

TRICKED, HE SAYS, BY WITNESSES

State's Case May Be Injured by
Testimony Rizzo Threatened
to Kill Rusciano.

Testimony that may injure the State's case against Michael Rusciano, twenty-five, of No. 454 Richardson Avenue, the Bronx, on trial in the Bronx County Court on an indictment charging murder in the first degree in the killing of Dominick Rizzo, March 23, 1919, was given yesterday by the State's own witness.

Through his attorney, William J. Fallon, Rusciano claims he acted in self-defense. The witness was William Amiano, of No. 4560 Garden Place, the Bronx, who said he was with Rusciano the night Rizzo was killed.

Amiano testified he and Rusciano had been at the scene of an accident in 217th Street the night of the killing and later met Rizzo in an automobile and asked him to carry them to the police station at 124th Street and White Plains Road to see the body of a woman who had been killed.

At 217th Street and White Plains Road, according to Amiano's testimony, Rizzo drew a revolver, pointed it at Rusciano and said: "I am Dominick Rizzo. I shot your brother, and I'm going to shoot your whole damned family."

The shooting of Rusciano's brother had not been mentioned during the trial, Amiano said. It was then that Rizzo was shot, but Amiano said he did not know who fired the shot.

Amiano testified he was forced to make certain statements because of an assault made upon him by Detective Capablanca of the Bedford Park Station, April 19, 1919. He said Capablanca charged them with murder and that when he denied this Capablanca struck him, knocking out a tooth. He exhibited the tooth.

Quentin Abate, eighteen, of No. 422 Garden Place, the next witness, substantiated the story told by Amiano.

Assistant District Attorney Cohn said at the conclusion of the session he had been "tricked by the witnesses" and had no idea they would testify Rizzo had threatened Rusciano.

PATIENT LEAPS TO DEATH.

Dives Through Window as Doctor
Writes Prescription.

As Dr. Anthony Grossman of New Brunswick, N. J., turned to write a prescription in St. Peter's Hospital at 4 o'clock yesterday afternoon, John Brinkman, the patient, got out of bed, jumped through the glass in the window, ran thirty feet along the roof and dived head first into the court three floors below.

His skull was fractured, and he died ten minutes later. Brinkman, who was twenty-six and married, was taken to the hospital from his home in Perth Amboy Sunday afternoon, and was thought to have typhoid fever. Dr. Grossman said the man had shown no signs of delirium.

Woman Freed of Manslaughter.
DEDHAM, Mass., April 29.—Miss Margaret Coumans was acquitted of manslaughter by a jury in the Superior Court yesterday. She was accused of having been responsible for the death of Mrs. Mary C. Lutz of Malden, who

was scalded in a bath at a sanitarium in Wellesley where Miss Coumans was a nurse.
Four Killed in Seaplane's Dive.
FELIXSTOWE, England, April 29.—A Portuguese officer, two British officers

and a mechanic were killed when the seaplane in which they were making a practice flight fell into the English Channel off Felixstowe yesterday. Two other British officers were saved. The plane was developed and the plane nose dived into the water.

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