0759

BOX:
468

FOLDER:
4295

DESCRIPTION:
Labourdette, John

DATE:
02/17/92

4295

0760

217

Counsel,

Filed 17 day of Feb 1892

Pleads,

THE PEOPLE

vs.

F

John Labourdette

Burglary in the Second degree, and Grand Larceny, First Degree.
[Section 406, 506, 34, 528, 530, P.C.]

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

Henry S. Herrman
Foreman.

Feby 18/92

Manuel Levy 2 deg
S.P. 5 yrs. RB M.

0761

POOR QUALITY ORIGINAL

217

Witnesses:
Thomas Moran
Pat Nesbell

Counsel.
Filed day of 189
Pleads.

THE PEOPLE

—

John Lanzetta

FRANCIS NICOLL

District Attorney

Foreman

Police Court— 5 District.

City and County of New York, } ss.:

Thomas Moran

of No. 165 East 112 Street, aged 56 years,

occupation Retired being duly sworn

deposes and says, that the premises No. 165 East 112 Street, 17 Ward

in the City and County aforesaid the said being a five story brick dwelling

and which was occupied by deponent — and other tenants as lodgers

~~and in which deponent at the time [illegible] his home~~

were BURGLARIOUSLY entered by means of forcibly opening the door leading into the cellar of the premises and forcing open a lock which fastened one of the doors in the said cellar and into an apartment of the said cellar

on the 3 day of February 1892 in the night time, and the following property feloniously attempted taken, stolen, and carried away, viz:

Three trunks containing clothing and wearing apparel of the value of about five dollars

the property of one of deponent's tenants and in deponent's care and custody

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid BURGLARY was committed and the aforesaid property attempted to be taken, stolen and carried away by John Labourdette, Frenchman, and an unknown man not arrested, while acting in concert

for the reasons following, to wit: That at about the hour of 7 o'clock P.M. on said date deponent went into the said cellar and found the said unknown man there. That the said unknown man went out and afterwards deponent found the defendant Labourdette in the said apartment of the cellar. That the said trunks were open and the said goods strewn around. That the prisoner

0763

is informed by Patrick Nehill of No 65 East 112th that by Nehill securely locked and fastened the said door at about the hour of 3 o'clock P M and the said trunks were closed and fastened and the said property was therein. Wherefore deponent prays that the defendant Lebourdette be held and dealt with as the law directs

Thomas Moran

Sworn to before me this 14 Day of February 1897

W. Van Vorst

Police Justice

Police Court, _____ District.

THE PEOPLE, &c., on the complaint of

vs.

1 _____
2 _____
3 _____
4 _____

Offence—BURGLARY.

Dated _____ 188

_____ Magistrate.
_____ Officer.
_____ Clerk.

Witnesses, _____
No. _____ Street,
No. _____ Street,
No. _____ Street,

$ _____ to answer General Sessions.

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 _____

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 _____ 188 _____ *Police Justice.*

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

Dated _____ 188 _____ *Police Justice.*

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

Dated _____ 188 _____ *Police Justice.*

0764

Sec. 198—200.

5 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

John Labourdette 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. John Labourdette

Question. How old are you?

Answer. 37 yrs

Question. Where were you born?

Answer. France

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

Answer. 1234 West 38th 3 months

Question. What is your business or profession?

Answer. Baker

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 Labourdette

Taken before me this [illegible]

day of [illegible] 189

[illegible] *Police Justice.*

0765

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 Nine *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 July 14 *18* 97 Wm Welde *Police Justice.*

I have admitted the above-named

to bail to answer by the undertaking hereto annexed.

Dated *18* *Police Justice.*

There being no sufficient cause to believe the within named

guilty of the offence within mentioned. I order he to be discharged.

Dated *18* *Police Justice.*

0766

184

Police Court--- 5 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James Moran
165 East 112th St

John Labourdette

2

3

4

Officer Murphy

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated July 14 1892

Wede Magistrate.

Netterville Officer.

29 Precinct.

Witnesses Patk Mehill

No. 165 East 112 Street.

No. Street.

No. Street.

$ 2000 to answer

Corr

0767

1377

CITY AND COUNTY OF NEW YORK, } ss.

Patrick Nehill

aged 51 years, occupation Blacksmith of No. 165 Eastern Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Thomas Moran and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 14 *day of* May *189*

Patrick Nehill

W. McAdoo

Police Justice.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

John Salomondotte

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

John Salomondotte

of the CRIME OF BURGLARY in the first degree, committed as follows:

The said John Salomondotte,

late of the Twelfth Ward of the City of New York, in the County of New York aforesaid, on the thirteenth day of February, in the year of our Lord one thousand eight hundred and ninety-two, in the night time of the same day, at the Ward, City and County aforesaid, the dwelling house of one Thomas Moran,

there situate, feloniously and burglariously did break into and enter, there being then and there a human being within the said dwelling house, with intent to commit some crime therein, to wit: the goods, chattels and personal property of the said Thomas Moran,

in the said dwelling house then and there being, then and there feloniously and burglariously to steal, take and carry away, the said John Salomondotte being then and there assisted by an confederate actually present, whose name is to the Grand Jury aforesaid as yet unknown.

against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

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

John Salamandetta.

attempting to commit of the CRIME OF ~~Grand~~ LARCENY in the first degree, committed as follows:

The said John Salamandetta,

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, in the night time of the said day, with force and arms,

linen articles of clothing and wearing apparel, of a number and description to the Grand Jury aforesaid unknown, of the value of thirty dollars,

of the goods, chattels and personal property of one Thomas Moran,

in the dwelling house of the said Thomas Moran,

there situate, then and there being found, from the dwelling house aforesaid, then and there feloniously did attempt to 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.

Delancey Nicoll,
District Attorney

0770

BOX:
468
FOLDER:
4295
DESCRIPTION:
Lamb, John
DATE:
02/01/92

4295

10

Witnesses:

Counsel,

Filed 1 day of Feby 1892

Pleads,

THE PEOPLE

vs.

John Lamb

Burglary in the Third Degree.
[Section 498, Penal Code.]

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

Foreman.

Feby 2/92

Leave Bail 3 days

S. P. 2 yrs.

Feby 5/92 RBM, 5

0772

Police Court — 1 District.

City and County of New York, } ss.:

Francis A. Klein of No. 155 Baxter Street, aged 45 years, occupation Cutler & Grinder, being duly sworn deposes and says, that the premises No. 155 Baxter Street, Ward in the City and County aforesaid the said being a Store

and which was occupied by deponent as a Store

~~and in which there was at the time a human being, by name~~

were BURGLARIOUSLY entered by means of forcibly breaking open a rear window leading from the yard into said premises

on the 1st day of January 188~~7~~2 ~~in~~ the night time, and the following property feloniously taken, stolen, and carried away, viz:

Cutlery & Tools of the value of about three hundred dollars

the property of deponent

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid BURGLARY was committed and the aforesaid property taken, stolen and carried away by John Lynch (now hung) and James McCue and John O'Brien (both fugitives indicted)

for the reasons following, to wit: that deponent has been informed by Officer Henry B. Joyce of the 10th Precinct that after the arrest of said McCue and O'Brien he obtained information from them implicating said Lynch in said Burglary that he Joyce then arrested said Lynch who confessed to having been implicated in said

Police Court, _____ District.

THE PEOPLE, &c.,
on the complaint of

_____

vs.

1 _____
2 _____
3 _____
4 _____

Offence—BURGLARY.

Dated _____ 189

_____ Magistrate.

_____ Officer.

_____ Clerk.

Witnesses, _____

No. _____ Street,

No. _____ Street,

No. _____ Street,

$ _____ to answer General Sessions.

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 _____ 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 _____ 189 _____ 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 offence within mentioned, I order h to be discharged.

Dated _____ 189 _____ Police Justice.

Burglary and Receiving in the proceeds of the same.
Further that said confession was made in the presence of others

Sworn to before me
this 25th day of January 1892
Frederick A. Klein
Police Justice

0774

1877

CITY AND COUNTY OF NEW YORK, } ss.

Henry P. Foye

~~Aged~~ ~~years~~, occupation Police Officer of No. 10th Precinct ~~Street~~, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Frederick A. Klein and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 20 *day of* January *189* 7

Henry P. Foye

Solon B. Cummings

Police Justice.

0775

Sec. 198—200.

1 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

John Lamb 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 Lamb.

Question. How old are you?

Answer. 24 years

Question. Where were you born?

Answer. US

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

Answer. 27 Washington St.

Question. What is your business or profession?

Answer. Truck 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 not guilty

John Lamb

Taken before me this 27 day of August 1883

Police Justice

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 January 25 189 2 Solomon Gerstle Police Justice.

I have admitted the above-named

to bail to answer by the undertaking hereto annexed.

Dated 18 Police Justice.

There being no sufficient cause to believe the within named

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

Dated 18 Police Justice.

10. 100

Police Court--- 5 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Frederick A. Klein
155 Bedford Av

vs.

1 John Lamb
2 James McCue
3 John O'Brien
Burglarously entered

Offence Burglary

Dated January 31 1892

Judith Magistrate.

Joyce Officer.

10th Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

$ 1000 to answer GJ

Com Bury

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street

0778

Leroy Boarding Stables.
JOHN P. NICHOLS, PROP'R.
HORSES BOARDED BY THE DAY, WEEK OR MONTH.

New York. Jan 27th 1892

Mr. Brown
Jim Lamb
was in my employ as driver for about 14 months and I always found him honest in every respect also understanding the care of horses.

0779

0780

Importers and Jobbers of

DOUGLASS & Co

Foreign Fruits and PRODUCE

203 Washington Street, OPPOSITE WASHINGTON MARKET.

NEW YORK, Jan 30th 1892

This is to Certify that the Bearer John Lamb worked for me off and on for the last five years I have always found him honest Capable and willing and would employ him any time I have need of a man

Respectfully W Douglass
203 Washington st

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

John Lamb

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

John Lamb

of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said John Lamb

late of the 14th Ward of the City of New York, in the County of New York aforesaid, on the first day of January in the year of our Lord one thousand eight hundred and ninety-two in the night time of the same day, at the Ward, City and County aforesaid, a certain building there situate, to wit, the store of one Frederick A. Klein

there situate, feloniously and burglariously did break into and enter, with intent to commit some crime therein, to wit: with intent the goods, chattels and personal property of the said Frederick A. Klein in the said store then and there being, then and there feloniously and burglariously to 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.

SECOND COUNT—

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

John Lamb

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

The said John Lamb

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, in the night time of said day, with force and arms, three hundred and sixty knives of the value of fifty cents each twenty-four other knives of the value of four dollars each, twenty-four shears of the value of one dollar each, and twelve razors of the value of one dollar and fifty cents each

of the goods, chattels and personal property of one Frederick A. Klein

in the stone of the said Frederick A. Klein

there situate, then and there being found, in the stone aforesaid, 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.

THIRD COUNT:

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

John Lamb

of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said John Lamb

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, with force and arms, at the Ward, City and County aforesaid,

the same goods, chattels and personal property described in the ~~first~~ second count of this indictment

of the goods, chattels and personal property of Frederick A. Klein

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen from the said Frederick A. Klein

unlawfully and unjustly did feloniously receive and have; (the said

John Lamb

then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, 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.

0784

BOX:
468

FOLDER:
4295

DESCRIPTION:
Lander, Charles

DATE:
02/26/92

4295

0785

BOX:
468

FOLDER:
4295

DESCRIPTION:
Bauer, George

DATE:
02/26/92

4295

310

Witnesses:

Timothy M. Driscoll

Offen Carter

Counsel,

Filed day of 189

Pleads,

THE PEOPLE

vs.

Charles Lander

and

George Bauer

Burglary in the Third Degree,
[Section 498, Code of Criminal Procedure.]

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

Foreman.

0787

Police Court—1st District.

City and County of New York, } ss.:

Timothy M Driscoll

of No. 183 South Street, aged 48 years, occupation Liquor dealer being duly sworn deposes and says, that the premises No 183 South Street, in the City and County aforesaid, the said being a Liquor store

and which was occupied by deponent as a Liquor store

~~and in which there was at the time a human being, by name~~

were BURGLARIOUSLY entered by means of forcibly a door leading from the street into said premises with a false key

on the 18 day of February 1892 in the night time, and the following property feloniously taken, stolen, and carried away, viz:

One box containing segars of the value of Two dollars & fifty cents; Two metal Keys & Two pair of spectacles all of the value of Three dollars and ninety cents

the property of deponents Wife

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid BURGLARY was committed and the aforesaid property taken, stolen, and carried away by Charles Lander & George Bauer (complainant)

for the reasons following, to wit: That deponent is informed by John J McCarthy that he saw said defendants this A M in front of store door and said Lander was attempting to unlock the door and as said McCarthys approach said defendants ran away and he said McCarthy pursued them and he said McCarthy caught said Lander and Officer Peter Carter caught said Bauer - Deponent is further informed by

0788

by Peter Carter of the 4th Precinct Police that he found the keys now here shown alongside of said Lander and defendant positively identifies the same as the aforesaid property that was taken stolen and carried away as aforesaid

Sworn to before me this 19 day of February 1899

F. B. Wilson

Police Justice

Police Court ..... District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Burglary ..... Degree.

Dated 188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of $ ..... Bail.

Bailed by .....

No. ..... Street.

0789

1377

CITY AND COUNTY OF NEW YORK, } ss.

John J. McCarthy

aged 41 years, occupation Real Estate of No. 183 South Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Timothy M. Driscoll and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 19 *day of* May *189* 7 } John J. McCarthy

[illegible]

Police Justice.

0790

1877

CITY AND COUNTY OF NEW YORK, } ss.

Peter Carter

aged 30 years, occupation Officer of No. 411 Prince Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Timothy M. Driscoll and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 19 day of January 1894 } Peter Carter

Police Justice.

Sec. 198—200.

1 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. George Bauer

Question. How old are you?

Answer. 42 years

Question. Where were you born?

Answer. U S

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

Answer. 131 E. Bradway three years

Question. What is your business or profession?

Answer. Labor

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.

Lander told me he took the cigars from store No 183 South Street yesterday and I was in his Company when he attempted to open the store this morning

George Bauer.

Taken before me this 19 day of 188

Police Justice.

Sec. 198—200

1 District Police Court.

CITY AND COUNTY OF NEW YORK } ss.

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

Question. What is your name?

Answer. Charles Lander

Question. How old are you?

Answer. 48 years

Question. Where were you born?

Answer. U S

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

Answer. 45 Chrystie St 18 mos

Question. What is your business or profession?

Answer. Machinist

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

Chas. Landers

Taken before me this 10 day of [illegible] 189[illegible]

[illegible]

Police Justice

0793

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 Defendants

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,* Each *and be committed to the Warden and Keeper of the City Prison, of the City of New York, until* [he] *give such bail.*

Dated July 19 *189*2 *Police Justice.*

I have admitted the above-named

to bail to answer by the undertaking hereto annexed.

Dated *18* *Police Justice.*

There being no sufficient cause to believe the within named

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

Dated *18* *Police Justice.*

0794

207

Police Court--- 1 District.

THE PEOPLE,

ON THE COMPLAINT OF

Timothy M. Driscoll
183 South St
Charles Lander
George Bauer
3
4

Offence Burglary

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street

Dated February 19 1892

P G Duffy Magistrate.

Carter Officer.

4 Precinct.

Witnesses John J. McCarthy

No. 183 South Street.

Peter Carter

4th Precinct Street.

No. Street.

$ 1000 to answer G. S.

Committed

RECEIVED. DISTRICT ATTORNEY'S OFFICE FEB 23 1892

0795

Dear Sir

I cannot
excuse me I am under
doctor care and am
not able to go out.

Adam Schaffer

0796

PART I.

The Corner Room is in the Second Story and Fronting the Park.

☞ If this Subpœna is disobeyed, an attachment will immediately issue.

☞ Bring this Subpœna with you, and give it to the officer at the Court Room door, that your attendance may be known.

[See other side for other directions.]

431

SUBPŒNA *to see Judge Martine* FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

In the Name of the People of the State of New York.

To Adam Schaefer

of No. 340 East 4 Street

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the 2 day of MARCH 1892, at 10:30 o'clock in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

George Lemon

Dated at the City of New York, the first Monday of February in the year of our Lord 1892.

DE LANCEY NICOLL, *District Attorney.*

0797

New York, ... 188

Mr. .....

Bought of Adam Schaeffler,

DEALER IN ICE,

Terms, Cash.

540 Sixth St., bet. Aves. A & B.

This is to certify that Mr. George Bacon has been in my employ for 3 years and I have found him honest.

Received payment 1892

Adam Schaeffler
No. 540 East 6 st.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Charles Lander and George Bauer

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

Charles Lander and George Bauer

of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said Charles Lander and George Bauer, both

late of the 4th Ward of the City of New York, in the County of New York aforesaid, on the eighteenth day of February in the year of our Lord one thousand eight hundred and ninety-two in the night-time of the same day, at the Ward, City and County aforesaid, a certain building there situate, to wit, the Store of one Timothy M. Driscoll

there situate, feloniously and burglariously did break into and enter, with intent to commit some crime therein, to wit: with intent the goods, chattels and personal property of the said Timothy M. Driscoll in the said Store then and there being, then and there feloniously and burglariously to 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.

SECOND COUNT—

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

Charles Lander and George Bauer

of the CRIME OF Petit LARCENY committed as follows:

The said Charles Lander and George Bauer, both

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, in the night time of said day, with force and arms,

fifty segars of the value of five cents each, two keys of the value of ten cents each, and two pair of spectacles of the value of fifty cents each pair

of the goods, chattels and personal property of one Timothy M. Driscoll

in the store of the said Timothy M. Driscoll

there situate, then and there being found, in the store aforesaid, 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.

THIRD COUNT:

And the Grand Jury aforesaid, by this indictment, further accuse the said Charles Lander and George Bauer of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said Charles Lander and George Bauer, both late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, with force and arms, at the Ward, City and County aforesaid,

fifty segars of the value of five cents each, two keys of the value of ten cents each, and two pair of spectacles of the value of fifty cents each pair

of the goods, chattels and personal property of Timothy M. Driscoll

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen from the said Timothy M. Driscoll —

unlawfully and unjustly did feloniously receive and have; (the said Charles Lander and George Bauer then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, 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.

0801

BOX:
468

FOLDER:
4295

DESCRIPTION:
Langer, William

DATE:
02/26/92

4295

This defts name is Jacobs -
RBM

Witnesses:

Offa Logan
Geo Huber

From an Examination of this case I am satisfied that the acceptance of a plea of Petit Larceny will subserve the Peoples interests - and would cheerfully recommend the same to the consideration of the Court -

Robt Ommsend
Mch 16th 92 Asst Dist Atty -

307

Counsel,

Filed 26 day of Feby 1892

Pleads Not guilty n g

THE PEOPLE

vs.

William Langer

Burglary in the Third Degree, Section 498, Penal Code.

DE LANCEY NICOLL,
District Attorney.

Part 2 - March 16/92
Pleads Petit Larceny
Pen 9 mos

A TRUE BILL.

RBM

Geo S Marvin
Foreman.

F 4 April 8 1901

2080

N.Y. GENERAL SESSIONS.

----------X

The People on my complaint

vs.

William Langer

----------X

As complainant in the above action, I herewith desire to withdraw my complaint, and recommend the defendant tosuch leniency as the Court may be pleased to extend to him.

My reasons for so doing are influenced by no pecuniary consideration whatsoever, but simply to save the boy from being sent to a prison and to save his family from disgrace. I learn that the prisoner, who is only a boy about nineteen years of age is the son of very respectable parents who only two months ago suffered bereavement in the death of a daughter; it also appears that the prisoner had heretofore conducted himself in a proper manner and enjoyed a good character, and that if he is released upon my charge I feel convinced that he will reform and never commit any offense again against the law.

George Huber.

0804

Police Court— 2 District.

City and County of New York, } ss.:

George Huber

of No. 354 - Sixth Avenue Street, aged 41 years,

occupation Restaurant and Saloon being duly sworn

deposes and says, that the premises No 354 - Sixth Avenue - Street,

in the City and County aforesaid, the said being a Three story Brick Building

and which was occupied by deponent as a Restaurant and Saloon -

~~and in which there was at the time a human being by name~~

were BURGLARIOUSLY entered by means of forcibly pushing in and opening a window in the fanlight leading from the street into said store

on the 18 day of February 1881 in the night time, and the following property feloniously taken, stolen, and carried away, viz:

Good and lawful money of the United States of the amount of Three dollars and fifty cents - ($3.50), Three bone collar Buttons a finger Ring - and a monogram with the letters C.B.L. in all of the amount and value of Five dollars ($5.00)

the property of Deponent.

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid BURGLARY was committed and the aforesaid property taken, stolen, and carried away by William Langer (now here)

for the reasons following, to wit: That about the hour of one o'clock A.M. of the aforesaid date, deponent securely closed and fastened said premises and closed and shut said fanlight, leaving the aforesaid property, in a drawer in a Counter in said store - and that deponent after closing said premises went away, and that deponent is informed by Officer Thos A. Logan of the 19th Precinct Police that about the hour of

3.30 o'clock A.M. he saw the defendant dropping from the aforesaid fanlight onto the sidewalk, and that said defendant then ran away, and deponent is further informed by said Officer that he found a sum of money and a finger ring, and a Monogram on the person of the defendant, and which finger Ring and Monogram deponent has seen and recognizes as his property and as the property which was stolen from him on the aforesaid date - deponent therefore asks that the defendant may be held to answer -

Sworn to before me this 18th day of February 1892

George Hauber.

Police Justice

Police Court ..... District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Burglary ..... Degree.

Dated 188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of $ ..... Bail.

Bailed by

No. ..... Street.

0806

CITY AND COUNTY OF NEW YORK, } ss.

Thomas A Logan

aged ..... years, occupation Police Officer of No. 19 Precinct Police Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Jorge Huber and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 14 *day of* May 1890. } Thomas A Logan

Thos C. T. Brady

Police Justice.

(3692)

0807

Sec. 198—200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. William Langer

Question. How old are you?

Answer. 20 years -

Question. Where were you born?

Answer. U. S.

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

Answer. 34 - Bowery - 1 Month

Question. What is your business or profession?

Answer. Clerk

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 -

William Langer.

Taken before me this 1 day of May, 1882

Police Justice.

0808

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 May 18 18 92 Thos. F. Gahan Police Justice.

I have admitted the above-named

to bail to answer by the undertaking hereto annexed.

Dated 18 Police Justice.

There being no sufficient cause to believe the within named

guilty of the offence within mentioned. I order he to be discharged.

Dated 18 Police Justice.

0809

209

Police Court--- 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
George Huber
vs. 3524 Grand
William Langer
2
3
4

Offence Burglary

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street

Dated Feby 18 1892

Grady Magistrate.

Geyer Officer.

19 Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

$ 1000 to answer

Com

RECEIVED. FEB 23 1892 DISTRICT ATTORNEY'S OFFICE

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against
William Langer

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

William Langer

of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said William Langer

late of the 18th Ward of the City of New York, in the County of New York aforesaid, on the eighteenth day of February in the year of our Lord one thousand eight hundred and ninety-two in the night-time of the same day, at the Ward, City and County aforesaid, a certain building there situate, to wit, the saloon of one George Huber

there situate, feloniously and burglariously did break into and enter, with intent to commit some crime therein, to wit: with intent the goods, chattels and personal property of the said George Huber in the said saloon then and there being, then and there feloniously and burglariously to 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.

SECOND COUNT—

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

William Langer

of the CRIME OF Petit LARCENY committed as follows:

The said William Langer

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, in the night time of said day, with force and arms, the sum of three dollars and fifty cents in money, lawful money of the United States of America (a more particular description whereof is to the Grand Jury aforesaid unknown) of the value of three dollars and fifty cents, one finger ring of the value of one dollar, one monogram of the value of one dollar, and three collar buttons, of the value of five cents each,

of the goods, chattels and personal property of one George Huber

in the saloon of the said George Huber

there situate, then and there being found, in the saloon aforesaid, 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.

THIRD COUNT:

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

of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said William Langer

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, with force and arms, at the Ward, City and County aforesaid,

the same goods, chattels and personal property described in the second count of this indictment

of the goods, chattels and personal property of George Huber

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen from the said George Huber

unlawfully and injustly did feloniously receive and have; (the said William Langer

then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, 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.

0813

BOX:
468
FOLDER:
4295
DESCRIPTION:
Larrubia, Leonardo
DATE:
02/17/92

4295

0814

POOR QUALITY ORIGINAL

Witnesses:

Raquel Rivilo

Vincenzo Discovora

Mark Buckner

Offin Sherman

July 9. 1894

Pleads Guilty

Manslaughter 1st Deg

S. P. 2 yrs. 2 mos

GCl

April 7 for trial

Counsel,

Filed 17 day of Feb 189

Pleads, Not guilty

THE PEOPLE

vs.

Leonardo Larrubia

May 27. 1892

Tried and convicted of Murder in the Second Degree

Murder in the First Degree. (Section 183, Penal Code.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Foreman.

Ordered to be entered of record Jan 2 1892

S. P. 7 yrs in State Prison

0815

POOR QUALITY ORIGINAL

Witnesses:

Carpin C Riolo
Vincenzo Ducsona
Mark Buchner
Offin Sherman

July 9. 1894
Pleads Guilty
Manslaughter 1st Deg
S. P. 2 yrs. 2 mos
C/Cl

April 7 for trial

Counsel,

Filed day of 189

Pleads,

THE PEOPLE

vs.

Leonardo Larrinia

Ordered to Court of Sess. for trial
July 5/94

May 27. 1892
Tried and convicted of
Murder in the Second Degree

Murder in the First Degree.
(Section 183, Penal Code.)

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

Foreman.

Ordered to the Gr. Jury
of Sep. and Grand Jury
for trial May
June 2 1892
S. P. His Natural life

B.169 3 C.

Coroners Office, New York County.

Inquest into the death - of - VINCENZO PEVLIA.	Before HON. M. J. B. MESSMER, Coroner.

New York, November 16th, 1931
11 o'clock, A. M.

APPEARANCES: Mr. [illegible]

THE CORONER: Gentlemen of the Jury - [illegible] married, and has one child, [illegible] at No. 41 Baxter Street. On the 15th [illegible], a few days ago, he was [illegible] Street [illegible], when I was sent for to [illegible] apartment, I met there between eight [illegible] o'clock [illegible] I learned from him that he [illegible] that evening, at No. 47 Baxter Street by Leonardo Lorubio.

The stenographer reads the entire testimony.

THE CORONER: After I took his ante mortem statement laparotomy was performed which was deemed necessary because he was shot in the thorax, in the chest, and in the abdomen. The doctors there and myself took it that this pistol bullet was lodged in the lung, and that the blood was coming through the air passages coming from his mouth, and nothing could be done to save it up, and also a wound in the abdomen. It was found the pistol bullet had passed between the intestines and was lodged, and it was thought prudent not to try to take it out. The wound was sewed up and the blood filled up the air passages and he died. A post mortem was performed by autopsy, and found, as we anticipated that the bullet had entered the lungs and caused this hemorrhage.

WILLIAM H. ALLEN, being sworn:-

BY THE CORONER:-

Q. Officer, to what precinct are you attached? A. I am a police I officer of the 6th Precinct.

Q. This shooting was what day? A. Sunday evening, November 15th, 1931.

Q. Where were you at the time? A. I was in Elizabeth Street at the time.

Q. Did you hear the pistol shots? A. No, sir; I seen this boy that caught him in Baxter Street, fetch him up to Bayard Street, to the station house.

Q What boy was that? A. That young man there.

Q He told you of the case, as he was bringing the prisoner to the station house? A. Yes, sir; he was a long back behind by my partner and I arrested.

Q Officer Sherman [illegible] and had him identified? A. Yes, sir.

Q Is Officer Sherman here? A. No, sir; he is before the Grand Jury at the moment.

MR. FRANK: I have [illegible] the testimony of Officer Sherman to [illegible] and be [illegible].

[illegible] granted.

DANIELS: That is all I know about the case.

BY MR. FRANK:-

Q At the time you [illegible] the prisoner did he [illegible] any marks? A. He had some [illegible], he was hit there on [illegible] a little bluecher than he is now.

Q In a very bad condition? A. It looked as though he had been struck in the face in some way.

Q Were you the first person that approached the prisoner after this occurred? A. No, sir; this young man was the first, I think.

HARRY BUCKNER, duly sworn:-

BY THE CORONER:-

Q Where do you live? A. No. 154 Leonard Street. 117 Forsyth St.

Q What is your occupation? A. Stock clerk employed by Moe Levy.

Mr. Levy.

Q There is your place of business? A. No. 90 1/2 Baxter Street.

Q You were present at the shooting? A. No, sir.

Q You were not? A. No, sir.

Q But do you know of it? A. Coming out of No. 104 Leonard Street, quarter to six, Sunday night, I heard three or four pistol shots; I walked up Baxter Street and I found this man running up Baxter Street; I got out in the middle of the street, and made a strike for him and knocked him - knocked the wagon were The pistol in his hand; I held him on top the wagon, and the officer held the pistol down, right from like this, I said, drop the pistol; he said something, I couldn't understand him and I hit him in the mouth, I said, son, what are - I grabbed him up and started to the police station; [illegible] to the judge.

Q You recognize the defendant as the man? A. Yes, sir.

BY MR. FRANK:-

Q Where did you meet the defendant? A. I hit him in the eye, I think I saw, [illegible] - I [illegible] running around and he ran into the wagon.

Q It was not you that gave him the black eye? A. I couldn't swear to it; I say and I didn't not.

Q Are you positive where you hit him? A. I hit him in the face because he had the pistol - I was afraid of him shooting me when he had the pistol like that.

Q How was he running? A. Up Baxter Street, I was going up Baxter Street.

Q You were both going in the same direction? A. Both going in the same direction, I seen him running with the pistol in his hand.

Q With what hand did you strike him? A. With this hand, the right hand.

Q Both going in the same direction? A. Yes, sir; as soon as I saw the pistol shot I turned around and a mob of boys behind him hollered murder.

Q Before you struck him did you turn around and face him?

A. No, sir; I struck him right away and knocked him right against the wagon.

Q You struck him from behind? A. No, sir; he was facing me.

Q With your right hand? A. Yes, sir.

Q You didn't it might be in his right eye? A. It may be his right or his left eye, I am not positive.

Q You didn't it was possible you hit it with your right and it may have struck him in the right eye? A. I made a plunge for him, a plunge for him as he threw the pistol under the wagon.

Q How near were you to him when you struck him? A. Just about from there to here.

Q About four feet? A. About four feet.

Q Did you notice any mark on his face? A. No mark at all.

Q Did you notice any marks on his face any time? A. When I took him to the station house, I saw his eyes were swollen, swelling up fast.

Q Was his eye discolored at the time? A. No, sir.

Q How long a time elapsed between the time you saw him in the station house and the time you struck him? A. About 15 or 20 minutes, when they went down to identify him.

Q It was quite dark that night? A. Quarter to six, yes, it was dark.

Q Could you easily distinguish the features of that man? A. Yes

Q Ever seen him before? A. No, sir.

Q A perfect stranger to you? A. Yes, sir; a perfect stranger to me.

----------oOo----------

MARCELLUS H. BARLAMI, is sworn to interpret the testimony of the following witness:

VINCENZO DICESARE, duly sworn:-

BY THE CORONER:-

Q Where do you live?A. No. 57 Baxter Street.

Q What is your occupation? A. Shirt maker.

Q Who employs you - for whom do you work? A. Mr. Smith & Downing.

Q Where is that? A. In Duane Street.

Q What number? A. 444.

Q Did you see this man being shot? A. Yes, sir.

Q Who shot him ? A. That man there (Indicating to prisoner.)

Q When was this? A. Last Sunday night.

Q Do you know what day that was - what month? A. The 15th of this month.

Q Where was this? A. No. 47 Baxter Street.

Q What part of the building? A. On the other side.

Q The south side of the water closet? A. Yes, sir.

Q In the yard? A. Yes, sir.

Q Between the front and the rear house? A. Yes, sir.

Q About what time was this? A. About quarter to six o'clock in the morning.

Q [illegible] the jury [illegible]? A. I was playing outside in the street, I heard a shot going off and I was in the yard and I saw this man, he said, all my good fellows get out of the way, I am going to shoot. He gave them, that was there, as the man that was shot said, I am going.

Q What then? A. This man started to run, Vincenzo Rivizzi's brother-in-law started to run after this man; [illegible] they caught hold of him, that young [illegible] over there.

Q Did you see him [illegible] hold of him? A. Yes, sir.

Q Where was this? A. No. 50 Baxter Street.

Q How many shots were fired? A. Three, [illegible] two hit him.

Q All fired by [illegible], by this man? A. Yes.

Q Two hit the [illegible] and the [illegible] went up in the air?

A. Yes.

BY MR. [illegible]:-

Q How old are you? A. Fifteen years.

Q Do you understand the nature of an oath - do you know what it is to swear that you will tell the truth? A. Yes.

Q Do you know what will happen to you if you don't tell the truth, if you swear to tell the truth? A. Yes, sir.

Q What will happen to you? A. It won't help me anything.

Q Will you be punished? A. Yes, sir.

Q What punishment will you suffer? A. I can swear I saw the man shot:

Q You say you were playing in the front? A. In the street.

Q You heard the shot? A. Yes, sir.

Q You run to the door when you heard the shot? A. Yes.

Q You were not in front? A. No, sir.

Q You knew it was a pistol shot? A. Yes, sir.

Q You went in when you heard the prisoner say, good friends look out I am going to shoot? A. Yes, sir.

Q Did he say that before the first shot? A. As soon as he fired the first shot he said that.

Q How soon after he fired this first shot did he say good friends look out I am going to shoot? A. I run in the yard.

Q How soon after? A. About five minutes after.

Q Five minutes after? A. Yes.

Q And after he said that he fired two or three shots? A. Three shots.

Q He shot first then he said his friends to look out and he shot twice after that? A. Yes, sir.

BY A JUROR:-

Q Did you see him shoot the first time - were you there when ~~KKXX~~ he shot the first time? A. Yes.

Q You were on the-street? A. I was on the street when he shot the first shot? A. I heard the first shot.

Q Therefore you are mistaken when you say you saw the first shot.

BY THE CORONER:-

Q But you didn't see it fired? A. No, sir.

BY MR. FRANK:-

Q You are positive that the prisoner fired the first shot?

A. Yes, sir.

Q You didn't see it? A. No, sir.

Q Therefore you don't know whether he fired the first shot or not? A. He fired the first shot.

Q How do you know that? A. Because I heard it, I saw him when he fired the second shot.

Q Therefore you only guess he fired the first shot because you saw him fire the other two shots? A. Yes, sir.

Q Are you related to the dead man? A. Yes.

Q Are you a relation of his? A. Yes, sir.

Q What relation are you? A. He is my god-father.

Q You are living with him? A. No, sir.

Q You saw him very often? A. Yes.

Q He was friendly to you? A. Yes.

Q A good man to you? A. Yes.

Q He did you a great many favors - he was very kind to you? A. He didn't do so many favors for me.

Q Sometimes he gave you presents? A. Yes.

Q Are you related to any members of his family? A. Yes.

Q What relation are you to the other members? A. The same as him.

Q You are friendly with him and on friendly terms with them all? A. Yes.

Q After you saw the shooting what did you do? A. I didn't do anything, I run after him.

Q Were there a great many people around at the time the shooting occurred? A. Yes.

Q Around him? A. Yes.

Q How many people were there at the time? A. His brother-in-law, that man's brother-in-law, and a couple of more people.

Q The dead man's brother-in-law, and the dead man and a great

many other people? A. Two or three.

Q Are you sure about that? A. Yes, sir.

Q Were there not ten more people in the yard? A. No, sir, four or five more people.

Q You are sure of that? A. Yes, sir.

Q Do you know who those people were? A. Yes.

Q All relations of Mr. Rivirit? A. Not all.

Q Most of them were friends of the deceased, the man that was killed? A. Yes, sir.

Q Were they very near the prisoner here? A. Well, this other man was here and his brother-in-law was here and he said, all good friends look out.

Q Were they fighting at the time? A. No, sir.

Q What were they doing? A. They were not doing anything - the dead man went on the closet and took a pea, and this man run after him.

Q How far did he run after him? A. The dead man went to take a pea and this man went after him.

Q He walked after him? A. Yes.

Q How far did he go - how many feet is that? A. About ten or fifteen feet.

Q Was this man shot in the water closet? A. No, sir, he was in a little house like that where they pea.

Q And while the dead man was doing this, making water, was he shot? A. As soon as the man got through and turned his face he shot him once and he pushed him by the cellar -

Q Was the dead man facing the prisoner? A. Yes.

Q He turned towards him? A. Yes.

Q He was shot in front? A. Yes.

Q Was not the first shot fired in the air, upwards? A. Yes.

Q It was fired in the air? A. Yes.

Q And nobody saw him fire the first shot? A. No, sir.

Q Didn't you see the prisoner point his pistol upwards in the air? A. I didn't see that, I was in the street.

Q The first of these three shots that you saw was not fired by this prisoner while he was holding the pistol upwards? A. Yes.

Q He was shooting in the air? A. Yes, sir.

Q He shot in the air? A. Yes.

Q And the second shot at the man? A. Yes.

Q You are sure of that? A. Yes.

Q No mistake about it? A. No, sir.

Q What did the dead man do after the first shot was fired in the air? A. He looked at him.

Q He didn't fall after the first? A. No, sir, he ran about 15 or 20 feet after this man, the dead man ran about 20 feet.

Q After he was hit? A. Yes, sir.

Q The dead man ran after him? A. Yes.

Q You didn't see him run after the prisoner before he was shot, did you? A. No, sir.

Q You are sure of that? A. Yes.

Q Did you see the dead man have any weapon in his hand? A. No, sir, he didn't have nothing at all.

Q Any knife or pistol? A. No, sir.

Q Anybody else have any weapon in their hands? A. No, sir.

Q Did you hear any loud noise or violent dispute? A. No, sir.

Q Were the other people not shouting and screaming there?

A. No, sir.

Q Everything was quiet? A. No, sir.

Q Nobody said a word? A. No, sir, when I went in I heard the

shot, and he said Oh, I am dying, and this man gave him a push and gave him another shot.

Q What was the first thing you heard after the first shot?

A. He said look out of the way I am going to shoot.

Q What did they do then? A. They got out of the way.

Q Before the dead man went to the closet to make water it was then this man said look out? A. No, sir, when he got through, he said, all good friends get out of the way.

Q When he got through making water he said look out good friends I am going to shoot? A. Yes, sir.

Q You went in the yard and before this man said anything the dead man went into the closet to make water? A. Yes, sir.

Q He came out? A. Yes, sir.

Q Then this man said, look out good friends I am going to shoot?

A. Yes, sir.

Q He then shot once in the air and once at the dead man?

A. Yes, sir.

Q There was quite a period of time from the time it took - it took a long time after you came in the yard before you saw this man shoot? A. It didn't take a long time - it didn't take long, - he shot up in the air and he then shot ----

Q The man had time to go to the closet and make water?

A. Yes, sir.

Q Before he said look out good friends I am going to shoot?

A. Yes, sir.

Q It was not done in a hurry? A. No, sir.

Q How long after you went into the yard was this man shot?

A. About five minutes.

Q You say some of the people that were there were relatives of the dead man? A. Yes.

Q What were they doing there? A. Talking with another man.

Q What other man? A. His brother-in-law and another man.

Q Do you know what they were saying? A. Talking about business.

Q So the other people were talking business with another man? A. Yes, sir.

Q You heard them talk business? A. Yes, sir.

Q Plenty of time after the first shot to hear them talk business and to see the dead man go into the closet and to hear this man say look out good friends I am going to shoot? A. Yes, sir.

Q And you heard the shots? A. Yes, sir.

Q All this took place? A. Yes, sir.

Q And you listened and understood what the other people said? A. I heard it when I went in they were hollering and talking about the business and Rivirit didn't know it was his brother-in-law that got shot, he didn't say nothing at all, he thought it was another man, he didn't say nothing at all, and another man said it is your brother-in-law and his brother-in-law ran after him.

BY THE CORONER:-

Q Do you recognize this pistol? A. Yes, sir.

Q Did you ever see that pistol before? A. Yes, sir.

Q Are you sure that is the pistol? A. Yes.

BY MR. FRANK:-

Q How do you know that is the pistol? A. Because I saw it on the night this man was going to shoot another man.

BY A JUROR:-

Q How do you know that is the pistol? A. Because I seen this

man pull out the gun to another man.

----------oOo----------

The same interpreter interprets the testimony of the following witness:

PASQUALE RIVIELO, duly sworn:-

BY THE CORONER:-

Q Where do you live? A. No. 47 Baxter Street.

Q What is your occupation? A. Laborer on the docks.

Q Did you see the shooting? A. Yes, sir.

Q On what day was this? A. Last Sunday.

Q What date - do you know what day of the month? A. I do not remember.

Q About what hour of the day? A. About six o'clock in the evening.

Q Where? A. At 47 Baxter Street.

Q By whom was the shooting done? A. The prisoner.

Q Stand up Lumbia. Is that the man? A. Yes, that is the man.

Q Who was shot? A. Vincenzo Rivirit.

Q State how it occurred? A. I was talking to a friend.

Q Who is this friend? A. I was talking to my friend Domenico Rivileti and while we were talking I heard the first shot near the water closet but I couldn't recognize either one that shot nor the one that was shot because it was dark in the night then, they grappled together and went near the cellar then he fired two more shots and run away, and while he run away I recognized who he was; then we went out in the street and the young man that was here on the stand before caught hold of him.

BY A JUROR:-

Q Did you hear these people quarrelling? A. I didn't hear

anything because I was talking with my friend - I didn't pay any attention.

BY MR. FRANK:-

Q You are related to the deceased? A. Yes, sir.

Q What relation? A. I married his sister.

Q How long have you known the deceased? A. We came from the same town.

Q You knew each other all your life? A. Yes, sir.

Q Live in the same house together? A. Yes, sir.

Q You saw him quite often and were very friendly with him? A. Yes, sir.

Q Do you understand English? A. No, sir.

Q Do you understand what this boy testified to that was on the stand last? A. I don't understand English; I heard him talking

Q You did not understand it? A. No, sir.

Q Did you see who fired the first shot? A. No, sir.

Q You were in the same yard at the time, were you not? A. Yes, sir.

Q What part of the yard were you in? A. I was under my stairway.

Q And where were the others in the yard at the time? A. They were near the water closet.

Q How many people were near the water closet? A. I don't know, I couln't tell.

Q Do you know whether it is five or ten or fifteen? A. I cannot tell whether there were one or more.

Q Can you swear there were not less than fifteen? A. Yes, sir.

Q There were more than fifteen? A. There were less than fifteen.

Q There were between ten and fifteen were there not? A. After I heard the first shot I got frightened and I was trembling all

over.

Q This was before the first shot? A. No, sir.

Q Before you heard the first shot did you hear any quarrelling or altercation? A. I didn't hear anything.

Q If there was any quarrelling where the deceased and the others were, could you have heard it? A. Yes, sir, I could have heard it.

Q And you heard no noise or quarrelling at all? A. I only heard noise after the first shot.

Q The only time you heard of any trouble was after the first shot? A. Yes.

Q What did you do after the first shot - after you heard the first shot? A. I was afraid, and I ran against the stairway.

Q You didn't move from where you were? A. Yes, sir, I went backwards.

Q You went away from the place of the first shot? A. Yes, sir, a short distance.

Q Could you see from where you were to where the quarrelling was going on? A. Yes, sir.

Q Was it light or dark? A. It was dark.

Q After you heard the first shot what did you see? A. I didn't see anything, I got frightened.

Q Didn't you testify a moment ago that after the first shot the two people grappled? A. Yes, sir.

Q Then you did see something? A. Yes, sir; then he shot twice and then he ran away.

Q Was the grappling before or after the shot? A. I seen them grapple together near the collar.

Q In this grappling who was the aggressor? A. I couldn't see it, I couldn't see anything.

Q Did you hear the prisoner say anything between the time of the first and second shot? A. I was frightened, I couldn't see much.

Q If the prisoner had said something could you have heard? A. Yes, sir.

Q Therefore you swear now between the first and second shot the prisoner said nothing whatever? A. Nothing, maybe he did talk, but I didn't hear.

Q Did you then see the deceased go into the closet before they ~~xxxxxxxxxxxxxxxxxx~~ grappled? A. No, sir.

Q He didn't go in, did he? A. I didn't see anything.

Q Then you didn't see the deceased shot by the prisoner? A. Yes, when he shot him near the cellar.

Q But the first shot you didn't see? A. No, sir.

Q You say you saw the third shot, didn't you? A. The last two shots I seen.

Q When did you get frightened and run away? After all the shots were fired? A. After the first shot.

Q You got frightened and run away? A. No, I backed against the stairway.

Q When did you run away? A. When I seen the prisoner run away.

BY THE CORONER:-

Q Did you see this pistol? A. No, sir.

Q Do you know anything about this jealously between the two men about this woman here? A. It is true they lived together.

Q The man who is now dead and this woman? A. yes, sir.

Q How long did they live together? A. I couldn't say because I was here a little while and went back to Italy.

Q Is it true that she had two children by him? A. I don't know.

Q Is she living with this man now, the accused, as man and wife?

A. They live together, I don't know how they live.

Q Do you know whether this pistol was handed to this man by this woman that night? A. I didn't see.

BY A JUROR:-

Q How long have you known this prisoner? A. We were born in the same town.

Q Do you know anything about his disposition - did he have a quarrelsome disposition or not? A. I didn't live long in my own town, I traveled all around, I couln't say.

Q Did the deceased live in the same house with the prisoner?

A. No, sir.

----------oOo----------

The same interpreter acts as interpreter for the following witness:

ROSA DADURNO, duly sworn:-

BY THE CORONER:-

Q Where do you live? A. No. 47 Baxter Street.

Q Are you married or single? A. I am married to the prisoner.

Q How long have you been living with the deceased, Vincenzo Rivirit? A. Four years.

Q As man and wife? A. Yes, sir; he always promised to marry me.

Q How long have you lived with this man as man and wife?

A. One year now, and about 7 or 8 months.

Q Have you incited the prisoner Larubio to shoot or to kill Vincenzo Rivirit?

Objected to by Mr. Frank on the ground that the witness should not be compelled to answer this question because she is in the jurisdiction of the Court and she may be apprehended and he does not wish her to answer that question.

THE CORONER: Of course, she can refuse to answer that question.

Objection is withdrawn.

THE CORONER: Tell her she may be careful how she answers any question, because any answer she may give may be used against her hereafter.

WITNESS: I will tell the truth.

Q Have you requested this man Lambio to kill or shoot Rivirit?

A. No, sir.

Q Did you hand this pistol to him or any other pistol with which to shoot the deceased? A. No, sir; never.

Q Do you recognise this pistol? A. Yes.

Q Whose pistol is it? A. The prisoners.

Q Did you see the shooting? A. Yes, I seen it.

Q On what day was it? A. Last Sunday.

Q Where was it? A. In the yard of 47 Baxter Street.

Q What time? A. Six o'clock.

Q What took place, what were the words and the circumstances attending the shooting? A. We were dancing in our own house when the deceased and a god-father of his came in; the prisoner was playing with an organ and when he seen him come in he stopped playing.

Q What kind of an organ was this? A. One of those accordions.

Q What were they dancing about - what was the festival?

A. It was a christening party. (19)

Q Whose child? A. The son of Antonio Rinaldi; I am sure of the last name.

Q This was at 47 Baxter Street? A. Yes, sir; we were invited there, my husband and myself.

Q By husband you understand Larubio? A. Yes, sir; when Larubio stopped playing the deceased said why don't you go ahead and play and Larubio answered I don't care to play anymore. Then we went out and Larubio he went right after him and the deceased following us; I asked Larubio the prisoner where he was going, he answered I am going to the water closet; Larubio went into the water closet and Rivirit followed Larubio and he pead against his back.

Q Who did, the deceased or the prisoner? A. He ~~xxxx~~ urinated against the prisoner's back.

Q Rivirit pissed against the prisoner's back? A. Yes, sir; the prisoner then said, why do you urinate against my back; the deceased said you stopped playing when I came in now I must urinate against your back.

BY A JUROR:-

Q How far were you from there when you heard this conversation?

A. As far as I am to Larubio now, the prisoner, about three or four feet distant; the deceased also said after he would hit him in the face and he did strike him in the face.

BY ANOTHER JUROR:-

Q Was there anybody else present and saw him strike him?

A. Yes, sir; there were other people.

Q Who were they? A. The deceased's god-father was also present who assisted the deceased in punching the prisoner.

BY MR. FRANK:-

Q Let her go ahead and tell her whole story? A. After the deceased struck the prisoner in the face the prisoner fell on the ground; then the prisoner got up and the deceased followed him to the other water closet, then the deceased and his god-father struck him again and knocked him down once more, then the prisoner took his pistol out of his pocket and fired one shot in the air saying look out; then they didn't let go of him and he fired again; when he fired the first shot, he said, look out, look out, he wanted them to get out of the way.

BY MR. FRANK:-

Q How big a man was this Bivirit? A. He was bigger than the prisoner.

Q Was he much stronger? A. Yes.

Q What was his disposition? Mild or violent in passion?

A. His father was killed and his uncle also.

Q What was his disposition? A. He was a bully, and wanted to - always to be above everybody.

Q Was he a quarrelsome and pugnacious disposition? A. Yes, sir; always quarrelsome, he always beat me too.

Q Was he free with his fists? A. Yes, sir; one day he gave me a slap in the face and he knocked me off my feet.

Q When did the prisoner tell the people to look out, after the first shot or the second shot? A. Before shooting the first shot.

Q Where was the first shot fired, in the air or at the deceased - the two first shots - the first two shots, where were they fired in the air or at the deceased? A. The first shot was fired up

in the air to frighten him, but the second shot was fired at the deceased.

BY A JUROR:-

Q I understood you to say when he fired the first shot those two men had hold of him? A. Yes, sir; they had him on the ground.

Q Then he fired when he was lying on the ground? A. Yes, sir.

BY ANOTHER JUROR:-

Q Did the deceased ask you to go back and live with him?

A. Yes, sir; he always asked me to go back.

Q And you complained of this to the prisoner? A. Yes, sir; I always told him.

Q What did the prisoner do and what did he say when you reported this to him? A. He didn't say anything, but he knew I was true to him.

----------oOo----------

JOSEPH SPERMAN, duly sworn:-

BY THE CORONER:-

Q To what precinct are you attached, officer? A. The 6th Precinct; I am a special officer there.

Q Do you recognize this pistol? A. Yes, sir.

Q How did you come in possession of it? A. It was brought in the station house by Officer Regan.

Q What do you know of this case? A. When they brought the prisoner into the station house and I took him right down to the man that got shot, and he fully identified him in my presence as being the man that shot him; I asked him if he recognized this man

the prisoner, he said he did. I asked him if he shot him, he said he did; I asked him what for; he said for nothing; I also asked him if he had any trouble with him, he said he had not, he said he's hot him for nothing.

BY MR. FRANK:-

Q Did he talk English or Italian? A. I talked English to him and he answered.

Q Were you acquainted with the deceased at all? A. No, sir; not to my knowledge.

Q Did he understand your questions? A. Yes.

Q He answered you in English? A. Yes, sir.

Q Did you see the prisoner after this? A. I took him to the station house; I had him handcuffed.

Q Did you see whether his eye was discolored or not?

A. It was about the same as it is now.

Q The same degree of blackness? A. I shoul judge it was.

Q Just as bad? A. Yes, sir.

----------ooo----------

The Coroner then charged the Jury.

VERDICT: We find that VINCENZO RIVIRIT came to his death at the Chambers Street Hospital, on Sunday, November 15th, 1891, from pistol shot wounds of the chest and abdomen inflicted with a pistol in the hands of Leonardo Larrubia, at No. ~~42~~ 47 Baxter Street, on November 15th, 1891, about six o'clock, P. M.

----------oOo----------

At a Court of Oyer and Terminer, held in and for the City and County of New York, at the County Court House in the City of New York, on the 14th day of December, in the year of our Lord one thousand eight hundred and ninety-three.

Presnt,

The Honorable George C Barrett Justice.

The People of the State of New York, Appellants, against Leonardo Larubia, Respondent.	Order on Remittitur.

WHEREAS, heretofore, to wit : at a term of this Court begun and holden in and for the City and County of New York, at the County Court House in said City, on the first Monday of May in the year of our Lord one thousand eight hundred and ninety-two to wit: on the 24th day of May the year aforesaid, the above named respondent was in due form of law convicted by the verdict of a jury of a felony, to wit: Murder in the second degree, whereupon, to wit: on the 2nd day of June the next ensuing, it was considered by the Court and ordered and adjudged, that the said respondent for the felony aforesaid whereof he was so convicted as aforesaid, be imprisoned in the State Prison at hard labor for the term of his natural life.

AND WHEREAS, the respondent aforesaid, thereafter

duly appealed from the said judgment to the Supreme Court of the State of New York.

AND WHEREAS, at a General Term of the Said Supreme Court, held in and for the First Judicial Department, to wit: at the County Court House in the City of New York, on the 26th day of May in the year of our Lord one thousand eight hundred and ninety-three the said judgment of this Court was by the judgment of the said Supreme Court reversed and a new trial granted the above named respondent.

AND WHEREAS, the appellants aforesaid thereafter duly appealed from the said judgment of the said Supreme Court, to the Court of Appeals of the State of New York.

AND WHEREAS, at a term of the said Court of Appeals, held at the Capitol in the City of Albany, on the 28th day of November in the year of our Lord one thousand eight hundred and ninety-three, the said judgment of the said Supreme Court was by the Judgment of the said Court of Appeals in all things affirmed, and the record herein, and the proceedings in the said last mentioned Court upon the said appeal, were by the said judgment remitted to this Court, there to be proceeded upon according to law, as by the remittitur of the said Court of Appeals now on file in this Court, more fully appears.

NOW, THEREFORE, on reading and filing the said remittitur, and on motion of Blake and Sullivan, Attorneys for the respondent herein, it is

ORDERED, that the said judgment of the said Court of Appeals be and the same is hereby made the judgment of this Court.

Peter Goldsmith J.

COURT OF OYER AND TERMINER,

City and County of New York.

----o----

THE PEOPLE,
Appellants,

vs.

LEONARDO LARUBIA,
Respondent.

----o----

ORDER ON REMITTITUR.

Blake & Sullivan,
Attorneys for Respndent,
61 Park Row,
New York City.

----o----

It is hereby consented that the within order be entered without notice of settlement

Dated N.Y. Dec 14, 1893

DeLancey Nicoll
District Atty

filed Dec 14, 1893

0843

TESTIMONY.

Wm A Conway M. D. being duly sworn, says: I have made a post mortem examination of the body of Vincenzo Rivarato now lying dead at 41 Bayle and from such an autopsy and history of the case, as per testimony, I am of opinion the cause of death is Pistol Shot Wound of the Abdomen & Chest

Wm A Conway
M. D.

An autopsy made on the body of Vincenzo Rivarato at 41 Bayle St on Nov 15 1891 showed the following results.
On Abdomen an incision about 6 inches long made during operation for laparotomy. Intestine perforated and sewed up. No evidence of peritonitis. On chest a bullet hole above 12 rib and in line with left nipple which on opening the chest was found to have been continued through the muscles, downwards & backwards and passing through as it did the bullet was found just under the skin. All other parts of body were normal. Brain normal.
To be Certified Death was Hemorrhage from Pistol Shot Wounds of the Abdomen & Chest

Wm A. Conway
M. D.

Sworn to before me,
this 15 day of Nov 1891
N J Messemer CORONER.

0844

MEMORANDA.

AGE			PLACE OF NATIVITY	WHERE FOUND	Date When Reported
Years	Months	Days			
28			Italy	Chambers St. Hosp.	Nov. 15/91

Married

Residence 41 Baxter St.

Shot twice by Leonardo Lombis at 47 Baxter St About 6 P.M. Sunday, Nov. 15/91

Died at 10.30 P.M. same night at the Chambers St. Hosp. just after laparotomy had been performed by Dr Chas. T. Parker and the incision had been closed

M. J. B. M.

No. .....

..... Quar. 188

AN INQUISITION

On the VIEW of the BODY of

Vincenzo Rivirit

whereby it is found that he came to his death by

Homicidal Pistol Shot Wounds of Thorax and Abdomen

Inquest taken on the 18th day of November 1891 before

M. J. B. MESSEMER, Coroner.

563

0845

Coroner's Office,

CITY AND COUNTY OF NEW YORK, } ss.

Leonardo Lombbis 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—Leonardo Lombbis

Question—How old are you?

Answer—26 years old

Question—Where were you born?

Answer—Italy

Question—Where do you live?

Answer—47 Baxter St

Question—What is your occupation?

Answer—Laborer

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

By advice of Counsel I have nothing to say except that I am not guilty

his
Leonardo X Lombbis
mark

Taken before me, this 18th day of November 1891

M J O'Meara

CORONER.

0846

Coroner's Office,

CITY AND COUNTY OF NEW YORK, } ss.

Leonardo Lombbro 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—Leonardo Lombrio

Question—How old are you?

Answer—26 years old

Question—Where were you born?

Answer—Italy

Question—Where do you live?

Answer—47 Baxter St

Question—What is your occupation?

Answer—Laborer

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

By advice of Counsel I have nothing to say except that I am not guilty

his
Leonardo X Lombbrio
mark

Taken before me, this 18th day of November 1891

M J O'Meresman

CORONER.

0847

MEMORANDA.

AGE	PLACE OF NATIVITY	WHERE FOUND	DATE When Reported
28 Years Months Days	Italy	Chambers St Hosp	Nov 15/9[illegible]

0848

79

4th 563 1891

HOMICIDE.

AN INQUISITION.

On the **VIEW** *of the* **BODY** *of*

Vincenzo Rivirit

whereby it is found that he came to his Death by the hands of

Leonardo Larrubia

Inquest taken on the 18 *day of* November 1891

before

M J Buessenier **Coroner.**

Committed

Bailed

Discharged

Date of death

0849

STATE OF NEW YORK,

CITY AND COUNTY OF NEW YORK, *ss.*

AN ANTE-MORTEM INQUISITION,

Taken at Chambers St. Hospital *No.* 160 Chambers *Street, in the* 3d *Ward of the City of New York, in the County of New York, this* 15th *day of* November *in the year of our Lord one thousand eight hundred and* ninety one *before* Michael J. B. Messemer Coroner, *of the City and County aforesaid, on view of the body of* Vicenzo Rivirit at Chambers St. Hosp. *Upon the Oaths and Affirmations of* six *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* Vicenzo Rivirit *was injured, do upon their Oaths and Affirmations, say: That the said* Vicenzo Rivirit came to his injuries consisting of two pistol shot wounds one in the chest and one in the abdomen from a pistol in the hands of Leonardo Lombio at 47 Baxter St. on Nov 15th 1891 about 6 P.M.

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

JURORS.

Joseph S. J. Manning.
C. T. Parker
Mortimer Jessurun
C. P. Bennett.
John Joyce
William J Stone

M. J. B. Messemer
CORONER, L. S.

0850

City and County of New York, ss.

Statement of Vincenzo Rivirit now lying dangerously wounded at Chambers St. Hosp. in the 5 Ward of said City and County, on the 15th day of November 1891

Question—What is your name?

Answer— Vincenzo Rivirit

Question—Where do you live?

Answer— 41 Baxter St

Question—Do you now believe that you are about to die?

Answer— Yes

Question—Have you any hope of recovery from the effects of the injury you have received?

Answer— No. I feel like as if I was about to die.

Question—Are you willing to make a true statement, how, and in what manner, you came by the injury from which you are now suffering?

Answer— I was shot for nothing at all by Leonardo Lorubio to night, Sunday, Nov. 15th 1891 at 47 Baxter St. I went into the yard of No 47 Baxter St. to the water closet. As I came out of the water closet Leonardo Lorubio shot me. I was born in the same city with Lorubio at Craco Italy. After he fired the first shot at me I yelled and he fired a second shot at me without cause or provocation. His motive is unknown to me. Leonardo Lorubio was arrested and brought by a policeman to my rooms at 47 Baxter St. where I identified him as the man who shot me. I was shot about six o'clock to night

his
Vincenzo X Rivirit
mark

0851

STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, ss.

AN INQUISITION,

Taken at the ~~house of~~ Coroners Office *No.* 124 Second Avenue ~~Street~~, *in the* 17th *Ward of the City of New York, in the County of New York, this* 18th *day of* November *in the year of our Lord one thousand eight hundred and* 91 *before* M. J. B. Messemer Coroner, *of the City and County aforesaid, on view of the Body of* Vincenzo Rivirit *lying dead at*

Upon the Oaths and Affirmations of Eleven *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* Vincenzo Rivirit *came to his death, do upon their Oaths and Affirmations, say: That the said* Vincenzo Rivirit *came to his death at* Chambers Street Hospital on Sunday November 15th 1891. from pistol shot wounds of the chest and abdomen inflicted with a pistol in the hands of Leonardo Larrubia at No 47 Baxter Street, on November 15th 1891, about six o'clock P.M.

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

JURORS.

John F Baker
J W Rylander
N. Abrams
John Bee 521 Hudson St
John K Beaue
John Meyer
Ernst Schmidt 726 Hudson St
Charles C Lemm 576 Hudson St
Chas. F. Degner 44 Carmine St

Theodore Fine
168 Williams St
[illegible] Hudson St
[illegible] Hudson
74 Carmine St
William Thurs 81 Carmine St
D. Meeks Coroner

M J B Messemer
CORONER, L. S.

0852

MEMORANDA.

AGE			PLACE OF NATIVITY	WHERE FOUND
28 Years	Months	Days	Italy	Chambers St. Hospital

Married – one child – a son 7 months old
Works in a print shop and paper stock factory

0853

No. 39 1891

AN ANTE-MORTEM INQUISITION

On the VIEW *of the* BODY *of*

Vincenzo Rizzi

whereby it is found that he was injured by

Leonardo Lorubio

Taken on the 15th *day of* Nov. 1891

before

M. J. B. Macdonald **Coroner.**

Committed

Bailed

Discharged

✓

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against
Leonardo Larrubia

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

Leonardo Larrubia

of the CRIME OF MURDER IN THE FIRST DEGREE, committed as follows:

The said Leonardo Larrubia

late of the City of New York, in County of New York aforesaid, on the fifteenth day of November, in the year of our Lord one thousand eight hundred and ninety-one, at the City and County aforesaid, with force and arms, in and upon one Vincenzo Rivirit, in the peace of the said People then and there being, wilfully, feloniously and of his malice aforethought did make an assault; and the said Leonardo Larrubia, a certain pistol then and there charged and loaded with gunpowder and one leaden bullet, which said pistol the said Leonardo Larrubia, in his right hand then and there had and held, to, at, against, and upon the said Vincenzo Rivirit, then and there feloniously, wilfully and of his malice aforethought, did shoot off and discharge, and the said Leonardo Larrubia, with the leaden bullet aforesaid, out of the pistol aforesaid, then and there by force of the gunpowder aforesaid, shot off, sent forth and discharged, as aforesaid, him, the said Vincenzo Rivirit in and upon the chest of him the said Vincenzo Rivirit, then and there feloniously, wilfully and of his malice aforethought, did strike, penetrate and wound, giving to him the said Vincenzo Rivirit, then and there, with the leaden bullet aforesaid, so as aforesaid discharged, sent forth and shot out of the pistol aforesaid, by the

said Leonardo Lamina, in and upon the chest of the said Vincenzo Rivirit one mortal wound of the breadth of one inch, and of the depth of six inches, of which said mortal wound he the said Vincenzo Rivirit, ~~at the City and County aforesaid, from the said day of in the year aforesaid, until the day of in the same year aforesaid did languish, and languishing did live, on which said day of in the year aforesaid, the said at the City and County aforesaid, of the said mortal wound did die.~~

then and there died.

AND SO THE GRAND JURY AFORESAID do say: That the said Leonardo Lamina, late, the said Vincenzo Rivirit, in the manner and form, and by the means aforesaid, wilfully, feloniously and of his malice aforethought, did kill and murder 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.*

0856

BOX:
468

FOLDER:
4295

DESCRIPTION:
Leslie, Fay

DATE:
02/24/92

4295

Witnesses:

Harry Lehmann

Offa Rooney

Recd 270 J. F. Allen

Counsel,

Filed 24 day of Feby 1892

Pleads, Not guilty 25

THE PEOPLE

vs.

35 Robert Rowan

Ray Leslie

H.P.

Grand Larceny, Second Degree.
[Sections 528, 530, Penal Code.]

Ran the Peacock

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Harry S. Merrill *Foreman.*

Part 3. March 8/92.
Tried & convicted
Petit larceny
with recom. to mercy.

Part III Mar 8th
Pen 3 Mos

1588

0858

Police Court 1 District. Affidavit—Larceny.

City and County of New York, } ss:

Henry Lehmann

of No. 384 Forsyth St Bowery Street, aged 36 years, occupation Peddler, being duly sworn, deposes and says, that on the 31st day of January 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 night time, the following property, viz:

Good and lawful money of the United States consisting of Bank notes and bills of the denomination of

Fourteen 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 Thos Leslie (now here) for the reasons following, to wit, That accused is night-paid defendant went with deponent to a house of prostitution in Elizabeth St for the purpose of prostitution and said defendant threatened and took the aforesaid money in a packet book which he placed in his left hand pants pocket of the pants he had on, and refused when he arose he found said money taken out of said pocket book and charged said defendant to be arrested and charged for with the larceny of said

Henry Lehmann.

Sworn to before me, this 1st day of Feb 1892

Police Justice.

4759

Sec. 198—200.

1 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Jay Leslie

Question. How old are you?

Answer. 28 years

Question. Where were you born?

Answer. England

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

Answer. 108 Bowery 2 years

Question. What is your business or profession?

Answer. Bookkeeper

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

Jay Leslie

Taken before me this 22 *day of* February 1899

Police Justice.

0860

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 February 18 [illegible] *Police Justice.*

I have admitted the above-named

to bail to answer by the undertaking hereto annexed.

Dated 18 *Police Justice.*

There being no sufficient cause to believe the within named

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

Dated 18 *Police Justice.*

0861

211

Police Court--- 1 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Henry Schwarz

NAME OF DETENTION CASE.

1. Jay Lessler
2.
3.
4.

Offense Assault & Battery

Dated February 27 1889

Leffey Magistrate.

Rooney Officer.

10 Precinct.

Witnesses Complainant in House of detention and defendant in Jail

No. Mathew Street.

No. Street.

$ 1000 to answer.

BAILED.

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street

RECEIVED FEB 28 18 DISTRICT ATTORNEY'S OFFICE

0862

CITY AND COUNTY OF NEW YORK, } ss.

POLICE COURT, 1 DISTRICT.

Michael J Rooney

of No. 6th Precinct Street, aged 27 years,

occupation Police officer being duly sworn deposes and says,

that on the 21st day of February 1892

at the City of New York, in the County of New York, he arrested

Gay Leslie (colored here) on the complaint of Ashley Johnson charging her with larceny from the person and deponent has good and sufficient reason to believe said complainant will not appear at the Court of General Sessions to prosecute said Leslie wherefore deponent asks that she be committed to the House of Detention in default of bail

Michael J. Rooney

Sworn to before me, this 23 day of February 1892

Police Justice.

COURT OF GENERAL SESSIONS OF THE PEACE OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Fay Leslie

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this indictment, accuse Fay Leslie

of the CRIME OF GRAND LARCENY IN THE first DEGREE, committed as follows:

The said Fay Leslie

late of the City of New York in the County of New York aforesaid, on the 21st day of February in the year of our Lord one thousand eight hundred and ninety-two at the City and County aforesaid, with force and arms, in the night time of said day, divers promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the payment of and of the value of fourteen dollars; divers other promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as Bank Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the payment of and of the value of fourteen dollars; divers United States Silver Certificates, of a number and denomination to the Grand Jury aforesaid unknown, of the value of fourteen dollars; divers United States Gold Certificates, of a number and denomination to the Grand Jury aforesaid unknown, of the value of fourteen dollars; ~~divers coins of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of~~

$14.00

of the goods, chattels and personal property of one Henry Lehmann, on the person of the said Henry Lehmann, then and there being found, from the person of the said Henry Lehmann 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 NICOLL,
District Attorney.

0864

BOX:
468
FOLDER:
4295
DESCRIPTION:
Lewis, William
DATE:
02/17/92

4295

0865

BOX:
468

FOLDER:
4295

DESCRIPTION:
Russell, Mary

DATE:
02/17/92

4295

Witnesses:

John English

Officer Hamilton

Counsel,

Filed 17 day of July 189[illegible]

Pleads, Not guilty

22 Calendar 156 & 98 d

THE PEOPLE

vs.

I

William Lewis

22 206 & 98 d

I

Mary Russell

Robbery, (Sections 224 and 228, Penal Code.) Degree. Grand L

DE LANCEY NICOLL,

District Attorney.

2. Part 2 – Feb. 29. 1892

Pleads Petit Larceny – Pen 6 mos.

A TRUE BILL.

Henry S. Harrison

Foreman.

Part 2 – Feb. 25, 1892.

No. 1 Tried and convicted of Petit Larceny

No 1 Pen 6 mos B.

No 2 Pen 6 mos B. – Feb. 29

Feb 29/92

0855

0867

Police Court— 5th 11 District.

CITY AND COUNTY OF NEW YORK, } ss

John English

of No. 73 West 9th Street, Aged 35 Years

Occupation Watchman being duly sworn, deposes and says, that on the 12th day of February 1892, at the 12th Ward of the City of New York, in the County of New York, was feloniously taken, stolen, and carried away, from the person of deponent by force and violence, without his consent and against his will, the following property, viz:

Good and lawful moneys to the amount and of the value of about Twelve Dollars consisting of National Bank Notes of the denomination of one Five, Two Two's, Two One's and the balance in Silver Coins altogether being of about the

of the value of Twelve 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 force and violence as aforesaid by William Lewis and Mary Russell, nowhere and three other persons unknown, and not arrested, from the following facts to wit, that between the hours of 8 and 9 o'clock P.M. on the night of said day deponent met one of said unknown persons who took him to premises number 206 East 98th Street, while there he met said Mary Russell and said William Lewis, that he made an agreement to have carnal connection with said Mary Russell for the sum of one Dollar, that deponent paid said Mary Russell said sum of money and then went to Bed with her, just about the time he was through all of said defendants rushed upon him and by force and violence and against the

Sworn to before me this 12th day of February 1892

Police Justice.

0868

consent and with of deponent feloniously take, steal and carry away from his person the above described moneys. Deponent therefore asks that said Defendants be held to answer and dealt with according to law.

John English

Sworn to before me this
14th day of February 1892

W. M. Welde
Police Justice.

Police Court, ... District.

THE PEOPLE, &c.,
on the complaint of

vs.

1 .....
2 .....
3 .....
4 .....

Offence—ROBBERY.

Dated 18S

..... Magistrate.
..... Officer.
..... Clerk.

Witnesses,
No. ..... Street,
No. ..... Street,
No. ..... Street,

$ ..... to answer General Sessions.

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 .....

guilty thereof, I order that he be held to answer the same and he be committed 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 gives such bail.*

Dated ..... 18S ..... *Police Justice.*

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

Dated ..... 18S ..... *Police Justice.*

There being no sufficient cause to believe the within named .....
..... *guilty of the offence within mentioned, I order it to be discharged.*

Dated ..... 18S ..... *Police Justice.*

0869

Sec. 198—200.

5th District Police Court.

CITY AND COUNTY OF NEW YORK, } ss:

William Lewis 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. William Lewis

Question. How old are you?

Answer. 22 years

Question. Where were you born?

Answer. New York

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

Answer. 156 East 98th Street, about one year

Question. What is your business or profession?

Answer. Waiter

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

William H. Lewis

Taken before me this 14th *day of* February *189*2

[illegible] *Police Justice.*

0870

Sec. 198—200.

5 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss:

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

Question. What is your name?

Answer. Mary Russell

Question. How old are you?

Answer. 22 years

Question. Where were you born?

Answer. Ireland

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

Answer. 206 East 98th Street, since March last

Question. What is your business or profession?

Answer. General House Worker

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,

Mary Russell

Taken before me this 14 *day of* February 189 9

McMahon *Police Justice.*

0871

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 William Lewis and Mary Russell guilty thereof, I order that they be held to answer the same and they be admitted to bail in the sum of Two Hundred Dollars, Each and be committed to the Warden and Keeper of the City Prison, of the City of New York, until they give such bail.

Dated February 14 1892 Wm. Fields Police Justice.

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

Dated 18 Police Justice.

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

Dated 18 Police Justice.

181

Police Court--- 5th District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

John English
73 W 96th St
William Lewis
Mary Russell
4

Offence Robbery

BAILED.

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Dated February 14 1892

Chas Mede Magistrate.

Hamilton Perrell Officer.

27th Precinct.

Witnesses Officers Hamilton & Perrell

No. 27th Precinct Street.

No. ..... Street.

No. ..... Street.

$ 2000 Each to answer GS.

Case

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

William Lewis and
Mary Russell

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

William Lewis and Mary Russell

of the CRIME OF ROBBERY in the first degree, committed as follows:

The said William Lewis and Mary Russell, both —

late of the City of New York, in the County of New York aforesaid, on the twelfth day of February, in the year of our Lord one thousand eight hundred and ninety-two, in the night time of the said day, at the City and County aforesaid, with force and arms, in and upon one John English, — in the peace of the said People then and there being, feloniously did make an assault; and

one promissory note for the payment of money, of the kind commonly called United States Treasury Notes, of the denomination and value of five dollars —; one promissory note for the payment of money of the kind commonly called Bank Notes, of the denomination and value of five dollars —; one United States Gold Certificate, of the denomination and value of five dollars —; one United States Silver Certificate, of the denomination and value of five dollars —;

two promissory notes for the payment of money, of the kind commonly called United States Treasury Notes, of the denomination and value of two dollars each; two promissory notes for the payment of money of the kind commonly called Bank Notes, of the denomination and value of two dollars each; two United States Gold Certificates, of the denomination and value of two dollars each; two United States Silver Certificates, of the denomination and value of two dollars each;

two promissory notes for the payment of money, of the kind commonly called United States Treasury Notes, of the denomination and value of one dollar each; two promissory notes for the payment of money of the kind commonly called Bank Notes, of the denomination and value of one dollar each; two United States Gold Certificates, of the denomination and value of one dollar each; two United States Silver Certificates, of the denomination and value of one dollar each —;

and divers coins of the United States of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of one dollar, — of the goods, chattels and personal property of the said John English, — from the person of the said John English, — against the will and by violence to the person of the said John English, — then and there violently and feloniously did rob, steal, take and carry away, the said William Lewis and Mary Russell, and each of them, being then and there aided by an accomplice actually present, to wit: each by the other, and also by divers other persons to the Grand Jury aforesaid unknown. —

against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

De Witt Clinton,
District Attorney.

0874

BOX:
468
FOLDER:
4295
DESCRIPTION:
Lorentz, Leonard
DATE:
02/26/92

4295

292

Witnesses:

Denton H Hopkins

Counsel,

Filed 26 day of Feby 1892

Pleads,

THE PEOPLE

vs.

Leonard Lorentz

Grand Larceny, Second Degree.
[Sections 528, 531, Penal Code.]

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

Foreman.

Feby 26 1892

J. Cendz J.

Cath. Proter,

B.M.

Court of Gen'l Sessions
[illegible]

REPORT OF THE NEW YORK SOCIETY FOR
THE PREVENTION OF CRUELTY
TO CHILDREN.
100 EAST 23D STREET,

New York, Feby. 22 1892

CASE NO. 62770 OFFICER [illegible]
DATE OF ARREST Feby 21
CHARGE Burglary
AGE OF CHILD [illegible]
RELIGION [illegible]
FATHER [illegible]
MOTHER [illegible]
RESIDENCE [illegible]

AN INVESTIGATION BY THE SOCIETY SHOWS THAT [illegible]

All which is respectfully submitted,
F. Allows Lathrop
Supt.

To Dist. Atty.

PENAL CODE.

Report of the New York Society for the Prevention of Cruelty to Children.

ELBRIDGE T. GERRY,

President, &c.,

100 East 23d Street,

New York City.

0878

Police Court— 1st District.

City and County of New York, } ss.:

Denton H. Hopkins

of No. 169 William Street, aged 40 years, occupation Manufacturer being duly sworn deposes and says, that the premises No 169 William Street, in the City and County aforesaid, the said being a Show Case in front of said premises

and which was occupied by deponent as a Show case for Exhibiting goods ~~and in which there was at the time a human being, by name~~

were BURGLARIOUSLY entered by means of forcibly breaking open the door of the show case in front of said premises with some sharp instrument

on the 20 day of February 1892 in the day time, and the following property feloniously taken, stolen, and ~~carried~~ away, viz:

One set of steel letters and one numbering machine of the value of Forty nine dollars

the property of Deponent

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid BURGLARY was committed and the aforesaid property taken, stolen, and carried away by Leonard Lawrence (complainant) an and unknown person who escaped

for the reasons following, to wit: That deponent is informed by George A Doran that he saw said defendants standing in front of the aforesaid Show case and at said Doran's approach said defendants ran away, he said Doran pursued them and caught said Lawrence with said steel letters in his possession and said unknown person escaped

Denton H. Hopkins

Sworn to before me this 21 day of February 1892 Frank Wilson Police Justice

0879

1877

CITY AND COUNTY OF NEW YORK, } ss.

George A. Doran

aged 28 years, occupation Officer of ~~No.~~ 4th Precinct Police ~~Street~~, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Denton H. Hopkins 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* Feby 1892 } George A. Doran

P. A. Duffy

Police Justice.

0880

Sec. 198—200.

1 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Leonard Lawrence

Question. How old are you?

Answer. 15 years

Question. Where were you born?

Answer. Germany

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

Answer. 172 Essex St three years

Question. What is your business or profession?

Answer. Laborer

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 of this charge

Leonard Lowentz

Taken before me this 24 *day of* [illegible]

[illegible]

Police Justice.

0881

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 21 — 18 Police Justice.

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

Dated 18 Police Justice.

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

Dated 18 Police Justice.

0882

207

Police Court--- 1 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Denton H. Hopkins
vs. William
Leonard Lawrence
2
3
4

Offence Grand Larceny

Dated 24 1892

Duffy Magistrate.

Doran Officer.

4 Precinct.

Witnesses George A. Doran
4th Precinct Street.
Frank G Bartley
No. 100 E 23 Street.

No. Street.

$ 1000 to answer

RECEIVED FEB 23 1892 DISTRICT ATTORNEY

Committed

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Leonard Lorentz

The Grand Jury of the City and County of New York, by this indictment, accuse Leonard Lorentz of the CRIME OF GRAND LARCENY IN THE Second DEGREE, committed as follows:

The said Leonard Lorentz

late of the City of New York, in the County of New York aforesaid, on the 20th day of February in the year of our Lord one thousand eight hundred and ninety-two at the City and County aforesaid, with force and arms,

one numbering machine of the value of thirty-five dollars, and twenty-six steel letters of the value of fifty cents each

of the goods, chattels and personal property of one Denton N. Hopkins

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 Nicoll
District Attorney

0884

BOX:
468

FOLDER:
4295

DESCRIPTION:
Lustgorten, Charles

DATE:
02/24/92

4295

278

Witnesses:

Ted Motto

Effie Leonard

Sam Hatzheimer

Counsel, A. J. Kerwin 163 Broadway

Filed 14 day of Feby 1892

Pleads, Not guilty 25

THE PEOPLE

vs.

Charles Lustgarten

Grand Larceny, Second Degree
[Sections 528, 531, Penal Code.]

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

Henry S. Harrison
Foreman.

Part 2 – March 11, 1892.
Tried and Acquitted

0886

Police Court First District. Affidavit—Larceny.

City and County of New York, } ss:

Charles Hartfrem

of No. 53 Crosby Street, aged 52 years, occupation Merchant being duly sworn, deposes and says, that on the 15 day of February 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:

One wooden Case, containing cloth of the value of Two hundred and Sixty six dollars

the property of Deponent ~~Wife~~ Copartner

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 Charles Lustgarden (complainant) and two other persons whose names are unknown, from the fact that deponent, ~~one~~ ~~said~~ ~~defendant~~ is informed by Fred Motto that the said defendant and helps each other ~~and~~ said unknown persons assist, ~~and~~ place the above described property on a wagon that was in front of 59

Sworn to before me, this day of 1892

Police Justice.

4759

0887

53 Crooby Street in said City
thereafter the said Lustgarden
got in said wagon in company
with said unknown man and
the said Lustgarden drove the
horse attached to said wagon
containing said property away

Charles Hartzheim

Sworn to before me
this 17 day of Febry 1892
D Morrison
Police Justice

0888

1377

CITY AND COUNTY OF NEW YORK, } ss.

Fred Motto

aged 16. years, occupation Laborer of No. 51 Crosby Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Charles Hartheim 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* Feby 189 2 } Fred Motto

[illegible]

Police Justice.

0889

Sec. 198—200.

First District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Charles Lustgarden

Question. How old are you?

Answer. 23 years

Question. Where were you born?

Answer. Germany

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

Answer. 97 Hester St - 3 years

Question. What is your business or profession?

Answer. I drive an Express wagon

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 innocent charge

Charles Lustgarten

Taken before me this 17th day of October, 1897

[illegible]

Police Justice.

0890

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 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 16-17 18 92 D. Mulhadon Police Justice.

I have admitted the above-named

to bail to answer by the undertaking hereto annexed.

Dated 18 Police Justice.

There being no sufficient cause to believe the within named

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

Dated 18 Police Justice.

0891

202

Police Court--First District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Charles Hartfreson
53 Crosby
Charles Lustgarden
2
3
4

Offence Larceny

BAILED,

No. 1, *by*
Residence *Street.*

No. 2, *by*
Residence *Street.*

No. 3, *by*
Residence *Street.*

No. 4, *by*
Residence *Street*

Dated 1 Feb. 1892

McMahon Magistrate.

Hogan & Leonard Officer.

10 Precinct.

Witnesses Fred Mills

No. 51 Crosby Street.

The [illegible]

No. Street.

Chas. F. Brennan

No. 104 North Elliott Place Street.

Brooklyn

$2500 to answer

Committed

RECEIVED. 3rd DISTRICT 18 FEB 1892

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Charles Lustgarten

The Grand Jury of the City and County of New York, by this indictment, accuse Charles Lustgarten of the CRIME OF GRAND LARCENY IN THE Second DEGREE, committed as follows:

The said Charles Lustgarten, late of the City of New York, in the County of New York aforesaid, on the 15th day of February in the year of our Lord one thousand eight hundred and ninety-two, at the City and County aforesaid, with force and arms, twelve pieces of cloth of the value of twenty-two dollars each piece, and one case of the value of two dollars

of the goods, chattels and personal property of one Charles Hartzheim

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.

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said

Charles Lustgarten

of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said Charles Lustgarten

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,

twelve pieces of cloth, of the value of twenty two dollars each piece, and one case of the value of two dollars

of the goods, chattels and personal property of one Charles Hartzheim,

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, taken and carried away from the said Charles Hartzheim

unlawfully and unjustly did feloniously receive and have; the said

Charles Lustgarten

then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, taken and carried 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 NICOLL,
District Attorney.

0894

BOX:
468

FOLDER:
4295

DESCRIPTION:
Luvire, Carmela

DATE:
02/02/92

4295

Witnesses:

Lucilla Carrera

31 Atlanta

Counsel,

Filed day of 189

Pleads,

THE PEOPLE

21
402 21

vs.

Carmela Lunire

Assault in the First Degree, Etc,
(Sections 217 and 218, Penal Code.)
and Maiming (Section 206, ibid).

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Foreman.

Pa 3. February 15
Tried and convicted March 3d

Pen 6 mo. 19

Police Court 4th **District.**

City and County of New York. } ss.

of No. 402 East 21st Street, aged 47 years, occupation Married being duly sworn, deposes and says, that on the 9th day of January 1892 at the City of New York, in the County of New York, Carmela Lurire (now here) did wilfully, with intent to injure and disfigure, inflict upon the person of deponent an injury which seriously disfigures deponents person by mutilation which may tend to destroy or disable a member or organ of deponents body, to wit: deponents nose in violation of Section 206 of the Penal Code of the State of New York.

Deponent further says that at about the hour of 11 A.M. on the aforesaid day and in premises No 402 East 21st Street said defendant without provocation did seize hold of deponents hair, and struck deponent several violent blows on the left arm with a hammer then and there held in her defendants hands and did then seize hold of deponents head and did then present deponents nose between her defendants teeth and did bite and mutilate deponents nose seriously disfiguring the same.

Deponent therefore charges said Carmela Lurire with violation of Section 206 of the Penal Code of the State of New York and asks that she may be dealt with as the law may direct.

Sworn to before me this 10th day of January 1892

Carmela Lurire her X mark

[illegible] Police Justice

Sec. 198—200. 4 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Carmela Luvire

Question. How old are you?

Answer. 21 years

Question. Where were you born?

Answer. Italy

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

Answer. No. 402 East 21 Street about 4 months

Question. What is your business or profession?

Answer. No occupation

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. The complainant assaulted me first.

Carmela her X mark Luvire

Taken before me this 10 *day of* May 1899

Police Justice.

0898

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 January 19 1892 Police Justice.

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

Dated 18 Police Justice.

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

Dated 18 Police Justice.

0899

75

Police Court--- 4 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Lakella Carmosa, 402 E. 81st
Carmela Lurire

2
3
4

Offence: Manslaughter

Dated Jan 19 1892

Hezzah Johnstone Magistrate.
Officer.
18 Precinct.

Witnesses
No. Street.
No. Street.
No. Street.

RECEIVED, JAN 21 1892, DISTRICT ATTORNEY'S OFFICE

$ 1000 to answer G. S.
Cam

BAILED,

No. 1, *by*
Residence *Street.*

No. 2, *by*
Residence *Street.*

No. 3, *by*
Residence *Street.*

No. 4, *by*
Residence *Street.*

0900

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Ramedo Suvine

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

Ramedo Suvine

of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said Ramedo Suvine,

late of the City of New York, in the County of New York aforesaid, on the nineteenth day of January, in the year of our Lord one thousand eight hundred and ninety- two, with force and arms, at the City and County aforesaid, in and upon the body of one Isabella Ramosa, in the peace of the said People then and there being, feloniously did make an assault and her the said Isabella Ramosa, with a certain hammer,

which the said Ramedo Suvine in his right hand then and there had and held, the same being a deadly and dangerous weapon, then and there wilfully and feloniously did strike, beat, ~~cut~~ ~~stab~~ and wound,

with intent her the said Isabella Ramosa, thereby then and there feloniously and wilfully to kill, 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 Ramedo Suvine

of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said Ramedo Suvine,

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said Isabella Ramosa, in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and her the said Isabella Ramosa,

with a certain hammer

which the said Ramedo Suvine in her right hand then and there had and held, the same being a weapon and an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully strike, beat, ~~cut, stab~~ and wound, 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.

THIRD COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said

— Pamela Irwine —

of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said Pamela Irwine,

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the said Isabella Ramosa in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault and her, the said Isabella Ramosa, in and upon the nose of her the said Isabella Ramosa then and there feloniously did wilfully and wrongfully strike, scratch and wound, — and the said Pamela Irwine, with a certain hammer — ~~with a certain~~

which she the said Pamela Irwine —

in her right hand then and there had and held, in and upon the left arm — of her the said Isabella Ramosa, — —

then and there feloniously did wilfully and wrongfully strike, beat, stab, cut bruise and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said Isabella Ramosa, —

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.*~~

Fourth COUNT.

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

— Pamela Swire —

of the CRIME OF Maiming.

committed as follows:

The said Pamela Swire,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, in ~~and~~ upon the said Isabella Ramosa, then and there being, willfully and feloniously did make another assault, and with intent to maim and disfigure the said Isabella Ramosa did then and there willfully and feloniously bite, lacerate, mutilate and wound the nose of the said Isabella Ramosa, thereby and by such mutilation seriously disfiguring the person of the said Isabella Ramosa, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

DeLancey Nicoll,

District Attorney.

0903

BOX:
468

FOLDER:
4295

DESCRIPTION:
Lyons, James

DATE:
02/16/92

4295

165 B.

Foster J.B.

(501)

Witnesses:

Counsel,

Filed 16 day of Feby 1892

Pleads, Formally

24 Blackmail
4 & 3 & 5 & 6 & 9

THE PEOPLE

vs.

James Lyons

(2 cases)

Burglary in the third degree (Second Offense) (Sec. 1148, 1184 Penal Code.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Foreman.

Part 2 — April 8, 1892

~~Tried and~~

Pleads Guilty Burglary 3rd Deg

4 yrs co Hero

FJ

0905

Police Court First District. Affidavit—Larceny.

City and County of New York, } ss:

Joseph Dunn

of No. 56 Spring Street, aged 37 years, occupation Baker being duly sworn, deposes and says, that on the 8 day of February 189 2 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 night time, the following property, viz:

Good and lawful money of the United States of the amount and value of Five dollars

$5—

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 James Lyons (complainant) from the fact that deponent is informed by William J. Ward that he saw said defendant take money from a drawer behind the counter in this Dr 56 Spring Street in said City and run away

Joseph Dunn

Sworn to before me, this 9 day of February 189 2

H. Brinkerhoff Police Justice.

4759

0906

1377

CITY AND COUNTY OF NEW YORK, } ss.

William J Ward

aged 49 years, occupation Baker of No. 56 Spring Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Joseph Dunn 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* Feby *1894* } Wm J Ward

W D Mitchelson
Police Justice.

0907

Sec. 198—300.

CITY AND COUNTY OF NEW YORK, } ss.

District Police Court.

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

Question. What is your name?

Answer. James Lyons

Question. How old are you?

Answer. 24 years

Question. Where were you born?

Answer. U. S

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

Answer. 13 Barry 7 mos

Question. What is your business or profession?

Answer. Frisco Painter

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

James Lyons

Taken before me this 9 day of [illegible] 1892

[illegible]

Police Justice.

0908

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

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

Dated 9 1892 D T Wheeler ~~Police~~ Justice.

I have admitted the above-named

to bail to answer by the undertaking hereto annexed.

Dated 18 Police Justice.

There being no sufficient cause to believe the within named

guilty of the offence within mentioned. I order he to be discharged.

Dated 18 Police Justice.

0909

115. 15 171

Police Court--- 1 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Joseph Dunn
56 Spring St.
James Lyons
2
3 B.O.
4

Offence Larceny

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street

Dated 9 1892

D F McM

Magistrate.

Gallagher

Officer.

10

Precinct.

Witnesses William J. Ward

No. 56 Spring Street.

No. Street.

No. Street.

$ 500 to answer

Committed

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 Lyons

The Grand Jury of the City and County of New York, by this indictment, accuse James Lyons of the CRIME OF PETIT LARCENY, committed as follows:

The said James Lyons,

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

the sum of five dollars in money, lawful money of the United States of America, and of the value of five dollars

of the goods, chattels and personal property of one Joseph Dunn

then and there being found, then and there unlawfully 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 Nicoll,
District Attorney.

Witnesses:

.....

.....

.....

.....

.....

Counsel,

Filed 16 day of Feb 1892

Pleads,

THE PEOPLE

vs.

James Lyons
(Scales)

PETIT LARCENY.
Sections 528, 532 ~~[illegible]~~ Penal Code.

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

Foreman.

District Attorney's Office,
City and County of New York.

City and County of New York, } ss.

Joseph Dunn of No. 56 Spring Street, aged 37 years, occupation Baker being duly sworn, deposes and says, that on the 8th day of February 1892, at the City of New York, in the County of New York, the premises No. 56 Spring ~~that~~ Street, part of which were occupied by deponent as a bake-shop were feloniously and burglariously broken into and entered at about the hour of eleven o'clock in the night time by one James Lyons, in the following manner to wit:

I have been informed by William J. Ward that on said date, he saw the said James Lyons kick the window sash out of the door in the ~~basement~~ cellar in said premises and then enter the said ~~basement~~ cellar, and after entering said James Lyons, as I have further been informed by said Ward, threatened to kill said Ward, if he interfered with him.

The said James Lyons, then went up into the store in said premises, in which there were moneys, goods, chattels and personal property of the value of at least six hundred dollars, where he was met by one William Gallagher and several others, as I am informed by said Ward, who thereupon ejected the said James Lyons from the said store.

That deponent charges that said James Lyons entered said store for the purpose of committing the crime of larceny, from the fact, that earlier in the evening of said day, he had stolen from the ~~store~~ cash drawer there the sum of five dollars in money, as I am informed by said Ward

Sworn to before me this 9th day of Feby, 1892

Jno W Lindsay
Court of Sessions
at large

Joseph Dunn

0913

District Attorney's Office.

City and County of New York.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Joseph Dunn
56 Spring St
James Lyons

Offence Burglary 1st Degree

Dated February 8th 1899

Witnesses, William J. Ward

No. 56 Spring Street,

Joseph Koenig

No. 56 Spring Street,

Wm. Gallagher

No. 56 Spring Street,

Jeff McCarty

21st Precct

Subpoena Mr. Jackson of Sing Sing to prove imprisonment of defendant on other Indictment - V.M.D.

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 Lyons

The Grand Jury of the City and County of New York, by this Indictment accuse James Lyons

of the crime of Burglary in the third degree

as a SECOND OFFENSE, committed as follows:

Heretofore, to wit: at a court of General Sessions of the Peace, holden in and for the City and County of New York, at the City Hall, in the said City of New York, on the thirteenth day of February, in the year of our Lord, one thousand eight hundred and ninety; before the Honorable Rufus B. Cowing, City Judge of the City of New York, and Justice of the said Court, the said James Lyons by the name and description of James Lyons was in due form of law convicted of a felony to wit: Receiving stolen goods, knowing the same to have been stolen, upon a certain indictment then and there in the said Court depending against him the said James Lyons by the name and description of James Lyons as aforesaid,

for that he

then late of the Eleventh Ward

of the City of New York, in the County of New York aforesaid, on the twenty first day of January in the year aforesaid, at the Ward City and County aforesaid, with force and arms, in the day time of the same day, the dwelling house of one Herman Buchler there situate, feloniously and burglariously did break into and enter, with intent to commit some crime therein, to wit: with intent the goods, chattels and personal property of the said Herman Buchler in the said dwelling house then and there being, then and there feloniously and burglariously to steal, take and carry away; and also for that he, then late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid at the Ward, City and County aforesaid with force and arms, in the day time of said day, one dress of the value of forty dollars, one skirt of the value of twenty dollars, three coats of the value of fifteen dollars each, three vests of the value of six dollars each, three pair of trousers of the value of nine dollars each pair, of the goods, chattels and personal property of one Herman Buchler, in the dwelling house of the said Herman Buchler there situate, then and there being found, from the dwelling house aforesaid, then and there feloniously did steal, take and carry away; and also for that

he, then late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, one dress of the value of forty dollars, one shirt of the value of twenty dollars, three coats of the value of fifteen dollars each, three vests of the value of six dollars each and three pair of trousers of the value of nine dollars each, pair of the goods, chattels and personal property of ~~one~~ Herman Buchler, by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen from the said Herman Buchler, unlawfully and unjustly did feloniously receive and have: (the said James Lyons then and there well knowing the said goods chattels and personal property to have been feloniously stolen)

And Thereupon, upon the conviction aforesaid, it was considered by the said Court of General Sessions of the Peace, and ordered and adjudged that the said James Lyons by the name and description of James Lyons as aforesaid, for the felony whereof he was so convicted as aforesaid, be imprisoned in the State Prison at hard labor for the term of two years

as by the record thereof doth more fully and at large appear.

And the said James Lyons late of the Fourteenth Ward, of the City of New York, in the County of New York aforesaid, having been so as aforesaid convicted of the said felony, in manner aforesaid, afterwards, to wit: on the eighth day of February in the year of our Lord one thousand eight hundred and ninety-two at the Ward City and County aforesaid, with force and arms, in the night-time of the same day, a certain building there situate, to wit: the building of one Joseph Dunn there situate, feloniously and burglariously did break into and enter, with intent to commit some crime therein, to wit: with intent the goods, chattels and personal property of the said Joseph Dunn in the said building then and there being, then and there feloniously and burglariously to steal, take and

0918

BOX:
468

FOLDER:
4295

DESCRIPTION:
Lyons, James

DATE:
02/18/92

4295

Witnesses:

Ben Safran

Offie Morris

238

Counsel,

Filed 17 day of Feb 189 2

Pleads, Not guilty

THE PEOPLE

vs.

James Lyons

Burglary in the Third Degree.
[Section 498, Penal Code.]

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

Foreman.

Part B. Mch 11/92

Pleads - Attempt Burg 3d Deg

Mon Part 10th Part III

S.P. 1 yr 10 mos

0920

Police Court— 5th District.

City and County of New York, } ss.:

Benjamin Lapan

of No. 269 East Houston Street, aged 21 years, occupation Liquor Dealer being duly sworn deposes and says, that the premises No 269 East Houston Street, 1st Ward in the City and County aforesaid the said being a four story brick building in part and which was occupied by deponent as a Liquor Store ~~and in which there was at the time a human being, by name~~ were BURGLARIOUSLY entered by means of forcibly breaking a pane of glass in a side window and pushing the latch on said window aside raising the window and entering therein with intent to commit a crime therein on the 2 day of February 188 in the time, and the following property feloniously taken, stolen, and carried away, viz:

Four bottles of wine and one box of cigars together of the value of about Five Dollars

the property of Max Schwartz and deponent

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid BURGLARY was committed and the aforesaid property taken, stolen and carried away by James Lynch Woodhead and Martin Man not in the presence

for the reasons following, to wit: deponent securely locked and fastened the doors and windows in said premises at about the hour of one o'clock A M on said date and deponent is informed by Officer Thomas J Morris of the 11th Precinct Police that at about the hour of one o'clock and thirty minutes A M on said date that he said Officer discovered said premises had been burglarized and said defendants

0921

Lyons was in the act of coming from behind the bar in said stand with the aforesaid property in his possession

Sworn to before me
this 12th day of Feb 1892

Benjamin Safran

Thos. Ryan
Police Justice

Police Court, _____ District,

THE PEOPLE, &c.,
on the complaint of

vs.

1 _____
2 _____
3 _____
4 _____

Offence—BURGLARY.

Dated _____ 189

_____ *Magistrate.*
_____ *Officer.*
_____ *Clerk.*

Witnesses,
No. _____ *Street,*
No. _____ *Street,*
No. _____ *Street,*

$ _____ *to answer General Sessions.*

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 _____

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 _____ 189 _____ *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 offence within mentioned, I order he to be discharged.

Dated _____ 189 _____ *Police Justice.*

0922

CITY AND COUNTY OF NEW YORK, } ss.

Isaac Morris

aged 35 years, occupation Police Officer of No. 11th Precinct Police ~~Street~~, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Lindsay Chapman and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 12

day of Nov 1896,

Isaac Morris

W. H. Brady

Police Justice.

(3692)

0923

Sec. 198—200.

8 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

James Lyons 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 Lyons

Question. How old are you?

Answer. 20 years

Question. Where were you born?

Answer. New York City

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

Answer. 41 Livingston St 2 years

Question. What is your business or profession?

Answer. Smith

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

James Lyons

Taken before me this 1 day of 188

Police Justice.

0924

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 [illegible]

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of Fifteen 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, ... 189 ..... Police Justice.

I have 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.

0925

3 24 185

Police Court, ... District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Benjamin Katzman
269 East Houston St

vs.

1 James Ryan

2

3

4

Offense, Assault

BAILED,

No. 1, *by* .....

Residence ..... *Street.*

No. 2, *by* .....

Residence ..... *Street.*

No. 3, *by* .....

Residence ..... *Street.*

No. 4, *by* .....

Residence ..... *Street.*

Dated, ... 189

..... Magistrate.

..... Officer.

..... Precinct.

Witnesses .....

No. ..... Street.

No. ..... Street.

No. ..... Street.

$ 1500 to answer .....

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 Lyons

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

James Lyons

of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said James Lyons

late of the 11th Ward of the City of New York, in the County of New York aforesaid, on the twelfth day of February in the year of our Lord one thousand eight hundred and ninety-two in the night time of the same day, at the Ward, City and County aforesaid, a certain building there situate, to wit, the Store of one Benjamin Safran

there situate, feloniously and burglariously did break into and enter, with intent to commit some crime therein, to wit: with intent the goods, chattels and personal property of the said Benjamin Safran in the said Store then and there being, then and there feloniously and burglariously to 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.

SECOND COUNT—

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

of the CRIME OF Petit LARCENY committed as follows:

The said James Lyons

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, in the night-time of said day, with force and arms, four bottles of wine of the value of seventy-five cents each bottle, and fifty cigars of the value of five cents each

of the goods, chattels and personal property of one Benjamin Safran

in the store of the said Benjamin Safran

there situate, then and there being found, in the store aforesaid, 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 Nicoll,
District Attorney