

0954

BOX:

134

FOLDER:

1396

DESCRIPTION:

Crowley, Michael

DATE:

04/18/84



1396

0955

BOX:

134

FOLDER:

1396

DESCRIPTION:

Brannigan, Hugh

DATE:

04/18/84



1396

Day of Trial, *2d Decr*
Counsel, *A. J. McEachron*
Filed *1884*
day of *Decr*
1884
Pleads *2d*

THE PEOPLE

Ms. 4
Michael Crossley
(2 Green) P
Hugh Branning

22 May 20/96. PETER B. OLNEY,
JOHN MCKEON

Not Validated And District Attorney.

No. 1 - Lawrence & Corrie, May 3/88

Another Charge of Burglary agst. A. J. 11
A True Bill

May 9/84 -
Ch. 22

Speed & Connected

Second Court Foreman.

Dr. J. C. Smith

[Handwritten signature]

[Handwritten signature]

17

15

121

0957

Department of
Public Charities and Correction,

HENRY H. PORTER, Pres't, THOMAS S. BRENNAN, JACOB HESS, Com's.
Office of City Prison, Co'r Franklin and Center Streets,

JAMES FINN,
Warden.

New York, May 3 1884

Hon John Sparks

Dear Sir

This is to
Certify that I have
Michael Crowley in
my custody on a
Commitment for Burglary
by Justice Cowen and
that Mr Daniel Mooney
who was bondsmen
for Michael Crowley
on a charge of Burg
Identified him and
is now in prison on
both charges

Yours Truly
James Finn
Warden

0958

Court— / District.

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

John Kretzmer

of No. 122 West Street, aged 38 years,

occupation Liquor Dealer being duly sworn

deposes and says, that the premises No 122 West Street,
in the City and County aforesaid, the said being a brick building —

and which was occupied by deponent as a Saloon

and in which there was at the time no human being, by name

attempted to be

were BURGLARIOUSLY entered by means of forcibly breaking the
plate glass window in the store
which is on the first floor of
said premiseson the 14 day of April 1884 in the night time, and the
attempted to be
following property feloniously taken, stolen, and carried away, viz:

Three thousand cigars

all of the value of one hundred
fifty dollars
the property of Complainantand deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY attempted to be attempted to be
was committed and the aforesaid property taken, stolen, and carried away by
Michael Crossley and Hugh Brannigan
(my present)for the reasons following, to wit: from the fact that deponent
is informed by officer William Dalton
of the 27 Precinct police that he
saw said Crossley and Brannigan
making down West Street
and when in front of No
122 West Street said Crossley
threw a piece of coal at the
store window which broke the

0959

came, and then walked away
 Said officer informs deponent
 that he then arrested with
 Crowley and Brannigan
 sworn to before me *John Kretzner*
 this 14 day of April 1884

Wm Dalton
 Police Justice
 City and County
 of New York

William Dalton
 Police officer of precinct
 being sworn today that
 at about 3:15 am on the
 14 day of April 1884, deponent
 noticed Michael Crowley
 and Hugh Brannigan walking
 down West Street and
 when opposite 132 West Street
 they both stopped. Said
 Crowley then a bar of
 soap at the chess sidewalk
 & seeing deponent with he
 & Brannigan walked away
 sworn to before me
 this 14 day of April 1884
William Dalton
 Police Justice

Police Court	District.
THE PEOPLE, &c., ON THE COMPLAINT OF	
Degree.	Burglary
Dated	188
Magistrate.	Officer
Witnesses:	Clerk
Committed in default of \$	Bail.
Bailed by	No.
	Street.

0960

Sec. 198-200

CITY AND COUNTY }
OF NEW YORK, } ss

District Police Court.

Michael Crowley 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. *Michael Crowley*

Question. How old are you?

Answer. *23 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *38 Greenail St (resided there 4 yrs)*

Question. What is your business or profession?

Answer. *Longshoreman*

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*

His
Michael X Crowley
(mark)

Subscribed and sworn to before me this *17* day of *April* 188*8*
[Signature]
Police Justice.

0961

Sec. 198-200

CITY AND COUNTY
OF NEW YORK } ss.

District Police Court.

Hugh L Brannigan being duly examined before the under-
signed, 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. *Hugh L Brannigan*

Question. How old are you?

Answer. *26 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *26 Recter St (resided there 8 yrs)*

Question. What is your business or profession?

Answer. *Work in Washington Market*

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
Hugh Brannigan*

Subscribed and sworn to before me this *17*
day of *April* 188*8*

Police Justice.

0962

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 _____

Michael Crowley and Hugh Brannigan
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *Three*
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

April 14

188

[Signature]

Police Justice.

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

Dated

188

Police Justice.

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

Dated

188

Police Justice.

0963

BAILED.

No. 1, by Samuel Droney
Residence 12 Stone Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

125/ ✓ 1262
Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Kretzner
122 West St.

Michael Crowley
Hugh L. Brannigan

Dated April 14 188 4

Wm Dalton Magistrate.
Officer.

27 Precinct.

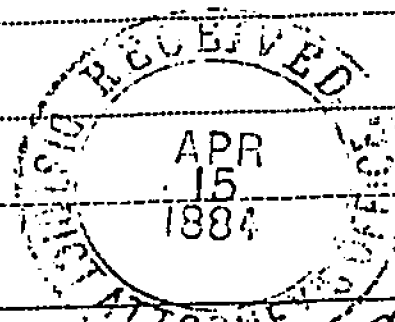
Witnesses _____

No. _____ Street.

No. _____ Street,

No. _____ Street,

\$ 500 to answer G S La



The People
vs.
Hugh Brannigan } Court of General Sessions. Part 7
Crowley for ~~burglary~~ } Before Recorder Smyth. May 9, 1892.
Jointly indicted with Michael
Crowley for ~~burglary~~ in the third degree.

William Dalton sworn. I am an officer in the 27th precinct; on the 14th of April I was on duty in West St. near 122. with officer Sullivan. I saw the prisoners and Michael Crowley between three and 3.05 in the morning in front of 122 West St., which is a liquor store and has plate glass windows. I saw Crowley raise his hand and fire something towards the window. He was standing with his face towards the window; There is only one sidewalk on West St.; They were both standing together and both went down the street together. I told officer Sullivan to keep an eye on those two fellows while I went up to look at the window to see if anything was wrong. I found the window was shut. I let them pass, I was at the corner of Portland and they were at the corner of Dey St. They stood for a second or two. I suppose they saw us. I went into a restaurant. I arrested one and officer Sullivan arrested the other. After we left them in the station house I went back to the store to see what injury had been

0965

I found a piece of soap lying immediately under the window; the soap was quite damp and the mark of the soap was on the glass. This is a piece of the plate glass of the broken window (producing it) Cross examined the prisoner had not been in the restaurant corner of Cortland and West sts. one minute before I arrested him. They had their arms on the lunch counter. This was about ten or twelve houses from McManus' store. I should say I was about the length of this room from Crowley when I saw him raise his hand. We did not tell these men what we arrested them for. I only had one prisoner in charge. I did not hear the prisoner ask the other officer what he arrested him for. There is a tenement house up stairs. It was a pane of glass in a door and not in a window that was broken. This was three o'clock in the morning and the store was closed. There was only one light in the store. When I heard the noise of breaking I could see the store from where I was. There was no other person except Brannigan and the man who was with him in the front of the store when I heard the noise. William Sullivan sworn. I am an officer

0966

in the 27th precinct and arrested the prisoner by order of Officer Dalton corner of Portland and West sts. I saw him in company with Crowley that night. I did not see them in front of the window said to have been broken open. I saw the prisoner coming down West St; possibly the length of this room from 122 West St. I did not hear the crash. I arrested him a minute after Officer Dalton pointed him out to me in a saloon. I recognized him as the man who was pointed out to me; he was in company with Crowley. Cross Examined. I saw the prisoner go into the saloon, and when I went in he was leaning on the bar; he was not drinking in the saloon; the men were standing alongside of each other at the bar. Dalton grabbed one and I grabbed the other. As soon as we got outside the prisoner said, "What is this for?" I said, you will find out when you get to the station house. He asked several times. The prisoner was perfectly quiet; he did not offer any resistance. Crowley offered resistance to Dalton. The prisoner thought it was very hard that he was arrested. Had he been drinking this man. A No sir, he was not.

0967

John Kretzmer sworn. The glass door of my liquor saloon was broken, 122 West St. on the 14th of April; the glass that was broken cost me \$3.50. There was \$400 worth of property in there. No one could get through the hole. Hugh Braunnigan, sworn and examined, in his own defence, testified. I remember the night I was arrested. I left the hotel where I was stopping at 2 o'clock and went down West St. till I got to McManus's and had a glass of beer; that must have been 1/2 after two o'clock. He asked me where I was going and I told him, over to Jersey. I go over every summer to Jersey loading fruit. He asked me if I thought there was any show for him? I said I thought there would. We walked along and went into a place corner of Cortland and West and had a glass of beer. Two officers came in and arrested us. I did not break the window and did not see Michael Crowley break it and saw no soap. I have never been arrested before. We were in the saloon long enough to take two glasses of beer in the saloon before the officers came in. I always work at Washington Market on these banana ships. The jury rendered a verdict of guilty of malicious mischief with a recommendation to mercy.

0968

in the 27th precinct and arrested the prisoner by order of Officer Dalton corner of Portland and West sts. I saw him in company with Crowley that night. I did not see them in front of the window said to have been broken open. I saw the prisoner coming down West St; possibly the length of this room from 122 West St. I did not hear the crash. I arrested him a minute after Officer Dalton pointed him out to me in a saloon. I recognized him as the man who was pointed out to me; he was in company with Crowley. Cross Examined. I saw the prisoner go into the saloon, and when I went in he was leaning on the bar; he was not drinking in the saloon; the men were standing alongside of each other at the bar. Dalton grabbed one and I grabbed the other. As soon as we got outside the prisoner said, "What is this for?" I said, you will find out when you get to the station house. He asked several times. The prisoner was perfectly quiet. he did not offer any resistance. Crowley offered resistance to Dalton. The prisoner thought it was very hard that he was arrested. Had he been drinking this man. A No sir, he was not.

0969

Testimony in the
Case of
Hugh Brannigan

filed April

1884

0970

COURT OF GENERAL SESSIONS OF THE PEACE
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Michael Brantley
and
Joseph Brantley

The Grand Jury of the City and County of New York by this indictment accuse
Michael Brantley and Joseph Brantley
of the crime of BURGLARY IN THE THIRD DEGREE, committed as follows:

The said *Michael Brantley and Joseph Brantley*

late of the *Third* Ward of the City of New York, in the County of
New York aforesaid, on the *fourth* day of *April* in the year of our
Lord one thousand eight hundred and eighty *four*, with force and arms, at the Ward, City and
County aforesaid, the *residence* of *John Brantley*

there situate, feloniously and burglariously did break into and enter, the said *residence*,
being then and there a building in which divers goods, merchandise, and valuable things
were then and there kept for use, sale and deposit; the same being the goods, chattels,
and personal property of *the said John Brantley*

Brantley with intent the said
goods, merchandise and valuable things in the said *residence* 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.

~~JOHN MCKELON, District Attorney.~~

0971

Second COUNT.

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

Michael Crowley and Hugh Brennan
of the CRIME OF Destroying the personal property of another
committed as follows:

The said Michael Crowley and Hugh Brennan

late of the Third Ward of the City of New York, in the County of New York
aforesaid, on the fourth day of April in the year
of our Lord one thousand eight hundred and eightyfour, at the Ward, City and
County aforesaid, with force and arms, a certain piece of glass

of the value of thirty dollars
of the goods, chattels and personal property of one John H. H. H.
then and there being, then and there feloniously did unlawfully and wilfully
break and destroy
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.

Third COUNT.—And the Grand Jury aforesaid, by this indictment, further
accuse the said Michael Crowley and

Hugh Brennan

of the CRIME OF UNLAWFULLY AND WILFULLY destroying
REAL PROPERTY OF ANOTHER, committed as follows:

The said Michael Crowley and
Hugh Brennan

late of the Third Ward of the City of New York, in the County of New York
aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City
and County aforesaid, with force and arms, a certain piece of
glass

of the value of thirty dollars
in the premises of one John H. H. H.
there situate, then and there being, of the real property of the said John H. H. H.

H. H. H.
then and there feloniously did unlawfully and wilfully break and
destroy

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

PETER B. OLNEY,

JOHN H. H. H.

District Attorney.

0972

BOX:

134

FOLDER:

1396

DESCRIPTION:

Crowley, Timothy

DATE:

04/09/84



1396

0973

BOX:

134

FOLDER:

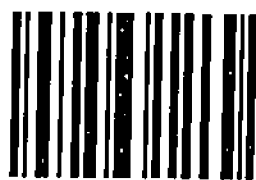
1396

DESCRIPTION:

Hayes, Richard

DATE:

04/09/84



1396

0974

BOX:

134

FOLDER:

1396

DESCRIPTION:

Tobin, David

DATE:

04/09/84



1396

Witnesses:

Isaac Trachten
15 Ludlow St.
Richard Berkley, Officer
10 Orchard
Richard Berkley
Officer 10th Precinct

Office 21st 1884.
John has been twice acquitted.
The evidence upon that trial
entirely fails to show any case
against the two remaining people
and respectively suggest that the
two be ~~discharged~~
thence be discharged on their
own recognizance. M. Keenan
W.D.A.

20th 2^d of March

Counsel,
Filed 9th day of April 1884
Pleas
W.D.A.

THE PEOPLE
vs.
Timothy Crowley
Richard Stanger
David Tobin
Grand Larceny
(From the person.)
degree
[Sections 528, 53, Penal Code]

PETER B. OLNEY,
2^d Ave 15th District Attorney.
Nos. 4th and 5th acquitted
A TRUE BILL.

John M. O'Leary Foreman.

By appt of
Nos 1 Bail dock.
Nos 2 Back in the
own recognizance

0975

0976

3rd, District Police Court.

Affidavit—Larceny.

CITY AND COUNTY
OF NEW YORK, } ss.

of No. 15 Ludlow

Street,

Isaac Van Leer aged 28 years

being duly sworn, deposes and says, that on the 5th day of April 1884

at the _____ City of New York,

in the County of New York, was feloniously taken, stolen and carried away from the possession

of deponent, and from the person of deponent at night time

the following property, viz :

One Silver Watch of the value of Eight dollars

the property of deponent

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloniously taken,

stolen, and carried away by Timothy Crowley Richard Hayes

Louis Levitt, Bernard Cohen & David Tobbin

(all now known) from the fact that at the hour of

about 3 o'clock in the morning of said 5th

day of April 1884 deponent was in the Hallway

of Pythagoras Hall in Canal Street when

deponent had said Watch in the left hand

and a pocket of the vest then worn upon deponent's

person, Deponent was informed by Michael

Lery of 41 Ludlow Street, that his chain

Sworn before me this

day of

1884
Police Justice.

0977

which was attached to said Watch, was hanging down and deponent discovered that said Watch had been stolen. Deponent asked said Levy who stole deponents Watch when said Levy told deponent here they go out of the door. Deponent followed said two persons which deponent now identifies as the defendants Crowley and Hays, and caused their arrest. That at the time of going to the Station House for the purpose of laying the complaints against said two defendants, the defendant Levitt told deponent not to press the charge that he would give deponents Watch, for deponent.

That after deponent left the Station House said Levitt gave said Watch to the defendant Cohen and said Cohen gave said Watch to deponent. Deponent is informed by Richard Berkey of the 10th Precinct Police that said Levitt informed him that he received the Watch from the defendant David Robbin. Deponent therefore charges that said defendants did act in concert with each other in taking and stealing deponents property as aforesaid sworn to before me this

6th day of April 1888 } Isaac Van Leer
John Norman Police Justice

District Police Court.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

AFFIDAVIT—Larceny.

vs.

Dated

188

Magistrate.

Officer.

WITNESSES:

DISPOSITION

0978

CITY AND COUNTY }
OF NEW YORK, } ss.

Richard Bursley
aged 30. years, occupation Police officer of No.
10th Precinct Police Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Isaac Taulker

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

knowledge. I have no other information as to Robbin
except the what Davis told me in the absence of
the defendant. Taulker

Sworn to before me, this 6

day of April 188 88

John J. Herman
Police Justice.

0979

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 21. years, occupation Sailor of No.

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

Sworn to before me, this 6
day of April 1888 } Michael Levy

John J. Horan
Police Justice.

0980

Sec. 198-200,

CITY AND COUNTY } ss.
OF NEW YORK,

District Police Court.

Richard Hayes 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.

Richard Hayes

Question. How old are you?

Answer.

21 years

Question. Where were you born?

Answer.

Queens

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

Answer.

526 Pearl Street 3 years

Question. What is your business or profession?

Answer.

Boatbuilder

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

Richard Hayes

Taken before me this

day of

Sept

1888

John J. McNamee

Police Justice.

0981

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, } ss.

District Police Court.

Timothy Crowley 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. *Timothy Crowley*

Question. How old are you?

Answer. *19 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *159 Worth Street 7 years*

Question. What is your business or profession?

Answer. *Ragman*

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*

Timothy Crowley

Taken before me this

day of

April

188*8*

John J. ...
Police Justice.

0982

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

3 District Police Court.

Maria Taber 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. Maria Taber

Question. How old are you?

Answer. 19 years

Question. Where were you born?

Answer. New York

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

Answer. 29 Main Street Brooklyn 1 1/2 years

Question. What is your business or profession?

Answer. Restaurant

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

David Tobin

Taken before me this 6
day of August 188 8
John J. McNamee Police Justice.

0983

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 Matthew Crowley
Richard Wags, & David Fabbini
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 April 6 1888 John J. Hornum Police Justice.

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

Dated _____ 1888 _____ Police Justice.

There being no sufficient cause to believe the within named Bernard Cohen, Lewis
Kerr
guilty of the offence within mentioned, I order him to be discharged.

Dated April 6 1888 John J. Hornum Police Justice.

0984

20 1240
Police Court District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Isaac Vaaler

15 Ludlow St.

1 Summatt Crowley

2 Richard Hays

3 Louis Levitt

4 Bernard Cohen

5 David Rabbin

Office Lacey Room
Person at night time

BAILED,

No. 1, by Captains Pendergast

Residence 42 Norfolk Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated April 6 1884

Corrigan Magistrate

RECEIVED APR 7 1884 OFFICE OF THE ATTORNEY GENERAL
Berkeley Officer

10 Precinct.

Witness Michael Kery

No. 4 Ludlow Street.

to answer

No. Street.

Levitt 70 Matt St.

Cohen 121 Court St.

to answer

Chen

0985

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Richard Crayes
Timothy Crowley
David Tobin

The Grand Jury of the City and County of New York, by this indictment, accuse
Richard Crayes, Timothy Crowley
and David Tobin
of the CRIME OF GRAND LARCENY in the first degree, committed as follows:

The said Richard Crayes, Timothy Crowley and David Tobin
late of the First Ward of the City of New York, in the County of New York aforesaid, on the
fourth day of April in the year of our Lord one thousand
eight hundred and eighty-four, in the night time of the said day, at the Ward, City and
County aforesaid, with force and arms, one watch of the
value of eight dollars —

of the goods, chattels and personal property of one Isaac Van Leer
on the person of the said Isaac Van Leer —
then and there being found, from the person of the said Isaac Van Leer
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.

Peter B. O'Leary,
District Attorney

0986

BOX:

134

FOLDER:

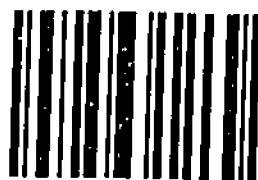
1396

DESCRIPTION:

Cruger, Kostright

DATE:

04/14/84



1396

0987

Witnesses:

Wm. Boykard

2 John Sp

Counsel,

Filed *14* day of *April* 188*4*

Pleads *Not Guilty* (17)

THE PEOPLE
vs. *B*
Westlight Cruger
Grand Larceny 2nd degree
[Sections 528, 58, 59, Penal Code.]

PETER B. OLNEY,

District Attorney.
Ordered to N.Y. Court of Oyer and
Terminer for Trial May 13 1885
A True Bill.

John N. O'Leary Foreman

May 21

Sentenced June 1, 1885
on another indictment

0988

X Ex I am the complainant in this
 case I swore to the complaint
 all the facts stated therein
 are to my own knowledge I first
 saw the defendant about the beginning
 of November in his office 25 Maiden
 Lane I went there to see the
 defendant I did not know him
 before I had the goods referred to
 in the complaint in my possession
 and left them there - It was
 then expressed to me that said by
 Mr Kinger that he had never before
 done a large business in diamonds
 and wanted to make a beginning
 I answered you don't want to run
 any risk in a new business I will
 leave you out of these two parcels
 some stones as a sample & you
 will try to sell them or give the
 goods back He said all right
 I will try I left the stones with
 him & all this occurred at the time
 specified in the complaint The
 stones were left with the defendant
 for examination as to the price & quality
 After this he returned the stones to me
 on my demand upon the condition that

0989

I should return him ~~some~~ the two parcels out of which these ^{diamonds} were taken out. I afterwards delivered to him the same stones myself. One or two days after I gave him a bill & that was the only bill I ever delivered or sent to him. The bill now shown is the one I refer to as having been given on the delivery of the goods. I mean by a Memorandum order goods delivered on condition to be sold for the account of the owner of the goods. I know the jewelry trade I do not know the custom or usage of the trade in New York. This bill is the only writing accepting my book that I can remember to show that the goods were delivered on Memorandum order. I think I did not see Mr. Kupper again until a few days ago. The ~~bill~~ ^{paper} shown Witness - It is in my handwriting the goods referred to in it are the same as the ones referred to in my Complaint. I did not send that paper to the defendant it is a portion of a paper I did send. On Jan 14th I sent

0990

that paper to the defendant
Adjourned to July 21st at 2 P.M.

0991

TRITTEL & OTTERBOURG,

B. W. Trittel,
E. Otterbourg.

Law Offices, 176 Broadway,

New York, April 28th 1884.

The People, &c.,
on the complaint of
Henri Bochorn
-vs-
Nortright Cruger. } Carney.

Peter B. Olney, Esq.
District Attorney, &c.
Dear Sir:-

You will please remember
our conversation concerning above case.
The complainant having taken passage
for Europe for the 7th prox. I deem
it my duty to call your attention
thereto, and to request you to have
the case tried this week.
Having appeared in the matter throughout.

0992

the examination thereof in the Police Court. I am prepared, at any time, to give your office any information in the premises you may desire. If you will please let me know the day you desire the case tried, I will secure the attendance of the witnesses for the prosecution. I saw Mr. Donnelly, of your office, on Saturday; and at his suggestion communicate with you concerning the case. I remain Sir,

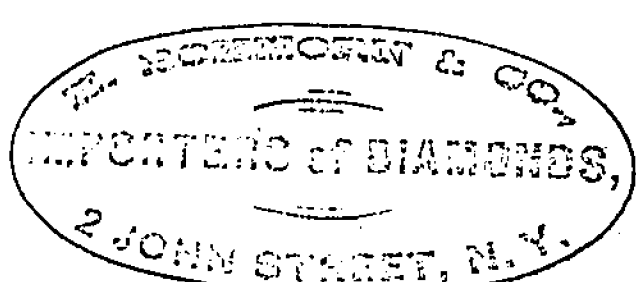
Very respectfully,
Your obdt. servt.
J. M. O'Sullivan

0993

BOEHM & CO.
IMPORTERS OF DIAMONDS.
2 JOHN STREET, N.Y.

Mr. K. Kruger
Garden Lane
City

0994



New York, January 29th 1884.

Exhibit "C". Month 5th 1884.

Mr. K. Greger
City.

We sent already several times in order to get back from you either the goods we trusted you, or their amount of \$288.75.

As you do not appear willing to settle this business, we are very sorry to say that we shall be obliged to apply to law and to overhand the matter to our lawyer, with full power for making any necessary steps to prosecute you, on criminal way.

The last term we allow you for the settlement of this, for you very dangerous situation, is till to-morrow, January 30th at 12 o'clock, after which time our Counselor at law will take the matter in hand and begin the prosecution.

We hope you will not oblige us to such a disagreeable course, and remain in the mean-while.

Yours Truly
J. B. BROWN & CO.

0995

Sec. 102.

4

District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before Patrick G. Ruff a Police Justice
of the City of New York, charging Worthington Conger Defendant with
the offence of Grand Larceny

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 hear-
ing thereof having been adjourned.

We, Worthington Conger Defendant of No. 128
East 27th St Street; by occupation a Jeweler
and Eugene Conger of No. 339 East 41st St
Street, by occupation a Jeweler Surety, hereby jointly and severally undertake that
the above named Worthington Conger Defendant
shall personally appear before the said Justice at the 4th 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 100
Hundred Dollars.

Taken and acknowledged before me, this 13
day of February 188 4

Patrick G. Ruff
POLICE JUSTICE,

Worthington Conger
Eugene Conger

0996

CITY AND COUNTY } ss,
OF NEW YORK, }

the within named Bail and Surety being duly sworn, says, that he is a resident and holder within the said County and State, and is worth ten 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 household furniture

in the house situated and known as
No 339 West 41st Street in the
said City of the above value

Eugene Conzer

District Police Court.

THE PEOPLE, & c.,
ON THE COMPLAINT OF

Undertaking to appear during
the Examination.

vs,

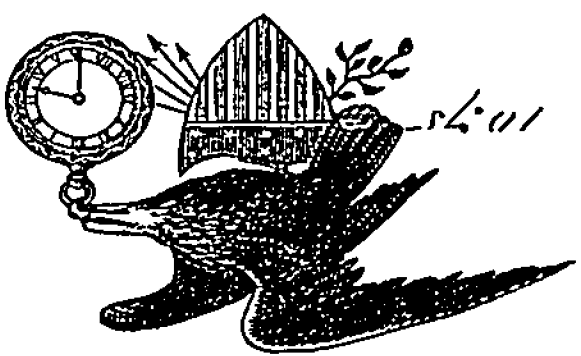
Taken the day of 188

Justice,

0997

Store at 171 Broadway only.

BENEDICT BROTHERS, KEEPERS OF THE CITY TIME.
171 Broadway, Cor. of Courtlandt-Street.
BENEDICT'S



TIME.

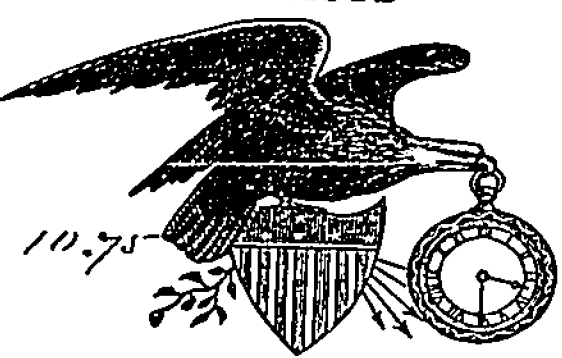
Importers and Manufacturers of Fine Watches, Diamonds, Jewelry and Silver Ware.
Agents for the Sale of American Watches. Watches and Jewelry made to Order and Repaired.
NOTE.—No business connection with any other house using the same name.

Deliver to or bearer,
on demand, the
Register 1392
Value agreed upon \$ 600.

0998

Store at 171 Broadway only.

BENEDICT BROTHERS, KEEPERS OF THE CITY TIME,
171 Broadway, Cor. of Courtlandt-Street.
BENEDICTS'



TIME.

Importers and Manufacturers of Fine Watches, Diamonds, Jewelry and Silver Ware.
Agents for the Sale of American Watches. Watches and Jewelry made to Order and Repaired.
NOTE.—No business connection with any other house using the same name.

Deliver to J or bearer,
on demand, the
Register 1392
Value agreed upon \$ 600

0999

Sept 12th 1881

Duplicate
Check

1000

ROSCOE K. INGALLS,
ATTORNEY & COUNSELLOR,
93 NASSAU STREET,

NEW YORK,.....

188

Peopel vs Cruger.

List of Witnesses.

Jospha Hawkins.
Equitable Life Assn Co.
170 Bway.

J. M. Hawkins.
Wythe Ave, Wilson St-
Brooklyn E.D.

Daniel Hausman
244 Madison St.

James K. Howard 171 Broadway
with Benedict Bros

Howard Simpson & Co
Bway & Cortland St.

John Mead 183 Lafayette Ave Brooklyn
Chatham Lgn.

1001

THE COURT ROOM IS IN THE SECOND STORY AND FRONTING THE PARK
 If this Subpoena is disobeyed, an attachment will immediately issue.
 Bring this Subpoena with you, and give it to the Officer at the Court-Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPOENA

FOR A WITNESS TO ATTEND THE

Court of Oyer and Terminer.

The People of the State of New York,

To *Henry Foxhorn*

of No. *2 John* Street,

GREETING:

WE COMMAND YOU, That, all business and excuses ceasing, you *appear* in your proper person, before the Court of Oyer and Terminer, to be holden in and for the City and County of New York, at the New County Court-house, in the Park of the said City, on the *13* day of *M A Y* instant, at the hour of 10.30 in the forenoon of the same day, to testify the truth, and give evidence in our behalf, against

H. Foxhorn
 in a case of Felony whereof *he* stands indicted. And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

WITNESS, Hon. NOAH DAVIS, presiding Justice of the Supreme Court of the State of New York, at the City Hall in our said City, the first Monday of *M A Y*, the year of Our Lord 188*8*.

RANDOLPH B. MARTINE, ~~JOHN M. KEON~~ District Attorney.

1002

Court of General Sessions.

THE PEOPLE

vs.

Kortright Bruger

City and County of New York, ss.:

John J. Carroll

being duly

sworn, deposes and says: I reside at No. 245 Clinton

Street, in the City of New York. I am a subpoena server in the

office of the District Attorney of the City and County of New York. On the 12

of May 1885, I called at No. 2 John Street

the alleged place of business of Henri Boxhorn

the complainant herein, to serve him with the annexed subpoena, and was informed by the

elevator man that he had moved to 42 Maiden Lane. At 42 Maiden Lane I was informed that said Boxhorn had gone to Antwerp, and did not know when he would return.

Sworn to before me, this 13th day

of May 1885
Audolph L. Schauf
Com. of Dist. Ct. N.Y. City & Co.

John J. Carroll
Subpoena Server.

1003

The People

vs.

Portuguese

1004

1685-
Mch 10.

Porteus called on Cruger and left
Pin in his custody for sale.
Taking no receipt. Conversation
about selling pill. Cruger
said he had a prospect of
selling pin.

Mch 28 Porteus ^{also} saw Cruger again until
Mch 28. Wrote note, called
upon Cr- in the afternoon; told
Cruger that if pin was not
disposed of by Apr 1st, he would
take pin away. Prisoner replied
"all right". Porteus did not
hear from Cruger, nor did
Porteus see him until Apr 1.

Apr 1st Porteus called upon Cruger
saw him in anten office.
in presence of girl. Porteus
ask for pin. Cruger said he
expected a man in that after-
noon or tomorrow morning.

1005

Fourth District Police Court.

Affidavit—Larceny.

CITY AND COUNTY
OF NEW YORK, } ss.

of No. 2 John Street, in the City of New York
 being duly sworn, deposes and says, that on ^{or about} the 5th day of November 1885,
 at the in the day time, at the City of New York,
 in the County of New York, was feloniously taken, stolen and carried away from the possession
 of deponent.

the following property, viz :

Seven brilliants also called diamonds
 of the weight of $3\frac{3}{4}$ carats each, of
 the value of \$45.00 per carat, together
 of the value of 168.75;
 also eleven brilliants also called diamonds
 of the weight of $3\frac{3}{4}$ carats each, of
 the value of \$32.00 per carat, together
 of the value of 120.00
 said property being together and in all 288.75
 of the value of two hundred and eighty
 eight Dollars and seventy five cents.

Sworn before me this

day of

Justice

188

the property of Henri Boxhorn and Joachim
Boxhorn, comprising the firm of H. Boxhorn
and Company, and doing business under said
 firm name, at said premises, 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 one Kortright Bruger, ^(nowhere) of Number 25
Maiden Lane, in said City, with the intent to deprive
 or defraud the true owners aforesaid, of their said
 property, or of the use and benefit thereof, or to appropriate
 the same to the use of the taker, said Kortright Bruger,
 aforesaid, or of some other person. That said K
Bruger after having obtained possession of said personal
 property, as aforesaid, secreted, withheld, or appropriated
 the same to his own use, or that of an other person, other
 than the true owner or owners thereof.

1007

And the said Kortright Gruger having in his possession, custody, or control, as a bailee, servant, agent or trustee of deponent, or as a person authorized by agreement or by competent authority, to hold or take possession, custody or control, of said property, appropriated the same to his own use, or that of an other person, other than the true owner or owners, or persons entitled to the benefit thereof, and did steal said property, as aforesaid. That on or about said day said Kortright Gruger, received, as aforesaid, and deponent delivered to him, on what is commonly called and known as a "memorandum order" the property hereinbefore described. Deponent being an importer of diamonds, and the said Gruger, pretending to be engaged in the sale of jewelry. The possession and delivery of said property to said Gruger, as aforesaid, on said order, was designed and understood to be a delivery of the articles mentioned in it for the purpose of showing and selling them or either of them to customers, and that the money for them, or either of them with the remainder of the articles, or all of the property aforesaid should be returned to deponent. That neither the diamonds aforesaid nor the money for either of them, were at any time returned by said Gruger to deponent, or his said firm or any one authorized by deponent or his said firm to receive the same. That said Gruger in the presence of witnesses has stated and admitted that he disposed of said property and that he has appropriated the proceeds thereof to his own use, and has refused to return the same to deponent. That on or about said day said Gruger attempted to buy from deponent diamonds of the value of about four thousand Dollars and more, but deponent refused to sell him any. Wherefore deponent prays that the said K. Gruger be dealt with according to the law in such cases made and provided.

Taken to before me this 13th day of February 1884
 J. B. Boshorn
 District Justice

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Henry Boshorn

vs.
Kortright Gruger

AFFIDAVIT—Larceny.

188

Magistrate.

Officer.

WITNESSES:

Bondman, *[Signature]*

Marshall, *[Signature]*

for defendant.

DISPOSITION

21-
Ex. Feb 16 2 P.M.

H. Boshorn

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Sec. 198-200

CITY AND COUNTY }
OF NEW YORK, } ss.

4 District Police Court.

Kortright Kruger 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.

Kortright Kruger

Question. How old are you?

Answer.

52 years

Question. Where were you born?

Answer.

New York

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

Answer.

425 4 ave (resided there 4 weeks)

Question. What is your business or profession?

Answer.

Jeweler

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

Kortright Kruger

When before me at

Police Justice.

1009

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

Kentig Lt. Cruger

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 *April 4* 188

[Signature]
Police Justice.

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

Dated *April 4* 188

[Signature]
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.

10 10

76
Police Court

1238
District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Henri Boxhorn
No. 2 John St.
Kortright Cruger

Offence Grand Larceny

BAILED,

No. 1, by Eugene Cruger
Residence 339 S 4th Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

Dated Feb 13 1884

Magistrate.

Officer.

Precinct.

Witnesses Henri Boxhorn
No. 2 John Street.

Percy Canning
No. 316 Street,

Kortright Cruger
April 17 1884
500 to answer Sessions.

Miles

1011

STENOGRAPHER'S MINUTES.

14 District Police Court.

THE PEOPLE, &c., IN COMPLAINT OF

James S. Porteous

VS.

Northright Linger

BEFORE HON.

Daniel O'Reilly

POLICE JUSTICE,

April 25th 188*5*

APPEARANCES:

For the People, — *Mrs. McFarthy & Ingalls*
For the Defence, — *W. J. Dwyer*

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INDEX.

WITNESSES.

Direct Ex.

Cross Ex.

Re-Direct.

Re-Cross.

James S. Porteous

1

James A. Lyon

Official Stenographer.

*101 Centre St.
3rd City*

10 12

James S. Porters, the complaining witness
being sworn testified as follows:

Cross Examination - by - ev. J. J. J.

I am a Maine Insurance Broker at
No. 58 Cedar St. This pin which I
charge the defendant with misappropriating is mine and was given me
by my wife to do with it what I
please. I became acquainted with
C. M. Langer last December or it may
have been the 7th part of January last.
I called on him in answer to an ad-
vertisement he had in "The World". I showed
him this pin and asked him his idea
as to its value. He said it looked
like a valuable pin & that if I
would leave it there he would look
into it & see what it was worth.
I asked him if he could sell such
an article & he said probably he
could. I left it there and he gave

1013

The receipt for it. I have not that
 receipt with me. The pin was not in
 pawn then but soon after that it was
 pawned at Simpson's in Chatham St.
 near the Bury. there was \$100. loaned
 on it. I pawned it. After that I went
 to Mr. Finger's place to see what he
 had to say about the valuation of
 the pin and ~~he~~ I gave ^{him} ~~me~~ the receipt
 I speak of and took the pin away
 & after that I had received some
 money from Simpson on it and I
 went to Finger and told him what I
 did and he told as the article was
 in pawn for a small amount, pos-
 sibly he could do something with it &
 if so I could get it out. Nothing
 happened for a few days and I went
 back to see if Finger had anything
 to say & he said it was difficult
 to do anything & if he got a customer
 he said he would have to come to
 me and get the ticket and he

10 14

Suggested that I leave the ticket with him so that he could get access to the pin. And I did so. About two weeks after that I went to Funge's & spoke to him about the pin. He told me he had taken it out & I asked him why & he said he was able to get the money at a lesser rate of interest than the ticket called for & I told him then that I wanted the pin back and he said very well and I gave him one or two notices and gave him \$50 as he had the ticket and he brought the pin. I gave him a check and whatever the interest was also. The check was on the Chatham National Bank. That was in February around Washington's birthday. I got the pin back & paid the loan. On the 10th of March I went into his place and told him I still had the pin and asked him if he had any chance to dispose of it. He said "well, I dare

10 15

say I can". He said he had customers
for such things. although he
might not be able to do it on a day.
He said if I didn't want to sell it
outright he could get me a loan
on it; he asked me how much I
wanted on it & I ~~had~~ told him £30.
He said he thought there would
be no trouble about getting that
amount on it. He told me to leave
the pin with him and he would
bear it in mind. I did so & he gave
me no receipt. The time between
that and the 28th of March. I
didn't see him. I positively swear
that I did not see him from the
10th to the 28th of March. On the
28th of March I ~~wrote him~~ wrote
to him that if he had no disposed
of the pin
Mr. Prynne (Produce the note if you have
it)
I have not got it or a copy of
H

10 16

it. That same afternoon I stopped into his place and confirmed the note I had written & said if the pin was not disposed of by the first of April that I wanted the pin back. He said all right.

Q Was Mr. Ingalls been your attorney always.

A Yes sir - I never had any occasion for any. I had some business with him six years ago. I never gave a check on a bank where I hadn't money to meet it & no proceedings were ever taken against me for so doing. I never received a loan from Mr. Cinger on that pin. I authorized a loan when he suggested it, either a loan or a sale. I didn't tell Mr. Cinger between the 28th of March & the 6th of April that I had given a check & there was no money in the bank to meet it. I told Mr. Cinger I was going to bring

1017

Mr. Ingalls there & wanted him (Finger) to verify my story about him having the pin & not giving me a receipt for it or any money. It nearly got me in a scrape. On Saturday, April 4th after Mr. Finger told me these false stories about him expecting a man in but who didn't get in yet. On April, 4th Mr. Finger, having told me that without a doubt that the thing would be all right. I told him I wanted to use the money on Monday very badly and that I had let some checks go out in ~~expectation~~ anticipation that the money for the pin would be in. I sent the checks out of town. On Monday the thing wasn't forthcoming from him and I had to make other arrangements for money. That was what I meant by saying I nearly got into a scrape. I brought Mr. Ingalls to Cuger's office to have my story corroborated and because

10 18

I had come to the conclusion that
he was trying to defraud me and
I wanted the story told in the pres-
ence of a witness that he had the pin
This was a lady's scarf pin

Re Dutch Exams - by - Mr. Ingalls

I left that pin with Cinger on the 10th
of March. The preceding testimony
which I gave in relation to the trans-
actions in January was settled up be-
fore the 10th of March. The pin was
absolutely mine on the 10th of March
there was no loan or encumbrance
upon it. I never gave Mr. Cinger any
authority to let the pin go out of
his possession or to give it to any-
body else to dispose of it. The 6th
of April was the first time I knew
he had parted with the possession
of it. He told me on that day that

4

10 19

He couldn't get my pin - that he
had given it to a man who had not
come back with it. He said he was
looking for him & he couldn't find
him. I said it was strange but I
hoped the man was responsible
& he said he thought he was. I
said of course he (Anger) had a
receipt for it & he said he had not.
I asked where the man's place
of business was & he said 115
Broadway. I went there and
couldn't find any D. Fauskane there
that was the name Anger gave
me. I told Anger I held him re-
sponsible for it & he said the trouble
was his as well as mine. He wrote
the customer's name "D. Fauskane."
on this paper - (paper marked Compl's.
"Exhibit A") & he sent 234 Madison
Avenue on it that is Mr. Ingalls.
I saw Mr. Anger the next day. I
had consulted my lawyer & he asked

1020

me if I had a receipt & I told him
"No" & he suggested that he would
go with me & see Finger. I told Mr.
Finger I brought this man there
with me & wanted him to relate the
whole story & ~~I~~ went over the whole
ground from the 10th of March to date
and I asked him if that was so &
he said "Yes" and affirmed it before
Mr. Ingalls. Mr. Ingalls suggested
to Mr. Finger that I should have
a receipt for it & Finger said "certainly"
and I drew a receipt & Mr. Finger
signed it. This is it. (Receipt
put in evidence & marked "Complain-
ants Exhibit B") I never received this
pin back from him since I gave it
to him on the 10th of March nor have
I received any money from him.

9

1st District Police Court.

James S. Porteous

vs.
Hortwight Kruger

STENOGRAPHER'S TRANSCRIPT.

April 25th 1883

BEFORE HON.
Daniel P. Kelly
Police Justice.

James A. Lyon

Official Stenographer.
101 Canby St.

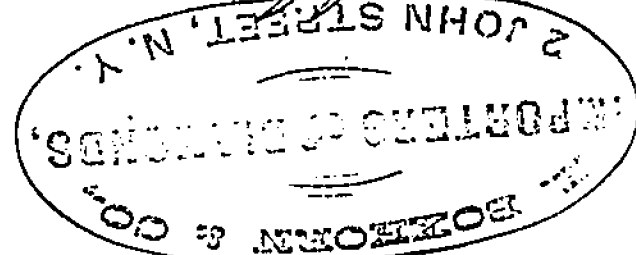
1022

3	3/4	12	45	168.45	45	288.45
3	3/4	12	45	168.45	45	288.45
3	3/4	12	45	168.45	45	288.45

James Smith
P. H. Foxhorn & Co.

Wm. H. Foxhorn
New York

New York January 1884
N 13 11



3	3/4	12	7	6	6	45.00	168.75
3	3/4		11	"	"	32.00	120.00
							288.75

Dr.

3	3/4	K	4	□	for Kt. a \$	45.	net	168.	45.
3	3/4		11	"	"	32.	"	120.	
						Net	\$	288.	75.

1025

First District Police Court.

The People vs on the
Complaint of Henry
Dixson

agst.

Kortright-Cruger

BEFORE HON.

P. G. Duffy
Police Justice

1884

STENOGRAPHER'S MINUTES.

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First District Police Court.

The People vs on the complaint
of Henry Moxham
agt
Kortright Greger

Wednesday
March 5th 1884
Continued.

Before Hon. P. G. Duffy - Police Justice

Appearances: Mr E. Atterbourg, for Complainant
Mr M. J. Synges for defendant.

James D. Taylor - Stenographer.

Henry Moxham recalled and his cross examination
continued by Mr Synges.

Q Where do you live

A 119 East 15th Street.

Q How long have you been in this country.

A Six months.

Q Who is your other partner.

A My father.

Q Where does he live

A In Paris.

Q Do you import these goods yourself.

Objection to as being immaterial
Objection sustained.

2 Did you between the time when you delivered these goods, as charged in the complaint, to the defendant, about the time you made the complaint, did you see the defendant at all.

A. Yes sir.

2 When and who was present.

A. Mr Atterbourg was present.

2 When

A. About two or three days before the complaint was made.

2 Didn't you go to him after you delivered him the goods charged in the complaint on or about the 1st of December 1883 and offer to sell him some more goods.

A. No sir.

2 Did you write Mr Bruger any letters.

A. Yes sir; one I think I have a copy of the letter here dated January 29th 1884.

2 That was the only one you wrote him.

A. Yes sir as far as I remember it.

2 Did you see Mr Bruger at any other place between the time you delivered the goods charged in the complaint and the time of making the complaint - except as you have stated.

1028

3

3

A. No sir.

2 Did Mr. Burger call on you at your place a few days before this complaint was made.

A. Yes sir; I think so.

2 You think he did.

A. Yes; I think he called there once but I am not certain whether before or after the complaint was made.

2 Don't you know whether you saw him between the time the goods were delivered and the time the complaint was made besides the time you went to see him with Mr. Atterbury.

A. I don't know.

2 What happened at that time you saw him there.

A. I saw him in my place; he told me he had sold the goods and would pay me in a few days.

Redirect-examination by Mr. Atterbury

2 You are the complainant in this matter

A. Yes sir.

2 You are a member of the firm of Henry Boylson & Co.

A. Yes sir.

2 Owners of the property alluded to in the complaint as having been stolen by the defendant.

A. Yes sir.

2 When did you see Mr. Brueger the first time?

A. About the 5th of November 1883 at his office.

2 What happened there?

A. I went there with a stock of \$50,000⁰⁰ worth of diamonds; I showed him two parcels amounting to \$6,000⁰⁰; he told me he could use these goods, but he was not acquainted enough with the diamond trade to buy them at once; he asked me to leave them on trial, on commission, a few stones out of either parcel of these two parcels; the amount of the few stones was \$288⁷⁵ and he told me he would show them to his customers and if they would suit he would buy them; I left a few stones; a few days after I went back to his office you left the goods there; the same goods described in the complaint.

A. Yes sir.

2 The diamonds you left; on what conditions did you leave them; what did you say when you left there?

A. I told him I left them on probation.

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in order that he might see his customers and that he would have to return the goods if they were not sold, and the money if the goods were sold.

2 That was the first time.

A. Yes sir.

2 Did you leave any paper or itemized statement.

A. No sir.

2 When did you call there again.

A. In a few days; I asked him if the goods were "sold"; and he said "No" I told him the same as the first time that I wasn't in a hurry for the goods because he told me he had no money to buy them, and I left them until they were sold.

2 Did you call there again.

A. Yes sir; the second time I went there I saw him and he wanted to buy a larger amount of goods; I told him that the goods were very cheap & that I thought he would be able to do some business with us; I told him the 2 parcels I sold him on the first day were sold; I took the goods back; I sent them back to him again with a bill on probation.

Mr. Atterbury calls upon Mr. Synge to produce the bill.

Mr. Synges produces the bill.

2 Was there anything said by Mr. Brugger or yourself relating to the sale of some diamonds at the second time you called.

A. He wanted to buy some and I told him they were sold.

2 You took those goods away.

A. Yes sir.

2 When did you return them again.

A. In a few days I delivered them; I told him that I didn't want him to buy the goods that way; I told him if he would pay me for them I would give him more on the same conditions, that is on probation, and the next day I sent a bill with the boy.

Bill identified and marked exhibit "A."

2 Is that bill in your hand writing.

A. Yes sir.

2 What did you say when you left the goods the second time.

A. I told him he should show the goods to his customers, and if he sold the goods he would have to give me the money and if not to return the goods.

2 What did Mr. Brugger say.

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- 7
- A. He said he would show them to his customers and if sold he would give me the money for them.
- 2 Was there anything said about returning the goods.
- A. Yes; he said if the goods weren't sold he should let us take them back; I told him I should if the goods weren't sold; It was on these terms I left the goods with him.
- 2 Was that what you said.
- A. I told him I should have the money or the goods back.
- 2 What did he say.
- A. He said he would show them to his customers, that he didn't want to buy them as he had no money to buy them with; I told him I didn't want his money, that I wanted him to keep the goods in memorandum, show them to his customers and then to either give me the goods if he didn't sell them, or the money if he did sell them.
- 2 This bill that you delivered to him after delivering the goods; is that what is known as a memorandum in the trade.
- A. Yes sir.
- 2 What does "on apro" mean on the bill. Is that the term generally used in the trade.

A. Yes sir.

2 How long have you been in the diamond business.

A. About 12 years.

2 Are you well acquainted with the custom of the diamond trade.

A. Yes sir; generally.

2 And are you familiar with the custom of the trade here.

A. Not entirely; I can't say for sure.

2 What are the different ways known to the trade of delivering or selling diamonds; do you sell on cash and credit.

A. Yes sir.

2 Any other way.

A. Yes sir; on approval, or on memorandum.

2 To your knowledge what is the custom of the trade when goods are delivered on approval or memorandum.

A. It is only commission.

2 To your knowledge is the bill referred to, is that bill delivered on memorandum.

Objected to as being immaterial & that the bill speaks for itself.

Objection sustained.

2 Do you keep any books in your business.

A. A Memorandum on approval

2 What kind.

Q. All the books I keep; one special book of goods sold on memorandum
 2 Do you keep a day-book, ledger & sales book.

A. Yes sir.

2 And a memorandum book.

A. Yes sir.

2 What do you write in that memorandum book.

A. All the goods delivered on approval.
 2 Is that your so called memorandum book, book marked J. A. L.

Objected to as being immaterial.

Objection over-ruled. Exception.

A. Yes sir.

2 Does this book contain any account or statement of the business you had with the defendant in this case.

Objected to as being immaterial

Objection over-ruled.

A. Yes sir.

2 Does that account refer to him.

Page of the book offered in evidence and marked "A" in the book.

2 Is that in your hand writing

A. Yes; all with the exception of a few items.

2 Is the account referring to Mr. Breger in your

hand writing.

A. Yes.

2 When was that entry made there.

A. On the 5th day of November 1883.

2 What entry is there there of any transaction with the defendant.

Book offered in evidence.

Mr. Fynges objects to the books being offered in evidence as they are the private books of the witness, defendant never knew anything about the books, it was never shown him and the prosecution might manufacture evidence.

Book admitted.

2 These books contain entries made day after day

A. Yes sir.

2 Contains entries relating to transactions in this matter from November 5th 1883

A. Yes sir.

2 What business did Mr. Bruger tell you he was engaged in, when you called to see him

A. In the jewelry business.

2 Did you at that time sell to Mr. Bruger any merchandise.

Objected to as being immaterial.

Objection over-ruled.

A. I never did

2 Were the goods in question to be returned to you if not sold by Mr. Brugger.

A. Yes sir.

2 Did you tell him at that time he was either to return the goods or the money for them.

A. Yes sir.

2 Did he agree to that.

A. Yes sir.

2 What did he say to that.

A. He said, yes.

2 Did you since the delivery of the goods demand these goods.

A. Yes sir; I sent my boy to get the goods or the money; I never went there myself for them.

2 How often did you send the boy.

Objected to as being immaterial and irrelevant.

Objection sustained.

2 Did you ever receive the money for the diamonds.

A. No sir.

2 The diamonds were never returned.

A. No sir.

2 Is Exhibit B in your hand writing.

A. Yes sir.

2 Did you send that to the defendant.

A. Not as it is here.

2 Is a portion of it torn off.

A. Yes sir.

2 You sent the whole of it to the defendant.

A. I sent the whole of it.

2 With one of your clerks.

A. Yes sir.

2 What were the instructions given your clerk when you sent him there.

Objected to. Objection sustained.

2 Before delivering the goods mentioned in the complaint had you made any inquiry as to his having been sound, as to his credit.

A. Yes sir.

2 What was the information you received.

Objected to as being immaterial, incompetent + irrelevant and as being hearsay evidence, if he heard anything.

Objection sustained.

2 What was the result of the information you received as guiding your action with Mr. Brueger.

Same objection, + ruling.

2 Did you not in consequence of information received as to his status in the Mercantile Community refuse to sell him the goods.

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Objected to as being immaterial
Objection sustained.

- 2 Was it not because of the information you received that you refused to sell him these \$5,000⁰⁰ or \$6,000⁰⁰ worth of diamonds or that on the other hand you delivered him the diamonds on a memorandum.

Objected to as being immaterial
Objection sustained.

Recross examination by Mr. Synges.

- 2 Was not Exhibit "A" delivered at the same time the stones referred to in the complaint were delivered A. About the same time; I can't remember exactly whether the same day or the next day; I don't know whether it was delivered with the goods or not.

- 2 Do you mean to say or swear that you delivered these goods the second time to Mr. Bruger yourself A. Yes sir, myself.

- 2 Have you not already testified you delivered them yourself.

A. Yes I delivered them myself as far as I remember; I think I did.

2 Have you not already testified that you didn't see Mr. Bruger between the 5th day of November 1883 when the goods were given to him and the time when you went to see him a few days before before this complaint was made in company with Mr. Atterbury.

A. Between the third time and the first time I saw him with Mr. Atterbury, I didn't see him the third time.

2 Is everything you have testified to here to-day as true as your statement that those goods were delivered to Mr. Bruger by you personally and that the bill was sent with them, or delivered with them.

Sworn to before me this 5th
day of March 1884

D. C. Murphy
Police Justice

J. P. Boxhorn

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Percy Canning, a witness for the prosecution
being duly sworn testified as follows:

Direct Examination by Mr. Clatterbourg.

- 2 Where do you reside.
A. 316 West 59th Street.
- 2 Are you in the employ of Mr. Rothman?
A. Yes sir.
- 2 Do you know the defendant in this action,
Mr. Bruger?
A. Yes sir; I know him to be in business.
- 2 Where have you known him?
A. At his office No 25 Maiden Lane.
- 2 How often did you see him there?
A. About six times.
- 2 State as near as you can remember ^{about} the
different times from November last up
to the present time.
A. I have seen him about six times
between that time.
- 2 When is the first time to the best of
your recollection?
A. The 4th day of January 1884.
- 2 When was the next time?
A. I saw him the next Tuesday
after that.
- 2 When did you see him after that.

A. I think Saturday to the best of my recollection.

2 When on the 4th time.

A. I think on Thursday.

2 To the best of your recollection you saw him the first time in January.

A. The first time in January last sure. Since that time up to the present day you have seen him about six times.

2 A. I don't know the exact number of times. Where did you see him.

A. at his office.

2 How did you come to go to see him.

A. I was sent there by Mr. Moskowitz.

2 What instructions had you.

Objected to.

2 Mr. Moskowitz sent you to see him.

A. Sent me with a bill.

2 On this occasion he sent you with a bill.

A. Yes sir.

2 (Showing witness Exhibit "B") Is that a portion of it.

A. That is a portion of it, yes sir; I tore the other part off.

2 From whom did you receive this paper marked Exhibit "B".

A. From Mr. Moskowitz.

2 What did he tell you to do with it
 Objected to as immaterial.

2 Did you tell, when you called on Mr
 Cruger with this paper marked Exhibit
 "B"; did you convey to him the message
 given you by Mr Myrdum.

A. Yes sir.

2 What did you say to him.

A. I asked him if he could give me the
 money for that, and Mr Cruger said he
 had sold the goods.

2 Did you say anything else to him.

A. No sir.

2 Did you also ask for the goods.

A. After I took the bill there and presented
 it to Mr Cruger, Mr Cruger looked at the bill
 and then I asked him for the money and
 Mr Cruger said he hadn't got it. Then I asked
 for the goods, and Mr Cruger said he had
 sold the goods.

2 What did he say concerning this paper.

A. He asked for this paper, Exhibit "B".

2 Did you leave it with him.

A. Yes sir.

2 Hadn't you been directed by Mr Myrdum
 not to leave it.

Objected to.

2 On this particular occasion that you

called on Mr. Bruger what happened.

A. I asked Mr. Bruger if he could give me any money, the day I went there and Mr. Bruger said that he hadn't any money, business was very slow, he had been expecting money but hadn't got it.

2 What happened on the next occasion.

A. About the same thing on all occasions said business was very slow.

2 Did you at any of these times exclusive of the one when you left this paper demand the return of the goods.

Objected to.

2 Did you at any time besides the time you have already sworn to, demand the return of the goods.

A. No sir.

2 Why didn't you ask the return of the goods.

~~SA.~~

Objected to.

2 When you called on Mr. Bruger did he tell you he had sold the goods.

A. Yes sir.

2 Did he at any time give you the goods in question, or any money, or any portion of it.

A. No sir, never.

Cross examination by Mr. Tynge.

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2 Did I understand you to say the first time you called on Mr Cragen was on or about the 4th day of January 1884.

A. Yes sir.

2 Was that the first time you ever went to his office.

A. It was the first time to the best of my recollection I ever was at that office.

2 How long have you been in the employ of Mr Boylson.

A. About 5 months at the end of this month.

2 That is the first time you say you ever went there for Mr Boylson.

A. Yes sir, to the best of my recollection.

2 Would you have recollected it if you had been there before.

A. I don't think I would, no I wouldn't.

2 Did you ever go there to deliver any goods.

A. No sir.

2 Never.

A. No sir.

2 This bill exhibit "B" how did you deliver it to Mr Cragen, was it open or in an envelope.

A. It was open. It was not in an envelope.

2 I show you paper marked exhibit "A" did you ever see that before.

A. I don't remember.

2 You didn't deliver that to Mr. Greger.

A. No sir; I don't remember.

2 I ask you whether you did or did not.

A. No sir.

2 Did you not on or about the 3rd day of November deliver to Mr. Greger a package of goods from Mr. Mathew.

A. I don't remember ever delivering Mr. Greger any goods at all from anybody.

2 And your memory on that is as good as on anything else.

A. Yes sir.

2 You can remember these Tuesdays and Saturdays and Thursdays.

A. Yes sir.

2 But you can't remember as to that.

A. No sir, I can't.

Redirect examination by Mr. Atterbury.

2 How old are you.

A. 15 last month.

2 In what capacity are you employed by Mr. Mathew.

A. I run errands, write letters sometimes.

2 How much do you get a week.

A. \$3.00.

2 Can you swear positively whether or not

you ever delivered any goods to Mr. Craig from Mr. Moslow.

A. I cannot swear positively.

2 Do you remember ever having seen Mr. Craig before this year.

A. No sir; I have not that I remember.

2 And you have only seen him since you have been the employ of Mr. Moslow.

A. Yes sir.

2 Since you have been in the employ of Mr. Moslow has there been any other clerks there.

A. No sir. There was Mr. Moslow's brother and a Mr. Highlander.

2 Who is Mr. Highlander.

A. He is employed by Mr. Moslow.

2 What age of a man is he.

A. About 60 years old.

2 You are the only boy.

A. I am the only boy, yes sir.

Sworn to before me this 5th day
of March 1884.

P. H. Canning
Police Justice

Percy Canning.

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Kortright-Cruiger, a witness for the defence
being duly sworn testified as follows:

Direct examination by Mr. Synges:

2 Where do you reside.

A. 425- 4th Avenue

2 What is your business.

A. Jeweler.

2 Where.

A. No 25 Maiden Lane.

2 Do you know Mr. Hewie Proskow the
complainant in this action.

A. I do.

2 When did you first see him.

A. About the 14 day of November 1883.

2 Where.

A. at my office.

2 Had you ever seen or known him before.

A. No sir.

2 State what occurred on that day.

A. He came in and asked me whether
he could sell me some diamonds. I
told him I had no money to buy dia-
monds, but he said it wasn't necessary to
have any money and asked if he could
show me some. I told him to come in
and I would look at them and he showed

a large quantity of different-sizes & qualities. I picked out a few small ones and asked him his prices which he gave me and I told him if he would leave these with me for a few days until the following Tuesday I would ascertain whether his stones were good and his prices reasonable. He left the stones with me those that I picked out.

Q. Is that all that happened on that day.

A. That was all that happened that day.

Q. Did you afterwards return those stones to him.

A. Mr. Morrow came back to the office on the Monday following and took the stones away.

Q. Can you state what happened at that interview.

A. I told him I had inquired as to their value, and that if he would sell them to me I would purchase them.

Q. Was anything said about the time of payment.

A. Yes sir; I told him that if I bought them I should have to buy them on the usual credit, and he agreed to give me 4 months jeweler's credit.

Q. Did you receive those stones again.

A. On the following day he sent the stones in a package to me by the young man that was here, to deliver them to me with a bill.

2 With this bill exhibit "A".

A. That was the bill.

2 How were they wrapped up.

A. They were wrapped up in soft white paper such as jewelers use. Two small packages, two different sizes of stones.

2 Was the bill open or in an envelope.

A. The bill was simply folded and attached to the package by a rubber band.

2 Where were you when you received these packages.

A. I was in my office.

2 That is in the outside office.

A. Yes sir.

2 Was any one present.

A. Yes sir.

2 Who.

A. Miss Hill and also my brother.

2 When did you see Mr Portman next.

Objected to.

A. He came in probably as near as I can judge about the 1st of December & then showed me a large quantity of

diamonds of the same size and character as those I had bought of him previously.
Mr. Atterbury moves to strike out the answer.

2 Where was this interview with Mr. Foxthorn?
A. In my office.

2 Did you send for him to come to see you?
Objected to.

2 When did you see Mr. Foxthorn again after this interview about the 1st of December?
A. He called at my office once after that previous to the 1st of January.

2 State what happened at that time as near as you can remember.

A. Nothing of any account occurred. He said he was passing along and thought he would come in and see me.

2 Nothing more than that.
A. No sir.

2 When did you receive this bill exhibit B?

A. Well I received that bill probably on the day of its date as near as I can remember.

2 About the date, January 4th.

A. Yes sir.

2 Had you seen Mr. Foxthorn during the interval between the time you had seen him last and the time you had seen this

bill.

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A. No sir.

2 Who brought this bill to you?

A. The boy.

2 The one who has just testified.

A. Yes sir.

2 Was it open or in an envelope.

A. In an envelope sealed up.

2 Did he leave it with you.

A. He handed me the letter.

2 When did you see Mr. Mortimer again, if you saw him at all, after the receipt of this bill, before this complaint was made.

A. He was in once probably during the first week in February.

2 State what occurred then.

A. He said he was very much in want of a little money and asked me if I couldn't let him have \$100⁰⁰ on account of the bill. I told him I hadn't it to spare at that time, that he had better wait.

2 Did anything else happen then.

A. Nothing else.

2 You say that was about the 14 of February.

A. Yes sir.

2 Did you see him after that.

A. I saw him after that at his office.

2 What occurred then.

A. At the previous meeting at my office when he called he said he had received a letter from his father asking him to try to close out his business in this country & wished him to return to France, he showed me a letter to that effect written by his father to him, and after that I went to his office and told him that I would try to give him ^{that} 100⁰⁰ he wanted but hadn't the money then.

2 When was the first time that Mr. Prothon ever made a demand on you on the ground that the goods were merely left with you for sale on a memorandum.

Objected to.

2 Did you ever receive a letter from Mr. Prothon.

A. I did.

2 (Handing witness a letter) Is that the letter.

A. Yes sir.

2 Did you receive it about the time of its date.

A. I did.

Letter offered in evidence and marked Exhibit "C" March 5th 1884.

2 Did Mr. Prothon in any of your interviews with him before the receipt of this letter ever make any suggestion or claim to you that the delivery of these goods was anything

but an ordinary sale.

Objected to as leading.

Objection over-ruled. Exception.

A. No sir.

- 2 Are you acquainted with the custom in the jewelry trade in New York City in reference to what are called memorandum orders.

A. I am.

- 2 Please state what is the custom of the jewelry trade in reference to such memorandum orders, and what a memorandum order is.

A. A memorandum order is a simple statement as to certain goods delivered and does not constitute a sale unless afterwards the party to whom the delivery is made expresses a satisfaction with the goods delivered and consents to make a purchase.

- 2 Is there in the jewelry trade in this city a usual form for bills made on what is called memorandum orders.

A. There is.

- 2 Have you ever bought goods on a memorandum order.

A. I have.

- 2 What sort of a bill has been sent to you with those goods.

Objected to as being immaterial

- 2 After goods have been sent on a memorandum order is any other bill ever sent.

Objected to.

- 2 I ask simply as to what you know of the custom of the jewelry trade of New York City; is it ever customary with the jewelry trade in the city of New York to send a second bill for goods having been sold on a memorandum order.

Objected to.

- 2 What is the custom of the jewelry trade in the city of New York after goods have been delivered on a memorandum order in reference to sending any other bill, state if you know.

A. Sometimes a bill is sent, sometimes they are simply charged against the party on the books and a bill rendered if called for.

- 2 What is the custom of the jewelry trade in reference to the form of such a bill (the second bill) when it is rendered.

A. It is a regular bill of sale.

- 2 What do you mean by a bill of sale.

A. A commercial bill of sale

- 2 What do you mean by that.

A. They read such a date to such a party

the purchase to the seller debtor to goods sold and the price carried out designating the amount of the purchase

- 2 Is that usually written on a different bill-head from the one accompanying what is known as a memorandum order.

A. Yes sir.

- 2 You have heard the testimony of the boy Canning.

A. I have.

- 2 Please state as far as you can remember what happened at any time when he came to your office, that you have not stated.

A. He simply came to collect money on account of this purchase.

Cross examination by Mr. Utterbourg.

- 2 How long have you been in the jewelry business, Mr. Burger.

A. Since the 1st of June last.

- 2 What business were you in before then.

A. I was in the stock + bond business, money loaning.

- 2 Where.

A. 39 Nassau Street.

- 2 What firm.

A. Simply by myself.

- Q Your experience in the jewelry business only dates back from the 1st June last.
A. Yes sir; about the 28th of May.
- Q Have you a partner in your business?
A. No sir.
- Q What kind of jewelry do you deal in?
A. All kinds.
- Q Did you ever deal in diamonds prior to the transaction referred to in the complaint herein?
A. Only in a small way occasionally.
- Q From whom did you buy these diamonds?
Objected to as being immaterial.
- Q Did you buy your jewelry for cash or on credit?
A. Both.
- Q Mainly cash, or credit?
Objected to.
- Q Did you ever take jewelry on a memorandum order?
A. Occasionally.
- Q Can you refer to any one instance where you obtained jewelry on a memorandum order and afterwards received a bill of sale?
A. I have made such purchases, but I should have to look over my bills to see which is which.
- Q Have there been many.

A. Quite a number.

Q Upon what do you base your knowledge of the custom of the jewelry trade.

A. From what I have learned since I have been in the business.

Q You have been in the habit of obtaining goods on memorandum orders and afterwards receiving a bill for them.

A. Yes sir.

Q Are you at all familiar with the trade as to diamonds.

A. Do you mean diamonds particularly?

Q The custom of the trade in diamonds particularly.

A. I cannot say I know of any difference.

Q You don't know but what there is a difference.

A. I never made any difference.

Q Do you mean to swear that when Mr. Myerson called on you the first day, he used the word "sale" in connection with the delivery of the goods you kept.

A. Yes sir.

Q Then you told him you hadn't any money to buy diamonds.

A. I made that remark, yes sir.

Q Did you tell him you were not in the diamond business.

A. Yes; I told him I hadn't had much to do with diamonds.

2 Are you a judge of diamonds, of their value.

A. I don't consider I am.

2 You told him you would price the diamonds that he left there.

A. I told him I would inquire as to their value according to their fineness.

2 Did you make such inquiry.

A. I did.

2 From whom did you make such inquiry.

A. I made inquiry of Mr Morrow.

2 Where does he keep.

A. In the same building as I do.

2 Does he deal in diamonds.

A. He does; it was a part of his business he claims to be an expert in their value and fineness.

2 Do you mean to swear that when the complainant here called on you, he told you it wasn't necessary for you to have money to buy diamonds.

A. Yes sir.

2 You won't swear he used those very words.

A. My recollection is he said, you don't need any money.

2 You said on your direct examination that

he refused to sell them to you, is that so.

A. I didn't say that.

2 Did he refuse to sell them to you that first day.

A. No, not at all, he offered to sell them to me.

2 He took them away, did he.

A. No sir, not the first day.

2 You said you would buy them upon a 4 months jeweler's credit.

A. I told him I wouldn't buy them unless I could have them on the ordinary jeweler's credit.

2 You said a 4 months credit.

A. Yes sir.

2 You didn't say on your direct-examination that the complainant took the diamonds away the first day.

A. No sir.

2 Are you positive the diamonds in question were delivered to you by this boy 'Cunning'?

A. Yes sir.

2 And originally left there by Mr. Boylorn.

A. The diamonds that Mr. Boylorn left there the first day, he took away the second day he sent back by this boy.

2 What did he say to you the second day.

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 A. He said he would make out a bill for them and send them around, he wanted to weigh them to see how much they came to.
- 2 Do I understand you he was to make out a bill giving a credit of 4 months.
- A. Yes sir; he said he would do that.
- 2 You are positive Miss Hill and your brother were there present on all these occasions.
- A. I am positive ^{about} Miss Hill being present on the first occasion of Mr Prothon coming in; on the second I don't positively remember. When the boy brought the diamonds I am positive she was there, she was also in, and my brother was there to the best of my knowledge also.
- 2 Do you mean to have us understand you bought the diamonds in question on a credit of 4 months from Mr Prothon.
- A. Yes sir, that is the way I bought them.
- 2 Was there any understanding that you were to return the diamonds.
- A. No sir.
- 2 Nothing said about showing them to customers.
- A. No sir.
- 2 Nothing said about giving the money received

upon the sale of the diamonds to Mr
Boylson.

A. No sir.

2 When the diamonds were finally delivered
to you by this boy Canning, & he it was
delivered with them wasn't it.

A. Yes sir.

2 Does that bill show a credit of 4
months.

A. It does not show any special terms.

2 Don't it say "terms net-cash"

A. It says "terms cash"

2 Does that mean 4 months credit

A. I don't know what it means in that
particular case; I only know I bought these
goods upon 4 months credit.

2 Isn't it your knowledge sir in the jewelry
trade that the terms appear on the bill.

A. No sir; not-always.

2 Isn't that the rule.

A. I don't think it is.

2 Well you swear it isn't.

A. I have bought on credit.

2 You notice that the terms on this bill are
cash.

A. I see it there.

2 You didn't understand it at the time

A. No sir.

2 Didn't you examine the bill.

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A. I just looked at the amount, I wanted to see what the amount was.

2 When was the first demand made on you for the payment of this bill.

A. At the time the second bill was sent in.

2 The bill the witness Canning brought.

A. Yes sir.

2 What did you say to that bill.

A. I don't now remember anything about it.

2 You paid no attention to it.

A. He had nothing to do with this transaction between Mr Boston and I.

2 Did you at any time promise to pay for these diamonds in question.

A. I don't remember ever making any special promise in buying in any transaction I have; I supposed his goods were to be paid for.

2 Don't you know that you did.

A. When I bought them I said I would pay for them.

2 Did you promise to pay for them when this bill was delivered by Robert B.

A. I told the boy that delivered them that I wasn't prepared to pay for them at

the time.

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2 Did you at any time that you would pay for them.

A. In answer to his statement that Mr. Boylson was desirous of having the money, I told him I would try to let him have it.

2 Did you say when you would pay it.

A. No definite time, no sir.

2 Didn't you call on Mr. Boylson and promise to pay for these diamonds.

A. I went to his office once in answer to his request that I would do so in reference to paying for them.

2 Did you there promise to pay for them.

A. He said he would like to see me about them and when I went there he asked me if I couldn't pay him a portion of the money, that he needed it.

2 Did you then promise to pay for these diamonds.

A. I told him I wasn't able at that time to pay anything and he spoke again about his going away.

2 That was in January.

A. It was along in January or February.

2 No aren't repeated demands for payment for the diamonds in question been made by

Mr Boylson and the witness Canning. ³⁹

Q. The witness Canning called several times to see me, to see if I could let him have a part or all of the money.

2 Give us the different times as near as you can remember.

A. Between the 4th of January and the end of the same month.

2 What did you say when these demands were made for payment?

A. I told him I hadn't the money to spare at that time.

2 Did you on any of these occasions tell either Mr Boylson, or Canning, that you had bought these diamonds on a 4 months credit.

A. I don't remember that I did.

2 Will you swear that you did at any time say that these diamonds were sold to you on 4 months credit before to-day to either Mr Boylson or Canning.

A. I never had occasion to do so.

2 Had you before the time that the repeated demands were made.

A. No sir; the demands were made in this manner, that Mr Boylson had need of money and would be glad if I could pay him a portion of this money for these

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diamonds in advance of the time it was due because he had needed it.

Q January 29th you received a letter demanding payment for an amount of \$288⁴⁵ the value of the goods in question, or the return of the goods.

A. I received that letter, yes sir.

Q Did you answer that at all.

A. Not by letter.

Q By word of mouth.

A. I think I mentioned having received that letter to Mr. Boston when I went down to his office.

Q Did you on that occasion call his attention to the fact that this was a sale on 4 months credit.

A. I don't remember that I did.

Q Isn't it the custom amongst the jewelry trade after a bill has been rendered to demand payment when there is a credit of 4 months and that you refuse to pay until the credit has expired.

A. Ordinarily it is.

Q Did you at no time claim there was a credit of 4 months.

A. I had no occasion to make any claim at all.

Q What did you call at Mr. Boston's for.

Was there an object in your calling. 41

A. As near as I can remember the message I received was, he was very much in need of some money, and wished me to call down to see him, to see if I couldn't let him have some.

2 But you hadn't anything to give him at the time.

A. I went around to see him and told him I hadn't any money to give him and he said he needed it for personal expenses.

2 Then you haven't paid for these diamonds or any portion of them.

A. No sir.

2 What has become of these diamonds

A. They are sold.

2 To whom.

Objected to as being immaterial.
Objection over-ruled by exception.

Adjourned to Friday March 1st 1884
at 10 O'clock A.M.

Adjourned to Monday March 24th 1884
at 9 O'clock A.M. at 5th St. Police Court
premptorily as to defendant.

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Monday March 24th 1884
9 o'clock A.M.

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Continued

Present - The Court & Counsel as before.

Laura Hill, a witness for the defence
being duly sworn testified as follows:

Direct examination by Mr. Tynge.

Q Where do you reside.

A. No 993 Second Avenue.

Q What is your occupation.

A. Copyist.

Q Are you in Mr. Brugers Office.

A. Yes sir.

Q Do you know Mr. Boylson the complainant in this case.

A. Yes sir; I have seen him come to the office.

Q Do you remember during what time you have seen him come to the office.

A. From the 1st of November until about the middle of January I think.

Q About how many times.

A. Several times.

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11. PROPERTY QUESTIONS

047-571 10000 100000 1000000

Spring - Summer

O. Ann. Mus. 1948, p. 100, fig. 100.

(PERS) FROM THE CASE OF THE OFFICE

to the Commission, stating that they were
not able to do so.

Q. How much of your work is done in the
city in your case?

to the person you bargain with, unless
it is for him.

Chas. W. Johnson, Clerk.

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расход средств на приобретение, содержание, эксплуатацию:

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С. А. Герасимов.

С. В. Савин С. В. С.

Wassard Wassard 212 16.11.1

Q Do you remember anything connected with the delivery of these diamonds to Mr. Bruger. Were you present.

A. I was in the office when the boy brought them in and delivered them to Mr. Bruger, and Mr. Bruger came and showed them to me.

Q Did Mr. Morkorn deliver them.

A. The boy did.

Q Do you know who that boy is.

A. I saw him, but I don't know him specially.

Cross examination by Mr. Atterbury.

Q How long have you been in the employ of Mr. Bruger.

A. Since ~~the~~ last June.

Q Where, in Maiden Lane.

A. Yes sir.

Q How did you come to know the complainant in this action.

A. By having seen him come into the office.

Q Who told you his name.

A. Mr. Bruger.

Q How do you know Mr. Morkorn clerk.

A. By his coming in there, in the

office and delivering the diamonds to Mr. Bruger.

2 Do you know the name of the boy
A. I do not.

2 Of your own knowledge that boy you have referred to is not in the employ of Mr. Mayhew.

A. I know the boy that delivered the diamonds.

2 Are these the only diamonds that have been delivered to Mr. Bruger.

A. To my knowledge.

2 What are your hours at the office

A. From 9 o'clock to 5.

2 I understood you to say the boy left some diamonds with Mr. Bruger.

A. Yes sir; he left them there on Election day.

2 You say the boy, on Election day, left some diamonds with Mr. Bruger.

A. Yes sir.

2 But of your own knowledge you don't know he was ever in the employ of Mr. Mayhew.

A. I don't know if he was in the employ of Mr. Mayhew, but I know he brought the diamonds from Mr. Mayhew.

2 If you don't know he was ever in the

employ of Mr. Boylson how do you know he delivered the diamonds from Mr. Boylson.

A. To my knowledge they were the only diamonds that Mr. Creeger got, the diamonds from Mr. Boylson during that time.

Q And because this boy delivered diamonds at Mr. Creeger's office you think he came from Mr. Boylson.

A. I know it.

Q How do you know it.

A. Because I know the boy brought them from Mr. Boylson; because I know Mr. Creeger didn't get diamonds from anybody else.

Q Because this boy delivered diamonds to Mr. Creeger, you think this boy came from Mr. Boylson.

A. I don't see how they could be brought from anybody else.

Q You supposed he came from Mr. Boylson.

A. I know it.

Q How do you know it.

A. I am positive of it.

Q You are positive that during the time you were in the employ of Mr. Creeger no other diamonds but the ones in

question were delivered at Mr. Brugers office.

A. I am.

Q. Do you keep books in the office.

A. I don't keep books, but what is done there I do.

Q. Do you know if there are any books kept.

A. There are some books kept there, order books &c.

Q. Is it a part of your duty to examine all the bills.

A. I examine the bills.

Q. Do you make it a business to examine all the bills.

A. Mr. Brugers generally shows them to me.

Q. Do you take any time for Refreshments, for lunch.

A. Sometimes, yes.

Q. Do you go out to lunch.

A. No sir.

Q. You never go out to lunch.

A. No sir; not until 5 O'clock in the afternoon.

Q. What time does the office close

A. Five O'clock.

Q. What means have you of knowing any thing that Mr. Brugers purchases.

- 47
- 2 A. Because he shows me every thing.
What goods does he deal in.
- A. Rolled gold jewelry, solid jewelry, watches &c.
- 2 Whenever he buys any goods he shows them to you.
- A. Certainly because I send out the orders.
- 2 Send out orders for what.
- A. For jewelry &c.
- 2 Mr. Greger has testified that he dealt in diamonds in a small way, that he had purchased diamonds prior to dealing with Mr. Moskowitz; how do you reconcile that.
- A. Not in the interval between November and January.
- 2 Do you mean to say other diamonds were purchased between June and November
- A. Not in the way of diamonds
- 2 If there had been any others you would have known it.
- A. I think so.
- 2 Was Mr. Greger in the habit of displaying to you all the goods purchased prior to November.
- A. Yes sir.
- 2 No didn't show you any ~~the~~ diamonds

between June and November.

A. No sir.

2 Are you positive the date of the delivery of these diamonds was on Election day.

A. Yes sir; I am positive the boy brought them in there on Election day.

2 Did you make any memorandums as to the date when you claim this boy delivered diamonds to Mr. Breger.

A. No; but I know it was Election day; I was doing work for Mr. Breger's brother that day.

2 What do you mean by doing work for Mr. Breger's brother on Election day.

A. I was sending out circulars for his club.

2 About what hour did you go there on that day.

A. About 11 O'clock.

2 How late did you remain at the office that day.

A. Until 3 O'clock.

2 When did you mail these circulars.

A. I didn't mail them.

2 What had you to do with the circulars.

A. I addressed the envelopes and folded the circulars.

2 Did you mail the circulars.

A. I did not.

- 2 How do you know the circulars had any relation to Election day.
 A. Simply because Mr. Brugers' brother told me so.
- 2 Was Mr. Brugers' brother at the office that day.
 A. He was not.
- 2 Did he give you any directions as to mailing them.
 A. He did not.
- 2 What did you do with them.
 A. I left them on the desk.
- 2 You don't know they were ever mailed.
 A. I can't say.
- 2 Where did you get the addresses from.
 A. The Blue Book.
- 2 Where were you standing when this boy came to the office of Mr. Brugers on that day.
 A. Standing at my desk.
- 2 Where was Mr. Brugers.
 A. Standing inside the railing of the office; Mr. Brugers was in the outer office inside the railing.
- 2 How far away was your desk from Mr. Brugers.
 A. About a yard and a half.
- 2 What town did this young man deliver

the diamonds. 50

A. I think between half past 10 and half past 11.

2 Now do you come to fix that time.

A. I can't state positively.

2 You think it was between half past 10 and half past 11.

A. I can't say positively.

2 Was it nearer half past 10 or half past 11.

A. I know it was in the morning.

2 May it not have been 10 O'clock.

A. I said between half past 10 and half past 11.

2 Was it nearer half past 10.

A. I don't know.

2 You stated a few moments ago that you went to the office at 11 O'clock; if so how can you now state the diamonds were delivered between half past 10 and half past 11 that morning.

A. Half past 11 is 30 minutes later than 11 O'clock and he could have brought them in the interval between 11 and half past 11.

2 And if the diamonds in question were delivered at the office of Mr. Greger, on last Election day between half past

Ten and Eleven you could not have witnessed the delivery.

A. I did witness the delivery because I was there and saw the boy deliver them to Mr. Bruger in tissue paper and Mr. Bruger said "aren't they nice" and I said they are and that boy delivered them and I know it.

2 You say the diamonds were delivered in silk
A. I said tissue paper.

2 Did you see the boy deliver them to Mr. Bruger.

A. I did.

2 What were you doing.

A. Standing at my desk.

2 But you were there for the purpose of addressing circulars.

A. I was there for other business besides that.

2 When the boy came in it attracted your attention and you looked at him.

A. Certainly.

2 You saw him deliver the tissue paper to Mr. Bruger.

A. I saw him deliver the diamonds in tissue paper to Mr. Bruger.

2 Did you see the diamonds before Mr. Bruger showed them to you.

A. I did not.

2 You are certain it was tissue paper you saw in the hands of the boy.

A. I am.

2 How soon after the boy left did Mr. Brugger show you the tissue paper with the diamonds in it.

A. 5 minutes.

2 Did he go into the inner office.

A. He did not; he was talking to a gentleman.

2 Who was that gentleman.

A. I believe he was a newspaper advertising agent.

2 Was he in the office before this boy came in.

A. He was.

2 Could you swear but what that gentleman delivered the diamonds to Mr. Brugger.

A. I could.

2 How long had he been in the office.

A. A few minutes before the boy came in.

2 Could you mention that gentleman's name.

A. I could not.

2 Had you seen him there before.

A. I had.

2 How do you know he was connected with a paper.

A. I believe he is connected with a paper called the "Operator".

2 Did you count the diamonds.

A. I did not.

2 Have you any idea as to the quantity.

A. I think they ranged from 15 to 18 from what I saw.

2 Were they all in one paper.

A. All in one paper.

2 You are certain they were all in one paper.

A. I am certain they were when Mr. Cuzer showed them to me.

2 Were they of equal size.

A. No, they were not.

2 Do you know anything about the diamond trade.

A. I know nothing about diamonds whatever.

2 You say Mr. Cuzer asked you whether they were nice.

A. I did.

2 What else did he say.

A. He said a good many things; I don't recollect anything else.

2 You can't recollect anything else.

A. I can't recollect a conversation for 5 months.

2 But you can recollect the hour that the goods were delivered for 5 months.

A. I said between these hours; I said

from half past 10 to half past 11.

2 That you remember.

A. That I remember.

2 But the conversation would impress itself upon you wouldn't it.

A. Not all of the conversation.

2 How any material portion of it.

A. Oh yes, but it had nothing to do with the diamonds.

2 Are you still in the employ of Mr. Gruen.

A. I am.

2 Have you had any conversation with Mr. Gruen concerning this case.

A. When I was sick Mr. Gruen called at my house and said he would like me for a witness.

2 Did you have a conversation with him as to the merits of the case.

A. I don't know what you mean; he only told me it was about the diamonds.

2 State all he said to you.

A. I told you what I recollect of it; he told me it was about the diamonds he had bought from Mr. Rothman.

2 What did he say.

A. I can't recollect; I think he said something about Mr. Rothman's not having sent him a bill, or a memorandum bill or something like that.

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way:

Q Try to tell me what he told you.

A. I can't put it altogether.

Q When was it that Mr. Brueger called on you and this conversation took place.

A. While I was sick.

Q How often.

A. Two or three times.

Q When was the first time.

A. I can't tell.

Q When was the second time.

A. Sometime in February.

Q All three times in February.

A. It was.

Q The time referred to did that take place on the first occasion.

A. No.

Q Please state the substance of any conversation you had with Mr. Brueger concerning this complaint and the diamonds in question.

A. I have told you all.

Q And whenever he called on you it was concerning this complaint.

A. No; certainly not; he came to see me when I was sick.

Q How long had you been sick.

A. From the 8th of February until about

Q Have you been at the office in Maiden⁵⁶ Lane since your recovery.

A. I have.

Q When were you there the first time after your recovery from your sickness.

A. The 11th day of March.

Q And daily since.

A. No.

Q How often since.

A. 7 days.

Q On these different occasions that you called at the office have any conversation with Mr Bruger concerning this case.

A. I did not until Saturday.

Q Was any one present besides you and Mr Bruger when you had this conversation on Saturday.

A. There was.

Q Who was present.

A. Mr Syng.

Q Please relate precisely the substance of the conversation you had with Mr Bruger concerning this case.

A. Well I think it was Mr Syng that ask me the questions, most of them.

Q I want the conversation.

A. I was asked if I recollected the time and who brought in the diamonds and I

guess I answered all in one question.

2 Was the testimony, or any portion of the testimony taken in this case read to you.

A. No sir, it was not.

2 Was any portion of the testimony explained to you.

A. What testimony.!

2 The evidence given in this case.

A. No sir, it was not.

2 Did Mr. Cramer at any time tell you what he desired you to testify to in this case.

A. No sir, he did not.

2 Now when he called at your house.

A. No sir, he did not.

2 Did any other person.

A. No.

Re direct-examination by Mr. Syng.

2 (Percy Canning, present was requested to stand up by Mr. Syng) Is that the boy whom you saw deliver the diamonds on that day.

A. That is the boy I saw deliver the diamonds on election day.

2 Do you know Mr. Boston sitting here.

A. Yes sir, I know him.

2 Was Mr. Boston the gentleman who was

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present at the time when the boy delivered the diamonds.

A. No sir; he was not in the office at that time.

Re Cross examination by Mr Atterbury.

2 Where you present at the time when Mr Prohman called.

A. I was.

2 Did you hear any of the conversation that took place between him and Mr Greger.

A. I did not; only the first day Mr. Prohman came in the office and spoke about asking Mr Greger if he wanted to buy diamonds; that is the only conversation between Mr Greger and Mr Prohman to my knowledge.

2 When was this first day he came in.

A. I can't state positively.

2 Where were you.

A. At my desk.

2 Where was Mr Greger.

A. Inside the railing.

2 In his private office.

A. No sir.

2 Are you positive about that.

A. I am positive as to that.

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2 What hour of the day was that. 59
A. I can't tell you.

2 Whereabouts was Mr. Cregar.

A. In the office.

2 What was he doing.

A. I didn't look to see what he was doing.

2 What were you doing.

A. Sitting at my desk.

2 Was Mr. Cregar's brother present on Election day..

A. He was not.

2 And if Mr. Cregar says he thinks he was he is mistaken.

A. He is if he says his brother was present on Election day when the boy brought the diamonds.

Sworn to before me this
24th day of March 1884.

J. J. Caffrey
Police Justice

Lalla Hill

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Kortright Greig's Cross examinations continued.

Q To whom did you sell the diamonds.

A. I don't know the party by name.

Q Where did he keep.

A. I can't tell you sir.

Q Where did you sell them to him.

A. In my office

Q Did he come in there.

A. Yes sir.

Q Who was present.

A. Nobody present at the sale

Q What part of the office did the sale take place.

A. My private office.

Q Was Miss Rice there at the time.

A. She was outside I guess.

Q Don't you know whether she was there or not.

A. I am very certain she was.

Q Had you seen her there that morning during that time.

A. I am certain she was there.

Q Had you seen her at your office during the day the sale was made.

A. Yes sir.

Q Have you any recollection what hour of the day the sale was made.

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A. I can't say.

Q. Do you know how this party came to your office. Did you send for him.

A. No sir; he came there.

Q. That was the first time he called at your office.

A. No; he had been there before.

Q. How often, if you remember.

A. Probably three or four times in the course of six months or less.

Q. Do you remember when you made his agreement originally.

A. I do not.

Q. Where did you make it.

A. At my office.

Q. He came there about 4 times in all.

A. About 4 times.

Q. During what period of time.

A. From the time I took the business there in Maiden Lane.

Q. Do you know what business he was in.

A. Only from supposition.

Q. He never told you.

A. Well, no more than that he was a speculator.

Q. Did he tell you that.

A. Well he was buying goods to sell he said.

Q Did he say jewelry.

A. All sorts of goods as near as I can remember.

Q Did he say he was a speculator in jewelry.

A. He came in to inquire about buying diamonds.

Q Did he tell you he was speculating in diamonds.

A. He didn't say he was.

Q Do you know he dealt in diamonds at all.

A. No.

Q Did he tell you where he kept.

A. No.

Q Did you ask him.

A. I don't think I did.

Q You didn't ask him.

A. I didn't ask him.

Q Do you know where he lived.

A. I do not.

Q Had you sold him diamonds before you sold these.

A. No sir.

Q Sold him other jewelry.

A. Some other things I think.

Q Do you know positively whether you sold him any jewelry prior to the occasion referred to by you.

A. I am pretty certain I did.

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- Q Will you swear that you did.
A. I think I would.
- Q Will your books show that you did.
A. I don't think they will.
- Q You keep books in which you make entries of sales.
A. I keep a memorandum of what business I do; not all of it though.
- Q Is it your habit to enter sales.
A. As a general thing I do put down the amount when a sale takes place; not a memorandum.
- Q But in this instance, or any instance you sold to this party, whose name you do not know, you never made any such entry in your book.
A. No sir; I wouldn't say that.
- Q Can you give me any idea of the quantity of jewelry you sold to this man at any time.
A. I don't know that I could.
- Q Don't you know whether it was \$500 or \$5000.
A. I really don't know.
- Q Haven't you any idea as to what amount you sold him.
A. I have not.
- Q You do remember you sold these diamonds to him.

A. I do.

2 Didnt you think it proper to know his name

A. I never ask anybody's name at all.

2 Did he show you a business card.

A. I think not.

2 What were the terms of sale.

A. In this instance?

2 In any and all instances.

A. I sell for cash entirely.

2 Then you only sold for cash to this party.

A. I only sell for cash to anybody.

2 Did you sell him all these diamonds.

A. I did.

2 Do you remember at what figures you sold them to him.

A. It was a lump transaction

2 What did you sell them to him for, the amount.

A. I don't remember the amount.

2 Give me an idea of the amount for which you sold him these diamonds.

A. I think it was about 10% advance on the cost price.

2 Did this party ask you whether you had any diamonds for sale.

A. No sir.

2 Did you offer to sell them to him.

A. I showed them to him and he offered to

buy them; we agreed on the price and they were paid for.

Q Did he give you payment in cash or by check.

A In cash money.

Q About when was this.

A Well it was sometime the last of November; I don't remember precisely.

Q Did this man question the quality of the diamonds.

A He examined them, and looked at them and seemed to understand what he was buying.

Q Did he weigh them.

A He did not.

Q Have you a diamond scale at your office.

A No sir.

Q He bought them without weighing them.

A Yes.

Q Can you state whether your books will show this particular sale of diamonds.

A I don't think they will.

Q What are your average amount of sales per day.

A They average from \$1000 to \$1500 per day since I have been in that business.

Q This sale amounted to over \$3000 didn't it

A. I think it did; yes sir.

2 You are pretty sure you made no entry of it.

A. I don't think there is any entry; I can't say positively.

2 Have you ever seen this party since he bought these diamonds.

A. I have not.

2 What kind of bills did he pay you in.

A. Well American; United States money.

2 In \$100.00 notes.

A. I think there was some \$10.00 and \$20.00 bills, not any larger I think.

2 Had them right with him, did he.

A. He had the money in his pocket; yes sir.

2 Will you swear sir that you didn't pawn the diamonds charged in the complaint as having been stolen.

A. Yes sir.

2 Have you ever bought any other diamonds on credit, Mr Greiger.

A. No, I think not.

2 Is it not a fact sir that you cannot buy and have been refused except for cash.

Objected to.

3 Are you not considerably involved in litigation at present.

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Objected to.

- 2 How many judgments are there against you.

Objected to as immaterial.

- 2 What are they for.

Same objection.

- 2 Are they not for goods sold or delivered to you in memorandum.

Objected to.

- 2 Have you ever been arrested.

Objected to as being irrelevant & immaterial & on the ground that Mr. Bruger is here on the stand not only as the defendant, but as a witness, and that as such he is entitled to be examined only as all other witnesses are examined.

The Court ruled that it was a proper question and should be answered, but that the witness need not answer if it tends to criminate or degrade him.

At this stage of the proceedings witness and his counsel held a conversation by permission of the

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Magistrate.

Objected to on the ground that the witness being the defendant was on the stand and under cross examination at the time and declines to answer on the ground stated by counsel that it will tend to degrade him.

Further inquiry as to defendant's arrest waived by counsel for the complainant under the Judge's ruling.

Q At the time this complaint was made did you reside at 128 E. 24th Street.

A Yes sir.

Q You have since moved.

A Yes sir.

Redirect examination by Mr. Tynng.

Q When you sold these diamonds as you have testified you gave the purchaser the weights from Mr. Borlows's bill.

A Yes sir.

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- Q And he took those as stated.
A. Yes sir.

Re Cross examination by Mr. Atterbury.

- Q When you bought these diamonds, Mr. Kruger, did you have them weighed.
A. No sir.
- Q Isn't it positively the custom of the trade to have diamonds weighed before they are bought.
A. I don't know.
- Q But you claim to be familiar with the custom of the trade as to diamonds.
A. I don't think I ever did.
- Q Doesn't the value of diamonds mainly depend upon their weight.
A. I should say not.
- Q Doesn't it depend upon the weight & color.
A. I don't know.
- Q Isn't the weight one of the elements of their value.
A. Certainly.

At this stage of the proceedings
Counsel for the complainant called
upon Counsel for the defense
to leave the original exhibits to

1097

70

70

be attached to and form a part
of the testimony in the case
to which defendants counsel
objected; whereupon the matter
was finally left to the court
to decide at the next hearing
in the case.

Sworn to before me this 24th
day of March 1883

[Signature]
Adjourned to Friday March 28th 1883
at 3:30 P. M.

[Signature]

District Police Court.

People vs. on the
felony of Hecumy
Robinson

vs.

Wright-Conger

TESTIMONY.

Before Hon.

J. L. Deffay

1884

James A. Lyon,

Stenographer.

Apr 4. 2 PM

1099

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against

Kosright Enger

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

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

The said *Kosright Enger*

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

seven diamonds of the value of
twenty five dollars each, and
seven other diamonds of the
value of eleven dollars each

of the goods, chattels and personal property of one *Henry Boxhorn*

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.

Peter B. Orney
District Attorney

1100

BOX:

134

FOLDER:

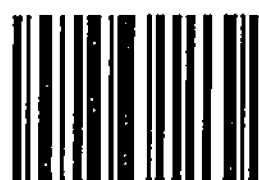
1396

DESCRIPTION:

Curry, Matilda

DATE:

04/09/84



1396

Ed. H. H. H.
Mary Sanders
4411 Hudson St.
John H. H. H.
Officer of Council

#114
Counsel, *W. H. H.*
Filed *May 1st 1884*
Pleads *W. H. H.*

THE PEOPLE
vs.
Matilda Curry
Burglary in the THIRD DEGREE,
and Receiving Stolen Goods,
(Sections 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000)

PETER B. OLNEY,
WHEELER PECKHAM,
District Attorney.
April 24th 1884
A True Bill.
Speed & Convent of P.
Burkley 3d day
1884 18 months
John N. O'Leary Foreman

Apr 15 To 18 1884
Apr 18 To 21 1884
1 21 Not attached to 1884
1 24

1102

Police Court—2 District.City and County
of New York, } ss.:

May Landers
of No. 411 Hudson Street, aged 32 years,
occupation Washer & Ironer being duly sworn

deposes and says, that the premises No 411 Hudson Street,
in the City and County aforesaid, the said being a Washer Building
in the 9th Ward of said City
and which was occupied by deponent as a dwelling house
and in which there was at the time a human being, by name

Proctor and
were BURGLARIOUSLY entered by means of forcibly opening the
door of deponent's apartments on the
2nd floor of said premises by means
of a false key, at about the hour
of 10 o'clock A. M.
on the 2nd day of April 1884 in the day time, and the

following property feloniously taken, stolen, and carried away, viz:

five bed quilts, two blankets, one
looking glass, one picture, two
vases, four glass tumblers, and
a quantity of wearing apparel,
said property being in all of the
value of thirty dollars

the property of deponent and her husband, Dennis Landers,
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

Matilda Curry, now here,

for the reasons following, to wit: That deponent left said
apartments about the hour of 7 1/2
o'clock A. M. of said day, locking the
door of said apartments and leaving
said property contained therein.
That deponent returned
at the hour of 7 1/2 o'clock P. M. of said
day and found the door

1103

locked and the property of said
 stolen and carried away therefrom.
 That thereafter deponent saw the
 looking glass of said in the
 parlor of John Plummer at
 897 Hudson Street, and the
 said John Plummer now here-
 informs deponent that the
 defendant, Matilda Curry, here-
 present, passed said looking glass
 at about the hour of 2 o'clock P.M.
 on said day, with him said
 John Plummer.

Sworn to before me this 1st day of April 1884

J. W. Patterson
 Police Justice

Police Court	District.
THE PEOPLE, & c., ON THE COMPLAINT OF	
Dated	188
Burglary	
Degree.	
Magistrate.	
Officer.	
Clerk.	
Witnesses:	
Committed in default of \$	
Bailed by	
No.	
Street.	

1104

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 42 years, occupation John Plume
Broker of No.

897 Hudson Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Mary Sanders

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

Sworn to before me, this 4th

day of April 188 8

John Plume

M. Patterson

Police Justice.

1105

Sec. 198-200

2 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Matilda Curry*

Question. How old are you?

Answer. *30 years of age*

Question. Where were you born?

Answer. *New York*

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

Answer. *411 Hudson St. about a week*

Question. What is your business or profession?

Answer. *Washer*

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. *Two men gave me the property. That is all I have to say.*

Matilda Curry
(mark)

Taken before me this 15th day of April 1888
William J. Sullivan
Police Justice.

1106

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

Matilda Curry

guilty thereof, I order that ~~he~~ *she* be held to answer the same and ~~she~~ *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 *she*
give such bail.

Dated *April 27* 188*9*

A M Patterson 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 *h* to be discharged.

Dated _____ 188

Police Justice.

1107

BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Police Court--

2

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

May Sanders
411 Hudson St
Matilda Curry

2

3

4

Offence

Dated

April 14

188

4

Magistrate.

John F. Lamason Officer.

9th Precinct.

Witnesses

John Plummer

No. 397 Hudson Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

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No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

The People } Court of General Sessions. Part I.
 Matilda Curry } Before Judge Leving. April 24. 1884.
 Indictment for burglary in the third degree &c.

Mary Landers sworn. I lived at 411 Hudson St. on the 2nd of this month, I have apartments on the second floor; there is one family down stairs and another family over me. I left my apartments about 7 1/2 o'clock in the morning I locked my doors and returned at 7 1/2 in the evening. I found the kitchen door open and my own and my children's and husband's wearing apparel gone, including five bed quilts, two blankets, a looking glass, a picture, two vases, four glass tumblers; the whole property was worth from thirty to forty dollars. I gave no one authority to break the door and take the property. The prisoner stopped with two ladies under me, I saw her down stairs, but I never spoke to her. I found some of the property afterwards in Mr. Downing's junk store and the looking glass. I found the next day in John Plumes pawn shop. I found in the junk shop two skirts, a waist and my husband's coat, also in a pawn office an over skirt and a quilt; the quilt I found in Mrs. Madigan's junk store. I saw the prisoner for a week before that; this property had been used a considerable time.

John Plume sworn. I am a pawnbroker doing business at 397 Hudson St. I saw the prisoner at my pawnshop on the 2nd of April. she pledged a looking glass for fifty cents, which was afterwards recognized by Mrs. Sanders as having been stolen from her apartments. I should judge it was pawned about two o'clock in the afternoon. I merely judge by the number of pledges on my book.

John Hanigan sworn. I am an officer of the 9th Precinct and arrested the prisoner about ten o'clock on the 3d of April. I went to the pawnshop and found the looking glass. I brought the complainant there and she identified the glass as hers. I got a description from the pawn broker of the prisoner and arrested her and took her there and the pawn broker identified her as the person who pawned the looking glass. She said that the glass had been given to her by some parties. she did not state who they were. I took her to the station house and endeavored to have her tell me who they were. I took her to the Police Court and Justice Patterson remanded her till the following day to give her an opportunity to tell who they were. Cross Examined. The prisoner said that two young men gave her the glass;

1110

she declined to tell me who they were; she said she did not know the names of the parties; she told me afterwards she did know her name, Matilda Curry, and her address appear on the book of the pawnbroker; she told me the name of one of the parties. I asked her if she would testify to that before the Judge the following day? She said she would not; she said that the morning she was committed. I was present at Jefferson Market. I know all these facts but made no affidavit. I have been on the police 19 years. Matilda Curry, sworn and examined in her own behalf testified. I live in Hudson St. between Leroy and Clarkson Sts. I do not know the number in the same house that Mrs. Landers lives in. Before I was arrested I worked in the New York Pie Bakery washing pie plates. I worked for them going on three years. Did you commit this burglary? No sir. How did you come to pawn this looking glass? The glass was brought down stairs by George Bryson. I could not tell you who he is, only that he lived down stairs. He said, "Will you go and take this glass to the pawn office? I have had nothing to eat, I do not like to take it up myself; get me 50 cents, that will get me my dinner."

anyhow, I have had nothing to eat today." I did not know the looking glass had been stolen or I would not have taken it. Cross Examined. Bryson lived in the same house up stairs on the top floor. I believe he drives a coal wagon; he lived there with his mother. I knew him a couple of years and never knew him to take anything. I only lived a week in this place. Before that I boarded corner of Hudson and King sts. It did not occur to me that there was anything peculiar in Bryson's giving me the looking glass to go to pawn it. I guess he is about 25 or 26 years old; his mother peddles tin ware. I thought it was his own glass or I would not have taken the glass to pawn it. I don't know how long he had been without food. I could not say whether he had been at work a few days before that or not. I could not say whether his mother was working or not. It was about the middle of the day when I recieved the looking glass. I have never been arrested before. I pawned nothing but the looking glass. John Manigan recalled. I asked the prisoner if ~~George~~ Bryson had anything to do with the robbery and she said he had not, and the next day she said he had. The jury rendered a verdict of guilty.

1112

Testimony in the
Case of
Matilda Curry
filed April
1884.

1113

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK

THE PEOPLE OF THE STATE OF NEW YORK

against

Marilda Curry

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

Marilda Curry

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

The said *Marilda Curry*

late of the *ninth* Ward of the City of New York, in the County of New York
aforesaid, on the *second* day of *April* in the year of our Lord one
thousand eight hundred and eighty *four*, with force and arms, about the hour
of *ten* o'clock in the *day* time of the same day, at the Ward,
City and County aforesaid, the dwelling house of

- Denis Sanders

there situate, 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 Denis Sanders*

_____ in the said dwelling house 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

Matilda Curry

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

The said Matilda Curry

late of the Ward, City and County aforesaid, afterwards, to wit, on the said second day of April in the year of our Lord one thousand eight hundred and eighty-four at the Ward, City and County aforesaid, in the day time of said day, with force and arms, five quilts of the value of three dollars each, two blankets of the value of two dollars each, one mirror of the value of one dollar, one picture of the value of one dollar, four drinking glasses of the value of twenty cents each, and divers articles of clothing and wearing apparel, of a number and description to the Grand Jury aforesaid making in of the value of ten dollars.

of the goods, chattels, and personal property of one Dennis Sanders in the dwelling house of

the said Dennis Sanders

there situate, then and there being found, in the dwelling house 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.

1115

THIRD COUNT.

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

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

The said Marilda Curry

late of the Ward, City and County aforesaid, afterwards, to wit: on the said
second day of April in the year of our Lord one thousand eight
hundred and eighty-four with force and arms, at the Ward, City and County
aforesaid, one munion of the value

of one dollar.

of the goods, chattels and personal property of Denis Sanders
Sanders

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before
feloniously stolen of the said Denis Sanders

unlawfully and unjustly did feloniously receive and have (the said

Marilda Curry

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

PETER B. OLNEY,
WHEELER H. PECKHAM, District Attorney.

1116

BOX:

134

FOLDER:

1396

DESCRIPTION:

Curtis, George

DATE:

04/28/84



1396

1117

BOX:

134

FOLDER:

1396

DESCRIPTION:

Watson, James

DATE:

04/28/84



1396

Witness
Michael Hummelstein
Officer - Bridge Police

J. W. C. - 1884

Counsel, 1st

Filed 1st day of April 1884

Pleads *Not Guilty*

THE PEOPLE
vs
George Curtis
and
James Watson
Grand Larceny in the 1st degree.
(MONEY.)
INDICTMENT.

JOHN McKEON,

2d May 1884 District Attorney.

No. 2 Pleads by L. 2d

A True Bill. Emura Ref.

Part 2 May 28. 1884

No. 1 Pleads by L. 2d

Emura Ref.

John McKeon Foreman

May 2. 1884 for mag. J. S. 2d

May 1884, 4th.

1118

1119

First District
Police Court

The People, vs. Complainant
of
James Kelly
Against
George Curtis and
James Matson

The above matter was adjourned several times on account of the absence of the complaining witness. Mr. Oliver, Defendants' Counsel demanded the right to cross-examine the complainant but in his absence, the cross-examination could not be had; Mr. Oliver, moved for the discharge of the prisoners. No Complainant appearing against them, which motion was denied by the Judge on the ground that the testimony of Bridge Officer William L. Stem was sufficient evidence on which to hold the prisoners. Mr. Oliver thereupon took an exception. and went April 18, 1884.

W. L. Stem

1120

First

District Police Court.

Affidavit—Larceny.

CITY AND COUNTY
OF NEW YORK, } ss.

James Kelly, aged 53 years, Laborer,
of the Township of Mott Haven, Morrisania, County State of New York,
being duly sworn, deposes and says, that on the 12th day of April, 1888,
at the night time at the City of New York,

in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent and person of deponent with the unlawful intent to cheat and deprive the true
owner of the following property, viz:

Good and lawful money to the amount and of
the value of forty dollars — \$40.00

the property of deponent

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloniously taken,
stolen, and carried away by George Curtis and James Waters (brothers)

more the fact that while deponent was standing at or near
the entrance of the New York and Brooklyn Bridge in
this city at about the hour of 10 o'clock P.M. said defendants
came up to deponent where one of them asked what time it
was, deponent informed them that he did not have a watch
they then commenced to fool around deponent when
he discovered that George Curtis had his hand in
his Vest Pocket where contained said money
Deponent immediately put his hand in his Pocket and

Sworn before me this

day of

Police Justice

1121

discovered that his said money had been feloniously taken
stolen and carried away from the vest pocket
then and there worn by defendant as a part of his
bodily clothing. Defendant further says that he was
informed by Officer Michael Himmelstein of the
Bridge Police that he saw said defendants standing
with defendant and also saw said Curtis take his
hand from the pocket of defendant.

He deponent
therefore charges the said defendants with feloniously
taking stealing and carrying away from his person
said described property.

Sworn before me this
13th day of June 1884

J. Morris Kelly

Adj. Prov. J. Police Justice

District Police Court.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

AFRIDAVALT-LATENCY.

ss.

Dated

188

Magistrate.

Officer.

WITNESSES:

DISPOSITION

1122

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 31 years, occupation Budget Officer of No. 69 Howard Avenue Brooklyn

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

Sworn to before me, this 13th
day of April 188 8 Minneapolis

[Signature]
Police Justice

1123

Sec. 198-200

CITY AND COUNTY }
OF NEW YORK, } ss.

District Police Court.

James Watson being duly examined before the under-
signed, 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. *James Watson*

Question. How old are you?

Answer. *21 years*

Question. Where were you born?

Answer. *U.S.*

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

Answer. *90 Claver Street, 3 months*

Question. What is your business or profession?

Answer. *Printer*

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.*

James Watson

Taken before me this *19th*
day of *April* 1908
[Signature]
Police Justice.

1124

Sec. 198-200

CITY AND COUNTY
OF NEW YORK, ss.

1st District Police Court.

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

Question. What is your name?

Answer. George Curtis

Question. How old are you?

Answer. 20 years

Question. Where were you born?

Answer. New York

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

Answer. 191 Beury Street, 3 months

Question. What is your business or profession?

Answer. Agent

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

George Curtis

Taken before me this

day of June

19th

1888

Police Justice

1125

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

Watson

George E. Curtis & James

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

Dated *April 18th* 188 *4*

P. J. Duffy

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 h to be discharged.

Dated _____ 188

Police Justice.

1126

The Presiding Justice
in this Court ~~will~~
in my absence
conduct the ~~case~~? in
this case; which is
agreed to enable
the defendant to
procure counsel ~~which~~
who is unavoidably
BAILED, absent now.

No. 1, by *April 13/84* *My Own*

Residence _____ Street.

~~1000 - cash to appear~~

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

²³⁴
Police Court

1st-1278
District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James Kelly

Matthewan Maffhouse & Co

George Curtis

James Watson

James Watson

James Watson

James Watson

James Watson

James Watson

James Watson

James Watson

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1127

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

George Curtis
and
James Watson

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

George Curtis and James Watson
of the crime of GRAND LARCENY IN THE *First* DEGREE, committed as follows:

The said *George Curtis and James Watson*

resided late of the First Ward of the City of New York, in the County of New York, aforesaid,
on the *5* day of *August* in the year of our Lord one thousand eight
hundred and eighty *two*, at the Ward, City and County aforesaid, with force and arms, *in*
the night time of the same day
one promissory note for the payment of money, being then and there due and unsatisfied (and of the
kind known as United States Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars
; *two* promissory notes for the payment of money, being then and there due and
unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of ten dollars, and of the value
of ten dollars *each*; *two* promissory notes for the payment of money, being then and there due
and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five dollars, and of the
value of five dollars *each*; *two* promissory notes for the payment of money, being then and
there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of two dollars,
and of the value of two dollars *each*; *one* promissory note for the payment of money, being
then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination
of one dollar, and of the value of one dollar *each*; *one* promissory note for the payment of
money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty
dollars ; *one* promissory note for the payment of money (and of the kind known as bank
notes), being then and there due and unsatisfied, of the value of ten dollars *each*; *two* promissory
notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of
the value of five dollars *each*; *one* promissory note for the payment of money (and of the kind
known as bank notes), being then and there due and unsatisfied, of the value of two dollars *and one*
promissory note for the payment of money (and of the kind known as bank notes), being then and there due and
unsatisfied, of the value of one dollar

James Watson
of the goods, chattels, and personal property of one *James Watson*
on the person of the said *James Watson* then and there being found,
from the person of the said *James Watson* 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.

PETER B. OLNEY,

~~JOHN McKEON~~, District Attorney.

1128

END OF
BOX