

0140

**BOX:**

506

**FOLDER:**

4610

**DESCRIPTION:**

Liebeman, Bennett

**DATE:**

12/20/92



4610

0141

Witnesses:

*Co. J. S. Schreiber*

*Rev. E. J. ...*

*Mac ...*

*De Lancey Nicoll*  
29/1/93

Counsel,

1892

Filed, day of Dec.

Plead, *Guilty*

THE PEOPLE

vs.

*Bennett Liebeman*

*B*

*De Lancey Nicoll*  
(False Pretenses)  
[Section 528, and 537, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

*5-1893*

A TRUE BILL.

*William ...*  
Foreman.

*Frederick ...*  
*... to ...*  
*... 13/93*

THE PEOPLE, COURT OF GENERAL SESSIONS, PART I.  
vs. BEFORE RECORDER SMYTH.  
BENNETT LIEBERMAN.

Thursday, January 5, 1893.

Indicted for GRAND LARCENY, IN THE SECOND DEGREE.

A Jury was empannelled and sworn.

EZEKIAL SCHREIBER, sworn, and examined:

I am in the liquor business, and have two places --- one No. 33 Canal street, and one No. 163 Rivington street. It was at 163 Rivington street that the check was changed. Do you know this defendant, Lieberman? Yes. How long have you known him? Two years. Where did you first make his acquaintance? In my lodge. What is his business? He is in the tailoring business. Who is he associated in business with? He is associated in business with Mr. Suffin; he belongs to my lodge. How long were they in business together, as far as you know? Two years. On the 14th of December, 1892, did you see this defendant and Suffin? Yes, in my place, 163 Rivington street. What time of day? That was in the night time, between six and seven o'clock. State all the conversation that was had between you three? Mr. Lieberman and Suffin called in my place and showed me that check; that was not the first time I changed him checks. He brought me that check -- Lieberman and Suffin were both together. He gave me that check, I took it in my hand. I says, "Is this check good?" He says, "Certainly; that is not the first time you changed for me checks, you know my checks is good. You need not be afraid; I have got to pay my workmen." I took out one hundred and thirteen dollars, a hundred dollars was in five dollar bills, five dollars in gold,

and eight dollars I took out of the register. They took that money and went away. Is that the check which they showed to you then? (Showing witness a check.) Yes. Who had the check? Lieberman handed this check to me.

(The check was offered and read in evidence.)

"New York, December 14, 1892.

No. 95.

The EAST SIDE BANK pay to the order of Salmon Suffin one hundred and thirteen dollars.

George Goldstein.

Endorsed: Salmon Suffin;"and it bears the imprint, "For Deposit in the East Side Bank, to the credit of Adolf Prince."

You paid the check to Adolf Prince? Yes. What did Suffin say about the check, in the presence of this defendant? Nothing; I handed him the money; they took it and went away. What did he tell you about the check being good? He told me if he had ten thousand dollars a check, from that man, it would be good. I said to him, "Sometimes the best man's check for one hundred and fifteen dollars may not be good." That was the conversation. Did they tell you anything about Goldstein, the drawer of the check? Yes. Give the conversation, the words that they used at the time that they came in to get you to cash that check? I asked them, "Where is Goldstein?" He says, "Goldstein keeps in Canal street, a big business in clothing, he is all right." I took the check, in the morning I gave the check away to my liquor man, Adolf Prince; then I went away. When that check came back to me, I went to the Secretary of the lodge to find out where Mr. Lieberman lives. I came to Lieberman; there was about twenty-five or thirty people, workmen, there; I said,

"Give me my money." Did this check come back to you? Yes. Was it paid? No. What did he say to you? I told him, "Lieberman, the check is bad." He says, "Don't you be afraid, that check will be paid." I says, "Give me the cash for it." He said, "You got to wait until to-morrow, Suffin has got to stay away, and I will settle with the workmen, and I will make it good." I says, "I want right away my cash; if not, I will arrest you." He says, "Come to me, and I will give you that money." He went with me down town, there was twenty-five or thirty people, we went all around there, I couldn't tell you the firm; we went up stairs and there he goes to talk to that man. He says, "I don't know you, I paid you three months ago everything." Did you ask him who Goldstein was? Yes. Did you go to see Goldstein? He went with me to Goldstein. What did Goldstein say? He did not tell me anything. Did you see Goldstein? I did not. What did Lieberman say about Goldstein? After he told me that Goldstein had an account there, he said, "I will make it good." He never made it good? No. When he told you that this check was given by Goldstein, and that he knew it was good, did you rely upon that representation --- did you believe it to be true? Yes; certainly. And, relying on that, did you pay the one hundred and thirteen dollars? Certainly.

CROSS EXAMINATION:

I do business at Rivington street and at Canal street on my wife's account, and in my wife's name. Are you positive that the occurrence took place on the 14th of December? Yes. Wasn't it on the 15th of December? No. What day of the week was it that it took place? Wednesday. In the police court you made an affidavit that the occurrence took place

on the 15th of December; is that your signature? That is my signature to the paper now shown to me; it is a mistake when it is put down the 15th of December.

The Court: The indictment states that it is on the 15th of December, 1892.

What day was it when these people came into your place? That was the 14th, between six and seven o'clock in the night time, Wednesday.

By Counsel:

Who came to your place of business? Lieberman and Mr. Suffin. Which Mr. Suffin, Salmon or Kalman? Kalman Suffin. Then Salmon Suffin did not come to your place of business? I do not know if it is Kalman or Salmon, he is his partner, I don't know the first name of that man who signed the check. The man who signed the check, on the back of the check, is the party that came to your place? Both of them. Who was that who put the endorsement on? The other man, his partner. What is his name? Suffin. What is the first name? I don't know whether it is Kalman or Salmon, I don't know the first name. Was the check endorsed in your place of business, at that time? He endorsed it in my place. After the check was endorsed by Kalman Suffin you then gave the money? I gave the money to Lieberman and Suffin, both of them. To whom did you give it first, to Lieberman or Suffin? To Lieberman, I wouldn't trust Suffin a penny if Lieberman had not been there. You gave it to Lieberman? Yes. Did you ask Lieberman to endorse the check? No, I did not. You did not think it worth while to get his endorsement? I did not ask him. When was the first time you found out the check was no good? on the 15th, Thursday. Did you see Mr Lieberman

on the 14th, after you say he was in your place of business? Yes, in the lodge. Mr. Lieberman is the president of that lodge, and it is named after you? Yes. You had no conversation with him at that time, about the check? No. When was the first time, on the 15th, that you had any talk with Lieberman about the check? That was, I think, about two or three o'clock, in the day time. Where did you go to see him? I went first to the Secretary to find out where he lived, and he gave me his address, which was 212 Madison street. Didn't you have Mr. Lieberman go with you to find Suffin? Yes, not to find Suffin, only he went with me to give me the cash for the check. Where did he go to? He took me down town, he went with me to several places; I think Franklin street was one of the places, I don't remember the names. How long are you in New York? I am here eleven years. You know the streets pretty well down town? Yes. Can you not tell any place where you were on that day? I was so excited that I did not take notice of the streets, I think one was Canal corner of Grand. Didn't you go with Lieberman to a clothing place, down town? Yes. Was it not to the place of Mr. Shapiro, that gentleman? (Pointing to a man in court.) And when you got down there you saw Mr. Shapiro? Yes; Mr. Shapiro told me that Mr. Suffin came to him the same day with a check, and he wanted to get it cashed; he wouldn't give it to him. Lieberman told me that I shall go with him, and he will give me cash. I went up stairs, and that man said, "I have got nothing to do with him." Is it not a fact that you went down there to find out the address of Suffin, where he could be found? No. Did anything else take place between you and Shapiro? I couldn't remember. Didn't you take Mr. Lieberman to your place of business? on the 15th, in the after-

noon, before you arrested him, and didn't some conversation take place in your place at that time, and after that you had him arrested? Yes. State what Suffin said to you, about the check, when he got the money from you -- just prior to getting the money from you? He said that the check is good. Did Suffin say anything else? No. Then Suffin endorsed the check, and you gave him the money? Yes, I gave the money to Lieberman, he took the money. Mr. Lieberman said nothing at all? He said, "You know me, the check is good."

RALPH J. VANDERVOORT, sworn and examined:

I am the assistant receiving teller of the East Side Bank, and was connected with that bank on the 14th of December, 1892. I am acquainted with the accounts of that bank. George Goldstein has not an account in that bank, and had not on the 14th of December or any other time. Do you know when that check was presented? (Check shown.) It was presented by Adolf Prince a few days afterwards, I couldn't say exactly. Adolf Prince is a depositor in our bank, and that check was deposited in the regular way, the same as any other check. It was passed to the book-keeper and he sent it back, saying, "No account." This check was not paid at that bank? No.

JOHN FOLEY, sworn and examined, testified:

I am connected with the 11th precinct, and arrested the defendant, in Schrieber's saloon, on the 15th of December, upon the complaint of Mr. Schrieber. Did you go to the saloon to arrest him? Yes. What did the complainant say, in the presence of the defendant? He accused of giving that check

, and he gave him money for it, amounting to one hundred and thirteen dollars.. He gave him a forged check; is that what he said? Yes, he said he wanted him arrested. I took the check and locked up the prisoner, on his complaint. Did the defendant say anything? He claimed that he did not give it to him, that it was his partner who gave it to him. Did the defendant deny that he was present at the time the check was given and the money paid? I had no conversation with him at all, until I got to the station house. He denied giving the check? Yes.

The Prosecution rested.

JOSEPH SHAPIRO, sworn, and examined for The Defence, testified:

What is your business? Clothing business, at 297 Church street, in this city. Do you remember, on one occasion, Mr. Schreiber and Lieberman coming to your place of business? Yes. Do you remember when that was? It was about the 16th or 17th, I don't remember the exact date, I didn't pay any attention to it at all. State what was said by the parties, as near as you can remember? Mr. Schreiber and a few others came in and asked me if I owed Kalman Suffin any money; he keeps a tailor shop, he used to make work for us; I told him Kalman Suffin had not worked for the last three months, and we did not owe him anything. How do you spell that name? Zofin. Then Mr. Schreiber spoke of one of those gentlemen, Kalman Suffin or somebody giving him a check that was not good. He showed me the check and <sup>I</sup> said, "Kalman Suffin was here yesterday, or the day before, and wanted me to

cash a check for one hundred and thirteen dollars." Is that the same check? (showing check.) I think it is the same check; Kalman Suffin was in my place the day before. And he attempted to cash that check? Yes. You refused to do it? Yes, I told him I didn't know who Goldstein was, I did not think I ought to cash it. Anything else said there? No, he told me he needed the money badly, that he had to pay his hands. He said, "The check is not endorsed on the other side, and the bank will not give me the money." I said, "Go and get somebody that knows you, and take it to the bank and they will pay you the money." There was nobody else but Suffin there at that time. I have reference to the next day, when Schrieber and Lieberman was there, was anything else said except what you have testified to a little while ago? No. You told them that Suffin had been there the day before and wanted you to cash it, and that you refused to do it, and that you did not owe Suffin any money, and he had not done any work for you for three months? Yes; there was a whole crowd of them there, and they spoke between each other.

CROSS EXAMINATION:

Did Lieberman tell you who he got the check from, in the presence of this defendant? Yes, on the next day. And he was there with the complainant? Yes. Did Lieberman say who he got the check from? Lieberman did not say that Kalman Suffin ---. Did Schrieber say who he got the check from? He said the name was Goldstein. When that man sitting over there came into your place with Lieberman, was it the next day after Suffin had been there, did he tell you from whom he got that check? Schrieber said he cashed the check, Suffin came in there, and he said that he knows Lieberman as a

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lodge member. Did he say that Lieberman was present at the time he cashed the check? That I can't say, I could not say that. Did Lieberman then, at that interview, deny that he had anything to do with getting the money on that check? I couldn't say that, because I do not know, they were talking so much there I don't remember.

ANNIE ZIMMERMAN, sworn, and examined, testified:

Where do you live? 212 Madison street, in this city. Do you remember Wednesday, the 14th of December, 1892? Yes. Does Mr. Lieberman live with you at 212 Madison street? Yes. He has boarded with me for four years. On December, 14, in the evening, was Mr. Lieberman home? Yes. Did he have his supper there that night? Yes. What time in the evening was Mr. Lieberman at your house, in Madison street, on the 14th of December? He was home the whole afternoon, until eight o'clock, and at that time he left. Was he home in the house between six and seven on the 14th of December? Yes. Do you remember Mr. Schreiber coming to your house, in Madison street, with Lieberman, the next day, the 15th? Schreiber came alone, between half-past three and four o'clock in the afternoon. Did you have any conversation with Mr. Schreiber? Yes. What did Mr. Schreiber say to you? First, when he came in, he said, "Do you remember where Kalman Suffin lives?" I told him that I thought he lived in Cherry street, but I did not know the number. Well, he said, "You don't know what kind of trouble I have; this Kalman Suffin came to me yesterday evening, to cash a check for one hundred and thirteen dollars, and it turned out to be a false check." I said to him, "How can you cash a check for a man you do not know?" He said, "I know the man, I cashed checks for him

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several times, and they all turned out to be good." Another man was sitting in the room, and I said to him, "You know the number of the place where Suffin lives?" The man was about to tell me the number, and Schreiber begged him to go along with him, and show him the place where he lived; the name of that man is Phillip Furst. Schreiber and the man left, and, about a quarter of an hour after, Schreiber came back alone. Well, state what took place at the time when Schreiber came back alone? When Mr. Schreiber came back alone he met Mr. Lieberman in my house; that was the second time. What was said by the parties? He said, "I meet you now here." Lieberman said, "All right; what do you want of me?" Schreiber said to Lieberman, "What do you say to this: Last night Suffin came into my place, and I cashed a check; he gave me a check to cash, for one hundred and thirteen dollars, and he had only a drink for five cents." Lieberman said to Schreiber, "Is this the first time you cashed a check for him?" He says, "No, I cashed many checks for him, and they were all right." Then Schreiber said to Lieberman, "Do me a favor, come with me, may be you can find out where Suffin lives." Lieberman said to Schreiber, "I haven't seen Kalman Suffin for a whole week, I do not know where he lives and I do not know where he is." Then Schreiber said, "It is an outrage for such a simpleton of a tailor to get me in with such a check." Then Schreiber again requested Lieberman to go with him, to find out where he was. Did they both go away together? Yes, they left together. Did you see Schreiber after that again? No, I did not see him. Did you see him at any place after that again? Yes, about an hour afterwards a boy came and told me something; I ran where Schreiber lived, and when I came to his house, there was a

big crowd gathered there. Did you hear that Lieberman was arrested? Yes, I heard that. Did you go to the station house, in Eldridge street? Yes. Did you see Schreiber there? When I went there Schreiber came out, I saw him and spoke to him. What did you say to him, or he to you? I said to Schreiber, "Where is Lieberman?" and Schreiber said, "I had him arrested." I said, "Why?" He said, "Because the people say that he knows where Suffin lives, and I had him arrested to make him tell me where Suffin was. Was your sister home on the 15th, on Thursday? Yes, I room with her. Was Mr. Furst in the house also on the 15th? Yes. Is he the gentleman that went with Mr. Schreiber to Cherry street, to find where Suffin was? Yes.

By District Attorney:

When Mr. Schreiber came to your house didn't he ask you where Lieberman was? No, he did not mention the name; Lieberman has lived with me four years. Don't you know that he now lives at 172 Division street? Not he, not this Lieberman; a brother of his lives there. I am a widow woman.

BECCY GOLDSTEIN, SWORN, and EXAMINED, TESTIFIED:

I live at 212 Madison street, with Mrs. Zimmerman, and I am her sister; I was at home on the evening of December 14th, 1892, at 212 Madison street; I got home before seven o'clock; my sister and Mr. Lieberman were there, this Mr. Lieberman who is here; his brother, Morris Lieberman, was not there. The prisoner was at the house? The prisoner was there, but not his brother. I work at 125 Monroe street, and stopped work at half-past six, and from there I went straight home; it took me ten minutes to get there, and when I found Mr. Lieberman, the prisoner, there; and I heard him say that he

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had to go to a meeting at eight o'clock; he left when he was dressed. Was he there all the time from the time you came home until he went to the meeting? He was in the room, dressing himself, making himself ready. We have three rooms there; the rooms open into each other. He was dressing himself, with the doors all open; is that it? He put his coat and vest on and went away. Were you home on the 15th of December, in the afternoon, about three o'clock? We left the Clinto Court at three o'clock. With whom did you go from the Clinton Street Court on December 15th? I and my sister and this Lieberman here, and his brother was also there. When did you go to the Clinton street court, the Fifth District Court? At nine o'clock in the morning, and we went there at three o'clock; we left in the afternoon. Why did you go to the Clinton Street Court We had a trial with a land-lord there. The landlord wanted to dispossess your sister from the place she lives in now? Yes. Was the case tried there? It was taken away from that court, it was sent to the Second District Court for trial. What time did you go home? It was in the neighborhood of half-past three. Did Mr. Lieberman, the prisoner, go home with you and your sister? I and my sister went home, and he and his brother separated from us. Do you know Mr. Schreiber? Yes. Do you remember Mr. Schreiber coming to the house on the afternoon of the 15th of December? Yes, it was about four o'clock just when we came from the court. State what took place, or what was said by your sister, or by you, or by Schreiber? When he came in he asked my sister if she knew where Kalman Suffin was living. My sister said, "I think that he lives in Cherry street, but I don't know the number of the house. A young man by the name of Furst was in the house

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also, and Schreiber said to him, "Do me a favor and show me where Kalman Suffin lives." Then the young man left with Schreiber to go to find Kalman Suffin. Did Schreiber come afterwards to the house? In the neighborhood of four o'clock Schreiber came, and this Lieberman was home, the prisoner. What took place at that time? When Schreiber came in, he said, "Good day, Mr. Lieberman, I am glad to see you; I want you." Then Lieberman said, "What do you want me for?" He said, "I will tell you what happened to me. Last evening Kalman Suffin came into my place, and he asked me to cash a check for him for one hundred and thirteen dollars. I afterward found out from the bank that the check was a bogus check." Then Lieberman says, "Whose signature is on the check?" He says, "I had checks cashed for him before, and they all turned out all right." Then he said, "Well, Lieberman, do me a favor; come with me and we will try to find Suffin." Then they left together. In about half an hour a messenger came and told my sister something. Did you hear that Lieberman was arrested? Yes. Did you go with your sister to the Eldridge station house? Yes. Did you see Schreiber there? Yes, when we came to the station house we saw Schreiber coming out. Did you have any talk with him, or hear any talk? My sister asked Schreiber, "What is the matter that Lieberman is arrested?" Then Schreiber said, "I had him arrested." She asked him why, and he said, "People told me that he knows where Suffin can be found, and so I had him arrested to make him tell where Suffin lives." Anything else said at that time there? He said, "If he persists in not telling me where Suffin can be found, I will show him that he will get five years in State Prison."

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By District Attorney:

Have you a brother by the name of George Goldstein? I have a little brother, but his name is not George. Did you ever see this check before? (Check shown.) I did not take that check into my hand, I can't tell. Was not this check drawn in your house, 212 Madison street? No, not in my house.

PHILLIP FURST, sworn, and examined, testified:

Where do you live? I live at 218 Madison street. Were you present on the 14th of December, at the house of Mrs. Zimmerman, in the evening? Not the 14th, I was there on the 15th. When I was sitting there, Mr. Schreiber came in and was asking Mrs. Zimmerman where Suffin lived. She said somewhere in Cherry street, but she did not know the number. She asked him what was the matter, and he told her he had some trouble about a check. He said, "Mr. Suffin came in the day before, in the evening, and changed a check," and that he sent it to the bank, and that it was no good. He wanted to find where Suffin lived. He asked me to do him a favor and show him where Suffin lived. I went down to 274 Cherry street with him; I didn't go in there, but Schreiber went in, and he couldn't find Suffin. Did you see Schreiber any time after that again? No. When Schrieber came there, did he ask for Lieberman? No, he asked for Suffin. Lieberman was not there. Schrieber asked me to show him where Suffin lived.

MORRIS LIEBERMAN, sworn and examined, testified:

I am twenty years old, and have lived in New York five years. I keep a tailor shop in Norfolk street. When were you at the house No. 212 Madison street? At nine o'clock in

the morning of the 15th. Were you there in the afternoon of Thursday? I was all day in the Clinton street Court, I came back with Lieberman. I went to the Clinton Street Court on the morning of the 15th, at nine o'clock, and remained there until about half-past three; I went back to this house in Madison street, and got there about a quarter before four; I saw Mrs. Zimmerman and her sister, and my brother, the defendant, went with me to the house. What took place in the house, at that time, when you and your brother came home; did Schrieber call at the house in the afternoon? I came home, and Schrieber came in and asked for Mr. Suffin, that was just right away when I came there with my brother. He said, "Do you know where Mr. Suffin is?" I told him I did not know where he lived, I did not see him all the week, and my brother told him that he did not see him all the week. I couldn't speak good English. He said, "Do you know, Mr. Suffin came in yesterday, between eight and nine o'clock, and he changed a check for one hundred and thirteen dollars; he took a drink for five cents, and he took out of my pocket one hundred and thirteen dollars." He told me Kalman Suffin endorsed the check. He asked me if I would go with him and find out where Suffin was. He said he did not know where he lived, and I said I would go with him and try to find him out. I went with him alone to find Suffin, I went in Cherry street, I don't know the number, I went with Lieberman and Schrieber. We did not find Suffin. We went to another place, but couldn't find him; I think we went to three places. Did you see Mr. Schrieber after that? No, I went back home, I went to Mr. Schrieber's house, in the saloon, with Lieberman. Mr. and Mrs. Schrieber came down from some place, and Mrs. Schrieber said, "Mr. Lieberman, do you know

where Suffin is?" He said, "I don't know." She said, "If you don't show me where Suffin is, I will make you bleed." Mr. Schrieber said to her, "What do you want? Mr. Lieberman did not change the check, he did not know anything about it." Mr. Schrieber said, "Mr. Lieberman was not there when the check was changed, and he did not know anything about it?" He did not know anything about it.

MAX ROSENBERG, sworn and examined, testified:

I live at 215 Rivington street. Were you present on any day -- or see Mr. Schrieber at his place of business on the 14th or 15th of December, 1892? It was on Friday night, I don't remember what date it was. No, I did not see Mr. Schrieber, I was in the place, and I found Mrs. Schrieber there. I was asking Mrs. Schrieber ---- You did not see Mr. Schrieber at all? No, I did not see him.

JULIUS WEINBERG, sworn and examined, testified:

I live at 114 Madison street and am a merchant tailor; I know Mr. Schrieber; I did not see him on the 14th or 15th of December, 1892; I saw him a couple of days after Mr. Lieberman's arrest, in the street; I met him at the corner of East Broadway and Rutgers street. I asked Mr. Schrieber what the trouble was with Lieberman. He told me about the check business. I asked Mr. Lieberman, "Did you change the check to Lieberman or to anybody else?" He said, "I did not change the check to Lieberman, I only changed the check for the other party." He did not mention the name of the other party. I know Mr. Lieberman for the last seventeen years. I know him from the old country. What is his character dur-

ing all the time that you know him? Everything was all right, he never had any trouble before. Nothing ever said against his character? No. How old are you? Thirty-four. How old is Lieberman? I don't know.

CROSS EXAMINATION:

When was it that you saw Mr. Schrieber? I saw him a couple of days after I found that Lieberman was arrested. You now state that Schrieber, after having Mr. Lieberman arrested, told you that Lieberman had nothing to do with that check? Yes. Where do you live? 114 Madison street; I have got another place of business.

LESTER COHEN, sworn and examined, testified:

At present, I am special partner in two or three concerns; I am in no active business. My business has been manufacturer of clothing. I reside in New York, and know Lieberman something like eight years, and his character is first-class. Did you meet Mr. Lieberman the day he was here for pleading? I was serving on the jury, and I saw Lieberman in this court. That was the time you went and told him you would be a witness for him for character? I did, that's right.

ABRAHAM LEVISON, sworn and examined, testified:

I am in the real estate business, I do not know Schrieber, but I have known Lieberman for sixteen years; he used to buy goods from me. I know his general character; he is a good man.

FISH SANDLER, sworn and examined, testified:

I am a shoe dealer, and have known Lieberman sixteen years, I know that his character is first-class.

BENNETT LIEBERMAN, THE DEFENDANT, sworn and examined, in his own behalf, testified:

Where do you live? 212 Madison street. Were you, on the 14th of December, 1892, between six and seven o'clock on that day, in Mr. Schrieber's place of business? No. Did you give him any check to be cashed? No. Did you get any cash from him on that day, or any other day, relating to this check? (Showing check.) I only have seen that check that day, on the 15th, I never saw that check at all on the 14th of December. When was the first time you saw the check? That was on the 15th, about half-past three o'clock, when he came into the house. Were you home, at 212 Madison street, in the afternoon and evening of December 14th, Wednesday night? Not in the morning, I was away, but in the afternoon I came home and was sitting home playing checkers with some one there, and I was there until eight o'clock, when I went to a meeting. What time did you get home on the 15th of December? On the 15th of December, I came home about half-past three or four o'clock. Schrieber came to my house first, and I went with Schrieber to Shapiro, 179 Church street. And that was the first time when you saw the check? Yes. Have you seen Suffin? No. Did you see him on the 14th of December? No. Was he with you in Schrieber's place of business? No. Were you in Schrieber's place of business? I was not that night. Do you recollect when you were arrested? Yes, on the 15th, about a quarter past four. Did you see Schrieber after you were arrested? Yes, he called, at twelve o'clock, in the station house. Did you have any conversation with Schrieber in the station house? Yes, I did. What did he say to you? He called me

up and said, "Lieberman, I want you to go with me now, and show me, may be you will find Suffin home;" and he says to the Sergeant at the station house, "I want you, Sergeant, please to be so kind, I have that man here only to frighten him to tell me where Kalman Suffin is, I want you to let him out, may be we will find him." The Sergeant refused to let me go; "I won't do it for you, the man was arrested once and I will keep him until to-morrow morning, at the Essex Market, for the Judge to decide it," the Sergeant said. It was a quarter to twelve at night. What was the Sergeant's name who was at the desk? When they arrested me, it was a tall mann, but at twelve o'clock it was a small bit of a man. Who was the man that was there at the time you had this talk with Schrieber? It was a tall, fat fellow. You saw Mr. Schreiber on the 15th, at 212 Madison street? Yes. What did Schrieber want you to do? He comes in and says, "What do you think, Suffin came in last night to my place and he changed a check for one hundred and thirteen dollars, and he had a drink. What do you think of such a common, low man, only having a five-cent drink, to pull me of so much money?" I was astonished, I says to him, "Who did sign that check?" He said, "Suffin did." He says, "Won't you be so kind as to go with me and try to see where I can find him, I don't know where he lives, it is somewhere in Cherry street." We went to several places, but we couldn't find him. He called me into his saloon, and his wife came down and began to halloo at me terribly. When she started to hulloos at me, he said, "What are you hulloos about, he did not know anything about it, he was not there when it was changed, he did not get any of the money." Mr. Schrieber said that, to his wife. He

sent a boy for an officer, and he had me locked up. I do not know what he said to the officer or to Judge Duffy, in the police court. Judge Duffy showed me the check. You were never arrested before, were you? Never.

CROSS EXAMINATION:

You said, in your direct-examination, that when you were arrested and in the station house, Mr. Schrieber came there and asked the Sergeant to let you go? No, not right away. When did he say it? First, he had me arrested, and they put me down in a cell; he came back, it was a quarter after twelve, or something like that, he called me up, and he spoke to me. And he told the Sergeant that he only had you arrested to frighten you? That's all; I can swear to that; he begged him to let me go, but he refused to let me go. Do you know George Goldstein? No. Look at that check and tell me if that is not your hand-writing? No, if I could write like that I would be all right. Is that your signature at the bottom of it? Yes, in the bottom. But the upper portion of it is not in your hand-writing? No. You had a partner by the name of Suffin; didn't you? Yes; S. Suffin. He is your partner now? No. What is "S" for? Sam. Suffin; he is a brother. The other is Kalman Suffin? The other is Kalman Suffin. Where is the man that gave this check to Mr. Schrieber? I don't know. Where is your partner Suffin, is he in court? No, I do not think he is in court, I haven't seen him for two months; he has got a different business now. Do you know Mr. Koss? Yes, I know him. Do you know that man? Yes, I do, we belong to the one society. What is his business? He is a book-keeper, somewhere. Do you remember, on December 14th, about six

o'clock in the evening, going to that gentleman and asking him to cash this check for you? No, I did not. Do you remember saying to Mr. Koss, "Give me one hundred and thirteen dollars, give me fifty or seventy-five dollars?" No, if I said that I shall be hanged right away, in front of every one of you; I never said that. When did you see Kalman Suffin last, the man who signed this check? I haven't seen him for a week, I don't know whether he signed it or not; I saw him about a week ago, somewhere on the street; he belongs to the lodge, to the same society. Have you brought him here as a witness? No. Where does he live? In Cherry street, two hundred and something, I don't know exactly the number. You have seen him on an average, every two or three days since you were arrested? No, since I was arrested I never saw that man; it was before I was arrested I saw him. Have you made any effort to find him since you were arrested? No, only what Schrieber made -- where can I find him? You said you knew he lived in Cherry street? Yes. You never went to look for him? No, I went to other places where I always used to see him. Do you know this man ) pointing to Mr. Bernstein? No. Did you never see him before? I did not see that man before, I do not know; may be I seen him, I do not know. Do you remember seeing that man in Schrieber's saloon on the night of the 11th of December, when the check was cashed? No, I was not there at all. Did you ever see this man before, (pointing to Mr. Bayer)? Yes. Where did you see him? I saw him two or three weeks ago, corner of Rivington and Delancey streets; he is a bartender down there. It was not on the 14th of December that you saw him, was it? No. Didn't you see him in Schrieber's place

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on the night of December 14th, when this check was cashed?  
No. Do you know this gentleman? (Pointing to Doctor Appel)?  
Yes. Did you ever show him this check, or did you ever ask  
him to cash it for you? No. Did you see him on the night  
of December 14th, in Schrieber's place? I have not seen that  
man since about a year ago, to a picnic, since that I never  
saw him; I wish I would not see him. Why? I simply heard,  
since I was arrested, that he was going to have evidence  
brought against me, false witness. Who told you that? Max  
Rosenberg; there is Max Rosenberg (pointing to a man in  
court). On the night of December 14 what time did you get  
to 212 Madison street? About a quarter to eleven, when the  
meeting was over. I mean in the afternoon; what took you  
home so early in the afternoon? I was in Brooklyn, I had a  
pretty heavy walk, and I came home, I had to rest, I had to  
attend a meeting; I am chairman. That was about three  
o'clock in the afternoon, and you did not go out until about  
eight? Yes. Who was in the house? Mrs. Zimmerman, her  
sister, my brother-in-law and myself, that's all. You left  
at about eight o'clock, and went to lodge? Not exactly,  
before eight. The next day what time did you go home? I  
slept during the night home, and then I got up about half-past  
eight and said my prayers and had my breakfast, and then we  
went to the Fifth District Court, Mrs. Zimmerman, her sister  
and Morris Lieberman; I was a witness. What time did you  
get home? We came home between three and four. From be-  
tween three to eight o'clock, at some portion of that time,  
you were playing checkers? Yes, with Jacob; he is a blind  
fellow, with one eye; there was another man in there, and  
Mrs. Zimmerman and her sister. Those two men were in the

habit of going in and out of there, and I know them about a year; I do not know exactly where they live. They are workmen, and one of them is an operator for a tailor. Have you brought these men to court? No. Have you made any effort to bring them to court? No. I know Mr. Shapiro, I went to his place with Schrieber, he asked me to go and look for Suffin. How did you know that Suffin could be found at Shapiro's place? I know that he was working for him. Didn't you ask Shapiro to let you have some money, to make the check good? No. Did you ever tell Schrieber if he would give you a little time you would make the check good? No, he sent several men to me, I saw him at the meeting last week. He did not speak to me personally, but he sent several men over to me. Did Mr. Schrieber say anything to you at any time about paying that check himself? No.

REBUTTING EVIDENCE.

ABRAHAM KOSS, sworn and examined, testified:

I am representing the banking business of B. Weinberger, at 382 Grand street. I was there on December 14th, 1892, Wednesday. I know the defendant. I have seen the check now shown me before. Mr. Lieberman came to me, in the banking house, on Wednesday, at six o'clock, and asked me if I could change this check. I said, "I have no money." He said, "You could do me a favor, because I need money; give me sixty or seventy-five dollars, and the rest to-morrow." I said, "I have no money." Lieberman then went away with the other man who came with him -- Kalman Suffin, his partner.

CROSS EXAMINATION:

How did you know that Kalman Suffin was his partner? Because six weeks before he came with this Suffin, and they wanted

a loan on their sewing machines. Do you know Sam Suffin? Yes, I know him too; he belongs to the same lodge with me. Kalman Suffin is his partner. You are sure Kalman Suffin is his partner? Yes. Was that check endorsed already when you saw it in your place of business? I cannot recollect if it was endorsed, but I saw the check. Did you ask Kalman Suffin whose check it was? Kalman Suffin was with him, Lieberman gave me the check, showed me the check, to have it cashed. Kalman Suffin only said to me, "I can never get a favor from you."

MORRIS BERNSTEIN, sworn and examined, testified:

I am in the liquor business, at 80 Norfolk street, and I know Schrieber, the complainant. I saw Lieberman, the defendant, on the 14th of December, 1892, in the evening, in Schrieber's place; he was with another gentleman, it was before seven o'clock. This defendant and another man came in right by the bar where I stood and asked Mr. Schrieber if he shall change him a check. Mr. Schrieber was in conversation with him, and he said, "Yes;" he went to his pocket-book and he took out five twenty-dollar bills, and he went to his register and he took out a five-dollar gold-piece, and then he unrolled the bills and he was giving him the balance of change out of the register, and a tailor man came in and endorsed the check. Mr. Schrieber showed me the endorsement, and I would recognize it if I saw it. Look at it, and say if that is the check that you saw cashed (check shown)? Yes, that is the check. I asked Schrieber on the night if he knows the parties? He says, "I changed him some checks before." Schrieber says to him, "Is that check good?" This

gentleman here, and the other one, answered at the same time that the check is perfectly satisfactory, being from Goldstein. This defendant said, the check is splendid; the money was lying down on the desk. I saw Mr. Schrieber when they brought me the subpoena, I asked him what it is; and he said to me, "Were you up that night in my house, when the check was drawn?" I says, "Certainly." You are positive you were there on Wednesday night? Certainly, I stayed there about half an hour and then I went right straight home. I came there about five minutes before seven; I came after six, and left before seven.

HAYMAN BAYER, sworn and examined, testified:

I am a bartender for Mr. Schrieber, and worked for him on the 14th of December, 1892. I know the defendant; I saw him in Schrieber's place on the 14th of December, between six and seven o'clock. There was some party with him, whom I did not know; I saw him get money from Mr. Schrieber on a check; I know it was about one hundred and thirteen dollars; I did not count the money, I did not look at the check; all I know is, I saw him get over a hundred dollars on the check from Schrieber, and that was between six and seven o'clock in the evening. I saw Mr. Bernstein and Mr. Appel there also.

CROSS EXAMINATION:

I am the bar-keeper in Mr. Schrieber's place at 163 Rivington street. I came there in the morning of the 14th of December, about five o'clock, and generally leave about nine o'clock in the evening. There were customers in the store between six and seven; I was behind the bar, and Mr. Schrieber was also behind the bar, next to me. The register is at

the end of the bar. I did not care about the talking; all I saw was that Mr. Schrieber gave him the money.

SOLOMON APPEL, sworn and examined, testified:

I am a physician, at 138 Rivington street; I know the defendant and saw him on the 14th of December, at Mr. Schrieber's place, between six and seven o'clock. There was somebody else with him, Mr. Bernstein was there. Mr. Lieberman had a check and Mr. Schrieber gave him money. I am in this country seven years, and was admitted as a physician in the old country, in Austria, about twenty-two years ago; my certificate is filed in New York. I was in Mr. Schrieber's place between six and seven o'clock.

EZEKIAL J. SCHRIEBER, recalled, by District Attorney:

Mr. Lieberman, who has testified here, states you told him you only arrested him to scare him; did you have any such conversation as that with him? No. Did you say to the Sergeant in the station house, on the night of the day he was arrested, that you wanted to let him go, that you only arrested him to scare him? No, I am not such a greenhorn, I would not be such a fool. Did you say to Weinberg, a after you had Lieberman arrested, that Suffin was the man who got the money, and that you only arrested him to make him tell where Suffin was? No. Did you say that to Mrs. Zimmerman or to Miss Goldstein? No. Did you go to Mrs. Zimmerman's house? Yes, that was about one or two o'clock on the day of the 15th, but I was not there on the 14th. I went there to inquire where Lieberman was, and she told me that --- You did not say to Mr. Shapiro, either, that Mr. Lieberman did not get the money? No, I was with Lieberman;

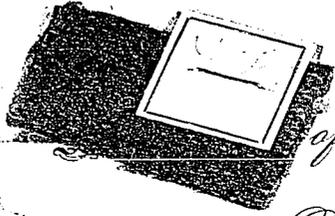
we spoke about that check to Shapiro. I went to the Eldridge street station house twice, once with Lieberman, and then again in the evening. Did Kalman Suffin buy a drink for five cents in your place, on the night of the 14th of December? They both bought two drinks for ten cents; that is all. But they did not give you a check in payment for the drinks? No, they gave me ten cents; and I gave five twenty dollar bills, a five dollar gold piece, and eight dollars to Lieberman. I understood you to say that you would not have given anything at all to Kalman, which of the two did you hand that money to? To Lieberman. I saw Mr. Lieberman at the station house, at twelve o'clock at night. I know the handwriting of the defendant, and have seen him write; I have seen him write at every meeting. Look at the signature shown to you and state whether that is in his hand-writing? Yes.

District Attorney: Will counsel admit that it is in the hand-writing of the defendant?

Counsel: Yes, it is, we will admit it. I will admit that is his hand-writing and that is his signature, we have nothing to conceal.

The Jury rendered a verdict of GUILTY with a RECOMMENDATION TO MERCY.

0169



New York

188

Memorandum of work sent by **Newborg, Rosenberg & Co.,**  
154 CROSBY ST. & 620 BROADWAY.

To

To be made according to instructions or returned at once.

Lot.	Quantity.	Price.	DIRECTIONS FOR MAKING.
			Boys' 1/2 size pants, 1/2 size side pocket & double stitched.

Please have these done by

New York

188

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Lot.	Quantity.	Price.	DIRECTIONS FOR MAKING.
			Boys' 1/2 size pants, 1/2 size side pocket & double stitched.

Please have these done by

0170

459 GRAND STREET.



NEW YORK *Dec 14<sup>th</sup>* 189*2* No. *95*

**THE EAST SIDE BANK**

PAY TO THE ORDER OF *Salman Suffin* \$ *113<sup>50</sup>/<sub>100</sub>*

*one hundred thirteen* DOLLARS

*George Goldstein*

Stewart Warren & Co Litho 29 Howard St N.Y.

0171

*Waltson*

*Tolson*

*to Schuebler*

FOR DEPOSIT IN  
THE EAST SIDE BANK  
TO THE CREDIT OF  
ADOLF PRINCE.

0172

Police Court 3 District.

(1885)

Affidavit—Larceny.

City and County }  
of New York, } ss.

of No. 33 Canal Erskil J. Schreber.  
Street, aged 38 years,  
occupation Liquor being duly sworn,

deposes and says, that on the 15 day of December 1892 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:

Good will lawful money to the  
amount of one hundred and thirteen  
dollars.

the property of deponent.

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

and carried away by Samuel Suffin and George Goldstein  
from the shop of deponent  
date the fourth of November the  
said Samuel Suffin, not yet arrested  
came to deponent's place of business  
and requested deponent to cash (hand  
in cash) this representing to  
deponent that the said check was  
good and that the manager of  
said check Goldstein had been  
account of the First State Bank  
that they had received the check for  
the said Goldstein for work that  
they had done for deponent  
believing the said representative to

Sworn to before me this 15 day of December 1892  
at New York  
Notary Public

Leiberman and the said Suffer  
 be true gave the defendant the  
 said sum of money that they had  
 then left defendant place together  
 and in company of said other  
 defendant is informed by  
 Ralph J. Anderson that that  
 said check is cashed and that  
 the said Goldstein has no  
 account at the East Side Bank of  
 which defendant is the assistant-  
 receiving letter.

There are defendant charges  
 the said defendant Leiberman and  
 said Suffer and Goldstein not  
 yet arrested with coming in  
 concert with each other and  
 feloniously taking reading from  
 defendant away the said report  
 from the defendant

This 17 day of Dec 1942 } E. Schwab

W. J. Caffery  
 Police Justice

0174

CITY AND COUNTY }  
OF NEW YORK, } ss.

1921

*Ralph J. Vandervoort*  
aged *50* years, occupation *Asst. Paymaster* of No. *459 Grand* Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of *Ezekiel Schreier* and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this *17* day of *December* 189*2*, *Ralph J. Vandervoort*

*[Signature]*  
Police Justice.

0175

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss:

*Bennett Lieberman* 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 sees 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. *Bennett Lieberman*

Question. How old are you?

Answer. *28 years*

Question. Where were you born?

Answer. *Russia*

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

Answer. *312 Madison St. 4 years*

Question. What is your business or profession?

Answer. *Nothing examined*

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

Answer. *I am not guilty*

*Bennett Lieberman*

Taken before me this *19*  
day of *November* 19*38*  
*[Signature]*  
Police Justice.

0176

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 *ten* 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, *Dec 17* 189*2* *[Signature]* Police Justice.

I have have admitted the above-named

*defendant*

to bail to answer by the undertaking hereto annexed.

Dated, *Dec 17* 189*2* *[Signature]* Police Justice.

There being no sufficient cause to believe the within named

guilty of the offense within mentioned, I order h to be discharged.

Dated, ..... 189 ..... Police Justice.

0177

Police Court,

3

1579

District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Isidore Schreiber*  
33 Canal St  
*Russell Feberman*

Office  
*Handwritten signature*

BAILED.

No. 1, by

Residence

*Simon Rubenstein*  
*1204 E. 11.* Street.

2

3

4

No. 2, by

Residence

Street.

Dated,

*Dec 17*

1892

*Duffy Goley*

Magistrate.

No. 3, by

Residence

Street.

Officer.

No. 4, by

Residence

Street.

Witness

*Ralph J. Vanderwoort*  
*459 Grand*

Precinct.

No.

Street.

No.

Street.

No.

\$

*1000.* to answer *Handwritten signature*

Street.

*Handwritten signature*

Court of General Sessions

The People vs  
agst  
Barnett Liberman

City & County of New York ss:

Albert Jaret being duly sworn says: I reside at Yonkers, New York and am a member of the firm of A. Jaret & Co., doing business at Nos. 1, 3 & 5 Bond St., New York City. I have known the defendant Liberman for 8 or 9 years last past and know him to be respectable and honest in every respect. I have had business transactions <sup>with him</sup>, involving large sums of money and in every instance he has been faithful and honest and do not think he would commit a criminal act. I do not hesitate to say that if he is released, I would employ him in a responsible position, where he would have access to the large amount of money I daily collect in my business.

Sworn to before me this  
11<sup>th</sup> day of January 1893,

Max J. Distenfeld  
Com. of Deeds,  
N.Y. City

*[Signature]*

Court of General Sessions,

The People vs  
Barnett Liberman

City & County of New York Co:

Lester Cohn being duly sworn says,  
I reside at No. 42 N. 137<sup>th</sup> Street, N.Y. City.  
I am a member of the firm of Schwartz  
& Cohn, doing business at No. 48 Howard  
St., N.Y. City, I have known Liberman for the  
past 8 years. He was formerly in my  
employ and occupied a position, where  
he controlled large sums of money, but  
he was always honest and faithful  
in every regard. I do not think him  
capable of committing a criminal act.  
Were sentence to be suspended, I would  
willingly and gladly employ him, giving him  
a trustworthy position, one where he would  
have access to all my business affairs

Sworn before me this 11<sup>th</sup> day of Jan'y 1893. Lester Cohn

Max D. Justman

Jm of Deeds  
N.Y. City

0180

"JEWISH DAILY NEWS,"  
"JEWISH GAZETTE,"  
185 EAST BROADWAY.

K. H. SARASOHN,  
Editor.

New York, January 12<sup>th</sup> 1893.

I hereby certify that I have known Mr Barnett Liberman for the last two years. For the past two years I have been President of the "Hebrew Sheltering House" Society and during which time I have found Mr Barnett Liberman a hard and earnest worker for the society. He gave all his leisure time to the assistance of his poor brethren, He is considered by his acquaintances a man of honor and integrity, and his family connections are regarded as highly respectable. I cannot believe him capable of wilfully committing a criminal offense. I earnestly petition the court for a suspension of sentence

Sworn to before me  
This 12<sup>th</sup> day of January 1893  
Mark H. Goodhue  
Commissioner of Deeds.  
N. Y. City & Co.

Very Respectfully  
Kasaryel H. Sarasohn

Court of General Sessions

The People of }  
                  } against  
Barnett Liberman }  
                          } defendant

City and County of New York }  
                                  } Marc Goldberg being duly  
sworn, deposes and says:

I reside at No. 314 Henry Street in the  
City of New York. I am the Superin-  
tendent of the advertising department  
of the newspapers "Jewish Gazette"  
and "Jewish Daily News", and have  
an office at the Pulitzer Building  
New York City.

I am acquainted with and have  
known the defendant above-named  
for about three years last past  
and know that he has heretofore always  
borne an excellent reputation and that  
his character has always been good;  
and know that his parents are em-  
inently respectable people.

Subscribed and sworn to }  
before me this 10th day }  
of January 1893 }  
Adolph Cohen }  
Notary Public }  
N.Y.C.

Marc Goldberg

Court of General Sessions  
 The People & Co  
 against  
 Bennett Liberman  
 defendant

City and County of New York }  
 Mendel Levine being  
 duly sworn, deposes and says:  
 I reside at No. 38 Norfolk Street New York  
 City. I am a dealer in Real Estate.  
 I have known the above-named  
 defendant for about six years last  
 past, and know that until his con-  
 viction in the charge herein, he has  
 always had a good character and  
 reputation. I further state that I  
 know his parents to be highly respectable.

Subscribed and sworn  
 to before me this }  
 10<sup>th</sup> day of January 1893 }  
 Adolph Cohen }  
 Notary Public }  
 N.Y.C. }

M. Devine,

Court of General Sessions.

The People vs }  
agent  
Barnett Liberman }

City & County of New York ss;

Bernhard Schlestein of said city  
being duly sworn says; I am a member of  
John Schlestein, doing business at No.  
215 & 217 Greene St., N.Y. City. I have  
known Liberman for the past three years.  
He was formerly in my employ, and I have  
always found him to be honest and faith-  
ful in every respect. Were he to apply  
to me for a position, if one was vacant,  
I would not hesitate to employ him.

Sworn to before me this }  
11<sup>th</sup> day of Jan'y 1893.

Max D. Lirtow  
Comptroller,  
N.Y. City

Bernhard Schlestein  
215 & 217 Greene St.



make this affidavit as to his character and can not understand how he could have been guilty of the act he is charged with in the light of ~~his~~ his past transactions with me, and notwithstanding the finding of the jury in this case should the defendant see fit to apply for employment of my firm ~~as he has hitherto done~~, I would be ready and willing to entrust him with work and to give him all the confidence that he once enjoyed.

Sworn to before me this 11<sup>th</sup>: *Herman Cohen*

11th day of January 1893. :

*Henry Keith*  
*Notary Public (30)*  
*N. York County*

Court of General Sessions.

The People vs  
vs  
Barnett Liberman }

City & County of New York do:

Joseph Klein being duly sworn says  
I reside in the City of New York & do business  
at Nos. <sup>18</sup>~~19~~<sup>20</sup> E. 4<sup>th</sup> St. I know the defendant  
and have known him for eight years. He was  
in my employ. I have always found him  
honest and faithful and trustworthy. I would  
willingly employ him at any time were he  
in need of a position.

Sworn before me this } Jos. Klein.  
11<sup>th</sup> day of Jan'y 1893.

Max S. Liberman  
Com. of Deeds  
City of N.Y.



Count of General Sessions

The People vs

vs

Barnet Liberman

Affidavits

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

Bennett Seideman

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

Bennett Seideman

of the CRIME OF Grand LARCENY in the second degree, committed as follows:

The said Bennett Seideman,

late of the City of New York, in the County of New York aforesaid, on the 15th day of December, in the year of our Lord one thousand eight hundred and ninety-two, at the City and County aforesaid, with force and arms, with intent to deprive and defraud one England Schneider

of the proper moneys, goods, chattels and personal property hereinafter mentioned, and of the use and benefit thereof, and to appropriate the same to his own use, did then and there feloniously, fraudulently and falsely pretend and represent to the said England Schneider,

That a certain paper written in the words and figures following to wit: New York Dec 14th 1892 no 95 The East Side Bank Pay to the order of Kalman Sobbin \$ 113.00 One hundred thirteen ———— dollars George Goldstein and endorsed "Kalman Sobbin" which the said Bennett Seideman then and there

produced and delivered to the said  
Reginald Schneider, was then and  
there a good and valid order for  
the payment of money and of the  
value of one hundred and fifteen  
dollars,

By color and by aid of which said false and fraudulent pretenses and representations, the said

Bennett Siderman

did then and there feloniously and fraudulently obtain from the possession of the said

Reginald Schneider the sum of one  
hundred and fifteen dollars in  
money, lawful money of the  
United States of America, and  
of the value of one hundred  
and fifteen dollars,

of the proper moneys, goods, chattels and personal property of the said

Reginald Schneider

with intent to deprive and defraud the said

Reginald Schneider

of the same, and of the use and benefit thereof, and to appropriate the same to his own use.

Whereas, in truth and in fact, the said

paper writing of which  
the said Bennett Siderman so an  
affersaid then and there produced and  
delivered to the said Reginald Schneider  
was not then and there a good and  
valid order for the payment of money

and was not of the value of one hundred and fifteen dollars, or of any value, but was wholly worthless.

**And Whereas,** in truth and in fact, the pretenses and representations so made as aforesaid by the said Bennett Seligman to the said Isidore Schneider was and were then and there in all respects utterly false and untrue, as ~~he~~ the said Bennett Seligman at the time of making the same then and there well knew;

**And so the Grand Jury Aforesaid,** do say that the said Bennett Seligman in the manner and form aforesaid and by the means aforesaid, the said proper moneys, goods, chattels and personal property of the said Isidore Schneider, then and there feloniously did STEAL, against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

DE LANCEY NICOLL,  
District Attorney.

0192

**BOX:**

506

**FOLDER:**

4610

**DESCRIPTION:**

Lilienthal, Charles

**DATE:**

12/02/92



4610

Witnesses:

*Offe Orni 12th*

*557*

Counsel,

Filed, *24* day of *Dec* 189*2*

Pleads, *Adoptively*

THE PEOPLE

vs.

*B*

*Charles Libenthal*

*May 23 93*

VIOLATION OF THE EXCISE LAW,  
Selling, etc., on Sunday  
[Chap. 401, Laws of 1892, § 32.]

DE LANCEY NICOLL,

*District Attorney.*

A TRUE BILL.

*John E. Palmer*

Foreman.

0194

**Court of General Sessions of the Peace**

2967

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK  
against

*Charles Lieberthal*

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

*Charles Lieberthal*  
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said *Charles Lieberthal*

late of the City of New York, in the County of New York aforesaid, on the 21<sup>st</sup> day of August 1892 in the year of our Lord one thousand eight hundred and ninety-two, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, ~~to one~~

~~and~~ to certain ~~other~~ persons whose names are 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 New York and their dignity.

SECOND COUNT—

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

*Charles Lieberthal*  
of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said *Charles Lieberthal*

late of the City and County aforesaid, afterwards, to-wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to one

and to certain other persons whose names are 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.

DE LANCEY NICOLL,  
District Attorney.

0195

**BOX:**

506

**FOLDER:**

4610

**DESCRIPTION:**

Luidemann, Henry

**DATE:**

12/22/92



4610

0196

Witnesses:

*George G. ...*

Counsel,

Filed, 22<sup>nd</sup> day of Dec<sup>r</sup> 1892

Pleas, *Myself*

THE PEOPLE

vs.

B.

*Henry ...*

*Myself*

VIOLATION OF THE EXCISE LAW,  
Selling, etc., on Sunday.  
[Chap. 401, Laws of 1892, § 32.]

Dr LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*...*

Foreman.

0-197

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK  
against

*Henry Ruderman*

The Grand Jury of the City and County of New York, by this indictment, accuse  
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said

*Henry Ruderman*

late of the City of New York, in the County of New York aforesaid, on the *22nd* day of *October* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, ~~to one~~

~~and~~ to certain ~~other~~ persons whose names are 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 New York and their dignity.

SECOND COUNT—

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

*Henry Ruderman*  
of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

*Henry Ruderman*

late of the City and County aforesaid, afterwards, to-wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to one

and to certain other persons whose names are to *George E. DeLancey Nicoll* 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.

DE LANCEY NICOLL,

*District Attorney.*

0198

**BOX:**

506

**FOLDER:**

4610

**DESCRIPTION:**

Lipsett, James

**DATE:**

12/02/92



4610

0199

Witnesses:

Offe Long 23th  
Jabell

570

Counsel,

Filed, 2 day of Dec 1892

Plends, *Aguit 9*

THE PEOPLE

vs.  
H

*James Depout*

VIOLATION OF THE EXCISE LAW.  
[Comp. Laws of 1892, § 32.]

Transferred to the Court of Sessions for trial and final disposition  
Term 9. April 11th... 1893.

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*John S. Fallon*

Foreman.

0200

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*James Lipsell*

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

of the CRIME OF *James Lipsell* SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said

*James Lipsell*

late of the City of New York, in the County of New York aforesaid, on the *14<sup>th</sup>* day of *August* in the year of our Lord one thousand eight hundred and ninety-~~two~~, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, ~~to one~~

~~and to certain other~~ persons whose names are 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 New York and their dignity.

SECOND COUNT—

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

of the CRIME OF *James Lipsell* OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

*James Lipsell*

late of the City and County aforesaid, afterwards, to-wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to one

and to certain other persons whose names are *James A. Yarrell* 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.

DE LANCEY NICOLL,

*District Attorney.*

020

**BOX:**

506

**FOLDER:**

4610

**DESCRIPTION:**

Lisa, Depaola

**DATE:**

11/23/92



4610

Witnesses:

*H. B. C. Kaeler*  
*Mike Aurano*  
*Mario Giuseppe Carolo*

1897  
Counsel,  
*And. ...*

Filed,  
23 day of Dec 1897  
Placed  
*Myself*

THE PEOPLE  
vs.  
Dora Lisa  
*...*

MANSIAUGHTER,  
[Section 189 of Penal Code]

DE LANCEY NICOLL,  
*...*  
District Attorney,  
S.P. ...

A TRUE BILL  
*...*

*...*  
Foreman

*...*

0203

From *M. Vincent's* Hospital.

New York, Dec 17<sup>th</sup> 1892

To Coroner

Sir:

Please hold an inquest on the body of

Name: *Filippine Genevieve* Residence: *234 West 24*

Age: *23* years *0* months *0* days. Admitted *Sat* + day, *Dec 15* ten

Nativity, *Italy*; of *Italy* Father *17*th 1892, at *10.15* o'clock *AM*.

Mother *Amberlance* in U. S., *NY* in City. From *234 West 24*

Civil Bond: *Nil* Occup.: *Housewife* Examined by *Dr. Walker*

Suffering from symptoms of *Facial Erysipelas* and *Emphysema*

Said injuries said to have been received *by being struck on head with bar of iron, slung over on right side at angle of lower jaw*

*Philippine*

Death took place *Sat* + day, *17*th 1892, at *12* o'clock *PM*.

The Autopsy revealed

Remarks:

*H. E. Walker* M. D.  
Acting HOUSE SURGEON PHYSICIAN.

- Ad. f. State the day of the week.
- Ad. A. State whether by *Ambulance or Friends*.
- Ad. B. State whether from a *Precinct or a Residence* and give the name.
- Ad. C. State whether from *Natural Causes* or from *Shock* (conscious or unconscious) due to *Injuries*, and if so, give *name, place, date, number, character and Extent* of Injuries, always stating where indicated, whether *right or left*.
- Ad. D. State *when, where, how*, by what *means or persons* received, also whether *Accidental, Suicidal or Homicidal*; in falls, the distance, location and place; in *Burns and Scalds* the *circumstances* attending the same; in *runover* cases, the line of *Street, Car, Railroad or Conveyance*; in *Weapons*, the character of the same, &c., &c., always giving such information as will lead to an accurate knowledge of the case and facilitate judicial inquiry and justice.
- Ad. E. State *name, date, place, character and results* of any *operation or amputation* performed.
- Ad. F. Give a short resume of the *Autopsy* with the *Pathological Diagnosis* and the *Cause of Death* at the End.
- Ad. G. State here any important facts not embodied in the above statements.

0204

TESTIMONY.

*A. J. Weston* M. D., being duly sworn, says:  
 I have made an examination of the body of  
*Philomena Deveau* now lying dead at  
*Worcester Hospital* and from such Examination  
 and history of the case, as per testimony, I am of opinion the cause of  
 death is *my Ripules of face*  
*scalp following contused*  
*wound of face from a blow*  
*received Dec 9, 1892 at*  
*230 North St.*

*A. J. Weston* M. D.

Sworn to before me,  
 this *18<sup>th</sup>* day of *January* 189*3*  
*Wm. J. Keenan* CORONER.

0209

MEMORANDA.

AGE		PLACE OF NATIVITY	WHERE FOUND	Date When Reported
Years	Months			
35		Italy	St. Vincent's Bay	Dec. 18 <sup>th</sup> 1892

Said to have been struck  
 on the head, <sup>at 53 Abbott St</sup> Dec. 9<sup>th</sup>  
 Admitted to Hospital Dec 17<sup>th</sup>  
 Pneumonia & died same day

Police 10<sup>th</sup> Prec.  
 Investigate & report

Dec. 28 1892

Capt J. S. Copeland  
 10<sup>th</sup> Precinct  
 reported, to investigate,  
 and send particulars to  
 the coroner's office.

Luca Depolo arrested  
 by Captain Copeland, and  
 indicted by Grand Jury

020

F. L.

No. 877  
H. M. Quar.

1892

AN INQUISITION  
On the VIEW of the BODY of  
Philippa Duroe

whereby it is found that he came to  
his death by

Inquest taken on the \_\_\_\_\_ day  
of \_\_\_\_\_ 189 before  
FERDINAND LEVY, Coroner.

✓ 877

0207

Coroner's Office,

CITY AND COUNTY OF NEW YORK, } ss.

*Liza Depolo*

being duly examined before the undersigned, according to law, on the annexed charge, and being informed that he was at liberty to answer or not, all or any questions put to him, states as follows, viz.:

Question—What is your name?

Answer— *The Liza Depolo -*

Question—How old are you?

Answer— *Twenty four year*

Question—Where were you born? *Italy -*

Answer— *Italy*

Question—Where do you live?

Answer— *234 Matt Street*

Question—What is your occupation?

Answer— *Housekeeper -*

Question—Have you anything to say, and if so, what, relative to the charge here preferred against you?

*In the absence of counsel  
I have nothing to say -*

*Liza<sup>her</sup> Depolo  
with*

Taken before me, this *20th* day of *January* 1893

*Wm J McKenna* CORONER.

*Philomena Tenato*

0208

MEMORANDA

AGE			PLACE OF NATIVITY	WHERE FOUND	Date When Reported	
35	Years	Months	Days	Italy	Salineuts Hosp.	Dec 18/92

0200

4<sup>40</sup> Mar. 871. 1892 <sup>76 182</sup>  
HOMICIDE.

AN INQUISITION

On the VIEW of the BODY of

*Philomena Deneoa*

whereby it is found that she came to  
her Death by the hands of

*Liza Depolo*

Inquest taken on the 20<sup>th</sup> day  
of January - 1893

before *Wm J. McKenna* Coroner.

Committed

Bailed

Discharged

Date of death

"

02 10

R. 244 . 2. C.  
Coroners' Office, New York County.

-----  
Inquest into the Death )  
- of - )  
PHILOMENA DENEVA. )  
-----

B e f o r e  
HON. WILLIAM J. MCKENNA,  
and a Jury.

New York, January 20th, 1893.

A p p e a r a n c e s : Mr. Bradley, representing the  
District Attorney, appears for the People .

-----:o:-----

The Prisoner, is not represented by  
Counsel.

-----:o:-----

OFFICER JOHN J. HANLON, duly sworn:

By the Coroner:-

Q To what precinct are you attached, officer?

A. To the 15th Precinct.

Q State the story in your own way, what you know about  
this case? A. I don't know anything about the facts  
of the case, merely I was passing through Mott Street and  
I heard there was a fight in a tenement house, No. 234;  
I went up and found a lot of Italian people around two  
women, they said, this woman assaulted Philomena Deneva,

I  
with this iron bar. I brought them both to the station house, and she made a complaint against this prisoner, for assault, she was hurt; the other one went home and in two or three days afterwards she died.

-----:o:-----

JOSEPH PARRILLI, of No. 86 James Street, is sworn to interpret the testimony of the following witness:

CARMINO PERILO, duly sworn:

By the Coroner:-

- Q Where do you live? A. No. 234 Mott Street.
- Q What is your occupation? A. Land lord of No. 234 Mott Street.
- Q Did you know the deceased? A. I knew her by seeing her.
- Q Do you remember the date on which this fight took place? A. December, I don't remember the date.
- Q Tell the circumstances attending this Death? A. I was coming out of the yard and I saw this woman, Philomena, with a piece of iron bar and strike the dead and I took the iron bar from her.
- Q What is the name of the dead woman? A. Philomena Veniti, both the dead woman, and the woman that committed the assault, their name was Philomena.
- Q What else did you see? A. Nothing.
- Q Is that all you can testify to? A. Yes, sir.

-----:o:-----

MARIA JOSEPH CARLO, duly sworn:

By the Coroner:-

Q Where do you live? A. No. 324 Mott Street.

Q State in your own way what you know about this occurrence? A. I was coming from the shop, myself and the dead woman, and this lady's husband and myself - myself and the woman that is dead were coming from the shop and the woman that struck her and her husband were waiting for her in the front yard. This lady's husband took her up stairs after she struck the dead woman and locked the door; the officer came along and the officer went upstairs and they refused to open the door.

Q Did you see her strike the blow?

A Yes, sir; I did.

Q After the blow was struck what did the dead woman do, did she fall down? A She walked to the station house and back.

Q With what weapon was the blow struck? A With an iron bar.

A An iron bar? A Yes, sir; something like an officers club.

Q It was iron, was it? A It was a wooden stick, but I think there was iron in it.

-----0000-----

No questions by the District Attorney

-----000-----

0213

VERDICT: We, the Jury, find that the said PHILOMENA  
DENEVA, came to her Death by erysipelas of the  
face and scalp, following contused wounds of the  
face inflicted with an iron bar in the hands of  
LIZA DE POLO at No. 234 Mott Street, December  
9th, 1892.

-----:-----

0214

STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, ss.

AN INQUISITION,

Taken at the house of *Lawyers Office*  
*No. 27 Chambers Street*, in the *6<sup>th</sup>* Ward of the City of  
New York, in the County of New York, this *20<sup>th</sup>* day of *January*  
in the year of our Lord one thousand eight hundred and ninety three before

*William J. McKenna* Coroner for *Indiana and Lewis* Coroner,  
of the City and County aforesaid, on view of the body of *Philimena Deneoa*  
lying dead at

*Eleven* Upon the Oaths and Affirmations of  
good and lawful men of the State of New York, duly chosen and  
sworn, or affirmed, and charged to inquire, on behalf of said people, how and in what manner  
the said *Philimena Deneoa* came to her death, do upon  
their Oaths and Affirmations, say: That the said *Philimena Deneoa*  
came to her death by *erysipelas of face* and  
scalp following contused wound of face inflicted with an  
iron bar in the hands of *Liza Sepolo* at *No. 234 Mott*  
*Street, December 9<sup>th</sup>, 1892.*

In Witness Whereof, We, the said Jurors, as well as the CORONER, have to this Inquisi-  
tion set our hands and seals, on the day and place aforesaid.

JURORS.

- |   |  |
|---|--|
| <i>Emile Larus</i> 110-6- <i>Stuy</i>               | <i>A. S. Drake</i> 894 6 <sup>th</sup> <i>Stuy</i>   |
| <i>Charles Schneider</i> 950-6 <i>am</i>            | <i>Joseph H. Munro</i>                               |
| <i>William Forbes</i> 497.6 <sup>th</sup> <i>am</i> | <i>W. H. Jordan</i> 91 1/2 6 <sup>th</sup> <i>am</i> |
| <i>L. F. Beecher</i> 1746 <sup>th</sup> <i>am</i>   | <i>A. R. Smith</i> 402.6 <i>am</i>                   |
| <i>Th. Pries</i> 396 <i>Chatham</i>                 | <i>C. W. Munro</i> 450 <i>6<sup>th</sup> Stuy</i>    |
| <i>David Brown</i> 946 <sup>th</sup> <i>am</i>      |  |

*Wm. McKenna*  
Coroner. E. S.

THE PEOPLE, COURT OF CRIMINAL SESSIONS, PART 1.  
 vs. BRANCH JUDGE COWING.  
 DEPAOLA LISA.

New York, Thursday, June 22, 1893.

Indictment for HANS LAUSCHER.

A Jury was empaneled and sworn.

CARMINE PRIORE, sworn, and examined through the interpreter, testified:

Where do you reside? 234 Mott Street, City of New York. Did you reside there on the 9th of December last? Yes; I leased the house. Did you know the name of Mike Androsco live there? Yes. Was there a woman by the name of Maria Guiseppe Carlo Androsco there? Yes; she was the wife of Mike Androsco. Did you live in the apartments occupied by Androsco? Yes. Did you know, in your life time, Filomena De Venuta? She, she lived in the apartment, with an old woman, but I do not know the old woman's name. Did the deceased live there about the 9th of December, 1892? Yes. On that day I saw her on the side-walk, in Mott Street, near the house, between four and five o'clock. I know the defendant. On the 9th of December she lived in the same house, with Giovanni Capolicchio. Did you see any trouble between the defendant and Filomena De Venuta? I saw when the defendant struck the other woman with an iron bar, on the head. How many times? I only saw her strike her once. Is this the iron rod with which you saw the defendant striking her? (Iron rod shown) Yes. I didn't hear any conversation between the defendant and the deceased; I only saw the blow. Did you hear her say anything after she struck the blow? After the blow, the defendant threw away the iron bar and they clinch-

ed. While they were elicited, did they say anything? The man that lived with the prisoner at the time was present, and I told him, "Why don't you take your woman in her name?" He answered and said, "Let them fight." I didn't hear anything else. After that the deceased went to her home. The defendant went to her home also, and that evening she was arrested. Did you see the deceased woman after that? Yes, in the basement, in the same house. Where did she go? Yes. How long did she remain in jail, if you know, after the time you saw the blow inflicted? About five days, and then she could no longer hold out for such a long time to the hospital. I don't know the name of the hospital.

CROSS EXAMINATION:

How long have you been living at 234 West Street? Fourteen months. How long had you known the deceased prior to December, 1892? I knew her about a month. Do I understand you to say that, without any words or conversation, the defendant took up a piece of iron and struck the deceased on the head? Yes, she struck her just as she was passing her. Was Androso in her company? He was. Just before the striking took place, had you seen the defendant with the piece of iron in her hand? She had the iron rod hidden underneath her apron. When was it, for the first time, that you saw the defendant take this piece of iron? When she struck the deceased; I saw her take the iron from underneath her apron. After the blow was struck what then happened? They clinched together. Did the deceased grab hold of the defendant? The defendant caught hold of the deceased. After the blow was struck, the defendant threw away the piece of iron and then caught hold of the deceased? Yes; I picked up the iron.

While you were taking up the iron, were the women clinching at that moment? Yes, they were. Was Androsco always standing there? Yes. How long did they clinch together there? Five or six minutes. Did they fall down on the pavement? They did; a crowd gathered. I gave the iron to Mike Androsco; Mike Androsco got the police officer and delivered the iron to him. Did Capobianco come up after the women were clinched? No, he was sitting there; he said, "Let them fight; I picked up the iron, it was just a business to intervene. Did you see, from your own observation, whether or not the defendant struck the deceased? I don't know anything. The deceased was on the floor for four or five days. Do you know if she got out of bed the next day or the day after? She did get out of bed. On the following day, did it get so hot that she was in the Town County Jail? I don't know, I don't see. Do you not know that on the following day she appeared in the Police Court and the charge of assault was laid out on the sidewalk the day after? Yes, I know that the next day she went to court. So she was not in jail for four or five days? She was taken away on Friday, and the Saturday passed, and on the Sunday she was taken to bed. While the fight was going on, did you see any blood on either of them? No, I didn't see any blood; I only saw a scratch on the ear of the deceased, as if it was scratched with the nails. Did you see the defendant take hold of the ear of the deceased? No; there was a little blood on her ear; I also saw blood running down the face of the deceased; and down her neck. Did you see any scratch on the face of the deceased? No, I did not. The deceased did not strike the

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defendant. I did not go to the house on the following Sunday; I went on the following Saturday. I remained about six feet away from the women while they were fighting. I took the piece of iron from the defendant's hands, I pulled the piece of iron from her hands. Then, when you say that she threw the piece of iron away, that is not correct? I took the piece of iron from her hands, and she went to strike a second blow; I got between the two of them and took the iron away from the defendant. Is it not a fact that you had offered to take her to the hospital, and offered her money for that purpose, and that she refused you? No, it is not true: I have not a wife.

ALBERT W. WILSON, M.D., a medical, testified:

I am a physician in the city of New York, and was at the Deputy Coroner of the city of New York. On the 18th day of December, 1892, I was called out to the house of Filadina De Vacuta, 1211 1/2 St. Vincent's Hospital. Upon the side of the face, and involving the ear and the corner angle of the jaw, was a contused wound, which was partially healed. The entire surface of the skin around there, extending up over the face and over almost the entire scalp, was the seat of inflammatory process known as erysipelas. The scalp was very much infiltrated with the result of the inflammation, and the brain underneath was very much congested. The other organs of the body, chest and abdomen, were practically normal. The cause of death was erysipelas of the face and scalp, following a contused, lacerated wound of the face. Could such a contused, lacerated wound of the face have been superinduced by a blow from a piece of iron?

such as I show you, in your opinion? It could have been produced by such a weapon. And the erysipelas followed the contused wound? It did.

CROSS EXAMINATION:

Was the skull fractured? No, no wound on the top of the head. Was anything broken on the right side of the neck? No. The jaw was not broken? No; there were no fractures, not of the bones. The wound was about two inches in length, and about one and a half in width. The wound extended through the skin. Do you consider that it was more than an abrasion of the skin on that part of the face? It was a wound, a lacerated wound, evidently. From your examination of that wound, can you get to what extent it had been taken care of? I couldn't state that. Are you prepared to state that if there was a wound on the right side of the face? It was a wound.

JOSEPH VITRELLO, sworn, and examined through the interpreter, testified:

You are a practicing physician, in the city of New York? Yes; my office is at 226 Lafayette Street. How long have you been practicing? Thirty years. Did you visit about the 10th or 11th of December, 1892, Filomena DeVeruta? I did, in her home, in a small apartment. Was she in bed when you saw her? She was; I saw that her ear was bitten; and then I was called three or four days afterwards and I found that erysipelas had set in, from a contused wound. And was there a contused wound there? Yes, it was a cut, an open wound. At any time, during the time that you visited her, did you find her in a state of coma? The second day I vis-

ited her I found her in a perfect state of coma, and I told them it would be better to take her to the hospital. And the state of coma was produced by what? By cerebral meningitis. Cerebral meningitis could be derived from one having erysipelas? Yes.

CROSS EXAMINATION:

Was cerebral meningitis the only other cause of erysipelas? Yes. Can erysipelas be caused by any cause other than a wound, wound? Erysipelas follows a scratch on a leg, and it goes up the leg -- the erysipelas comes up. Do you think, from the fact that this was a scratch on the face and forehead? It was on the forehead and the forehead was the scratch and it followed from that up the forehead. Was it from the ear that was at or was there another wound on the neck? I do not remember if there was another wound on the neck. The erysipelas came from the ear. You say you have practiced thirty years in this city? No, I have been practicing thirty years, but not in this city. How long in this city about fifteen years. Will you say that the erysipelas was caused only by the cut on the ear? Yes; the erysipelas was not on the neck, it was on the upper part of the head. What day was it that you made the examination of the deceased? Three or four days after this row took place. Can you state that the erysipelas did not extend down below the ear? I saw the erysipelas going upwards. What were the injuries to the ear, do you recollect? It was cut, in a way as if the ear-ring had been pulled out, the lobe of the ear.

MARIA H. ANDROSSO, sworn and examined, testified:

Where do you live? 234 Mott street. Where did you live on the 9th day of December, 1892? In the same place. Did you know Filomena De Vauts, in her live time? Yes; I worked with her; we went to school together, and we worked at home. Do you know the defendant? Yes. At about five o'clock, in the afternoon of the 9th of December, 1892, was you in company with the deceased? Yes; I was in her company we were going with the work. What were you doing when she was shot and injured? She was standing on the sidewalk, and I was carrying her flowers. Did she have anything in her hand? I don't know, but I saw her hand when she was shot. What did she do then? I saw her when she reached her new, solid copper head with the stick, like thin material. It was this I saw. When she took that piece of iron from under her apron, what did she do with it? She gave the deceased a blow on the head with it, and then they fled. Why did she do that? What did the defendant do to the deceased after she had fallen down? I saw her lifting her on the ear.

ELLSWORTH E. WALKER, sworn and examined, testified:

You are a physician connected with St. Vincent's hospital? Yes. Did you receive Filomena De Vauts on or about the 10th of December, at the hospital? Yes. Did you examine her person at that time? Yes; she had a sloughing wound of the face, and erysipelas of the face and scalp; she was in a profound state of coma. What, in your opinion, was the cause of the erysipelas from which she was suffering? I thought it originated from the wound on the face; if I remember cor-

rectly she died about 12 o'clock on the night of her ad-  
mission to the hospital. The cause of death was exhaustion  
due to erysipelas, in your opinion. The erysipelas was caused  
by the wound on the face, in your opinion? In my opinion,  
it originated from the wound on the face.

CROSS EXAMINATION:

Did the erysipelas extend upward? Yes, to the scalp. Was  
there a large amount of the wound discharges? Yes.  
There was no erysipelas on the scalp if the wound were  
rectly, the erysipelas extended down into the face.

MARIA M. AMBROSIO, recalled by the District Attorney:

You stated that after the deceased was taken down, to  
be taken to the morgue? Yes? What was it was done?  
I then separated it and placed in the deceased covered with  
blood, and I went to the public house. Did you see any one  
take this iron bar away from the deceased? Yes; I took  
hold of the iron bar to take it out of her hand; C. Priore  
Priore was pulling out the iron bar, and I saw that the deceased  
woman then went to her room. What did the deceased go to  
bed? This trouble took place on Friday, and on Saturday  
she went to bed. From my house she went to the hospital.  
I did it on a morning, after they took her away  
from my house.

ALFRED G. McDANIEL, sworn and examined, testified:

You are a physician? I am, connected with St. Vincent's  
hospital; in December, 1892, I was one of the ambulance sur-  
geons. Did you, in response to a call, go to 234 Mott  
street, in the city of New York, and take therefrom in the

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ambulance Filomena De Verita? Yes, some such name as that.  
Where did you take her? To St. Vincent's hospital. Did  
you know what injuries she was suffering from at the time  
you took her? I knew she had injuries about the face and  
head; the record shows that she died on the 18th day of  
December.

Q Did you see any one else through the window?  
A Yes, testified:

Q Where do you live? A 334 North Street; I have lived there  
there for the last seven years. Did you know Filomena De  
Verita, in New York City? A Yes, I know her. Q How long?  
A Yes. Did you see this man at the St. Vincent's hospital,  
about 5 o'clock in the afternoon? A Yes; I was standing op-  
posite the door of her house, and I saw the defendant walking  
up and down for three-quarters of an hour; she was talking  
with the man at the door, and they were close to  
each other. I asked her what she was doing there; she said,  
"I am waiting here, because I must kill her," without re-  
flecting any more. Then, afterwards, I saw her cutting her  
handkerchief across her head. She was wide-eyed and she soon  
came down, and when they were close to the defendant, from  
underneath her apron she took out a stick and gave the de-  
ceased a blow on the head with it. The deceased and the de-  
fendant then fell down; then the defendant saw that the de-  
ceased was covered with blood, and she said to the man that  
was keeping her, "Let us go to our house." Then we called  
for the police and an officer went up stairs to the house of  
the defendant; they locked themselves in, and they would not  
open to the officer; then the police officer went back to

the station house and got two detective officers, and then they opened the room. The deceased was in my house four days before she went to the hospital.

CROSS EXAMINATION:

How old are you? Sixty-eight? You only took a wife four years ago; I work with the Department of Public Works; I have been in this country sixteen years. Were you working on the 9th of November, 1892? At that time I was sick; I have been six months sick, and it is only three four months that I have been at work again. How long was it before the occurrence that the defendant said, "I must kill her; I am waiting for her because I must kill her"? About ten or fifteen minutes before she told me that. She said she had the iron in her pocket, it was not a rod. The defendant struck the forehead of the wife on the head. When you saw the defendant strike the first blow, did it appear to you to be a good solid blow? I don't know; I don't know that after the blow she was covered with blood; she was covered with the blood after the first blow. Before that first blow was struck, did the defendant utter a single word to the deceased? I heard her saying, "I want to kill you." Did the defendant fall on top of the deceased? Yes. We took the rod of iron out of her hands; she didn't throw it away. When the defendant fell upon the deceased, what did the defendant do? She commenced biting all over; the defendant hit the deceased all over. During all this time the deceased never said one word? She says, "I am receiving this death like a lamb." And the deceased didn't strike back, or in any way seek to interfere? She could not defend herself, because she was struck treacherously. Did the defendant also have

hold of the arms of the deceased? She held her under both  
 her; I couldn't see. And when she was holding her under-  
 neath her, didn't also the husband of the defen-  
 dant fall upon the deceased? Yes; and I and Priore and my wife we  
 lifted them up and separated them. And didn't the husband  
 of the defen- dant also hit the deceased? He didn't; I  
 have seen him strike her, but I didn't see the kicks;  
 he did not kick her in the face, but on the leg. Did  
 you see the defendant hitting her with the iron bar?  
 She caught her elbow with her left hand and she  
 caught the iron bar with her right hand. Did  
 you see any blood that evening? Yes, there was blood  
 on it. I got a scar, and I walked on the sidewalk and  
 found the evening.

JOHN J. HAWLEY, sworn, deposes and testified:

On the 9th of December, 1892, I was sitting on the 9th  
 precinct, as Detective. Where you I Mott street in the  
 afternoon of the 9th of December? Yes, I was passing through  
 Mott street, to go to the station house. I saw quite a num-  
 ber of people around the stop of 334 Mott street and in the  
 hall; I went in to see what was the matter. I met the wit-  
 ness Mike Androso there, and he told me his story; I went to  
 find out the particulars. After I understood the particu-  
 lars, I went to the defendant's room, on the top floor, and  
 knocked several times and got no response, and the witness  
 Priore was with me and he spoke in Italian through the clos-  
 ed door; after several minutes the defendant opened the door.  
 The defendant was then identified by the deceased as the one  
 who had assaulted her with the iron bar; Androso had given

me the iron bar in the meantime; I took both the defendant and the deceased to the station house; it was dark at the time I made the arrest; I looked at the deceased's wounds and discovered that the left portion of one ear had been torn off; through Andros, acting as interpreter, we made her understand what we wanted, and she produced a key-ring out of her hand. It was a small metal key-ring, the size of the end of the key, and on the end of the key was a small metal ring. The key was covered with blood and the metal ring was also covered with blood. The last time I saw the key-ring was when she made her complaint in the Police Court.

CROSS EXAMINATION:

Didn't the lady go down with you to the Police Court? She said now that she is afraid of her, that she had told you that she was afraid of you -- we in-  
 -ferred from that that she had told you that she had told it out of her hand, the key-ring, and it was out of her hand.  
 Did you take it as an express witness to the complaint? Yes; they all speak in Italian; we can't hear a word of it. You were in the court with the last witness, was that right, Mike; were you not? Yes. He said that the officer went up there and could not open the door and that he had got two de-  
 -tectives, and then opened the room; is that true; did you get two detective officers? That was before my time; I did not, I was the only one was there. You were the first officer there? I don't know about that.

MARIA ANDROSO, recalled for cross-examination.

How old are you? Thirty years old. How long have you been in this country? Six years. What has been your business

in this country? Making childrens clothing. How long have you been married? Six years. Mike Alfredo, one of the witnesses here, is your husband; is he not? Yes. He has he has been married to you only four years; is Mike right or are you right? I am right. Did you know Mike two years before your marriage? Yes. Do you know the deceased? I do; I know her about two or three months before December, 1892. Did she live in the same house with you? In the same yard; she lived in the front house, and I lived in the back. Did the lady that was shot at her name, she was shot on the St. of December? She was shot in front of her head. Priore took the first shot and I took it from Priore and he hit the police officer. Did the deceased strike the head of any one? No. I saw the deceased sitting on the sidewalk, and when they were on the ground; the deceased said "I have a sick head that is making me very bad."

THE LAST PART OF THE CASE.

DEPAOLA LISA, who was examined through the interpreter, testified:

Did you know the deceased, in her life time? I only know her for about a week. Did you see her on this day in question? I saw her when this row took place; I went out to have a glass of beer; I was going down the steps when the deceased and that woman there came by; they came near me, calling me vile names, for no reason; they called me a whore and a bum, and spit in my face; and there were two English speaking young men that were laughing as these two women were calling me a lot of vile names. I told the deceased, "Why

do you treat me in such a way? I have never done anything to you." Then they closed by me, and both of them slapped me on the face; the woman that the first testified told me very vile words, and after these vile words said, "We shall kill you; we can speak English and we get out of it." After she slapped me in the face, I pulled her by her hair, and then we caught hold of each others hair. Whilst we were pulling each others hair, this woman threw her hair down on my head, with her fist. Mike, the other man, then said the word in English, and then the woman said the word in (proceeding) and then she pulled me on the ground then she was a lady and she was a witness, she appeared all. After that I was taken to the house. Was you present at the time? Yes; I was there with you. Did it not affect your condition in any way? Yes, I had a headache in the Temple; after a month I was in the Temple, and I had a headache, and sixteen days after I had a headache. I was out for days, I was pulled out and carried out of the Temple. The Priore came and offered to let me go and said that he would try and arrange the money for me; he said he would like to see me and get a good deal of money and he re-arrested. I have got no friends, and I have no money; the testimony about the ring, it is not true at all, it is all a lie. Was there any question at all about a ring? We had nothing to say about a ring, it is only an invention of their own. Did you ever say to Mike, "I am waiting here, because I must kill her"? No, I did not. Did you ever have that iron rod in your hand and strike the deceased, or anybody, over the head with it? No. Are you a married woman? No, I am not married; my husband abandoned me, and he went away with



ever have any unpleasant words with you? No. Didn't you take this iron out of the house? No. Didn't you have it under your apron? No, I have no pocket; I never had that iron. Did you pull the carrying out of the deceased's car? No; we only caught each other by the hair; I don't know how the deceased got wounded; I never hit her, and I never struck her.

LOUISA A. FAYSON, widow and estranged husband, testified: Where do you live? 146 William Street. Do you know the defendant? I do. Have you ever seen her since the 9th of December, 1892? I have; in the County Prison. Have you noticed her physical condition there? I have; the first time I saw her there her hands and feet all were one mass of black and blue spots and bruises. About what time was this? As near as I can remember, it was either the third or fourth Friday in December, at Friday afternoon services there.

CROSS EXAMINED:

You are one of the ministers in charge that visit the County Prison from time to time? Yes. You don't know, on your own knowledge, how she got to the prison? No.

The Jury rendered a verdict of GUILTY of MANSLAUGHTER, in the SECOND DEGREE.

0231

Testimony in the case  
Sepala ~~K~~ Kivilia

filed  
Dec. 1992

55-6

0232

1690

District Attorney's Office.

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I have not  
been able to get  
Carmine Perillo  
or Priore to  
come down here  
to see me although  
I sent several  
subpoenas.

I feel confident  
he will not be  
present at  
trial unless  
you place him  
in house of  
detention a day  
before the trial.

W. J. [unclear]

0233

PEOPLE  
v.  
DEPAOLA LISA.

---WITNESSES---

Mike Androso, NO.234 Mott St. (*Taritol*)

Maria Guiseppa Carlo, Androso do.

Carmino Perillo Priore, 234 Mott St.

Officer Hanlon, 15 precinct.

Dr. Giuseppe Vitiello, 226 Mulberry St.

Dr. A.C. McDaniel, ambulance surgeon of St. Vincent Hospital.

Dr. H.E. Walker, St. Vincent Hospital.

Dr. A.F. Weston, deputy Coroner.

*Walter W. Conrad 10<sup>th</sup> Precinct*

0234

PEOPLE  
v.  
Depaola Lisa.

MI  
Mike Androso 234 Mott St. *(husband of Maria Guendesa)* *Arthur*  
*Janitor* *Curcio*

I was standing in front of 234 Mott St. and I saw the defendant for three quarters of an hour walking up & down the street, I saw the defendant striking the deceased, I saw her take a piece of iron from <sup>under</sup> her apron & strike with it on the deceased's head, I saw ~~her~~ <sup>secured</sup> for eight days afterwards but did not see her after she was dead.

*(It was at his home when the deceased died until she was taken to the Hospital.)*

0235

(1)

PEOPLE  
v.  
DEPAOLA LISA.

Maria Guiseppa Carlo *Andraro*

I live NO.234 Mott St.with my husband.-

I know Depaola Lisa and also knew Filomena De Venuta.-

( Filomena ) Depaola Lisa lived in the same tenement house, where I lived,NO.234 Mott St.

Filomena De Venuta and I worked together in a tailor shop making clothing.

On Friday December 9th,1892,at about 5 O'clock Filomena De Venuta and I returned from work and as we were about to go down to my rooms in the basement of NO.234 Mott St,we met outside on the side walk Depaola Lisa,( who was apparently in wait)who without a word of warning pulled out from under her apron an iron bar,several feet in length,and struck De Venuta a blow on the head,felling her to the ground,she was about to strike her again when Carmine Priore took away the bar,she then jumped on the deceased,who was prostrate on the ground,and bit her in the ear <sup>and both hands</sup> and scratched her face all over most unmercifully.

My husband and I pulled her off of De Venuta, Depaola Lisa then went away and locked herself in her room.-

Venuta and I went to the station house and made a complaint against Depaola Lisa.

We returned to my room and Venuta staid until 8 O'clock P.M,when she went to her own house NO.228 Mott St; staid there all night and returned to my house the next morning and then staid with me under treatment of Dr Mitiello & myself until Saturday morning when she was removed in an ambulance to the St.Vincent Hospital.

*Went*

0236

(2)

*Giuseppe Carlo Amadio*

About three months before the assault, Filomena De Venuta, the deceased missed a finger ring, she went to Depaola Lisa and accused her of taking it and asked its return, who refused to give it up.

Two months prior to the assault De Venuta requested me to call on Depaola Lisa to ask the return of the ring. In response to her solicitation I called on Depaola Lisa, knocked at her door, she said, "who is there", I told her, she said, she didn't care to admit me, as she knew what I wanted but finally opened the door and said, "the ring was given to me as a present and I do not propose to give it up."

You make me so angry that if some unforeseen power was not holding me back I would kill you", or words to that effect.

0237

PEOPLE  
v.  
Depaola Lisa

Carmino Perilo. *Perilo*

I live 234 Mott St. I knew Felomena Venuta, the deceased by sight.

The occurrence took place in December I do not remember the date.

I was coming out of the yard and I saw this woman Filomena, with a piece of iron bar strike Filomena Venuta, the deceased, and I took the iron bar away from her.

PEOPLE  
v.  
DEPAOLA LISA.

Officer John J. Hanlon, 15 Precinct.

On December 9th, I was passing through Mott St. and I heard there was a fight in the tenement house NO. 234.

I went up and found a lot of Italian people surrounding ~~two women~~. *Filomena de Venuta*

They said, ~~this woman~~ *de* Depaola Lisa assaulted Filomena Venuta with this iron bar. *(I have it in my possession)*

I took both to the station house, and Venuta made a complaint against the prisoner, for assault.

She was hurt, *I mean de Venuta.* -  
Venuta went home and died ~~two or three~~ *some* days afterwards.

*A piece of the lower part of one of her ears was bitten off; she was bleeding profusely, her face and neck were covered with blood -*

*I also noticed that pieces of flesh were bitten out of her hands. -*

*Would you get her from me?  
Please to give me as good!*

0239

PEOPLE  
v.  
DEPAOLA LISA.

Dr. Guiseppe Ditiello, 226 Mulberry St.

I was the attending physician of Filomena de Venuta.-

I visited her twice.-

I noticed the cut or bite in her ear. She did not complain of the blow that she received on her head nor the bites in her two hands. I did not notice any scratches in her face.

She complained of several bites but only showed me her ear.

I gave her every attention.

On the second visit I found her in a state of coma, suffering from a traumatic erysipelas on her face with a tendency to meningitis. I considered the case dangerous and I advised her to go to a hospital as she was poor and without assistance.

I am of the opinion that the transmatic erysipelas came in consequence of the wounds.

0240

People

vs.

De Paola Lisa

Dr. A. C. McDaniel, ambulance  
surgeon of St. Vincent Hospital.

He was the doctor who  
called with the ambulance at  
Maria Episcopa Carlo Andros  
house, 320 Mott St., and took  
Felomina de Varnato to the  
Hospital.

On December 17, 1892, I called  
at 234 Mott St. and removed a  
woman by ambulance to St. Vincent  
Hospital.

The following is the only record  
I made of the case.

Dec. 17. Felomina Honore, aged 33,  
address 234 Mott St.

My diagnosis at the time was  
meningitis and lacerated face  
arrival at Hospital about 10<sup>15</sup>  
a.m. -

0241

PEOPLE.  
v.  
DEPAOLA LISA.

Dr. H. E. Walker, acting house surgeon, of St Vincent Hospital.

On Saturday, December 17, 1892, at 10.15 O'clock  
A.M. Ambulance surgeon A. C. McDaniel brought to the Hospital  
Filomena de Venuta of 234 Mott St.

I found her suffering from symptoms of Facial  
erysipelas and Meningitis said injuries said to have been  
received by being struck on the head with bar of iron  
sloughing wound on right side at angle of lower jaw.

Death took place Saturday 17, 1892 at 12 O'clock  
P.M.

0242

PEOPLE  
v.  
DEPAOLA LISA.

Dr. A. Weston, deputy coroner.

I have made an examination on the body of Philomena de Venuta, at St. Vincent Hospital and from such examination and history of the case, as per testimony, I am of opinion the cause of death was Erysipelas of face and scalp following cauterised wound on face from a blow received December 9, 1892 at 234 Mott St.

THE PEOPLE OF THE STATE OF NEW  
YORK.

*against*

*Deputa Lisa*

*(More law than 1st degree  
Section 189 same code.)*

*Brings Facts*

DE LANCEY NICOLL,

District Attorney,

No. 32 CHAMBERS ST.,

NEW YORK CITY.

*A. H. McLaughlin*  
*Deputy Asst.*

0243

0244

STATE OF NEW YORK,  
CITY AND COUNTY OF NEW YORK. }

I, Antonio Rossolano the surety mentioned in the  
annexed recognizance to answer, do hereby authorize and empower any Police=  
man of the City of New York, or any  
or either of them, in my name, place, and stead, to take, seize and surrender the  
said De Paolo Lisa (in the said bond named as  
defendant) to the Court therein mentioned, or deliver him to the custody of the  
authorities of said City and County, in my exoneration as surety on said recog=  
nizance.

Dated 15 Dec 1892

Antonio Rossolano Surety.

0245

Sec. 568.

District Police Court.

UNDERTAKING TO ANSWER.

CITY AND COUNTY }  
OF NEW YORK, } ss.

An order having been made on the 10 day of Dec 1892 by  
D. F. Mc Mahon Police Justice of the City of New York. That  
Sepalo Lisa be held to answer upon a charge of  
Assault

upon which she has been duly admitted to bail in the sum of Three Hundred Dollars.

We, Sepalo Lisa Defendant of No. 234 Mott  
Street; Occupation House Keeper and  
Antonio Sepollano of No. 245 Elizabeth Street;

Occupation Saloon Keeper Surety, hereby undertake jointly and severally  
that the above-named Sepalo Lisa shall appear and answer the charge above-  
mentioned, in whatever Court it may be prosecuted; and shall at all times render h<sup>er</sup>self amenable to the orders  
and process of the Court; and if convicted, shall appear for judgment, and render h<sup>er</sup>self in execution thereof  
or if he fail to perform either of these conditions that we will pay to the People of the State of New York the sum  
of Three Hundred Dollars.

Taken and acknowledged before me this 10 day of Dec 1892

Police Justice.

Surrendered

Sepalo Lisa  
Antonio Sepollano

0246

CITY AND COUNTY }  
OF NEW YORK, }

*Antony*  
*Police Justice*

Sworn to before me this

1881

the within-named Bail and Surety being duly sworn, says, that he is a resident and holder within the said County and State, and is worth Six Hundred Dollars,

exclusive of property exempt from execution and over and above the amount of all his debts and liabilities,

and that his property consists of stock and fixtures in liquor saloon at 243 Ely street that with twelve hundred

dollars over all encumbrances

Antonio Rosolano

Undertaking to Answer.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

Taken the \_\_\_\_\_ day of \_\_\_\_\_ 1881

Justice.

Filed \_\_\_\_\_ day of \_\_\_\_\_ 1881

02477

Coroners' Office,

27 Chambers Street,

New York, \_\_\_\_\_ 189\_\_

Crustulas of  
face and scalp following  
contused wound of face  
from a blow received  
Dec 9<sup>th</sup> 1892 at 234 Mot  
St

A. J. Weston M.D.

Duplicate  
copy

0248

Police Court. \_\_\_\_\_ District.

CITY AND COUNTY }  
OF NEW YORK, }

of No. 234 Mott Street, aged 36 years,  
occupation Head House Keeper being duly sworn, deposes and says, that  
on the 9 day of Dec 1892 at the City of New York,  
in the County of New York, in Mott Street

he was violently ASSAULTED and BEATEN by De Paolo Lisa (now here)  
who struck defendant on the neck with  
a piece of iron then and there held in  
her hand

without any justification on the part of the said assailant.

Wherefore this deponent prays that the said assailant may be apprehended and bound to answer  
the above assault, &c., and be dealt with according to law.

Sworn to before me, this 10

day of Dec 1892

W. D. Mahalan

Police Justice.

he  
Helomena + Varuto  
mark

0249

1503

POLICE COURT ..... DISTRICT.

City and County of New York, ss.

THE PEOPLE

vs.

On Complaint of Termina Vento  
For Assault

depaolo Lisa

After being informed of my rights under the law, I hereby waive a trial by Jury on this complaint, and demand a trial at the COURT OF SPECIAL SESSIONS OF THE PEACE, to be holden in and for the City and County of New York.

Dated Dec 10 189 2

AT Mahan Police Justice.

depaolo Lisa  
Mark

0250

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 Three Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated, Dec 11 189 7 [Signature] Police Justice.

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

Dated, Dec 10 189 7 [Signature] Police Justice.

There being no sufficient cause to believe the within named Defendant guilty of the offense within mentioned, I order he to be discharged.

Dated, Dec 10 189 7 [Signature] Police Justice.

025

Police Court---

District.

1587  
189

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

~~Helmina Sprute  
234 7th St  
1. ~~defendant~~~~

2.  
3.  
4.

Officer  
Munlaugh

BAILED,

No. 1, by Antonia Pispalano  
Residence 245 7th St Street.

No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

Dec 18th

Dated, Dec 10 189

*is for*

Magistrate.

Hanlon & Scully Officer.

Precinct.

Witnesses

No.

transferred to General  
Section. The complainant

having died as said from  
the result of injuries inflicted  
by the defendant

No.

without bail &c. Street.

Bailed

Carmine Prore 234 7th  
Mike Andrews 234 7th  
Jessie Andrews 234 7th  
Giovanni Caporano

0252

103

Dear Judge, bearing  
when  
Lillian Hapole comes  
before you for sentence  
to the way I feel  
you will be lenient  
with her. She is a very  
sensible woman I know  
and I am sure she  
did not mean to kill  
her friend - Jealousy was  
the cause of all - She

0253

102

has a lachrymiferous  
& it was done in sudden  
passion -

Yours most Respectfully  
Louis Loeber

Madame Loeber

0254

CABLE ADDRESS,  
LE BARBIER.

LAW OFFICE OF  
CHARLES E. Le BARBIER.  
PULITZER BUILDING,  
65 PARK ROW.

New York, June 28<sup>th</sup> 1893

Honorable Rufus B. Cowing  
Judge -

Dear Sir, Ex re: People - v. Lisa di Parli.

I am actually engaged before  
Bookstaver J. Conimon Pleas, and I  
beg Your Honor will excuse my  
attendance on the Sentence.

Your Honor is too familiar with the  
Case, to bring any further details  
to Your Honor's attention.

Yours Respectfully  
Charles E. Le Barbier

**POOR QUALITY  
ORIGINAL**

0255

*[Faint, illegible handwritten text on a document page]*

0256

Sec. 198-200.

District Police Court.

1882

City and County of New York, ss:

*DePaolo Lisa*

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. *DePaolo Lisa*

Question. How old are you?

Answer. *24 years*

Question. Where were you born?

Answer. *Italy*

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

Answer. *234 Mott Street 4 1/2 months*

Question. What is your business or profession?

Answer. *House Keeper*

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

Answer. *I am not guilty.*

*DePaolo Lisa*  
*mark*

Taken before me this

*10*

day of *Nov* 189*2*

*W. J. ...*

Police Justice.

Court of General Sessions of the Peace  
OF THE CITY AND COUNTY OF NEW YORK.

521

THE PEOPLE OF THE STATE OF NEW YORK  
against

*Dejada Lisa*

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

*Dejada Lisa*

of the CRIME OF MANSLAUGHTER IN THE *First* DEGREE, committed as follows:

The said *Dejada Lisa*,

on the *ninth* day of *December*, in the year of our Lord one thousand eight hundred and ninety-*two*, at the City of New York in the County of New York aforesaid, in and upon one *Isidomena Venuto*, then and there being, wilfully and feloniously did make an assault, and *her* the said

*Isidomena Venuto*, with a certain *iron bar* which *she* the said *Dejada Lisa* then and there had and held in *her* hand and also with the hands of *her* the said *Dejada Lisa*, and with *her* teeth in and upon the *head* of *her* the said *Isidomena Venuto*

then and there wilfully and feloniously did strike, *beat, bite, mutilate* and wound,

giving unto *her* the said *Isidomena Venuto*, then and there, with the *iron bar* and also with the hands of *her* the said *Dejada Lisa*, and with *her* teeth aforesaid, in and upon the *head* of *her* the said

*Isidomena Venuto*, one mortal wound and contusion, of which said

mortal wound <sup>and contusion</sup> ~~the~~ the said *Solomon J. Jencks*, at the City and County aforesaid, from the day first aforesaid, in the year aforesaid, until the ~~infirmary~~ day of *December*, in the same year aforesaid, did languish, and languishing did live, and on which said ~~infirmary~~ day of *December*, in the year aforesaid, ~~the~~ the said *Solomon J. Jencks*, at the City and County aforesaid, of the said mortal wound ~~and contusion~~, did die.

And so the Grand Jury aforesaid do say: That the said

*Benjamin J. Jencks, Junr.*

the said *Solomon J. Jencks*, in the manner and form, and by the means aforesaid, wilfully and feloniously did kill and slay; 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.

DE LANCEY NICOLL,  
*District Attorney.*

0259

**BOX:**

506

**FOLDER:**

4610

**DESCRIPTION:**

Looney, Daniel

**DATE:**

12/13/92



4610

0260

**BOX:**

506

**FOLDER:**

4610

**DESCRIPTION:**

Condon, James

**DATE:**

12/13/92



4610

Witnesses:

James McCarty  
Samuel S. Keeley

Counsel,

Filed

13<sup>th</sup> Day of Dec 1892

Pleas,

Month - 14<sup>th</sup>

THE PEOPLE

vs.  
Daniel Looney

vs.  
James Condon

28<sup>th</sup> and 29<sup>th</sup> Dec 1892

Forgery in the Second Degree.  
[Sections 201, Penna Code.]  
(Indictment, etc.)

DE LANCEY NICOLI

District Attorney.

A TRUE BILL.

Herman DeWitt

Foreman.

Part 3. Dec. 14, 1892

Both dead guilty.

Forgery 2<sup>nd</sup> deg

Each fine 6 months

0262

Office hour, 12 to 1 P. M.

Established 1858.

S. D. KELLEY,  
Carpenter and Builder,

9 FLETCHER ST., NEAR PEARL.

New York, ..... 189

PA 26/22

Order of S. D. Kelley  
Whitish 70/100 dollars for  
masonry & sand of dirt from  
28/31 South William

James Ambarty  
Dan Looney

✓  
Acy A 11

0263

No. 1820

New York Oct 26 - 1892

The Seventh National Bank

184 BROADWAY COR. JOHN ST.

Pay to the order of *James Mulvaney*

*Elm Street*

Dollars

\$ 3.50/100

*J. W. Kelly*

MILTON C. JOHNSON & CO. 35 READE ST. N.Y.

0264

James McCarthey  
Garrett R. D. Kelly

0265

Police Court, / District.

(1353)

City and County }  
of New York, } ss.

of No. 91 Madison  
Cartman

James M. McCarthy  
Street, aged 26 years,

being duly sworn, deposes and says,  
that on the 26 day of October 1892, at the City of New  
York, in the County of New York

David Looney and James Condon (both now here) acting in concert did forge -  
 utter and make an endorsement to the  
 annexed check said endorsement being  
 James M. McCarthy, the name of deponent -  
 with intent to defraud the deponent of the  
 sum of Thirteen \$100 Dollars -  
 on said date the defendants were in  
 deponents employ as drivers, and said  
 Looney presented the annexed bill marked  
 A. to deponent is informed  
 by S. D. Kelly, of 9 Fletcher Street  
 that the defendant Looney presented  
 the annexed bill marked A. to said  
 Kelly and received from said Kelly  
 a check for in payment for the same  
 or in about ten days thereafter the defendant  
 Condon went to said Kelly with the check  
 that was given to the defendant Looney - and  
 said Condon said to said Kelly that he  
 could not get the check cashed -  
 Kelly then told Condon to endorse the  
 check and he would guarantee the signature  
 as correct - said Condon did then and  
 then sign and endorse on said check the  
 name of James M. McCarthy - and said Kelly  
 wrote under said endorsement - correct  
 S. D. Kelly - Deponent further says  
 that the endorsement of his name to said  
 check is a forgery and that the defendants  
 had no right or authority to  
 endorse said check and deponent further  
 says that the defendants did not pay over  
 to deponent nor any person authorized

0266

to receive the said sum of thirteen <sup>5</sup>/<sub>100</sub>  
dollars - but they the defendants appropriated  
the same to their own use

James M. Corbett

Sworn to before me  
this 8<sup>th</sup> day of December 1892

H. F. Anderson

Police Justice

0267

CITY AND COUNTY }  
OF NEW YORK, } ss.

1921

*Samuel D. Kelly*

aged 25 years, occupation Builder of No.

9 Fletcher

Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of James M. Carthy

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

knowledge.

Sworn to before me, this 8 day  
of Dec 1897

*S. D. Kelly*

*H. M. ...*

Police Justice.

0268

Sec. 198-200.

District Police Court.

1882

City and County of New York, ss:\*

*Daniel Looney* 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. *Daniel Looney*

Question. How old are you?

Answer. *27 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *85 New Chambers St 6 years*

Question. What is your business or profession?

Answer. *Driver*

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

Answer. *I am guilty  
Dan Looney*

Taken before me this  
1897

Police Justice.

0269

Sec. 198-200.

District Police Court.

1882

City and County of New York, ss:

*James Condon* 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. *James Condon*

Question. How old are you?

Answer. *28 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *85 Newchamber St - 9 months*

Question. What is your business or profession?

Answer. *Driver*

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

Answer. *I am guilty  
James Condon*

Taken before me this  
1892  
*H. M. ...*  
Police Justice.

0270

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.....

*Offendants*

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of *Twenty 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, *Dec 8* 189 *2* ..... Police Justice.

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

Dated, ..... 189 ..... Police Justice.

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

Dated, ..... 189 ..... Police Justice.

027

154-6  
1884

Police Court--- District.

THE PEOPLE, &c.  
ON THE COMPLAINT OF

*James McCarthy*  
*9 Madison St*

- 1. *Daniel Looney*
- 2. *James Condon*
- 3. \_\_\_\_\_
- 4. \_\_\_\_\_

Offense *Forgery*

BAILED,

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

Dated, *Dec 8* 189*2*

*McMahon* Magistrate.

*McLroy Callahan* Officer.

Witnesses *S. D. Kelly* Precinct.

No. *9 Fletcher* Street.

*Call the officer*

No. \_\_\_\_\_ Street.

No. *3500* to answer *981* Street.

*Com*

Court of General Sessions of the Peace  
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against  
*Daniel Looney*  
and  
*James Condon*

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

*Daniel Looney and James Condon*  
of the CRIME OF FORGERY IN THE SECOND DEGREE, committed as follows:

The said *Daniel Looney and James Condon*, both

late of the City of New York, in the County of New York aforesaid, on the *26<sup>th</sup>* day of *October* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, having in *his* custody a certain instrument and writing, in the words and figures following, that is to say:

*No. 1920 New York Oct 25 1892*

*The Seventh National Bank*  
*154 Broadway cor. John St.*

*Pay to the order of James Mc Carthy*  
*Thirteen <sup>50</sup>/<sub>100</sub> ————— Dollars*  
*\$13. <sup>50</sup>/<sub>100</sub> S. D. Kelly —————*

The said *Daniel Looney and James Condon* afterwards, to wit: on the day and in the year aforesaid, with intent to defraud, at the City and County aforesaid, feloniously did forge, on the *back* of the said *instrument and writing* a certain instrument and writing commonly called an *endorsement* which said forged instrument and writing commonly called an *endorsement* is as follows, that is to say:

*James Mc Carthy*

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 *Daniel Looney and James Condon* of the CRIME OF FORGERY IN THE SECOND DEGREE, committed as follows:

The said *Daniel Looney and James Condon*, both late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, having in *his* possession a certain instrument and writing, in the words and figures following, that is to say:

*No. 1920 New York Oct 26 1892*

*The Seventh National Bank  
184 Broadway cor John St.*

*Pay to the order of James Mc Carthy*

*Thirteen 50/100 ————— Dollars*

*\$13. 50/100 S. D. Kelly*

on the *back* of which said *instrument and writing* there was then and there written a certain forged instrument and writing commonly called an *endorsement* which said forged instrument and writing, commonly called an *endorsement*, is as follows, that is to say:

*James Mc Carthy*

with force and arms, the said forged instrument and writing then and there feloniously did utter, dispose of and put off as true, with intent to defraud, *they* the said *James Looney and James Condon*, then and there well knowing the same to be forged, 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.

DE LANCEY NICOLL,  
*District Attorney.*

0274

**BOX:**

506

**FOLDER:**

4610

**DESCRIPTION:**

Lordo, Frank

**DATE:**

12/01/92



4610

0275

Witnesses:

*A. C. Jacobs 10th*

6

*492*

Counsel,

Filed, *1<sup>st</sup>* day of *Dec.* 189*2*

Pleas, *Guilty*

THE PEOPLE

vs.

*B*

*Frank Lorde*

*May 1893*

VIOLATION OF THE EXCISE LAW.  
Selling, etc., on Sunday.  
[Chap. 401, Laws of 1892, § 23.]

DE LANCEY NICOLL.

District Attorney.

A TRUE BILL.

*John E. Follen*

Foreman.

0276

1907

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*Frank Lardo*

The Grand Jury of the City and County of New York, by this indictment, accuse  
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND  
BEER ON SUNDAY, committed as follows:

The said *Frank Lardo*

late of the City of New York, in the County of New York aforesaid, on the *25<sup>th</sup>*  
day of *September* in the year of our Lord one thousand eight hundred and  
ninety-*two*, at the City and County aforesaid, the same being Sunday, certain strong  
and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill  
of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale,  
one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous  
liquor to the Grand Jury aforesaid unknown, unlawfully did sell, ~~to one~~

~~and~~ to certain ~~other~~ persons whose names are 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  
New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said  
of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS,  
WINES, ALE AND BEER, committed as follows:

The said *Frank Lardo*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the  
same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of  
wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one  
gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of  
a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and  
expose for sale to one

and to certain other persons whose names are 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.

DE LANCEY NICOLL  
District Attorney.

0277

**BOX:**

506

**FOLDER:**

4610

**DESCRIPTION:**

Lover, John

**DATE:**

12/23/92



4610

Witnesses:

Henry Ocherman  
of William J. Perwood

Counsel,

Filed

23 day of Dec 1892

Pleas,

Guilty

THE PEOPLE

vs.

John Cover

Grand Larceny, second Degree, [Sections 528, 529 Penal Code.]

DE LANCEY NICOLL,

District Attorney.

Paul Jacobson B.S.W.

A TRUE BILL.

William O'Keefe

Part 2 Jan 9, 1893 Foreman.

Trid and acquitted

0279

Police Court

District.

Affidavit—Larceny.

City and County }  
of New York, } ss:

of No. 608 East 6<sup>th</sup> Street, aged 25 years,

occupation dry goods passer being duly sworn,

deposes and says, that on the 21 day of December, 1892 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 daytime, the following property, viz:

One case of fine  
furrs valued at five  
hundred dollars  
\$500.00

the property of Mrs. Friedman  
and in care and custody of  
deponent

and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloni-  
ously taken, stolen and carried away by John Ross (unborn)  
and another man not yet arrested  
who were acting in concert for the  
purpose of following to wit: on the  
said date the said case was  
on the sidewalk in front of de-  
ponent's store at 394 4<sup>th</sup> Street  
where deponent saw the de-  
fendant and said unknown man  
remove the case from the sidewalk  
to the street and they were about  
to remove the case on a truck when  
deponent called on them, the unknown  
man ran away and the defendant  
jumped on the wagon and drove

of  
Secreted before me this  
189  
Police Justice

away followed by defendant and  
officer William J. Reardon.  
Officer Reardon says that  
when the defendant saw him  
he abandoned the horse and  
trunk and tried to escape.  
Reardon identifies the case  
as being his employer's property.

I am to inform Harry  
the 21<sup>st</sup> day of December 1922 Schramm

Harry

Police Justice

Harry Schramm

0281

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 28 years, occupation William J. Redmond of No. 1093  
547 Madison Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Henry Schumann  
and that the facts stated therein on information of deponent are true of deponent's own  
knowledge.

Sworn to before me, this 21 day of December 1892 } William J. Redmond

[Signature] Police Justice.

0282

Sec. 198-200.

1882

District Police Court.

City and County of New York, ss:

*John Lover*

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.

*John Lover*

Question. How old are you?

Answer.

*23 years*

Question. Where were you born?

Answer.

*N.Y.*

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

Answer.

*47 Canal St. 3 days*

Question. What is your business or profession?

Answer.

*Predder*

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

Answer.

*I am not guilty*

*John Lover*

Taken before me this *23* day of *November* 1892

Police Justice.

0283

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

*W. Gardner*

*W. Gardner* ~~guilty thereof~~. I order that he be held to answer the same, and he be admitted to bail in the sum of *Twenty* 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, *Dec 21* 189 *[Signature]* Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

028

1895  
1894

Police Court District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Henry Schuman*  
*69th St & 6th St*  
1 *John Hoover*  
2  
3  
4

*Ward*  
of Police

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Dated, *Dec 21* 189  
*Hofan* Magistrate.  
*Reum* Officer.  
5 Precinct.

Witness *Detector*  
No. *5th St* Street.  
*Wm. O. White*  
No. *39th St* Street.

No. .... Street.  
\$ *2000* to answer *G. S.*  
*committed*

0285

Court of General Sessions of the Peace  
OF THE CITY AND COUNTY OF NEW YORK.

505

THE PEOPLE OF THE STATE OF NEW YORK

against

*John Lover*

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

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

The said *John Lover*

late of the City of New York, in the County of New York aforesaid, on the *21st*  
day of *December* in the year of our Lord one thousand eight hundred and  
ninety-*two* at the City and County aforesaid, with force and arms,

*ten pieces of worsted cloth of  
the value of forty-five dollars  
each piece and one case of the  
value of ten dollars*

of the goods, chattels and personal property of one *Charles J. Freedman*

then and there being found, then and there feloniously did steal, take and carry away, against  
the form of the statute in such case made and provided, and against the peace of the People  
of the State of New York and their dignity.

*De Lancey Neill,  
District Attorney*

0286

**BOX:**

506

**FOLDER:**

4610

**DESCRIPTION:**

Luhrs, Christopher

**DATE:**

12/01/92



4610

425

Witnesses:

*Mr James 29th*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Counsel,

Filed, *1<sup>st</sup>* day of *Dec<sup>r</sup>* 1892

Pleads, *Guilty*

THE PEOPLE

vs.

*B*  
*Christopher dehrs*

**VIOLATION OF THE EXCISE LAW.**  
Selling, etc., on Sunday  
[Chap. 401, Laws of 1892, § 33]

*I have heard and desire to  
testify that the defendant  
is guilty of the offense  
charged in the indictment  
and that of perjury for  
and in violation of the  
said Statute.*

*Filed* 1893

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*John E. Fallon*

Foreman.

0288

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Christopher Lubris*

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

of the CRIME OF *Christopher Lubris* SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said *Christopher Lubris*

late of the City of New York, in the County of New York aforesaid, on the *26<sup>th</sup>* day of *November* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, ~~to one~~

and to certain other persons whose names are 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 New York and their dignity.

SECOND COUNT—

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

*Christopher Lubris* of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said *Christopher Lubris*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to one

and to certain other persons whose *John J. Jones* names are 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.

DE LANCEY NICOLL

District Attorney.

0289

**BOX:**

506

**FOLDER:**

4610

**DESCRIPTION:**

Lynch, Edward

**DATE:**

12/02/92



4610

Witnesses:

*Offe Herlich of the*

*The Court  
The other certificate  
shows the facts  
of the case.  
The witness shows  
the drinking  
of the defendant  
of 12-5-93.*

Counsel,

Filed,

Pleads,

*499*  
2 day of Dec. 1892

THE PEOPLE

vs.

*Edward Syue*

*Defendant Dead*

*See Certificate*

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*John E. Fellers*

*Part 3, Nov 28 1893 Foreman.*

*Indictment dismissed*

VIOLATION OF THE EXCISE LAW,  
Selling, etc., on Sunday.  
[Chap. 401, Laws of 1892, § 33.]

0291

19 Form H.

NEW YORK, Dec. 8, 1892

A Transcript from the Records of the Deaths Reported to the Health Department of the City of New York.

COUNTY OF NEW YORK. STATE OF NEW YORK. CITY OF NEW YORK.

CERTIFICATE AND RECORD OF DEATH No. of Certificate, 39516

Edward Lynch

I hereby certify that I attended deceased from Nov. 3, 1892, to Nov. 13, 1892, that I last saw him alive on the 13<sup>th</sup> day of Nov., 1892, that he died on the 13<sup>th</sup> day of Nov., 1892, about 10<sup>5</sup> o'clock A. M. or P. M., and that to best of my knowledge and belief, the cause of his death was as hereunder written:

Chief Cause, D. Tremens Duration of Disease.  
Contributing Cause, Asthenia

Sanitary Observations, Witness my hand this 13 day of Nov., 1892

Place of Burial, Calvary (SIGNATURE) Geo. Wm. Shearson, M. D.

Date of Burial, Nov 15, 1892  
Undertaker, Thos. Ryland, RESIDENCE, Belleme Hospital  
Residence, 19 E. Midway

Burial permits issued at 301 Mott Street, Room 38, Week days, 7 A. M.-6 P. M. Sundays and Holidays, 8 A. M.-5 P. M.

Date of Record	Indirect cause of Death	Direct cause of Death	Chief of Dwelling (A person living in same than no family)	Last place of Residence	Place of Death	Mother's Birthplace	Mother's Name	Father's Birthplace	Father's Name	How long resident in New York City	How long in U.S. if foreign born	Birthplace	Occupation	Single, Married or Widowed	Color	Age in years, mos. and days	Full Name	Title of Death
<u>Nov. 14, 1892.</u>	<u>Asthenia</u>	<u>D. Tremens</u>		<u>51 Market St</u>	<u>Belleme Hospital</u>	<u>ire</u>	<u>Mary</u>	<u>ire</u>	<u>James</u>	<u>"</u>	<u>13 years</u>	<u>Ireland</u>	<u>Master</u>	<u>Single</u>	<u>W</u>	<u>28 years</u>	<u>Edward Lynch</u>	<u>Nov 13, 1892.</u>

A True Copy.

C. Heeman

NOTICE.—In issuing this transcript of record, the Health Department of the City of New York does not certify to the truth of the record transcribed, the seal of the Board of Health attests only the correctness of the transcript, and no inquiry as to the facts reported has been provided for by law.

13

0292

Excise Violation—Exposing for Sale on Sunday.

POLICE COURT—3 DISTRICT.

City and County }  
of New York, } ss.

Henry Herrlich

of the .....  
of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 31<sup>st</sup> day

of August 1897, in the City of New York, in the County of New York,

at premises No. 87 Monroe Street,

Edward Lynch (now here)  
did then and there offer and expose for sale strong and spirituous liquors, wines, ale and beer, being  
intoxicating liquors, to be drunk as a beverage contrary to and in violation of the statute in such case  
made and provided.

WHEREFORE, deponent prays that said Edward Lynch

may be ~~arrested and~~ dealt with according to law.

Sworn to before me, this 21 day of August 1897 Henry Herrlich

[Signature]  
Police Justice.

0293

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY } ss:  
OF NEW YORK, }

*Edward Lynch*

being duly examined before the undersigned according to law, on the annexed charge, and being informed that it is his right to enable him if he sees 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.

*Edward Lynch*

Question. How old are you?

Answer.

*27 years*

Question. Where were you born?

Answer

*Ireland*

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

Answer.

*57 Market St. 4 months*

Question. What is your business or profession?

Answer.

*Bar tender*

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

Answer.

*I am not guilty if held & demand a jury trial*

*Edward Lynch*

Taken before me this

*3*

day of

*John J. [Signature]*

Police Justice.

0294

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*

*the* guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of \_\_\_\_\_ 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, *aug 21* 189*2* \_\_\_\_\_ Police Justice.

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

*Defendant*

Dated, *August 20* 189*2* \_\_\_\_\_ Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

0299

~~Selling on Sunday~~ 1044  
Police Court, 3 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

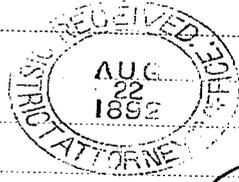
Henry Herrick  
vs.  
Edward Lynch

Offense, *See Case*

BAILED,  
No. 1, by *Andrew A Noonan*  
Residence *220 E Bway* Street.  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_  
Dated, *Aug 21* 189*3*  
*Duffy* Magistrate.  
*Herrick* Officer.  
*7* Precinct.

Witnesses \_\_\_\_\_  
No. \_\_\_\_\_ Street.  
No. \_\_\_\_\_ Street.  
No. \_\_\_\_\_ Street.



\$ *100* to answer *H.S.*  
*Bailey*

0296

**Court of General Sessions of the Peace**

2167

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK  
*against*

Edward Lynch

The Grand Jury of the City and County of New York, by this indictment, accuse  
*Edward Lynch*  
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND  
BEER ON SUNDAY, committed as follows:

The said *Edward Lynch*.

late of the City of New York, in the County of New York aforesaid, on the  
day of *August* in the year of our Lord one thousand eight hundred and  
ninety-*two*, at the City and County aforesaid, the same being Sunday, certain strong  
and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill  
of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale,  
one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spiritu-  
ous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, ~~to one~~

~~and~~ to certain ~~other~~ persons whose names are 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  
New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said  
*Edward Lynch*  
of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS,  
WINES, ALE AND BEER, committed as follows:

The said *Edward Lynch*

late of the City and County aforesaid, afterwards, to-wit: on the day and in the year aforesaid, the  
same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of  
wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one  
gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of  
a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and  
expose for sale to one

and to certain other persons whose names are 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.

DE LANCEY NICOLL,  
*District Attorney.*

0297

**BOX:**

506

**FOLDER:**

4610

**DESCRIPTION:**

Lynch, Patrick

**DATE:**

12/01/92



4610

0298

**POOR QUALITY ORIGINAL**

435

Witnesses:

*offc Dixon 29<sup>th</sup>*

Counsel,

Filed, *1<sup>st</sup>* day of *Dec.* 189*3*

Pleads, *Iniquity 12*

THE PEOPLE

vs.

*B*  
*Patrick Lynch*

*I do hereby consent and desire that this case against me be sent to the Court of Special Sessions for the First Exposition.*

Dated *April 17 1893*

**VIOLATION OF THE EXCISE LAW.**  
Selling, etc., on Sunday.  
[Chap. 401, Laws of 1892, § 93].

DE LANCEY NICOLL.

*District Attorney.*

A TRUE BILL.

*John E. Poillon*

*Foreman.*

0299

**POOR QUALITY ORIGINAL**

*435*

Witnesses:

*offc Dixon 29th*

Counsel,

Filed, *11th* day of *Dec.* 189*5*

Pleads, *Arquilty 12*

THE PEOPLE

vs.

*Patrick Dwyer*

*April 17 93*

DE LANCEY NICOLL.

*District Attorney.*

**VIOLATION OF THE EXCISE LAW.**  
Selling, etc., on Sunday.  
[Chap. 401, Laws of 1892, § 32].

A TRUE BILL.

*John E. Poillon*

*Foreman.*

0300

**Court of General Sessions of the Peace**

1907

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*Patrick Lynch*

The Grand Jury of the City and County of New York, by this indictment, accuse  
of the CRIME OF *Patrick Lynch* SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND  
BEER ON SUNDAY, committed as follows:

The said *Patrick Lynch*

late of the City of New York, in the County of New York aforesaid, on the *25<sup>th</sup>*  
day of *September* in the year of our Lord one thousand eight hundred and  
ninety-~~two~~ *two*, at the City and County aforesaid, the same being Sunday, certain strong  
and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill  
of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale,  
one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spiritu-  
ous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, to ~~one~~

and to certain other persons whose names are 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  
New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said  
of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS,  
WINES, ALE AND BEER, committed as follows:

The said *Patrick Lynch*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the  
same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of  
wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one  
gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of  
a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and  
expose for sale to one

and to certain other persons whose names are 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.

DE LANCEY NICOLL

District Attorney.

0301

**BOX:**

506

**FOLDER:**

4610

**DESCRIPTION:**

Lynch, Patrick

**DATE:**

12/19/92



4610

0302

Witnesses:

*John O. Sarsness*

*got*

Counsel,

Filed, *19* day of *Dec*

189 *2*

Pleas, *Myself in*

THE PEOPLE

vs.

*Patrick Lynch*

*Transferred to the Court of Sessions for trial and final disposal of case*  
*Per C. H. ...*

VIOLATION, etc., OF THE EXCISE LAW.  
[Chap. 401, Laws of 1892, § 32.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*H. ...*

Foreman.

0303

**Court of General Sessions of the Peace**

1917

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK  
against

*Patrick Lynch*

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

*Patrick Lynch*  
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said *(Patrick Lynch)*

late of the City of New York, in the County of New York aforesaid, on the *11<sup>th</sup>* day of *September* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, ~~to one~~

~~and~~ to certain ~~other~~ persons whose names are 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 New York and their dignity.

SECOND COUNT—

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

*Patrick Lynch*  
of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said *Patrick Lynch*

late of the City and County aforesaid, afterwards, to-wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to one

*John O'Sullivan*  
and to certain other persons whose names are 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.

DE LANCEY NICOLL,  
District Attorney.