

Q And remained there a week?

A Yes, sir.

Q Did you know where Mr. Wheeler lived?

A I looked in the directory.

Q Who induced you to go to his house?

A I made up my mind that this was going on to such an extent it was time that somebody knew something about it/

Q And is that the reason you went there?

A Yes, sir.

Q You told Mr. Wheeler that you saw this nugget of 115 penny weights?

A Yes, sir.

Q What induced you to go there, a week afterwards?

A Probably to inform Mr. Wheeler that the man was there again.

Q And what induced you to go there a week afterwards again?

A Probably the same thing.

Q And what induced you to go there to Mr. Allen's office

A At the request of Mr. Wheeler.

Q He asked you to meet him at his office?

A Yes, sir.

Q What induced you to go again to Mr. Wheeler's house?

A The same motive.

Q And to ~~kxx~~ meet them all on Saturday--what induced you to do that?

A I was sent for.

Q And on Monday, you came here in obedience to the subpoena?

A Yes, sir.

RE-DIRECT EXAMINATINON

BY MR. TAFT:

Q You have said, that you went to Mr. Wheeler's house because you thought things were going too long, and something should be done?

A Yes, sir.

Q When was it?

A On or about the 1st of September.

Q And you had no acquaintance with Mr. Wheeler before that interview whatever?

A No, sir.

Q And was you going to his house entirely unsolicited?

A Yes, sir.

Q And you went there of your own motive?

A Yes, sir.

Q And you say you went because you thought you had ought to?

A Yes, sir.

Q Was your acquaintance with Mr. Wheeler and your statement to him all voluntary on your part?

A Yes, sir.

Q Now tell the Court why you went there?

A The firm was robbed to such an extent I thought it was involving everybody connected with the place 142 Fulton

Street, and I thought the best way to do, would be to make a clean breast of the whole thing.

Q How long has Mr. Brooks had a bench there?

A About eight months.

Q And how long has Mr. Gunther?

A About five or six years.

Q And he was there when you were there last?

A Yes, sir.

Q How long had you been at Mr. Lennon's place this last time?

A Three years.

Q And then there was a part of the time that you were away?

A Yes, sir.

Q How old are you?

A 45.

Q Where was you born?

A New York City.

Q What was your fathers name?

A Peter VanNess.

Q What was his business?

A Manufacturing silver ware.

Q You have been asked to give your attention to the various dates that you had these conversations; can you refresh

your recollection?

A No, sir.

Q Where did you go in the army from---New York?

A Yes, sir.

Q And youbwere there from 1861 to 1865?

A I was disbharged one time during the war.

Q When was it?

A 1862.

Q Then did you go in again?

A In the course of about three or four months.

Q Were you a volunteer---did you enlist yourself?

A Yes, sir; the first time.

Q The second time, did you go in as substitute?

A No, sir.

Q Did you go in as a bounty man the second time?

A No, sir.

Q How did you go in the second time?

A As a teamster.

Q In the artillery?

A No, sir; in the supply train---the ordinance train.

Q How did you learn Kidd came from Wheeler and that he was selling gold at Lennon's office?

A I think the first occasion, Mr. Lennon told me so.

Q You had no acquaintance with the firm of Wheeler, Parsons & Hays?

A No, sir.

Q And not in the habit of going there?

A No, sir.

Q You were asked about weights---did Shepard where you were employed use the same kind of weights?

A Yes; he had pieces of brass, weights, square.

Q Did you ever see any round weights?

A I have seen one or two round ones---he had one or two round ones in his cases.

Q Just describe Lennon's weights?

A His weight is a round heavy weight, which he has with the smaller penny weights, square, running from a penny weight to ten penny weight.

Q And these that he was using were round, made to fit the cups?

A Yes, sir.

Q Was there any stamp upon them?

A No, sir.

Q And you say they were made by him?

A Yes, sir;--I saw him make them.

Q These weights as I understand you, were at Lennon's

office?

A Yes, sir.

Q As far as you know they are there now?

A Yes, sir.

Q There is no reason that you know of why they could not be produced here in court, is there?

A No, sir.

S T E V E N J. B R O O K S, a witness called on the part of the people, being duly sworn, deposes and says.

BY THE COURT:

Q Where do you reside?

A 207 Sandford St. Brooklyn.

Q What is your age?

A 39 years.

Q What is your business?

A Diamond setter.

D I R E C T - E X A M I N A T I O N

BY MR.TAFT:

Q Are you hard of hearing?

A Yes sir.

Q Do you hear me now?

A Yes sir.

Q Where is your place of business?

A 142 Fulton St.

Q Which floor?

A Third floor, room 11.

Q Third floor?

A Yes sir.

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Q Is that the room that is called the work room?

A Yes sir.

Q Is there a room in the rear of it called the office?

A Yes sir.

Q Separated by a glass partition?

A Yes sir.

Q Of whom do you hire?

A Mr.John D.Lennon.

Q The defendant here?

A Yes sir.

Q ~~The d~~ You hire bench room?

A Yes sir.

Q How long have you been at that place, where you say you have your bench room?

A About 11 months.

Q How long have you known the defendant here?

A About three years.

Q What did you say your age was?

A 37.

Q What do you do there, what is your business there?

A Setting all kinds of precious stones for the jewelry business.

Q That has been your business all the time that you were at

Mr.Lennon's place?

A Yes sir.

Q Who have you worked for?

A About a dozen different firms.

Q In New York?

A Yes sir.

Q Who else was in the shop besides you and Mr.Lennon?

A Mr.Lennon, Mr.VanNess and Mr.Gunther.

Q How long has Gunther been there?

A He has been there longer than I--- than I can recollect now.

Q Do you know the scales used by Lennon in weighing there?

A Yes, I have seen the scales.

Q Have you seen the weights he uses?

A Yes sir.

Q Are you familiar with such kind of scales?

A Yes sir.

Q And with such kind of weights?

A Yes sir, although I don't have much weighing to do, I understand just the kind they are, and the kind that are used in the trade.

Q Have you seen any weights there that you didn't regard as being proper?

BY MR.FROMME: Objected to.

BY THE COURT: Objection sustained.

Q You know what proper weights are?

A Yes sir.

Q Describe the weights that are there.

A I can't say that he has the proper number of weights.

Q Describe what weights there are there.

A He has got two ounce, one ounce, half ounce and there are four five and six pennyweights, two pennyweights, etc. I didn't take particular stock of what he had there.

Q Are there any weights in the form of cups?

A Yes sir.

Q There are square weights, small ones?

A Yes sir.

Q Are there some small round weights?

A I didn't see any round weights, only fictitious round ones.

Q Why do you call them fictitious?

BY MR.FROMME: Objected to, move to strike it out

BY THE COURT: Strike it out.

Q Why do you call them fictitious weights?

A There is some number on it to describe what the weight is and you can't tell what they represent.

Q Do you know how many there are of those?

A About three or four.

Q Do you know anything about how Lennon came by them?

A No sir, I don't.

Q They have been there since you have been there?

A Yes sir.

Q Did you ever see him use them?

A I have seen him use them.

Q Do you remember seeing this colored man, Kidd, come in there? ---while you were there?

A Yes sir.

Q Was Mr.Lennon there.

A He was in the shop.

Q How often did you see him?

A Sometimes he would come once a day, or twice a day. Mr. Lennon would be out and he would come again.

Q Was he coming there continuously, during the time you were there?

A Yes sir.

Q Did you ever see him sell and gold to Mr.Lennon?

A No sir, never saw him selling anything to him.

Q Did you ever see Kidd bring any gold there?

A No sir.

Q Do you remember seeing a lump of gold there?

A Yes sir, several times.

Q When was it?

A In regard to the date, I didn't take any notice.

Q When was the last time?

A On or about the 15th ofSeptember.

Q What did you see?

A I saw a large piece there.

Q In whose hands?

A I saw it in Mr.Lennon's hands.

Q Did you hear him say anything about it?

A Nothing, nothing to me personally-- he simply waited and put it in his little box.

Q What little box?

A A kind of square box, where he keeps his valuables in.

Q Did you learn anything from Mr.Lennon about that being brought there by Kidd--- did you hear him say anything about it to anybody?

A I never heard him say anything about it to anybody,because I was deaf and I could not hear.

Q How far were you from his bench?

A Just this distance.(Referring and showing.)

Q Did you see any rings?

A Yes, I saw four rings.

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Q Who had those?

A Mr.Lennon.

Q Do you know how he came by them?

A No sir.

Q Did you see them in your own hands?

A Yes sir.

Q Did you see any mark on them?

A Yes sir.

Q What did you see?

A W.P.H.-- I have got one in my pocket with the mark just the same. (Witness producing ring and showing it.)

Q How did you come by that one that you have in your pocket and now produce?

A I had an order for a ring from a friend of mine, and I sent out to various places to get it, and I couldn't get one, and the boy went there and he got it at this place and paid for it and here is the receipt for it.

Q What has marked W.P.H. on it?

A Yes sir.

Q Have you looked at the mark?

A Yes sir.

Q And the marks on the other rings were just the same?

A Yes sir, I can't say whether they were fifteen or fourteen

carat gold, I only looked at the mark.

Q How did you come to see it?

A I would pick it up from his desk, just as he would come in to mine, or any ~~man~~ one else, and pick it up and look at it, --- so I picked it up that way.

Q You say that you saw Kidd in there very often?

A Yes sir.

Q What was he doing in there?

A He came to see Mr.Lennon.

Q What transpired between him and Mr.Lennon---what took place?

A The conversation took place in the office, therefore I can't hear.

Q You saw Kidd in the shop?

A Oh yes, very often.

Q What was Kidd doing there with Lennon-- did you see him there with Lennon in the shop?

A Yes sir.

Q What was he doing there?

A He would stand by while Mr.Lennon was weighing gold.

Q Did you see the gold weighed?

A Yes sir.

Q Weighed in the scales that you speak of?

A Yes sir.

Q Do you know what weights were used?

A Yes sir, the weights that I told you about. I couldn't tell what they were exactly, but they were from a grain to a pennyweight.

Q But you say, they were fictitious weights?

A Yes.

Q Fictitious weights used by Lennon in weighing this gold?

A Yes sir. I saw them--- as soon as he would leave the office I would happen to go through and look at them.

Q A fictitious weight would have one or two larger weights in the cups?

A Yes sir.

Q Did you ever have any talk with Lennon about Kidd?

A Yes sir, I did.

Q When?

A I suppose it would be something like around September.

Q Did you have any talk with Kidd about Lennon?

A Yes sir.

Q What was the talk between you and Kidd?

A He came in to see Mr.Lennon and he was not in, and he wanted a diamond valuedand asked me what it was ~~xxxxx~~ worth and I told him about $18. He looked at the ticket that

was attached to the rign and says, "Our firm values that at $35. He came again to see Mr. Lennon the same day.

Q With the same ring?

A I don't know, he didn't show me the ring the second time.

Q What occurred?

A I don't know what occurred-- I presume that he met Mr. Lennon.

Q Did you have any talk with Mr.Lennon about Mr.Kidd?

A Yes sir.

Q What was it?

A I told him that he had offered me stones, or in fact, that he sometimes had diamonds to sell, and wanted to know if I would buy them.

Q You told that to Lennon?

A Yes sir, and I told him I would have nothing to do with it. He was a customer of his and that was all there was of it.

Q Anything else?

A No sir, there was nothing else that I now recall to memory.

Q Did you have any conversation with Lennon about Kidd's character?

Objected to.

BY THE COURT. Allowed.

A No sir, I had no conversation with Lennon about Kidd'sbus-

iness. It was none of my business to inquire into other people's business.

Q This lump of gold that you say you saw, was about September the 5th last--- had it been melted down?

A It was previously melted, but on the top you could see the form of ring work.

Q Do you know anything about Mr.Lennon remelting it?

A Mr.Lennon put it in the crucible and put it in his place to remelt it, and I think that he weighed it after melting it down with the other gold--- he weighed something like 110 or 115 pennyweight.

Q You spoke of having seen Kidd stand up while Mr.Lennon was weighing gold; in how many instances did you see it?

A Possibly fove or six.

Q During the time you were in the office?

A Yes sir. It is only eleven months.

Q Did you see what Lennon did with the gold?

A No sir.

Q Did you see him remelt any, except what you saw him remelt in September?

A No particular instances-- he buys gold of any one, but I never saw it remelted.

Q Did you ever see him melt any other gold that he was weigh-

ing, when Kidd was by, except on the 5th of September?

A I have often seen him melt.

C R O S S - E X A M I N A T I O N: BY MR. FROMME:

Q I understand you to say that when Kidd came into the place with the diamond ring, he showed it to you?

A Yes sir, he had the diamond ring and he wanted it valued.

Q And you valued it at $18.?

A Yes sir.

Q And he said his firm valued it at $35?

A Yes sir.

Q And then he walked out?

A Yes sir.

Q And during the eleven months that you were there at 142 Fulton Street, you say that you saw Mr. Lennon buy gold of other people?

A Yes sir.

Q And that he melted down?

A I didn't see him melt the quantity that he bought of other people.

Q You saw him melt gold?

A Oh yes, often.

Q And gold that he bought of other people?

A No sir--- but you can buy gold and alloy it, as it is alloyed in the jewelry trade. He used to alloy his own gold to suit his trade.

Q Where did you get that ring from?

A From Wheeler, Parsons & Hays.

Q When did the boy bring it to you?

A The same day that I sent for it.

Q And when was that?

A Ninth month, twentysixth day.

R E - D I R E C T E X A M I N A T I O N:

BY MR.TAFT

Q Gold that Lennon bought, did he sell again?

A That I can't say, although I am always in the place to the time-- I never go out.

Q Do I understand by that that he sold?

A He would go out to sell.

BY MR. FROMME, Objected to, move to strike it out.

BY THE COURT, Ordered stricken out.

Q When gold is bought and sold by weight, what is the precise uniform price?

A Four cents a carat.

m78

The further hearing of this Examination was then adjourned until Friday, October 14th, 1887, at 2 P.M.

October 14, 1887.

Examination adjourned at the request of Defendant's Counsel, until Wednesday, October 18th, at 10.30 A.M., at the Fourth District Police Court, 57th Street and Third Avenue.

First District
Police court.

THE PEOPLE on complaint of HAVEN W.WHEELER against JOHN D.LENNON	Charged with Receiving Stolen Goods.

October 19, 1887.

BEFORE

HON JAMES T KELBRETH,

POLICE JUSTICE.

APPEARANCES.

All parties being present the examination proceeded.

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ROBERT F. COOK, a witness called on the part of the defendant, being duly sworn, deposes and says:

BY THE COURT:

Q Where is your place of business?

A 142 Fulton St.

Q What is your age?

A 47.

Q What is your business?

A Manufacturing jeweler.

DIRECT - EXAMINATION by Mr.Fromme:

Q How long have you been a manufacturing jeweler?

A About thirty years.

Q Are you a manufacturer of precious metal?

A Yes sir, gold and silver, and also gold coin.

Q You have been owrking in that business for how long?

A 20 years ---for myself, 18 or 20 years in the jewelry business.

Q How long have you known Mr.Lennon?

A 18 years probably more.

Q During the 18 years that you know him, what did you know his business to be?

d2

A Manufacturer of badges and presentation jewels--- and befor xxxx that, a manufacturer of bracelets.

Q Do you know whether he keeps his place in Fulton Street?

A Yes sir.

Q Where in Fulton street is it?

A 142.

Q Do you know how long he keeps there?

A I can't tell you how long, I should think it would be ten years or over-- probably longer than that.

Q In your business as a manufacturer of jewelry, have you bought and sold gold?

A Oh yes, I frequently do that.

Q Broken pieces, as well as melted up?

A Oh yes, I buy anything that comes along in that way---broken jewelry, if a man happens to have it, as well as any other.

Q In your thirty years experience have you ever known of gold being sold by a manufacturer, or a person who bought gold, where it had not been properly melted, and that the impression of something had been left on it, a link, or watch chain, or watch case, or a finger ring?

A I have known of such things, and I don't see how they could melt it, leaving a link or chain there --- if it is melted

in the crucible it is more than likely that the whole thing runs back and forms a solid lump. If it is not melted in a crucible- melted by a fire, or by a blower, it might leave the impression of those things there.

Q Have you known of such cases, where gold was sold?

A Oh yes, I have heard of such cases. A few that have come under my experience -- people having had gold and found they could not properly melt it--- it would leave that impression and they would try to sell it to someone, or they would send it somewhere to be sold, and in cases where the gold was melted without a crucible and it was bought by people, why to get the impression of things off, they would remelt it again in the crucible and send it away to be sold.

Q Country dealers mostly do that way?

A I don't say they mostly do it, but there is cases of that kind. I have had jewelry come to me that was partly melted and I would send it around to Langerman & Son or any of the other refiners and try to sell it to them, and if they did not offer me as much as I thought it was worth, I would sell it to some one else, wherever I got the most money out of it--- for instance, Waters, Platt, Edwards and Sears--- there is always a difference when they make their tests and some probably would not give me more than 48 cents, others

50, others 55, so I would sell it to the highest bidder.

Q When you purchase gold for manufacturing purposes, do you always melt it over?

A Always--- that is, I say always, probably never more than once or twice in my experience that I used alloyed gold. I buy fine gold and fix it up to suit myself.

Q Everyone has a system of their own?

A Yes sir.

Q And the melting it over is to get the alloy out of it?

A That would depend altogether on what quality you bought it for. If it be fine gold there is no use in doing it ,and if there should be a lot of old gold coming to us in the form which you stated I refine it down and if after the test it was pretty clear, I might use it-- might separate it. That is always the way it is done in old gold.

Q That is the way it is done, is it?

A Yes sir. Unless we sell it to Langerman. He makes it a business to refine it .

Q You sometimes buy old gold?

A Yes sir, very often.

Q And send it around to be sold for the best price you can get for it?

A Yes sir, and if the price doesn't suit me , I send it to

the place where I can get the highest price. You see they test it as to points--- they either have a carat one way or the other more. It is a hard thing---

Q It sometimes happens that when you purchase gold you are deceived in the character or amount of the gold?

A Very often --- I have often bought gold for 55 cents a pennyweight and could not get 45 out of it, but we don't get stuck in that way if we can help it.

Q It often happens when old gold is sold in a lump there is something else in it?

A Yes sir, we cannot tell what is inside of it, but if they will allow us to melt it down and run it all out, we can pretty nearly tell. You take a lump of gold and put it in a crucible and thoroughly mix it, you can pretty nearly tell what it is worth--- and if they don't give us time to do that , why we make them an offer on it, to the best of our judgment.

Q Mr.Cook, they have spoken here of cup weights --- that is regular Troy weighing?

A Yes sir.

Q The ordinary weights used by jewelers,(Showing witness)

A Yes sir.

Q Now in weighing gold, do you put a cup on the scale?

d6

A Yes sir, most always. If we require ounces, we put them in, one, two or three or four ounces to get the correct weight.

Q Do you throw anything else in--- if it does not bear down the scale, do you put in others?

A Yes sir, you can't weight with these scales, you must have other weights. I never saw those weights before.

Q They are 2 1-2.

A I think they are, but these weights are not sufficient to weigh gold. They would not tell you within two or three pennyweight what gold is.

Q Then you know what these weights are also? (Showing witness.)

A Yes sir, they come under the head of pennyweights.

Q And they are thrown in in that style (Showing witness)?

A Yes sir; supposing I wanted three quarters of a pennyweight, I would throw it in like that (Showing.

Q And there would not be anything wrong about it--- you would not call it a fictitious weight.

A No sir, I have the same weights and have used them for 25 years.

Q Suppose that you knew a 25 cent piece would weigh a pennyweight, would you throw it in?

A

A I would not like to do that.

Q Is it customary in the trade, that they have any sort of weights that they throw in , so that they know what it weighs.

By Mr.Tafft: Objected to.

BY THE COURT: Objection sustained.

Q Those are weights ordinarily used in a jeweler's shop?

A Yes sir, I speak of the ones that are on the desk.

Q Do they have homemade weights among the manufacturing jewelers?

BY MR.TAFT: Objected to.

BY THE COURT: Question allowed.

A It is not only customary, but necessary, as in this case; here is two pennyweight, now we have one, one pennyweight, then we have three quarters, then a half, then we have a quarter. Now then to get those we throw in their smallest pieces, that are probably not more than a third of that size, which he hasn't got here, but when you buy a complete set they come with it, but this is not a complete set, for no jewelry shop ever retains a complete set of weights--- they become discolored, or lost, boys handling them, or mislaid. If that were the case with me and I wanted such a weight, I should take a small piece of metal

and get as near to it as I could.

By the Court.

Q Is it customary?

A Yes sir, I guess you will find it, probably in every jewelr's shop in New York.

By Mr.Fromme:

Q Do you have such home made weights in your own business?

A BY MR.TAFT: Objected to.

BY THE COURT: Objection sustained.

Q Do you know the custom among jewelers, as to the alloy, how they weigh and measure that?

A Yes, I know how we do it, although probably every shop has its own system. Some will have a written list of alloys. They can figure but how much they need to 500 pennyweight - put so much copper and so much silver to it. I have my particular way of doing it and I got nothing of that kind.

Q Is it the custom among jewelers that they will have their own homemade weights, weighing the amount of alloy, so that they go according to their formula that they have, and that they can tell pretty near the weight?

A Yes sir, that is the custom.

Q So that they can tell how much alloy and how much gold there is?

d9

A Yes sir--- I don't know, I can't say, I have often heard of it.

BY MR.TAFT: Objected to, move to strike it out, as being hearsay.

BY THE COURT: Objection sustained, ordered to be stricken out.

Q You don't know whether it is customary, or not, of your own knowledge, do you?

A No sir.

CROSS - EXAMINED by Mr.Taft:

Q Where is your place of business?

A ~~142~~ 164 Fulton Street.

Q And Mr. Connon is at 142?

A Yes sir.

Q On what floor are you?

A Two flights up-- third floor.

Q What room do you occupy?

A Front room.

Q You have a single room there?

A Yes sir.

Q How long have you been there?

A Since a year ago last March.

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Q Where were you before that?

A 62 Nassau Street.

Q How long were you there?

A I think about 30 years.

Q You had a single room there?

A Yes sir, room and office.

Q Are your promises similar to those of Mr.Lemon?

A Yes sir, something.

Q Work benches, and so forth?

A Yes sir.

Q You have others in your place, occupying benches, etc.?

A Only those that are employed by me.

Q Can you tell when a lump of gold, having been brought in to you by a party, in a case where it has been melted from gold rings and gold watchcases and chains, can you tell anything in regard to the test of that gold?

A I don't understand you.

Q Take now such a case as this is--- a party brings you melted gold--- would there be any way of telling in that case, what that gold was from, whether it was from watchchains, links, or what it was, by remelting it?

A Fresh goods I could tell by remelting it.

Q Could you tell whether it was old gold or new gold?

dll

A I couldn't discover whether it was new or old gold.

Q I speak of a case where it is fully melted---if goods are brought to you that are melted and you see the signs of a ring or a chain, indicative of a quantity of gold that was sold for--- would those articles awaken any suspicion in your mind, as to the character of the gold?

A That would depend upon whom the customer was, and where he got them from. A dealer in the country might send me some gold of that character, and I would think nothing of it.

Q Suppose a man came to you for a period of a couple of years bringing you such gold as that, how would that affect your mind?

A I would certainly want to find out where he came from.

Q Would that raise some suspicion in your mind?

A Yes sir, I should like to know who sent him with it--- where he came from, if he came more than once or twice.

Q If he came more than once or twice it would raise some suspicion in your mind?

A Yes sir, and I would want to know where he came from--- I

Q would want to know who the firm was, and I should go to them and inquire if it was proper or improper.

Q In regard to these weights that have been produced here, I will ask you to look at those and tell me how many there

are of them--- give me first the cup weights, the number of them.

A Six weights, that is a nest.

Q And look at these(Showing witness) and see whether they are the regular standard weights that are furnished.

A To all appearances they are.

Q The other weights are smaller in form, are they not?

A Yes sir.

Q These are the regular standard pennyweights (Referring the witness)?

A Yes sir, I should say so.

Q None of those that are here are what my friend called home made weights--- they are the regular series of weights are they?

A I think they are.

Q Can you find the stamp on them all?

A Yes sir.

Q I ask you to give me the stamp on those weights, beginning with the largest cup and coming down with the weights.

A They are as follows--- 4 ounces, 2 ounces, 1 ounce, half ounce, quarter ounce, 2½ pennyweight.

Q Those that have been given are the cup weights, are they?

A Yes sir.

Q Now will you give me the stamps on them? (Referring the witness to ~~them~~ the other)

A Yes sir, 6 penny-weight, 5, 4, 2 pennyweight.

Q There are four of them, are there?

A Yes sir.

Q That is not a complete set is it?

A ~~Xxx xxx.~~ No sir.

Q But the regular weights come in that form, stamped with their proper denominations on them , don't they?

A There is a number of weights that are necessary to fill up the set, this is not a complete set.

Q In a regular set there is not a ten penny weight, is there?

A You mean in the regular series?

Q Yes sir.

A Why, yes.

Q A single weight, do you mean--- do you mean to say there is a single ten pennyweight?

A That is a ten pennyweight, a half ounce (Showing)

Q Any 8 pennyweight?

A No sir, we have to make a combination some way, to make it up like this (Showing)

Q And with a regular set of weights you can make any combination you desire?

A Yes sir.

Q Have you ever been in any other office or store, than your own, in the city of New York--- I mean employed in any other place?

A No sir, not since I was an apprentice. I served my time s as a manufacturing jeweler and went to the war and when I came home I was employed in a general factory, and after that I opened my business for myself.

Q Then this buying gold was only done by yourself.

A Yes sir, that is all.

Q Can you specify anybody in the city of New York that you ever say use, in the weighing of gold, any other weights than the regular series of weights---any other parties?

A Yes sir, I can specify C.G.Brockman. He told me that he used those weights himself. I never saw him use them for I was never in his shop to see them .

Q You never saw them used, did you?

A No sir.

BY MR.TAFT: I move to strike it out.

BY THE COURT: Ordered stricken out.

Q Do you know where those weights come from?

A No sir.

Q When did you first use them?

A I guess the first I saw of them of them was here--- I may have seen them before--- I don't know that I ever saw them in his place, and yet I may have seen them, but I don't think I ever saw them before.

Q Did you say those were weights used by other jewelers?

A I say they are similar to those used by other jewelers.

Q Is there any occasion for an eight pennyweight?

A No sir.

Q Why not?

A Because, you can make it yourself.

Q As far as a 10 pennyweight is concerned, I understand that you can make that combination yourself, by using the half ounce?

A Yes sir.

Q Then if a set of weights are full, you can make any combination you want to?

A Yes sir, that is what I said before.

Q I thought I so understood you, am I right?

A Yes sir.

RE - DIRECT EXAMINATION BY MR.FROMME:

Q If you had not a full combination of weights and you wanted to make a combination, you could do it, could you, if you

didn't have a complete set?

BY MR.TAFT: Objected to.

BY THE COURT: Objection sustained.

Q Mr.Cook, you were asked if a colored man would come to you with a lump of gold more than once, that you would want to know where he came from, and if you knew the fact to be that he came from a wholesale jobbing house --- that is the business of Wheeler and Parsons and Hays,--- would that raise any suspicion in your mind, that he came from a wholesale jobbing jewelry house.

BY MR.TAFT: Objected to.

BY THE COURT: Question admitted.

A If a colored man came to my place and offerred me the gold and I asked him where he got it and he told me he came from a reliable house in the Lane, I should buy the gold.

Q And it would not raise your suspicions?

A No sir, if he did not come too often and if he did I should make the acquaintaince of the head of the house, to find out if it was right or not.

Q If he came there with the proper weights and know about the price of the gold, would that confirm his statement that he came from the house?

A Yes sir, that would make me think that every thing was

straight, if he knew about the weight of the gold and about the price of it.

Q In the course of your experience have you sent out to sell gold by any of your boys, to other people?

A Yes sir, very often.

BY MR.TAFT: Objected to. Move to strike it out.

BY THE COURT: Objection sustained, ordered stricken out.

Q Do you know whether persons who sell gold send out their boys to more than one place to sell it?

BY MR.TAFT: Objected to.

BY THE COURT: Objection sustained.

JAMES G. SCOFIELD, called on the part of the defendant, being duly sworn, deposes and says:

BY THE COURT:

Q Where is your place of business?

A 88 John Street.

Q What is your business?

A Manufacturing jeweler.

Q How old are you?

A 62.

DIRECT - EXAMINATION by Mr.Frommee :

Q How long have you been a manufacturing jeweler?

A 35 years in the city of New York on my own account.

Q Did you, during your thirty five years as a manufacturing jeweler, buy and sell gold?

A Yes sir.

Q Did you buy it in lump, as well as broken pieces, old gold?

A Both in lump--- promiscuous lots.

Q And have you bought it melted down?

A Yes sir, sometimesit is melted down in the crucible, and sometimes it is melted down by charcoal, and by the use of a blower, and where they cannot get heat enough they use the blower and charcoal.

Q And would that leave an impression upon the gold of buttons or anything of that kind that had not been thoroughly melted down?

A Yes sir. it would.

Q And if you did buy old gold and it left the impressions of what it was from and you wanted to again sell it would you remelt
~~remelt~~ it again?

A Yes sir, that is, if it was imperfectly melted.

Q What do you mean by imperfectly melted?

A Some of the smaller storekeepers and sometimes larger ones, if they have not got a crucible wherein they can melt it, they sometimes melt it with charcoal and gas, and that would leave an impression, probably what was left by it, not being properly melted,--- and then it would come to me from a country storekeeper and they could not get enough heat to melt it with. I would melt it over--- it might be ten carat chains and it might be fourteen carat gold, you can't tell what it is-- it might be cuff-buttons, watchcases, you couldn't tell what quality gold it was, without thoroughly mixing it and remelting it.

Q Wheeler, parsons and Hays, they are manufacturers of jewelry, are they?

A I understand they are manufacturers.

Q Are they not wholesale jobbers?

A Oh yes, I understand that, but I am not positive as to their being manufacturers.

Q They manufacture what they keep, don't they, if they are jobbers?

A I am not quite sure about that; I don't know that they have a factory, but I have heard that they have.

Q Those weights, Mr.Scofield, this nest of weights (Referring

witness) Mr.Cook says they are in ordinary use--- are they?

A Yes sir, those weights are the ordinary weights used by jewelers, as far as I can see.

Q They are apothecary's weights also, aren't they?

A Yes sir, I think so.

Q You use the Troy weight, don't you?

A/ Yes sir.

Q And apothecaries use it, don't they?

BY MR.TAFT: Objected to.

BY THE COURT: Objection sustained.

Q And then these cup weights, they are the round weights?

A Yes sir, they are the regular weights that I have seen used, and they are used by most all the jewelers.

Q In making up a combination of weights, do you often take the smaller weights, the pennyweights and put them in the cups?

A Oh yes, that is an every day occurrence.

Q Do you know whether it is customary among the manufacturing jewelers, to make weights, if they are short, or happen to lose one of the others?

A Oh yes, I guess they all do that.

CROSS - EXAMINED by Mr. Taft:

Q Where do you reside?

A I reside in Newark.

Q In New Jersey?

A Yes sir.

Q And your present place of business is where?

A 83 John St.

Q How long have you been there?

A Five years.

Q What part of the building do you occupy?

A Fronting on John St.

Q You would not call Wheeler, Hays and Parsons a small house, would you, or small dealers?

A Not by any means, they are among the most extensive dealers in the country.

Q You spoke about old gold, what do you mean by that?

A Old jewelry, that is, such as bracelets, rings, earrings.

Q How can you tell whether they were old or new?

A By being melted--- you can observe the form of the articles that have been melted.

Q Supposing it was old gold, perfectly melted, could you discover it, whether it was old gold or new gold?

A No sir.

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Q Suppose you got new gold that was imperfectly melted, could you say that was new gold or whether it was old gold?

A No sir, unless the melting is so very imperfect that there may be signs of it being new, but that is rarely.

Q What would be the sign of it?

A The sharpness-- the chasing of it.

Q And would that derive itself from the color?

A No sir.

GEO. W. McCLOSKEY, called on the part of the defendant, being duly sworn, deposes and says,

BY THE COURT:

Q What is your business?

A I am a Sergeant Detective.

Q How old are you?

A 26.

BY MR. FROMME

Q Were you present when Joseph G. A. Kidd was arrested on the complaint of Mr. Wheeler?

A Yes, I arrested him.

Q Did you ask him when you arrested him whether Mr. Lennon know that this gold that he sold Mr. Lennon was stolen?

Objected to by Mr. Taft.

BY THE COURT: Objection sustained.

The further hearing was then adjourned until Friday October 21st, at 10 A. M.

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 D. Sammon

The Grand Jury of the City and County of New York, by this indictment, accuse John D. Sammon —

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

The said John D. Sammon,

late of the First Ward of the City of New York, in the County of New York aforesaid, on the thirty-first day of August, in the year of our Lord one thousand eight hundred and eighty-seven, at the Ward, City and County aforesaid, with force and arms,

one hundred and fifteen pennyweights of gold, of the value of twenty cents each pennyweight,

of the goods, chattels and personal property of one Haughton W. Wheeler, by one Joseph Hess, and —

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

Haughton W. Wheeler,

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

John D. Sammon —

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.

RANDOLPH B. MARTINE,
District Attorney.