

0097

**BOX:**

307

**FOLDER:**

2924

**DESCRIPTION:**

LaDue, Martha

**DATE:**

05/16/88



2924

Witnesses;

Peter Blum

Off John Skarold

9th Precinct

Complainant  
cannot be found  
and Jack Noel  
Defendant be  
discharged on his  
own recognizance

June 6th G.P.H.  
1888 a.d.a.

Counsel,

Filed 16 day of May 1888

Pleas, Not guilty (17)

THE PEOPLE

vs.

P

Martha La Due

Grand Larceny, 3rd Degree.  
(From the Person.)  
[Sections 528, 530 — Penal Code].

JOHN R. FELLOWS,

District Attorney.

True

A TRUE BILL.

J. M. Grease  
Foreman.  
On account of Dist. Atty.  
indict this, P.B.M.

0090

0899

Police Court—2 District.

Affidavit—Larceny.

City and County } ss.:  
of New York, }

Peter Blum  
 of No. 41 Montgomery St. New York 33 years,  
 occupation Laborer being duly sworn

deposes and says, that on the 10<sup>th</sup> day of May 1888 at the City of New

York, in the County of New York, was feloniously taken, stolen and carried away from the possession and

person of deponent, in the night time, the following property viz:

a steel tobacco box containing United States silver coins to the amount and value of five 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 Martha La Rue, now

here, from the fact that deponent went with her to a bed-room in No. 3 Sullivan Street, about the hour of midnight. That said box and money was then contained in the inside pocket of the coat then upon deponent's person. That deponent went to bed with all his clothes upon his person. That deponent fell asleep and woke up at 5 o'clock A.M. and then discovered that said property had been stolen from his person and possession. That said Martha was in the

Subscribed and sworn to before me this

May

1888

Police Justice

0900

Room when deponent awoke, and  
found deponent a ruler and  
match box which were in the  
same pocket of deponents vest  
in which said money was when  
deponent fell asleep.

Sworn & began me this (Peter & Blum  
10<sup>th</sup> day of May 1858 (Marr)

*JM Pittman*      *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

\_\_\_\_\_

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 mentioned, I order he to be discharged.

Dated \_\_\_\_\_ 188 \_\_\_\_\_

Police Justice.

Police Court, \_\_\_\_\_ District, \_\_\_\_\_

---

*THE PEOPLE, &c.,*  
*on the complaint of*

vs.

1 \_\_\_\_\_  
2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

---

*Offence—LARCENY*

---

Dated \_\_\_\_\_ 188 \_\_\_\_\_

Magistrate. \_\_\_\_\_

Officer. \_\_\_\_\_

Clerk. \_\_\_\_\_

Witnesses, \_\_\_\_\_

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

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

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

No. \_\_\_\_\_ to answer \_\_\_\_\_ Sessions. \_\_\_\_\_



0901

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Martha La Due* being duly examined before the under-  
signed 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. *Martha La Due*

Question. How old are you?

Answer. *26 years of age*

Question. Where were you born?

Answer. *New York*

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

Answer. *249 East 45th St. 3 months*

Question. What is your business or profession?

Answer. *Operator on sewing machines*Question. Give any explanation you may think proper of the circumstances appearing in the  
testimony against you, and state any facts which you may think will tend to your  
exculpation?Answer. *I am not guilty*  
*Martha La Due*

Taken before me this

10<sup>th</sup>

day of

May

188

*J. M. McQuinn*

Police Justice

2060

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.

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

Dated May 11 188 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 guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Three Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Police Court-- 2 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Peter Blum  
41 Montgomery St  
Potters New York  
Martha L. Dine

Offence  
2  
3  
4

Dated May 10 188

Magistrate.

Officer.

Precinct.

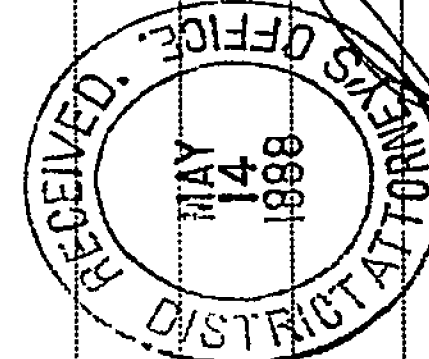
Witnesses

No. Street.

No. Street.

No. Street.

No. Street.



\$ 500. to answer

Conrad

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

*Martha La Due*

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

— *Martha La Due* —  
of the CRIME OF GRAND LARCENY in the *first* degree, committed as follows:

The said

*Martha La Due*

late of the City of New York, in the County of New York aforesaid, on the *tenth*  
day of *May* — in the year of our Lord one thousand eight hundred and  
eighty-*eight*, in the *ninth* time of the said day, at the City and County  
aforesaid, with force and arms,

*one tobacco box of the value of  
twenty-five cents, and  
divers coins of a number, kind  
and denomination to the Grand  
Jury aforesaid, unknown, of the  
value of five dollars*

of the goods, chattels and personal property of one

on the person of the said

then and there being found, from the person of the said

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.

*Peter Blum* —  
*Peter Blum* —  
*Peter Blum* —  
*John R. Fellows,*  
*District Attorney.*

0904

**BOX:**

307

**FOLDER:**

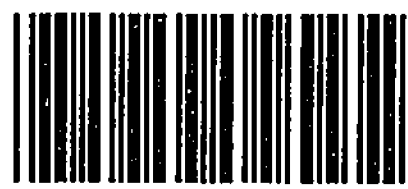
2924

**DESCRIPTION:**

Lampey, Mary

**DATE:**

05/16/88



2924



Witnesses

*John R. Fellows*  
*John R. Fellows*  
*John R. Fellows*  
*John R. Fellows*

Counsel,

Filed 16. day of May 1888

Pleas, *Chiquito* 1171

THE PEOPLE

vs.

B

*Sherry Lamping*

Grand Larceny Second degree.  
[Sections 528, 531-532, Penal Code].

JOHN R. FELLOWS,

District Attorney.

A True Bill.

*John R. Fellows*  
Foreman.

Part II June 8. 1888.

Trued and Requested.

0905

0906

Police Court

District.

Affidavit—Larceny.

City and County  
of New York, ss.

*Vigie Raftery*  
 of the *Cambridge Hotel Cor 33<sup>rd</sup> & 5<sup>th</sup> Sts*, aged *18* years,  
 occupation *Servant* being duly sworn

deposes and says, that on the *28<sup>th</sup>* day of *January* 188*8* 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:

*A pair Merino dress. one Astrakhan  
 Sacque and a pair of earrings Collectively  
 of the value of about Ninety 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 *Mary Conroy now Mesers*

*That about the time above named  
 deponent left her trunk which contained  
 said property in the care and charge  
 of the defendant and paid her for her  
 services as Custodian. That when  
 deponent returned and claimed her  
 property she discovered that the goods  
 above enumerated was missing and  
 upon inquiry found that ~~the goods~~ was pawned  
 in a pawn shop on eighth Ave. because  
 the defendant gave up the ticket representing  
 said dress. The Sacque and earrings  
 were disposed of in some way (as deponent  
 charged) by the defendant inasmuch as they  
 were part of the property left in the trunk by  
 deponent, and taken therefrom as aforesaid.*

*Vigie Raftery*

Sworn to before me this

188

day of

Police Justice.

0907

Sec. 188-200

CITY AND COUNTY  
OF NEW YORK, ss.

## District Police Court.

*Mary Campbell* being duly examined before the under-  
signed 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. *Mary Campbell*

Question. How old are you?

Answer. *40 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *250 West 47 Street*

Question. What is your business or profession?

Answer. *Housekeeper*

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

Answer. *I am not guilty of the charge.*  
*A woman who is a friend of the*  
*Complainant took the articles from*  
*the trunk, told her she had stolen*  
*them, and promised to redeem them*  
*in the early part of June, and the*  
*statement and promise seemed to*  
*satisfy the Complainant. I did*  
*not touch any part of her property.*

*Mary Campbell*  
*Mack*

Taken before me this

day of

188

Police Justice.



00608

Dated 188 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 188 Police Justice.

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

Dated 188 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 guilty thereof, I order that she be held to answer the same and she 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 she give such bail.

281 Police Court District.

THE PEOPLE, s.c.,  
ON THE COMPLAINT OF  
Jesse R. Rappaport  
Comptroller of the City  
of New York  
Mary Campbell

Offence  
Dated May 10 188  
Magistrate  
James H. Riley  
Officer  
D. A. T.  
Precinct

Witnesses  
No. Street  
No. Street  
No. Street  
No. Street  
\$ 5.00 to answer  
RECEIVED MAY 14 1888 DISTRICT ATTORNEY'S OFFICE  
J. J. J. J.  
(Com)

BAILED,  
No. 1, by Lawrence Synch  
Residence 200 East 111 St  
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

*Mary Lampey*

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

*— Mary Lampey —*

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

The said

*Mary Lampey,*

late of the City of New York, in the County of New York aforesaid, on the *twenty-eighth* day of *January* in the year of our Lord one thousand eight hundred and *eighty-eight*, at the City and County aforesaid, with force and arms,

*One dress of the value of thirty dollars,  
One sash of the value of thirty dollars, and  
Two earrings of the value of fifteen dollars each*

of the goods, chattels and personal property of one

*Lizzie Raftery —*

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

— Mary Lampey —

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

The said

Mary Lampey

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,

One dress of the value of  
thirty dollars,  
one sapphire of the value  
of thirty dollars, and  
two earrings of the value of  
fifteen dollars each

of the goods, chattels and personal property of one

Lizzie Raftery—

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

Lizzie Raftery—

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

— Mary Lampey —

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.

JOHN R. FELLOWS,

District Attorney.

09 11

**BOX:**

307

**FOLDER:**

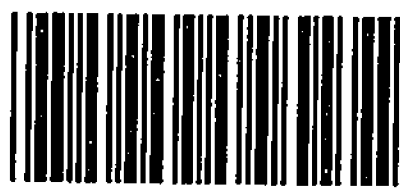
2924

**DESCRIPTION:**

Lang, Joseph

**DATE:**

05/17/88



2924

0912

Witnesses;

*Ernest M. Pouch*  
*Off. J. W. S. Jackson*  
*28th Precinct*

79

Counsel,  
Filed *17* day of *May* 188*8*  
Pleads *Chattel*

THE PEOPLE  
vs. *P*  
*Joseph Lang*  
Grand Larceny, *First* Degree,  
(From the Person.)  
[Sections 528, 530-532 Penal Code].

JOHN R. FELLOWS,  
District Attorney.

A True Bill.

*J. M. Jones*  
*May 21/88* Foreman.  
*Pres. & Jurors*



0913

Police Court—2 District.

Affidavit—Larceny.

City and County } ss.:  
of New York, }Ernest M. Priceof No. 16 Exchange Place Street, aged 31 years,  
occupation Lumber Dealer being duly sworndeposes and says, that on the ninth day of May 1888 at the City of NewYork, in the County of New York, was feloniously taken, stolen and carried away from the possession  
and from my of deponent, in the my time, the following property viz:One gold watch  
of the value of fifty dollars  
\$ 60the 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 Joseph Lang now here,

for the reason that on said date de-  
ponent had the said watch in his  
left vest pocket while he was standing  
in a crowd in Madison Square Garden  
looking at the walking match; that  
deponent felt a tug at his watch chain  
which was attached to said watch, and  
felt the end of the chain drop and  
discovered that the said watch had  
been taken from his pocket. The nearest  
person to deponent was the defendant  
who stood immediately behind  
deponent and actually touched  
deponent; that deponent immediately

Subscribed to before me, this  
day of May 1888

Police Justice.

0914

turned and seized the defendant as  
the nearest person to him and the  
only person who could have taken the  
said watch; defendant caused the immediate  
arrest of defendant

known to before me this

Orneshall Rice

9th day of May 1884

J. M. Patterson

Robert Fisher

Dated 1884 Police Justice.

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

Dated 1884 Police Justice.

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

Dated 1884 Police Justice.

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

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

Police Court, District.

THE PEOPLE, &c.,  
on the complaint of

vs.

Office—LARCENY.

Dated 1884

Magistrate.

Officer.

Clerk.

Witnesses,

No. Street,

No. Street,

No. Street,

No. Street,

to answer

Sessions.

09 15

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Joseph Lang* 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.

*Joseph Lang*

Question. How old are you?

Answer.

*27 years*

Question. Where were you born?

Answer.

*U S*

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

Answer.

*Brooklyn*

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 may think will tend to your exculpation?

Answer.

*I am not guilty*  
*Joseph Lang*

Taken before me this

day of

*March*

188*8*

*John J. McQuinn*

Police Justice.



91616

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

Dated May 9 1888  
Police Justice.  
I have admitted the above named  
to bail to answer by the undertaking hereto annexed.  
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.  
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  
Charles

Police Court-- 2 District. 707

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
Ernest Price  
16 Exchange Place  
Joseph Lang

Offence Harassment

Dated May 9 1888 Magistrate. Pattern  
Officer. Sullivan  
Precinct. 28

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

RECEIVED  
MAY 10 1888  
DISTRICT ATTORNEY'S OFFICE

No. 1500 to answer C.S.  
Conrad

BAILED.

No. 1, by \_\_\_\_\_ Street. \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 2, by \_\_\_\_\_ Street. \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 3, by \_\_\_\_\_ Street. \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 4, by \_\_\_\_\_ Street. \_\_\_\_\_  
Residence \_\_\_\_\_



0917

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Joseph Lang

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

of the CRIME OF GRAND LARCENY in the *first* degree, committed as follows:

The said

late of the City of New York, in the County of New York aforesaid, on the *eightth* day of *May* in the year of our Lord one thousand eight hundred and eighty-*eightth*, in the *nights* time of the said day, at the City and County aforesaid, with force and arms,

*One watch of the value of sixty dollars*

of the goods, chattels and personal property of one

*Ernest M. Price*

on the person of the said

*Ernest M. Price*

then and there being found, from the person of the said

*Ernest M. Price*

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

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

The said

Joseph Lang  
 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,

one watch of the value of  
 sixty dollars

of the goods, chattels and personal property of one

Ernest M. Price

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

Ernest M. Price

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

Joseph Lang  
 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.

JOHN R. FELLOWS,

District Attorney.

09 19

**BOX:**

307

**FOLDER:**

2924

**DESCRIPTION:**

Lavana, Paul

**DATE:**

05/21/88



2924

0920

**BOX:**

307

**FOLDER:**

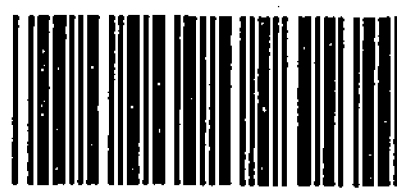
2924

**DESCRIPTION:**

Lavana, Antonio

**DATE:**

05/21/88



2924



**Witness:**

Witness: Daniel Cahale

Platypus 1 m. 1

11 8th P. M. Cant

**Counsel,**

Filed

day of May 188

## Pleads,

1. Equity - no

# THE PEOPLE

vs.

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

Paul Lavand

Mr. A. N.

Antonio Lavand

JOHN R. FELLOWS.

Sub 1688  
District Attorney.

# At the Bill

*Wm. H. Jones*

**Foreman:**

Adams & Co

June 27 - 5:10

No. 1. 1870

Approved & Repetited  
James D.

18

0922

Police Court—2 District.

City and County of New York, ss.:

of No. 66 Thompson Street, aged 16 years,  
occupation Barber being duly sworn

deposes and says, that on the 13 day of May 1888 at the City of New York, in the County of New York, in premises no 62 Thompson St.

he was violently and feloniously ASSAULTED and BEATEN by Paul Lavara  
(now here) and Antonio's Lavara not get arrested  
and the said Paul Lavara did then and  
there strike deponent several violent blows  
in the face with his fists while the said  
Antonio's Lavara not get arrested, willfully  
and maliciously cut and stabbed deponent  
in the left shoulder with a knife which  
he the said Antonio's then and there held  
in his hand inflicting a severe and  
painful wound. Deponent further  
says that such assault was committed

with the felonious intent to take the life of deponent, or to do him grievous bodily harm; and without any justification on the part of the said assailant:

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

Sworn to before me, this 14<sup>th</sup> day of May 1888 by Daniel Repole

P. G. Duff  
Police Justice.

0923

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK ss.

Paul Lavara 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 to 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. Paul Lavara

Question. How old are you?

Answer. 25 years old

Question. Where were you born?

Answer. Italy

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

Answer. 70 Sullivan St.

Question. What is your business or profession?

Answer. Lat Bootblack

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

Answer. I am not guilty and I demand a trial by jury

Paul Lavara  
Mark

Taken before me this 14 day of March 1898  
[Signature]  
Police Justice.



Ex 2 valued for  
May 14

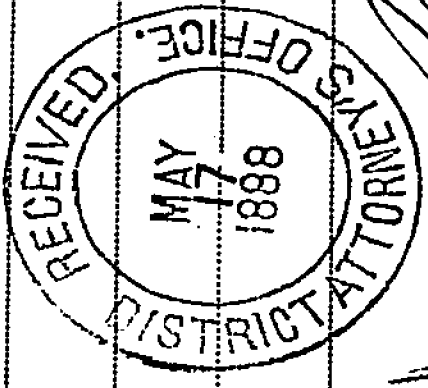
BAILED.  
No. 1, by Anna Nicholas  
Residence 212 Spring Street.  
No. 2, by  
Residence  
No. 3, by  
Residence  
No. 4, by  
Residence

Police Court-- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
Daniel Lehner  
Col Thompson  
Paul Laramie  
Antonio Laramie  
Offence

Dated May 14 1888  
Magistrate.  
Alfred Powers  
Officer.  
Precinct.

Witnesses  
No. Street.  
No. Street.  
No. Street.  
to answer



not get arrested.  
Bailed

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

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

Dated May 15 1888 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 1888 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

*Paul Savana*  
*Antonio Savana*

The Grand Jury of the City and County of New York, by this indictment, accuse  
*Paul Savana and Antonio Savana*  
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said *Paul and Antonio, both* —

late of the City of New York, in the County of New York aforesaid, on the  
*thirteenth* day of *May* — in the year of our Lord  
one thousand eight hundred and eighty-~~eight~~*eight*, with force and arms, at the City and  
County aforesaid, in and upon the body of one *Daniel Reyle*, —  
in the peace of the said People then and there being, feloniously did make an assault,  
and *with* the said *Daniel*, —  
with a certain *knife* —

which the said *Paul and Antonio* —  
in *their* right hands 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 *to kill* the said *Daniel*. —  
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  
*Paul Savana and Antonio Savana*  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *Paul and Antonio, both* —

late of the City and County aforesaid, afterwards, to wit: on the day and in the year  
aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of  
the said *Daniel Reyle*. —

in the peace of the said People then and there being, feloniously did wilfully and  
wrongfully make another assault, and — *with* — the said

with a certain *knife* —

which the said *Paul and Antonio* —

in *their* right hands 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  
*Paul Savana and Antonio Savana*  
 of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *Paul Savana and Antonio Savana, both* —  
 late of the City and County aforesaid, afterwards, to wit: on the day and in the year  
 aforesaid, at the City and County aforesaid, with force and arms, in and upon the said  
*Daniel Perade*, in the peace of the said People then  
 and there being, feloniously did wilfully and wrongfully make another assault, and  
*him* the said *Daniel* —  
 with a certain *rod* —

which *they* the said *Paul and Antonio* —  
 in *their* right hand then and there had and held, in and upon the *left*  
*shoulder* of *him* the said *Daniel* —

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 wrong-  
 fully inflict grievous bodily harm upon the said *Daniel*, —

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.

JOHN R. FELLOWS,  
 District Attorney.



0927

**BOX:**

307

**FOLDER:**

2924

**DESCRIPTION:**

Lebkuchner, Wilhelmine C

**DATE:**

05/29/88



2924

Witnesses,

off Charles L. Alkerton  
19 11/14/1898

307  
J. D. Hammond  
Counsel,  
Filed 29 day of May 1898  
Pleads Guilty

THE PEOPLE

vs.

12  
William C. D. Selbachner  
(2 cases)

[Section — 183 — Penal Code.]  
murder in the first degree

JOHN R. FELLOWS,

District Attorney.

Det

A True Bill.

Wm. J. Jones  
Foreman.  
Hank W. H.

Indictment returned  
W. C. H. L.

0929

The case of  
Wilhelmina C. D.  
Leitchner  
filed May  
1888.



would like to ask, any point upon which you are not entirely clear, I will endeavor to make it clear. There can be no conviction unless an accused person has sufficient mind, has sufficient control over his reasoning faculties as to be able to form a criminal intent. Bishop, one of the leading authorities on criminal law, I think defines the question in about these words, and that is the test the jury is to apply, was the mind of the accused although diseased, sufficiently sound to be able to form a criminal intent? It all comes back to this original statement which I said to you was the law of this State. The test of responsibility for criminal acts where unsoundness of kind is interposed as a defence, is the capacity of the defendant to distinguish between right and wrong at the time <sup>with</sup> of and respect to the act which is the subject of inquiry. Now indeter-  
mining that question you see you must take into consideration the defendant's condition of pregnancy and all her troubles and all that happened before and her conduct subsequently, as I instructed you for the purpose of determining that particular question. You may now retire, gentlemen.

The Jury rendered a verdict of not guilty on the ground of insanity at the time of the commission of the offence.

prosecutor holds the affirmative. If a reasonable doubt exists as to whether the prisoner is sane or not, he is entitled to the benefit of the doubt and to an acquittal. Now I declined you remember, to instruct you that the defence were bound to establish the insanity of the accused beyond any fair and reasonable doubt. The benefit of a fair and reasonable doubt upon the whole case, upon all the evidence for the People and for the defence is always the property of any prisoner charged with crime. Now you will see that if the defendant was required to satisfy you beyond any fair and reasonable doubt of her insanity and succeeded in satisfying you from the evidence that there was some doubt of her sanity, if I charged you the proposition of law that you are bound to find beyond any fair and reasonable doubt, although she did go far enough to create some doubt, she would not have the benefit of the general principle of law that the accused is always entitled to the benefit of any fair and reasonable doubt upon the whole case -- that would be requiring the defendant to go further than the law requires. Now I will not go over what I said to you in the first instance. I instructed you according to my own recollection of the law, not with the accuracy and precision with which the law is laid down in these authorities from which I have now read. These authorities which I have read to you embody as I believe the principles of law which I intended to lay before you in my charge. I have emphasized the principles by reading these authorities and perhaps have made clear to you the questions of doubt that were in your minds. If any of you have any question that you

down to the single question of capacity to distinguish between right and wrong at the time the act was done -- and I might add in respect to that particular act. It must be regarded as the settled law of this State that the test of responsibility for criminal acts where unsoundness of mind is interposed as a defence is the capacity of the Defendant to distinguish between right and wrong at the time of and with respect to the act which is the subject of the inquiry. That is the law of this State with reference to this defence, and it is the law by which you will be governed in determining the question whether the defence that has been interposed here has been established or not. Now as to the burden of proof. Crimes can only be committed by human beings who are in a condition to be responsible for their acts; and upon this general proposition the prosecutor holds the affirmative and the burden of proof is upon him. Sanity being the normal and usual condition of mankind, the law presuming every individual is in that state, hence, a prosecutor may rest upon that presumption without other proof. The fact is deemed to be proved prima facie and whoever denies this or interposes a defence based upon its untruth must prove it; the burden of overthrowing the presumption of sanity and if showing insanity is upon the person who alleges it; and if evidence is given tending to show insanity, then the question is presented to the Court and Jury whether the crime if committed was committed by a person responsible for his acts, and upon this question the presumption of sanity and the evidence are all to be considered and the



must we consider the law as read by the District Attorney binding, that is, take no regard as to her will power?

Did the Court charge that in case we found the defendant merely acted under an uncontrollable impulse we should find her guilty?"

Now the law does not recognize any moral power compelling a man to do what he knows to be wrong; that is substantially what I meant to say in reference to the operation of the alleged uncontrollable impulse. That convenient form of

insanity which enables a person who does not choose to bridle his passions, to allow them to get and keep the upper hand just long enough to enable him to commit an act of violence and then subside, is not recognized by the law. The insanity which takes away the criminal quality of the act must be such as amounts to mental disease and prevents the accused from knowing the nature and quality of the act he was doing.

The doctrine that a criminal act can be excused upon the notion of an irresistible impulse to commit it where the offender has the ability to discover his legal and moral duty in respect to it, has no place in the law. To establish a defence on the ground of insanity --- I now read an opinion of the Court of Appeals --- it must be clearly proven that at the time of committing the act the subject of the indictment, the party accused was laboring under such a defect of reason, of diseased mind, as not to know the nature and quality of the act he was doing, and if he did not know it that he did not know that he was doing wrong.

Where insanity is interposed as a defence to an indictment for an alleged crime the inquiry is always brought

less since, and I think the proper instruction is this, that upon the whole evidence the jury must be substantially satisfied that the irresponsibility is established by the evidence, it must be to their satisfaction.

If I should decline to charge that request I think it would be clearly error. The early part of the request upon the case generally might be disregarded I think, but I charge it as requested; it is an affirmative defence and it must be established to the satisfaction of the jury. ~~Par 5~~

The Jury retired and were again called into Court for further instruction.

The Court: Gentlemen of the Jury: In answer to these two questions which you have submitted, I doubt if I can do better than have the stenographer to read to you what I said, and yet I will add to what I have said by reading from some authorities from which I did not read at the time of delivering the charge. The question presented for your consideration is a very delicate one; and so the principles of law that control cases of insanity are not very well settled. They differ in different States. I am bound to give you the law as it maintains in this State where this court has jurisdiction. It is not an easy matter to determine just where responsibility ceases and irresponsibility begins in respect to particular act, and I am not surprised that you ask for some further instruction. "In case we find the Defendant knew the difference between right and wrong but had not the will power to resist the impulse to commit the crime,

jury should acquit.

The Court: I so charge.

Counsel : I ask your Honor to charge the jury that the prisoner is entitled to the benefit of every reasonable doubt which the Jury may entertain, not only on the case generally but upon each and every specific fact necessary for them to find before reaching a verdict in the case, and if they entertain any such doubt in respect to any matter necessary to sustain a verdict for either of the higher offences it is their duty to convict of the lesser and if they entertain any such doubt upon the whole case it is their duty to acquit.

Mr. Macdonna: This last request embodies the very same proposition that he first asked you to charge; it is asking your Honor to charge that if they have a reasonable doubt upon this second issue that was joined here when this plea was put in, that you shall direct the Jury to acquit.

Counsel read the request again.

The Court: You would not ask me to refuse that?

Mr. Macdonna: I would; if your Honor will hear me for a moment you will see the point. The defence of insanity is an affirmative defence and it is to be established to the mind of the Jury beyond a reasonable doubt the same as the case of the People.

The Court: I do not want to hear any argument about that; I have charged them that it must be established to their satisfaction; but there is a case in the 16th New York that holds this, if the jury have a reasonable doubt regarding a person's sanity, they must acquit. That decision of the Court of Appeals has been modified more or



go to that extent in charging the jury on this point. That is the effect of that request to charge; if the gentleman will read it again you will see.

The Court: I think I have covered that properly and as fully as the law permits, that they are not bound to be satisfied beyond a reasonable doubt more than to the same extent that they are bound to find that the People have made out their case, but upon all the evidence if the jury are convinced that the plea of insanity is established, why then the Defendant is entitled to the benefit of it.

Counsel: I will ask your Honor to charge this: The Jury have a right from their own knowledge of human nature and the tendencies of the human mind, in addition to and in confirmation of the evidence of experts, to say how far the causes relied upon to establish irresponsibility on the part of the Defendant at the time of the commission of the act were adequate and sufficient to produce insanity, and did cause that result.

The Court: Yes, I charged that.

Counsel: I ask your Honor to charge the Jury that the Jury have a right to judge of the existence of the prisoners previous or general frame of mind and her pregnant condition together with the sufferings and hardships endured by her, and if the Jury believe that at the very time of the commission of the acts alleged against her, for causes operating for a considerable length of time beforehand, or recently or suddenly occurring tending to impair the mind of the prisoner so that the defendant was mentally unconscious of the act in which she was engaged she was and is legally irresponsible for it and the

form of insanity in which the capacity of knowing right from wrong exists without the power of choosing between them, says one case. Another case says, it is no defence that in consequence of an uncontrollable impulse the prisoner has no power over his will. In a case where the accused have said, "I felt a command from God to do this act, I knew it was wrong, I did not want to do it but I had not the will power to resist what I believed was the command." Now under those rulings in those cases a person taking life under those circumstances, would be held responsible for his acts. So that all this reasoning you will see, gentlemen, brings you right around back to this principle, what was the particular condition of mind of the defendant at the time of the commission of the act? Was the Defendant's mind so unsound that she was not capable of distinguishing between right and wrong in respect to the act which she was committing?

This defence of insanity is an affirmative one. The burden is on the accused of establishing it; the burden is upon the accused of satisfying the Jury that the defendant's mind was unsound at the time of the commission of the act. It is hardly proper for me to say to you that they are bound to go as far as the People are bound to go in making out a case, viz: to satisfy you beyond any fair and reasonable doubt, and yet the evidence must be convincing and satisfactory to the Jury.

I think, gentlemen, that I have covered all the questions of law that arise in this case. You have now before you sufficient law to guide you in coming to a

conclusion. I will not stop to allude further to the evidence. Her habits of life, her history, the history of her family as far as is disclosed by the evidence are all matters for consideration especially on the question of insanity. It is claimed that the evidence here indicates quite clearly that she has a sister now in the lunatic asylum, and while something was said about her mother having been insane, I am not aware that there is any evidence.

Mr. Macdonna: No evidence.

The Court: It was intimated that that might be shown, so that is not in the case, but there is evidence tending to show that she has a sister now in the insane asylum on Ward's Island in this city.

Mr. Macdonna: Committed by Dr. Field.

The Court: Yes, committed by Dr. Field.

Counsel: Committed by two physicians; she is there six years.

The Court: These requests I have not looked over.

Counsel: There are some that have been included by your Honor's charge, I have them here. I ask your Honor to specifically charge the Jury even if the evidence may leave the defence in doubt, if upon the whole evidence in the case the Jury entertain a reasonable doubt as to the sanity of the Defendant at the time of the commission of the alleged act they are bound to acquit her.

Mr. Macdonna: That request to charge embodies this principle:

That any man or woman coming to the bar here who interposes a plea of insanity and raises such a doubt as any plea may raise in the mind of a jurymen, is entitled to an acquittal. I hardly think that your Honor will



that she believed she saw in store for them, if this so affected her mind so disturbed and deranged her judgment, so interrupted the ordinary and sensible course of reasoning as to honestly induce her to believe that she was doing a kind and merciful act, that she was taking this son from a world of trouble to a haven of peace and happiness and that it was right for her to do it, although she knew and believed that murder in the abstract was wrong and a crime -- if induced by this condition of things, she was brought around to that condition of mind and was not able by reason of that condition of things to distinguish right from wrong in respect to that particular act, then she is entitled to an acquittal. The rule is the capacity of the defendant to distinguish between right and wrong at the time of and with respect to the act which is the subject of inquiry. The principle, or more properly the theory upon which she is entitled to an acquittal if you believe that condition of things which I have named existed, must be distinguished from an uncontrollable impulse, because the courts have held that where it appears that a person takes the life of another under an uncontrollable impulse by reason of the pressure or influence they feel brought to bear upon them, having sufficient capacity to know that the act was wrong, being of sufficiently sound mind to distinguish right from wrong in respect to that particular act, although they have not the will power to resist this impulse, this insane force that is operating upon them, nevertheless, the law holds them responsible. The law does not recognize a

poison, was she sane or insane? A. I believe her to be insane, sir, and from my conversation with her." This answer viz: "I think her will was affected, that she committed this under a condition of diseased responsibility, she was irresponsible as the result of disease"; and then this question, "Do you believe that a person in the condition that she was was able to choose between the right and the wrong?" And the answer, "I do not" -- brings up the real turning point in this case. You must find from the evidence before she is entitled to be acquitted on the ground of insanity, that she had not the capacity to distinguish between right and wrong in respect to that particular act. If you find in the abstract that she mind was sufficiently sound to enable her to distinguish between right and wrong, she would not necessarily be responsible. You may find that she had sufficient control of her intellect and of her faculties to be able to know and understand that it was wrong to kill, that it was a crime to take life, and yet that would not fasten the responsibility of taking the life of the deceased upon her under the law. Was her mind sufficiently sound, did she have sufficient control of her judgment to be able to distinguish right from wrong in respect to this particular act, viz: the taking of the life of her own child under those particular circumstances? If her mind was so affected by reason of the poverty that had pursued her, by reason of the misfortunes that had befallen her and followed her along from month to month and from year to year, if the sufferings she saw ahead of her or in store for her <sup>children</sup> in case of her death, or

in the opinion of Judge Andrews of the Court of Appeals in the case of Flanagan against the People, a portion of which was read to you by the learned District Attorney: "It must be regarded as the settled law of this State that the test of responsibility for criminal acts where unsoundness of mind is interposed as a defence, is the capacity of the Defendant to distinguish between right and wrong at the time of and with respect to the act which is the subject of inquiry." The physicians who asked their opinion as to the condition of the Defendant's mind at the time of the commission of the act based upon the circumstances and condition of things disclosed by the evidence, such as her conduct, her previous history, all the circumstances under which the act was committed, their answer you remember was that it was their opinion that she was insane. Dr. ~~Hamilton~~ Dr. Douglas was asked, "might she have known the difference between right and wrong and yet not have capacity to act upon that?" The answer was, "yes." Dr. Hamilton said: "I think her will was affected, that she committed this under a condition of diseased responsibility, she was irresponsible as the result of disease. Q. Do you believe that a person in the condition she was was able to choose between the right and the wrong? A. I do not. Q. You have heard the circumstances detailed under which it is claimed that this defendant poisoned her children? A. Yes sir. Q. You have heard what her condition in life was at that time without my stopping therefore to repeat all these conditions and all these details, bearing them in mind, what is your opinion now at the time she administered the

poison was administered, the amount and the time the defendant was there alone in the room with those children and their sufferings at the time of the death of each one and her conduct, what she said and did when she went to the Police Station subsequently and immediately prior thereto and for a considerable time prior thereto, will have an important bearing upon the question as to the condition of her mind at the time these acts were committed; and that is the important issue in the case you will want to bear in mind all these details for the purpose of determining that particular question. If you are satisfied therefore, gentlemen, that she administered this poison and it resulted in the death of Charles Lebkuemer and that she did it from a deliberate and premeditated design to effect his death and you are so satisfied beyond any fair and reasonable doubt, then she is guilty of the crime of murder in the first degree unless you are satisfied that the defence which she has set up here has been established, viz: that of insanity.

The 20th section of the Penal Code provides as follows:

"An act done by a person who is an idiot, imbecile, lunatic or insane, is not a crime." It is claimed that the act of this defendant which it is charged resulted in the death of the deceased, is not a crime because she was insane at the time. Now that is a question of fact for you to decide in the light of all the evidence -- her conduct, what she said and did in the light of what the experts who have been called here have said in respect to that question. The rule of law that is controlling on the question of insanity seems to be clearly expressed



poison, prepares it, and in some form most convenient, causes its administration or administers it. In such a case the various steps, prearranging the result would, with great propriety, be found by a Jury ~~to~~ to indicate ~~the~~ the deliberate and premeditated design required by this statute; So, where the offence is committed in any other made, *as by shooting or stabbing, the previous* prepared <sup>steps</sup> for the deed, the arming of one's self, the loading of the gun, the going to the place, the lying in wait, or the seeking of the interview, ~~and~~ the various steps either prearranged in the person's mind or taken with a view, in the judgment of the Jury, to accomplish the fatal end, might very properly be deemed to bring the case within the first provision of the statute if satisfactorily shown."

It appears you remember, from the evidence in this case, that the poison was administered by the defendant to three of her children. Evidence that it was administered not only to the deceased but to the other children was properly admitted because it has a bearing upon the question of intent and design which is the important question in the case. If I recollect the evidence correctly it was first administered to those children mixed with tea and subsequently according to the Defendant's statement or some of the witnesses who have testified, it was mixed with chocolate and ready to be given to them, but whether it was given the second time or not you will remember. It is unnecessary for me to stop to review the evidence tending to establish these allegations, they are so clear, overwhelming and uncontradicted. The circumstances however under which the

things that would warrant you in convicting her of either of those offences although the power is with you to do so. The lesser is included in the greater, and you always have the power to convict of a minor offence. Since in this case the death was by poison it would seem that if the defendant is to be found guilty of any offence it should be the offence charged in the indictment, viz. murder in the first degree. If she was in a condition of mind that made her responsible for her acts, the direction as indicated by the evidence given by her to her elder son to go out to the drug store and purchase this poison known as Rough on Rats and giving him the money, his going to the store and returning with it, her mixing it up with the tea and giving it to her children, all these acts afford the basis certainly for an inference on your part that she not only designed and intended to take the life of the deceased, but that it was a deliberate and premeditated act, that it was planned, thought over, studied upon. Now on that branch of the case, I will read briefly the law as laid down by the late Chief Justice of this District in the case of the People against Walworth. "In a case, therefore, where the offence charged is murder in the first degree, it is essential that it should appear that there was some actual deliberation and premeditation operating in and upon the mind of the accused, in respect to the subject matter of the offence, before the actual occurrence of the fact which is alleged to be criminal. This may be illustrated by supposing a case of poisoning, where the party procures the

fair and reasonable doubt that Charles Lobkuchner, the deceased, came to his death by means of poison administered by the defendant and that it was administered by her from a deliberate and premeditated design to effect the death of the deceased. She is guilty unless you are satisfied, as I shall subsequently instruct you, that she was not responsible under the law.

Murder in the second degree differs from murder in the first degree only in this respect, that the evidence must satisfy a jury of the design to take life, an intention to kill, but there need be no deliberation or premeditation shown. Under this indictment it would be within your power to convict the defendant of murder in the second degree or of either of the degrees of manslaughter, but there is no evidence upon which you can reasonably conclude that the defendant is guilty of manslaughter in either of its degrees, for this reason, manslaughter is the killing of a human being where there is an absence of the design or intent, an absence of deliberation and premeditation -- where in the first degree the killing is in the heat of passion in a cruel and unusual manner or by means of a dangerous weapon, and in the second degree in the heat of passion but not by a deadly weapon or by the use of means either cruel or unusual. There cannot properly be a conviction of the crime of manslaughter except the killing is in the heat of passion. There are other circumstances which I will not stop to read under which the crime of manslaughter may be committed, but the evidence in this case does not indicate a condition of

duty. You must not be influenced in the slightest in your conclusion by the consequences of your verdict. Now must the sex of the accused make any difference in your judgment and in your consideration of the evidence.

A female is answerable to the law the same as a male; there is not one law for a man and another law for a woman; they are all alike amenable; and you must not allow her sex or your sympathies for her on account of her sex, or on any other account, to influence your conclusion in any way.

Now then, gentlemen, let me call your attention to the law and the evidence briefly. The killing of a human being unless excusable or justifiable, is murder in the first degree when committed from a deliberate and premeditated design to affect the death of the person killed or of another. That is enough of the definition of the crime as set forth in the Penal Code for the purposes of this case, although I may add the balance of the definition which is as follows: "Or by an act imminently dangerous to others evincing a depraved mind, regardless of human life although without a premeditated design to affect the death of an individual, or without a design to effect death by a person engaged in the commission of or in the attempt to commit a felony either upon or affecting the person killed or otherwise, or when perpetrated in committing the crime of arson in the first degree. " Now none of those latter conditions you see are disclosed by the evidence in this case. This defendant is guilty as charged in the indictment if you find from the evidence, if you are satisfied beyond any



harmonize conflicting statements where it can be done, to find some explanation, but where that cannot be done, then it is the duty of the Jury to decide who is telling the truth, to determine which one of the witnesses or what class of witnesses are entitled to be credited with telling the truth; and where for any reason you conclude that a witness is not entitled to credit, that the statements are not worthy of belief, they must at once be eliminated from the case and have no weight whatever in influencing your conclusion. When you have sifted out all the testimony that is not worthy of credit, then you will proceed to determine the issues of fact upon such evidence as you think you ought to believe. The credibility of witnesses is determined not only by comparison of their statements with the statements of other witnesses in the case, but by their appearance and by their manner upon the stand, all you have learned during the trial of their previous character, their reputation for honesty, the nature of the story and the manner of telling it, all these circumstances must be considered by the Jury in passing upon the credibility of the statements of the witnesses. You have nothing to do with the consequences of your verdict. You have sworn to render a verdict according to the evidence, and that is your plain, simple duty. The penalty is imposed by the law of the land. It is not an individual personal act of any one, neither of the members of the jury, of the Jury as a body or of the Court. When you render a verdict according to the evidence, you have done your

fact, and it is not the province of Counsel or of the Court to trespass upon that domain, and it is clearly your duty to listen to the law as laid before you by the Court and to be guided in your conclusions by it. If you happen to have any opinions or ideas as to what may or may not be the law in respect to questions that arise the law that should control and guide you in reaching your conclusions, you should not be guided by your own notions or your own views. It is your duty to be guided by the law which the Court instructs you is controlling in the case. The accused is charged with the highest crime known to the law. All criminal cases demand very careful investigation at the hands of tribunals where they happen to come, at the hands of jurors before whom the questions of fact arise. Questions affecting property are much less serious in their nature. A man's money is taken from him by the verdict of the jury or by the erroneous decision of a judge and he has a remedy upon appeal. The errors may be corrected and his property restored to him, but when the liberty of an individual is once trespassed upon improperly there is no adequate remedy. And so, the law is merciful, it is liberal toward accused persons, it requires that there should be more than a preponderance of evidence before there can be a proper conviction, it requires that the allegations necessary to constitute the offence be each and every one established beyond any fair and reasonable doubt. It clothes every person accused of crime with the presumption of innocence. Now, where witnesses do not agree, where testimony is conflicting, it is the duty of jurors to

not necessary for me to occupy the time in reading. The substance of the allegations in common language is that she wilfully, knowingly and designedly administered this poison known as "Rough on Rats" containing arsenic and phosphorous to the deceased Charles Lebkuehmer with the intention of taking his life, that he took the poison and that it resulted in his death; that he died from the effects of this poison administered by her, that she did it knowingly, understandingly and intentionally in violation of the statute. That Charles Lebkuehmer, who it appears, was the son of the Defendant, took the poison as charged in the indictment, clearly appears from the evidence and it is not denied that it was administered by the Defendant; the Defendant does not contradict it. That this particular poison was the cause of death, the physicians have testified you will remember and especially the Deputy Coroner who made the autopsy. He explained to you the condition of the organs of the deceased at the time of the autopsy and stated to you particularly the cause of death. There is no dispute about the person that administered the poison, the character of it or its consequences. Upon the case therefore, as made out by the People and before the defence was introduced, it would seem that there was no room to doubt but that the case for the People was clearly made out. The People are bound to make you a clear case to the satisfaction of a jury beyond any fair and reasonable doubt. Now upon the evidence in this case there seems to be no room for a reasonable doubt although that is a question for you to determine. You are solely the judges of all questions of

4-7/8

The People  
vs.  
Wilhelmina C.D. Lebkuchner. Court of General Sessions, Part I.  
Before Judge Gildersleeve.  
March, 1889.

## THE JUDGE'S CHARGE.

JUDGE GILDERSLEEVE charged the Jury as follows:

Gentlemen of the Jury:

Wilhelmina C.D. Lebkuchner, the defendant at the bar, is charged with the crime of murder in the first degree. The issue that it now becomes your duty to decide and which will determine the question of the guilt or innocence of the accused, is quite a narrow one. You have not the numerous questions to meet and determine that usually occur in cases of this importance. Many of the allegations in the indictment have been established beyond any reasonable doubt; they are not denied by the defendant, and you will naturally find that the evidence is clear and sufficient in respect to many of the allegations necessary to be established in order that the offence may be shown to have been committed.

The Defendant is charged with this crime, and the acts which constituted the crime as alleged in the indictment are these: That on the 21st of March, 1888, just one year ago to-day, the defendant wilfully and feloniously and of her malice of forethought, did make an assault and a large quantity of a certain deadly poison called arsenic then and there feloniously and wilfully and of her malice of forethought, did give and administer unto Charles Lebkuchner with intent that he should take and swallow the same -- and considerable more formality that it is



MEMORANDA

AGE	PLACE OF NATIVITY	WHERE FOUND	Date When Reported
9 Years - Months - Days	N. C.	154 West 28th St 393 Duane St	March 24/88

Accused was given  
Rough on Rats by his  
mother Minnie  
Lebkuehner

Testimony

Sgt. Schmittberger } 1900  
" Sheldon }

Lebkuehner  
234 E. 39. St.

Mrs. J. Ann G. Shuepfer  
229 E. 38. St.

Mrs. M. Fleck  
231 E. 38. St.

Mrs. L. Wenzinger  
240 W. 41 St.

1/2 brother and only one  
to the accused

M. J. B. M.

No. \_\_\_\_\_  
Quar. \_\_\_\_\_ 188

AN INQUISTION  
On the VIEW of the BODY of  
Anthony Lebkuehner  
whereby it is found that he came  
to death by  
Cardiac failure  
due to  
Arterical Poisoning  
(Rough on Rats)  
Homicide

Inquest taken on the \_\_\_\_\_ day  
of \_\_\_\_\_ 188 before  
M. J. B. MESSENER, Coroner.

## TESTIMONY.

*Gustav Scholer* M. D., being duly sworn, says:  
 I have made an examination of the body of  
*Anthony Lebkuehner* now lying dead at  
 154 W. 38<sup>th</sup> St and from such examination  
 and history of the case, as per testimony, I am of opinion the cause of  
 death is *Cardiac Failure due to arsenical*  
*Poisoning. (Rough on Rats) Homicide.*

*Gustav Scholer* M. D.

and that she had waited as long as she dare and was afraid  
 that the other bodies would become decomposed, I asked her why  
 she committed the deed and she stated to me that the oldest boy  
 had been for a year and 11 months in the custody of the N.Y. Juvenile Society  
 and she had had him home but a short time, and that the Society had recently  
 notified her that they wished to send the boy to the West, she showing me  
 a photograph which they had had taken to send West, among others to be  
 shown to parties there, for them to select from and that she had meditated  
 over it and come to the conclusion that she would rather see them all buried.  
 I sent Officer Edward Manning to the Station House, (he and a Officer Davis  
 Grady having come with me to the house when I went there with  
 the prisoner) to send for an Ambulance which soon came. The  
 Ambulance Surgeon examined the two children slightly and pronounced  
 them dead, the youngest child (Christopher) he took with him  
 to New York Hospital. I then placed the prisoner under arrest  
 and took her to the Station House, from there to Jefferson Market  
 Police Court where I was instructed by Justice White to bring her  
 to the Coroner's Office and I now charge her with having caused  
 the death of her two children Anthony and Charles  
 Lebkuehner.

*Charles L. Albertson*  
 Roundman 19<sup>th</sup> Precinct

Sworn to before me,

*W. J. Messersmith* <sup>(this)</sup> 27<sup>th</sup> day of March 1888  
 CORONER.

## STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, SS.

## AN INQUISITION,

Taken at the house of Coroners' Office

No. 67 Park Row

Street in the

4

Ward of the City of

New York, in the County of New York, this 3rd day of April

in the year of our Lord one thousand eight hundred and 88 before

H. J. B. Messener

Coroner,

of the City and County aforesaid, on view of the Body of Anthony Lebkuchner  
lying dead at

Upon the Oaths and Affirmations of

Seven

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

Anthony Lebkuchner

came to his death, do

upon their Oaths and Affirmations, say: That the said Anthony Lebkuchner  
came to his death by

Cardiac Failure due to

Arsenical Poisoning — "Rough on Rats" — administered to the  
deceased with homicidal intent by his mother Wilhelmine  
Conradine Dorothea Lebkuchner at 154 W. 28<sup>th</sup> St. on March 21/88  
about 9 a.m. We recommend that the sale of "Rough on Rats" be  
prohibited except by Physician's order.

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.

Henry Henschel  
Julius Krayer  
Jacob K. Moosky  
C. Weiland  
Richard F. Duane  
Sho Junga Jr  
M. F. Flynn  
H. J. B. Messener

No 118 Hester  
24 Bowery  
22 Essex  
107 Bolivar  
224 E. B. Way  
82 Hester St  
12 Barret

CORONER, J. S.



## Coroner's Office,

CITY AND COUNTY  
OF NEW YORK, } ss.

*Wilhelmine Conradine Dorothea Liebkuchner* 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—*Wilhelmine Conradine Dorothea Liebkuchner*

Question—How old are you?

Answer—*35 years of age*

Question—Where were you born?

Answer—*Worms, Germany*

Question—Where do you live?

Answer—*At the Tombs at present, formerly 154 West 28th St.*

Question—What is your occupation?

Answer—*Washing & ironing, cleaning and sewing and general work*

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

*I have nothing but that I would get the highest sentence possible, because my child will be all right in the hospital as there are some kind ladies taking charge of it. There is nothing to keep me in this world. I wish to die that is all.*

*Minnie Liebkuchner*

Taken before me, this 2<sup>d</sup> day of April 1888

*W. J. Messer*

CORONER.



MEMORANDUM.

AGE.	PLACE OF NATIVITY.	WHERE FOUND.	DATE, When Reported.
9 Years. - Months - Days.	U. S.	154 W. 28 <sup>th</sup> St.	March 24/88

1063 - 1868  
HOMICIDE.

AN INQUISTION 230/88

On the VIEW of the BODY of

William Lebkuehner

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

W. O. Lebkuehner

Original taken on the 3 day

of August 1888

W. O. Lebkuehner  
Coroner.

Committed

to the Jail of the City

of New York

Date of death 1st of May 1888

May 5/88



OR QUALITY  
ORIGINAL

0956

MEMORANDUM.

AGE.	PLACE OF NATIVITY.	WHERE FOUND.	DATE, When Reported.
9 Years. - Months - Days.	U. S.	154 W. 28 <sup>th</sup> St.	March 24/88

1063 - 1888  
HOMICIDE.

AN INQUISITION

On the VIEW of the BODY of

Anthony Lelkuehner

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

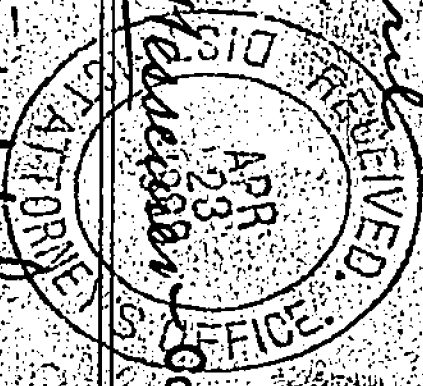
W. D. Lelkuehner

Original taken on the 3 day

of April 1888

by

W. D. Lelkuehner  
Coroner.



Committed -

Quoted by J. H. David

Discharged by J. H. David

Date of death by J. H. David

May 5/91

## TESTIMONY.

Roundsman Charles Allerton 1916 Precinct being sworn says: On March 24/88 at 2.20 am the prisoner Minnie Lebkuehner came to the Station House and stated to Sergeant Schmittberger in my presence that she had poisoned her three children and that two of them were dead and the other one was very sick. I was ordered by the Sergeant to go with the prisoner to her house (1524 W. 28th near house) and investigate the case. On the way there I asked her what she had poisoned the children with and she said "Rough on Rats". When we arrived at the house she unlocked the door and I found lying on the sofa the youngest child (Christopher) still alive. I took the lamp which was lighted and went into the bedroom and there lying in two beds I found the two older children (Anthony 9 years Charles 7 years) both dead and cold. I asked the prisoner when she had given the poison and she stated to me that she had sent the older boy (Anthony) on Wednesday Oct. to the Drugstore of Herbert Frank 311-7th Ave. She gave him 25 cents and he returned with a box of "Rough on Rats" with 10 cents change. She divided it into three equal parts and gave it to them in tea for their breakfast and soon after they became violently sick. The next morning (Thursday) they had partially recovered but could not eat anything. She then sent the elder boy, Anthony, for 10 cents worth of whiskey and upon his return she gave the whiskey to the two elder children - Anthony and Charles - It immediately appeared to set their stomachs on fire. They repeatedly called for water as they had done all the day previous and asked her to take them in the yard and turn the hydrant on them. They asked her what it was that made them sick and she told them it must be the tea which they had for breakfast and they said "Mamma don't get any more of that tea - get mixed tea". Anthony died on Thursday 22nd March at 5 PM. and Charles on same day at 2 PM. I asked her why she did not notify us before and she stated that she was waiting for the other one to die.

Sworn to before me,

this

day of

188

CORONER.



0958

❖— STATE OF NEW YORK, —❖  
CITY AND COUNTY OF NEW YORK, ss.:

AN INQUISITION,

Taken at the

No.

Street, in the

Ward of the City of

New York, in the County of New York, this day of

in the year of our Lord one thousand eight hundred and before

MICHAEL. J. B. MESSEMER, Coroner,

of the City and County aforesaid, on view of the Body of

now lying dead at

Upon the Oaths and Affirmations of

good and lawful men of the State of New York, duly chosen and  
sworn, or affirmed and charged to inquire, on behalf of said people, how and in what manner  
the said came to his death, do upon

their Oaths and Affirmations say: That the said  
came to his death by

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.

*Michael J. B. Messmer*

CORONER, E. S.



Coroner's Office.

TESTIMONY.

husband's name Jacob Lebkuehner  
 I advertised for a situation as Housekeeper  
 two weeks before I married Mr Lebkuehner  
 and ~~Mr~~ Lebkuehner sent a man  
 after me. He kept a lager beer  
 saloon. He told me he was ill  
 treated by his children & I pitied  
 him. When I married him he had  
 6 children alive. Mrs. Huepfel 148  
 W 37<sup>th</sup> St. Mrs. Hack, her husband  
 keeps a saloon - summer garden 231  
 233 E. 38<sup>th</sup> St. Mrs. Louis Morzinger Soda water  
 Mrs. Julia Haight - her husband is a lithographer  
 Haight & Colgate, & Jacob Lebkuehner,  
 bottled beer - at rear of Brewery.

Minnie Lebkuehner

Taken before me

this 3 day of April 1888

*[Signature]* CORONER.

0960

Coroner's Office.

TESTIMONY.

F  
10

leave the room. He cried  
 every time I would <sup>attempt to</sup> go out. By  
 3 am I found he was sound asleep.  
 I took my hat & cloak & a candle  
 & slyly walked out of the room  
 as he did not sleep very sound  
 I was afraid he would hear me  
 put the key in the door. He  
 was very smart. I hurried to  
 the Station House. The police  
 asked me what I wanted. I  
 told them my child was very sick  
 I wished to have a doctor. The  
 sergt. asked me what was the  
 reason he was sick. I told him  
 I had poisoned all three, two  
 are dead & one is alive yet.  
 He seemed not to believe me  
 but still he sent a roundsman  
 with me & short while after he  
 told the other policeman to follow  
 him & when he came to the room  
 he found out the truth. When  
 I saw that Christie was going to  
 recover I did not offer him any  
 more poison. I administered the  
 poison on Wednesday AM at 9 am.  
 I was married on 28 Nov. '77. My

Taken before me

this

day of

188

CORONER.

Coroner's Office.

TESTIMONY.

F  
9

I then went away, I told her next week everything would be arranged, I owed her \$800 on the machine yet, I had paid \$47<sup>00</sup> on it. The reason I did not pay for two months was that I was contemplating suicide - my rent got back & I did not care any more. The lady asked me how the children were & I said "They are all right - They are asleep". Tony died at 5 PM. while the lady was there but she did not know anything about it. This was Thursday 22 March. Christie was still sick all Thursday night, all Friday. His stomach did not keep anything. He vomited everything I gave him. By 11 PM, I saw that the child would never. He asked for bread, the dead children commenced to smell & I made up my mind to go to the Station House & make a charge against myself, but Christopher did not let me.

Taken before me

this

day of

188

CORONER.

Coroner's Office.

TESTIMONY.

Consciousness about 2 P.M.  
 He said 'Please Mamma  
 make a light I can't see'  
 I told him it was not necessary  
 it was bright daylight, I  
 thought his eye must be  
 broken as he could not see  
 I made a light - lit the lamp  
 to satisfy him but he could  
 not see. He wanted me to  
 carry him in & out of bed  
 He begged me "Please mamma  
 sit here alongside of me"  
 Then I got him in my lap on the  
 bed because I found <sup>he</sup> I could  
 not see. If he did not feel me  
 he thought I was not there, He  
 was still dying, happy that I  
 was with him, Somebody came  
 to the door & baby hollared to  
 me "Mamma Somebody here"  
 I was sorry to go but I went  
 I found it was the sewing teacher  
 from Singer's Machine Co. While I  
 was talking to her out in the room  
 I went backwards & forwards to  
 see the child dying. The lady  
 did not stop but 5 minutes

Taken before me

this

day of

188

CORONER.



Coroner's Office.

TESTIMONY. 7

better. I cooked some Chocolate & put some of the poison into it & gave the 2 oldest children some of it & sent Tony for 10 Cents worth of whiskey in case if they should suffer too much the whiskey would stop the pains a little Christopher did not drink any of it, I offered it to him & he did not want it. He did not drink any of the whiskey, He was very sick at that time & I thought he was going to die anyway without giving him any more poison. I kept the rest of the Chocolate for myself for 2 days on the stove. I thought they would die sooner. They cried for water & I gave them water, milk etc. Charlie was very sick after the Chocolate. He suffered dreadfully. He would not let me go. Tony lay unconscious in the other bed. I could not pay any attention to the baby as Charlie kept me all this time till 2 in the afternoon when he died. Tony regained

Taken before me

this

day of

188

CORONER.

Coroner's Office.

TESTIMONY.

6  
 put it in the tea pot - put  
 tea to it, I put in the whole  
 box full, I filled it up with  
 water, then I gave each child  
 a cup of tea with the Rough  
 on Rats in it. While Tony said  
 his prayer the baby was drinking  
 his tea, The baby did not understand  
 any English as he was raised by a  
 German woman, Tony had him  
 home since Sunday before the  
 affair, He was the first that  
 vomited, then Tony commenced  
 to vomit, then Charlie, they  
 were very sick all day, their  
 stomachs did not stand anything  
 at all whatever I bought they could  
 not take, the very time I had to  
 finish some work for a lady down  
 town - some sewing & ~~Quackening~~  
 I took it ~~home~~ the next morning to  
 696 Greenwich St. (Mrs. Vermilion) I rode on  
 the car & back. I went to W  
 Quackenbush <sup>Greenwich St bet 10 & 11<sup>th</sup></sup> I bought another box  
 of Rough on Rats with the intention  
 if the children would be dead,  
 to take it myself When I came  
 home the children were not any

Taken before me

this

day of

188

CORONER.

Coroner's Office.

TESTIMONY.

5

the time but I suppose Mr Carpenter, a very kind good hearted gentleman had spoken a kind word for me, I got the child two weeks before I poisoned it & I had made up my mind the very time that would be the last time I would be there, meaning the Juvenile Asylum. The reason of course I felt very sickly lately. I had heart disease, & I was afraid if I would get sick I would not be able to support them & they would fettle them sure - meaning the Society of prevention of Cruelty to Children. I had to pay every month \$8.00 board for Christie, \$7.00 a month room rent, \$3.00 for sewing machine & Charlie's cost me every day 25 cents, making \$7.25 every month. This was \$25.75. I had to work to earn every month. Then I had nothing for myself yet - no light - no coal - nothing. I poisoned the children with Ragh on Rats. I sent Tony the oldest child he bought a box - I gave him 25 cents. He returned me 10 cents. Then I

Taken before me

this day of 188

CORONER.



## Coroner's Office.

## TESTIMONY.

4

Lebkuchner

and Continued by Coroner

Mrs. Wilhelmine Conradine, Dorothea <sup>Lebkuchner</sup> being sworn, says:

I reside at 154 W. 28<sup>th</sup> St. I am the mother of Anthony 9 years old <sup>last born</sup> and Charles Lebkuchner <sup>7 years on March 4<sup>th</sup></sup> the deceased children. I have another child Christopher who was 4 years old on the 21<sup>st</sup> March the very day I poisoned them, I had a child last year on July 21/87 Charles Fred. Christopher <sup>(the week after that I left him at the Foundling of Asylum.)</sup> My husband is dead 3 1/2 years. I supported myself by going out washing, ironing & cleaning. Sometimes I had a call to go out cooking. It was only the Juvenile Society that worried me lately. About 2 months ago I was ordered to take the oldest boy home otherwise he would be sent to the West. I had hard trouble to get the child back, as they told me I had two to support & that was enough but I told the gentleman that this Anthony is my favorite son & he is what is keeping me up. At the same time, I told him if he sent Tony to the West I would send the other children to them as it would worry my mind all

Taken before me

this

day of

188

CORONER.



0967

Coroner's Office.

TESTIMONY.

The roundsman asked her why she had waited so long without notifying any body & she said she was waiting for the other child to die & then she would be happy. Then the Sergh. Sheldon came in, He sent me around to the Station House to notify Sergh. Schmittberger that 2 of the children were dead. I was in her presence when she stated that she sent Anthony out for liquor & when he came back she gave Charles & Anthony a drink each & offered it to the other child, <sup>Christie</sup> who would not take it.

Dennis Goady

Taken before me

this 3 day of April 1888

CORONER.

## Coroner's Office.

## TESTIMONY.

her for what reason did she give the Children the poison & she said she was for 2 or 3 months trying to get the Children back from the ~~Blenney~~ <sup>Juvenile</sup> Asylum & she just had got them back & she was out of work & she was afraid they would come & take the Children away from her again, she had no possible means of support except by going out washing or working. Then she said she would sooner see them dead than taken away from her; Roundman Albert soon asked her where she had got the poison, she told him she had sent Round to Frank's Drug Store by her boy, who bought 15 Cents of "Poison on Rats" when he brought it back she cooked it in tea & gave each one of the 3 Children a cup of it. They all drank the tea on Wednesday Am. Two of them died on the 22<sup>nd</sup> March, The oldest Arthur at 5 PM & the other Charles at 2 PM.

Taken before me

this

day of

188

CORONER.

## Coroner's Office.

## TESTIMONY.

Officer Denis Grady 19th Precinct being sworn says: On March 24/88 at 2.15 AM Serge Schmittberger directed me to go out & told me that Roundman Albertson had just gone down the street with a woman who said she had poisoned her two children, & to assist him & find out if it was so & to come & notify him, I met both of them on 7th Ave & 30th St. I walked from there to the house in 28th St. (rear house). We went up stairs on the first floor. She had the door locked, she took the key out of her pocket & opened the door. When we went inside - one child Christie was lying on the lounge. The Roundman Albertson took the lamp & went inside to the bedroom & came right out again & said "It's true, she had poisoned both her children". I took the lamp myself & saw both children lying dead in bed in the room. When I came out Roundman Albertson asked Mrs. Lebkuchner if she gave the poison to the children. She said she did & he asked

Taken before me

this

day of

188

CORONER.



STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, SS.

AN INQUISITION,

Taken at the house of Coroner's Office

No. 67 Park Row Street in the 4 Ward of the City of

New York, in the County of New York, this 3rd day of April

in the year of our Lord one thousand eight hundred and 88 before

H. J. B. Messener Coroner,

of the City and County aforesaid, on view of the Body of Charles Lebkuehner lying dead at

Seven Upon the Oaths and Affirmations of good and lawful men of the State of New York, duly chosen and sworn, or affirmed and charged to inquire, on behalf of said people; how and in what manner the said

Charles Lebkuehner came to his death, do upon their Oaths and Affirmations, say: That the said Charles Lebkuehner came to his death by

Cardiac Failure due to Arsenical Poisoning - "Rough on Rats" - administered to the deceased with homicidal intent by his mother Helmine Conradine Dorothea Lebkuehner at 154 W. 28th St. on March 21/88 about 9 am. We recommend that the sale of "Rough on Rats" be prohibited except by Physicians Order.

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.

Henry Henschel	118 West
Julius Krager	24 Bawery
Jacob Mousky	22 Essex
C. W. Wilson	Brewer
Richard T. Duane	224 E. B. Way
Wm. S. S. S.	82 West
M. F. Flynn	12 Bawery
H. J. B. Messener	

CORONER, E. S.



# STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, SS.

## AN INQUISITION,

Taken at the house of Coroner's Office  
No. 67 West 10th Street in the 4th Ward of the City of  
New York, in the County of New York, this 3rd day of April  
in the year of our Lord one thousand eight hundred and 88 before  
H. J. B. Messener Coroner,  
of the City and County aforesaid, on view of the Body of Charles Lebkuechner

lying dead at  
Upon the Oaths and Affirmations of  
Seven 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  
Charles Lebkuechner came to his death, do  
upon their Oaths and Affirmations, say: That the said Charles Lebkuechner  
came to his death by

Cardiac Failure due to  
Arsenical Poisoning - "Rough on Rats" - administered to  
the deceased with homicidal intent by his mother Wilhelmine  
Conradine Dorothea Lebkuechner at 154 W. 28th St. on March 21/88  
about 9 am. We recommend that the sale of "Rough on Rats"  
be prohibited except by Physicians' Order.

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.

Henry Henschel	No 118 West 10th
Julius Krager	24 Bowery
Jacob Mousky	22 Essex
E. W. Wilson	Bowery
Richard T. Duane	224 E. B. Way
Wm. Ferguson Jr	82 West 8th
M. F. Flynn	12 Bowery
H. J. B. Messener	

CORONER, L. S.

## STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, SS.

## AN INQUISITION,

Taken at the house of Coroner Messerer

No. 17 West 10th Street, in the 14th Ward of the City of

New York, in the County of New York, this 3rd day of April

in the year of our Lord one thousand eight hundred and 88 before

J. J. B. Messerer Coroner,

of the City and County aforesaid, on view of the Body of Charles Lebkuchner  
lying dead atSeven 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  
Charles Lebkuchner came to his death, doupon their Oaths and Affirmations, say: That the said Charles Lebkuchner  
came to his death by

Cardiac Failure due to  
 Arsenical Poisoning - "Rough on Rats" - administered to  
 the deceased with homicidal intent by his mother Wilhelmine  
 Conradine Dorothea Lebkuchner at 154 W. 28th St. on March 21/88  
 about 9 am. We recommend that the sale of "Rough on Rats"  
 be prohibited except by Physicians' Order.

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.

Henry Henschel	No 118 West 14th St
Julius Krager	24 Bowerly
Jacob Mouski	22 Essex
B. Wistarski	Bowerly
Richard T. Duane	224 E. B. Way
Wm. Ferguson Jr	82 West 8th
M. F. Flynn	12 Bowerly
J. J. B. Messerer	

CORONER, L. S.

0973

**Coroner's Office,**

CITY AND COUNTY }  
OF NEW YORK, } SS.

..... 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—

Question—How old are you?

Answer—

Question—Where were you born?

Answer—

Question—Where do you live?

Answer—

Question—What is your occupation?

Answer—

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

*Hinnie L. Bushner*

Taken before me, this 2<sup>d</sup> day of April 1888

*W. J. Messer*

CORONER.



0974

## MEMORANDUM.

AGE.	PLACE OF NATIVITY.	WHERE FOUND.	DATE, When Reported.
7 Years. — Months. — Days.	N. J.	154 W. 28 <sup>th</sup> St.	Mar. 24, 1888

10644 — 1888  
HOMICIDE.

## AN INQUISITION

On the VIEW of the BODY of

Charles Lebkuecher —

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

W. E. D. Lebkuecher —

Inquest taken on the 3 day  
of April 1888  
before

W. J. B. Heeser — Coroner.

Committed

Buried

Discharged

Date of death

1888

0975

Police Department of the City of New York,

Precinct No. 19

New York, April 11/88

Honorable Member,  
Sir:

Enclosed  
letter is a copy of one now held  
by Inspector Byrne from a  
brother of Mrs. Minnie J. E.  
Kuchner, relation to her mental  
condition.

Respectfully,  
Thomas Kelly,  
Capt. 19<sup>th</sup> Precinct.

0976

## Police Department of the City of New York,

Precinct No. \_\_\_\_\_

New York, \_\_\_\_\_ 18

M<sup>r</sup>. Gregor. Tex. April 4<sup>th</sup> 88

Mr. Byrnes, Police Inspector,

Dear Sir:

I read that my poor demented sister, Minnie Lebkuehn, had killed her children and now under arrest, and I wish to state to you because justice demands and I believe you a just and honest officer, and my sister now forsaken from all may have a fair trial, she is and always has been temporarily insane, because it is hereditary in the family, my grandfather Jobe (mother's father) died in the Lunatic Asylum, in Steppedhuin Province, Starkenburg, Hessian. 1856. my other sister Annie I believe in your city was confined in the same Asylum for almost 10 years, and I know this is the place where my poor sister ought to be now, and my relations in New York will bear witness to this, they are Bodenhagen 52, Bond Street. Peter Buhl, Greenwich Street, Fuchs 113, Garton Street, Hoboken. I am her only brother and cheerfully answer all questions in regard to this.

Yours Truly, Chas. Christoph. M<sup>r</sup>. Gregor, Texas,  
McLennan City.



Certificate of Lunacy.

W. Reid Gould, Law Blank Publisher and Stationer,  
129 Nassau Street, cor. of Beekman, and 120 Broadway, N. Y.

§ 2, Chap. 446, of 1874.

State of New York,  
City of New York,  
County of New York.

I Frank H. Ingram, a resident  
of New York, in the County aforesaid, being a graduate of Bellvue  
Hospital Medical College, and having practised as a physician six years,  
HEREBY CERTIFY, under oath, that on the twenty seventh day of March,  
1889, I personally examined Wilhelmina C. D. Lebkuecher, of  
New York, a female 36 years of age, widowed married, and by occupation  
a domestic and that the said Wilhelmina C. D. Lebkuecher  
is insane, and a proper person for care and treatment, under the provisions of Chapter 446, of the Laws  
of 1874.

I further Certify that I have formed this opinion upon the following grounds, viz:

*She committed a double murder, without  
motive; she has had many attacks of depression,  
during which she threatened or meditated suicide;  
she is emotional and has sudden changes  
of mood, without apparent cause; she does  
not fully, or in keeping with her intelligence  
and education, appreciate her position,  
condition and surroundings; she has  
marked symptoms of organic disease  
of the brain.*

And I further declare, that my qualifications as a Medical Examiner in Lunacy, have been duly  
attested and certified by Hon. James C. Smith, Judge of  
The Supreme Court.

Sworn to and subscribed before me, this  
28<sup>th</sup> day of Mar A. D. 1889,  
W. H. Giddens  
Judge Lewis Sessions

0977

SECTION 1. No person shall be committed to or confined as a patient in any asylum, public or private, or in any institution, home or retreat for the care and treatment of the insane, except upon the certificate of two physicians, under oath, setting forth the insanity of such person. But no person shall be held in confinement in any such asylum for more than five days, unless within that time such certificate be approved by a judge or justice of a court of record of the county or district in which the alleged lunatic resides, and said judge or justice may institute inquiry and take proofs as to any alleged lunacy before approving or disapproving of such certificate, and said judge or justice may, in his discretion, call a jury in each case to determine the question of lunacy.

§ 2. It shall not be lawful for any physician to certify to the insanity of any person for the purpose of securing his commitment to an asylum, unless said physician be of reputable character, a graduate of some incorporated medical college, a permanent resident of the state, and shall have been in the actual practice of his profession for at least three years, and such qualifications shall be certified to by a judge of any court of record. No certificate of insanity shall be made except after a personal examination of the party alleged to be insane, and according to forms prescribed by the State Commissioner in Lunacy, and every such certificate shall bear date of not more than ten days prior to such commitment.

§ 3. It shall not be lawful for any physician to certify to the insanity of any person for the purpose of committing him to an asylum of which the said physician is either the superintendent, proprietor, an officer, or a regular professional attendant therein.

No.

IN THE MATTER OF

## MEDICAL CERTIFICATE OF LUNACY

and Judges approval thereof.

State of New York, } ss.  
County of New York }

Pursuant to the provisions of Chapter  
446, Laws of 1874, I hereby approve of the  
finding of Lunacy against

*William C. D. Buchanan*

upon the facts set forth in the within  
certificate.

*W. J. Buchanan*

*Judge David Sessions*

of \_\_\_\_\_ Court.

Dated *March 17/97*

*Frederick H. H. H.*

0979

Certificate of Lunacy.

W. Reid Gould, Law Blank Publisher and Stationer, 168 Nassau St., N. Y.

State of New York,  
City of New York  
County of New York

§ 2, Chap. 446, of 1874.

I, Matthew D. Field a resident  
of 115 E. 40th St. New York in the County aforesaid, being a graduate of Bellvue  
Hospital Medical College and having practised as a physician 10 years,  
HEREBY CERTIFY, under oath, that on the 27th day of March  
1889 I personally examined Wilhelmina C. D. Gebharder of  
New York, City a male 36 years of age, married, and by occupation  
none and that the said Wilhelmina C. D. Gebharder  
is insane, and a proper person for care and treatment, under the provisions of Chapter 446, of the Laws  
of 1874.

I further Certify that I have formed this opinion upon the following grounds, viz :  
She is in very poor physical condition.  
She is thin, pale with an anæmic heart mur-  
mur with a rapid, quick pulse. Her pupils  
are unequal + the left is irregular. There is loss  
of power + excited reflexes upon the right side.  
She has an eruption upon her face, probably  
syphilitic. She is at times depressed +  
at other times is elated without adequate cause.  
She does not appreciate the gravity of her pre-  
sent position or the enormity of her crimes.  
She has displayed both suicidal +  
homicidal impulses. On one occasion  
she poisoned her three children; two  
of whom died. Considering this history  
+ her present physical condition, I  
consider her an unsafe person to be  
at large.

And I further declare, that my qualifications as a Medical Examiner in Lunacy, have been duly  
attested and certified by Charles Bonome a Justice  
of the Supreme Court

Sworn to and subscribed before me, this  
28th day of March A. D. 1889 } Matthew D. Field M.D.  
W. A. Lidenstein  
Judge Court Sessions





# 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 R. D. Selander

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

Indictment accuse

William R. D. Selander

of the crime of

murder in the first degree,

committed as follows:

The said

William R. D. Selander,

late of the City of New York, in the County of New York, aforesaid, on the

twenty first day of March, in the year of our Lord one thousand  
eight hundred and eighty-eight, at the City and County aforesaid,

in and upon one Charles Selander,  
intentionally, feloniously and of malice aforethought did make an  
assault, and the said William  
R. D. Selander, a large quantity  
of a certain deadly poison called  
arsenic, and thereupon, intentionally and of  
malice aforethought did give  
and administer unto the said Charles  
Selander, with intent that he should  
take and swallow the same down into  
his body, the said William

R. D. Sedgwick then and there well  
 knowing the said arsenic to be a  
 deadly poison, and the said Charles  
 Sedgwick, the said arsenic so given  
 and administered into him by the said  
 William R. D. Sedgwick as  
 aforesaid, then and there did take and  
 swallow down into his body, he not  
 knowing the same to be a deadly  
 poison, by reason and by means of  
 which said taking and swallowing down  
 the said arsenic into his body as  
 aforesaid, the said Charles Sedgwick  
 then and there became and was  
 maddened and disordered in his body,  
 and the said Charles Sedgwick, of the  
 poison aforesaid, and of the sickness and  
 disorder occasioned thereby from the  
 said truly first day of March in the  
 year aforesaid, until the twenty second day  
 of March in the same year aforesaid, at  
 the City and County aforesaid, did tan-  
 gish and languish, did die, on which  
 said twenty second day of March in the year  
 aforesaid, the said Charles Sedgwick,  
 of the City and County aforesaid, of  
 the poison aforesaid, and of the sick-  
 ness and disorder thereby occasioned  
 as aforesaid, died.





in and upon the said Charles Ed-  
 wardson, intelligently, knowingly and  
 by her malice and thought did  
 make another powder, and a large  
 quantity of a certain deadly poison  
 called arsenic, with a certain quantity  
 of tea, intelligently, knowingly and  
 by her malice and thought did mix and  
 mingle, for the said William R.  
 D. Edmondson, then and there was  
 remaining of the said arsenic to be a  
 deadly poison; and the said Wil-  
 liam R. D. Edmondson, the person  
 I foresaid, as as I foresaid mixed  
 and mingled with the tea I foresaid,  
 then and there intelligently, knowingly  
 and by her malice and thought, did  
 give to him the said Charles Ed-  
 wardson to take, drink and swallow down,  
 and the said Charles Edmondson,  
 not remaining of the poison I foresaid,  
 in the tea I foresaid to have been  
 mixed and mingled as I foresaid,  
 then and there, the said poison was  
 mixed and mingled with the said tea,  
 by the persuasion and procurement  
 of the said William R. D. Edmondson  
 did take, drink and swallow down,  
 and thereupon for the said Charles  
 Edmondson, by the poison I foresaid





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

John R. Fellows,  
District Attorney

0987

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Witnesses

*W. H. L. L. L.*  
*19th March*

*John*

Counsel

Filed

Pleads

1881

*29 May*

THE PEOPLE

*Myself attorney*

*William C. Schuchman*  
*(over)*

[Section — 183 — Penal Code]

JOHN W. FELLOWS

*Part II. Local District Attorney*  
*Subscribed and sworn to before me*  
*in and for the County of Orleans*  
*this 19th day of May 1881*

A True Bill

*John W. Fellows*  
*District Attorney*  
*Orleans Parish*  
*May 19th 1881*



Witnesses,

*John L. Albertson*  
1914

*John*

Counsel,

Filed

29 day

188

Pleads,

*Not guilty*

THE PEOPLE

*Indictment*

[Section — 123 — Penal Code.]

*William C. D. Leland*  
(2 cases)

JOHN R. FELLOWS

*Part III. Indictment. 26/89. District Attorney. Defendant and the people of the County of San Francisco, California.*

A True Bill

*John R. Fellows*  
District Attorney  
*John L. Albertson*  
Counsel  
*John*  
Witness

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 R. D. Selander

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

Indictment accuse William R. D. Selander

of the crime of Murder in the first degree,

committed as follows:

The said William R. D. Selander,

late of the City of New York, in the County of New York, aforesaid, on the

Twenty first day of March, in the year of our Lord one thousand  
eight hundred and eighty- eight, at the City and County aforesaid,

in and upon one Anthony Selander, in the  
presence of and before a jury of twelve  
men, did make an assault, and the said William  
R. D. Selander, a large quantity of a certain  
deadly poison called arsenic, then and there  
feloniously, unlawfully and of his malice  
did give and administer  
into the said Anthony Selander, with  
intent that he should take and swallow  
the same down into his body, and the  
said William R. D. Selander then and  
there well knowing the said arsenic to be a

deadly poison), and the said Anthony Edlander -  
 men, not knowing of the said arsenic so given  
 and administered unto him by the said Will-  
 iam R. D. Edlander as aforesaid to be a  
 deadly poison, did then and there take and  
 swallow the same down into his body; but  
 reason and by means of which said taking  
 and swallowing down the said arsenic into  
 his body as aforesaid the the said Anthony  
 Edlander then and there became and was  
 mortally sick and intempered in his body; and  
 the said Anthony Edlander, of the poison  
 aforesaid, and of the sickness and intemper-  
 occasioned thereby, from the said twenty first day  
 of March in the year aforesaid, until the twenty  
 second day of March, in the same year aforesaid,  
 at the City and County aforesaid, did languish, and  
 languishing did live, on which said twenty second  
 day of March, in the year aforesaid, the said  
 Anthony Edlander, at the City and County aforesaid,  
 of the poison aforesaid, and of the sickness and  
 intemperer thereby occasioned as aforesaid, died.

And so the Jury aforesaid do say:  
 That the said William R. D. Edlander, in the  
 said Anthony Edlander, in manner and form aforesaid  
 said and by the means aforesaid, did unlawfully  
 and feloniously put to death, 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.





in full and of the malice of the said  
 John the said Anthony Seldener  
 to take, drink and swallow, and the  
 said Anthony Seldener, not knowing the  
 poison of the said in the tea of the said  
 have been mixed and mingled as the said  
 there and there the said poison so mixed  
 and mingled with the said tea, by the  
 persuasion and procurement of the said  
 William R. D. Seldener, did take,  
 drink and swallow down, and thereupon  
 the said Anthony Seldener by the poison  
 of the said, so mixed and mingled as  
 of the said by the said William R. D.  
 Seldener, and so taken, drunk and  
 swallowed down as the said, became  
 and was then and there <sup>mortally</sup> sick and distressed  
 in his body, and the said Anthony Seldener  
 was of the poison of the said, and of the  
 sickness and distress occasioned thereby,  
 from the said Tuesday first day of March,  
 in the year of the said, until the Tuesday  
 second day of March in the same year  
 of the said, at the City and County of the said,  
 did languish, and languished five  
 or six days and the Tuesday second day of March  
 in the year of the said, the said Anthony  
 Seldener, at the City and County  
 of the said, of the poison of the said, and  
 of the sickness and distress thereby

occurred as alleged, died.

And as the Grand Jury alleged  
 to say, that the said William  
 R. D. Seldener, from the said Henry  
 Seldener, in manner and form  
 alleged, and by the means alleged,  
 willfully feloniously and unlawfully  
 did kill and murder, against the form of the Statute  
 in and case made and provided  
 against the peace of the People of the  
 State of New York, and their dignity,

John R. Feltows,

Prosecutor.



0995

**BOX:**

307

**FOLDER:**

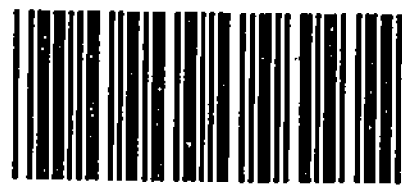
2924

**DESCRIPTION:**

Levy, Adolphus

**DATE:**

05/18/88



2924

172

Witnesses:

*Off Am. Bureau*

*23rd Precinct*

*Off John Carroll*

*24th Precinct*

*Sworn to appear  
Baltimore*

*70*

Counsel,

Filed 18 day of May 1888

Pleads, *Guilty*

THE PEOPLE

vs.

*11/13/88*

*Adolphus Levy*

*Burglary in the THIRD DEGREE*  
*(Section 498, Penal Code)*

JOHN R. FELLOWS,

District Attorney

A True Bill

*Wm. H. Hines*

Foreman.

*Paul H. May 23, 1888*

*Pleads Guilty*

*May 25, 1888*

*4 Apr 6 New York*

*27*

*25*

0997

Police Court— 5<sup>th</sup> District.City and County }  
of New York, } ss.:

Owen Conovan  
of No. 228 East 84<sup>th</sup> St Street, aged 27 years,  
occupation Police Officer being duly sworn  
deposes and says, that the premises No 228 East 84<sup>th</sup> St Street,  
in the City and County aforesaid, the said being a Tenement House  
in the 19<sup>th</sup> Ward of said City  
and which was occupied by deponent as a dwelling house  
and in which there was <sup>in part</sup> ~~not~~ at the time a human being, ~~by name~~  
Mark and

were BURGLARIOUSLY entered by means of forcibly picking open  
the door of deponent's apartment on  
the top floor of said premises, at  
about the hour of 10 o'clock A. M.  
on the 14<sup>th</sup> day of May 1888 in the day time, ~~and the~~  
~~following property feloniously taken, stolen, and carried away, viz~~ with the  
intent to commit a larceny  
therein

~~the property of~~

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~~  
Adolph Levy, another, and another  
man whose name is unknown to deponent  
for the reasons following, to wit: That deponent is now  
here informed by Officer John  
Cottrell that he, said officer, saw  
said deponent, and another man,  
open the front door of said premises  
with false keys and enter therein,  
and further that he, said officer,



followed said dependent, and said  
 other man, and found them  
 on the top floor at the door  
 of dependent's room. That dependent  
 is further informed by said officer  
 that he arrested the dependent  
 Lee and found on his person  
 the bunch of keys and Chisel  
 mentioned above, and that the  
 other man escaped to the roof  
 and got away. That dependent  
 found that the door of dependent's  
 room had been forced open  
 and the drawers of a bureau  
 drawn out and opened, said  
 bureau containing clothing and  
 other property of dependent of the  
 value of one hundred dollars.  
 Given to Deputy Sheriff Owen Brown  
 14<sup>th</sup> day of May 1888

John J. Brown  
 Police Justice

Police Court District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Burglary

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No. Street.

0999

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 35 years, occupation John Cottrell  
Police officer of No. 27<sup>th</sup> Precinct  
Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of Open Connam  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this 14<sup>th</sup> day of May 1888 & John. Cottrell

John Horner  
Police Justice.

1000

Sec. 198-200.

5 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Adolph Levy* 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.

*Adolph Levy*

Question. How old are you?

Answer.

*16 years of age*

Question. Where were you born?

Answer.

*New York City*

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

Answer.

*417 East 117 St. 4 months*

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 may think will tend to your exculpation?

Answer.

*I am not guilty. I went with a young man named Schneiderstein and he took me to the home and I went up stairs with him. Van Schneiderstein gave me the key and chisel*



*Adolphus Levy*

Taken before me this

14

day of May 1888

*John J. McManus* Police Justice.



1001

Dated 1888 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 1888 Police Justice.

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

Dated May 14 1888 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 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.

Police Court 5th District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
Anen Comman  
22 E. C. 84 St  
Adolph Leary

Dated May 14 1888

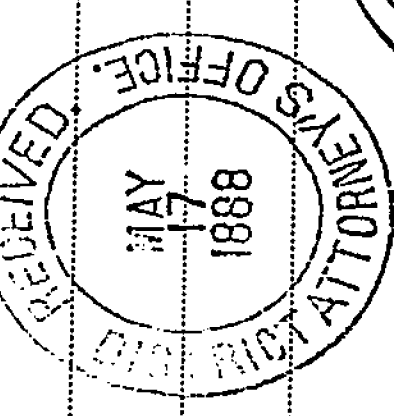
Magistrate.

Officer.

Precinct.

Witnesses

No. Street.



No. Street.

No. Street.

\$ 1500. to answer

Comd

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

W. S. Novelty Co.,

16 BOND STREET,

New York, May 22<sup>nd</sup> 188 A

To the Hon.  
J. V. Snyder  
Recorder of the  
County of  
Saratoga

Before you on Friday will  
appear Adolphus Berg, who  
pleaded guilty on Wed-  
nesday last to a charge  
of larceny. This boy is  
my son and the first of  
14 children who had  
ever brought disgrace on  
his family. I deem it my  
duty to his father to make  
your Honor acquainted with  
his Pedigree, and the facts  
of the case so you may  
know him better.

ago I first discovered that  
he was forming a Bad Company  
I put him away at Randall's  
Island until such time  
that Mr. Jones the Superintendent  
of the Island arrived and he has  
been in the hospital since  
from there he  
went steadily to work for  
months, when an opportunity  
presented itself for one to  
send him to St. Louis to  
friends. There he remained  
up to April 1st and on  
April 2nd he was sent  
back again to work at the  
same institution he had  
previously been in. It was  
up to the time of committing  
this crime. He was seized  
away by this same Bad  
Company and I have no  
hesitation in stating that



W. S. Novelty Co.,

16 BOND STREET,

New York, 188

Honorable Sir I have the honor to  
acknowledge the receipt of your letter of the 10th inst.  
and in reply to inform you that I do not  
offer this explanation in  
palliation of his error but  
for the better understanding of the  
matter. I have never before  
known before your Honor and  
have heard from you that  
the same is not the case  
so would respectfully ask  
your Honor in passing  
reference on this by the  
closing link of your best and  
best to exercise your dis-  
cretion by a most kind  
kind to the same and  
my reason for asking this  
favor of your Honor is

The Hope that <sup>he</sup> may yet  
reform before he becomes  
a man, and if sent to  
State Prison will be  
for ever. I shall await  
in Court. Your Honor's pa-  
tience for my family's in-  
formation please excuse me  
Dear

Yours truly  
S. R. [unclear]

P.S.

I would also desire to draw  
Your Honor's attention to the  
fact that the perpetrators  
of this crime are still at  
large walking around

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

*against*

*Adolphus Sany*

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

*Adolphus Sany* —

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

The said *Adolphus Sany*

late of the ~~ninth~~ *fourth* Ward of the City of New York, in the County of New York aforesaid, on the ~~14th~~ *14th* day of ~~May~~ *May*, in the year of our Lord one thousand eight hundred and eighty-~~eight~~ *eight*, with force and arms, in the ~~day~~ *day* — time of the same day, at the Ward, City and County aforesaid, the dwelling house of one *Owen Donovan*.

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 *Owen Donovan*,

in the said dwelling house 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.

*John R. Tamm*  
*Attorney*



1007

**BOX:**

307

**FOLDER:**

2924

**DESCRIPTION:**

Levy, Bernard

**DATE:**

05/16/88



2924

102

Witnesses;

John B. Becker  
Off William J. Murray  
11 - 1st Street

Witness - John B. Becker  
Bailed by - Ludwig Rose  
43 Becker

Counsel  
Filed 16 May 1888  
Pleads

THE PEOPLE  
vs.  
Bernard Levy  
Grand Larceny, Second Degree.  
(From the Person.)  
[Sections 528, 531-532 Penal Code]

JOHN R. FELLOWS,  
District Attorney.

A True Bill.

May 16/88  
Foreman.  
Hands of Jury.  
State Referee

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT, DISTRICT.

*William J. Mooney*

of No. *11 Preservet* Street, aged *3* years,

occupation *Police Officer* being duly sworn deposes and says,

that on the *13* day of *May* 188*8*

at the City of New York, in the County of New York, *deposes*

*says that John B. Becker*  
*nowhere is a material and*  
*important witness for the*  
*people against Bernard Levy*  
*for many and various acts*  
*that the said Becker gave*  
*his appearance which requires*

*William J. Mooney*

Sworn to before me, this

of *May* 188*8*

day

*James J. Connelley*  
Police Justice,



10 10

Police Court—3 District

Affidavit—Larceny.

City and County } ss.:  
of New York,of No. 43 Bleeker  
occupation Gardener

John B. Becker

Street, aged 34 years,

being duly sworn

deposes and says, that on the 13 day of May 1888 at the City of New

York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
and person of deponent, in the day time, the following property viz:

one silver watch of the value of

Fifteen 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 Bernard Levy (now there)from the fact that deponent is informed  
by Michael Flanagan that hefound said property in the possession  
of said deponent and deponent  
says that said property was taken  
stolen and carried away fromthe pocket of his vest then and there worn  
by him

John B. Becker

Sworn to before me, this 13 day  
of May, 1888David C. Smith  
Police Justice.

10 1 1

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 25 years, occupation Michael Flanagan  
207 Ferry St of No.

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

Sworn to before me, this 13  
day of May 1888 & Michael Flanagan

Sam'l C. Kelly  
Police Justice.

10 12

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

Bernard Levy 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.

Bernard Levy

Question. How old are you?

Answer.

14 years

Question. Where were you born?

Answer.

England

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

Answer.

39 E Broadway 4 years

Question. What is your business or profession?

Answer.

Funer

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

Bernard Levy

Taken before me this

day of

May

1898

Police Justice.



6101

Police Court 3 District.

THE PEOPLE, & C.,  
ON THE COMPLAINT OF

John 73 Beckin  
4th Street  
Bumard 2004

Office of the Person

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Dated May 13 1888

Magistrate.

William J. Mooney Officer.

Precinct.

Witnesses Michael Flanagan

No. 207 5th Street.

S.P.C.C.

No. 100 Street.

No. 100 Street.

No. 100 Street.

No. 100 Street.

No. 100 Street.

No. 100 Street.

No. 100 Street.

No. 100 Street.

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 is 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 New York, until he give such bail.

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

Dated May 13 1888 Police Justice.

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

Dated May 13 1888 Police Justice.

10 14

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Bernard Levy*

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

— *Bernard Levy* —  
of the CRIME OF GRAND LARCENY in the *second* degree, committed as follows:

The said

*Bernard Levy*

late of the City of New York, in the County of New York aforesaid, on the *thirteenth*  
day of *May* in the year of our Lord one thousand eight hundred and  
eighty-*eight*, in the *day* time of the said day, at the City and County  
aforesaid, with force and arms,

*one watch of the value of  
fifteen dollars*

of the goods, chattels and personal property of one *John B. Becker* —  
on the person of the said *John B. Becker* —  
then and there being found, from the person of the said *John B. Becker* —  
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.

10 15

SECOND COUNT—

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

— *Bernard Levy* —  
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

*Bernard Levy*

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,

*one watch of the value of  
fifteen dollars*

of the goods, chattels and personal property of one

*John B. Becker* —

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

*John B. Becker* —

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

— *Bernard Levy* —

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.

JOHN R. FELLOWS,

District Attorney.

10 16

**END OF  
BOX**