

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

Witnesses;

J. A. Reilly  
E. G. Grafton

246  
Apr 16  
J. H. W. Westfield

Counsel,  
Filed  
Pleads  
1890  
J. H. W. Westfield

THE PEOPLE

21-10-18  
21-10-18  
John Cagany  
21-10-18  
James Cagany  
21-10-18  
Henry Cagany

Engraving in the Second degree.  
Grand Jurors, Second degree.  
[Section 49, N.Y.C. 28, 53, 53, 53]

JOHN R. FELLOWS,  
District Attorney.

May 10 3-  
Sentence suspended,  
P.B.M.

A TRUE BILL.

William J. C. Berry  
Foreman.

Part III April 14/90  
No. 1 & 2 Read Attorneys' Briefs 21-10-18

No. 1 Part III April 18/90  
No. 2 Part III April 18/90  
No. 3 Part III April 18/90  
No. 4 Part III April 18/90  
No. 5 Part III April 18/90  
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No. 99 Part III April 18/90  
No. 100 Part III April 18/90



POOR QUALITY  
ORIGINAL

0446

Police Court— 4<sup>th</sup> 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 Reddy

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 Reddy 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 defendants who acted in concert  
with Edith other has been sent to the

POOR QUALITY  
ORIGINAL

0447

District attorneys office as he is  
informed by the Court

Brought before me John A. Feilly  
this 30 day of March 1890  
Sd. J. A. Feilly 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.

23.

1  
2  
3  
4

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

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 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 30

day of Nov

1887

George A. Schenck

John A. Reilly

Police Justice.

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 28 years, occupation 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 Immega* being duly examined before the under-  
signed according to law, on the annexed charge; and being informed that it is h right to  
make a statement in relation to the charge against h; that the statement is designed to  
enable h if he see fit to answer the charge and explain the facts alleged against h,  
that he is at liberty to waive making a statement, and that h waiver cannot be used  
against h on the trial.

Question. What is your name.

Answer.

*Henry Immega*

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 Immega*

Taken before me this

day of

*March 1911*

18

Police Justice.

0450

POOR QUALITY  
ORIGINAL

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

Police Court No 16 490  
District  
THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
John A. Kelly  
James Jamison  
2  
3  
4  
Dated March 30 1889  
J. A. Kelly Magistrate  
Campbell Officer  
Witnesses  
John A. Kelly  
188 Precinct  
Street  
No. 28 Sullivan Street  
Margaret Kelly  
No. 1500  
Carmichael

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 Syndant

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of fifty 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 March 30 1889 L. J. 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

0451

Police Court—24 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, 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 human 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 24<sup>th</sup> day of March 1897 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 Egan and  
Flanagan in the hallway and said  
Officer found the jimmy (saw here)  
stolen in the possession of said  
Egan

Dated 188 Police Justice.

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

Dated 188 Police Justice.

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

Dated 188 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.	
1	2
3	4
Office—BURGLARY.	
Dated	188
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 Jimmy  
marble chain in 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 Mch 1890  
Sgt. C. 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 John A. Reilly  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this

day of

189

25 } Edmund Gray

John A. Reilly  
Police Justice.

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 40 years, occupation Police Officer of No. 1811

Precinct 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

day of

189

25 } George A. Schenck

John A. Reilly  
Police Justice.

POOR QUALITY  
ORIGINAL

0456

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

District Police Court.

*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

188

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

*John J. Flanagan*  
Police Justice.



0458

1016

Police Court 4 District 493

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

John A. Reilly

vs.

John Eagan

James A. Eagan

4

Offence Burglary

Dated Nov 25 1899  
Daniel O. Kelly Magistrate  
Belmont Office  
 Witnesses Edmund Clark Precinct 18  
No. 28 Station, West Street.  
Geo A Schmidt  
118 Precinct West Street.  
James J. J. J. J.  
No. 25 Precinct West Street.  
\$ 1.00 to Subv.  
Comm. 1899  
 RECEIVED  
 MAR 29 1899  
 DISTRICT ATTORNEY

*Dated*.....188.....*Police Justice.*

**POOR QUALITY  
ORIGINAL**

0459

COURT OF GENERAL SESSIONS -Part III.

The People of the State of New York,  
                against  
HENRY FINNEGAN, impleaded with John  
Eagan and James Flanagan .

Before Hon. Ran-  
dolph B. Martine,  
and a Jury .

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 parlor 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. <sup>arr</sup>Greek was one of them 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 <sup>Finnegan</sup> ~~Eagan~~ 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. Finnegan and I left there at that hour and went home. Neither Eagan 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 Egan, James Hanagan and Henry Finnegan*  
of the CRIME OF RECEIVING STOLEN GOODS committed as follows:

The said

*John Egan, James Hanagan 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

*Egan James Hanagan 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:**

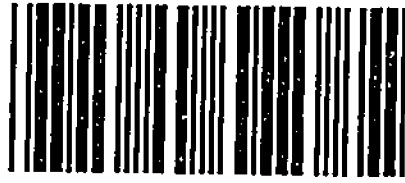
3643

**DESCRIPTION:**

Engel, Frank

**DATE:**

04/16/90



3643



0472

**BOX:**

391

**FOLDER:**

3643

**DESCRIPTION:**

Engel, Frank

**DATE:**

04/16/90



3643

0473

Office Matthew Manning

April 21/90



POOR QUALITY  
ORIGINAL

0474

Police Court— 4 — District.

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

of No. 1321 Third Avenue Street, aged 18 years,  
occupation Barber 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's Employee by Morris 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 night 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 Ten 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 (nowhere) 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 and 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 over the eye and ran away  
that defendant pursued  
them and said Engel was  
caught by Officer Mather  
Lemay who found in his  
possession the skeleton key  
key and the amount  
forty dollars

Brought before me Harry Beland  
this 13 day of April 1880  
In testimony whereof I have hereunto  
set my hand and seal of office at New York  
this 13 day of April 1880

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 \_\_\_\_\_ 1880  
I have admitted the above named  
to bail to answer by the undertaking hereto annexed.  
Dated \_\_\_\_\_ 1880  
There being no sufficient cause to believe the within named  
guilty of the offence within mentioned, I order he to be discharged.  
Dated \_\_\_\_\_ 1880  
Police Justice.

Police Court,	District,
THE PEOPLE, &c., on the complaint of	
1	23.
2	
3	
4	
Date	1880
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.

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 1896

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

Question. What is your name?

Answer.

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  
Frank Engel

Taken before me this

day of

April 1897

Police Justice.



0470

GLUED PAGE

POOR QUALITY ORIGINAL

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

40152 & 570  
Police Court--- District

THE PEOPLE, &c.  
ON THE COMPLAINT OF

Henry C Schale  
1320 3<sup>rd</sup> Ave  
Frank Engel

Offence Burglary

Date Oct 13 1890

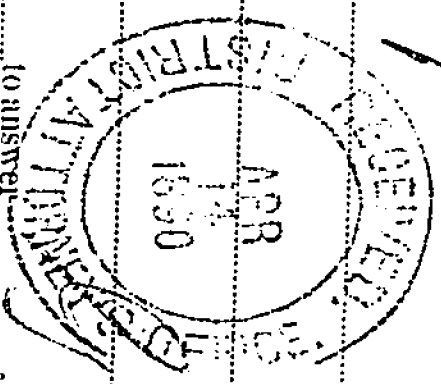
H O Reilly  
Magistrate

Conner  
Officer

Witnesses  
William Conner  
25 Foreman - Police

with mysterns

No. \_\_\_\_\_ Street \_\_\_\_\_  
No. \_\_\_\_\_ Street \_\_\_\_\_  
No. 1320 3<sup>rd</sup> Ave  
1630



Committee

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. 23

New York, Aug 1<sup>st</sup> 1890

John A. Hurlbert  
Sergeant

Sir

Deliver to me the money which I have  
delivered to you and \$110 to my family  
Frank Engel and deliver to my wife  
A large quantity of goods which I have  
and for which you have received \$700  
14894

Respectfully  
John A. Hurlbert  
Sergeant 23 Precinct

Police Justice.

GLUED PAGE

POOR QUALITY  
ORIGINAL

0479

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

Police Court

District

THE PEOPLE, &c.  
ON THE COMPLAINT OF

*Henry C. Schulte*  
*1320 3<sup>rd</sup> Ave*  
*Franklin Square*

Offence *Burglary*

Dated *April 13* 18*90*

*H. O. Reilly*  
Magistrate

*Conner*  
Officer

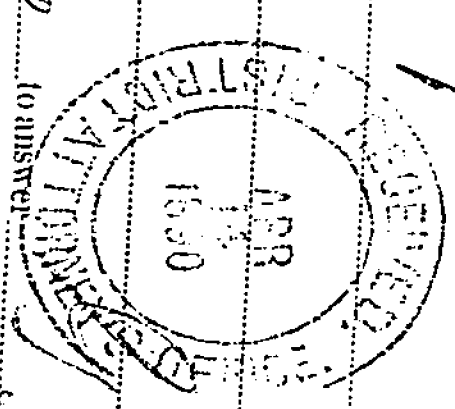
*25*  
Precinct

Witnesses: *William Conner*  
*25 Precinct - Police*  
*with my personal*

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

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

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



*Commenced*

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 *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* 18*90* *So J. C. Schulte*

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_



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~~ *one 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

0481

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.