

0745

BOX:

423

FOLDER:

3910

DESCRIPTION:

Izzo, Raffaele

DATE:

01/19/91



3910

0746

Witnesses:

Depld. 900
to h am done
Went to the knife
4M

Counsel,

Filed:

day of

189

Pleads,

THE PEOPLE

vs. B

Braffaele 280

CONCEALED WEAPON.
(Section 410, Penal Code).

DE LANCEY NICOLL

JOHN R. FELLOWS

District Attorney

Attorney Bill

Franklin Emerson

Foreman

Part 2 - 5th 5.1891

and and convicted

14126 Mass Ave

446

0747

Police Court

2

District.

Affidavit—Larceny.

City and County } ss:
of New York,

Giocinto

Giocinto Bellachio

of No. 134 Bleeker

occupation driver

Street, aged 23 years,

being duly sworn,

deposes and says, that on the 17th day of January 1891 at the City of New York,
in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in
the day time, the following property, viz:

One horse and wagon
of the value of five hundred dollars
\$500.

the property of Anthony Lombardo and in care
and charge of deponent

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and
carried away by Frank Iles (now here) for the
reason that deponent saw the defendant
and an unknown man who were in
company with each other, driving the
said horse which was attached to the
said wagon, from the above premises
deponent pursued them and overtook
them but the said unknown man escaped.

Giocinto Bellachio

Sworn to before me, this

18

day

of January 1891

Police Justice.

0748

At a General Term of the Supreme
Court of the State of New York held
at the County Court House in the
City of New York on June 12 1891

Present: Hon Charles F. Van Buren
George C. Bonnett } Presiding Judge
Edward Patterson } Justice

The people of the State of New York
against
Raffaelli Eggo defendant

The appeal in the above entitled case coming
on to be heard upon the printed case and argument
having been duly heard and due deliberation
having been had, and after hearing Charles E.
LeBarber in support of defendant-appellant
and McKeuzie Simple Assistant District Attorney
in opposition thereto. Now on motion of Charles
E. LeBarber attorney for defendant-appellant

It is ordered, adjudged and decreed that
the appeal be and the same is hereby granted,
and the judgment of conviction heretofore
rendered in the above entitled case on the 6th
of February 1891 be and the same is hereby
set aside

And it is further ordered, adjudged and
decreed that the defendant be and he is hereby

0749

allowed a new trial And

It is further ordered, adjudged and decreed that in the meanwhile and pending the new trial hereby allowed, that the defendant Raffaele Izzo be admitted to Bail in the sum of \$500.

Ent. CAP.

Attest

Leonard R. Giegerich
Clerk

0750

Superior Court
General Court

The People of the State
of New York

— against —

Robert R. R. R.

vs.

Charles C. C.

Attorney at Law

Residing at

the City of New York

in the County of New York

State of New York

65 West 10th St.

New York City

0751

Police Court, District.

City and County } ss.
of New York,

of No. South Precinct Police Street, aged _____ years,
 occupation Police Officer being duly sworn, deposes and says,
 that on the Ninth day of January 1881, at the City of New
 York, in the County of New York,

Raffaelizzo (now here), did unlawfully
 carry and conceal an instrument
 commonly known as a dagger or
 dirk from the following facts to wit:

That on the aforesaid date
 about the hour of 6.30, P.M. deponent
 was standing in Elizabeth Street
 near Spring, when he was accosted
 by Nicholas Grande of No 187 Elizabeth
 Street, who informed him that the
 defendant who was standing in
 Elizabeth Street, had threatened him
 with bodily harm, and to assault
 him with a knife.

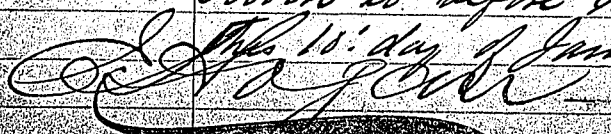
And deponent further says
 that after being so informed by the
 said Nicholas Grande, he immediately
 went to the place where the defendant
 was standing, and searched the
 defendant, and found concealed in
 the inside pocket of a coat then
 and there worn on his person, an
 instrument commonly known as a
 Dagger or Dirk.

Deponent therefore charges the
 defendant with violation of Section
 210 of the Penal Code, and asks
 that he be held and dealt with as
 the Law may direct.

Hugh J. McGrade

Sworn to before me

This 10th day of January 1881




0752

CITY AND COUNTY } ss.
OF NEW YORK,

Nicholas Grande
aged *20* years, occupation *Shoemaker* of No. *187 Elizabeth*

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

Sworn to before me, this

day of

188

May 9 *Nicholas Grande*
[Signature]
Police Justice.

0753

Sec. 198-200.

CITY AND COUNTY OF NEW YORK ss.

District Police Court.

Raffae Iggo

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

Question. What is your name?

Answer. *Raffae Iggo*

Question. How old are you?

Answer. *39 years*

Question. Where were you born?

Answer. *Italy*

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

Answer. *215 Mott Street*

Question. What is your business or profession?

Answer. *Musician*

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

Answer.

I found the dagger in the street, and was showing it to Nicholas Grande. When he said Grande got frightened, and went and told the Officer.
Raffae Iggo

Taken before me this

day of

January

1881

Police Justice

0754

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named Defendant

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

Dated January 10 1891 G. H. Hagan Police Justice.

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

Dated Jan'y 12 1891 G. H. Hagan Police Justice.

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

Dated _____ 18 _____ Police Justice.

0755

BAILED

No. 1, by Miguel Giralt
Residence 217 West Street.
No. 2, by Rocco Morasco
Residence 100 West A Street.
No. 3, by _____
Residence _____ Street.
No. 4, by _____
Residence _____ Street.

Police Court---

45 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Hugh McGrade
vs.
Raffael Iggo

2
3
4

Dated

January 10

Magistrate.

Hogan
McGrade
10

Officer.
Precinct.

Witnesses

Nicholas Grande

No.

187

Street.

No.

Street.

No.

Street.

540

to answer

[Signature]

[Signature]



0756

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Raffaele Izzo

The Grand Jury of the City and County of New York, by this indictment, accuse
Raffaele Izzo
of a FELONY, committed as follows:

The said *Raffaele Izzo*
late of the City of New York, in the County of New York aforesaid, on the *ninth*
day of *January* in the year of our Lord one thousand eight hundred and
~~eighty-nine~~ *eighty-nine* at the City and County aforesaid, with force and arms, feloniously did
furtively carry, concealed on his person, a certain ~~instrument and weapon of the kind~~
~~commonly known as~~ *dirk, dagger and dangerous knife*
with intent then and there feloniously to use the same against some person or persons to the
Grand Jury aforesaid unknown, against the form of the statute in such case made and provided,
and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said
Raffaele Izzo
of a FELONY, committed as follows:

The said *Raffaele Izzo* — late of the
City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the
City and County aforesaid, with force and arms, feloniously did possess a certain ~~instrument~~
~~and weapon of the kind commonly known as~~ *dirk, dagger and*
dangerous knife by him then and there concealed, and furtively carried on his person,
with intent then and there feloniously to use the same against some person or persons to
the Grand Jury aforesaid unknown, against the form of the statute in such case made and
provided, and against the peace of the People of the State of New York and their dignity.

DeLancey Nicoll
~~JOHN R. FELLOWS,~~

District Attorney.