

GOVERNMENT OF PORTO RICO  
DEPARTMENT OF JUSTICE

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IN THE MATTER  
OF THE DEATH  
OF  
NARCISO VILLANUEVA }

REPORT OF AN INVESTIGATION  
CONDUCTED BY OFFICERS OF THE  
DEPARTMENT OF JUSTICE  
OF PORTO RICO

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GOBIERNO DE PUERTO RICO  
DEPARTAMENTO DE JUSTICIA

EN EL ASUNTO  
DE LA MUERTE  
DE  
NARCISO VILLANUEVA }

INFORME DE UNA INVESTIGACION  
HECHA POR FUNCIONARIOS DEL  
DEPARTAMENTO DE JUSTICIA  
DE PUERTO RICO

GOVERNMENT OF PORTO RICO  
DEPARTMENT OF JUSTICE

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GOVERNMENT HOUSE

PORTO RICO

*November 3, 1913.*

SIR: You are hereby requested to take entire charge of the investigation of the matter of the death of Narciso Villanueva, which occurred recently in this city, and of the prosecution of any person or persons believed to be criminally responsible therefor or liable in connection therewith. You are hereby authorized to make such use of the Police and Secret Service as in your judgment may be necessary in bringing to light all the facts in the case, and instructions to give you such assistance as you require and to be guided entirely by your orders in the matter have been given.

You are hereby further authorized if necessary to employ special detectives for use in the case.

Respectfully,

M. DREW CARRELL,

*Acting Governor.*

THE ATTORNEY GENERAL,

*San Juan, P. R.*

STATEMENT MADE TO THE PUBLIC, NOVEMBER 4, 1913

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Every circumstance surrounding the death of the unfortunate Narciso Villanueva will be investigated, and every power and resource of the Government will be used to discover the facts. The public may rest assured that every effort humanly possible will be made to disclose the truth, and that justice will be impartially and fearlessly administered. The aid and support of all good citizens are earnestly requested, and while the slow, sure work of justice is being done it is hoped that judgment may be suspended. Any one having any information in any way bearing on the case is asked to communicate with the Attorney General.

DANIEL DAY WALTON, JR.,

*Acting Attorney General.*

GOVERNMENT OF PORTO RICO  
DEPARTMENT OF JUSTICE

OFFICE OF THE ATTORNEY GENERAL  
SAN JUAN, P. R.

*November 19, 1913.*

THE HONORABLE

THE ACTING GOVERNOR OF PORTO RICO,  
*San Juan, P. R.*

SIR: Referring to your letter of November 3, relating to the matter of the death of Narciso Villanueva, I have the honor to advise you that I have conducted an investigation into all of the circumstances surrounding the case, assisted in this investigation by Charles E. Foote, *Fiscal* of the Supreme Court; E. S. Mestre, Special *Fiscal* at Large; Luis Campillo, *Fiscal* of the District of San Juan; and Jaime Sifre, Assistant *Fiscal* of the District of San Juan. From the 4th of November until the present time I and my associates in the matter have given practically all of our attention to the case and have worked both day and night to discover all the facts. We have reached our conclusions and have embodied them in a report in which the evidence is briefly summarized. I have the honor to transmit herewith copy of this report in English. The report will be put into Spanish at once. This case has been the subject of so much comment throughout the Island and public opinion has been so aroused in regard to it that I feel that it would be greatly in the interest of the administration of justice to have this report printed as a pamphlet with both the English and Spanish texts. I have the honor to ask your authorization to have this printed out of the Special Fund at the disposition of the Governor.

At the conclusion of our investigation it was our unanimous opinion that the witnesses Pedro Rubio, Eusebio Sánchez, Angel Quiñones and Inocencio Alduen should be prosecuted immediately for perjury. The witness Rubio is already under bail upon a charge of perjury and warrants were immediately issued for the witnesses Eusebio Sánchez, Angel Quiñones and Alduen. The perjury cases will be prosecuted vigorously and, if necessary, I shall arrange for a special term of court to bring them to immediate trial.

I cannot submit this report to you without referring to the admirable manner in which the police have borne themselves throughout this case. In the face of charges which did not fall short of murder, the men involved sustained a degree of self control and confidence in their innocence and final vindication, which indicates the possession of moral qualities of a high order.

Respectfully yours,

DANIEL DAY WALTON, JR.,

*Acting Attorney General*

IN THE MATTER  
OF THE DEATH  
OF  
NARCISO VILLANUEVA

REPORT OF AN INVESTIGATION CONDUCTED BY DANIEL DAY WALTON, JR., ACTING ATTORNEY GENERAL OF PORTO RICO, ASSISTED BY CHARLES E. FOOTE, FISCAL OF THE SUPREME COURT; E. S. MESTRE, SPECIAL FISCAL AT LARGE; LUIS CAMPILLO, FISCAL OF THE DISTRICT OF SAN JUAN, AND JAIME SIFRE, ASSISTANT FISCAL OF THE DISTRICT OF SAN JUAN.

This investigation was begun on the fourth of November and has continued up to the date of this report. Every person who has had any material connection with the case or who could furnish any evidence bearing upon the facts has been examined under oath, and every clue that suggested the finding of any new witness or the securing of evidence has been run down. The body of the deceased was exhumed and the most careful autopsy and examination possible was made of it in the presence of the above-mentioned officers of the Department of Justice by a commission of four (4) eminent physicians assisted by the two (2) physicians who made the original examination of the body. The scope of the investigation, therefore, has been the widest possible, and it is believed that every bit of evidence bearing upon the subject of the investigation has been secured.

The report which follows is not exhaustive, but is intended to present a fair summary of the evidence taken, and to afford a basis for the conclusions arrived at by the officials who have

taken part in the investigation. The full details of the case will be presented in the prosecutions which have been and will be instituted upon the evidence taken.

## I.

Narciso Villanueva was a Porto Rican, unmarried, thirty six (36) years of age, who lived with his mother and two (2) sisters and another woman on the second floor of a house at the southeast corner of Luna Street and the Callejón del Tamarindo in San Juan. The husbands of the two (2) sisters also lived with them. Villanueva was a cook employed at the time of his death by Santos Filippi, the proprietor of a restaurant in San Juan.

On Tuesday, the twenty-eighth of October, nineteen hundred and thirteen, Villanueva left his house in the morning at about six o'clock and worked all day at his place of employment. He left the restaurant where he worked some time after seven o'clock in the evening and went to the Café Cubano at number sixty-one Tanca Street, accompanied by one Cantero, the first cook at Filippi's restaurant. They drank some rum together there and remained for approximately an hour. Villanueva then went to his house, taking with him a "dulce" for his sister Catín. When he reached home it was about nine o'clock, according to the testimony of his mother and sisters. Catín and Rafaela, the sisters, had retired early, and when Villanueva reached home they were in their rooms with the doors closed. Villanueva then went into his mother's room, who was also in bed, and saluted her. He told her that he had placed the "dulce" for Catín on the desk and that he was going out again to get some cigarettes. He returned alone to the Café Cubano, in Tanca Street, about nine o'clock, according to the testimony of Eugenio Vigo, the waiter in the café. Vigo served him with five or six drinks of rum and sold him two packages of Habanera cigarettes. Vigo also loaned him a nickel. Vigo says that Villanueva remained in the café until midnight, when he went out alone. Vigo's tes-



timony in this respect is corroborated by Leandro Carrillo, who says further that Villanueva was half-drunk and asked Carrillo to have a drink with him, which invitation was refused. Carrillo testified that when Villanueva left the café at midnight he said that he was going because it was late and he had to get up early and wanted to go to sleep.

No direct evidence of Villanueva's movements after he left the café at sixty-one Tanea Street at midnight has been secured, but José García, a mason's helper, testifies that between twelve and twelve-thirty, or almost immediately after he left Café Cubano, Villanueva came into the café of one Seguro at the northwest corner of Luna Street and Callejón del Toro, where García was. Villanueva sat in a chair in this café talking with friends. The said José García swears that Villanueva was half-drunk when he came into the café, but that he did not see Villanueva drink in that café. Villanueva, according to the testimony of the said García, left the café at about twelve-thirty, saying good-bye.

Salvador Arena, a cook, who was a friend of Villanueva and who was in Seguro's café when Villanueva entered it, corroborates the testimony of the said José García and says further that when Villanueva entered, he, Arena, asked Villanueva to buy him a drink and that Villanueva answered that he didn't have a cent. Villanueva then took two packages of cigarettes from his pocket and left the café saying that he was going home to sleep, because he had no money.

The said José García testified that about an hour after Villanueva left the café he heard that Villanueva was being taken to the Emergency Hospital. Arena says that it was half an hour after Villanueva left the café that they heard that Villanueva was being taken to the Emergency Hospital.

Rafael Mercado, an employee in Seguro's café, testified that he saw Villanueva come into the cafe and that he sold him a package of cigarettes and a package of matches. He says that Villanueva did not drink in the café. An hour later Mercado says he heard that Villanueva had been taken to the

Emergency Hospital. Mercado says that when Villanueva left the café he went in the direction of his home and that no one followed him.

Villanueva's house is distant from Seguro's café about sixty (60) meters and may be seen from the Luna Street entrance of the café. There is a large arc light suspended in Luna Street between Callejón del Toro and Callejón del Tamarindo. All of the witnesses present in Seguro's café testified that they neither heard nor saw any commotion or disturbance after Villanueva left the café and that they believed that if there had been any such disturbance they would certainly have heard it.

There are no direct witnesses to the movements of Villanueva after he left the Seguro café walking in the direction of his house. Benito Carrasquillo, an employee of the Sanitation Service, engaged in driving a garbage cart, turned into the Callejón del Tamarindo from San Francisco Street and drove up the alley to a point opposite the gate to the yard of the *cuartel*. Carrasquillo had dumped a load of garbage in Puerta de Tierra and was on his way to collect a second load. As he passed the station of the American Railroad he noticed that by the clock in the tower of the station it was one o'clock in the morning and he continued his way directly without stopping until he stopped by the gate of the *cuartel*. He saw the body of a man lying crossways in the alley beyond the gate. He called "Police" to the *cuartel* and a policeman came to the gate. Carrasquillo told the policeman that a man was lying in the alley and pointed him out. Soon a second policeman came out and one of them went to the body. Carrasquillo further says that the policeman lifted the man's head and rested it on a stone step, and that he then called two sweepers who were passing the Callejón del Tamarindo on Luna Street to come to help him. Carrasquillo remained on his cart until the body of Villanueva was carried up the Callejón to Luna Street. Except for the police and the men carrying the body, Carrasquillo says there was no one in the Callejón.

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Jose Garcia, Insular Policeman number one hundred and sixty-two, testifies that on the night in question he was on duty in the *cuartel* at the telephone desk and that between one-twenty and one-thirty a. m. a wagon stopped in front of the gate at the entrance to the yard of the *cuartel* and the driver called "Police." Garcia went to the gate and Carrasquillo, the driver of the cart, told him that there was a man in the way. Garcia looked towards Luna Street and saw the body of a man lying in the alleyway. At that moment Policeman Vásquez, Number four hundred and thirty-six, came through the yard of the *cuartel*, bringing a bottle of coffee for Garcia. Garcia told Vásquez about the body being in the alleyway and sent him to the body. From the gate Garcia watched Vásquez bend over the body and try to rouse the man. Then Garcia asked Vásquez what the matter was and Vásquez told him that the man had a wound on the back of his head. Garcia then shouted to Vásquez that he would call an ambulance, and he went into the *cuartel* for that purpose. He called Central and, while Central was getting the number of the ambulance, he returned to the gate and saw that the body was being carried up the Callejón toward Luna Street. Garcia says that there was no one in the alley except Vásquez, the driver of the cart and those carrying the body. Garcia further says that he heard Vásquez call a man who was passing the Callejón on Luna Street, when the body was carried off. Garcia returned to the *cuartel* to the telephone desk. At that time there was no one else in the *cuartel*. Soon after the telephone rang and Garcia answered it. It was the *practicante* telephoning from the Emergency Hospital and asking what the name of the injured man was. Garcia answered that he did not know the name of the man. This was all the conversation that was had over the telephone at that time, according to the testimony of Garcia.

Garcia testifies further that a few minutes after this telephone conversation Catín, a sister of Villanueva, came into the *cuartel*. Garcia knew her. She said, according to Gar-

cia's testimony, that the man who was being taken away was her brother and asked what the matter was. García told her that the man had a wound on his head and was bleeding. Catín then said that he was her brother Narciso. García knew Narciso Villanueva, but did not recognize the man lying in the alleyway as Villanueva. García told Catín that they were taking her brother to the Emergency Hospital, and she then went away crying and walking very fast. After Catín left the *cuartel* García called up the Emergency Hospital on the telephone and spoke with the *practicante*, telling him that the name of the injured man was Narciso Villanueva. Soon after this last-mentioned telephone conversation the Emergency Hospital called up the *cuartel* by telephone again and told García, who answered, that the injured man had died. According to García's recollection, this telephone conversation was about five minutes after he had telephoned the name of the man to the hospital.

About two-thirty a. m. Captain Cabrera came into the *cuartel* and told García to notify the detective force. García then sent another policeman after Corporal Ríos and about three a. m. Corporal Ríos came in. Upon his arrival García left the *cuartel* and went to the Emergency Hospital.

Julio Vásquez, Insular Policeman number four hundred and thirty-six, testified that he had slept in the *cuartel* on Tuesday night and went on duty Wednesday morning at about twelve-thirty a. m. He was assigned for duty to Luna Street between Tancá and Cruz Streets. When he left the *cuartel* he went up the Callejón del Tamarindo to Luna Street, but saw no one in the Callejón. He passed several persons, however, on Luna Street. On Cruz Street he saw and talked with Guardsman Ernesto Hidalgo, who was on duty on Cruz Street. He met Hidalgo about one a. m. and went with him to a house on Cruz Street where a man and his wife were quarreling, but the officers found no occasion to make any arrests. Vásquez then returned to San Justo Street.

It is the custom and practice in the Police Department

for a corporal of police to make a tour of the precincts where guardsmen are on duty and to endorse in the book which each policeman carries for that purpose, the hour at which the corporal meets him and to make a notation as to whether or not everything is well.

Vásquez met Corporal Ríos Carrillo, who was the corporal on duty that night, on San Justo Street, and the corporal endorsed his book. This was at twelve-forty-five a. m. The corporal then went toward the other guardsmen on Cruz Street. Soon after Vásquez went to the Café Cañandonga between Tanca and San Justo Streets to get a bottle of coffee to take to the guardsmen on duty at the *cuartel*. He took the coffee to the *cuartel*, going through Plaza San Francisco and through the school to the *cuartel*. As he entered the yard of the *cuartel* he saw Guardsman García standing at the gate and approached him. García said to him "You have come just in time," and then told him to go to a man who was lying in the alley. Vásquez immediately went to the body and shook the man, who did not respond. The lights in the Callejón were burning brightly and Vásquez could see quite plainly. The man was lying on his back with his head about ten or twelve inches from a stone step on the eastern side of the alley with his body stretched across the alley. His legs were somewhat apart and a low-cut shoe was lying about a meter from the feet. One foot was bare, but on the other was the mate to the shoe found lying in the alley. Vásquez examined the man's head and testifies that he noticed that it was bleeding profusely in the back; that the edges of the wound seemed to him to be white, and he told García that the man had a tumor which was bleeding. Vásquez says that García told him that he would send for an ambulance. Vásquez then raised the man and placed him so that his head rested on the stone step. The man was unconscious, but was breathing very heavily. While Vásquez was examining the man, as stated, the cart remained standing by the gate to the *cuartel* with the driver in it. Vásquez saw a boy passing along Luna

Street toward San Cristóbal, and he called him to him. Vásquez did not know him, but he has been identified as Bernardo Rosado, living at twenty-five Sol Street, and has testified. Vásquez says that the driver of the Sanidad wagon called two men also who were passing on Luna Street. They came down just after or about the same time as the boy. These men were Benito Miranda and Jorge Otero. Under the direction of Vásquez the two men and the boy lifted the body and carried it up the alleyway. Vásquez picked up the shoe and followed very closely behind the men with the body. At this time there was no one else in the alley, according to the testimony of Vásquez and Carrasquillo and of Benito Miranda, Jorge Otero and Bernardo Rosado.

Vásquez as well as the men who carried the body, testified that they carried it by placing their arms underneath the body and legs and that the body was a foot or so from the ground. They did not carry it by lifting the body upon their heads or shoulders. When the men reached the Café Alhambra on Luna Street, they stopped to rest and a number of people came out of the "Alhambra." The owner of the "Alhambra," Andrés Fernández, was one of them, and he told Vásquez that the man was Narciso Villanueva. Having rested, the men again lifted the body and carried it in the manner above described, to a point just below San Justo Street, where they again rested. They then continued to carry the body direct to the Emergency Hospital on Luna Street. In the Emergency Hospital Vásquez says there were two firemen on duty and a watchman; when they arrived, he ordered them to send at once for a *practicante*. Vásquez remained at the hospital from fifteen minutes to half an hour, and then returned to the *cuartel*, which he reached about two a. m. While on his way to the *cuartel*, Vásquez passed Catín on the street with another woman and a man. They asked him about the injured man, and he told them that he was at the Emergency Hospital. They then went on.

Vásquez says that when he went to the body in the alley-