

UNITED STATES v. BROWN.

{4 Cranch, C. C. 333.}¹

Circuit Court, District of Columbia. Oct. Term, 1833.

COMMITMENT—OFFENCE—INDICTMENT FOR
BREAKING JAIL.

A commitment not stating on its face any offence, is not evidence of a commitment for felony, although written on the back of a warrant of arrest charging a felony, but not referring to it.

{Cited in *Erwin v. U. S.* 37 Fed. 486.}

Indictment for breaking gaol, when committed for felony in stealing a saddle. The commitment did not state any offence, but was written on the back of the warrant of arrest, which charged a felony. The commitment did not refer to the warrant of arrest.

THE COURT (nem. con.) said, that it was no evidence of a commitment for felony.

Verdict, not guilty.

¹ [Reported by Hon. William Cranch, Chief Judge.]

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