

A Curious Case of Circumstantial Evidence
by Allan Pinkerton

A CURIOUS case of circumstantial evidence was tried before Judge Paxon, in the New York Court of Quarter Sessions, some time since. A shoe manufacturer, named George Bruder, was tried for the alleged theft of three thousand dollars, which was in charge of a bank messenger, named Brooks. The latter left the Security Banking House with certain securities and money for the Clearing House, and on the way stopped at the shop of the shoemaker named, to pay a bill.

The messenger laid his pocket-book and the package on the counter, and placed his arm upon them while he wrote out a bill. When he got to the Clearing House, a count of the securities and money was had, and then, for the first time, it was discovered that there was a deficit of three thousand dollars. The messenger at once returned to Bruder's shop and made known his loss. The shoemaker denied having seen it, and a search was made of the place. Had the case rested here, there would have been very little upon which to base a belief that the shoemaker handled the money. The Commonwealth called a witness to prove that he was in the shop of George Bruder, *the day after the loss*, when his daughter came in bearing a package of money, saying that the shop-boy had found it in the cellar; whereupon the defendant claimed that it was his, that he had put it there for safe-keeping, and that he supposed his dog had dug it out of its place of concealment. The shop-boy also testified to finding the money in the cellar, to which he had gone to chop wood. The package of money was upon the ground, and was done up in an almost precisely similar manner to that of the bank package.

There was proof that Bruder had a fire-proof safe in the store, which made it all the more strange that he should have his treasure lying around loose in the cellar. The only evidence offered by the defense to meet this case was that of good character, and the fact that he did not keep a bank account. The jury were together for some time, and then rendered a verdict of not guilty.

I think it would not be possible to make out a stronger case on circumstantial evidence than here presented. The remarkable fact of a package of money of the same amount, and in every other particular closely resembling the lost one, being found in the cellar by the shop-boy the day after the alleged loss, and the shoemaker's explanation that he supposed his dog had found it and dragged it from its place of concealment, would be, it seems to me, strongly indicative of guilt. But the little instance is simply one of thousands which every year contrive to throw a strange fascination and interest of possibility and doubt around all cases of circumstantial evidence.

Allan Pinkerton, *Criminal Reminiscences and Detective Sketches*. New York: G.W. Dillingham, 1878.

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