

0677

**BOX:**

57

**FOLDER:**

651

**DESCRIPTION:**

Faborsky, Josef

**DATE:**

01/09/82



651

0678

68

Day of Trial,  
Counsel, *Samuel L. May*  
Filed *9* day of *May* 188*2*  
Pleads *Not guilty*

THE PEOPLE  
*vs.*  
*Joseph Saboury*  
*vs.*  
*THE PEOPLE*

*Felony Assault and Battery.*

*John M. Dean*  
DANIEL G. ROLLINS,  
District Attorney.

*Samuel May 1882*  
*trial & convicted of an assault*  
A True Bill  
*Monday May 16 1882*  
*Open one year.*

*W. H. H. H.*  
Foreman.



0679

Form 15.

Police Court—Third District.

STATE OF NEW YORK,  
CITY AND COUNTY OF NEW YORK, } ss.

of No.

181 First

Street

on

Tuesday

the

27th

being duly sworn, deposes and says, that

day of

December

in the year 1881

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

he was violently and feloniously ASSAULTED and BEATEN by

her husband

*I* George Farbosky (nowhere) who did willfully  
maliciously and feloniously attempt to cut deponent  
with a large knife which he said George held  
in his hand while in said premises.

with the felonious intent to take the life of deponent, or do <sup>her</sup> ~~him~~ bodily harm; and without  
any justification on the part of the said assailant :

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

Sworn before me, this

28th

day

of

December

1881

*her*  
Johanna Farbosky  
mar

W. J. Owen

Police Justice

0680

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK, ss.

3d DISTRICT POLICE COURT.

George Farbocky 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.

George Farbocky

Question. How old are you?

Answer.

26 years

Question. Where were you born?

Answer.

Bohemia

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

Answer.

101 First-street, 4 months

Question. What is your business or profession?

Answer.

Cigar maker

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 neither struck her or attempted to stab her, all I want is my mother in law out of the house

Yusef Liboratzky

Taken before me, this

28th

day of

December

188

W. J. Brown

Police Justice.



0681

Sec. 209, 209, 210 & 212.

Police Court 3d District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

William Garbosky  
101 First St.  
George Garbosky  
101 First St.

Offence, Felony Assault

Dated December 28th 1881

W. H. Allen Magistrate.

Miller Officer.

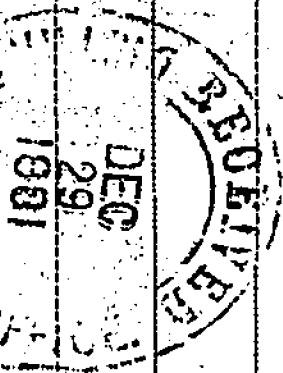
ONE Clerk.

Witnesses

Emily Stokladnik  
101 First St.

No. 1 Street, 101 First St.

No. 2 Street, 101 First St.



1500 Ave & 8th Ave

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 George Garbosky

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

Dated December 28th 1881 W. H. Allen 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 h to be discharged.

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.



2890

Sec. 208, 209, 210 & 212.

Police Court-- 3d District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Johanna Garbocky*  
*101 First St.*  
*George Garbocky*  
*101 First St.*

Offence, *Voluntary Assault*

BAILED,

No. 1, by

Residence

Street,

No. 2, by

Residence

Street,

No. 3, by

Residence

Street,

No. 4, by

Residence

Street,

188

Dated

*December 28th*

Magistrate.

Officer.

Clerk.

*M. J. Owen*  
*McKen*  
*McKen*

Witnesses

No.

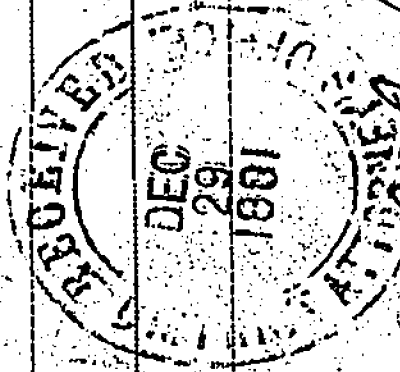
Street,

No.

Street,

No.

Street.



*500 to one of S. L. L. L.*

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 admitted to bail in the sum of *Five Hundred Dollars* and be com-

mitted to the Warden or Keeper of the City Prison until he give such bail.

Dated *December 28th* 1881

Police Justice.

I have admitted the above named

to bail to answer by the undertaking hereto annexed.

Dated 1881

Police Justice.

There being no sufficient cause to believe the within named

guilty of the offence within mentioned, I order h to be discharged.

Dated 1881

Police Justice.



0683

Mem. for Dist. Atty.

It is alleged by these witnesses that the defendant fired a shot through a window at his wife - The complainant - on a former occasion - He wounded the other witness - Emily Wobleson - on the occasion of this alleged felonious assault.

0684

**Court of General Sessions**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Josef Faborsky*

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

*Josef Faborsky*  
of the CRIME OF "Assault and Battery upon another with a deadly weapon with intent to kill," committed as follows:

The said

*Josef Faborsky*  
*late of the City of New York, in the County of New York, aforesaid, on the*  
*twenty-seventh day of December* in the year of our Lord  
one thousand eight hundred and eighty *one* with force and arms, at the City and  
County aforesaid, in and upon the body of  
in the peace of the said people then and there being, feloniously did make an assault  
and *her* the said *Johanna Faborsky*  
with a certain *knife*  
which the said *Josef Faborsky*

in *his* right hand then and there had and held, the same being a deadly and  
dangerous weapon, wilfully and feloniously did beat, strike, stab, cut and wound  
with intent *her* the said *Johanna Faborsky*  
then and there feloniously and wilfully to kill, against the form of the Statute in such  
case made and provided, and against the peace of the People of the State of New York  
and their dignity.

SECOND COUNT.

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

*Josef Faborsky*  
of the CRIME OF "Assault upon another, without justifiable or excusable cause, with a  
sharp, dangerous weapon, with intent to do bodily harm," committed as follows:

The said

*Josef Faborsky*  
afterwards, to wit, on the day and in the year aforesaid, at the City and County  
aforesaid, *the said*  
with force and arms, in and upon the body of the said *Johanna Faborsky*  
then and there being, wilfully and feloniously did make an  
assault and *her* the said *Johanna Faborsky*  
with a certain *knife* which the said *Josef Faborsky*

in *his* right hand then and there  
had and held, the same being then and there a sharp, dangerous weapon, wilfully  
and feloniously, and without justifiable or excusable cause, did then and there beat,  
strike, stab, cut and wound, with intent to then and there wilfully and feloniously  
do bodily harm unto *her* the said *Johanna Faborsky*  
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.



0685

THIRD COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said Josef Faborsky of the CRIME OF "Assault and Battery upon another by such means and force as was likely to produce death with intent to kill," committed as follows:

The said Josef Faborsky

afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, ~~the said~~

with force and arms, in and upon the body of the said Johanna Faborsky in the peace of the said people then and there being, feloniously did make another assault and her the said Johanna Faborsky

which the said Josef Faborsky

in his right hand then and there had and held, wilfully and feloniously did beat, strike, stab, cut and wound, the same being such means and force as was likely to produce the death of her the said Johanna Faborsky with intent her the said Johanna Faborsky then and there feloniously and wilfully to kill against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

FOURTH COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said Josef Faborsky of the CRIME OF "Assault and Battery upon another, with a deadly weapon, with intent to maim," committed as follows:

The said Josef Faborsky

afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, ~~the said~~

with force and arms, in and upon the body of the said Johanna Faborsky then and there being, wilfully and feloniously did make another assault and her the said Johanna Faborsky with a certain knife which the said Josef Faborsky

in his right hand then and there had and held, the same being then and there a deadly weapon, wilfully and feloniously did then and there beat, strike, stab, cut and wound, with intent then and there wilfully and feloniously to maim her the said Johanna Faborsky 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 M. Reon  
DANIEL G. ROLLINS, District Attorney.

0686

**BOX:**

57

**FOLDER:**

651

**DESCRIPTION:**

Farley, James

**DATE:**

01/27/82



651



WITNESSES

427

Day of Trial, *May 10*  
Counsel, *McKeon*  
Filed *2* day of *May* 188*2*  
Pleads *guilty* *Feb 6*

THE PEOPLE

vs.

LARCENY AND RECEIVING  
STOLEN GOODS.

*B.*

*James Farley*

JOHN McKEON,

*District Attorney.*

A True Bill.

*W. H. H. H.*

Foreman.

*Part 2 Feb 10. 1883*

*Tried and acquitted*



0688

FORM 894.

STATE OF NEW YORK,  
CITY AND COUNTY OF NEW YORK, } ss.

Police Court--Second District.

*John B. Mast* aged *36* years,  
of No *Merchant's Residence No 56 Charles* Street, being duly sworn, deposes  
and says, that on the *twenty third* day of *November* 188 /  
at the City of New York, in the County of New York, was feloniously taken, stolen and carried  
away, from the possession of deponent, *and from the hat factory*  
*in houses Nos 191-193 & 195 Seventh Avenue*  
the following property, to wit: *three dozen of unfinished*  
*hats in all*

of the value of *Fifty-two* Dollars,

the property of *deponent and his copartners Robert*  
*Dunlap; and William H. Dunlap all three*

*doing business under the firm name of R. Dunlap & Company*  
and that this deponent has a probable cause to suspect, and does suspect, that the said property  
was feloniously taken, stolen, and carried away by *James Farley* (now here,

*for the reasons following to wit: that deponent*  
*is informed by Charles W. Waldman,*  
*here present*  
*that on said day said James Farley*  
*did in presence of him said Waldman*  
*at the store in house No 617 1/2 Seventh Avenue*  
*offer said hats for sale; deponent thereupon*  
*depos went to said store No 617 1/2 - 10th Avenue*  
*and there identified said hats as his*  
*and his said copartners property; taken*  
*stolen and carried away from said hat*  
*factory.*

Sworn to before me, this

29th

day

of November

188

*Maxwell M. Brown*  
Police Justice.



0689

City and County of New York *Charles W. Waldman*  
 28 years of age, a ~~tenant~~ <sup>hatter</sup>, residing at  
 No ~~617~~ <sup>1/2</sup> ~~West 87th Street~~ <sup>Tenth Avenue</sup> said City, being duly  
 sworn says; that on the 23<sup>rd</sup> day of November  
 1881; ~~he saw~~ James Farley the prisoner here  
 present came into ~~the~~ <sup>his</sup> hat store in ~~house~~ <sup>said</sup>  
 No 617 1/2 Tenth Avenue said City and offered the  
 hats mentioned in foregoing affidavit ~~for~~  
 sale; that he ~~said~~ <sup>said</sup> Waldman, informed  
 John B. Mark the complainant named in  
 foregoing affidavit thereof; who afterward  
 identified said hats as his property  
 Having to before me ~~this~~  
 29<sup>th</sup> day of November ~~1881~~ <sup>1881</sup> *Chas W Waldman*  
*McConnell*  
*Robert*

0690

Sec. 198-200.

*Leon*

DISTRICT POLICE COURT.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*James Farley* 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. *James Farley*

Question. How old are you?

Answer. *Seventeen years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *No 120 - 7<sup>th</sup> Avenue about three years*

Question. What is your business or profession?

Answer. *hatter*

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 of the charge*Taken before me, this *29*day of *Nov*188*7**James Farley**Mercen Oberbo*

Police Justice.



0691

Secs. 206, 209, 210 & 212.

Police Court - Second District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

James D. Clark  
516 Charles St.

James Stanley

Offence, Grand Larceny

Dated Nov. 29 1881

Attest, Magistrate.

Wm. D. O. Officer.

Witnesses: Charles M. McIlwain

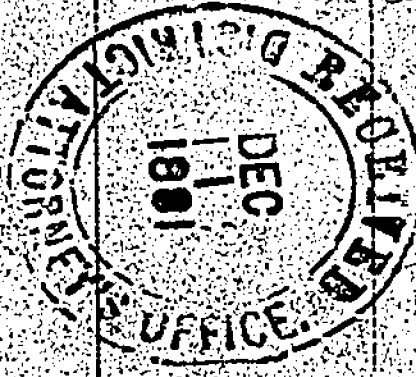
No. 617 12-10th Avenue Street

David Schickel

No. 400 West 37th St. Street,

James J. Miller

No. Street Street.



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

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

Dated Nov 29 1881

McIlwain Police Justice.

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

Dated November 29 1881

Wm. D. O. Police Justice.

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

Dated Nov 29 1881

McIlwain Police Justice.



2692

Sec. 205, 206, 210 & 212

Police Court - Second District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
*John B. Clark*  
*36 Charles St.*  
*James Farley*  
1  
2  
3  
4  
Offence, *Breach of Peace*

Dated *Nov. 29* 188*1*  
Magistrate.  
*Alley*  
Officer.  
*Smith*  
Clerk.  
*29 D.*

Witnesses  
*Charles W. Walker*  
No. *617* *127-10th Ave. Street.*  
*David Charick*  
No. *400* *Map 37* *1st Street.*  
*James Butler*  
No. \_\_\_\_\_ Street.



BAILED

*James Bennett*

*290 Third Avenue*

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

Street.

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

Street.

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

Street.

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named *James Farley* guilty thereof, I order that he be admitted to bail in the sum of *Five* Hundred Dollars and be committed to the Warden or Keeper of the City Prison until he give such bail.  
Dated *Nov 29* 188*1*  
*James Farley*  
I have admitted the above named *James Farley* to bail to answer by the undertaking hereto annexed.  
Dated *November 29* 188*1*  
*McConnell*  
Police Justice.

There being no sufficient cause to believe the within named *James Farley* guilty of the offence within mentioned, I order he to be discharged.  
Dated \_\_\_\_\_ 188*1*  
*McConnell*  
Police Justice.



0693

**Court of General Sessions**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*James Farley*

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

of the CRIME OF LARCENY

committed as follows:

The said

*James Farley*

late of the First Ward of the City of New York, in the County of New York,  
aforesaid, on the ~~twenty third~~ *thirty* day of *November* in the year of our Lord  
one thousand eight hundred and eighty ~~one~~ *one*, at the Ward, City and County  
aforesaid, with force and arms

*Thirty-six hats (of the kind commonly  
called unfinished hats) of the value of  
one dollar and forty-four cents each.*

of the goods, chattels and personal property of one

*John B. Mack*

then and there being found,  
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.

0694

And the Grand Jury aforesaid, by this indictment, further accuse the said  
*James Farley*  
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said *James Farley*  
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,

*Thirty-six hats (of the kind commonly  
called unfinished hats) of the value  
of one dollar and forty-four Cents each.*

of the goods, chattels and personal property of the said

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

*John B. Mast*  
unlawfully, unjustly, did feloniously receive and have (the said

*James Farley*  
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 McKEON, District Attorney.



0695

**BOX:**

57

**FOLDER:**

651

**DESCRIPTION:**

Farrell, Edward

**DATE:**

01/04/82



651

No 7

Counsel

Filed 4 day of

1882

May

Pleads

THE PEOPLE

vs.

J. Thompson

61 photographs

2

Edward Farrell

INDICTMENT.  
Larceny of Money, &c., from the person  
in the night time

John W. Nelson  
District Attorney

District Attorney

Part No May 4, 1882

A True Bill.

Pleads guilty

S. P. 2 1/2 years

Foreman

John A. ...



0697

Q.

District Police Court.

Affidavit - Larceny.

CITY AND COUNTY  
OF NEW YORK, ss.of No. House of Detention Street, Lowerbeing duly sworn, deposes and says, that on the 24<sup>th</sup> day of December 1881at the premises No. 57 Thompson City of New York,

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

of deponent, in the night time

the following property, viz:

Good and lawful money  
of the United States consisting of three notes  
or bills of the denomination and value of five  
dollars each and one note or bill of the  
denomination and value of two dollars -  
all of the value of three dollars

the property of deponent.

and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken,  
stolen, and carried away by Edward Harrell (now here.)

from the fact that deponent was in the  
saloon No. 57 Thompson Street where the  
said Harrell pushed deponent against  
another man and then put his hand into  
the left hand pocket of the vest then on  
deponent's person and took therefrom  
the money of deponent's account  
the said Harrell of the premises and went  
after a Policeman and on returning the said  
Harrell had left said premises Deponent gave

Sworn before me this

day of

188

Police Justice

0698

a description of the said Samuel W  
Officer Frankel who shortly afterwards  
arrested the said Samuel. Heponen  
identifies the said Samuel as the person  
who had taken stolen and carried  
away the said money from his person.

Given before me  
this 25<sup>th</sup> day of December 1881  
Solon B. Smith Police Justice

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

AFFIDAVIT—Larceny.

Dated

188

Magistrate.

Officer.

WITNESSES:

Disposition



0699

Sec. 198-200.

CITY AND COUNTY }  
OF NEW-YORK, } ss.

2<sup>d</sup> DISTRICT POLICE COURT.

Edward Farrell 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. Edward Farrell

Question. How old are you?

Answer. 25 Years

Question. Where were you born?

Answer. New York.

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

Answer. 61 Thompson Street 3 months

Question. What is your business or profession?

Answer. Reverend

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

Taken before me, this 25 day of Dec 1888 } Edward Farrell

Solomon Smith Police Justice

0700

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

Sec. 208, 209, 210 & 212.

Police Court District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*Charles M. Warner*  
*Prose & Detection*  
*of 3rd Div.*

*Edward M. Warner*

DEC 27 1881

*Greeny*  
*from Person*

Dated *Dec 25* 1881

*Smith* Magistrate.

*Smith* Officer.

*Smith* Clerk.

Witnesses *Frank H. Warner*

No. *Frederick B. Warner* Street,

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

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

*Smith*

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 *held to ensure the same and he* be admitted to bail in the sum of \_\_\_\_\_ Hundred Dollars and be committed to the Warden or Keeper of the City Prison until he give such bail.

Dated *Dec 25* 1881

*Solomon B. Smith* Police Justice.

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

Dated \_\_\_\_\_ 1881

Police Justice.

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

Dated \_\_\_\_\_ 1881

Police Justice.



Police Court—2 District.

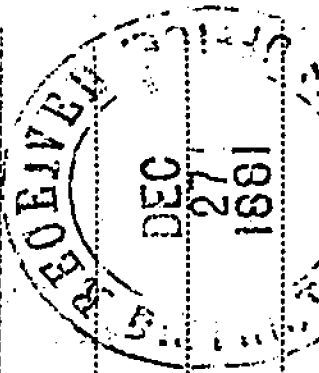
THE PEOPLE, &c.,

## ON THE COMPLAINT OF

*mp*  
*707*  
ON THE COMPLAINT OF  
*Thomas M. Carter*

Hayes Collection

Edwin J. Arnold



Dated 11/22/2018 188

Smith

**Magistrate.**

**Officer.**

Clerk.

Witness  
Frank C. Colman

No. 172 Second St. E.

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

No. \_\_\_\_\_ street.

**treet.**

2000

# BAITED

**No. 1, by**

### Residence

Residence \_\_\_\_\_ Street \_\_\_\_\_

No. 2, bu

## Residence

Residence \_\_\_\_\_ Street \_\_\_\_\_

No. 8, by

## Residence

Residence \_\_\_\_\_ Street \_\_\_\_\_

No. 4, by

Residence

Residence \_\_\_\_\_ Street \_\_\_\_\_

*Police Justice.*

*Dated* ----- 188

guilty of the offence within mentioned, I order h to be discharged.

There being no sufficient cause to believe the within named

*Police Justice.*

*Dated* ..... 188

to bail to answer by the undertaking hereto annexed.

I have admitted the above named

Police Justice.

Dated 188

guilty thereof, I order that he be admitted to bail in the sum of One Hundred Dollars and be committed to the Warden or Keeper of the City Prison until he give another bail.

and that there is sufficient cause to believe the within named William M. Murrell held to answer for same and he be admitted to bail in the sum of One Hundred Dollars and to com-

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

0702

Court of General Sessions of the Peace of  
the City and County of New York.

THE PEOPLE OF THE STATE OF  
NEW YORK

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

committed as follows:

The said

late of the First Ward of the City of New York, in the County of New York, aforesaid,

on the *twenty-fourth* day of *December* in the year of our Lord one thousand eight hundred and eighty *one* at the Ward, City and County aforesaid, with force and arms, in the night time of said day, three promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one thousand dollars, and of the value of one thousand dollars each: three promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five hundred dollars, and of the value of five hundred dollars each: twenty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one hundred dollars, and of the value of one hundred dollars each: thirty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of fifty dollars, and of the value of fifty dollars each: fifty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars each: sixty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of ten dollars, and of the value of ten dollars each: eighty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five dollars, and of the value of five dollars each: ninety promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of three dollars, and of the value of three dollars each: one hundred promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of two dollars, and of the value of two dollars each: one hundred and twenty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one dollar, and of the value of one dollar each: one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of one hundred dollars: one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of fifty dollars: two promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty dollars each: three promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of ten dollars each: ten promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars each: ten promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of three dollars each: fifteen promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of two dollars each: thirty promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of one dollar each: bank bills of banks to the jurors aforesaid unknown, and of a number and denomination to the jurors aforesaid unknown, of the value of one thousand dollars. Two gold coins (of the kind usually known as double eagles), of the value of twenty dollars each: three gold coins (of the kind usually known as eagles), of the value of ten dollars each: six gold coins (of the kind usually known as half eagles), of the value of five dollars each: fifteen gold coins (of the kind usually known as quarter eagles), of the value of two dollars and fifty cents each: ten gold coins (of the kind usually known as three dollar pieces), of the value of three dollars each: thirty gold coins (of the kind usually known as dollar pieces), of the value of one dollar each: gold coin of the denomination to the jurors unknown, and a more particular description whereof cannot be given, of the value of one thousand dollars. Sixty silver coins (of the kind usually known as dollars), of the value of one dollar each: sixty silver coins (of the kind usually known as half dollars), of the value of fifty cents each: one hundred and fifty silver coins (of the kind usually known as quarter dollars), of the value of twenty-five cents each: three hundred silver coins (of the kind usually known as dimes), of the value of ten cents each: six hundred silver coins (of the kind usually known as half dimes), of the value of five cents each: one thousand silver coins (of the kind known as three cent pieces), of the value of three cents each: silver coin of a denomination to the jurors unknown, and a more particular description whereof cannot be given, of the value of fifty dollars. Three thousand coins (of the kind known as cents), of the value of one cent each: five hundred coins (of the kind known as two cents), of the value of two cents each. One hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of fifty cents each, and of the marketable value of fifty cents each: two hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of twenty-five cents each, and of the marketable value of twenty-five cents each: five hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of ten cents each, and of the marketable value of ten cents each,

of the goods, chattels, and personal property of *Thomas McNamee* on  
the person of the said *Thomas McNamee* then and there being found,  
from the person of the said *Thomas McNamee* 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.

*John McKeon*  
BENJ. K. PHELPS, District Attorney.



0703

**BOX:**

57

**FOLDER:**

651

**DESCRIPTION:**

Fernback, Louis

**DATE:**

01/17/82



651

0704

**BOX:**

57

**FOLDER:**

651

**DESCRIPTION:**

Flanagan, Morris

**DATE:**

01/17/82



651



0705

WITNESSES:

Day of Trial

Counsel

Filed 17 day of Jan'y 1882

Reads

THE PEOPLE

LARCENY AND RECEIVING  
STOLEN GOODS

JOHN McKEON

John McKeon District Attorney

Filed 29 day 1882

Filed 29 day 1882

Filed 29 day 1882

Filed 29 day 1882

Filed 29 day 1882

Filed 29 day 1882

Filed 29 day 1882

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Filed 29 day 1882

Filed 29 day 1882

Filed 29 day 1882

Filed 29 day 1882



0706

Just

District Police Court.

Affidavit—Larceny.

CITY AND COUNTY  
OF NEW YORK } ssof No. 104 Warren Street,being duly sworn, deposes and says, that on the 9th day of January 1882

at the \_\_\_\_\_ City of New York,

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

the following property, viz:

One Barrel containing Dried Apples  
of the value of six ~~ten~~ dollars

Sworn before me this

10th

day of

January

1882

Police Justice.

the property of

William L Allen, and Edward L  
Allen copartners doing business at said Street  
and street, said property being in the care and  
charge of deponent and that this deponent  
has a probable cause to suspect, and does suspect that the said property was feloniously taken,  
stolen, and carried away by Louis Fernbaurk (now here)from the fact that deponent caught said  
Louis Fernbaurk who is in the employ  
of said William L, and Edward L Allen  
at said premises as a Porter in the act  
of selling said property after the said  
premises had been closed for the day  
to one Morris Flanagan for the sum of  
five dollars, deponent thereupon charges  
the said Fernbaurk with the Larceny  
of said property. Edwin F Clark



0707

Form 10

## POLICE COURT-FIRST DISTRICT.

STATE OF NEW YORK,  
CITY AND COUNTY OF NEW YORK, } ss.

Edwin F. Clark

of No. 104 Warren Street,that on the 9th day of January 1882 at the City of New York,

in the County of New York.

*Knows to this*  
*deposes me*  
*Edwin F. Clark*  
*1882*

Morris Flanagan (now here) did purchase and receive from Louis Fernbaum the following property, one Barrel of Dried Apples mentioned in the within Complaint, and of the value of sixteen dollars the property of William L. Allen and Edward L. Allen copartners doing business at said number and street said property being in the care and charge of deponent. That said Flanagan purchased said property from said Fernbaum for the sum of five dollars. Deponent charges that at the time he said Flanagan purchased said property, he did so with full knowledge that it had been stolen, and so knowing did feloniously buy and receive the same, Wherefore deponent

0708

asks that said Morris Flanagan be held to answer  
and dealt with according to law

*W. J. Caven*

*Edwin F. Clark*

Sworn to before me this  
10<sup>th</sup> day of January 1881

*W. J. Caven*

*Police Justice*

Form 10.

POLICE COURT—FIRST DISTRICT.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs

AFFIDAVIT

Dated

188

Justice

Officer



0709

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK,

DISTRICT POLICE COURT.

*Louis Kornbaur*

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. *Louis Kornbaur*

Question. How old are you?

Answer. *26 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *145 Duinett street Williamsburg, 6 months*

Question. What is your business or profession?

Answer. *Porter*

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 took the Parcel of dried Apples and Morris Flanagan knew that when he bought them the property was stolen,*

Taken before me, this *10th*  
day of *January* 188*2*

*Louis Kornbaur**W. J. Moran*

Police Justice.

0710

Sec. 198-200.

DISTRICT POLICE COURT.

CITY AND COUNTY  
OF NEW YORK.

*Morris 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.

*Morris Flanagan*

Question. How old are you?

Answer.

*45 years*

Question. Where were you born?

Answer.

*Ireland*

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

Answer.

*73 King Street; 2 years*

Question. What is your business or profession?

Answer.

*Junk man*

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 purchased the Barrel of Dried Apples from Louis Fernbank and paid him five dollars on account for them*

Taken before me, this

*10<sup>th</sup>*

day of

*January* 188*2*

*Morris Flanagan*  
*Mark*

*W. J. M. W.*

Police Justice.



0711

BAILED,

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

Sec. 209, 209, 210 & 212.

Police Court

District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Colvin H. Hall*

*184 West 10th St*

*John Flanagan*

Office,

*Larson & Receiver of Stolen Goods*

Dated

*January 10 1882*

*M. H. G. G.* Magistrate.

*James H. H. H.* Officer.

*5th Precinct*

Witnesses

*Charles H. H. H.*

No.

*291 6th St*

*Ernest C. H. H.*

No.

*109 H. H.*

No.

*1882*

*Emmell H. H.*

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 *Louis Fannbark &*

*Monis Flanagan* tried to answer and he

guilty thereof, I order that he be admitted to bail in the sum of *Five* Hundred Dollars and be com-

mitted to the Warden or Keeper of the City Prison until he give such bail.

Dated *January 10 1882*

*W. J. G. G.* 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 h to be discharged.

Dated *January 11 1882*

Police Justice.

*Emmell H. H.*

0712

Sec. 208, 209, 210 & 212.

Police Court

pt District  
THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
*Edwin Holland*  
*124 Warren*  
*Davis Humbach*  
*Manis Maugan*

BAILED,

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

Dated *January 10* 188 *2*  
*M. J. Foster* Magistrate.  
*James Trauor* Officer.  
*5th Precinct*

Witnesses  
*Charles Tenbrook*  
No. *291 Birch* Street,  
*Ernest C. Feldhusen*  
No. *107 Warren* Street,  
No. \_\_\_\_\_ Street,  
No. \_\_\_\_\_ Street.

RECEIVED

JAN 10 1882

*Comm. 11/10*

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 *Davis Humbach* is guilty thereof, I order that he be admitted to bail in the sum of *Five Hundred* Dollars and be committed to the Warden or Keeper of the City Prison until he give such bail.

Dated *January 10* 188 *2*  
*W. J. Foster* 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.



0713

**Court of General Sessions**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

*Louis Fernback* <sup>against</sup>

*Morris Flanagan*

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

*Louis Fernback and Morris Flanagan*  
of the CRIME OF LARCENY

committed as follows:

The said

*Louis Fernback and Morris Flanagan*  
late of the First Ward of the City of New York, in the County of New York,  
aforesaid, on the *ninth* day of *January* in the year of our Lord  
one thousand eight hundred and eighty - *two* at the Ward, City and County  
aforesaid, with force and arms

*Three hundred and twenty pounds of dried  
apples of the value of five cents each pound.*

of the goods, chattels and personal property of one

*William L. Allen*

then and there being found,

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.

0714

And the Grand Jury aforesaid, by this indictment, further accuse the said  
*Louis Fernback and Morris Flanagan*  
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

*Louis Fernback and Morris Flanagan* each  
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,

*Three hundred and twenty pounds of dried  
apples of the value of five Cents each pound.*

of the goods, chattels and personal property of the said

*William L. Allen*

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

*William L. Allen*  
unlawfully, unjustly, did feloniously receive and have (the said

*Louis Fernback and Morris Flanagan*  
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 McKEON, District Attorney.



0715

**BOX:**

57

**FOLDER:**

651

**DESCRIPTION:**

Fitzpatrick, Bernard

**DATE:**

01/11/82



651

0716

**BOX:**

57

**FOLDER:**

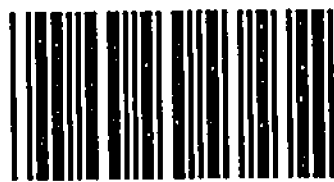
651

**DESCRIPTION:**

McCormack, Frank

**DATE:**

01/11/82



651



0717

BOX:

57

FOLDER:

651

DESCRIPTION:

Kennedy, John

DATE:

01/11/82



651

0718

WITN

188

PEOPLE

os.

IEL G. ROLLINS,

*District Attorney.*

*Foreman*

Comicide of the Degree of Murder,  
First Degree.

THE PEOPLE

vs.

THE PEOPLE

vs.

THE PEOPLE

vs.

THE PEOPLE

vs.

THE PEOPLE

vs.

THE PEOPLE

vs.

THE PEOPLE

vs.

THE PEOPLE

vs.

THE PEOPLE

vs.

THE PEOPLE

vs.

THE PEOPLE

vs.

THE PEOPLE

vs.

THE PEOPLE

vs.

THE PEOPLE

vs.

THE PEOPLE

vs.

THE PEOPLE

vs.

THE PEOPLE

vs.

THE PEOPLE

vs.

THE PEOPLE

vs.

THE PEOPLE

vs.

THE PEOPLE

vs.

THE PEOPLE

vs.



0719

## STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, SS.

## AN INQUISITION,

Taken at the house of Coroner's Office  
 No 13 at 5 East 1st Street, in the 4th Ward of the City of  
 New York, in the County of New York, this 31 day of December  
 in the year of our Lord one thousand eight hundred and 81 before  
 John H. Brady Coroner,  
 of the City and County aforesaid, on view of the Body of Thomas J.  
 Horton lying dead at

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

Thomas J. Horton came to his death, do  
 upon their Oaths and Affirmations, say: That the said Thomas J. Horton  
 came to his death by a pistol shot wound in  
 the hands of Bernard G. Fitzpatrick  
 on the night of December 18<sup>th</sup> 1881.

We find that the said Fitzpatrick was urged on  
 and encouraged thereto by Frank McCormack  
 and John Kennedy.

In Witness Whereof, We, the said Jurors, as well as the CORONER, have to this Inquisition  
 set our hands and seals, on the day and place aforesaid.

## JURORS.

Conradus B. B. 1354 1/2	Jamies Shoud 1263 B'dway
Samuel Jones Jr 1201 Broadway	Archibald Gillis 1260 B'dway
D W Chapman 1246 B.Way	Frederic Sullivan 1305 B'dway
R B Hutchinson 1309 B'dway	

John H. Brady

CORONER, E. S.



## Coroner's Office.

## TESTIMONY.

Jacob O. Harrington being sworn says: I reside  
 at 44 Delaney St. and am a comb-maker.  
 Saw the occurrence in question. Was in Mr. Piron's  
 saloon, 44 Delaney St. An alley-way or Railway runs  
 adjoining it leading to the warehouse. Heard a noise  
 in the alleyway and went out to see. A light is kept  
 there by the saloonkeeper on account the water-closet  
 in the rear. Heard Officer Horton's voice saying: you  
 all go ahead of me. They did so. On the sidewalk  
 Officer Horton demanded to see the prisoner's <sup>badge</sup> ~~baggage~~  
 saying: "He could take care of all the houses on  
 his beat and did not want any one to come  
 around and play policeman on his beat." The  
 prisoner did not show his ~~baggage~~ but stood as if  
he meant to strike or something of that sort, when  
 Horton knocked him down with his fist. When  
 he rose Horton struck him a second time  
 and kicked him, which brought the prisoner  
out into the street. There were then quite  
 a number of people there. Saw some one stoop  
 as if picking up something and send it  
 to the prisoner. The Coroner then said to the  
 prisoner: "how you got him, give it to him  
 Corney." The fist was then immediately dis-  
 charged. Saw the flesh in prisoner's hand.  
 Horton then rushed onto the prisoner and  
 they clinched, rolling across the street  
 and came back again. Horton then leaned

Taken before me

this 31 day of December 1881

John H. Brady

CORONER



0721

Coroner's Office.

TESTIMONY.

up against the house saying, "I am gone."  
 The noise I heard was in the rear house upstairs.  
 I did not see Horton before I heard the noise.  
 I heard the noise continuously for a half of  
 an hour previous to seeing Horton drive the  
 people out of the alleyway. Horton never offered  
 to use his club and did not raise it when  
 approaching the man prior to the shooting.  
 The trouble I referred to occurred after the  
 shooting. Horton struck the man no more  
 than two times and kicked him over.

Jared C. Harrington

Taken before me

this 31<sup>st</sup> day of Dec 1881

John H. Brady

CORONER.

0722

## Coroner's Office.

## TESTIMONY.

Inspector of Police Thomas Byrnes, being sworn, says: On the morning of Dec. 21<sup>st</sup> at about 6.45 Am. my doorbell rang. The prisoner and his counsel Mr. Glavin were at the door. Mrs. Glavin said that the man was Fitzgerald and had come to give himself up. He wanted me to examine him and I found that he had a black eye and swollen nose. On the cheek he had abrasions of the skin. Mrs. Glavin then left. A few minutes afterwards I took the prisoner to Madguver's and from him to the Coroner. These injuries looked fresh, that is 2 or 3 days old. The man appeared like a fellow who had been in a fight and got pretty rough usage. ~~The~~ The shooting occurred on the night of the 18<sup>th</sup> of December.

Thomas Byrnes

Taken before me

this 31 day of Dec. 1881

John H. Madry

CORONER.



0723

Coroner's Office.

TESTIMONY.

Officer Nicholas A. Ryckman of 5<sup>th</sup> Precinct  
being sworn says: Know deceased and also  
know the prisoner by sight. At about 1.30 A.M.  
Dec. 19<sup>th</sup> while ~~was~~ standing on Franklin  
St. where I saw a man come along pretty  
drunk and saying: "It is a damn shame if  
respectable people can't go along without  
being insulted by the policemen. As I looked  
at him I noticed a contusion under one of  
his eyes. Officer Blynn pointed it out to me.  
Spoke to Fitzgerald before that. Officer Blynn  
recognized a man, named Frank McCormick,  
as the accused Officer Fitzgerald.

Nicholas A. Ryckman

Taken before me

this 31 day of Dec. 1881

John H. Brady

CORONER.

0724

Coroner's Office.

TESTIMONY.

Henry Hellnick of 189 Livingston St. living  
 now says: Was in the city, 46 Orleans St.  
 Saw the shooting by a man in citizens clothes.  
 Heard no quarrel previous. Recognized the  
 prisoner as the man who did the shooting.  
 Both men were standing still when I first  
 saw them. They were only a couple of feet  
 apart then. Saw the prisoner put his hand in  
 his pocket, get out a pistol and then fire  
 at the Officer. The Officer was the shortest  
 man of the two. Saw the tosser after the shooting  
 and finally followed the prisoner but lost  
 sight of him. Before the shooting heard  
 two men on the sidewalk ring out about a  
 half dozen times: "Give it to him Harry,  
 now you got him." This remark was made  
 both prior and after the shooting. The witness  
 here recognized James Mc Cormick as one  
 of the men who made that remark.

Henry Hellnick

Taken before me

this 31 day of Dec 1881

John H. Brady

CORONER.



0725

(6)

Coroner's Office.

TESTIMONY.

Melissa Murphy of 44 Orleans St being sworn says: Am a servant girl for the liquor store keeper. At 11.30 P.M. I left the store to go to bed and met Officer Norton in the hall. He asked me where Big Big Blanche was living. I told him in the rearhouse upstairs. Asked Norton if he was going there and he said, he had to. I went in the store again and told Mr. Pearson. When I went out again Officer Norton, three men and Big Blanche came along the alley way. The men were ahead and Blanche and Norton followed. Blanche remained in the hallway I think. Norton then asked the stranger to show his shield a half of a dozen times but the stranger did not show it. Norton told him to get away. The man made a reply which I did not hear, Norton said: "if you are a policeman this is a queer place for you to be in." But still he would not show it. Norton then knocked him down once and twice. Mr. Cormick and Kennedy made the remark: "Give it to him Barney, now you got him." Kennedy stooped and handed something to the stranger and the latter fired the shot. Kennedy and Mr. Cormick came out of the hallway with the stranger. After Norton struck the man the second time they clinched. Did not see him kick the stranger. Before the shooting both

Taken before me

this 31 day of Dec. 1881

John H. Brady

CORONER.

0726

Coroner's Office.

TESTIMONY.

Horton and the stranger stood about three feet from each other when the stranger put his hand to his pocket and then put his hand up in front and fired. Saw the flash as it was too dark to see the revolver. Horton said to the stranger prior to the firing: "Put that down". Horton did not raise his club to the stranger. Kennedy and Mr. Coomack after the shooting pulled away the stranger, saying: "You are alright, now get".

Michael Murphy

Taken before me  
this 31 day of Dec 1881  
John H. Madley

CORONER.



0727

Coroner's Office.

TESTIMONY.

Officer John J. Cress of 10 Dist being sworn  
 says: After the shooting of Officer Morton was sent  
 out to make arrests. On Dec. 19<sup>th</sup> at 12.10 AM  
 I arrested Frank Mc Cormack at the liquor store  
 at 136 Chesnut St. He did not resist. After  
 walking along for about a block he said:  
 "I know what you want me for, to which I  
 replied: "We go up to the stationhouse and  
 you can tell all about it." At the desk in  
 the stationhouse he said: "Barney Fitzpatrick  
 shot Morton" and that he was standing in  
 the crowd. Somebody took his hat and he  
 ran after it. At 6 AM. Dec. 19 I arrested  
 Kennedy at W. E. Corner of Monroe & Scammon  
 St. also in a liquor store. Told him that I wanted  
 him to come to 10 Dist stationhouse. He said:  
 "All right, I am going to give myself up."  
 Then took him to the stationhouse.

John J. Cress

Taken before me

this 31 day of Dec. 1881

John H. Brady

CORONER.

0728

Coroner's Office.

TESTIMONY.

(9)

Johanna Ryan of 44 Delaney St. Que., being sworn says: I know Officer Norton, Fitzpatrick, Mc Cormack and Kennedy. The last three and two ladies came to my house at about 11 P.M. on Dec. 18<sup>th</sup>. The girls got quarrelling and I put one out. She was intoxicated and noisy. When Norton came into the house I opened the door and so saw him. He saw the prisoner and caught hold of his shoulder saying what are you doing here. Mc Cormack then said: he is an Officer. Norton then went out, but on <sup>to the doorway of the alley</sup> turned in about five minutes. Fitzpatrick was then behind the door in the hallway. Norton asked me: Where was that reported policeman? Fitzpatrick then was clubbed and hit by the Officer. Did not see the shooting myself. Heard the report of the pistol very soon after he left the hallway. In the hall Norton struck the prisoner only once with his fist, but afterwards he struck him 10 or 12 times. I then walked back to my room when I heard the report of the pistol. This was about three seconds afterwards. I then returned to see who was shot.

Johanna Ryan,

Taken before me

this 31 day of Dec. 1881

John H. Madley

CORONER.



## Coroner's Office.

## TESTIMONY.

Jane Hurley of 44 Delaney St. Ques., being sworn, says: Was on the corner of Doughty and Delaney St. when I saw the parties come out of the hallway. Saw Horton have hold of ~~the~~ <sup>one</sup> man and then walked down to the cigar store opposite. Saw Horton knock down and club the man Fitzpatrick twice just after he brought him out of the hall. Fitzpatrick then got away from under Horton and crossed over onto the other side. The officers followed him. They then recrossed the street when the shooting occurred on the sidewalk in front of 44 Delaney St. Was on the opposite side of the street. Was not quite sober on Sunday night. The statement made now is the correct one. Heard none one say after the shooting: Let us go.

Jane Hurley

Taken before me

this 31 day of Dec. 1881

John H. Brady

CORONER.

0730

Coroner's Office.

TESTIMONY.

Frank McCormack, being sworn, says: I reside at 165 Canyon St. Was in Blanche's room when Norton came into the room. When he came he said speaking to all of us: What are you doing here? Fitzpatrick made some vulgar remark in relation to women. I then said that is alright Norton, he is an Officer too. Norton then spoke to Blanche and finally left. We also went down and as we walked through the alley Norton again appeared. He then knocked down Fitzpatrick with his fist first, and afterwards with the club on the sidewalk as testified to. Fitzpatrick finally told Norton to stop clubbing him as he was an Officer. Fitzpatrick then pulled out the revolver and fired as Norton was raising his club. Fitzpatrick had one foot in the gutter when he fired the shot. Do not know where Norton stood.

Frank McCormack

Taken before me

this 31 day of Dec. 1881

John H. Madry

CORONER.



0731

Coroner's Office.

TESTIMONY.

I, Francis W. Murray, House Surgeon of Chauteau  
 St Hospital, do hereby affirm that Thomas  
 J. Minton was admitted to the Hospital Dec 19<sup>th</sup> 1885  
 suffering from gunshot wound of neck. He was  
 brought in ambulance from 70<sup>th</sup> Precinct. On admission  
 he was weak & suffering from shock, loss of blood, pulse  
 120, respirations 32, temperature 99 $\frac{1}{2}$ °. Cyanosis marked.  
 emphysema was well marked in face, neck, body & upper  
 extremities, great pain in chest with a feeling of constriction  
 complained of. Small lacinated round wound was seen  
 1 $\frac{1}{2}$  inches above & to the left of the left of the left sterno-  
 clavicular articulation. Probe passed in 1 $\frac{1}{4}$  inches downwards  
 & backwards & no farther. Wound was filled with bloody  
 froth & air which came out at every respiration.  
 Wound was sewed up, stimulants & analgesics were adminis-  
 tered & patient improved for an hour after admission.  
 At 9.15 PM patient became unconscious & died  
 at 3.33 PM from asphyxia due to obstructed  
 lung power

F W Murray M.D.  
 House Surgeon

Taken before me

this 19 day of Dec. 1886

John H. Mearns

CORONER

0732

Coroner's Office.

TESTIMONY.

13.

Mr. S. Raper nothing worn on eyes.  
I have made an autopsy on the body of  
Thomas J. Horton at the Chamber St. Hospital  
December 19<sup>th</sup> 1881.

Face, neck, upper portion of body and upper  
extremities ~~were~~ presented a high degree  
of Emphysema. At a point about  $1\frac{1}{2}$  inch  
above and about 1 inch to the left of the  
sterno-clavicular articulation of left  
side a shot-wound was discovered, the direction  
of which was slightly downwards and backwards.  
Following this wound-canal it was found that  
the ball had penetrated the trachea and  
finally lodged on the second thoracic vertebra,  
a little to the right of the median line. On  
the removal of the ball the bone of the vertebra  
was found slightly roughened.  
Both Lungs were found completely compressed.  
Heart - normal, Liver - a little fatty. Kidneys  
were congested. Spleen, stomach and intestines -  
normal. Brain - normal.  
Death in my opinion was caused by the  
shotwound ~~received~~.

I certify that  
this is the case

~~John H. Mearns~~

Mr. S. Raper and

Taken before me

this 19 day of December 1881

John H. Mearns

CORONER.



0733

fol 651



IMPERIAL CARDS, \$3.00 & \$4.00 PER DOZEN  
Clubs at Reduced Rates. Our club-coupons redeemed any time. Negatives  
Duplicates at any time.

**R. A. LEWIS, PHOTOGRAPHER**  
169-CHATHAM ST., NEW YORK.

IF I DO NOT EMPLOY AGENTS.

*Officer Thomas J. Spontak*  
*Murdered by Bernard*  
*Fitzpatrick at 44 Delancey*  
*St. 11.40 P. M. Sunday Dec*  
*18<sup>th</sup> 1881 while in discharge*  
*of his duty.*



0734

## Police Department of the City of New York,

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

New York, December 30 1881

3/

Eva Weston 9 1/2 Borey Seamstress Stated  
 on Saturday night December 17, 1881 I did not go  
 home nor all the next day Sunday the 18<sup>th</sup> \*  
 \* I went <sup>at the time I was boarding with Alpheus</sup> into Blanche's at 44 Delancey St about 8 3/4 PM  
 on the evening of the 18<sup>th</sup> inst there were two  
 young men in the room she was crying. I  
 asked her what was the matter she said me  
 and Kennedy had a quarrel. I said to her  
 I won't stay long here I want to go out.  
 I left there and went out and met a girl  
 named Mary Ann Degnan I took her into  
 Jarvis Saloon at 136 Churcho St to get a  
 drink ~~and~~ before we had the drink Fitzpatrick  
 and Kennedy came in whom I knew. So we  
 had a couple drinks there and I spoke to  
 Kennedy and said won't you come around  
 to the house and see Blanche. The four of  
 us started around Mary Ann Degnan Fitzpatrick  
 Kennedy and myself on the way around  
 we met Mc Cormick and he came with us.  
 Fitzpatrick became very boisterous in the house  
 he caught a hold on me and tried to throw  
 me in the <sup>and made a dirty remark</sup> bed room and I told him to  
 look out what he was doing then he hit  
 me in the mouth with his fist ~~and~~  
 and he also kicked this Mary Ann Degnan

boisterous

dirty remark

hit her in  
the mouth



0735

off the chair ~~Mary~~ Blanche put Mary-Ann  
Deignan out and then she began screaming on  
the stairs Then I left and went around to  
Jarvis saloon at #136 Chrystie St I showed  
the Bar-tender my lip and then I left there  
and went to 2<sup>nd</sup> St and 2<sup>nd</sup> Avenue I was alone  
between 12 and one o'clock in the morning when I  
heard of the shooting.

This is all I know about it

Deposited before me

Aug. 7, 1882

Robert O'Brien

Courier of Trade

City & Co of N.Y.

Eva <sup>her</sup> Weston

Mark  
John J. Green witness

0736

## Police Department of the City of New York,

Precinct No. ....

New York, December 30<sup>th</sup> 1881

5

Mary Ann Deignan 46 Delancey St. Servant  
 on Sunday the 18<sup>th</sup> day of December 1881  
 Blanche Milburne sent for me to cook her  
 dinner. I stopped there untill evening and then  
 went home I then went ~~home~~ back again  
 and there met Eva Weston we both went  
 out together we went to Mr Jarvis in Chyette  
 Street and there met Fitzpatrick and John Kennedy  
 Kennedy asked where Blanche was and he asked  
 Eva Weston if she would not go after Blanche  
 Eva said no that Blanche was tight and she  
 would not wake her up but that she was  
 going around as far as the House and if  
 they wanted too they could come. they said all  
 right and they went along as far as the corner  
 of Delancey and Chyette and there met Frank  
 McCormick Kennedy caught a hold on  
 Frank's arm and says come on. McCormick  
 Frank says where to he said up to Blanches  
 House Frank said no I am with a friend  
 of mine I do not want to leave him and  
 Kennedy says that is all right and  
 McCormick then went with us to Blanches  
 House When we got there Blanche was  
 asleep on the Lounge Fitzpatrick caught a  
 hold on her and she fell on the floor



0737

I said dont do that and he replied what chance  
 you got to say and struck me in the side of the  
 head and dragged me as far as the Bedroom door - where  
 he wanted to have connections with me and I said  
 no you want he said give me my money as good as  
 any other mans money - John Kennedy then got up  
 and caught a hold on him and said leave the  
 girl alone you cant do anything like that in this  
 room I ran as far as the door and called him a  
 dirty Loafer and he ran after me and caught  
 me in the door and hit me again in the side of  
 the head and fired a Pocket Flask at me - While  
 I was running down stairs While he was beating me  
 I was screaming I heard next day that some Woman in  
 the rear House went out in the street and told  
 Officer Norton that there was a Woman getting -  
 murdered up stairs I went away from the House  
 that night around through Forsyth Street and  
 shortly after I heard that Officer Norton was shot  
 This all I know about it

Subscribed to before me }  
 Jan. 7, 1882 }

Mary Ann Deaton

Robert O'Dwyer

Clerk of the Court

City & County of N.Y.



0738

## Police Department of the City of New York,

Precinct No. ....

New York, December 28, 1881

1  
 Myer Diamond 42 Delancey St. Cabinet Maker  
 on the evening of December 18<sup>th</sup> 1881 about 11<sup>30</sup> P.M.  
 I was coming through Delancey St from the  
 direction of Ludlow Street and as I got in front  
 of #44 Delancey St I saw a crowd of men  
 around the officer I saw a woman standing  
 in doorway of #44 Delancey St and the officer  
 having words with a strange man the meaning  
 of the words I did not understand. The officer  
 shoved this man with and he fell down.

after this man got up he started across the street  
 and stopped about three feet from the curb the  
 Policeman followed ~~apparently to drive him off~~  
~~this~~ to within six feet where they both stood  
 still where they had some words for a few  
 minutes during the time that the officer and  
 man was in that position they were voices  
 in the crowd saying give it to him. give it to him  
 fix him which they repeated several times  
 and the man standing in the street put  
 his hand behind him and pulled a pistol  
 out of his pocket this he had done when  
 he was in the centre of the street and held it  
 in his hand for a few minutes before the  
 shot was fired I saw him raise the pistol  
 and fire at the Officers Breast. After the



0739

Shot was fired the Officer jumped at him and  
struggled with him to the other side of the street  
where the officer dropped his club - when two men  
approached them and pulled the man away from  
the officer and ran away the officer then  
stagged to the opposite side of the street and fell  
against the shutters of the Fancy Store at #40  
Delaney Street Two men took the Policeman  
by the hand and brought him to the Station House  
The officer did not hit this man with his club  
This is all I know about it

Spoken to before me } Myer <sup>his name</sup> Diamond  
Aug 7, 1882 }

Robert Byrne  
City & Co of N.Y.

0740

## Police Department of the City of New York,

Precinct No. ....

New York, December 23<sup>d</sup> 1881

9

Isaac Levy 42 Delancey St Cabinet Maker

On the evening of December 13<sup>th</sup> 1881 about 11<sup>30</sup> P M

I was coming home through Delancey Street from the direction of Ludlow St and as I got in front of 44 Delancey St I saw a crowd of men around the officer. I saw a man fighting with the officer and the officer said to this man you say that I am a duffer. The officer pushed the man away three times, the third time the man fell down on the sidewalk. The man got up again and the officer showed his hat over to him but he would not pick it up. The man then walked out in the street and pulled a Revolver out of his pocket which he pointed at the officer for a few minutes. The officer stood still and said something to the man which I did not understand. One of the voices in the crowd said give it to him, fix him. and then the man fired at the officer. When the officer was shot he ran for the man and caught a hold on him and struggled with him from one side of the street to the other where both men fell and two men grabbed the man the officer was struggling with and pulled him away. Then two men in the crowd said now run



0741

you are all right. The Officer then got up<sup>and</sup>  
was about to fall when he was caught by two  
men and taken away

after the officer was shot and then struggling with  
this man he rapped the club on the side of the  
This all I know about it

Suppose to be for me } J. Leroy

Aug 7, 1882

Robert O'Byrne

Courier of Des Moines

City & Co of N.Y.

0742

## Police Department of the City of New York,

Precinct No. ....

New York, December 26 1881

11 James Mc Govern 74 Allen Street Tailor-Maker  
 On the evening of December 13, 1881 at 11<sup>30</sup> P.M.  
 I was after ~~some~~ in the liquor-store north west  
 corner of Delancey and Eldridge St. I heard a shot fired  
 and I ran out in the street I saw a crowd  
 and heard somebody in the crowd say give it  
 to him Barney at that time the officer was —  
 struggling in the street with a man whom I  
 did not know the officer and the man he was  
 struggling with staggered over to the telegraph pole  
 and the man broke away the officer staggered  
 over against the shutters of #40 Delancey Street and  
 said I am gone

This is all that I know about it.

Signature to before me,

January 7, 1882

Robert O'Brien

Corner of Duane

City of N.Y.



0743

## Police Department of the City of New York,

Precinct No. ....

New York, December 26 1881

✓ George Murray 157 Forsyth St Realist  
 1<sup>st</sup> On the evening of December 18, 1881 at 11<sup>30</sup> Pm  
 I was in the store on the North West corner of Delancey  
 and Eldridge St I heard a shot fired and I ran  
 out I saw a crowd and two men struggling in  
 the street one of them was a Police Officer and had  
 a hold on the lapel of the other man's coat and  
 the man was pulling to get away from the officer  
 and dragged the officer to the Side Walk where he  
 ran around a telegraph Post in front of no 40  
 Delancey Street Then an other man came up  
 and struck the officer in the face and pulled the man  
 away and said you are all right come away and  
 ran towards Eldridge Street after the officer let  
 go of the man he staggered up against the shutters  
 of no 40 Delancey Street and said I am gone this  
time

This is all I know about it

Geo Murray

0744

## Police Department of the City of New York,

Precinct No. ....

New York, December 27 1881

15

Patrick J. Lane an officer of the 10<sup>th</sup> Precinct  
 On the evening of December 18, 1881 about 11<sup>30</sup> PM  
 myself and Roundman Newman was standing on  
 the corner of Forsyth St and Delancey Street when  
 Officer Norton came along from the direction of  
 the Ferry we spoke about one minute and  
 then I and Roundman Newman went towards  
 Grand St and Officer Norton <sup>Went</sup> in the  
 direction of Eldridge St. The next I saw of  
 Officer Norton was in the Station House it  
 was then about 12<sup>40</sup> PM that was the first  
 I knew of him being shot.

It was about Forty minutes from the time I saw  
 him on his post and the time I saw him in the  
 Station House.

This is all I know about it  
 Subscribed before me } Patrick J. Lane  
 Dec 27, 1882 }  
 Robert O'Brien  
 Council of Police  
 City and Co of N.Y.



0745

## Police Department of the City of New York,

Precinct No. ....

New York, December 28 1881

17  
Richard Flynn a Police Officer 5<sup>th</sup> Precinct  
On the morning of December 19<sup>th</sup> about 1<sup>30</sup> pm  
I saw Bernard Fitzpatrick whom I know  
personally on the corner of West Broadway<sup>3rd</sup>  
Leonard Street he seemed perfectly cool and  
he had a lump under his eye I asked  
him where he got it he said he had a  
racket with two fellows who tried to rob a  
Coal Heaver of his months salary amounting  
to Forty Dollars (40) he asked us to have a  
drink with him that is officer Ryckman  
was also present at the time he then acted  
as any ordinary half drunken man should act  
I walked two blocks with him as far as  
White Street where there told me that he had  
a subpoena for the grand Jury for that  
day and I advised him to go home and  
take a sleep so as to be able to go there  
in the morning

This is all I know about it  
Subscribed to before me } Richard Flynn  
Dec 27 1882 }

Robert O'Byrne

Commissioner

City of N.Y.

0746

## Police Department of the City of New York,

Precinct No. ....

New York, December 28<sup>th</sup> 1881

19  
 Lottie Butler 96 First Avenue.. House-keeper  
 On the evening of December 13<sup>th</sup> 1881 about 11<sup>30</sup> P.M.  
 I was walking through Forsyth Street in the  
 direction of Delancey Street I heard the report  
 of a Pistol I ran in the direction of Eldridge St  
 and saw a crowd of people in front of "44  
 Delancey St. Some of them was running around  
 in Eldridge St. And I followed them and  
 there I saw two men leading a Policeman  
 towards the Station House I whom I heard  
 was shot in Delancey Street

This is all I know about it

Sworn to before

me Jan'y 7, 1882

Lottie Butler  
 Robert O'Byrne  
 Councilman  
 City of N. Y.



0747

## Police Department of the City of New York,

Precinct No. ....

New York, December 26 1887

21/ Charles Philipp Loerb 129 Forsyth Street Pocket  
Book Maker

11/ On the evening of December 13. 1887 at 11<sup>30</sup> Pm  
I came up Delancey Street, between Allen and Eldridge  
Street I heard a shot running towards the place  
where the shot came from I saw a crowd of people  
dragging a man towards the side walk from the  
centre of the street hearing two voices call out give  
it to him Barney then I went over to see what  
was the matter when one man broke out of the  
crowd running towards Eldridge st this man  
I could recognise if I saw him again the person  
I saw being dragged was the officer

Sworn to before

notary 7. 1882 Chas. Ph. Loerb.

Robert O'Brien

Comis of deeds

City Hall N.Y.

0748

## Police Department of the City of New York,

Precinct No. ....

New York, December 26 1881

David Lewis 154 Forsyth Oysterman  
 on the evening of December 13. 1881 at 11<sup>30</sup> PM  
 I was in the liquor-salon #38 Delancey Street with a  
 friend. I heard the report of a Revolver I made the  
 remark to the Bartender that somebody must be shot  
 let us come out and see what it is, when I came  
 out I saw a crowd on the other side of the  
 Street there seemed to be a scuffle and I could not  
 recognise any-one Officer Norton came staggering out  
 of the crowd he fell into my arms in front  
 of #40 Delancey St. I asked him what is the  
 matter Mr. Norton he said my God I am shot  
 I assisted him to the Station House

This is all I know about it

Subscribed before me }  
 Jan'y 1, 1882

David Lewis

Robert O'Brien

Comptroller  
 City & Co of N.Y.



0749

## Police Department of the City of New York,

Precinct No. ....

29

New York, December 27, 1881

Jared. O. Harrington 44 Delancey St. Combs  
 On the evening of Dec. 13, 1881 about 11<sup>30</sup> PM  
 I came out by the side door <sup>of Lippincott</sup> of 44 Delancey St.  
 I saw Mr Norton come out of the hallway of  
 and three men in front of him and he was  
 saying to the three men go ahead of me  
 Two of the men was Frank McCormick and  
 Kennedy and the other was unknown to me  
 but whom the other two called Barney  
 The officer and men walked ~~walked~~ out  
 to the door and stood on the step and  
 Norton asked this man Barney to show  
 him his shield and repeated the question  
 three or four times but this man Barney  
 refused to show it to him and Norton  
 said ~~I will show you no right to play~~ <sup>you have got no right to play</sup> ~~police~~ <sup>police</sup> ~~man~~ <sup>man</sup> ~~around my test.~~ <sup>around my test.</sup>  
 and then this man Barney stepped back as if  
 he was going to strike Mr Norton and then  
 then Officer Norton struck him with his fist  
 and knocked him down This man Barney  
 got up and went out in the street and drew  
 a Revolver and Norton said put that down  
 and remained still they were then about six  
 feet ~~when~~ apart and Frank McCormick  
 and Kennedy said show you have got him  
 give it to him and then the shot was fired



0750

## Police Department of the City of New York,

Precinct No. ....

New York, December 26 1881

31/ Nelson P. Pearson liquor dealer 44 Delancey St  
 on the evening of the 26th December 1881 about  
 11 <sup>30</sup>/<sub>9</sub> P M. I heard a woman scream on the  
 stairs of near house 44 Delancey St I went  
 out and asked her what she was making noise  
 for ~~this woman was known by the name of Mary Ann Segner~~ I told her I would  
 get a policeman ~~to~~ heard officer Norton who  
 inside near house I heard officer Norton come out  
 again and I whistle for some one and I went  
 out in the hallway and met him coming in with  
 two men the two men went to the stairs and  
 went out again I stood out side of my door  
 and heard Officer Norton come down with three  
 men named Mc Cormick Kennedy and an unknown  
 man and this woman Blanche and I stood  
 in the centre of the hallway as they came out and  
 they brushed right past me and I recognised  
 Mc Cormick and Kennedy and an other man whom  
 I did not know but I am satisfied I could  
 recognise him if I saw him again. When the  
 party got outside of the door I followed them  
 out and stood in the hallway door and  
 Officer Norton said if you are an officer show  
 me your shield and asked him the same  
 question about three times and received no  
 answer this unknown man stepped backward



as if about to strike Officer Norton ~~from~~  
 and then Officer Norton struck him with his fist  
 and knocked him over and struck him again  
 with his fist and this unknown man stepped out  
 in the centre of the street and drew his Revolver.  
 And when he saw him draw his revolver he drew  
 his club and says to this unknown man ~~and~~  
 says ~~put~~ <sup>shot</sup> ~~up~~ which he repeated twice and at  
 the same time both men stood still. And Norton  
 advanced on this man to within about Five feet  
 and at the same time this man Kennedy stooped and  
 picked something up and handed it to the unknown  
 man, and says now you got him Barney give it  
 to him and then in a few seconds the shot was fired  
 by this unknown man who was called Barney and  
 then Officer Norton closed on him and struggled  
 with him and fought him across the street, and then  
 I heard a faint sound on the side walk as if the officer  
 dropped his club they struggled across the street again  
 When they got near the curb stone on the other side  
 they got separated and Frank McCormick says to this  
 man Barney now you are all right has got enough  
 now get and I saw the man they call Barney run  
 towards Eldridge St down Delaney and during all  
 this time the officer never struck him with his club  
 and after this unknown man had ran away Norton  
 stepped up on the side walk and leaned against  
 the shutters of 40 Delaney Street and said I am shot  
 that is the first I know that the officer had been  
 hit by that shot for he struggled with this man Barney  
 for about five minutes after he was shot.

Signed to before me

Jan 7, 1882

Robert O'Brien

Courier & Freedoms

City & Co of N.Y.

Wm. T. Parsons



0752

## Police Department of the City of New York,

Precinct No. ....

New York, December 27 1881

33  
Henry Hellrich 189 Rivington

On the evening of December 13, 1881 about 11<sup>30</sup> P.M.  
I came out of the Regan Store at #46 Delancey St.  
I saw Officer Norton and an unknown man  
standing face to face about 10 feet ~~apart~~ from  
the curb stone. I saw this man whom I afterwards  
learned was Fitzpatrick put his hand in his  
back pocket and take out a pistol and aim it  
at Officer Norton's breast and fired and Officer  
Norton struck him with his fist and clinched  
with him and fought him to the other side of the  
street where the officer fell. I saw two men one  
named McCormick and the other named Kennedy  
standing near the officer before the shot was fired  
but on the sidewalk where they made the remarks  
now you got him Barney give it to him and  
also made the same remarks after <sup>the shot</sup> it was fired.  
After the shot was fired two men approached  
Norton and Fitzpatrick and as it appeared to me  
tried to trip the officer up they all four  
struggled together for a while when Officer Norton  
gave up when the whole three broke away and  
ran in different directions.

I followed the two men down Delancey to Eldridge  
through Eldridge to Rivington where they separated  
small man running toward East River and the



0753

other towards the Bavery when I arrived at  
corner of Forsyth and Rivington St I lost sight  
of them one of them to the best of my belief was  
Litzpatrick

This all I know about it

Swamp to Lee fore }

me Jan 8th 1882 }

Henry Hellnick

Robert O Byrne

Corner of Duane

City of New York

0754

Police Department of the City of New York,

Precinct No. ....

New York, December 28<sup>th</sup> 1881

35

William Dunn 27 Delancey St Oyster's  
I saw Officer Norton shortly after 11 PM  
he asked me how I was making out.  
I told him first rate shortly after that  
went away I heard a shot I ran out the  
store door and a voice say give it to  
him Barney

This is all I know about it  
yours to before me. } William Dunn  
Jan 8th 1882. }

Robert O'Brien

Commissary of Police

City of New York



0755

## Police Department of the City of New York,

Precinct No. ....

New York, December 23<sup>d</sup> 1881

37

Nicholas A. Ryckman a Police Officer 5<sup>th</sup> Precinct  
 one the morning of December 19<sup>th</sup> 1881<sup>about 1<sup>30</sup> PM</sup>  
 I saw Bernard Fitzpatrick whom I have  
 seen before. he then came from the direction of  
 Franklin Street through West Broadway he  
 was muttering to himself saying it was a  
 damned shame that decent respectable people  
 could not walk the street without being insulted  
 by Policemen turning his head towards the  
 gutter. I asked him what was the matter  
 and he stated that the Officer on Franklin Street  
 was going to club him because he was  
 whistling the Police call. I told him he must  
 not mind that man he was off his nut  
 sometimes. I asked him if he was still on the  
 Police, first he would say he was on, then  
 he would say he was off. and then that he  
 was doing a little fly Business and finally  
 wound up by saying that he had a night off  
 I told him he was making good use of it.  
 About this time Officer Flynn came up west  
 Broadway and stood to talk with us and  
 the following conversation took place between him  
 and Officer Flynn about a lump was under  
 his left eye. that is the only mark I saw on  
 him. Officer Flynn asked him how he got

A lump  
under his  
eye

0756

the 3<sup>rd</sup> under his eye and he replied that he had  
a sack with two men fellows who tried to rob a  
legalee of his months salary amounting to  
Forty Dollars (40) he was then cool and did not  
seem in any way excited he only acted as any ordinary  
half drunken man should act he asked both myself and  
Officer Flynn to have a drink and I replied no then  
we separated

This is all I know at

Supra to be for me } Nicholas A. Reckman  
May 5th 1881 }

Robert O'Byrne

Courier of the

City of N.Y.



0757

## Police Department of the City of New York,

Precinct No. ....

New York, December 26 1881

39

Valentine Greutz 63 Miller Street Driver by occupation  
 On the evening of December 18<sup>th</sup> 1881 about 10<sup>30</sup> P.M.  
 I was passing through Delancey Street I saw the crowd  
 standing in front of #44 Delancey Street. I saw  
 two men standing in the street with the officer  
 whom I after ~~time~~ learned was officer Norton he  
 was talking with these two men and all at once  
 one of the two men pulled out a pistol and fired one  
 shot at Officer Norton ~~the moment~~ <sup>after</sup> the shot  
 was fired officer Norton jumped at the man who  
 fired it and ~~he~~ tried to arrest him he ~~was~~  
 struggled across the street and back again.  
 Norton tried to rap for assistance but he was too  
 weak and called to bystanders hold me up immediately  
 the man who shot him ran towards Eldridge St  
 and an other man who was standing with the  
 man who shot the officer ran after him ~~he says~~  
 give me my hat when the man who shot  
 the officer drew a pistol from his pocket and  
 said get back or I will put a ball in you  
 too I picked the officers hat up and carried it  
 to the Station House during the time that  
 these men and the officer was standing in the street  
 I did not see any blows passed

Deposited to  
 1000 8/10/82  
 No. 1111  
 6/10/82

Before me?

Valentine Greutz



0758

## Police Department of the City of New York,

Precinct No. ....

New York, December 27<sup>th</sup> 1881

41

Hugo Knamer 121 Orchard St. - Waiter.  
 On the evening of December 18, 1881 about 11<sup>th</sup> PM  
 I was coming through ~~Delancey~~ Forsyth Street to  
 Delancey St to go home I saw a crowd in the  
 middle of the street and seen an officer whom  
 I know by the name of Norton trying to arrest  
 a man in citizens clothes I saw the same man  
 about two feet away from the officer taking  
 something in his hand and seen a flash and  
 heard a report of a Pistol after this the officer  
 grappled with the man and the man who  
 seemed to be the stronger of the two pushed the  
 officer away and escaped and then I heard the  
 officer say I am shot and I saw the  
 blood it ran on my hand a few seconds  
 before the shot was fired I heard a man  
 say Barney give it to him.

This is all I know about it

Subscribed before me

January 8<sup>th</sup> 1882

Robert O'Dwyer

Commissioner of Police

City of New York

Hugo Knamer

121 Orchard St.

1<sup>st</sup> floor



0759

## Police Department of the City of New York,

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

New York, December 27 1881

143

Edward A. Newman an. Officer of the 10<sup>th</sup> Precinct  
 On the evening of December 18, 1881 about 11<sup>30</sup> P.M.  
 Myself an Officer Lane was standing on the corner  
 of Forsyth and Delancey St. when Officer Horton  
 came along <sup>from the direction of the Battery</sup> we stopped and spoke about one minute  
 and then ~~we~~ and Officer Lane went towards Grand  
 Street I stopped around Grand St. a short time  
 and came into the house and found Officer  
 Horton ~~here~~ <sup>just found</sup> he had been shot by a man in  
 Delancey Street. between the time I had ~~saw~~ him  
 on his post and the time I saw him in the  
 Station House, it was then about 15<sup>55</sup> P.M.  
 It was about Twenty Five minutes from the time  
 I saw him on his post and the time I saw  
 him in the Station House

This is all I know about it

Subscribed before me } Edward Newman  
 Dec 28th 1881 }

Noted by \_\_\_\_\_  
 Council of \_\_\_\_\_

65th St. of N.Y.



0760

WMA  
Cornell



0761

**POOR QUALITY  
ORIGINAL  
DOCUMENT(S)**

0762

Police Department of the City of New York,

Precinct No.

New York, December 26<sup>th</sup> 1887

Miss Melissa Murphy ex-servant for Mr Pearson  
at No 44 Delancey Street Says:

On the evening of December 12<sup>th</sup> 1881 at about 11<sup>30</sup> P M I was coming out of Mr. Pearsons liquor Store at # 44 <sup>to go to bed</sup> Delancey Street. I ~~first~~ first saw Officer Norton he was then coming in through the Hall from the Street he asked me where big Blanche lived I told him on first floor. I says to him are you going up there he says yes, I have got to go up there, there was some Noman got licked, ~~and~~ and he says wait for a minute he would be right down, I went in the Store and told Mr Pearson that Norton had gone up Stairs on the first floor in the rear. I heard some loud words both from Blanche and Mr Norton and a strange voice which I could not recognise. In a few minutes five Pearsons came down Stairs one Noman and four men and went out on the side walk the Noman remained in the hall and that Noman was Blanche Mr Norton asked this strange man was he a Policeman and he said that he was Norton then said if he was to show him his Shield, and also made the remark that it was a queer place for him to be if he was, he asked him the same question three times, he did not show it to him and he Norton says to get away from here and he (Norton) hit him with his fist and



0763

came upon knocking him down and then the man pounced at Norton and ~~the~~ hit him, and then Norton hit him again with his fist and then the Strange man and Norton clinched and fought for a few minutes. And this Kennedy who was one of the party who was out in the street with them he was saying Barney give it to him and then Kennedy picked something up and handed it to the man he called Barney and said now you have got him give it to him meaning Norton and Norton says to the man called Barney put that down and at the same time stepped back and said the same thing twice and then the shot was fired by this man called Barney and both men clinched and during the whole scuffle Norton never drew his club. At the time men Kennedy, Mc Cormick and Barney dragged Barney away from Norton and said to Barney now get you gave him enough after this Barney had escaped Norton staggered to the side walk and drew his club and tried to rap for assistance but being so weak the club dropped from his hand to the side walk. Previous to Norton going in the hall there was a woman standing in the hall the woman was known by the name of Mary Ann O'Connell she had come out of Big Blanche's.

Deputy Coroner } Melissa Murphy  
 Jan 8th 1882 }  
 Robert O'Brien  
 Coroner of the County  
 City of New York



0764

Wilson P. Pierson

31 Heard a woman scream

Officer Norton went in

31 Came out with men. If an officer

32 Stepped back to strike &c

Put that up -

Never struck with club

32

Henry Hedrick

Saw the firing. After being shot

Norton struck him.

Wto Kennedy & McConnell  
ought to be arrested

33

Now you have got ~~them~~ him

Nicholas Ryckman

A Lump under his eye

37. The only mark I saw.

38 Flynn asked how lumps? He said had a

bullet &c —  
was cool and not excited.

Valentin Grutz

Saw two men talking &.

all of a sudden one drew

pistol and shot the other 39

struggle to arrest &c

Melicia Murphy

45 Norton sd I must go to Blancher a woman was looking

45 show your shield over place to be in &c

46. Put that & then stepped back

During the whole scuffle Norton never

show his club. The three men appeared



0765

First when ~~committed~~ perpetrated from a deliberate and premeditated design to ~~effect~~ <sup>the</sup> death of the person killed, or of any human being.

Second. When perpetrated by an act ~~inimically~~ dangerous to others, and evincing a depraved mind, regardless of human life, although without <sup>any</sup> premeditation to effect the death of any particular person.

Third. When engaged in committing a felony.

0766

The People

vs

Bernard Fitzgerald

John A. Gleason

Very Truly Yours acc

ordery to Law Refuses and says I am a  
Roman Catholic Priest, attached to St Mary  
Church on Grand St in this City. A Message  
Came to the Church or rather the Pastoral Visit-  
-~~ation~~ attached thereto about 11:50 PM of Last

Requesting a Priest to go to Eldridge St Station  
House to attend a man dangerously wounded.

Your Deponent went with great Speed to the  
Station House aforesaid, and there found

an Officer named Norton who was suffering  
from a wound in his throat. He was per-  
fectly sensible and rational. He requested

<sup>your assistance</sup> to hear his Confession and administer  
to him the Last Rites of the Church. He

was prepared ~~by me~~ for death, ~~and having~~  
in the customary mode of the Roman Catholic  
Church in such cases, ~~by~~ except that

Your Deponent was unable to administer the  
Viaticum in consequence of his constant

vomiting of blood <sup>and</sup> inability to ~~swallow~~  
swallow and retain anything <sup>on his stomach.</sup>

He realized that was in imminent danger  
of death, and was very happy that a Priest  
so promptly reached him before he died.



0767

Further orders before  
your departure is referred that after his  
departure he was removed to Chamber St  
Hospital and died there.

Sworn to before me } No. 1151  
Jan 9, 1882 }

Robert O. Byrne

Comin of

Get 100 of 11

0768

Blanche Milburne was a witness for  
Johnny Newman who shot a Parkkeeper  
in Chatham Square last July she then lived  
at 85 Chrystie Street her son Kennedy was  
raised together and both belong to the 7th ward



0769

Part 1

Name	Occupation	Residence or Place of Business
Gerson Jacob	Trimmings	Huffman H. 27 Mercer St
Kahens Alfred E	Clerk	139 E 37th 91 Fulton
<del>Baron Richard</del>		
<del>DeLacey William</del>	<del>Gent</del>	<del>306 E 20th</del>
Griffith Charles A	Agt	368 W 32 .. 43 Harrison
Mr. Pherson David	Carriages	203 E 59 .. 112 6 Ave 20
Narcross Geo H	Ins	6 Pine 405 West 22
Adams Edward D	Banker	26 Nassau 10 W 30
Bruen W. D.	Oil Cloth	304 W 12 6 147 Duane
Wilson Wm C. G.	Gent	137 E 40
Robinson Gilbert Jr	Builder	Mad Ave cor 128 305 E 123 ✓
Satterlee Walter	Artist	142 E 18 52 E 23
Beckhardt Joseph	Elthy	224 W 33 454 Broadway
<del>Elbert Ernest Jr</del>	<del>Aggr</del>	<del>2407 Ave 1 25</del>
<del>Deane Michael</del>	<del>Painter</del>	<del>102 E 120 1435 Bway 147 W 40</del>
Griggs Isaac	Feed	154 E 54 21 Jackson 0
Pond Wm A. Jr	Music	183 E 48 25 Union Sq
Rode Edward	Lithographer	294 Ave 9 254 Broadway
Rindschopf Simon	Clothing	46 W 47 465 Braome
Shantz Theodore	Gent	182 E 93
<del>Conger Henry C.</del>	<del>Leaving</del>	<del>436 W 43 60th Ave 6</del>
Goodhart Philip J	Broker	20 Broadway 158 E Broadway
Grady Michael	Liquors	309 E 37 682 Ave 20
Mauver Henry	Brick	219 Ave 2 420 E 23
<del>Cohen Samuel</del>	<del>Rags</del>	<del>22 E 50 225 Leonard</del>
Jucker John J.	Builder	37 W 12th St
<del>Adler Adolph</del>	<del>Flour</del>	<del>127 Ave B 62 4 Fifth 0</del>
Bernstein Charles	Cloth	16 E 73 451 B Way
<del>Miller Michael</del>	<del>Aggr</del>	<del>432 Lexington Ave 62th 0</del>
Plum James R.	Leather	255 W 14 42 Spruce
<del>Helmholz John D</del>	<del>Grocer</del>	<del>308 W 30 609 Hudson</del>

Plum James R.	Leather	255 W 14	42 Spruce
<del>Wernholz John D</del>	<del>Grocer</del>	<del>308 W 30</del>	<del>609 Hudson</del>
Tappin Charles L	Oils	132 W 34	224 Front
Osgood George A.	Broker	19 E 21	24 Broad
Blakeman Wm H	Merchant	28 W 37	
Fager Herman	Grocer	21 Coenties Slip	P
Deyerberg Edward	Laundry	139 East Bway	20 Division 0
Hartley George	Produce	161 E 48	4 Ave E 47
White John	Coal	Flarence 5 Courtland St	18th and Ave 4
Brown John D	Stables	Rosemore H	134 W 39 0
Ely Zebulon S.	Gent	26 W 26	
<del>Levy Simon</del>	<del>Clothing</del>	<del>337 Eighth St</del>	<del>202 Church</del>
<del>Schmidt Theodore E</del>	<del>Wines</del>	<del>208 5th St</del>	<del>37 Bway 0</del>
Robinson B Frank	Dry Goods	Riversdale	123 Frankfort
Stollmeyer Henry	Contractor	11 E 77	
Messersmith Dorrell P.	Oysters	321 W 32	foot of Perry St
Friedman Leonard	Merchant	357 W 56	203 Pearl
Hayes Isaac	Wines	643 Lexington	43 Pearl 0
Post Sylvester	Banker	379 W 38	18 New
Gandy Sheppard	Banker	46 W 19	9 Broad
<del>Schmidt Wm H</del>	<del>Coal</del>	<del>209 E 34</del>	<del>895 Ave 30</del>
Upinton George	Broker	320 Ave 2	599 Bway +
Sullivan Charles	Clerk	35 W 131	128 Pearl
Bemis Franklin J	Furs	164 So 6th Ave	55 W 11
Rosenberg Joseph	Clothing	489 E 56	+ 429 Broom
Bussell Charles F	Carpenter	121 E 82	135 E 83
Grower James	Real Estate	209 E 44	17 Union St
Bell Charles	Balls	222 W 48	83 Nassau
<del>Winans Harace</del>	<del>Auctioneer</del>	<del>50 1st 39th St</del>	<del>70 Pine St</del>
Vall Robert M	Broker	57 W 34	24 Broad
Levy Solomon	Riches	149 E 91	643 Bway



0771

Ungrich L. Krasch	Pickles	160 W 33	32 Jay
Spinner Edward V	Agent	606 E 86	526 Bway
Pettlinger William	Drum	176 William	55 E 27
Trowenfeld Edward	Drums	101 E 61	40 Day 0
Darwin Chas H	<del>Builder</del> <sup>Binder</sup>	<del>12 Varick</del>	<del>232 Centre 0</del>
Bratt Abram	Yeast	199 Washington	309 Broadway
Prentice James	Insts	309 E 14	164 Bway
Loidman Louis H	Quilts	172 E 79	36 Walker
<del>Reuter John</del>	<del>Coacen</del>	<del>770 Greenwich</del>	<del>2763 Greenwich</del>
Osgood William H	Armumation	10 W 20	13 Burling Slip
Prinkerhoff Cornelius	Linens	10 Commerce	7 Lispenard
Fiske James B	Builder	189 Broome	107 Chamber
Ascherne Morris	Broker	243 E 34	8 Wall
North Jeremiah A	Produce	49 Ave 7	44 Pearl
Allen Laurent H	Mer	28 W 53	7 Bond
Bavendorf George F	Supt	6 Varick Pl	487 Bway
<del>Bayer Francis Jr</del>	<del>Butler</del>	<del>85 E Ave 8</del>	<del>338 Bway</del>
<del>Bayer Edmond</del>	<del>Turner</del>	<del>347 E 12</del>	<del>358 Canal</del>
Dodge W Earl	Metals	55 W 45	11 Cliff
Pillon Cornelius Jr	Sec	127 E 70	61 Bethune
Eisinger Mark H	Hides	322 E 14	850 First Ave 0

✓ Sunday night 18th Decr - when the church bells of the Unitarian portion of our people were calling to prayer Fitzpatrick a sworn officer of the Law - excused from duty was ~~in search of~~ ranging from tavern to Bagnis - sworn duty to suppress - yet maintains. A brawl and

See McCormick's testimony that they were after women.

outcry from the den he is sitting in - brings violence to the scene. 44. O.S.

The spirit of violence is so contagious that it has reached the men whose duty is to repress it.

Here discuss testimony

Attacking the defence - fully answered.

Comment upon the absence of Kennedy's testimony.

Inquire why has not Fitzpatrick given us ~~some~~ some testimony as to who he is. &c. &c.

Moyle aff  
1780 Lord 99!!

At this point discuss the law of the case and the grade of homicide:

Doubt as to grade - ~~is it~~ My sworn duty. I want no professional triumph. Second degree or Manslaughter in first

Read definition  
Statute

People v. Kelly 20 Cr. 28

See ~~last~~ next page



## 2 Murder in the Second degree

when committed intentionally; but without deliberation and premeditation shall be Murder in the Second degree

Was there an intent to kill:

Cooling time

Wh on Horn 448

Sullivan

449 People v ~~Blank~~ 7 NY 399

Cooling time and avoid attack

See also Blank case

The People v Shorter 4 Bar 460

471 assault must be pure no chance of escape

Every wilful and intentional taking of life of a human being without justifiable cause is Murder at Common Law

The People v Kirby  
11 P & R 28

Murder if he could retreat &c

Roscoe 68 738 note

743 text

And the Cool design

be at the act 10 Lex 499

If he had time to think for a minute

12 Ohio

18 Missou 424

Intent to kill

Drumly 25

State

2 Dutch

3

Examine and comment upon Alft's Case.

Loham Ryan - M<sup>c</sup>Cormick

Inspector Byrnes, Beach

& Mr. Howes dramatic innuendoes & imfections!!!

I had a racket with two fellows:-

What is the Case for the People?

Litzpatrick a wrong doer - first assaults  
Scuffle cooling time no danger

See People vs Sullivan 744 399

also Clark's Case -

People vs Shorter & Barber 460 = 471

no chance of escape

Murder if he could retreat

Pos 68 738 into

Using an officer should to promote his lust.

Roches knew of a murder & concealed it  
a mile away. —————

So doubt Norton went to Blanche Dollie  
Opperman

If a policeman heard an outcry it was his  
duty to do - If not the cry would  
be where is the police.



4

The Majesty of the Law must be maintained  
Citizens must be protected.

The God of the Old Law and the new  
ten commandments. Sinai -

There is a recording Angel in Human Charge  
ready to ~~record~~ write down your actions  
Be careful.

See to it that a deduction of power to  
a policeman may not be the instrument of  
murder.

Three Murders on trial Today

0776

~~Using an Officer's Shield to cloak his lust  
Not a bit of testimony about Astor's being an  
Athlete.~~

~~Roche knew he had committed a murder  
and concealed it.~~

~~No doubt Astor went to Blauvelt to quell riots~~



## Phrases Rhetorical Burslang.

Shouted as if you were Shepheard Marmion  
on a rock - while he was on shore trying  
to make himself heard. -

Thundering Genius

It is not my case

Foam has no weight: fury of language no force

Persuasion - bawling

Strong assertions without proof - declamations  
without argument: violent censures without  
dignity or moderation.

I am the prosecutor of the accused at the bar of  
Justice - and should have no feeling

The distinctive feature is love of Justice

Try experiment of reading a ~~chapter~~ a verse  
from bible and give your views of

Object of Law of Murder to Save Life

Devere :-

Justification: Justified in the act-!!!

clubbing a brawler - is not felony  
the neck-

The heart ~~Litzpatrick~~ stood  
5 inches higher than explain  
the aim at the heart.

A Marty a Bawd - an indicted felon  
and Roche a confessed law breaker!!!

Deamus : The Coroner Court

Dying Declaration

18 — 21

The world is not  
wide enough

The Contradiction  
proves the Sincerity

Where is Kennedy

Sevy did not say  
a word about a club

Mander in  
the second  
degree

Maurlaughke  
1st degree

Melissa  
Murphy  
a servant

Neither Pearson  
nor Mr. Pearson

Leavittson

Byrnes

Rykenman

Kelluck

Murphy

Creed

Ryan

James Hurly

Frank McConnel



0779

## Police Department of the City of New York,

Precinct No. 10

New York. Jan 30<sup>th</sup> 1882

Capt. Allaire

10<sup>th</sup> Precinct

Sir

About 11<sup>30</sup> p.m. on the night of Dec 18<sup>th</sup> 1881 a citizen came to this station and stated that an officer in Delancey st. needed assistance Sergt Timothy J. Creedon being present started and went up there shortly afterwards two citizens who are witnesses in the case came in this station with officer Norton and stated that he had been shot by a man they called Barney Fitzpatrick a policeman. I immediately telegraphed for an ambulance and then asked Norton who had shot him he said Sergt I cant speak I saw it was with difficulty he spoke so I did not question him any further. I sent six or seven officers out to arrest the party who had assaulted Norton officer Creedon arrested Frank M<sup>c</sup> Cormack of 161 Chrystie st and John Kennedy of 22 Beaman st of being the parties who was in the company of Fitzpatrick when he assaulted the said Norton. None of the parties made any statement to me.

Respectfully

William Hiss Sergt  
10<sup>th</sup> Precinct

0780

Police Department of the City of New York,

Precinct No. *41*

New York

*May 31* 1882

To Captain Allaire  
10th Precinct

Sir, I desire to submit to you  
the following statement, relative to  
case of Ex Police Officer Bernard  
H. Fitzpatrick.

About 5<sup>20</sup> P.M.  
Sunday December 18<sup>th</sup> 1881, I was  
on desk duty at Fourth (4) Precinct Station  
House N. 9 Oak St, when a young man  
who gave the name of William P. Hearn  
came in and said he wished to report  
Officer Bernard H. Fitzpatrick sick  
with diarrhea. I received the  
report, made the necessary entry  
in blotter, and filled out sick notice  
to Surgeon Matthews.

Very respectfully  
Donald Grant  
Sergeant  
10th Precinct



0781

Police Department of the City of New York,

Precinct No. ....

New York, ..... 188

The following conversation took place between Josephine Milburn and Sergeant William A. Christie, at the 10<sup>th</sup> Precinct Station house, at 11.40, pm. Dec. 18<sup>th</sup> 1881

Question do you know who shot the Officer

Answer Oh why did that man come to my house and put me in this trouble

Question Who

Answer Barney Fitzpatrick

Question who was it that shot the Officer

Answer will you keep me from the House of Detention if I tell you.

Question If you know will you tell me.

Answer It was Barney Fitzpatrick he is a Policeman down in the 4<sup>th</sup> Ward I have told him to keep away from me and not to come to my house because he is always making trouble for me. one night while he was at my house he knocked me down beat and kicked <sup>me</sup> and then ran out I followed him to have him arrested but he got away

0782

## Police Department of the City of New York,

Precinct No. ....

New York. January 10 1882

John Rogers of Bowery Oysterman  
On the evening of December 13. 1881 about 11<sup>30</sup> Pm  
I was in Piersons liquor-store at #44  
Delaney St. I heard some persons quarrelling  
in the Hallway and going towards the  
Street I followed a few minutes afterwards  
and saw a crowd in front of the door  
and I heard some persons saying give it  
to him Barney and immediately afterwards  
I heard the report of a Pistol. I saw the  
Officer and an other man whom I did not  
know clinched with one and other they struggled  
from one side of the street to the other the  
Officer ~~picked~~ dropped his hat which I  
picked up and brought it to the Station House

This is all I know about it

John Rogers



0783

## Police Department of the City of New York,

Precinct No. 4New York, Feb 3<sup>d</sup> 1882

William Dunn	27	Delancey St.
Isaac Levy	42	" "
Meyer Diamond	42	" "
Melvin Murphy	44	" "
David C Harrington	44	" "
Nelson J. Pierson	44	" "
Fannie Harris	46	" "
Mary Ann Degnan	46	" "
David Lewis	154	Trinity "
George Murray	157	" "
Charles P. Tver	129	" "
James M. Govern	74	Allen "
Eric Weston	91 1/2	Bowery
Henry Mellick	189	Rivington "
Hugo Kramer	121	Brook "
Valentine Trentz	68	Willst "
Lottie Buhler	96	First Ave
Inspector Barnes	300	Mulberry "
Officer Newman	10	Precinct
" Lane	"	"
" Treed	"	"

0784

1. Samuel A. North #49 - 7 Ave. or #44. Peare
2. Francis Fiegen #852 - 8 Ave. or 336. Bowery
3. John D. Weinholz #308 - W. 30 St. 609 Hudson St
- 4.
5. Samuel Ross #161. E. 65 St. or 62 White St
6. Sylvester Post #339. W. 28 St. or 18. New St
7. James J. Fiske. 189 Broome St
8. L. Rosenth. Ungrich. 160. W. 33 St
9. Frederick S. Salisbury 1006. Madison Ave
10. Charles V. Griffith. 368. W. 32 St
11. George Hartley #161. E. 48 St.
12. John Jones " 403. W. 21 St



0785

Scanned

0786

---

The People  
agst  
Bernard F. Fitzpatrick  
and others

Murder.

---

Sir.

Please take notice that I shall move before the Hon. Frederick Smythe, Recorder, in the Court of General Sessions of the Peace of the City and County of New York at the Court Room of said Court in the City of New York on the 20<sup>th</sup> Day of January 1882 at 11 o'clock in the forenoon of that day, or as soon thereafter, as Counsel can be heard, that the District Attorney be compelled to give the Defendant herein copies of all testimony taken ~~herein taken~~ before the Coroner's Jury and the Grand Jury, and the residence of all witnesses examined before said Grand Jury and to be examined at the trial of this cause; and that the people be compelled to furnish the Defendant with the names of witnesses to be called on the trial of this action, and for such other and further order as to this Court



0787

may seem just.  
Dated January 18<sup>th</sup> 1887.

Yours &c.  
William P. Howe,  
of Counsel for said  
Fitzpatrick.

To

John M<sup>c</sup>Keon Esq<sup>r</sup>.  
District Attorney.

0788

State of New York,  
CITY AND COUNTY OF NEW YORK. } 88.

..... being duly  
sworn, says that he resides at No. .... Street, in the City of New York,  
that he is ..... years of age, that on the ..... day of ..... 18 .., at Number .....  
..... in the City of New York, he served the within .....  
on ..... the ..... by leaving a  
copy thereof with .....

Sworn to, before me  
this ..... day of ..... 18 }

X.  
N. D. General Sessions.

The People

Plaintiff.

against

Edward J. Fitzpatrick

Defendant.

Notice to Dist. Atty.

HOWE & HUMMEL,

ATTORNEYS FOR DEFT.

87 AND 89 CENTRE STREET, NEW YORK CITY.

Due and timely service of cop of the within

hereby admitted

18

Attorney.

Dec 19/15  
admitted  
this

Wm. C. Kearney Esq.  
West. Atty.

Melissa Murphy

the only witness examined before the Grand Jury

Cal. p. 72. Dec 27/15

Dec 20/15



0789

## List of Witnesses

Subpoenaed to appear  
at the COURT OF GENERAL SESSIONS, on the 6<sup>th</sup>  
day of February 1882 Just Term

R. J. Murphy

Subpoena Clerk.

WITNESS.	RESIDENCE.	HOW SERVED.	DEFENDANT.
Jarvis O'Harrington,	44 Delaney St.,	A	O
Inspector Byrnes,	300 Mulberry St.,		
Off. Nicholas Rydman	5 Precinct	A	
Henry Hellrick,	189 Livingston	A P	
Melissa Murphy	44 Delaney St.	P	
Off. John J. Cuck	10 Precinct		
Johannal Ryus	<del>44 Delaney St.</del>	P. went call	Stann. Detention
Jennie Herley	<del>44 Delaney St.</del>	P. went call	
Frank McCormack	165 Chrysler		
Francis M. Murray	Mid. Hann. Surgeon, Chamber St., Hous.		
M. G. Raefle	Mid. Coroners Office	A	
Eva Weston	9 1/2 Bowers	P	
Mary Ann Hegman	46 Delaney	heard that woman went for Anton Did not see shooting was struck by City Patrol in back	
Myer Simons	42 Delaney	A	X
Irene Feoy	42 Delaney	P	
James McGovern	74 Allen St.	P	
George Murray	157 Perry St.	A	O
Off. Patrick J. June	10th Precinct	A	
Richard Flynn	5th Precinct	A	
Fattie Butler	96 First Ave.	P	
Charles Philipp Jacob	129 Perry St.	P	
David Lewis	154 Perry St.	A	
Annie Harris	46 Delaney	P	
Off. Michael Kane	5th Precinct	A	over

0790

WITNESS.

RESIDENCE.

HOW SERVED.

DEFENDANT.

WITNESS.	RESIDENCE.	HOW SERVED.	DEFENDANT.
Nelson J. Pierson	44 Delaney	P	
Henry			
William Dunn	27 Delaney	P-	
Valentin Crutz	68 11th St	A	
Hugo Kramer	121 Orchard St	P	
Eduard Weisman	10 11th Street	P	

Have you such corroborative examples upon the  
 subject of Capital punishment as would permit  
 you for finding a verdict of ~~Capital~~ P.  
 Murder in the first degree.

Open Book



0791

Department of Public Charities and Correction.

Office of CITY PRISON,

CORNER FRANKLIN AND CENTRE STREETS.

JAMES FINN,  
WARDEN.

New York, Jan'y 23 1882

J R Fallows  
Asst District Attorney  
Dear Sir

John White  
charged with murder suffers from  
epilepsy. He has had a number  
of convulsions since his confinement  
here. He is perfectly sane and his  
mental condition is very good with  
the exception of being irritable  
and easily excited. This irritability  
of temper is very common with  
most epileptics and is due to  
their disease

Respectfully

William L Hardy M.D.  
Physician to Prison

0792

J. B. BROWN, Pres't and Treas.

JOHN PENTREATH, Sup't.

JOHN W. DOUGLASS, Secretary

# THE NEW YORK PLOW CO.

MANUFACTURERS

OFFICE: 55 BEEKMAN STREET.

PLOWS AND AGRICULTURAL IMPLEMENTS,

WORKS: YONKERS, N. Y. Connected with Office by Telephone.

For Home and Foreign Trade,

ENSILAGE CUTTERS,

POWERS AND ENGINES.

New York, Jan 26 1882

In reply to yours of

Geo P Henry  
228 W 18<sup>th</sup> St Dear Sir

I cannot be present  
on Friday morning in order  
to testify as to your character,  
but I can say that while  
you acted as Stenographer  
for me you were  
quiet and inoffensive.  
I was very much  
surprised when I heard  
that you had attacked  
a man.

Yours &  
J. B. Brown  
Pres't The New York Plow Co



0793

Dr. Sullivan

De La Salle College

East 2nd Street

This gentleman examined the  
dept when an applicant for membership  
for Christian Church - noting in memo  
mentioned

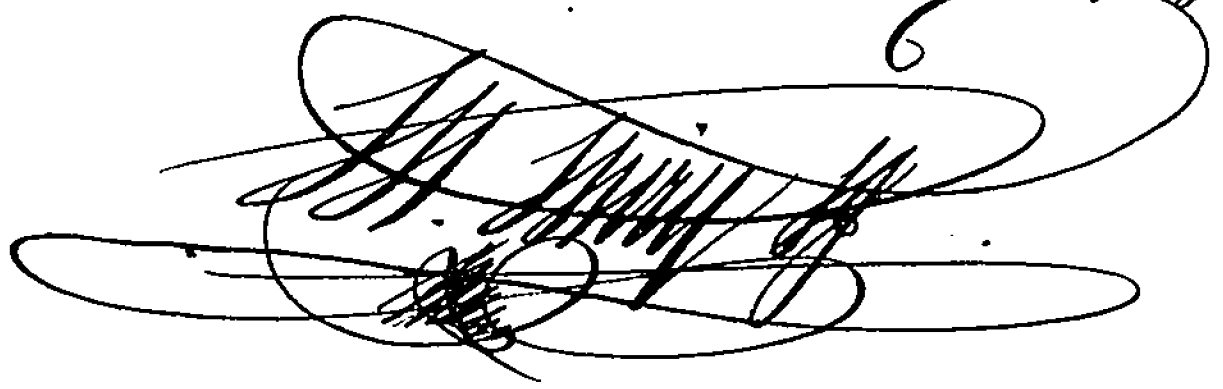
Recd.

0794

St. Francis Xavier's Church  
W. 16<sup>th</sup> Street

New York, Jan. 27/82

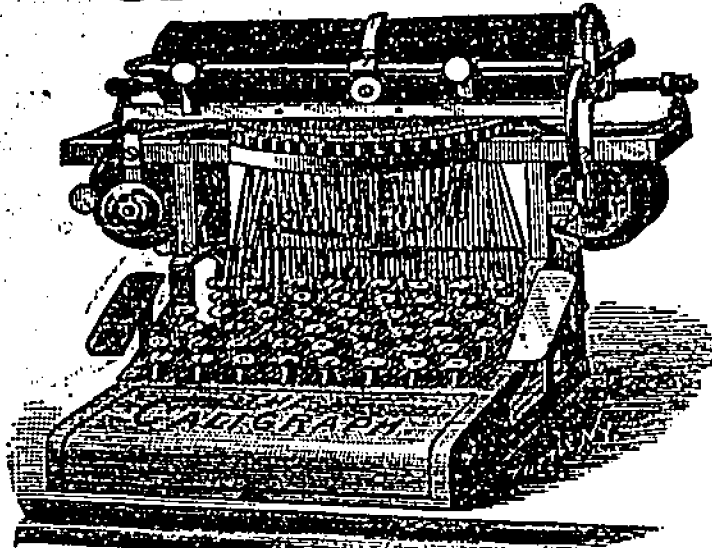
The undersigned, Rev. Theo. Thiry Jr.,  
herby certifies that having known bearer  
George Henry, for years, in fact since child-  
hood, he always looked upon him as a  
most quiet, submissive & mild child. His  
life & employers will also, I hope, bear the same  
testimony. That he should have perpetrated the  
deed for which he is actually & presently  
incarcerated is a problem to me, which others  
may perhaps explain - At any rate I would  
not hesitate to recommend him to the mercy of his  
judges





0795

CALIGRAPH.



The machine with which this letter is written.  
The No. 1 Machine writes with all capital letters.  
Price \$60.  
The No. 2 Machine writes with both capital and  
small letters, Price \$80.

A Grand Album Holiday Number of  
the Monthly for December, 1881, con-  
taining 50 portraits of leading Steno-  
graphers, and a variety of invaluable in-  
formation. Single No. \$1, in a year's  
subscription for \$2.

**RECORDING MONTHLY**  
The only means of International Communication in shorthand  
The only universally recommended journal of shorthand  
The Editor's letters are reported phonographically  
ILLUSTRATED WITH PORTRAITS of leading shorthand writers  
and notes of distinguished Reporters  
Volume II. and III of the MONTHLY  
for sale in cloth binding at \$2.25 each  
ADVERTISING RATES LOW  
MATERIALS:  
Note-Books, 10 & 15 cts.  
Three Pointed Pens (doz) 25c.  
Pen-holders (doz) 20c.  
Pencil Box \$1.50  
Bureau for Stenographic Help & Reporters \$50.00

**PHONOGRAPHIC AND REPORTERS' JOURNAL**

23 CLINTON PLACE,

New-York City,

26<sup>th</sup> Jan. '81

Sist Atty McKee

Sir:-

I wish to say

in behalf of the boy, Geo. Henry, who  
is on trial for ~~assault~~ Battery, that  
he has been in my employ & I have  
known him for several years. He has  
been faithful & conscientious in his  
work & I have found him peacefully  
disposed, forbearing & forgiving in  
his nature. The act of which he is  
charged, I believe to have been com-  
mitted while troubled <sup>with</sup> discouragements  
throw upon his purposes in becoming  
a scholar, and I would recommend  
the leniency of the court in his favor for  
the act for which he has shown the full measure  
of repentance. Very respectfully, D. Scott Shawne

0796

## Police Department of the City of New York,

Precinct No. ....

New York, December 23<sup>d</sup> 1881

27  
Michael Lane Police Officer 5<sup>th</sup> Precinct  
I had ~~the~~ Franklin St for a Post from  
West-Broadway to Broadway about 1<sup>30</sup> AM  
on the morning of December 19<sup>th</sup> 1881

I was near Broadway when I heard as I  
thought a Roundman Whistle I ran back  
to Church <sup>nd</sup> Franklin Street where I saw  
a District Telegraph Watchman <sup>nd</sup> a Citizen  
I asked what was the matter the Watchman  
said nothing I turned around and went over  
my Post towards Broadway before I arrived  
there I heard an other Whistle I went down  
to West Broadway and found this citizen and  
the officer on North Moore and Franklin Street  
~~in~~ together I then asked what was the matter  
This Citizen said he wanted to see Officer Flynn  
I told him he had West Broadway for a Post  
This is all I know about it

Michael Lane

I did not see any marks on this man only a  
light scratch on the nose

Subscribed before me } Michael Lane  
Dec. 27, 1882 }

Robert O. Byrne  
Com. of Seeds  
City of N.Y.



# Order of Proof

Cause of Death: M. G. Raffle M.D.

Identification of Porters

The pistol: its identification

Absence from duty & excuse | <sup>Copy or original</sup> of back noted Sergeant J. Kent 4th Dist.

Look at Rules of Evidence

Get witnesses to identify their own signatures

Beginning of quarrel

Eva Weston

Mary Ann Deegan

the objections to testimony allowed. It is part of the Res Gestae. Motive for revenge on Fitzpatrick because he was interfere with by Porters.

Inquire if club was in his belt.

The Murder

endeavour to get witnesses to identify Fitz

Meyer Diamond

Isaac Levy

Sam M. Gorman

Geo Murray

Exam. Fitzpatrick & Raffle

declarations "that is right, you know done him!"

Annie Leavis

The Murder

first assault "put that down" never struck him with his club.

Jared O'Harrington

do do

first assault - shooting

Alma G. Pierson

" "

Not important

33 Henry Kellogg

" "

No blows struck

Valentin Conetz

" "

not important

Luys Kramer

" "

beginning of the trouble woman screaming in hall re.

Melissa Murphy

" "

not important

testimony on paper marked "B"

Joe Rogers

0798

Mr Howe Opens

Dirt. Atty did not bring Sortons mother here.  
He stopped back to take Anna  
Medieval age & London 1780

~~She did~~ Lying in wait: Poison, both fixed by  
Statute

McLann vs People 6 W L P 630

Statute of 1873 altered the Law of murder

Walworth Case guilty of Murder in the  
second degree

~~Wharton~~ Wharton

80 rods it was Corroboration

Wharton on Homicide

Incompetence: but a Lawyer

She blow - murder the pattern Case

Must rebut the idea that he believed  
he was in danger



0799

## Police Department of the City of New York,

Sunday

Precinct No. 10

New York, Dec, 4<sup>th</sup> 1881,

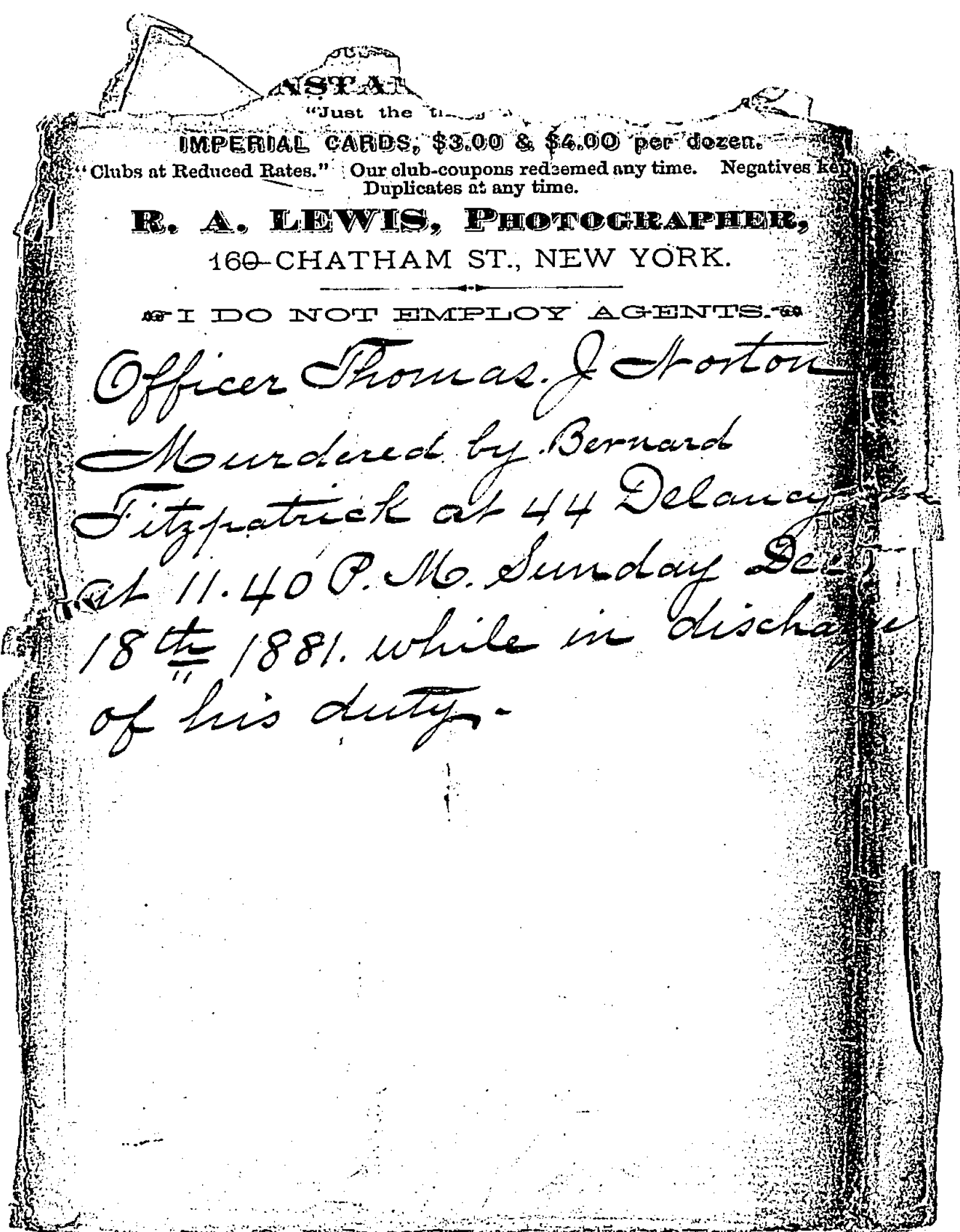
- 11 P.M. Laura Matthews, 24<sup>th</sup> Eng, Amer. single, 102 E, Houston St, Prk, Eng Dis, Complainant Officer Thos. J. Norton 10<sup>th</sup> Precinct charged with being intoxicated and creating a disturbance in Delancey near Fannyth St, Fined \$10. by Justice Gardner 3<sup>rd</sup> Dist. Court.
- 11<sup>10</sup> P.M. William Weigand 37<sup>th</sup> German Furrier single yes 105 Eldridge St, Prk, Eng Dis, Complainant Officer Thos. J. Norton 10<sup>th</sup> Precinct charged with being intoxicated and creating a disturbance cor. of Delancey and Eldridge St, Fined \$10. by Justice Gardner 3<sup>rd</sup> Dist. Court.
- 11<sup>50</sup> P.M. Mary Rodgers 30. St. Ire. Amer single yes 168 Allen St Prk, Eng Dis, Complainant. Officer Thos. J. Norton 10<sup>th</sup> Precinct charged with being intoxicated and creating a disturbance at 44 Delancey St, Fined \$10. by Justice Gardner 3<sup>rd</sup> Dist. Court.

Copy taken from notes of Sunday Dec 4<sup>th</sup> /81.

Timothy J. Creaney

Sergeant 10<sup>th</sup> Precinct.

0800





## Synopsis of Affidavits

Boisterous in Blanches, hit Eva Weston &amp;c.

&amp; Mary Ann Deegan, Screaming &amp;c.

Page 384

No. 1 Deegan

Rushed Blanche off house

Struck Mary Ann Deegan and tried to force her into a bed room

586

was struck again. Screamed.

Meyer Diamond

cooling time

Stood still, had words, gave it to him for him &amp;c. after short period

788

Isaac Levy

Same story

Premeditated cooling time.

Geo. Murray

He was struck after being shot

b! I am gone this time 13

Richard Flynn P.O.

saw Fitzpatrick after the murder at 1:30 pm

of the 19th Cool. Lump under his eye.

impression crossed his face &amp;

Manufacturing testimony in favor of Farrell 17

Annie Heenan

That is right you have done him up.

25

Merchard Kane

only a scratch on his nose.

Went Kane in Court to identify Fitzpatrick &amp;

Sarah O. Harrington

Show your shield. You have no right to play P. Stopped back as if to strike

0802

3<sup>rd</sup> District Police Court,

New York, February 10 1882.

Owen Georgezen  
vs  
Bernard Fitzpatrick  
John Kennedy

} Wardens Caudwell

We hereby certify that the here to  
quinted affidavit is a true  
copy of the original on file  
in this Court.

Marion Otterbourg  
Police Justice

Charles Kelly  
Police Clerk

The record shows that both defendants  
were listed by Edw. P. Fitzpatrick  
of No. 28 Governor Street. Bond filed  
with the Clerk of Special Session.

Charles Kelly Police Clerk.



0803

District Police Court

STATE OF NEW YORK,  
CITY AND COUNTY OF NEW YORK. } ss.

*Owen Geoghegan*

of No. *105 Bowery* Street, being duly sworn, deposes and says

that on the *7th* day of *February* 1880, at the City

of New York, in the County of New York, *Bernard Fitzpatrick and*

*John Kennedy*

(now here) was in *above premises* Street,  
using threatening, abusive and insulting behavior, with intent to provoke a breach of the peace, and  
whereby a breach of the peace might be occasioned, that said *Bernard and*

*John* did then and there *enter said*

*premises and did threaten to kill this deponent because*

*this deponent refused to sell them liquor and Bernard*

*Fitzpatrick did draw a knife upon this deponent*

*with the avowed purpose of killing this deponent,*

*and the said Bernard and John Kennedy did act*

*in a violent and disorderly manner towards this*

*deponent,*

(signed) *Owen Geoghegan*

Sworn to before me, this *8th*

day of *February* 1880

*Charles J. Flannery* Police Justice

0804

State & County of New York / ss  
City of New York

John Williams of No 4 Foregate Street  
being duly sworn deposes and says, that he is the Bookkeeper  
at premises No 105 Bowery, that on or about 11 o'clock on  
the night of the 9th inst Bernard Fitzpatrick and John Kennedy  
came in to said premises and the said John Kennedy did  
then and there draw a Revolver, concealed upon his person  
and pointing it at this deponent did attempt, to shoot this  
deponent, that the Revolver missed fire, and the said Bernard  
Fitzpatrick did draw a butcher knife (here shown) and did  
threaten to cut and kill the complainant onen George

sworn to before me this  
9th day of February 1880

Ch. A. Flammur

signed, Joe. Williams

John Kennedy

Police Court 3rd District.

THE PEOPLE, ETC.,  
ON THE COMPLAINT OF

ARRESTED BY  
Disorderly Conduct.

vs.

Bernard Fitzpatrick  
John Kennedy

Dated February 10 1880

Flammur Justice.

Subscribed 10 Officer.

WITNESSES:  
Joe. Williams  
4 Foregate Street

Hand printed

# 600 Paid L.B. for  
Fines & 6 months Cash

No 1 Cam  
No 2 Cam.



0805

**State of New York.**

*Executive Chamber,*

*Albany, Jan 2 1885*

Sir: Application having been made to the Governor for the  
pardon of *Bernard Fitzpatrick*, who was  
sentenced on *Feb. 28* 1882, in your County,  
for the crime of *Measures, 3d* for the term  
of *4* years and \_\_\_\_\_ to the State Prison

\_\_\_\_\_ you are respectfully requested (in pursuance of  
Chapter 310, Laws 1849) to furnish the Governor with a concise  
statement of the case as proven on the trial, together with any other  
facts or circumstances which may have a bearing on the question of  
granting or refusing a pardon. Be pleased, also, to state the previous  
character of the convict. *Accquiesce respectfully requested*

Each letter of inquiry from this Department should be answered on  
a separate sheet.

Very respectfully yours,

*Attest: Cleveland:*  
*by Gordon Brown*  
*to H. B. Martine*  
District Attorney, &c.

0806

Answered  
March 12<sup>th</sup> 1885.  
R. B. Jr.



0807

# STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, SS.

## AN ANTE-MORTEM INQUISITION,

Taken at *Chamber St Hospital*  
No. 165 *Chamber St* Street, in the *3* Ward of the City of  
New York, in the County of New York, this *19* day of *December*  
in the year of our Lord one thousand eight hundred and *81* before  
*John H. Brady* Coroner,  
of the City and County aforesaid, on view of the Body of *Thomas J. Norton*

*Chamber St Hospital* at  
Upon the Oaths and Affirmations of  
good and lawful men of the State of New York, duly chosen and  
sworn, or affirmed and charged to inquire, on behalf of said people, how and in what manner the said  
was injured, do,

upon their Oaths and Affirmations, say: That the said *Thomas J. Norton*  
is suffering from *pistol shot wound in the*  
*neck received December 18<sup>th</sup> 1881 in front of*  
*No. 44 Delancey St*

In Witness Whereof, We, the said Jurors, as well as the CORONER, have to this Inquisition  
set our hands and seals, on the day and place aforesaid.

JURORS.

*John H. Brady*  
CORONER, I. S.

0000

City and County of New York, ss.

Statement of Thomas J. Norton <sup>now lying</sup>  
dangerously wounded at Chamber St Hospital in the 3<sup>rd</sup> Ward  
of said City and County, on the 19<sup>th</sup> day of December 1881

Question.—What is your name?

Answer.— Thomas J. Norton

Question.—Where do you live?

Answer.— 66. Pike Street

Question.—Do you now believe that you are about to die?

Answer.— I think I will

Question.—Have you any hope of recovery from the effects of the injury you have received?

Answer.— I live in hopes But do not think  
I will get over my injury

Question.—Are you willing to make a true statement, how, and in what manner, you came by the injury from which you are now suffering?

Answer.— Yes

I am an officer of the 10<sup>th</sup> precinct I was on patrol in Delancy Street on the 19<sup>th</sup> between 6 + 12 O'clock to night. at about half past 11 O'clock in front of 44 Delancy that one of the dives of our precinct and a house of prostitution up stairs and in the Rear, kept by Salomon the keeper of the Beer Saloon at that No. who may be decent people but are let out in furnished rooms as usual I took a look at the place and found on the 2<sup>nd</sup> floor in the Rear a room kept by a woman named Blanche, some trouble and I also found three men in the room. I said what are you doing here one of them said that all right. I am a policeman I said if you are its a funny place for you to be. I said show your shield, and walked down stairs. he followed me with the others as I knew it was a bad place



0809

He ran towards me and I knocked him down and  
 he came again I knocked him down again with  
 my fist. His friend said give it to him <sup>Bansley</sup> and he shot  
 me in the neck. I caught hold of him and held  
 him. and took him through the alley uptill from  
 loss of blood and weakness I had to let him go  
 and from there I was taken to the station house  
 by four or five young fellows and then brought here  
 that is all I know about it. I never saw the  
 man that shot me before

his  
 Thomas J. Norton  
 made.

0010

# MEMORANDA.

AGE.			PLACE OF NATIVITY.	WHERE FOUND.
38 Years.	Months.	Days.	Liberty Sullivan Co N.Y.	Chambers St Hospital

The following  
heres given.  
an extract  
for Nelson in  
the year, it  
seems true that  
under the power  
of the case of  
Harrison, and  
a no of 1841.  
will come here  
the next case. the  
the day after  
to the night of 1841  
Harrison's  
the power of the  
case.

5

17/82

१३३

AN ANTE-MORTEM INQUISTION

*On the VIEW of the BODY of*

Thomas Norton

whereby it is found that he was injured by pestilence which

around Dec 18. 1881

in front of Mr Delaney

Taken on the 19th day  
of December, 1881

Before

Copy  
John H. Brady, Coroner:  
Committed

*Committed*

*Barbed*

Discharged



AGE.	38 Years.	Months.	Days.
PLACE OF NATIVITY.	Libertyville Co Ill.		
WHERE BORN.	Libertyville Co Ill.		

17/82

On the VIEW of the BODY of  
Thomas J. Norton  
whereby it is found that he was  
injured by pistol shot  
wound Dec 18. 1881  
in front of 44 Delancy

Taken on the 19<sup>th</sup> day  
of December 1881  
before I

before  
John H. Brady  
Committed

08 12

Coroner's Office,

CITY AND COUNTY }  
OF NEW YORK. } ss.

*Bernard J. Fitzpatrick* being duly examined before the undersigned, according to law, on the annexed charge, and being informed that he was at liberty to answer or not, all or any questions put to him, states as follows, viz.:

Question.—What is your name?

Answer.—*Bernard J. Fitzpatrick*

Question.—How old are you?

Answer.—*22 years*

Question.—Where were you born?

Answer.—*28 ~~Longwood St.~~ New York*

Question.—Where do you live?

Answer.—*~~28 Longwood St.~~ 28 Longwood St.*

Question.—What is your occupation?

Answer.—*Plumber*

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

*The shooting was entirely in self-defense.*

*Bernard J. Fitzpatrick*

Taken before me, this *31* day of *December* 188*1*

*John H. Brady*

CORONER.



0013

**MEMORANDUM.**

AGE.	PLACE OF NATIVITY.	WHERE FOUND.	DATE, When Reported.
28 Years. — Months. — Days.	U. S.	Chambers St. Hospital Sec. 19/	18

# REVIEWS

# COLLISION

*On the FEELING of the BODY*



whereas it is found that he came in

was killed by the hands of German

100

As the transformation



1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

*Original taken on the 11/21/88*

1881

Wanda and I  
December 1958

DATE \_\_\_\_\_

11 = NEEDS NOT MET  
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 99 = NEEDS NOT MET  
 100 = NEEDS NOT MET

蘇軾



# MEMORANDUM.

AGE.	28 Years. — Months. — Days.	PLACE OF NATIVITY.	WHERE FOUND.	DATE When Reported.
		U. S.	Monmouth, N. J.	Dec. 19/87

## HOMICIDE.

### AN INQUIRY INTO THE

On the 19th of December 1887

at the residence of the body of the deceased

where it was found that he came to

his death by the hands of Bernard

of the 18th of December 1887

the first trial took place at the

and the second at the

and the third at the

and the fourth at the

and the fifth at the

and the sixth at the

and the seventh at the

and the eighth at the

and the ninth at the

and the tenth at the

and the eleventh at the

and the twelfth at the

and the thirteenth at the

and the fourteenth at the

and the fifteenth at the

and the sixteenth at the

and the seventeenth at the

and the eighteenth at the

and the nineteenth at the

and the twentieth at the

0014



# Grand Jury

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

*Bernard J. Fitzpatrick*  
*Frank McCormack*  
*John Kennedy*

The Grand Jury of the City and County of New York, by this indictment, accuse  
*Bernard J. Fitzpatrick, Frank McCormack,*  
*and John Kennedy*  
of the Crime of Murder

committed as follows:

The said *Bernard J. Fitzpatrick, Frank McCormack and John Kennedy*  
each late of the *City* Ward of the City of New York, in the County  
of New York, aforesaid,

on the *eighteenth* day of *December* in the year of our Lord  
one thousand eight hundred and *eighty* at the City and County aforesaid,  
with force and arms, in and upon one *Thomas J. Norton*  
in the peace of the People of the State, then and there being, wilfully, feloniously, and  
with a deliberate and premeditated design to effect the death of *him*

the said *Thomas J. Norton* did make an  
assault, and that the said *Bernard J. Fitzpatrick*  
a certain *picture* then and there charged and loaded  
with gunpowder and one leaden bullet, which said *picture*  
the said *Bernard J. Fitzpatrick* in *his* right hand then and  
there had and held to, at, against, and upon the said *Thomas J. Norton*

then and there feloniously, wilfully, and with a deliberate and premeditated design to  
effect the death of the said *Thomas J. Norton* did shoot off  
and discharge, and that the said *Bernard J. Fitzpatrick* with the  
lead bullet aforesaid, out of the *picture* aforesaid, then and there, by  
force of the gunpowder aforesaid, shot off, sent forth, and discharged, as aforesaid, the

said *Thomas J. Norton* in and upon the *neck*  
of *him* the said *Thomas J. Norton* then and there  
feloniously, wilfully, and of *his* "malice aforethought," did strike, penetrate,

and wound, giving to *him* the said *Thomas J. Norton*  
then and there, with the leaden bullet aforesaid, so as aforesaid discharged, sent forth,  
and shot out of the *picture* aforesaid, by the said *Bernard*  
*J. Fitzpatrick* in and upon the *neck* of *him* the said

*Thomas J. Norton* one mortal wound of the breadth of *one* inch  
and of the depth of *two* inches, of which said mortal wound *he* the  
said *Thomas J. Norton* at the *City* and County  
aforesaid, "from" the day first aforesaid

and in the year aforesaid, "until the *thirtieth* day of *December*  
in the same year aforesaid, did languish, and languishing did live, and on which  
said *thirtieth* day of *December*  
in the year aforesaid, the said *Thomas J. Norton* at the *City*  
City and County aforesaid, of the said mortal wound" did die.

and that the aforesaid *Frank McCormack*  
and *John Kennedy* then and there  
feloniously, wilfully, and of their malice  
aforethought were present ~~and~~ aiding,  
helping, abetting and assisting the  
said *Bernard J. Fitzpatrick* the felony  
and murder aforesaid in manner and  
form as aforesaid to do and commit

And so the jurors aforesaid, upon their oath aforesaid, do say that they the said  
*Bernard J. Fitzpatrick, Frank McCormack and John Kennedy* him  
the said *Thomas J. Norton* in the manner and form, and by  
the means aforesaid, at the Ward, City, and County aforesaid, on the day aforesaid, and  
in the year aforesaid, wilfully, feloniously, and with a deliberate and premeditated  
design to effect the death of *him* the said  
*Thomas J. Norton* did kill, and murder, against the form  
of the Statute in such case made and provided, and against the peace of the People of  
the State of New York and their dignity.

*John McKee*  
District Attorney.

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