

0442

BOX:

391

FOLDER:

3643

DESCRIPTION:

Eagan, John

DATE:

04/09/90



3643

0443

BOX:

391

FOLDER:

3643

DESCRIPTION:

Flanagan, James

DATE:

04/09/90



3643

0444

BOX:

391

FOLDER:

3643

DESCRIPTION:

Finnegan, Henry

DATE:

04/09/90



3643

POOR QUALITY ORIGINAL

0445

246

Apr 16
J. R. W. [unclear]

Counsel,
Filed
Pleads
1890

Engraving in the Second degree,
Grand Jurors, Second
degree, [unclear]
[Section 49, N.Y.C. 28, 5, 24, 25]

THE PEOPLE

John Eagan
Henry [unclear]
[unclear]
[unclear]

JOHN R. FELLOWS,
District Attorney.

Sentence suspended
R.B.M.

A TRUE BILL

William J. Berry
Foreman.

Part III April 14/90
No. 172 Read at length June 21/90
Part II April 18/90
No. 3
No. 2. Berry
No. 1. [unclear]

Witnesses:

J. A. Kelly
E. G. [unclear]

POOR QUALITY ORIGINAL

0446

Police Court— 4th District.

City and County } ss.:
of New York,

of No. 39 Sutton Place Street, aged 24 years,
occupation Clerk being duly sworn

deposes and says, that the premises No. 39 Sutton Place Street, 19 Ward
in the City and County aforesaid the said being a Dwelling House

and which was occupied by deponent as a Father as a Dwelling House
and in which there was at the time a human being, by name Margaret Reilly

were BURGLARIOUSLY entered by means of forcibly opening a front
room door leading from a hallway
into said premises with a jimmy

on the 24 day of March 1890 in the day time, and the
following property feloniously taken, stolen, and carried away, viz:

Three overcoats and other property
all of the value of one hundred
dollars

the property of Patrick Reilly deponent's Father
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
Henry Finnigan (now here)

for the reasons following, to wit: That deponent is informed by
Edmund Gray that he saw said
deponent coming from said room
and by George A Schenck that
he saw said deponent coming
down stairs. Deponent further says
that the complaint against other two
said deponents who acted in concert
with Edch other has been sent to the

0447

POOR QUALITY ORIGINAL

District attorney's office as he is informed by the Court

Brought before me John A. Feilly
this 30 day of March 1890
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 _____ 1890
Police Justice.

I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated _____ 1890
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 _____ 1890
Police Justice.

Police Court, _____ District, _____

THE PEOPLE, &c.,
on the complaint of

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

Office—BURGLARY.

Dated _____ 1890

Magistrate.

Officer.

Clerk.

Witnesses, _____
No. _____ street,

No. _____ Street,

No. _____ Street,

§ _____ to answer General Sessions.

POOR QUALITY ORIGINAL

0448

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 40 years, occupation George A. Schenck
Police officer of No. 18
Princeton Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of John A. Reilly
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 31
day of Nov 1887 } George A. Schenck

John A. Reilly
Police Justice.

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 28 years, occupation Edmund Gray
Packer of No. 28
Buller Place Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of John A. Reilly
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 30
day of Nov 1887 } Edmund Gray

John A. Reilly
Police Justice.

POOR QUALITY ORIGINAL

0449

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Henry Junega 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.

Henry Junega

Question. How old are you?

Answer.

21 years

Question. Where were you born?

Answer.

U.S.

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

Answer.

335 E 36th St 7 years

Question. What is your business or profession?

Answer.

Peddler

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
Henry Junega*

Taken before me this

day of

188

John J. Kelly
Police Justice.

POOR QUALITY ORIGINAL

0451

Police Court - 24 District.

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

of No. 39 Sutton Place Street, aged 24 years,
occupation Clerk being duly sworn

deposes and says, that the premises No. 39 Sutton Place, 19th Ward
in the City and County aforesaid the said being a Dwelling House

and which was occupied by deponent's Father as a Dwelling House
and in which there was at the time a woman being, by name

Margaret Reilly deponent's Mother
were BURGLARIOUSLY entered by means of forcibly breaking the
panel of the door of the second floor
leading from a hallway into said
premises with a jimmy

on the 24th day of March 1899 in the day time, and the
following property feloniously taken, stolen, and carried away, viz:

A quantity of wearing apparel
consisting of coats, vests and
pantalons of the value of one
hundred dollars

the property of Patrick Reilly deponent's Father
and deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen and carried away by
John Eagan and James Flanigan (now here)
and another person whose name is unknown

POOR QUALITY ORIGINAL

0452

Came from said apartment and pushed him and ran down stairs that said Grace notified Officer Schenck who was passing along previous to him going in said premises and said Officer Schenck caught said Eagan and Flanagan in the hallway and said Officer found the jimmy (hardware) in the possession of said Eagan

Dated _____ 1888
Police Justice.

There being no sufficient cause to believe the within named guilty of the offence 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 _____ 1888
Police Justice.

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.

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.

1 _____
2 _____
3 _____
4 _____

Office—BURGLARY.

Dated _____ 1888

Magistrate.

Officer.

Clerk.

Witness, _____

No. _____ Street, _____

No. _____ Street, _____

No. _____ Street, _____

\$ _____ to answer General Sessions.

for the reasons following to wit:

That deponent is informed by Edmund Gray that he was sitting at the window of his apartments No 28 Sutton Place opposite to his house and saw John Eagan and James Flanigan (married) and said unknown man standing in front of the aforesaid premises talking and conversing together.

That said Eagan and said unknown man went up stairs and said Flanigan stood near by watching up and down the street.

That said Gray thought said defendants acted in a suspicious manner and went down stairs and notified officer Schenck who was passing of the aforesaid fact and said officer went in the hallway and Gray went up stairs and on seeing Gray's approach said Eagan and said unknown man pushed against him and ran down stairs and officer Schenck caught said Eagan

POOR QUALITY
ORIGINAL

0454

in the hallway with the chimney
mark on the door is his possession
and said unknown man escaped
that thereafter said Flanagan
was caught by Louis Terenzi
of the 25th Precinct Police in
front of said premises

John A. Feilly
Sworn to before me
the 25 day of Nov 1890
J. J. Hill Police Justice

POOR QUALITY ORIGINAL

0455

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 28 years, occupation Packer of No.

28 Sullivan Place Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of

and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this

25
day of Mar 1897

Edmund Gray

J. J. C. Reilly
Police Justice.

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 40 years, occupation Police Officer of No.

18th Precinct Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of

and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this

25
day of Mar 1897

George A. Schenck

J. J. C. Reilly
Police Justice.

POOR QUALITY ORIGINAL

0456

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

John Eagan 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.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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. I admit having the Jimmy John Eagan Not

Taken before me this

day of

1888

Police Justice.

POOR QUALITY ORIGINAL

0457

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss

James Flanagan 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.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

I am not guilty

James Flanagan
Not Guilty

Taken before me this

day of

188

W. J. ...
Police Justice.

POOR QUALITY ORIGINAL

0458

BAILED,
 No. 1, by _____
 Residence _____ Street _____
 No. 2, by _____
 Residence _____ Street _____
 No. 3, by _____
 Residence _____ Street _____
 No. 4, by _____
 Residence _____ Street _____

No 16
 1995
 Police Court 4 District.

THE PEOPLE, &c.,
 ON THE COMPLAINT OF

John A. Kelly
 vs.
 John Eagan
 James A. Flanagan
 Offence Burglary

Dated March 25 1890

Samuel O. Kelly Magistrate
Belmont etc Officer.

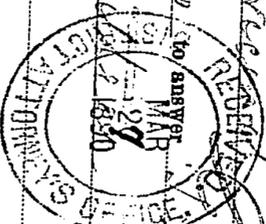
Witnesses Edmund Spear Precinct 15

No. 28 Justitia Place Street
See A Belmont

No. 18 Dagwood Street
John J. Venevich

No. 75 11th Avenue Street
John J. Venevich

No. 105 11th Avenue Street
John J. Venevich



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

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

Dated March 25 1890, Samuel O. Kelly Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

POOR QUALITY ORIGINAL

0459

COURT OF GENERAL SESSIONS -Part III.

-----X
 The People of the State of New York, : Before Hon. Ran-
 :
 against : dolph B. Martine,
 HENRY FINNEGAN, impleaded with John : and a Jury .
 Eagan and James Flanagan . :
 :
 -----X

Indictment filed April 9th 1890.
Indicted for Burglary in the 2nd degree.

New York , , April 18th 1890.

APPEARANCES: For the People Assistant District
Attorney Wm. T. Jerome.
For the defendant Mr. G. R. Westerfield

JOHN A. REILLY, a witness called for the people,
sworn, testified:

I am a clerk and reside at No. 37 Sutton Place in this
City. My house is situated in the 19th ward. I occupied
those apartments on the 24th of March of this year. I
came home on that afternoon at about 5 o'clock in the
evening, and when I returned, I found that the door
leading into the parlour was broken; I found the marks
of some iron instrument on the jamb of the door; those
marks were not upon the door when I left my house at half
past one o'clock that afternoon. The rooms were
fully furnished and several suits of clothes belonging
to me were in the closets. I know nothing of any of these
defendants.

**POOR QUALITY
ORIGINAL**

0460

-2-

CROSS EXAMINATION:

When I returned in the afternoon I found all of the doors closed, and the only indication that anyone had been there were these marks that I have mentioned on the parlor door.

MARGARET REILLY, a witness for the people, sworn, testified:

On the 24th day of March I was living at No. 37 Sutton Place. I recollect the fact that my son left the house at about half past one; when he left there was nobody else in the house except myself. Shortly before Five o'clock I was in the dining room, which is in the rear of my apartments, and I heard a noise at the front door. In a few moments after that my doorbell rang twice. I went downstairs to the door, and I saw two gentlemen there with a police officer; Mr. ^{are} ~~Greek~~ was one of the gentlemen who were standing in the hall. The two other persons there were the defendants Eagan & Flannigan. I did not see the men at my door, but when I went up stairs with the officer, I examined the parlor door and saw marks upon them.

CROSS EXAMINATION:

I saw a man run through the room down stairs and get out of the back window; I could not tell how he was dressed or what he looked like.

**POOR QUALITY
ORIGINAL**

0461

-3-

EDMUND GRAVE, a witness for the people, sworn, testified:

I am in the furniture business and live at No. 28 Sutton Place. I lived there on the 24th of March this year. The house in which Mr. Reilly lives is directly opposite my premises. On the afternoon of the 24th of March between 4 and 5 o'clock, I saw three men, Finnegan, Eagan and Flannigan walk along Sutton Place and stop next door to No. 37. They held a short conversation and then two of them walked into Mr. Reilly's house No. 39. I am positive that the defendant Henry Finnegan is one of the men who went into Mr. Reilly's house on that afternoon; the other man stayed outside and walked up and down the street. I then went and had a conversation with an officer and we together went into Mr. Reilly's house; we rang the bell and Mrs. Reilly came down to the door. These two men came running down from upstairs and one of them, Finnegan ran through the two rooms and jumped out of the rear window; the other man Eagan was caught by the officers. I am certain that the defendant at the bar is the man who ran and jumped out of the window as I have stated. I identified him at the station house and afterwards at the Police Court.

CROSS EXAMINATION :

- Q Are you positive this is the man? A Yes, sir.
- Q How long did you see him?
- A I saw him for a few minutes outside.
- Q Was he standing facing you? A No, sir, he was sideways towards me.

POOR QUALITY
ORIGINAL

0462

-4-

Q Was there light enough in this hall for you to distinguish the face of any person? A There was light enough so that I could see him.

Q Can you describe the color of the coat he wore at that time?

A It was a sort of brownish, pepper and salt color.

Q Was it brown and white? A No, sir, it was not white.

Q Do you know anything about the other particulars of his dress? A I know he had a derby hat on.

Q Did you see him come out of Mrs. Reilly's room? A No, sir, I saw him in the hall.

Q Was the window open out of which he jumped?
A Yes, sir.

GEORGE A. SCHENCK, a witness for the people, sworn,
testified:

I am an officer of the Municipal Police. On the 24th of March last, I was in citizen's clothes, when my attention was called to this house No. 37 Sutton Place by Mr. Grave. I went with him and I saw Flannagan standing outside of No. 39 Sutton Place. I drove him away, and I then ~~went~~ went inside the house. As we got into the house, Eagan and Finnegan came down stairs and tried to run out; Finnegan escaped, but we managed to hold on to Eagan. I then went upstairs with Mrs. Reilly and examined the door of her room. We found marks upon it as though something had been used to pry it open.

**POOR QUALITY
ORIGINAL**

0463

45-

CROSS EXAMINATION:

- Q Are you positive that this is the man you saw? A I am by his look and by his hat.
- Q Have you got any doubt of it in your own mind? A I have not by his looks and derby hat.
- Q What is your best belief about it? A I will tell you just how I feel about that. I would rather give the man the benefit of the doubt.
- Q Have you a doubt upon the subject? A Well, what throws me off is the changing of his clothes.
- Q Are you in doubt about the identity of this man? A I am in doubt, and I would rather give him the benefit of the doubt. I would not want to have my conscience smite me by putting a innocent man away.

SAMUEL J. CAMPBELL, a witness for the people, sworn, testified:

I am an officer of the Municipal Police. I arrested this defendant about four or five days after this occurrence. I told him that he was wanted for being with Egan and another man and committing a burglary at No. 39 Sutton Place. He says "You have got the wrong man." I told him I would get a witness who would fully identify him. Mr. Grave did fully identify him at the station house and in the Police Court.

**POOR QUALITY
ORIGINAL**

0464

-6-

D E F E N S E .

HENRY FINNEGAN, the defendant, sworn, testified:

I live at No. 335 East 36th Street in this city with my mother. On the morning of the 24th of March, I left my house at about 8 o'clock and went down town with a friend of mine named James Reilly. We were together all day until between 3 and 4 o'clock, when we went to visit a friend of ours at No. 25 Bleecker Street. We stayed at No. 25 Bleecker Street until about 4 o'clock until half past 8 or 9. I was not in company with Egan or Flannagan on that day. I had nothing whatever to do with the commission of this burglary. I have not put on any different suit of clothes since the 24th of March.

CROSS EXAMINATION:

I have three brothers; the name of one is Ed and the other Dan. I am a peddler by occupation, but have not been doing anything for two months. I have never been convicted of any crime. I have known the defendant Egan for about three years. I have nothing whatever to do on this day in question, so I spent the day with my friend Reilly, walking down Third Avenue, down the Bowery, and hanging around this building, looking at the prisoners coming out of the van. It was about three o'clock when we left here and started up to No. 25 Bleecker St. I am certain that we stayed in this house in Bleecker Street until 8 o'clock in the evening. Reilly, who was with me, is now in Court.

POOR QUALITY
ORIGINAL

0465

-7-

JAMES REILLY, a witness for the defendant, sworn, testified:

I live at No. 343 East 39th Street with my mother. I know the defendant. On the 24th of March of this year I met the defendant at about half past eight in the morning. We went together through 29th Street to Second Avenue; along Second Avenue, to 23rd Street, up 23rd Street to 3rd Avenue, down 3rd Avenue to the Bowery and to this Court House here; we got down here about half past 10 and stayed until 1 o'clock. We then left and walked to No. 25 Bleecker Street. We stayed there from about 3 or 4 o'clock until 8 o'clock in the evening. The defendant Henry ^{Flannagan} ~~Egan~~ was with me all this time; I never parted company with him.

CROSS EXAMINATION:

I have never been convicted of any crime in my life. I had often before come down to this Court House to watch the prisoners being taken to Court; I did not know any of the prisoners, but simply stayed here as a matter of curiosity. We visited two girls at No. 25 Bleecker Street and remained there drinking beer from about 4 until 8 o'clock. Flannagan and I left there at that hour and went home. Neither Egan nor Flannagan were in our company on that day.

**POOR QUALITY
ORIGINAL**

0466

-8-

ANNIE FINNEGAN, a witness for the defendant, sworn,
testified:

I am the mother of the defendant. I recollect the 24th of March of this year. On that day my son left the house at about 8 o'clock and wore the same suit of clothes which he has on to-day.

CROSS EXAMINATION:

I could not tell what day of the week the 24th of March was on. I do not recollect the 22nd of March or any other day in that week. I recollect that my son left the house some time before 8 o'clock and that he had his breakfast before he left.

The jury returned the verdict of guilty of burglary in the second degree.

Before the prisoner was sentenced, his brother Daniel Finnegan came into Court and pleaded guilty to this indictment, and was sentenced to the Elmira Reformatory.

**POOR QUALITY
ORIGINAL**

0467

Indicted filed April 9, 1890.

COURT OF GENERAL SESSIONS,

PART II.

THE PEOPLE, &c.

--VS--

HENRY FINNEGAN, impleaded
with John Eagan and James
Flanagan.

Abstract of Testimony on
trial, New York, April 18th,
1890.

POOR QUALITY
ORIGINAL

0468

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*John Eagan, James
Flanagan and Henry Finnegan*

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

John Eagan, James Flanagan and Henry Finnegan
of the CRIME OF BURGLARY IN THE *second* DEGREE, committed as follows:

The said

*John Eagan, James Flanagan
and Henry Finnegan, all*

late of the *nineteenth* Ward of the City of New York, in the County of New York
aforesaid, on the *twenty-fourth* day of *March*, in the year
of our Lord one thousand eight hundred and *ninety*, with force and arms, about the
hour of *twelve* o'clock in the *day* time of the same day, at the Ward,
City and County aforesaid, the dwelling house of one *Patrick Reilly,*

there situate, feloniously and burglariously did break into and enter, there being then and there
some human being, to wit:

one Margaret Reilly

within the said dwelling house, with intent to commit some crime therein, to wit: the goods,
chattels and personal property of the said

Patrick Reilly

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.

POOR QUALITY
ORIGINAL

0469

SECOND COUNT—

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

John Eagan, James Flanagan and Henry Finnegan
of the CRIME OF ~~Grand~~ LARCENY in the second degree, committed as follows:

The said *John Eagan James Flanagan and Henry Finnegan, all*

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,
at the Ward, City and County aforesaid, in the *day* - time of the said day, with force and arms,
three overcoats of the value of twelve
dollars each, four coats of the value
of ten dollars each, four vests of
the value of five dollars each and four
pair of trousers of the value of
seven dollars each pair

of the goods, chattels and personal property of one *Patrick Reilly*

in the dwelling house of the said

Patrick Reilly

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

**POOR QUALITY
ORIGINAL**

0470

THIRD COUNT—

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

John Eagan, James Flanagan and Henry Finnegan
of the CRIME OF RECEIVING STOLEN GOODS committed as follows:

The said *John Eagan, James Flanagan and Henry Finnegan* to all

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

three overcoats of the value of twelve dollars each, four coats of the value of ten dollars each, four vests of the value of five dollars each, and four pair of trousers of the value of seven dollars each pair

of the goods, chattels and personal property of one *Patrick Reilly*

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

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

John Eagan, James Flanagan and Henry Finnegan
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.

0471

BOX:

391

FOLDER:

3643

DESCRIPTION:

Engel, Frank

DATE:

04/16/90



3643

0472

BOX:

391

FOLDER:

3643

DESCRIPTION:

Engel, Frank

DATE:

04/16/90



3643

POOR QUALITY ORIGINAL

0473

cho 150

Counsel,

Filed

day of

1890

Pleads,

THE PEOPLE

vs.

Frank Engel

Frank Engel
Defendant

JOHN R. FELLOWS,

District Attorney.

Frank Engel vs. John R. Fellows
Grand Jurors, District of Columbia
(Section 498, Act of March 3, 1875)

A True Bill.

M. J. Berry
Foreman.

M. J. Berry
April 17/90
Pleads Amy Edley

S. C. 2 1/2 yrs.
April 21/90

Witnesses:

Benny C. Schab

Oliver Matthews Cooney

POOR QUALITY ORIGINAL

0474

Police Court 4 District.

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

of No. 1321 Third Avenue Lenny C. Schab Street, aged 18 years,
occupation Baller being duly sworn

deposes and says, that the premises No. 1321 Third Avenue Street, 19 Ward
in the City and County aforesaid the said being a Dwelling House

and which was occupied by deponent as Employer by Mois Schmann
~~and in which there was at the time a human being, by name~~

as a dwelling house
were **BURGLARIOUSLY** entered by means of forcibly breaking open
a door leading from the hallway of the
second floor into said premises with
a jimmy

on the 12 day of April 1890 in the right time, and the
following property feloniously taken, stolen, and carried away, viz:

one cloth Coat, one overcoat and
good and lawful money of the United
States of the amount and value of Forty
dollars and one value of the value
of four dollars all of the value
of Eighty seven dollars

the property of deponent
and deponent further says, that he has great cause to believe, and does believe, that the aforesaid

BURGLARY was committed and the aforesaid property taken, stolen and carried away by
Frank Engel (now here) and another person
whose name is unknown

for the reasons following, to wit: That deponent saw said
Engel in company with said unknown
man in Third Avenue at 75th
Street in said City said Engel
having said value containing said
property in his possession.

Deponent asked said Engel
what he was doing with said
property and he, struck him on

POOR QUALITY ORIGINAL

0475

The Eye with his fist cutting
him severely and ran away
that department pursued
them and said Engel was
caught by Officer Matthew
Conroy who found in his
possession the skeleton key
Jimmy and he appeared
forty dollars

Sworn to before me *Henry Bohan*
this 13 day of April 1890
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 within mentioned, I order he to be discharged.
Dated _____ 188____
Police Justice

Police Court, District,

THE PEOPLE, &c.,
on the complaint of

Offence—BURGLARY.

1
2
3
4

Date

188

Magistrate.

Officer.

Clerk.

Witnesses,

No.

Street,

No.

Street,

No.

Street,

\$ _____ to answer General Sessions.

POOR QUALITY ORIGINAL

0476

CITY AND COUNTY }
OF NEW YORK, } ss.

Matthew Cooney

aged *29* years, occupation *officer* of No.

25 *Princeton* Street, being duly sworn deposes and

says that he has heard read the foregoing affidavit of *Henry C. Schab*

and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this *17*

day of *April* 18*90*

Matthew Cooney

D. J. Schab
Police Justice.

POOR QUALITY ORIGINAL

0477

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Frank Engel 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.

Frank Engel

Question. How old are you?

Answer.

25 years

Question. Where were you born?

Answer.

Gunny

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

Answer.

326 - 8th St 6 mos

Question. What is your business or profession?

Answer.

Baker

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

Answer.

I am guilty of the charge of Frank Engel

Taken before me this

day of

April 1891

Police Justice.

0470

GLUED PAGE

POOR QUALITY ORIGINAL

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

40152 & 570
Police Court District

THE PEOPLE, &c.
ON THE COMPLAINT OF

Henry C Schals
1320 3rd Ave
Frank Engel

Offence Burglary

Date

Apr 13 1890

H O Reilly
Magistrate

Conroy
Officer

25
Precinct

Witnesses

William Conroy
25 Precinct Police

with my statements

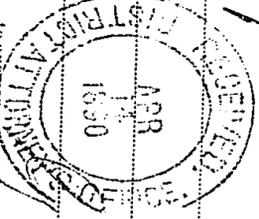
No.

Street

No.

Street

1320 3rd Ave



Commenced

It appearing to me by the within depositions and statements that the crime therein mentioned has been

Police Department of the City of New York.

Precinct No. 25

New York, Aug 1st 1890

John H. Hurvick
Property Clerk

Sir
Dear

Deliver to me the money which I have
deposited with you for the purpose of
drinking beer and delivering the same
to the officers of the 25th Precinct
and for which you have received 2700
cents.

Respectfully,
John O. Hurvick
Sergeant 25 Precinct

Police Justice.

GLUED PAGE

POOR QUALITY ORIGINAL

0479

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court

District

THE PEOPLE, &c.
ON THE COMPLAINT OF

Henry C. Schals
Frank S. Engel

Offence Burglary

Dated April 13 1890

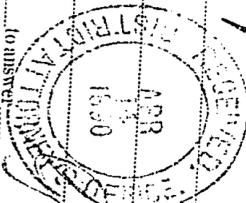
H. O. Reilly
Magistrate

Officer
Coney

25 Precinct

Witnesses
William Coney
J. S. Foreman

with my personal order



No. 15010

Committee

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

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

Dated 13 April 1890 H. O. Reilly Magistrate

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

Dated 13 April 1890 H. O. Reilly Magistrate

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

Dated 13 April 1890 H. O. Reilly Magistrate

POOR QUALITY
ORIGINAL

0480

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Frank Engel

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

Frank Engel

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

The said

Frank Engel

late of the *nineteenth* Ward of the City of New York, in the County of New York aforesaid, on the *twelfth* day of *April* in the year of our Lord one thousand eight hundred and ~~eighty~~ *ninety*, with force and arms, in the *night* - time of the same day, at the Ward, City and County aforesaid, the dwelling house of one *Moses Lehman*

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~~ *of the said Moses Lehman and of* *one Henry C. Schab* 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.

POOR QUALITY
ORIGINAL

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SECOND COUNT—

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

Frank Engel

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

The said *Frank Engel*

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

one coat of the value of fifteen dollars, one overcoat of the value of thirty dollars, one value of the value of two dollars and the sum of forty dollars in money, lawful money of the United States, and of the value of forty dollars

of the goods, chattels, and personal property of one *Henry C. Schab*

in the dwelling house of ~~the said~~ *one, Moses Lehman*

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

POOR QUALITY
ORIGINAL

0482

THIRD COUNT.

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

Frank Engel

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

The said

Frank Engel

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

one coat of the value of fifteen dollars, one overcoat of the value of thirty dollars, one value of the value of two dollars, and the sum of forty dollars in money, lawful money of the United States and of the value of forty dollars,

of the goods, chattels and personal property of

Henry C. Schab

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

Henry C. Schab

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

Frank Engel

then and there well knowing the said goods, chattels and personal property to have been feloniously stolen), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.