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I N D E X.

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COURT OF GENERAL SESSIONS OF THE PEACE,
City and County of New York, Part IV.

-----X
THE PEOPLE OF THE STATE OF NEW YORK, : Before:

-against- :

JENNIE LONDON. :

#1802 :

HON. JAMES T. MALONE, J.,

and a jury.

-----X
New York, November 11th, 1912.

Indicted for grand larceny in the second degree.

Indictment filed August 20th, 1912.

A p p e a r a n c e s:

For People: ROBERT C. McCORMICK, ESQ., Assistant
District Attorney.

For Defendant: JOSEPH S. ROSALSKY, ESQ.

(A jury is duly empanelled and sworn.)

Mr. McCormick opens to the jury in behalf of the People.

A B R A H A M G O O D R I C H, called as a witness in behalf
of the People, being first duly sworn, testifies as
follows:

DIRECT EXAMINATION BY MR. McCORMICK:

(The witness states that he resides at 112 Park Avenue.)

Q Where did you live on the 13th of July, this year? A
I was living at 116th street.

Q What number? A I can't tell you, sir.

THE COURT: What date, the 13th of July, or the 12th?

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MR. McCORMICK: The 13th of July.

Q How long had you been living there at that time? A
Where?

Q At the house of Jennie London? A Oh, I was only living
there a fortnight.

Q Was that a boarding house? A Yes.

Q Did she run that boarding house? Was it her boarding
house? A I don't know, sir; I can't tell.

Q Well, when you went there did you talk to her about
being a boarder? A Yes.

Q What was it, what did she say? A Well, you will pardon
me, I am not a good --- I don't hear properly.

Q Did you talk to her when you first went to the house?
A Certainly I did.

Q What did you say to her? A I asked her if she got a
place for me, I was wanting a boarding place, and I didn't ---
I am only a stranger in that country --- in New York --- I was
not long here.

Q I want to know if you talked with her, that's all.
Did you talk with her? A Certainly I did.

Q What did she say? A What could she say? She said she
has a place.

Q Well, did you take the place? A Yes, I did.

Q How much did you pay for it? A I paid six dollars a
week.

Q And what was it? A Boarding and eating.

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Q Board and room? A Yes.

Q Now, after you had been there a couple of weeks did you go to her about a check? Did you talk to her about a check?

A No, sir.

Q Did you ever see that check (showing paper to witness)?

A Yes.

Q Where did you get it? A I got it from Mr. Goodrich.

Q That is your son, Henry I. Goodrich? A Yes.

Q After he gave this check to you, what did you do with it? A He gave me that there check, I am a tailor by trade ---

Q No, what did you do with that check? A What I have done with that check? What could I do?

Q Did you talk to this defendant about the check? A Now, give me time, then I will explain you properly.

Q No --- A When I came home I said, "I am going ---" I had a check.

Q Did you talk to this defendant, this woman? A Yes.

Q What was it? A I asked --- let me explain what you mean ---

Q What did you say to her? A I didn't said nothing. I took out the check from my pocket and I said, "See here, I got a check of Mr. Goodrich, I want you to change it", and she said to me, "You can't change it, because you are a stranger in that country, in New York; nobody don't know you, you can't get change." So she said, "If you give it to me I will change it for you." And so she was standing aside, close to me, and

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I had the check in my hand; she got it out from me and she went away. She went away, she was staying away about three or four hours; anyway she came back. I asked her where is the check. Well, she said "Are you getting mad? You will have to wait." So I answered her, "If I was wanting to wait I could do the same, I could go in the bank and change it." She said, "You wouldn't get it changed." So she kept ~~me~~ for two or three days. After that I got nervous. She went away, she went again; she said, "Well, you will get your money to-morrow. We have to wait." Well, I have been waiting. It come on the last day and Saturday I asked "Where is the money?" Well, she said, "You are getting mad." So they start to go on me, and she took out a check book, she said "There is the money which I checked out." I said, "What makes you go --- how could you check the money? The money was belonging to me?"

Q Is this the book she showed you (indicating)? A I can't tell you, sir. She didn't show me a book like this, no, sir, she did not.

Q Well, how many times did you ask her to give you the money? A Oh, three or four times.

Q How much did you owe her for board at that time? A I didn't owe her anything.

Q How much had you paid her? A What do you mean?

Q Well, you had been there two weeks at that time? A I paid her.

Q How much? A Six dollars a week, each week.

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Q How long did you remain there? A About a fortnight, as I say.

Q How long after this check was given to her did you stay there? A The check?

Q Yes; how long after that did you stay there? A What do you mean? How long after that?

Q After you gave her the check? A Oh, I paid her all the time.

Q How long did you live in that house after you gave her the check? A Only a week.

Q Did you pay her for that week? A Yes, sir.

Q And has she ever given you that \$500? A Yes.

Q Has she ever given you \$500 for this check? A Did she give me?

Q Yes, did she give you any part of it? A No. I have not saw any money, I have not saw any money.

Q Did she tell you that she got this check cashed?

MR. ROSALSKY: I will concede that she cashed the check.

A She told me that she ---

MR. McCORMICK: All right; I will offer the check in evidence.

MR. ROSALSKY: No objection.

(Check marked People's Exhibit 1.)

Q Did you talk to her after that? A She didn't give me a time to talk --- she broke my bones. I asked for the money,

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also she said "You are getting mad"; I said, "I don't get mad, I want my money", so her and the man that lives with her--- she hasn't got no husband, she lives with a man and ---

MR. ROSALSKY: I move to strike that part out.

THE COURT: Strike it out and the jury will disregard it.

CROSS EXAMINATION BY MR. ROSALSKY:

Q How old are you? A Well, how old do you think am I?

THE COURT: Just answer his question.

A (Witness continuing) I am going on eighty, your Honor.

BY THE COURT:

Q That means you are seventy-nine years of age? A Yes, seventy-nine years old.

BY MR. ROSALSKY:

Q And you are a widower? A Me? Yes.

Q And how long have you been a widower? A Oh, a good number, of years.

Q How many years? A Oh, about twenty or twenty-five -- I don't know myself.

Q And what kind of a place did Mrs. London occupy? Was it a house or a floor in a tenement house? A I don't know what you ask me, please.

Q You say you went to live with the defendant, Mrs. London? Is that right? You went to board by the defendant, Mrs. London? A Yes.

Q And what kind of a place was this --- a whole house or

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simply a floor in a tenement house? A Well, I don't know myself.

Q Well, you know what a tenement house is, don't you? A I don't know, I can't say. She was living in a place, I don't know whether it was ---

Q How many floors did she occupy? A One floor.

Q How many tenants lived on that floor? A Oh, I can't tell you that; a good many.

Q Well, how many rooms did she have? A Who, Mrs. London?

Q Mrs. London? A Well, I don't know, I didn't count it.

Q Did you go through all the rooms? A Who, me?

Q Yes. A Yes.

Q About how many rooms did she have? A Well, I didn't count them.

Q Did she have twenty rooms? A Twenty? No.

Q Did she have ten? A No.

Q Did she have five? A No. I don't know how many rooms she has got. She has got about four or five; I don't know.

Q And they were all on the same floor? A Yes.

Q And one room was behind the other? A Yes, sir.

Q And on what floor were these rooms this boarding house?

A Well, I didn't know. I think it was the first floor. I didn't know. I didn't notice it.

Q How many flights up? A I don't know; I didn't take no notice of it.

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Q Well, it was not a whole house? She occupied about five or six rooms, so far as you know? A Well, I think she has not got six rooms, there were not six rooms, I don't think.

Q Now, when you went to board there, what room did you occupy? A Me?

Q Yes. A A bed room.

Q And where was this bed room situated? A Oh, when I came to live by her she rented me a back bed room. Well, I have been staying there a week ---

Q Now, after you had been living there for how long was your bed room changed? A You come closer to me..

Q After you had been living there for how long was your room changed? A In the middle of the week she said to me ---

Q No, I am not asking what she said. A Well, I must tell you.

THE COURT: Mr. Goodrich, you must let the counsel draw out the information that he desires. Just answer his questions only.

Q When was your room changed? How long after you had been in the back bed room? A Well, it was a fortnight; the same time, all the fortnight. Now, if you do not want to listen to me the way it started ---

Q Please answer my question? A Well, I can't manage it.

Q Well, your room was changed from the back bed room to what room? A Now, I must tell you which way it was changed.

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THE COURT: Mr. Goodrich, just wait until the examiner has given you the question; then do not go beyond that question.

Q (Question repeated by stenographer as follows:) Well, your room was changed from the back bed room to what room?

A No, sir.

Q To what room was your room changed from the back room?

A To the front room.

Q Was that the front parlor? A What do you mean, the front parlor?

Q Was that the parlor, the front room where your room was subsequently changed to? A No, a plain room.

Q But that was the front room of this flat? A Yes.

Q Was this room used as a parlor? A I don't know.

Q Was this room used as a parlor? A Yes, sir.

Q And what kind of a bed was in that room? A A folding bed.

Q Who occupied the room next to the front room? A What do you mean?

Q Who slept in the room next to the front room? A Another man.

Q Who? A A man. I didn't notice that; a man.

Q Are you sure a man slept in the room behind the front parlor? A Yes.

Q Now, don't you know that Mrs. London and her daughter occupied the room directly in back of the front parlor? A Explain, please?

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Q Do you know or don't you know whether Mrs. London and her daughter Ida occupied the room directly in back of the parlor --- the room directly behind the room which you occupied?

A Oh, you asked me whether that room was occupied, where she was sleeping?

Q Yes. A The next room to her was occupied.

Q Do you understand my question? I asked you who occupied the room directly behind the parlor? A Well, a man that was staying with her.

Q A man slept in that room? A Yes, sir.

Q And what was his name? Do you know the man whom you say occupied the back parlor? Do you know his name? A His name is Rubin.

Q Is that the gentleman (indicating) whom you say occupied the room directly back of the parlor that you slept in?

A Yes.

Q Do you know what room was occupied by Mrs. London and her daughter? A There was the next room. You ask questions which I cannot explain you at all. You ask for more rooms that she had. I was sleeping in the front room.

Q Do you know where this defendant slept? A She was sleeping in the middle room; in the next one from Mr. Rubin slept.

Q When you say "middle room" do you mean the room behind your front parlor room? A No, behind her parlor room.

Q Now, when you first went to live there did you know

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that she was a widow? A I didn't ask.

Q Well, when you first went to live there she arranged with you to receive six dollars a week? You arranged with her to pay her six dollars a week, is that right? A Yes, sir.

Q After you discovered that she was a widow, did you continue to pay her six dollars, or did you say "I will pay you \$10"? A I didn't said nothing.

Q And didn't you subsequently after that pay her \$10?

A No, I paid \$6.

Q Now, did you during the time that you lived there for a period of --- how long did you live there altogether? A Altogether?

Q Yes, from the time you went there until she was arrested? A Oh, three weeks.

Q Wasn't it more than that? A No more than that.

Q Had you been living there on July 2nd? A I didn't look when. Excuse me, I am not a scholar, so I cannot tell you the name, I can't tell you the date when I moved in, and I cannot tell you the date.

BY THE COURT:

Q About three weeks, wasn't it? A About three weeks, your Honor.

BY MR. ROSALSKY:

Q Now, during the time that you were there did you talk to her in sort of an endearing way, and try and propose to her?

A No.

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Q Did you make any attempt to press her to marry you?

A No.

Q Did you ever go to your son's house with her little daughter Ida? A What?

Q Did you go to your son's house with your daughter Ida?

A I?

Q Yes, did you? A No.

Q During the entire time? A No.

Q You didn't take Ida to your son's house? A No.

Q And you didn't tell Ida to say "If my son will ask if your mother is married you should say yes", you didn't tell her that? A Explain me better; I shall answer you.

Q You know Ida London, don't you? Do you know this little girl Ida (pointing in court room)? A What have I got to talk to her?

Q Do you know her? A I know her so long as I have been there; certainly I cannot say ---

Q Did you go to your son's home with Ida? A Yes.

Q What did you mean by saying "no" before? A I didn't understand what you asked me.

Q Any time I ask a question and you do not understand I will repeat it. A If you speak to me you must explain me better as you do.

Q Now, how many times did you take Ida to your son's home? A Only once. I didn't take her. Now, listen ---

Q How many times did you take her to your son's home?

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A Once.

Q Now, during that one time did you tell this little girl Ida that if your son Henry I. Goodrich, or any one else, should ask her whether her mother was married or a widow ---

A (Interrupting) No.

Q (Continuing) She should say that she is married? A No; didn't say nothing.

Q Now, when you went to live with Mrs. London, did you make an application for a life insurance policy? A What?

Q Did you make an application for a life insurance policy when you went to live with Mrs. London? A No, she ---

Q You did not? A No.

Q What were you going to say? She, what? She had a policy taken out for you? A Yes.

Q Do you know Mr. Sendacz, an insurance man? A I know him so far as I come in the place.

Q Do you know that gentleman, Mr. Sendacz, (pointing in court room)? A Well, yes.

Q Do you know what his business is? A No.

Q Did you have him make an application for you in the New York Life Insurance Company on the 2nd of July, for \$1,000-- 1912?

MR. McCORMICK: I object to this. I do not see that it is relevant.

MR. ROSAISKY: On the question of credibility.

THE COURT: You may have it.

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A You ask me such a question that I have never got anything to show about. They give me in ---

THE COURT: Strike it out and the jury will disregard it. Gentlemen, you will not discuss the evidence, nor form nor express an opinion about it, and keep your minds open and free until the case is submitted to you. Be in your places at 2 o'clock.

(Recess till 2 p. m.)

After Recess, Trial Resumed.

A B R A H A M G O O D R I C H, resumes the stand and further testifies.

CROSS EXAMINATION BY MR. ROSALSKY: (Continued)

Q (Question repeated by stenographer as follows:) Did you have him make an application for you in the New York Life Insurance Company on the 2nd of July, for \$1,000 --- 1912?

A No, sir.

Q Did you make any application in the New York Life Insurance Company in the month of July, 1912? A An agent from the Insurance Company has come in the way ---

Q Answer my question. Did you make any application in the New York Life Insurance Company in July 1912? A No.

Q And did you in an application which you made in the New York Life Insurance Company name Mrs. Jennie London as a beneficiary? A No.

THE COURT: Mr. McCormick, do I understand that the

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proof is that this check that the complainant gave the defendant had been given him by his son?

MR. McCORMICK: Yes, sir.

THE COURT: That is clear, is it?

MR. ROSALSKY: Yes, sir, that is clear.

Q Well, were you examined during the month of July by any physicians connected with the New York Life Insurance Company? A No.

Q Did you talk to your son during recess about this case?,
A No.

Q I ask you to look at this paper and tell me whether you ever saw that before? A I don't know what paper it is.

Q Well, look at it and see? A Well, yes, I see. I don't know what paper this is.

Q You want this jury to understand that you never signed-- do you write? Can you write your name? You make a mark?
A Yes.

Q Did you ever make this "X" mark on this paper? A What paper is it?

Q This is an application to the New York Life Insurance Company for insurance in the sum of \$1,000? A No.

Q You never made that mark? A No.

Q And you were never examined by any physician in connection with this application to the New York Life Insurance Company, in the house of Mrs. London? A Yes.

Q You were examined? A Yes.

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Q Do you know how these physicians came to examine you if you had not made any application for insurance? Do you know how it is that a physician came to examine you from the New York Life Insurance Company, if you say you never made any application? A If you want to listen to the way it has been?

Q All right; I will take any explanation you give.

A An agent came in there, and they asked me whether I am in the life insurance. I said "No, I am too old". So she asked that agent whether they would take me in.

Q Who asked, Mrs. London? A Mrs. London asked whether they will take me in. Well, he said, "He is too old." So he asked me what my age is; I have told him. Well, she said, "We will put you in for fifty-six years, and you will dye your hair black and they will take you in", and I said "I wouldn't do such a thing like that."

Q Well, you didn't dye your hair black? A No.

Q But some physician came to examine you, is that right?

A Yes.

Q Then you did make an application in the New York Life?

A No, she made an application.

Q And didn't you make a mark on here? Isn't this your mark on this application? A No, I have not saw no application at all.

BY THE COURT:

Q Were you examined by the doctors? Did they put you under an examination, - yes or no? A I have been examined by

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a doctor, yes.

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BY MR. ROSALSKY:

Q Did the doctor tell you for what purpose he was examining you? A No, he --- what purpose?

Q Yes. A Yes.

Q Then at the time he was examining you you knew it was in reference to an application which was made in the New York Life Insurance Company? A Yes.

Q And did you tell that doctor that you never made any application? A To the doctor?

Q Yes. A No.

Q You did not? A No.

Q And you let him continue with your examination; is that right? A What?

Q You let the doctor continue the physical examination?

A Yes, he examined me.

Q You want this jury to understand that you never signed the application yourself? A No.

Q And that you never authorized any one to sign it for you? A (No answer).

Q You never authorized any one to sign? A To ask anybody to sign?

Q Yes. A No.

Q And that you never said that Jennie London -- and you never gave this answer: "Seven. To whom shall the proceeds of the insurance apply or be payable in the event of death?"

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Jennie London. Relationship to you? Niece"; you never made that statement? A No. 18

Q Now, you received this check, People's Exhibit 1, from your son; is that right? A Yes.

Q When did you receive that check --- on the same day that it was made out? A Yes.

Q And how long did you keep that check before you gave it to Mrs. London? A About a half an hour.

Q And your son signed his name, endorsed that check?
A He signed it when he gave it to me.

Q And you did not go to the bank to have it cashed yourself? A No.

Q Under what circumstances was it that you showed it to Mrs. London? A Yes.

Q You showed it to her yourself? A Yes, I showed it to her.

BY THE COURT:

Q Why did you do that? A She asked me what I am going to do. So I said, "I am a tailor by trade and I want to take a place, to open a business, that I shall be able to support myself."

BY MR. ROSALSKY:

Q Did she know that you had a check for \$500? A Yes.

Q Did she know that you had any check for \$500? A Certainly she know it.

Q Well, did you show it to her? A I took it out of my

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pocket and I hold it like that.

Q You showed it to her? A Yes.

Q Was that the time you told her to have it cashed?

A No.

Q Was that the time that you showed her the check that you told her to have it cashed for you? A Yes.

Q You voluntarily gave her the check to have it cashed; is that right? A She took it out from my hand.

Q Didn't you say in your direct examination that you gave her the check to have it cashed? A I have kept the check in my hand.

THE COURT: Just answer the question of the counsel.

A (Witness continuing) Yes, the check.

Q She didn't steal the check from you? She didn't steal the \$500 check from you, did she? A What do you mean, to steal it?

Q (Question repeated by stenographer as follows:) She didn't steal the check from you? She didn't steal the \$500 check from you, did she? A She took it out of my hand.

Q Well, didn't you give it to her? A No.

Q Was there any one there at the time that you say she took the check out of your hand? Was there anybody else present besides you and the defendant at the time you say she took the check out of your hand? A Yes.

Q Who was that? A The man.

Q What man? A What she lives with him.

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Q What do you mean? The man who lives in the same ---

A He is boarding there, yes.

Q And then when she had the check did you tell her to go and have it cashed? A No.

Q Did you at any time tell her to go and have the check cashed? A I asked her for the money and she said "You have to wait."

Q Well, before you asked her for the money, didn't you tell her to go and cash the check for you? A She said she will cash it for me.

Q Didn't you ask her to go and do it? A No.

Q You mean to tell this jury that she took the check away from you? A She took it away.

Q What did you do when she took it away from you? A Yes.

Q What did you do when she took it away from you? A I was waiting at home for the money.

Q Did you tell her to go out and have it cashed? A She said to me they wouldn't cash it for me.

Q No, answer my question. Did you give her --- A She said they wouldn't cash it for me because I had no banking account.

Q Then you gave her the check to go out and have it cashed? A She said herself; she didn't ask me.

Q She took it herself? A Yes.

Q Didn't you protest about her taking the check from you?

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Did you raise any objection about her taking the check from you? A Well, I didn't object.

Q Now, you say that Mr. Rubin was there at the time she took the check? A Yes.

Q And that you did not give her the check to go and have cashed? A Yes.

Q Now, you were a witness in the police court, weren't you? A What witness?

Q Well, you gave testimony in the police court about this case, didn't you? A She didn't take the money in the court?

Q (Question repeated by stenographer as follows:) Well, you gave testimony in the police court about this case, didn't you? A Yes, yes.

Q You remember you were asked the question: "By Mr. San:" --- you know Mr. San, don't you,--- a lawyer, your son's lawyer, Mr. San? A No.

Q Well, did you have a lawyer in court? A Yes.

Q And what was his name? A Mr. Goodrich brought him.

Q Was his name Mr. San? A Yes.

Q Now, do you remember in answer to a question which Mr. San put to you that you said --- "Q Were you all alone with her? A Yes, sir, I am a greenhorn and I don't know at all in this country. I said I want somebody to come in and see what I am giving you." Do you remember that question and the answer being given on that day? A Yes.

Q Now, will you state to the jury how you reconcile the

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two answers given, one that Mr. Rubin was present at the time you gave the check to Mrs. London, and this question and answer which I just read to you, which you made on the day in the police court? A Explain me better, I don't know what you say.

Q Well, what don't you understand about this question?

A I don't understand what you say.

Q Well, can you tell us why you say to-day --- A Speak a little louder.

Q Louder? A Speak louder.

Q Can you tell us why to-day you say that Mr. Rubin was present at the time you gave the check to Mrs. London? A Yes, sir.

Q And why in the police court you said in answer to the question which the lawyer put to you, "Were you alone with her?", and your answer was, "Yes, sir, I am a greenhorn, I don't know at all in this country. I said I want somebody to come in and see what I am giving you". Do you remember that?

A No, sir.

Q All right. Now, how many days after you gave the check of \$500 to Mrs. London did she tell you she had it cashed?

A Well, I think there was five or six days.

Q Now, do you remember the Saturday night after the check was cashed?

BY THE COURT:

Q This check was made by your son? A Yes, your Honor.

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BY MR. ROSALSKY:

Q Now, the Saturday night after you had given this check to Mrs. London, July 13th, did you receive any money from Mrs. London, on Saturday night in her house? A Who? Me?

Q Yes. A No.

Q Did you have your dinner there that night, or supper, Saturday night? A What?

Q Did you have your meals in Mrs. London's home? A No.

Q Didn't eat there at all? A No.

Q Well, were you there on Saturday night, July 13th? A What?

Q Do you know whether you were there Saturday night, July 13th, at Mrs. London's? A Yes, I have been there.

Q And didn't you on that night receive from her \$90 in cash? A No.

Q And she deducted \$10 for board? A No.

Q Now, didn't you tell her to deposit the check for \$400 which she had received in return for the change of this check in the bank in her name? A No.

Q Didn't she show you a check for \$400, stating that she had received \$100 in cash and a check for \$400? A No.

Q Didn't she on the Saturday, the 13th of July, show you a bank book with a deposit of \$400? A No.

Q Didn't she show you this book and show you that she had deposited the \$400 on July 13th? A No, I never saw it.

Q You never saw it? A No.

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Q What book did you see showing that she deposited the money in her bank? A A check book like this, from the bank (pointing to Official Stenographer's note book).

Q Did you see the figures \$400 in that check book? A I didn't look at it. She didn't give me a chance to see. She only kept it at a distance --- "here is the money."

MR. ROSALSKY: I ask that this be marked for identification.

(Marked for identification defendant's Exhibit A.)

Q Now, didn't you thereafter, on July 16th, in the presence of Mr. Rubin and Miss London, her daughter, receive \$200 in cash? A No.

Q You did not? A No.

Q Now, do you remember Saturday night, July 20th? A Well?

Q The second Saturday after you had given the check to Mrs. London to have cashed? A What is it?

Q Do you remember the second Saturday night after you had given Mrs. London the check to have cashed? A Yes.

Q You remember that Saturday night? A I don't know, I might.

Q Well, did you during the early morning or late Saturday night go into Mrs. London's room, and Mrs. London gave you a beating and threw you out; do you remember that? On the Saturday night or Saturday before she was arrested? A Well?

Q Do you remember receiving a beating from Mrs. London and being thrown out of her room? A What receiving? I don't

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know what you ask about me. Explain me better, speak better to me, and then I can answer you.

Q On Saturday night before you had Mrs. London summoned to court did you go to her room? A Well?

Q And she there gave you a beating in her room and threw you out? A Oh!

Q "Oh", yes. A Yes.

Q Then on the following Sunday morning didn't she return to you the balance of \$200, and state she didn't want you any more in her place? A No.

Q And then on the following Monday or Tuesday you then brought her a summons? A Yes.

Q And had her in court? A Yes.

RE-DIRECT EXAMINATION BY MR. McCORMICK:

Q Who was there at the time you were beaten? A I beg your pardon?

Q Do you remember when you had a fight? A A fight? Oh, there was nobody there. There was only her and her daughter and the man what she lives with.

Q Rubin? A yes.

Q Now tell us what Rubin did; what did Rubin do? A I don't know what he done.

Q Who had a fight with you? What did they do to you?

A He came and gave me a knock on my head.

Q Who? A Mr. Rubin; and he said, "If this is not enough he give me another one." So I started to scream, people came---

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the street was black with people --- and they took me out and I went away. As I went away I said, "I haven't got anything in my ---" I beg your pardon, I went back. As I went back I said, "I want --- I haven't got of anything to live."

Q You had no money? A No, money. "I haven't got of anything to live."

MR. ROSALSKY: I move that this be stricken out.

A (Witness continuing) Well, she said "You want money? Take that"(indicating by sticking finger to nose).

Q Who did that? A Mrs. London.

THE COURT: I will let it stand.

A (Continuing) So I went away, I went to a friend complaining I haven't got anything to live on.

MR. ROSALSKY: I move to strike that out.

Q Who signed your name on the check?

THE COURT: That will go out; it will be laid out, and the jury will disregard it.

Q Who was the friend? A Oh, the friend is there.

Q What is his name? A I don't know? A Furman? A Yes.

MR. McCORMICK: Mr. Furman!

(A man arises in the body of the courtroom and says "Yes".)

Q Is that the man (pointing to man who has arisen)? A Yes.

Q Who signed your name on that, do you know? A Yes.

Q Who? A My daughter.

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Q And then after it was signed did you give it to the defendant, to Mrs. London? A Yes.

Q Who signed the second name there? A I don't know.

RE-CROSS EXAMINATION BY MR. ROSALSKY:

Q You just spoke about some fight with Mr. Rubin; that was after you had given the summons? The second fight, was that after you gave the summons to Mrs. London? A Yes.

Q You had a fight, you say, with Mr. Rubin; that was after you had given the summons to Mrs. London? A The same night.

Q The first fight was on Saturday night when Mr. Rubin was not there, and the second fight was when you broke the door? Did you break the door? A No.

Q Did you break the glass? A No.

Q Was there any glass in the door broken? A No, it was Saturday night.

Q And Saturday night there was no door broken? A What?

Q Was the door broken on the Saturday night, or the day the summons was given? A Saturday night they gave me a beating.

Q Oh, you got a beating Saturday night? A Yes.

Q Because you went into the room of Mrs. London. And then you got another beating on Sunday night, the day you brought the summons? A Yes.

THE COURT: Have we anywhere as to where the son of

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the prosecuting witness lived with his daughter, who endorsed the check? I am not certain as to that.

MR. ROSALSKY: No, sir.

MR. McCORMICK: We will call him now.

THE COURT: You might develop it from this witness, if he knows.

BY MR. ROSALSKY:

Q Where did your son live in 1912? A Central Park West.

Q Do you know the number? A No.

Q Was it in Central Park West that you took this little girl Ida, the daughter of the defendant? A Yes.

THE COURT: I understand him to say that his daughter signed his name to the check. Would you like to get where she lives, and if she lived with his son.

Q This lady who signed your name to this check lived with your son; is she the wife of your son? A Yes.

Q And she lives with your son? A Yes.

Q Now, another thing: did you ever tell Mrs. London that if she married you that you would give her the diamonds which your daughter-in-law has? A No.

Q And did you ever tell her that you would get her the large diamond Lavalier? A No.

Q Has your daughter, Mrs. Goodrich, a great many, a large number of diamonds? A No.

Q She has not? A No.

Q Didn't you ever see the diamonds that your daughter-in-

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law has? A I? If I saw? Yes, I saw my daughter wore diamonds.

Q Hasn't she got large diamonds? A Yes.

Q And didn't you tell Mrs. London that if she married you that you would get those diamonds for her? A No. How can I say that?

Q You never made any proposition to marry her? A No.

H E N R Y I. G O O D R I C H, called as a witness in behalf of the People, being first duly sworn, testifies as follows:

DIRECT EXAMINATION BY MR. McCORMICK:

(The witness states that he resides at 478 Central Park West.)

Q You are the son of the complaint, are you not? A The son.

Q In July you lived where? A 478 Central Park West.

Q I show you People's Exhibit 1 and ask you whether that is your check? A Yes.

Q You drew that on that day, did you? A Yes.

Q What date? A On the 8th of July.

Q And after you drew it what did you do with it? A This check was drawn at my office, at the request and a promise that I had given to my father that I would give him \$500 to start a small business.

MR. ROSALSKY: I move to strike that out.

THE COURT: It will have to go by question and answer.

Strike out the latter part of the answer.

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Q What business are you in? A Real estate.

Q Whereabouts? A At the World Building.

Q After you drew that check on the 8th of July, what did you do with it? A I took it to my house, gave it to my wife, to give to my father, and I said ---

Q What did you do with it, or what did she do with it?

A What did my wife do?

Q No, what did you do --- unless it was done by your wife in your presence and in the presence of the other person?

A I gave it to Mrs. Goodrich to give ---

Q No, you gave it to her? A Yes.

Q Do you know whether she signed the two names at the top, on the back? A Yes.

Q Did you see her sign it? A Yes.

Q Is that all you know about what was done with the check? Did you see her do anything more with that check? A Yes, I saw her give it to him.

Q To your father? A Yes.

Q Do you remember upon what date? A On the following morning.

Q That would be the 9th of July? A Yes.

Q And where was your father when she gave him the check?

A Right in the room.

Q Do you know where your father lived at that time? A I understood that he was living with that lady.

Q Did you know her? A No.

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Q Now, after that, after the 9th of July, did you at any time talk to this defendant? A Never had no conversation with her.

Q At any time? A No.

Q Well, that is all you know about this case, isn't it?

A That is all I know outside of the endorsements.

Q Well, you have testified that you saw her write the first two names? A Yes.

Q On the check? A Yes.

Q Do you know who wrote any of the other names on the back of it? A No, no, they are foreign to me.

CROSS EXAMINATION BY MR. ROSALSKY:

Q When did your father come to you and tell you that he did not receive the money for that check? A He had been several times to see me, but I was living at my country home---

Q When did you see him after you had given him that check?

A There must have been a week elapsed.

Q Any more than a week? A Maybe a day or so.

Q Wasn't it on the day that the summons was taken out, on July 22nd or 23rd? A It may have been a little earlier than that, yes. He was there much earlier than that.

Q The first time that you heard that your father did not get the change back for the check, you had given him, didn't you immediately go to the police court? A Yes.

Q And that was on Monday or Tuesday? A Monday, I believe.

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Q It was not Tuesday? A No.

Q That was the 22nd of July? A It may have been.

Q The 24th? A I don't know just exactly what day. You see, I didn't come into the City. That was the first opportunity he had.

MR. ROSALSKY: I move to strike out "that was the first opportunity he had."

THE COURT: Motion granted, and the jury will disregard it.

Q You did not see your father until the day you obtained the summons, from the time you gave him the check? A No, but I had communications.

L O U I S F U R M A N, called as a witness in behalf of the People, being first duly sworn, testified as follows:

DIRECT EXAMINATION BY MR. McCORMICK:

(The witness states that he resides at 2 East 115th street.)

Q Did you have a talk with Jennie London, the defendant, in the month of --- shortly after the 8th of July, this year?

A I didn't had a talk with her, only one time, that was on a Sunday morning.

Q Just answer the question --- did you talk with her?

A No, no.

Q Did you ever talk to her? A Never, I didn't see her.

Q Did you ever see Mr. Abraham Goodrich talk to her? A No.

Q What do you know about her? A On a Sunday morning ---

Q Do you remember what Sunday it was? A That was in July,

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I can't remember that, only that was in July, and I keep a store on 116th street and I sit in my store and work and that tall man, he come around and cry --- he began to cry; what is the matter, what are you crying for?

BY THE COURT:

Q Who is this? A The old man --- Mr. Goodrich.

MR. McCORMICK: I consent that that be stricken out.

BY MR. McCORMICK:

Q Did you go any place with him? A No.

Q With Abraham Goodrich? A No.

Q Did you go to that woman's house? A In the woman's house, yes, sir, I was with him.

Q With Mr. Goodrich? A Yes, yes.

Q When you got there did you see her? A Yes.

Q What did she say and what did she do? A She told me --- she didn't talk to me, she laughed at him, and he cried and wants to go out; she wants to kill him; and that is what I see. I was there maybe about five minutes.

Q Well, what did he say to her? A I told her to give him a couple of dollars because he has not got where to move, he hasn't a cent, he is ashamed to go to the son and ask for money, the old man, he told me he is ashamed for him to go to the son. \$500 she took from him and he is ashamed to go and ask for more money. And she told him to move out from there.

Q Is that all she said? A That is about all. Otherwise I haven't got nothing to say.

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Q What did she say? A She laughed. I told her "You had the trouble --- you will have the trouble;" that is what I told her, and that is what was ---

Q Didn't she say anything? A No, I told her to give him a couple of dollars, he hasn't got with to move from there.

Q Did she say anything about charity? A She told, "I will go and I will make a charity for him". She said, "I will go and make a charity for the old man, Mr. Goodrich."

Q Is that all she said? A Yes.

CROSS EXAMINATION BY MR. ROZALSKY:

Q This was the Sunday morning before she was arrested; is that right? A Yes, sir.

Q Wasn't it Sunday afternoon that you were there, after twelve o'clock? A No, in the morning.

Q What time in the morning? A That was maybe about nine o'clock.

Q Wasn't it eleven o'clock? A No.

Q Twelve o'clock? A Nine or ten o'clock. From nine to ten. Of course I don't remember this.

Q On that Sunday morning did you go into her room with Mrs. London alone? A Yes.

Q And didn't you tell Mrs. London, "What is Mr. Goodrich meaning by saying that you and he are going to be married?", and she laughed about it and said there was nothing to it?

A No.

Q She didn't say anything? A No. I go with her in

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the room. She say, "Come in, I will tell you." I told her, "Give him a couple of dollars, give him \$50 or \$100, to let him move out. He hasn't a cent."

Q Didn't she tell you she had returned all the \$500? A I told her and she laughed and give nothing. I told her, "Give him something because he hasn't got really to move with from there at all."

Q Didn't she tell you she had returned the \$500 to him? A No. I told her, "What is the matter what you took from him the check, and didn't give him not one cent?"

Q Didn't she tell you she had returned the \$500? A She said that and I told her, "No, that cannot be, because the old man cry; he hasn't got a cent."

BY THE COURT:

Q How long have you known him? A I don't know him. I know him last year. I am in the fur business and he came to me to make him a coat.

Q Is he friendly with you? A No, sometimes I meet him.

Q You had some business with him? A No, only what I made him the coat, that's all. Sometimes I meet him in the street, maybe.

Q Did you know his son over in Central Park West? A No, I don't know his son. I know he has got a son. That is what I know.

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SAMUEL SENDACZ, called as a witness, in behalf of
the People, being first duly sworn, testified as follows:

DIRECT EXAMINATION BY MR. McCORMICK:

(The witness states that he lives at 981 Leggett avenue,
Bronx.)

Q What is your business? A Insurance agent.

Q Do you know the defendant? A Yes, sir, I know.

Q Did you know her in July? A Yes, sir, I do know.

Q Did she show you a check that she had in July? A No,
sir, I didn't see any checks.

Q Did you talk to her about a check? A I did not.

Q Didn't she say anything to you at all? A Nothing at
all.

Q In July? A No.

Q Or at any time after that? A No, I don't know.

CROSS EXAMINATION BY MR. ROSALSKY:

Q You are in the insurance business? A Yes, sir.

Q And you know Abraham Goodrich? A I do know him.

Q Did you have any business dealing with Mr. Goodrich
on the 2nd of July, 1912? A Yes, sir.

Q What was the nature of that business? A About life
insurance.

Q Did he make an application to the New York Life In-
surance Company? A Yes, sir, he did.

Q And was that application blank taken from you? A Yes, sir.

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Q And who was made the beneficiary of that blank, on that application? A The beneficiary was Jennie London.

BY THE COURT:

Q Did he go to your place of business? A No, I come---

Q Did he or not? A No.

Q Where did you see him? A Up by Mrs. London's.

BY MR. ROSALSKY:

Q In the home of the defendant? A Yes, sir.

Q Did he sign this application, and make this "X" mark?

A He did.

Q And I ask you to look at this application and state whether this is the application? A Yes.

Q And did any one request you to take out a policy for him, or did he of his own volition request it? A All of his own volition. He talked to me about the policy.

THE COURT: Perhaps you will draw out what was said and done, and then we will get it; just what was said and done with reference to it.

Q Will you tell the court and jury what was said and done at the time just prior to the making out of this application --- what was said --- how it came about that this application was made out? A What do you mean?

BY THE COURT:

Q What happened there? What was said by these different persons that were there? A Nothing happened. Just asked me he want to apply for insurance and I filed an application and

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he signed it.

Q Did he state what he wanted done, what he wanted you to do for him? A Yes, he said he wants a policy for a thousand dollars.

Q Then did he speak about the beneficiary? A Well, I generally ask ---

Q Did he or not? A He did.

Q What was said on that subject? A He told me Jennie London.

Q He told you that? Was she present? A No, she was not present.

BY MR. ROSALSKY:

Q And you simply filled out the application in accordance with what he said to you? A Well, he made the mark, he cannot sign; he made a cross mark.

Q Is this your signature "Witnessed by S. Sendacz" on here? A Yes, sir, that is my signature.

Q And did he give you his age? A He did.

Q And did you at any time tell him, or hear any one say he should dye his hair to look younger? A I don't remember this remark.

Q Did you ever say anything like that to him? A No.

Q Now, you went to the bank with Mrs. London, didn't you, when she opened the bank account on July 13th? A I did.

Q And you saw Mrs. London deposit --- make a deposit in the Mutual Alliance Trust Company? A Yes, I did.

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Q Do you recall what she deposited there on Saturday, the 13th of July? A I couldn't state the date; it was on a Saturday.

Q Do you remember how much money the check was for?

A It was a check of \$400.

Q And that was deposited? A Deposited, yes, sir.

Q Now, did you on July the 15th draw this check? A Yes, I made out that check.

Q Is that in your handwriting? A Yes, sir.

Q And this check was for \$100, is that right? A Yes.

MR. ROSALSKY: I ask to have that marked for identification.

(Marked for identification Defendant's Exhibit B.)

Q You don't know anything about this \$500? A I don't know anything about it.

Q Did you thereafter draw a check for \$200? A I did.

Q And that was before she had been arrested? A Before she had been arrested, yes, sir.

RE-DIRECT EXAMINATION BY MR. McCORMICK:

Q You say she drew a check for \$100? A I did.

Q To whose order did you make it payable? A To Mrs. London.

Q You never drew any check payable to Mr. Goodrich, did you? A No, I did not.

Q And the second check you drew was for \$200, and that was payable to whom? A Mrs. London.

Q And those were the only two checks you drew for her?

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A Yes, sir.

Q Are you an insurance agent? A Yes, sir.

Q Are you able to read and write? A Yes, sir.

Q What company are you an insurance agent for? A New York Life.

Q What? A I represent all companies, and fire insurance, but I do business with the New York Life.

BY THE COURT:

Q You are not a general agent, are you, of the New York Life? A No --- yes.

Q Are you a general agent? A Yes, sir.

Q Or do you do business with some general agent of the company? A No, I do it direct with the New York Life.

Q How long have you been an agent of the company? A Two years.

BY MR. McCORMICK:

Q Whose handwriting is that on that document? A That is my handwriting.

Q And whose handwriting is on the second page? A This is not my handwriting.

Q Who signed the name down at the bottom, "Abraham Goodrich"? A I don't know.

Q Is that your handwriting on the third page, "Abraham Goodrich, his mark"? A Yes, sir, that is mine.

Q That was signed at the house of Jennie London, wasn't it? A Yes, sir.

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Q How long before that day had you known her? A Oh, I know her, Jennie London, for a couple of years.

Q How long before that day had you know Abraham Goodrich? A Well, I saw him there several times before.

Q But you always saw him in her house, didn't you?
A Yes, I did.

Q And you never knew him until she introduced him to you, did you? A Well, there was not any introduction.

Q No, or yes, who introduced him to you? A No. Mrs. London, sure. Nobody else could introduce us.

Q The day that he signed this paper who sent for you?
A (No answer).

Q How did you happen to go there the day that he signed this paper? A Well, he told me that he wants to apply for insurance.

Q Who was there when he told you that? A I can't remember; there was many people up there.

Q How did you happen to go there at the time he told you he wanted some insurance? A Well, he told me I should come up.

Q No, how did you happen to go there at that time? A Well, just like by an appointment.

Q Who spoke to you about it first? Mrs. London or Mr. Goodrich? A Mr. Goodrich.

Q Mrs. London was there when he spoke about it, wasn't she? A I couldn't remember that.

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Q She never gave any check to Mr. Goodrich? A I didn't see anything.

MR. McCORMICK: People rest.

MR. ROSALSKY: I move to dismiss the indictment on the ground the People have failed to establish a case.

Motion denied. Exception.

MR. McCORMICK: I thought the officer was not here. He has come in. May I ask him a question and re-open the case?

THE COURT: Oh, yes.

MR. McCORMICK: I have just been informed that he has no testimony to give, so I rest.

Mr. Rosalsky now opens to the jury in behalf of the defendant.

D A V I D R U B I N, called as a witness in behalf of the defendant, being first duly sworn, testifies as follows;

DIRECT EXAMINATION BY MR. ROSALSKY:

(The witness states that he resides at 1393 Fifth avenue.)

Q What is your business? A Carpenter shop.

Q Are you in business for yourself? A Yes, sir.

Q And you employ any people? A Yes, sir.

Q How many help do you employ? A Oh, sometimes four, three, five.

Q Now, do you know the defendant, Jennie London? A Yes, sir.

Q How long have you known her? A Over four years.

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Q How many rooms does she occupy? A Now?

Q No, in July? A She had six rooms.

Q And which room did you occupy? A I occupied the third room from the front room.

Q Do you know Abraham Goodrich? A Yes, sir.

Q The complainant in this case? A Yes, sir.

Q When he first came there what room did he occupy? A The first thing he occupied the last room.

Q Afterwards what room did he occupy? A After he occupied the front room.

Q And who occupied the room directly in back of the front room? A Mrs. London.

Q Anybody else who slept in that room besides Mrs. London? A Her girl.

Q Her little daughter? A Yes.

Q And you occupied the room behind Mrs. London? A Next to Mrs. London.

Q Were you present at the time Mrs. London received a check for \$500? A Yes, sir.

Q Will you state what took place? You say you were there at the time she got the check? A Yes, sir.

Q The five hundred dollar check? A Yes, sir.

Q Who gave her that check? A Mrs. Goodrich gave it to her to change it.

Q Did she pull it out of Mr. Goodrich's hand? A No.

Q What was said at the time that the check was given to

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Mrs. London? A Mr. Goodrich told her to "Take that check and get it cashed for me."

Q The following Saturday night did you see any money pass between --- were you in the home of Mrs. London the Saturday night after she received this check? A Yes, sir.

MR. McCORMICK: This is the week after?

MR. ROSALSKY: The same week. She got it the week of the 9th or 10th.

Q Did you see any money pass between Mrs. London and Mr. Goodrich? A Saturday night she gave him \$100.

Q And did you see him get cash? In what shape or form did Mr. Goodrich get this money? A It was one hundred dollars and he took ninety dollars and he gave to Mrs. London ten dollars back for board.

Q How do you know that there was \$100? A I didn't count it, but I heard it is one hundred dollars.

Q You heard who say it was one hundred dollars? A Mr. Goodrich said, "Here, from the \$100 take off \$10 to pay you for board."

Q Now, was there anything else said at that time? A At that time, Saturday night, you mean?

Q Yes. A Saturday night when he would get the money, the ninety dollars, after he gave it to Mrs. London --- "Here is \$35, take the \$35 and buy for you something, clothes, or anything you like."

Q Was there anything bought during that week for that

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money? A The board? A No, he pay that from the \$100.

Q Was there any additional furniture, or anything bought that week? A Oh, yes, this week, yes; she bought a china closet.

Q Now, were you present when any other moneys were given to Mr. Goodrich? A A few days later she gave to him \$200 again.

Q Were you there? A Yes, sir.

Q Who else was there at that time, if you remember? A The child.

Q Was the child there on Saturday night? A Yes, sir.

Q Were you or were you not present when the last \$200 was returned? A No, I didn't see the last one.

BY THE COURT:

Q How much money did you see the defendant give to Abraham Goodrich? A The \$100 and the \$200.

Q \$300? A Yes, sir.
BY MR. ROSALSKY

Q Now, do you remember when Mr. Goodrich came up with the summons in this case? A Yes, sir.

Q Did you strike him or beat him? A Nothing at all.

Q What was the matter at that time? What took place what happened? A At that time he gave the summons over and he went away again.

Q Did he come back after that? A He come back after to move.

Q Well, at the time he moved did you give him any beating?

A No.

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Q He said he received a double beating from you? A No, I will tell you what it was. When he come in the house he broke the window, and I said to him, "You don't have to break anything, because she can lock you up, because it is not allowed. If you have got something against her, you know what you have got to do, but you must not do anything like that". And he started to holler "murder, murder."

Q You didn't beat him? A No.

Q Do you remember anything about the Saturday night before when Mrs. London gave him a beating? A Yes, sir.

Q That was the Saturday night before Mrs. London was arrested? A Before.

Q What do you remember about it? Did you hear any noise in the room? A I can't tell you the time when it was, but it was in the middle of the night, because I was sleeping hard.

Q Did you hear some noise? A And I hear some noise and I got up.

Q And then did you go to sleep again? A No. I am ashamed to tell.

Q Well, what did you hear? A I hear some noise and I can not tell you what I see now.

Q But you heard a noise? A I know what it was, but I am ashamed to tell here before the public.

Q Well, I want to know.

THE COURT: What you saw and anything you heard.

Q What did you hear? A In the next room where Mrs. London

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was sleeping, there was a noise and I get up and look what it is, and I find something not in very nice condition, Mr. Goodrich.

Q What do you mean by not in nice condition? A Well, I will tell you, I am ashamed to tell you what it was.

Q No, no, I want to know, the jury wants to know. A Well, he was laying on the floor.

Q Was he dressed or undressed? A He was not dressed.

Q He was undressed? A Undressed --- only his underwear.

CROSS EXAMINATION BY MR. McCORMICK:

Q Is that all --- he was just lying on the floor? A Just trying to get up from the floor; that's what I saw.

Q What room was that in? A It was in Mrs. London's room.

Q Where was she? A She was in bed.

Q What day was that? A It was Saturday night.

Q What Saturday night? A I don't remember the date; I don't have to remember the date.

Q Did you see her give him \$90, ou say, or \$100? A Yes, sir.

Q And kept out \$10 for board? A Yes, sir, he gave it to her back.

Q That was a Saturday, wasn't it? A Yes, sir, Saturday.

Q The time you saw him lying on the floor, was that a week later? A This was a week later --- when he was on the floor was a week later.

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Q What time of night was that? A Oh, I don't know what time; I didn't look on the clock.

Q Well, was it early in the evening or late at night?

A I know so much, I was sleeping, and from that noise I got up.

Q Well, this was in the room next to the front room wasn't it? A This was the room next to the front.

Q And you had the room back of that? A Back of this one.

Q And in the night time you heard a noise? A Yes, sir.

Q What kind of a noise? A I heard a clap, and she was crying, and she was hollering "Oh, my bones, my bones hurt me."

Q Did you see her beat him? A I didn't see that.

Q Hit him with anything? A I didn't see that because he was on the floor and she was in bed.

Q You did see that, that she did beat him once? A It looks like that, but I didn't see it.

Q No, but before that, the Saturday before that, she did beat him? A No.

Q Did you ever see her beat him? A Never.

Q Did you ever beat him? A No.

Q How long had you been a friend of Mrs. London? A Over four years.

Q How long had you been in her house? A Over four years. That is where I am living.

BY THE COURT:

Q Over four years living at her house, boarding with

her? A Yes, sir.

Q Were you very friendly with her? A Like everybody.

Q When she gave him the \$90, you say that was Saturday night? A It was Friday night, I guess.

Q Well, either Friday or Saturday, you are not sure which?

A Yes, sir.

Q Who else was in the room? A Oh, only the child and me.

Q How old is the child? A About thirteen or fourteen.

Q What room was she in? A This was in the dining room.

Q And what time of the evening was it? A It was supper time when I came home from work.

Q Had he been in the house all that day? A I don't know if he was in the day time or not.

Q You had been out working that day, hadn't you? A Yes.

Q Where did she carry that money before she gave it to him? A She didn't carry it.

Q You saw her hand the money to him, didn't you? A Yes.

Q Where did she have it before she handed it to him? A I don't know where she had it.

Q Did she have it in her pocket book? A I don't know where she had it.

Q Was it in ten dollar bills or one dollar bills, or what? A I didn't see it.

Q Were there any yellow back bills there? A It was of no interest to me.

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Q Were there any yellow back bills there? A I can't tell you.

Q You don't know? A I can't tell you, only what I heard was \$100.

Q How big a roll was it? A It was not big.

Q About ten bills or more? A I don't know, I didn't count it, that is what I am telling you. I heard this, only \$100, but I don't know what kind of bills.

Q Didn't she ask him for a receipt? A For a receipt? No.

Q Now that was the first time she gave him any money? A Yes.

Q The second time that he got any money was how many days afterwards? A Two days after.

Q Well, that would be Sunday? A No, it was something like Monday, I guess.

Q Well, now, which was it, - try to think. See if you cannot tell us which day it was? A I can't tell you exactly which day it was, because it don't interest me.

Q What time of day was that? A It was in the evening.

Q Supper time? A Yes, because I am all the day not home.

Q Tell us all the conversation there was between them at that time, what talk there was; what did she say and what did he say, the second time? A "Here is \$200."

Q Is that all she said? A Yes.

Q Didn't he ask for anything? A No, he didn't ask for

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anything.

Q Did he say anything at all? A No.

Q And she just said, "Here is \$200"? A Yes.

Q Where did she carry that money? A What can I know where she carried it? In her pocket.

Q Did she count it out first? A Yes.

Q Did he count it out afterwards? A Yes.

Q Were there any yellow bills in it? A I don't know.

Q Are you sure you saw the money? A I saw the money.

Q What color was the money? A Like every bill --- five dollars or three dollars or two dollars.

Q Some bills were yellow and some green? A Yes.

Q Was this yellow? A Yes.

Q Was it? A I don't know if it was yellow or not. It was all kinds of bills, I can't know what it was.

Q Well, where did she have the money before she gave it to him? A She had it in her hand.

Q That was about supper time? A It was supper time.

Q What did he do with the money after she handed it to him? A He took it away and put it in his pocket.

Q Which pocket? A Pants pocket.

Q Did he stay around there that evening? A Yes, sir.

Q Did he stay around the house every evening? A No.

Sometimes he went away for twelve to two o'clock.

Q Didn't you ever have any row or fight with him?

A No.

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Q Never any at all? A No.

Q How many times did you hear Mrs. London fight with him?

A Only the one time, the last time.

Q Which time was that? A When I saw him on the floor.

Q That was the Saturday night, the week after she gave him, as you say, the \$90? A No, it was after she gave him the \$200.

Q How could he go into her room without going through your room? A He was in the front room, and her bed room was next, and next to her was mine. He must not pass my room.

Q Was the door between his room and her room locked before that? A No.

Q When you saw him in her room was the door leading into his room open? A It was not a door at all, no door there.

Q Just a curtain? A Yes.

Q How long had he been living in the front room at that time? A About two weeks.

Q When you went into the room when he was lying on the floor and she was in bed, did you say anything to either of them? A "What's the matter?" I asked her "What's the matter?" "Nothing, nothing."

Q Who said that? A Mrs. London.

Q What did Mr. Goodrich say, "Murder, my bones, my bones hurt me."

Q What happened then? A After that, after I went to sleep and he went to sleep in his bed, I don't know.

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Q Were you there when the insurance agent came? A Yes.

Q Who got him to come there --- who asked him to come there? A I don't know who asked him to come there, but he came.

Q What talk did you hear then about life insurance?

A Mr. Goodrich asked him to insure him, to get him insured.

Q Asked the agent? A Asked the agent to get him insured if it is possible.

Q Did he say to whom he wanted the money paid if he died?

A To Mrs. London? A Why? A Because he said Mrs. London is--- I don't know how you call it --- a nephew.

Q A niece? A Mrs. London is a nephew.

Q A niece? A Yes, a niece of his.

Q He told the agent that? A Yes.

Q Did you hear him say anything else to Mrs. London?

A Who?

Q Mr. Goodrich? A No.

Q Did he say anything to her about being married to her?

A About marriage? A Yes.

Q What did he say? A "I get married with you."

Q What did she say? A She said, "We will see after."

Q After what, after she got the money? A No, "After, when I find out what character you got, we will find out."

Q And then about two days after that she threw him out of the house; is that right? A Yes, sir.

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RE-DIRECT EXAMINATION BY MR. ROSALSKY:

Q Do you know other people who know Mrs. London? A Yes, sir.

Q What is her reputation for honesty and truthfulness?

A I never heard any bad word.

Q Is it good or bad? A Bad --- I mean good.

Q You say Mr. Goodrich was talking about marriage to her?

A yes.

Q And in answer to the District Attorney you said, "In the last two or three days". Was it during the last two or three days, or was it going on during the entire month? A It was going on all the time.

BY THE COURT:

Q Did you participate in the conversation, between the persons? Did you say anything yourself? A What is it?

Q During these talks did you have anything to say? A About this?

Q I got nothing to say about that matter.

Q Well, how did it happen that you were there? A He told me many times,--I will tell you a few words more: "Mr. Rubin, I like that woman, and I get married with her." That is what he told me many times, every day, and then he asked me that ---

Q Did you discuss that matter with him? Did you talk with him about it? A Yes.

Q Whether it would be a judicious thing for him to do or not? A What is it?

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Q Did you talk with him about the matter? A Yes, he told me she is a very nice woman. I said, "Yes, she is a nice woman, that is what I said. "I like her, I like her, and I get married with her. Mr. Rubin, how long did you live there?" "Over four years." (The remainder of the witness's answer is given through Official Interpreter Rosenthal.) He asked me "Mr. Rubin, how long have you been staying here?" And I said, "About four years." He asked me how I was treated, whether I was treated well. I said "Certainly, I was treated well; otherwise I would not have remained here." He said, "From now on, you will be treated much better, because I know what it means to be a boarder and now I will become the boss of this house, and you will have very good treatment from now on."

MR. ROSALSKY: Your Honor, may I be permitted to call some character witnesses out of order.

THE COURT: Yes.

I S A A C S I L V E R, called as a witness in behalf of defendant, being first duly sworn, testifies as follows:

DIRECT EXAMINATION BY MR. ROSALSKY:

(The witness states that he resides at 120 St. Mark's place.)

Q What is your business? A I am a jobber; auction business.

Q Jobber of what? A I am in the auction business.

Q Do you know the defendant, Jemie London? A Yes, sir.

Q How long do you know her? A I know her about five or six years.

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Q Do you know other people who know her? A Yes, sir.

Q What is her reputation for honesty and truthfulness, good or bad? A I can't tell anything. I used to deal with her, she is an honest woman.

(No cross examination.)

C A M I L C A M I L O W I T Z, called as a witness in behalf of defendant, being first duly sworn, testifies as follows:

DIRECT EXAMINATION BY MR. ROSALSKY:

(The witness states that he resides at 970 Tinton avenue, Bronx).

Q What is your business? A Cigar maker.

Q Do you know the defendant, Jennie London? A Yes.

Q How long do you know her? A Nine years.

Q Do you know other people who know her? A Yes.

Q (Through Interpreter) What is her reputation for honesty and truthfulness? A Her reputation is good.

(No cross examination.)

L E N A R A B I N O W I T Z, called as a witness in behalf of the defendant, being first duly sworn, testifies as follows:

DIRECT EXAMINATION BY MR. ROSALSKY:

(The witness states that she resides at 60 East 118th street.)

Q Are you married? A Yes, sir.

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Q You have a family? A Yes, sir.

Q Do you know the defendant, Jennie London? A Yes, sir.

Q How long do you know her? A Four years.

Q Do you know other people that know her? A Positively.

Q And what is her reputation for honesty and truthfulness in the community? A I belong with her in a society and she is a grand person forever I know her.

Q Her reputation for honesty and truthfulness is good?

A Good and honest and working hard.

(No cross examination.)

I D A L O N D O N, (Thirteen years of age), called as a witness in behalf of defendant, being first duly sworn, testifies as follows:

DIRECT EXAMINATION BY MR. ROSALSKY:

(The witness states that she resides at 1393 Fifth avenue.)

Q How old are you? A Thirteen.

Q And do you go to school? A Sure.

Q And where did you live in July, 1912? A 17 West 114th street.

Q And you are the daughter of Jennie London? A Yes.

Q Now, do you know Abraham Goodrich? A Yes, sir.

Q Do you remember when Abraham Goodrich came to live in your house? A Yes.

Q How many rooms does your mother occupy? A Now?

Q No, at that time, in July? A Six rooms.

Q And when Mr. Goodrich came there to board --- on what

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floor is this apartment? A First floor.

Q And the rooms are one behind the other? A Yes.

Q And when Mr. Goodrich came there to board what room did he occupy? A The back bed room.

Q After he had been there some time was his room changed?

A Yes.

Q To what room? A To the front room.

Q What room did your mother occupy? A The back parlor.

Q And did any one occupy that room with your mother? A I did.

Q That room, or back parlor, where is that with respect to the front parlor? A Right off it.

Q Right in back of it? A Right in back of it.

Q What room did Mr. Rubin occupy? A The third from the front.

Q Did Mr. Rubin at any time occupy the back parlor?

A Never.

Q Now, you remember going with Mr. Goodrich to his son's home? A Yes, sir.

Q Did Mr. Goodrich say anything to you on your way there? A Yes, he told me not to tell that I haven't any father, because he lived in Chicago two years and the very day his son took him away, because his son finds he lives by a widow.

Q And he told you --- A Not to say I haven't any father.

Q During the time that he was living there did he ever

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say anything to you? A. Yes.

Q. What did he say? A. He told me I should tell my mother he should marry my mother.

Q. Did he ever say anything else to you during that time?

A. And he said he will be a good father to me.

Q. Were you in your home on the Saturday night, about ten days before your mother was brought to the police court? Do you remember a certain Saturday night? A. Yes.

Q. Did you see any money pass between your mother and Mr. Goodrich? A. Yes.

Q. And when was that? A. That was Saturday night while we were eating supper.

Q. Do you know how much there was? A. I don't remember how much.

Q. And did you see your mother give Mr. Goodrich money?

A. Yes, sir.

Q. Was it a bundle of bills? A. A bundle of bills.

MR. McCORMICK: I object to leading questions at this stage of the examination.

MR. ROSALSKY: Question withdrawn.

Q. What did your mother give to Mr. Goodrich that Saturday night? A. Money.

Q. And what kind of money was it? A. Bills.

Q. Was there any talk at that time? Did you hear any conversation? A. What do you mean?

Q. Was there any talk at that time when your mother gave

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Q bills to Mr. Goodrich? A What talk should there be? I didn't hear any talk.

Q Did you hear anything said about a sideboard or dresser?

A He said to my mother, "If you want, here is \$35 to buy a new suit", so I butted in and I said I wanted a china closet.

Q And was there a china closet bought that week? A Yes.

Q Do you remember how much Mr. Goodrich gave to your mother to buy this China closet? A \$35.

Q Was that money counted out in your presence? A Yes, sir.

Q And after this \$35 was given to your mother didn't Mr. Goodrich still have some money left? A Sure.

MR. McCORMICK: Well, now, let her testify.

Q Now, do you remember whether any other money was given to Mr. Goodrich? A One Saturday night my mother gave him money again too. It was after --- a different Saturday.

Q Do you remember how much was given? A That time \$200.

Q How do you know it was \$200? A My mother said "Here is \$200."

Q You heard your mother say "Here is \$200"? A Yes.

Q Did you see any other money given? A What do you mean?

Q You have spoken about \$100 being given the first time when your mother received \$35 back? A Yes.

Q After that you saw \$200 given? A Yes.

Q Did you or did you not see any other money given? Did you or didn't you? A Yes, my mother, after she got the \$100, so my mother took ten dollars for the week and \$90 my mother

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gave him.

Q Well, when was that? A That was the last time.

Q Was that the last time or the first time? A The last time.

Q Are you sure about that, little girl? A Yes.

Q Just think a little bit?

MR. McCORMICK: I object to cross examining his own witness.

Q At thentime your mother received the \$35 from Mr. Goodrich, was that the time your mother took the \$10? A No.

Q How many times did you see your mother give Mr. Goodrich money --- two or three times? A Three times.

Q Do you remember waking up on the Saturday night before your mother was arrested? A Yes.

Q Getting up from your sleep? A Yes.

Q Do you remember what woke you up? A Yes, sir.

Q What was it? A He was yelling, and I got up and I seen him laying on the floor yelling, and kind of a funny yell. My mother was crying. I asked her what was the matter and she told me to sleep, it was none of my business.

CROSS EXAMINATION BY MR. McCORMICK:

Q Did you see Mr. Goodrich give your mother a check for \$500? A Yes.

Q Do you know what day that was? A I can't tell you the day.

Q How many days after she got that check for \$500 was it

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that she paid him some money? A A few days after.

Q About how many? A About three or four.

Q And that was on Saturday? A Yes, sir, that she gave him the first.

Q That was the first time I am talking about that she gave him any money --- how much was it? A No, the first time she got the money she got a four hundred dollarcheck, and he said he will give her \$100 Saturday night, but he didn't say what day. He hasn't got no one hundred dollars money cash, and he just gave her a \$400 check.

Q He gave her a four hundred dollar check? A No, my mother gave him a four hundred dollar check.

Q When was that? A I don't remember what day it was.

Q What did he do with that \$400 check? A So he told Mamma to go and deposit it in the bank.

Q Then about three days after that she gave to him \$100?

A yes.

Q But she took out \$10 for board, is that right? A Not that time.

Q Which was the time she took it out? A Ten dollars was the last time.

Q The time she gave him \$200? A Yes.

Q Which was a week later? A Yes.

Q Out of that \$200 she took \$10? A No. From the last \$100 my mother gave him \$90, and there was \$10 for the board.

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Q How much money did she give him the first time she gave him any money? A \$100.

Q Who was in the room at that time? A I was, Mr. Rubin and my mother.

Q And what were the bills she gave him? A I can't tell you the bills.

Q Did she take a receipt? A No.

Q She just handed him a roll of bills? A Yes.

Q Did she count the money before she gave it to him? A Sure.

Q Did he count it afterwards? A No, he just put it in his pocket.

Q Did she hand him \$100? A The first time, yes, sir.

Q And did he hand back to her \$10; is that the way it was done? A The last time he handed it back.

Q When did he give her the \$35? A The \$35? The second time.

Q The first time she gave him \$90? A \$100.

Q And he gave her back \$10? A The \$10 he gave her the last time.

Q So the first time she simply gave him \$100? A Yes.

Q And that is all there was done? A Yes.

Q Now the second time was about three days later? A Yes.

Q And that time tell us just what happened? A My mother gave him \$200.

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Q Was it in bills? A In bills.

Q What kind of bills? A I can't tell you what kind of bills, I don't know.

Q Were there any yellow bills there? A What do you mean?

Q Bills colored yellow? A I didn't look at them.

Q What color were the bills? A My mother just counted the bills and gave them.

Q What color were the bills? A I don't know.

Q Do you know yellow color when you see it? A All colors.

Q Were there any yellow bills? A Yes, yellows too.

Q You said at first you didn't know. Are you sure? A All kinds of bills.

Q Were there many yellow bills there? A They were all kinds of bills.

Q You said a while ago that you didn't know whether there were any yellow bills there? A They were all kinds of bills.

Q Did he count the money over after she gave it to him?

A No; he just put it in his pocket.

Q And each time he put it in the same pocket? A Yes.

Q Where did she have that \$200 before she gave it to him?

A She had it in the bank, and then she went and took it.

Q Just before she handed it to him, did she have it in her pocket book? A In her hand.

Q How long before that had she gotten the money from the bank, do you know? A On the same day she had it in the bank.

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Q How long were you four people in the room before she
handed him the money? A Not very long.

Q What time of day was it? A The second time?

Q Yes. A Why, on the night.

Q What time? A I don't look at the hour.

Q Very late at night or early in the evening? A Early
in the evening.

Q Before dinner or after? A About supper time.

Q Before supper or after? A While eating supper.

Q Were you all sitting at the table? A Yes.

Q How about the first time, the time she gave him \$100;
what time of day was that? A That was noon time.

Q How do you remember that it was noon? A Because we
were going to dinner.

Q What time of day was it when she came in ---

(Question withdrawn.)

Q Now, the third time that she paid him some money how
much was it? A She took \$100 --- she took \$10 for the week.

Q That was the third time? A That was the last time.

Q Sure about that? A Sure.

Q And then out of that was taken \$10 and \$35? A No, the
\$35 was taken the second time.

Q Oh, the second time? That is the time you have just
been talking about? A Yes, the second, I say.

Q That was in the evening? A The second time at supper
time.

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Q Did she hand him the \$200? A The second time, yes.

Q And did he then hand back to her \$35? A Yes.

Q And before that \$10? A The last time \$10.

Q You are sure it was the last time when she paid him \$10? A Yes, the last time.

Q Didn't he pay her \$10 out of the first hundred? A Why, \$10 out of the first hundred? No.

Q Sure about that? A Sure.

Q The last time she paid him any money was the next Saturday, wasn't it? A Yes, sir.

Q What time of day was that? A At night.

Q What time of night? A Early in the evening.

Q Before supper or after? A Before.

Q Were you all sitting down at the table? A Yes.

Q When she paid the \$100 were you all standing, or sitting down? A The first time or the last?

Q The first time? A The first time we were in the front room.

Q Were you standing, or sitting down? A I can't tell; I don't remember that.

Q Don't you remember? Did you hear Mr. Rubin testify what they were doing at that time? A What?

Q That they were all standing or all sitting at that time? A What do you mean?

Q Did you hear Mr. Rubin when he was giving his testimony a little while ago? A No.

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Q Do you know whether they were all sitting down or all standing up the first time the money was paid? A I don't remember that.

Q How about the second time? A All sitting at the table.

Q And that is the time the \$200 was paid? A The \$200.

Q The last time how much was paid A \$90.

Q And what time of day was that? A That was --- the last time? Before supper.

Q And were any of you sitting down or were you all standing up? A I don't remember whether we were sitting or standing.

Q You don't remember. Well, do you remember what the conversation was on that last payment? A What do you mean?

Q You say the last time there was \$100 given? A The last time \$90.

Q And \$10 was given back and that left \$90? A The second time \$10 was given back.

Q You are sure the first time there was any money paid by her to him that he gave no money back? A No.

Q Have you talked to any one about this case? A No.

Q Did you ever talk to Mr. Rubin about your testimony?

A What testimony?

Q About coming down here to court? A No.

Q Or to your mother? A No.

Q Never a word? A No, if I asked my mother anything of that kind she would tell me to mind my own business.

Q Well, you knew you were coming down here to testify,

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didn't you? A I didn't know it.

Q Didn't you tell any one what you were going to swear to? A No.

Q Did you tell your lawyer? A No.

Q Did you ever hear any trouble between Mr. Goodrich and your mother? A When?

Q Did you ever hear them have a fight? A One night.

Q Only that one time you spoke of? A Yes.

Q Where were you sleeping that night? A Where I always sleep.

Q Where? A In the back parlor.

Q Where was your mother sleeping? A With me.

Q With you? A Yes.

Q You both slept in one room? A Sure.

Q The first thing you heard that night was what? A It was late in the night.

Q Had you been asleep? A Sure.

Q What was the first thing that you heard? A I heard screaming, and I got up.

Q And then you woke up? A Yes.

Q Was the light burning or not? A It was dark.

Q How could you see Mr. Goodrich lying on the floor if it was dark? A Because in the hall the gas was burning, and the gas came right into our window.

Q How was he dressed? A In his night gown.

Q Did he have his underwear on? A I don't know. I didn't look.

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Q Beside his nightgown didn't he have his underwear on?

A He just had his nightgown on. I didn't look if he had his underwear on.

Q Didn't you hear anything before you saw him lying on the floor? A I heard screaming and I heard my mother crying.

Q Where was your mother then? A In the bed, crying.

Q Covered up? A Sure.

Q How far from the bed was he lying? A He was lying on the floor.

Q Did you know what had happened to him? A No, I asked my mother what was the matter and she told me to mind my own business.

Q She always tells you that, doesn't she, when you say anything? I mean, you didn't say anything about coming down here to testify because she would have said that to you? A Because I knew what she would answer me if I ever asked her that.

RE-DIRECT EXAMINATION BY MR. ROSALSKY:

Q Ida, didn't you come to my office? The District Attorney asked you whether you spoke to any one, whether you spoke to your mother's lawyer; didn't you come to my office?

A I came to your office.

Q And did you tell me all about this? A No.

Q About this case? A What case?

Q Did you or did you not tell me about your testimony, what you were going to testify to? A No.

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Q Didn't you tell me? A When?

Q When you were in my office --- all about this case, or let me know about this case? A I don't remember.

Q Didn't you talk to me about this case? Did I talk to you about this case? A You talked to me.

Q Didn't you tell me what you were going to testify to?
A (No answer). }

Q Didn't you come to my office? A Yes.

Q And didn't you tell me all about what you know about this case? A What I knew, yes.

Q Yes, you told it to me? A (No, answer.)

Q Well, the District Attorney asked you whether you told me all about the case or not and you said no? A I didn't understand what he said.

Q And you did tell me all about the case? A I didn't understand what he said.

Q What the District Attorney said? A Yes.

Q But now you say that you did tell me all about the case? A Yes.

J E N N I E L O N D O N, the defendant, called as a witness in her own behalf, being first duly sworn, testified as follows: (Through Official Interpreter Rosenthal.)

DIRECT EXAMINATION BY MR. ROSALSKY:

(The witness states that she resides at 3193 Fifth avenue.)

Q Where did you live in July 1912? A 17 West 140th street.

Q You are a widow? A Seven years and a half a widow.

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Q And what kind of a business did you conduct in July 1912? A A private restaurant.

Q How many rooms did you have? A Six.

Q Did you have boarders? A Yes.

Q You occupied a floor in a tenement house? A Yes.

Q Now, do you know the complainant, Abraham Goodrich?
A Certainly I know him, he was a boarder of mine for four weeks.

Q Do you remember on or about the 8th or 9th of July him coming to you with a check for \$500? A Yes, he brought me a check for \$500 and he asked me to cash it for him, and I signed it and I cashed it. I didn't get the cash right away. When I came back he was very patient so I went back to get the cash. Friday I got the check for \$400 and Saturday I got \$100 in cash. I gave him the check for \$400, and he said to me "I see that you are such a good honest woman, take the check and deposit it in the bank in your name." I cannot write so I asked Mr. Sendacz, the insurance man, and he introduced me in his bank and deposited the check. Saturday night I gave him \$100 and I took off ten dollars for the week's board, and he said to me then, "You are a very good woman, here is \$35, buy a dress for yourself", and I said, "I don't need a dress, I have plenty of dresses"; and he said, "Well, then you can buy a china closet", and I bought a china closet with a folding bed. That was on Saturday night, the 13th of July.

Q Now, did you snatch the check out of his hand, or

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did he give it to you? A He gave me the check, he handed it to me, and even asked me to go and cash it.

Q Now, after he gave you the first \$100, when did you next give him any money? A Tuesday night, July 16th. Monday he told me I should give him the money, and Tuesday I did give him the money; Tuesday night, \$200.

Q And where did you get the \$200 from? A From the bank.

Q When you gave him the \$200 did you get the \$200 from the bank? A No; \$100 I had and \$100 I took from the bank.

Q And is this the check upon which you obtained the \$100? A Yes, the first \$100.

Q Did he ask you for the cash? A \$100 I had in cash, and \$100 I drew from the bank. I gave him \$200, which was Tuesday night the 16th of July.

Q Now, after that when did you give him the balance? A The rest of the money, he didn't tell me to give him, but he made a mistake Saturday night, he did something that I am ashamed to speak about. Sunday morning I went to my brother-in-law and took \$200 and I gave him a watch and chain and the rings and \$200 and told him he should get out immediately, as soon as possible, and he went to his friend and told his friend that I didn't give him the money.

Q When you say his friend, do you mean Mr. Furman, who came to your house? A The man who was a witness here.

Q And did you tell Mr. Furman that you returned the money to him? A Yes.

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Q And did Mr. Furman speak to you anything about marrying him? A He came to the front room and told me that the man used to come to him for two or three weeks and said he told him that he was going to marry a Mrs. London, and I laughed about it. I told that man, "What do you think, isn't that a joke, I should marry such a man?" So he said, "Well, in New York City different things happen sometimes." And now he comes as a witness that I owe money.

Q Did Mr. Furman ask you to give him back fifty dollars or one hundred dollars out of the five hundred dollars? A I gave him the money right away.

Q Answer my question: Mr. Furman testified that he asked you to give him \$50 or \$100 --- that you should give Mr. Goodrich fifty dollars or one hundred dollars; now did he ask any such question of you or make any such demand of you? A That is not true; he didn't say anything about it.

Q When he asked you about the \$500 you told him that you had already returned it? A Yes, sir.

Q Now during the time that he was living there did he make any suggestions to you about marrying him? A Yes, from the first day he moved in all the time he was talking about it.

Q Now, when he went to live with you how much was his board a week? A Six dollars a week, and as soon as he found out that I was a widow he gave me ten dollars a week.

Q How was it that he was transferred from the back room to the front room? A Two weeks he lived in the back room, then

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he suggested it is a pity that the front room should be not occupied; he suggested he would move in there and the back room could be rented to some body else.

Q And then following his suggestion he kept the front room? A Yes.

Q Now, Mrs. London, will you tell us what took place on Saturday night before you were summoned into the police court?

A He was talking all the time about marriage and that Saturday night about twelve o'clock I went to bed, and about one o'clock he came into my bed and laid down next to me. I got frightened and started to holler, and threw him out of bed.

Q Did you give him a beating? A I didn't beat him, but by throwing him out of bed he fell on the floor, and he must have hurt himself.

Q Now, did your daughter wake up then? A Yes. Mr. Rubin also got up; in the third room Mr. Rubin sleeps, and he came in and saw the man lying on the floor.

Q You didn't tell your daughter what the trouble was, did you? A No, I was ashamed to do so, and she asked me, "Mamma, what is the matter?", and I told her "Keep still; sleep."

Q Do you know anything about the application for the life insurance made out to Mr. Goodrich? A As soon as he moved in he took out life insurance and made me the beneficiary.

Q Did you ask him to be made the beneficiary? A No, I did not.

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Q Did you ever tell him that he should say that he was younger and should dye his hair? A No.

Q Did I understand you to say that you gave him the \$400 check, and you told him to deposit that in the bank? A Yes, that is true.

Q And have you ever been convicted or arrested for any crime in your life? A Never in my life, this is the first time.

Q Did I understand you also to say that you returned the watch and chain and ring to Mr. Goodrich? A Yes, when I gave him the \$200 I also gave him the watch and chain and ring. He had told his son that he had pawned the watch and chain, but it was not true. The watch and chain was in my possession, and the ring also, and I returned him all the things.

Q And this was done after the episode of Saturday night? A Saturday night was this trouble, and Sunday I returned him everything.

THE COURT: Gentlemen, you will not discuss the case, nor form nor express an opinion on it, but keep your minds open and free until it is submitted to you. I will ask you to be in your places at half past ten to-morrow morning.

(Adjourned to Tuesday November 12th, 1912, ay 10:30 a.m.)-

Last Exhibits:

People's 1.
Defendant's B.

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New York, November 12th, 1912.

TRIAL RESUMED.

J E N N I E L O N D O N, resumes the stand and testifies further as follows: (Through Official Interpreter Rosenthal):

CROSS EXAMINATION BY MR. McCORMICK:

Q What day of the week was it he gave you the check for \$500? A Tuesday.

Q And was it the next Saturday that you gave him \$100? A Yes, the next following Saturday --- the same Saturday of the week.

Q Why didn't you give him \$500 that day? A On Friday before that Saturday I had given him a check for \$400 which he asked me to deposit to my name.

Q And what day did you deposit that? A On Saturday.

Q The same day you gave him the first \$100? A In the evening I gave him the \$100.

Q The evening of Saturday? A Saturday.

Q When you gave him that first \$100 did he give you back \$10 for board? A Yes, ten dollars for the week.

Q Did he also on that day give you \$35 for yourself?

A At the very same time when I handed him the \$100 he gave me the \$35; I should buy something for myself and I said, "I don't need anything." So he said "Buy a china closet."

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Q What time of day was that conversation? A About ten o'clock at night. Mr. Rubin was present and the child was present.

Q Are you sure it was not just before supper time? A No, it was later.

Q Well, that was Saturday? A Saturday night late.

Q And that was the first time you gave him any payment?
A Yes.

Q Now the second time that you paid him any money was on the following Tuesday? A Yes, Tuesday, supper time.

Q Before supper or after supper? A While we were just sitting at the table, having supper.

Q How much did you give him then? A \$200.

Q Who was in the room at the time? A My child and Mr. Rubin.

Q Did he keep all of that \$200? A Yes.

Q Did you hear your daughter testify that on Saturday that it was at noon that you gave him \$100?

MR. ROSALSKY: Objected to as incompetent, immaterial and irrelevant, what the daughter testified to.

THE COURT: Objection sustained to the form of the question.

Q Did you hear your daughter swear that this was out of the second payment of \$200 that he gave you back \$35?

MR. ROSALSKY: I object to that.

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MR. McCORMICK: I am trying to refresh her recollection.

THE COURT: Objection sustained.

Q Well, the second time you gave him \$200 just before supper in the front room, is that right? A We were sitting at the table, yes, and I gave him \$200 in the dining room.

Q Well, the third time, what day of the week was that? A Sunday morning, because the night before he acted very foolishly.

Q Well, that was eight days after the time that you gave him the first \$100, wasn't it? A Yes, eight days.

Q And what time on Sunday was that money paid to him?

A Between about eight and nine o'clock in the morning.

Q When you paid him the \$200 on Tuesday, why didn't you pay him all that you owed him, - \$400? A He didn't tell me to give him all the money. He told me to give him \$200, and I gave him \$200.

Q When he gave you the check for \$400 he told you to get that check cashed for him, didn't he? A Yes, I should change it for him.

Q Well, why didn't you change it and get the \$400 and give it to him then? A He at first asked to get him back either the check or the money. When I went to get the check I couldn't get it because the man told me he had deposited the check already. When I brought him the check on Friday he said, "Now, I see you are a very honest lady; you can take

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the check and deposit it in your own name; I trust you."

Q Did you ever have a bank account before you put that \$400 in the Mutual Alliance Trust Company? A No.

Q Couldn't you get the cash for that \$400 without opening a bank account? A Not at that time.

Q On the 15th of July you drew out \$100, didn't you?
A Yes, \$100 I had in cash and I handed him \$200.

Q Where did you get the \$100 in cash? A I had it -- I didn't take it from anybody.

Q Now when you gave him the \$200 on Tuesday, \$100 was what you got on this check (Defendant's Exhibit B for identification)? A Yes, \$100 on the check and \$100 I had myself.

Q If you put his \$400 in the bank why didn't you draw that \$400 out and give it to him, instead of giving him \$100 of your own? A He didn't tell me to give it to him that way.

Q Well, then when you drew out \$100 and then \$200, and then \$200 more on the 22nd of July, that left \$100 of the money he had given you in the bank, didn't it? A No, it does not belong to him; it belongs to me, because I had returned him all the money.

Q When did you draw that other \$100 out of the bank?
A When I was arrested in 121st street.

Q So all of the money has been drawn out of the bank, has it? A Yes, sir.

Q Where did you get that \$100 that you say you gave him of your own money on Tuesday? A I had it in my possession.

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Sometimes I have more money than that.

Q How long had you had that \$100 in your possession?

A Several days. I don't know exactly; I don't remember.

Q How do you make a living? A I have been in the instalment business for twelve years; I am selling goods to customers on the instalment plan, but lately I don't feel quite well, and I am getting out of that instalment business and opening a boarding house and a private restaurant.

Q Where did you keep your money? A Well, I can't tell exactly. I have a sideboard, I have several rooms; sometimes in one place, sometimes in another. I have no thieves around there and I am not afraid of anybody.

Q Well, when you gave him that \$100 it was what time of day? A Not in the day but in the evening, at supper time.

Q Before: A While we were sitting at the table.

Q When you gave him the \$200 the next Tuesday, what time of day was that? A The last \$200 I gave him Sunday morning.

Q No, the second \$200 I am talking about? A Tuesday evening at supper time, and \$200 the next Sunday morning.

Q Now, wait, just one at a time. I want to know when you gave him that money on Tuesday, the \$200?

MR. ROSALSKY: I submit that she has answered the question two or three times.

A Tuesday evening at supper time.

Q Before or after? A They were just sitting at the table, between six and seven o'clock.

Q What amount was it that you say you gave to him at ten

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o'clock at night? A That was the first \$100.

Q That was on Saturday? A Yes.

Q Then you were kistaken when you said a few minutes ago that you gave that before supper?

MR. ROSALSKY: I object to that. There is no such testimony. The witness did not testify that she did that, your Honor.

THE COURT: Your objection is that it is assuming something that has not been up to this time put in evidence? Ask for the fact, Mr. McCormick, without assuming anything.

Q When you paid the \$100 before supper, when was that?

A That was after supper, about ten o'clock.

Q How long had Mr. Rubin lived in your house? A Four years, going on five.

Q Were you friendly with him? A No special friendship; he pays what he owes me.

Q Did he have any trouble with Mr. Goodrich? A No, sir, not Rubin.

Q Did Mr. Rubin ever strike Mr. Goodrich? A No.

Q Did you strike Mr. Goodrich? A No.

Q Did you strike him when he came into your room that night? A No, I didn't strike him, but I threw him out of the bed and then he fell on the floor, and his bones were almost broken then; I did not strike him.

Q Well, what was he doing when you woke up that night?

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A Without asking any questions he came into my bed and I woke up and I threw him out.

Q How did you throw him out? A I woke up, I was frightened I did not know what had happened. When I looked at him I took hold of him and I threw him out of the bed and he remained lying on the floor.

Q Did you introduce the insurance agent to him? A The insurance man come to my house, I have taken out insurance from him on my furniture and other things, and also life insurance I have taken out from that agent.

Q Well, did anybody read to Mr. Goodrich the insurance application that he signed? A Yes, it was read to him.

Q Who read it to him? A The agent, and the doctor examined him.

Q Did you ask him to have his life insured for your benefit? A No; as soon as he came to live in my house he informed everybody that he was going to marry Mrs. London, meaning me. He said that his son had bought a bracelet for seven thousand dollars and he promised that he would give me that bracelet if I would marry him.

Q Did he tell you that he wanted to have his life insured? A Yes, he told me and we were laughing about it.

Q Did he ask you to send for the agent? A No, the agent came --- I was not even there at the time. Goodrich said to the agent that he wants to take out life insurance, and the agent asked him who would be the beneficiary, and then he said

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"Jennie London".

Q Well, before that you had introduced the agent to Mr. Goodrich, had you not? A No, I was not even there at the time when he came.

Q Well, did he ever tell you why he had you arrested? A He didn't tell me anything. If he would have told me I would have gone to a lawyer and consulted him about it.

Q Didn't he call on you with Mr. Furman and demand the \$500? A No, Goodrich only come and handed me a summons and I didn't know what the summons meant, and Tuesday morning I went to court, at nine o'clock in the morning I was in court already, and I didn't know what it was all about.

Q Didn't Mr. Furman call on you with Mr. Goodrich? A Yes, Sunday at twelve o'clock.

Q Was that the Sunday you gave him the last two hundred dollars? A The same Sunday.

Q Did you give him the \$200 before Mr. Furman called? A Yes.

Q How long before? A About two or three hours.

Q And then he came back with Mr. Furman and asked for \$500, didn't he? A He didn't demand \$500; he came in and addressed me, he said, "Are you Mrs. London?", and I said, "Yes, I am." So he called me into the front room, he didn't care to talk to me in the dining room, and he said, "This man Goodrich has been going around for the last two or three weeks saying he was going to get married, to marry Mrs. London", so

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I told that man, "What do you think about it? Isn't that foolish? Is that a catch for me?" So he says, "In New York City things happen that ought not to happen." And he asked me how about money, and I told him I had returned every cent to Mr. Goodrich, and the watch and chain which he had presented me when he came to live with me, I even returned to him, and everything was returned to him on Sunday morning.

Q Did Mr. Furman say to you that you ought to give Mr. Goodrich some money because he had no money? A No.

RE-DIRECT EXAMINATION BY MR. ROSALSKY:

Q Mr. McCormick asked you when you received the check for \$400 did Mr. Goodrich ask you to change that check for \$400? A No, he said I should deposit the check in my name.

Q When you testified in the cross examination by Mr. McCormick that he told you to change the \$400 were you talking of the \$500 check or the \$400 check? A I meant the \$500 check.

Q And the \$400 check that you had shown to Mr. Goodrich he told you to deposit in the bank? A Yes, sir.

Q And you did deposit that in the bank? A Yes, sir.

Q Now, I don't know whether I asked you on direct examination, but how old are you? A Thirty-seven, going on thirty-eight.

Q Where did you get the \$200 that you paid Mr. Goodrich Sunday morning? A I went downtown to my brother-in-law and

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asked him to give me \$200, and on Monday I returned him the money, and that was the \$200 returned to the brother-in-law by this check.

Q Dated July 22nd? A Yes.

Q And what is the name of your brother-in-law? A A. Oxman

Q Is this the gentleman (indicating)? A Yes.

MR. ROSALSKY: I offer that \$200 paper in evidence.

(Received in evidence and marked Defendant's Exhibit

C.)

MR. ROSALSKY: I offer the duplicate receipts of the bank in evidence.

(Received in evidence and marked Defendant's Exhibit

D.)

RE-CROSS EXAMINATION BY MR. McCORMICK:

Q Did you get any receipt from Mr. Goodrich when you paid any money? A No.

Q Why not? A I didn't think of it. (When I gave him the first \$200 I didn't take any receipt either.

Q Didn't you think of it when you gave him the last \$200 after you had had that row with him? A He didn't ask me for any money, I gave it to him myself so as to get him out of the house.

A A R O N O X M A N, called as a witness in behalf of defendant, being first duly sworn, testifies as follows:

DIRECT EXAMINATION BY MR. ROSALSKY:

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(The witness states at 195 East 4th street.)

Q What is your business? A Cigar manufacturer.

Q Are you related to the defendant? A Yes, sir.

Q What is the relationship? A Fine, first class.

Q What is the relationship? A Sister-in-law.

Q Did you on Sunday, the 21st day of July, give your sister-in-law any money? A \$200 on a Sunday morning.

Q How much did you give her? A \$200.

Q That was on a Sunday morning? A Sunday morning, about eight o'clock.

Q And did you get that \$200 back? A Monday.

Q Monday? A Yes, sir.

Q Monday afternoon? A Monday, yes.

CROSS EXAMINATION BY MR. McCORMICK:

Q What business are you in? A Cigar manufacturer.

Q Where? A 195 East 4th street.

Q On Sunday you gave her \$200? A On Sunday, \$200.

Q What time of day? A It was in July, the month of July.

Q What time of the day? A In the morning about eight o'clock she come to me and I gave her \$200.

Q When she came to you where? A I was in the store and she come to me in the morning, and I give her \$200.

Q You were in your store? A Yes, sir.

Q On 4th street? A On 4th street.

Q What did she say to you when she came into the store?

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A I shall give her \$200 until to-morrow.

Q What did you do? A I gave it to her gright away.

Q Where did you get that \$200? A In my pocket.

Q What? A I had \$200.

Q How much did you have in your pocket at that time when she asked you for it? A I had a couple of dollars and a couple of dollars I took off a friend of mine.

Q A couple of dollars? A About one hundred dollars.

Q Now, answer the question, how much money did you have in your pocket when she asked you for \$200? A About one hundred dollars I had in my pocket.

Q And then where did you go to get the other one hundred dollars? A A friend of mine was in my place and I took off him \$100. Mr. Silver.

Q What is his first name? A Sam Silver.

Q What business is he in? A Real estate.

Q Where? A 120 St. Mark's Place.

Q Where did he get that \$100? Did you see? A He had it in his pocket.

Q And he just happened to be in your store at eight o'clock Sunday morning, and you asked him for \$100, and he gave it to you? A Yes, sir.

Q How much money did you have with you at that time?

A About \$100 I had in my pocket, in the drawer.

Q Didn't you have any more than that? A I had more, a couple of dollars, - I didn't give her all.

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Q Did she say why she wanted this money? A No, she didn't tell me. She told me she wanted \$200 till to-morrow, and I gave her the \$200.

Q What did you say to Mr. Silver? A I told him he should give me till to-morrow a couple of dollars.

Q You mean \$100? A Yes, give me the \$100 till to-morrow.

Q And he handed you \$100? A Yes.

Q What bills? A Twenty dollars bills, ten dollar bills.

Q Twenty and ten? A Twenty, ten or five.

Q How many twenties? A I couldn't remember, this is about four months ago; may be two, may be one.

Q And the money that you had, that was all in bills too?

A My money was small bills.

Q Did she give you the \$200 back the next day? A Yes, Monday.

Q What time Monday? A After dinner, about two or three o'clock.

Q How did she give that back to you --- in bills? A In small bills, twenty dollar bills, ten dollar bills, small bills.

Q Did she tell you what she wanted that money for? A She didn't tell me nothing.

Q Tell me just what she said to you? A I shall give her \$200 till to-morrow.

Q Did you ask her why? A No.

Q You just handed her the \$200? A Yes, sir, because she

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is my sister-in-law.

Q And you didn't take any receipt for it? A No.

Q And she came back the next day and handed you back \$200? A Yes, sir.

Q What date was that? A That was in July.

Q What date? A How can I remember? Maybe --- this was in July, I don't remember the day.

Q Was it in the first part of July? A It was the end of July.

Q Towards the end? A I know it was the end of July.

MR. ROSALSKY: Defense rests.

MR. McCORMICK: I offer in evidence a statement of the Mutual Alliance Trust Company, of the account of Jennie London.

*MR. ROSALSKY: I have no objection, if you will have no objection to this check also going in.

MR. McCORMICK: I consent.

THE COURT: Then both offers are made and consented to?

MR. ROSALSKY: By consent.

THE COURT: Received in evidence.

(The statement is received in evidence and marked People's Exhibit 2; the check is received in evidence and marked Defendant's Exhibit E.)

MR. ROSALSKY: I would like to offer in evidence

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the insurance application.

MR. McCORMICK: No objection.

THE COURT: You may offer it.

(Received in evidence and marked Defendant's Exhibit F.)

IT IS CONCEDED that the paper, Defendant's Exhibit F, comes from the files of the New York Life Insurance Company.

ABRAHAM GOODRICH, recalled by the People in rebuttal, testifies as follows:

DIRECT EXAMINATION BY MR. McCORMICK:

Q Did you ever go in, in the night time, to the room of Jennie London.

BY THE COURT:

Q How long have you been living here in New York?

A Well, now, it will be twelve months.

Q Where did you come from? A I come from Chicago, sir; and before I come from Chicago I have been in Australia.

Q You lived with some of your family in these different places? A I come here to my family.

Q You did not go to your son's there in Central Park West to live, did you? A Yes.

Q How long did you stay with him? A By my son?

Q Yes. A Well, I stayed about two or three months, your Honor.

Q He gave you this check for \$500? A Yes, sir, your

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Honor.

Q I believe you said you could not write? A Yes, I cannot write.

Q You wanted to get the money on this check? A Yes, and I didn't get it.

Q You did not ask your son or your daughter-in-law for the money? A No.

BY MR. ROSALSKY:

Q Didn't your son tell you that he endorsed that check for the purpose that you should be enabled to go to the bank and draw the money? A No.

MR. ROSALSKY: I think the son's name as the maker appears.

THE COURT: Yes, made by the son to the prosecuting witness on the 8th day of July.

BY THE COURT:

Q How long had you been living at the defendant's house when your son gave you that check on the 8th day of July?

A Only one week.

Q Did you tell him where you were living? Did you tell your son or your daughter-in-law where you were living? A Yes.

Q The person's name? A Yes.

Q And where? A Mrs. London.

MR. McCORMICK: The People rest.

MR. ROSALSKY: I renew the motion made at the close of the People's case.

THE COURT: Go to the jury. Motion denied.

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MR. ROSALSKY: Exception.

Counsel now close to the jury.

The Court now charges the jury.

The jury now retire to deliberate upon a verdict
and upon their return render a verdict finding the defend-
ant not guilty.

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