

0259

BOX:

144

FOLDER:

1483

DESCRIPTION:

Fagan, Edward

DATE:

07/18/84



1483

0260

BOX:

144

FOLDER:

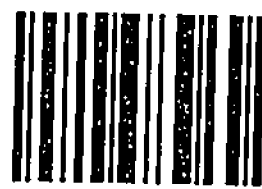
1483

DESCRIPTION:

McCaffrey, Joseph

DATE:

07/18/84



1483

Witnesses:

Abraham Speck
Chas. H. DeLaney

128

Counsel,
Filed 18 day of July 1884
Pleads

THE PEOPLE
vs.
Edward T. Sargent
147 N. 3rd St.
Grand Larceny 2nd degree
[Sections 528, 531, 550, Penal Code.]

PETER B. OLNEY,

July 21/14 District Attorney.
13rd and 1st
A True Bill.

George J. Sargent
Foreman.

John. Penbury
John 2. Hays

0261

0262

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Edward Fagan

and

Joseph McCaffrey

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

Edward Fagan and Joseph McCaffrey
of the CRIME OF GRAND LARCENY in the second degree, committed as follows:

The said

Edward Fagan and
Joseph McCaffrey each

late of the First Ward of the City of New York, in the County of New York aforesaid, on the
23rd day of June in the year of our Lord one thousand
eight hundred and eighty-four, at the Ward, City and County aforesaid, with force and arms,

two watches of the value of
twenty dollars each, and
diamond of the value of
thirty dollars, and one
ring of the value of ten
dollars

of the goods, chattels and personal property of one Louis Rosenfeld

then and there being found, 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.

0263

SECOND COUNT—

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

Edward Fagan

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

The said

Edward Fagan

late of the First Ward of the City of New York, in the County of New York aforesaid, on the
29th day of June in the year of our Lord one thousand
eight hundred and eighty-four at the Ward, City and County aforesaid, with force and arms,

two ready pairs of the value
of twenty dollars each,
one diamond of the
value of twenty dollars
and one ruby of the
value of ten dollars—

of the goods, chattels and personal property of one Louis Rosenfeld

and one Josephine Coffey and

by — certain other persons to the Grand Jury aforesaid unknown, then lately before
feloniously stolen, taken and carried away from the said Louis

Rosenfeld

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

Fagan

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.

PETER B. OLNEY,

District Attorney.

0264

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

Police Court 188 District 1
THE PEOPLE, &c.,
ON THE COMPLAINT OF
Abraham Jacobs
Edward Jagan
Joseph Mc Caffrey
Dated July 14 1888
Magistrate.
Richardberg Officer.
60 Precinct.
No. 508 Street, Chen Sessions.
Oben

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 Edward Jagan and Joseph Mc Caffrey guilty thereof, I order that they be held to answer the same and they be admitted to bail in the sum of Five Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.
Dated July 14 1888 Solomon Smith 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.

0265

Sec. 198-200

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Joseph Mc Caffrey 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.

Joseph Mc Caffrey

Question. How old are you?

Answer.

14 Years

Question. Where were you born?

Answer.

US

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

Answer.

555 West 37. St. one year

Question. What is your business or profession?

Answer.

Messenger boy

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

Answer.

*I am guilty. Dugan told me to take them.**Joe Mc Caffrey*

Taken before me this *14*
day of *May* 18*88*

Police Justice.

0266

Sec. 198-200

1 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Edward Fagan being duly examined before the under-
signed, according to law, on the annexed charge: and being informed that it is *no* 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 Fagan*

Question. How old are you?

Answer. *17 years.*

Question. Where were you born?

Answer. *MS*

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

Answer. *338 E. 45 St. 2 months*

Question. What is your business or profession?

Answer. *Wall boy*

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 received the pins from
Mr. Gaffey but did not know
they were stolen*

Edward Fagan

Taken before me this

14-18
John J. [Signature]
Notary Public

0267

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 43 years, occupation Police officer of No. Charles Heidelberg
Central Office Street, being duly sworn deposes and

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

Sworn to before me, this 14
day of July 188 8

Chas Heidelberg

John R. Smith
Police Justice.

0268

Police Court—First District.

Affidavit—Larceny.

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

Abraham Jacobs
of No. Hoffman House Bway 025 Street, aged 30 years,
occupation Private detective at Hoffman being duly sworn
deposes and says, that on the or about 15 day of June 1887 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 day time, the following property viz:

Two gold scarf pins containing
diamonds and ruby and in
all of the value of forty dollars

the property of one Mr Rosenfeld and
in deponents care and custody

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 Fagan and

Joseph Mc Caffery (both now here) ^{and both}
for the reason that said Mc Caffery
admitted and confessed to
deponent that while he was in
a room at the Hoffman House
with said Fagan, said Fagan
told him Mc Caffery to look into
the bureau drawers and see if he
could find any thing. That he
Mc Caffery did so, and took from
a drawer ~~in~~ in a bureau in
said room, the above described
property, and that when he
had taken said property said

Subscribed and sworn to before me this
1887 day of June

Police Justice.

0269

Fagan took said property from
said McFaffey. That said
Fagan has also admitted that
he then received said property
and returned to Detective Heidelberg
him and which department has seen and
identified as the property of said
Rosenfeld, and that said Fagan
told where the other pin had
been sold by him, and which
was also returned to Detective
Heidelberg, and said Heidelberg
has shown said pin to clerks
who identifies it as the property of
said Rosenfeld, and which had
been stolen from the room of said
Rosenfeld at 110 Hoffman / furse

Stom to before me } Abraham Jacobs
this 14 of July 1884 }

Solomon Smith Police Justice

Dated 1884 Police Justice

There being no sufficient cause to believe the within named

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

Dated 1884 Police Justice

I have admitted the above named

to bail to answer by the undertaking hereto annexed.

Dated 1884 Police Justice

of the City of New York, until he give such bail.

I order that he be held to answer the same and he be admitted to bail in the sum of

Hundred Dollars

and be committed to the Warden and Keeper of the City Prison

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of

Hundred Dollars

and be committed to the Warden and Keeper of the City Prison

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Hundred Dollars

and be committed to the Warden and Keeper of the City Prison

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of

Hundred Dollars

and be committed to the Warden and Keeper of the City Prison

Police Court, District,

THE PEOPLE, vs.,
on the complaint of

Offence—LARCENY.

1
2
3
4

Dated

1884

Magistrate.

Officer.

Clerk.

Witnesses,

No.

Street,

No.

Street,

No.

Street,

\$

to answer

Sessions.

0270

BOX:

144

FOLDER:

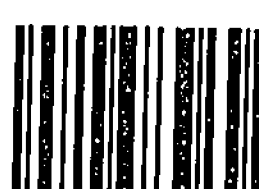
1483

DESCRIPTION:

Farrell, Frank

DATE:

07/17/84



1483

Witnesses:

COUNSEL,

Filed 17 day of July 1884

Plads

W. H. Kelly

THE PEOPLE

vs.

P

Frank Farrell

18.

484. 3 hrs

cigarbox wks

PETER B. OLNEY,

Aug 15/84 District Attorney.

pleads Guilty.

A TRUE BILL.

Emory R.

George J. Jackson

Foreman.

*Burglary in the THIRD DEGREE,
in the 2nd degree,
in the 1st degree,
Sections 498, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000*

0271

0272

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Frank Zane

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

Frank Zane

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

The said *Frank Zane*

late of the *Eighth* Ward of the City of New York, in the County of New York aforesaid, on the *eleventh* day of *July* in the year of our Lord one thousand eight hundred and eighty-*four*, with force and arms, at the Ward, City and County aforesaid, a certain *part of* building there situate, to wit: the *store* of one *Thomas Cunningham*

feloniously and burglariously did break into and enter, with intent to commit some crime therein, to wit: with intent, the goods, chattels and personal property of the said

Thomas Cunningham

in the said *Store* then and there being, then and there feloniously and burglariously to steal, take and carry away, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

0273

SECOND COUNT.

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

Franka Farrell

of the CRIME OF Grand LARCENY in the Second Degree,
committed as follows:

The said Franka Farrell

late of the Eighteenth — Ward of the City of New York in the
County of New York aforesaid, afterwards, to wit: on the said seventh day of
July — in the year of our Lord one thousand eight hundred
and eighty four at the Ward, City and County aforesaid, in the night
time of said day, with force and arms, three promissory
notes for the payment of money
of the kind known as United
States Treasury notes, the same
being then and there due and
unsatisfied, for the payment
of and of the value of one dollar
each, one other promissory
note for the payment of money
of the kind known as United
States Treasury notes, the same
being then and there due and
unsatisfied, for the payment
of and of the value of two dollars,
and their coin, of a number,
kind and denomination to
the Grand Jury aforesaid un-
known of the value of
twenty one dollars and
twenty cents;

of the goods, chattels and personal property of one Thomas
Cunningham in the store of
the said Thomas Cunningham

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

Peter B. Olney
District Attorney

0274

BAILED,		Police Court - District.	
No. 1, by	Residence	THE PEOPLE, &c., ON THE COMPLAINT OF	
No. 2, by	Residence	James Cunningham	
No. 3, by	Residence	1st Deputy	
No. 4, by	Residence	2nd Deputy	
No. 5, by	Residence	3rd Deputy	
No. 6, by	Residence	4th Deputy	
No. 7, by	Residence	5th Deputy	
No. 8, by	Residence	6th Deputy	
No. 9, by	Residence	7th Deputy	
No. 10, by	Residence	8th Deputy	
No. 11, by	Residence	9th Deputy	
No. 12, by	Residence	10th Deputy	
No. 13, by	Residence	11th Deputy	
No. 14, by	Residence	12th Deputy	
No. 15, by	Residence	13th Deputy	
No. 16, by	Residence	14th Deputy	
No. 17, by	Residence	15th Deputy	
No. 18, by	Residence	16th Deputy	
No. 19, by	Residence	17th Deputy	
No. 20, by	Residence	18th Deputy	
No. 21, by	Residence	19th Deputy	
No. 22, by	Residence	20th Deputy	
No. 23, by	Residence	21st Deputy	
No. 24, by	Residence	22nd Deputy	
No. 25, by	Residence	23rd Deputy	
No. 26, by	Residence	24th Deputy	
No. 27, by	Residence	25th Deputy	
No. 28, by	Residence	26th Deputy	
No. 29, by	Residence	27th Deputy	
No. 30, by	Residence	28th Deputy	
No. 31, by	Residence	29th Deputy	
No. 32, by	Residence	30th Deputy	
No. 33, by	Residence	31st Deputy	
No. 34, by	Residence	32nd Deputy	
No. 35, by	Residence	33rd Deputy	
No. 36, by	Residence	34th Deputy	
No. 37, by	Residence	35th Deputy	
No. 38, by	Residence	36th Deputy	
No. 39, by	Residence	37th Deputy	
No. 40, by	Residence	38th Deputy	
No. 41, by	Residence	39th Deputy	
No. 42, by	Residence	40th Deputy	
No. 43, by	Residence	41st Deputy	
No. 44, by	Residence	42nd Deputy	
No. 45, by	Residence	43rd Deputy	
No. 46, by	Residence	44th Deputy	
No. 47, by	Residence	45th Deputy	
No. 48, by	Residence	46th Deputy	
No. 49, by	Residence	47th Deputy	
No. 50, by	Residence	48th Deputy	
No. 51, by	Residence	49th Deputy	
No. 52, by	Residence	50th Deputy	
No. 53, by	Residence	51st Deputy	
No. 54, by	Residence	52nd Deputy	
No. 55, by	Residence	53rd Deputy	
No. 56, by	Residence	54th Deputy	
No. 57, by	Residence	55th Deputy	
No. 58, by	Residence	56th Deputy	
No. 59, by	Residence	57th Deputy	
No. 60, by	Residence	58th Deputy	
No. 61, by	Residence	59th Deputy	
No. 62, by	Residence	60th Deputy	
No. 63, by	Residence	61st Deputy	
No. 64, by	Residence	62nd Deputy	
No. 65, by	Residence	63rd Deputy	
No. 66, by	Residence	64th Deputy	
No. 67, by	Residence	65th Deputy	
No. 68, by	Residence	66th Deputy	
No. 69, by	Residence	67th Deputy	
No. 70, by	Residence	68th Deputy	
No. 71, by	Residence	69th Deputy	
No. 72, by	Residence	70th Deputy	
No. 73, by	Residence	71st Deputy	
No. 74, by	Residence	72nd Deputy	
No. 75, by	Residence	73rd Deputy	
No. 76, by	Residence	74th Deputy	
No. 77, by	Residence	75th Deputy	
No. 78, by	Residence	76th Deputy	
No. 79, by	Residence	77th Deputy	
No. 80, by	Residence	78th Deputy	
No. 81, by	Residence	79th Deputy	
No. 82, by	Residence	80th Deputy	
No. 83, by	Residence	81st Deputy	
No. 84, by	Residence	82nd Deputy	
No. 85, by	Residence	83rd Deputy	
No. 86, by	Residence	84th Deputy	
No. 87, by	Residence	85th Deputy	
No. 88, by	Residence	86th Deputy	
No. 89, by	Residence	87th Deputy	
No. 90, by	Residence	88th Deputy	
No. 91, by	Residence	89th Deputy	
No. 92, by	Residence	90th Deputy	
No. 93, by	Residence	91st Deputy	
No. 94, by	Residence	92nd Deputy	
No. 95, by	Residence	93rd Deputy	
No. 96, by	Residence	94th Deputy	
No. 97, by	Residence	95th Deputy	
No. 98, by	Residence	96th Deputy	
No. 99, by	Residence	97th Deputy	
No. 100, by	Residence	98th Deputy	
No. 101, by	Residence	99th Deputy	
No. 102, by	Residence	100th Deputy	

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 Francis Farrell

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

Dated July 11 188 J. J. Murphy 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.

0275

Sec. 198-200

CITY AND COUNTY
OF NEW YORK, } ss.

District Police Court.

Frank 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. Frank Farrell

Question. How old are you?

Answer. 18 years

Question. Where were you born?

Answer. New York

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

Answer. 484 5th Avenue 2 years

Question. What is your business or profession?

Answer. Work in a Cigar Box factory

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

Frank Farrell

Taken before me this 17

day of July

1888

William H. Wood
Police Justice.

0276

Police Court—4 District.City and County }
of New York, } ss.:of No. 602 East 15th Thomas Cunningham Street, aged 40 years,occupation Liquor dealer being duly sworndeposes and says, that the premises No. 252 Avenue B Street,
in the City and County aforesaid, the said being a brick building, the first
floor ofand which was occupied by deponent as a Liquor Store
and in which there was at the time no human being, by namewere BURGLARIOUSLY entered by means of forcibly breaking
upon the lock on the door leading from the
hallway of said premises, to said Liquor Storeon the 11th day of July 1884 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:good and lawful money of the issue of the United
States consisting of three notes of the denomination
and value of one dollar each, and one note
of the value of two dollars, and silver coin
of various denominations and of the value
of twenty one ²⁰ hundred dollars, said money
being in all of the value of twenty six
dollars & twenty centsthe property of deponentand deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen, and carried away byFrank Farrell (now here)for the reasons following, to wit: Deponent caught said
Frank in said Saloon, lying upon the
ice house, and when arrested and searched
in the Station House, the afore described money
was found in his possessionThomas CunninghamPresented to the Court by the
11th day of July 1884
of the City of New York

Clerk of the Court

0277

BOX:

144

FOLDER:

1483

DESCRIPTION:

Fitzpatrick, John

DATE:

07/14/84



1483

No 67.

Counsel,

Filed 14 day of July 1884

Pleads July 15.

THE PEOPLE

vs.

P

Assault in the Third Degree.
(Section 219).

John Fitzgerald

(2 cases)

PETER BOLNEY,

~~JOHN MCKEON,~~

District Attorney.

Sep 8/84

W. H. C. Gentry

A True Bill.

Per: D. J. Gentry.

George S. Jackson

Foreman.

Sept Term - Defect, the law

W. H. C.

6 9/15

Officer of the Court

0278

POOR QUALITY
ORIGINALS

0279

No 67.

Counsel,

Filed 14 day of July 1884

Pleads July 15.

THE PEOPLE

vs.

P

John T. Magrath

(A case)

Assault in the Third Degree.
(Section 219.)

PETER D. CENEY,

JOHN M. KEON,

District Attorney.

A True Bill.

Foreman.

Witness
Off Wm J. Mc Cormack

0280

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against

John Fitzgerald

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

John Fitzgerald

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

The said *John Fitzgerald*

late of the First Ward of the City of New York, in the County of New York afore-
said, on the *Eleventh* day of *July*, in the year of our Lord one
thousand eight hundred and eighty-*four*, at the Ward, City and County
aforesaid, in and upon the body of *William J. McCarroll*
in the peace of the said people then and there being, with force and arms, unlawfully
did make an assault and *in* the said *William J. McCarroll*
did then and there unlawfully beat, wound and illtreat, to the great damage of the
said *William J. McCarroll*, 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.

PETER B. OLNEY,
~~JOHN McKEON~~, District Attorney.

0201

Police Court _____ District _____

THE PEOPLE, &c.
ON THE COMPLAINT OF

Heinrich Heine

BAILED

 $\Delta N_0, 1, by$

Resilience

No. 2, by

Residence :

No. 3, 677

Resilience

No. 4, by

Residence

OFFICE

Dated 22nd 188

Magistrat

Office

Precine

Witness: Harriet L. Hosmer

No. 11 West 42nd St. Street

Abstract

No. _____ Street _____

No. 1100 Street 12

to answer

DATE _____
NAME _____
ADDRESS _____
CITY _____
STATE _____
ZIP _____
PHONE _____
E-MAIL _____
SIGNATURE _____
PRINT NAME _____

Aug 12/14

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 John Fitzpatrick

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

Dated July 9 1884 J. M. Patterson 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.*

0282

Sec. 198-200

34

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

John Fitzpatrick 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.

John Fitzpatrick

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.

737 East 9 Street 25 years

Question. What is your business or profession?

Answer.

Printer

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

John ^{his} Fitzpatrick
with

Taken before me this

day of

1884

J. M. O'Brien
Police Justice.

0283

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

POLICE COURT, 3 DISTRICT.

of 11th Precinct Police *Daniel J. Hogan*
being duly sworn, deposes and
says that on the *20th* day of *January* 188 *4*
at the City of New York, in the County of New York, *deponent saw*
John Fitzpatrick, now here,
in front of premises 118 Avenue
20. at the time of the Bayley
mentioned in the foregoing
Complaint of Herman Stein,
and in the Company of John
Hammell and Thomas Seaver
who have been found guilty
and now in prison for said crime.
That when deponent arrested
said Hammell and said Seaver

0284

The defendant Fitzpatrick escaped
and deponent has been unable
to secure his arrest until the
night of the 8th instant.
Deponent hereunto Daniel J. Hogan
9th of July 1884
J. M. Patterson
Police Justice

Police Court	District.
THE PEOPLE, &c., ON THE COMPLAINT OF	
AFFIDAVIT.	
Dated	188
Magistrate	
Officer	
Witness	
Disposition	

0285

Police Court—9^d District.City and County }
of New York, } ss.:

Hermon Stein
of No. 221 East 10th Street, aged 34 years,
occupation Shirt manufacturer being duly sworn
deposes and says, that the premises No. 118 Avenue D Street,
in the City and County aforesaid, the said being a brick building
used for manufacturing purposes
and which was occupied by deponent as a factory for shirts
and in which there was at the time a human being, by name

were BURGLARIOUSLY entered by means of forcibly opening
the blinds on the second floor from
the fire escape said blinds having
been fastened from the inside of said premises
previous to the burglary by the deponent himself
on the 20 day of January 1884 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

Eighteen dozens of shirts of
the value of two hundred dollars

\$200.00

the property of Rosenbaum & Stein in charge of deponent
and deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen, and carried away by
John Fitzpatrick (now here), and John Hummel
and Thomas Paver both of them having been convicted
for the reasons following, to wit: that the above described
property was found in possession of the
said Hummel and Paver at the time
of their arrest, and for the further reason
that the said Fitzpatrick was then and
there in company of the said Hummel
and Paver at the time when said
burglary was committed and the said
Fitzpatrick is fully identified by

0286

Officer Boyan of the 11th Precinct
Police as being the person who
was in company with the aforesaid
Hummell and Leamer and did
them and there escape.

Subscribed before me this
9th day of July 1884

J. M. Patterson
Police Justice.

Police Court District.

THE PEOPLE, & c.,

ON THE COMPLAINT OF

vs.

Degree.

Burglary

Dated

188

Magistrate.

by

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No.

Street.

POOR QUALITY
ORIGINALS

0287

September 1882, 5 Months
by Roundsmen Palmer
October 1881, 10 Days better
June 1882, 6 Months for
assaulting Officer Daffing

Dated 188 *Police Justice.*

0289

Sec. 198-200

CITY AND COUNTY }
OF NEW YORK, } ss.

J. L. District Police Court.

John Fitzpatrick 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. *John Fitzpatrick*

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. *737 East 9th Street 25 years*

Question. What is your business or profession?

Answer. *Printer*

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 have nothing to say*

John ^{his} Fitzpatrick
New York

Taken before me this *9*
day of *August* 188*4*
J. M. Patterson Police Justice.

0290

Form 11.

Police Court—Third District, Halls of Justice.

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, } ss.of No. the 11th Precinct Police Street,on Tuesday the 8 day of July
in the year 1884, at the City of New York, in the County of New York,
he was violently ASSAULTED and BEATEN by

John Fitzpatrick (now here)
who butted the deponent with his
head and then threw down the
deponent and kissed him, while
in the discharge of his duties as an officer
of Police.

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 the above assault, &c., and be dealt with according to law.

Sworn to before me, this

day of July 1884Wm. J. McConick
POLICE JUSTICE.

POOR QUALITY
ORIGINALS

0291

Counsel,
Filed *17* day of *July*
Plends *1884*

188

THE PEOPLE

vs.

John S. Singmaster

(2 cases)

PETER B. OLNEY,

District Attorney.

A True Bill.

George J. Jackson

Foreman.

Sept. 8/84

Witnesses:

0292

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

John E. Fitzgerald

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

John E. Fitzgerald

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

The said *John E. Fitzgerald*

late of the *Eleventh* Ward of the City of New York, in the County of New York aforesaid, on the *twentieth* day of *January*, in the year of our Lord one thousand eight hundred and eighty-*four*, with force and arms, at the Ward, City and County aforesaid, a certain _____ building there situate, to wit: the *factory* of one *Samuel*

Stein

feloniously and burglariously did break into and enter, with intent to commit some crime therein, to wit: with intent, the goods, chattels and personal property of the said

Samuel Stein

in the said *factory* then and there being, then and there feloniously and burglariously to steal, take and carry away, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

0293

SECOND COUNT.

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

John Fitzgerald
of the CRIME OF Grand LARCENY in the Second degree,
committed as follows:

The said John Fitzgerald

late of the Eleventh Ward of the City of New York in the
County of New York aforesaid, afterwards, to wit: on the said 20th day of
January, in the year of our Lord one thousand eight hundred
and eighty-four, at the Ward, City and County aforesaid, in the night
time of said day, with force and arms,

two hundred
and fifteen shirts of
the value of one dollar
each

of the goods, chattels and personal property of one Bernard
Stein in the factory of
the said Bernard Stein

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

0294

THIRD COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said
John Fitzpatrick
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed
as follows :

The said John Fitzpatrick

late of the Eleventh Ward of the City of New York, in the County of New
York aforesaid, afterwards, to wit: on the said twentieth day of Jan-
uary, in the year of our Lord one thousand eight hundred and eighty-four
with force and arms, at the Ward, City and County aforesaid, two

hundred and sixteen
shirts of the value of
one dollar each

of the goods, chattels and personal property of one Norman
Stein, by John Hummel and
Thomas Seaver, and

by certain other persons to the Grand Jury aforesaid unknown, then lately
before feloniously stolen of the said Norman Stein

unlawfully and unjustly did feloniously receive and have (the said John
Fitzpatrick)

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

PETER B. OLNEY, District Attorney.

0295

BOX:

144

FOLDER:

1483

DESCRIPTION:

Flanagan, Thomas

DATE:

07/02/84



1483

POOR QUALITY
ORIGINALS

0296

249

Counsel, R. A. [Signature]
Filed 2 day of July 1884
Pleads Not Guilty

Section 202 - Penal Code
THE PEOPLE
vs.
[Signature]
Thomas Hanagan

PETER B. OLNEY,
July 15/84 District Attorney.
Wid removed 18
A True Bill.
[Signature]

Foreman.
[Signature]

July 15, 1884

Witnesses:

[Signature]
James M. Longfellow
[Signature]
1st Inspector Det.
[Signature]

POOR QUALITY
ORIGINALS

0297

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Thomas Shanagan

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

— Thomas Shanagan —
of the CRIME OF Abduction —

committed as follows:

The said Thomas Shanagan —

late of the First — Ward of the City of New York, in the County of New York aforesaid, on the ~~thirteenth~~ day of June — in the year of our Lord one thousand eight hundred and eighty-four, at the Ward, City and County aforesaid, with force and arms, feloniously did inveigle and entice one Maggie McGinn into a certain house there situate, for the purpose of sexual intercourse, the said Maggie McGinn being then and there an unmarried female, under the age of twenty-five years, to wit: of the age of nineteen years, and of previous chaste character: 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.

Peter Bohner

District Attorney

0298

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 Thomas Flammann

Dated June 19 1884 J. V. B. Smith Police Justice.

Dated 188 *Police Justice*,

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

0299

Sec. 198-200

34 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Thomas 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. Thomas Flanagan

Question. How old are you?

Answer. 60 years

Question. Where were you born?

Answer. Ireland

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

Answer. 22 Spring Street two weeks

Question. What is your business or profession?

Answer. Fireman

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

Answer. I am not guilty
I was the Engineer in the Roman Catholic Orphan asylum, I know the girls well in the asylum, I met the girls on
Thomas Flanagan

Last Friday about 11 o'clock in the morning in the Brewery, I asked them what brought them there, and they told me they run away from the asylum, they told me they were beaten, then
and Peter Flanagan showed me her arm which was black they told me they had nothing to eat, I brought them to Cullis Restaurant and gave them their breakfast
Mr. Cullis asked me if they were very children, I told him no, that they were two girls run away from the

Taken before me this 18
day of March 1888
Police Justice.
J. J. [Signature]

0300

Orphan Asylum I told Mr. Cullen I
would report them to the asylum
I went to the asylum to report, but
they refused to let me get in
I took them to the Grand Morris
Hotel to give them their laundry
and I paid for it
I had no sexual connection
with either of the girls at that
Hotel or at any other place

Taken before Cullen
19th day of June 1886
J. J. Willyth
Police Justice

0301

STATE OF NEW YORK
CITY AND COUNTY OF NEW YORK

POLICE COURT

Third

DISTRICT.

Lizzie McGirr aged 19 years
of No. 32 Prince St. R. C. O'Phelan *McGirr* Street, being duly sworn, deposes and
says that on the *Friday* *thirteenth* day of *June* 1884
at the City of New York, in the County of New York, *one Thomas*

Flanagan now present did wilfully and unlawfully inveigle and entice this deponent said *Lizzie McGirr*, who was then and there an unmarried female under the age of twenty five years, - to wit, aged nineteen years - and of previous chaste character into a certain place and premises known as Mount Morris Hotel situate on Third Avenue corner of East 130th Street, for the purpose of prostitution and sexual intercourse.

Further deponent says that on Sunday the fifteenth day of June 1884, the said *Thomas Flanagan* did have sexual intercourse with this deponent at said premises Mount Morris Hotel into which said *Thomas* had previously inveigled said deponent as above deposed in violation of section 282 of the Penal Code of the State of New York as amended.

Wherefore deponent prays said *Thomas Flanagan* may be dealt with according to law

Lizzie McGirr

Sworn to before me this 18 day of June 1884

J. H. McNeill

Notary Public

0302

People }
Adam } Murder in the 1st Degree.

Robert John Hoey, Allen Street
found the pistol in the basement of 46 Selaway Street.
about 5 a.m. a pane of glass was broken in the window and the pistol was on the floor.

J. W. Sobel, Police Officer
was left with the body while
prisoner taken to Station House by
Anderson Stabbins, Police Officer.

The Cook was in
the kitchen of 140 Forsythe
Street while Adam and his
wife were talking together prior
to the shooting. She says she was
asleep, heard nothing and was awakened
by the two girls running to her saying they had shot.

The Prisoner said he
borrowed the pistol. He lived
at 122 Leonard Street.

0303

32 District Police Court,

New York,

June 4, 1884

While waiting for the
Cornaro Inquisition in
the Witham Case, at the
3d. Dist Court, where the
Complaint originated, the
Papers were sent by the
Cornaro before Justice Duff
at the Tombs, where said
Defendant was first committed

Charles Kelly
Clerk of Court

0304

Police Department of the City of New York,

Precinct No. 26

New York July 15th 1884

Noting Dist. Attorney
for
attended - Eddie Lewis
M. K. 15.
Respectfully
James J. McGowan
Supt. Precinct

Testimony in the
Case of
Thomas H. Hagan

filed
July
1884

0305

POOR QUALITY
ORIGINALS

0306

Testimony in the
Caret of
Thomas H. Haragan

Filed
July
1884

0307

The People
 vs
 Thomas Flanagan } Court of General Sessions Part I
 Before Recorder Smyth.
 Tuesday, July 15. 1884.

Indictment for abduction.

Lizzie McGerr sworn. I am 19 years
 old. For the last two or three weeks I
 have been at the House of the Holy Family.
 Before this I lived at the Mount Morris
 hotel, and before I went there I lived in
 the Orphan Asylum for fourteen years.
 I left the Asylum on Friday morning six
 o'clock about the middle of June. I left with
 out the consent of the Sisters. Teresa Flanagan
 left with me. We went to see a friend in
 Thirty eighth st. and we were coming down
 and met Flanagan in the Bowery about
 two blocks from Prince St. He was em-
 ployed in the Asylum about a month
 as engineer, and we knew him in that
 way; he was not engineer there at that
 time, he had left; he knew Teresa and
 me by sight. He asked us where we were
 going; we said we were going home to ask
 them to forgive us, we were sorry for what
 we did. This was about 11 1/2 o'clock in the
 day. He told us to go with him, and he
 brought us to Spring St., the place where
 he was stopping; it was a tenement house

0308

He had no family, but he had a room there on the third floor. I went up there and stayed two or three hours; he gave me nothing to eat there; he took us both into the room and after waiting five minutes he left; we saw him again about three o'clock in the afternoon; he took us out and brought us up town somewhere, I don't know where; he gave us a dinner before we went with him; he went to see somebody, I don't know who it was, and then he came back again to this place. He saw a lady when we went to this house. Managan stayed there about five or ten minutes and then brought us up to Harlem; he brought us up to the Mount Morris Hotel in 130th St. That was about 9 o'clock in the evening. He got the rooms and told us to go to bed; he got two rooms; he talked to the man in the office about the two rooms; they were on the third floor and one room was adjoining the other. The door was locked; he locked the outside door. We were not in bed about ten minutes when he came and got into bed with us; he was dressed; he wanted us to go to Newark with him, so we would not be found out that we went away from

POOR QUALITY
ORIGINALS

0309

Prince St. He felt us all over and got on us. I told him not to do it, both of us told him not to do it. That we were not used to such things as that. I struggled as hard as I could, I had to give in for I was not able to. Teresa told him to stop and he would not. He got in between us. He got on top of me and had intercourse with me once and he tried to again. He had ~~nothing~~ to do with Teresa once she tried to resist him at first, but she had to give in at the end. I made a noise but not loud enough. No one knew me and I did not care to tell anybody. He was in bed with us three or four hours. About seven o'clock in the morning he came in and told us he was going down town to work. He told us to go to Mrs. Gammis's house about two blocks away from Mount Morris Hotel. We went there and stayed there until he came back at seven o'clock in the evening and took us to the Mount Morris Hotel; we had the same rooms we had before. He came into the bed and forced me again; he did not force Teresa that night the second time - only once. Managan went away

03 10

in the morning again; we went back to Mr. Gunnor's and waited for him; we were caught. Officer O'Leary took him and us to the station house. Then we were arrested we were at the door of the Mount Morris Hotel, just going up about 8 1/2 o'clock. I did not run away from the asylum before that. No man had ever done what Flanagan did to me. I was never outside the door of the asylum in fourteen years except as the children go to an excursion and the sisters would be with us. My mother is dead and I don't know anything about my father. ~~I don't know him the first five years~~ I saw him when I first there, he used to come and see me; about the last five years I have not seen him. I was under the care of this Institution and had been there fourteen years. My mother died 15 years ago on the 15th of June. Cross Examined: What Flanagan did to me that evening was against my will; he tried all I could and I tried to struggle as much as I could. When I found he had the best of me I could not knock him off and of course I laid there. The reason why we went with Flanagan to the same hotel the next

POOR QUALITY
ORIGINALS

0311

night with Flanagan was because we had no place to go. We went to Mrs. Gannon's at 8 o'clock in the morning and stayed there all day. I did not ~~speak~~ speak to Mrs. Gannon about this; she appeared to be a decent woman; she treated me very nicely. Mrs. Gannon is in Court; we never told her a word about it. We were going back to that hotel the night we were caught. He told us we were going back to that hotel and we knew we were. I did not care to go back because of disgracing myself. Officer Toole arrested us; we had to tell him what was done to us. It was Friday evening when I went to the hotel first and it was Tuesday evening when I was arrested. Why did you not go and tell the first police man you saw? I was ashamed to speak of it to anybody. He did nothing to us the two first nights, but it was on the third and fourth nights - Sunday and Monday. Teresa Flanagan ~~was~~ examined. I am 15 years old ~~the~~ 2nd of last Feb. I have been living in an orphan asylum in Prince St. where Lizzie lived. I lived there five years all the time. About the middle of June I went away from the Asylum - Friday morning at six o'clock.

POOR QUALITY
ORIGINALS

03 12

Lizzie was with me. I know Planagan by sight and saw him. This day in question on the Bowery; he asked us where we were going; he spoke to us first; he called Lizzie by name; he asked us where we were going and we said we ran away from the Asylum. He asked us if we had anything to eat and we said, no, he brought us to a restaurant and gave us something to eat. Then he brought us to a lady's house in Spring St; we stayed there three hours and he went away; he stopped about five minutes talking to the lady; he said he would come back; he said he was going to bring us to Harlem to get rooms for the night; we went with him about 3 o'clock to the Mount Morris hotel; he got us two rooms and brought us up stairs at 9 o'clock; when he got us in the room he told us to go to bed and we went to bed; he went out. This was on Friday night; we did not see him again that night; he went to bed himself in the other room. I saw him in the morning; he told us he was going to work and told us to go and get our breakfast; we did not breakfast with him. There was a restaurant across the street and we went out and got breakfast at it. M. Planagan

0313

gave us 25 cents. After breakfast we went to Mrs. Gannon's. Managan came back about six o'clock to Mrs. Gannon's and afterwards brought us to Mount Morris hotel. We went to bed and he slept in his own bed. That was Saturday night. He brought us to High Bridge on Sunday; we stayed there till about five o'clock and he brought us back to the Mount Morris hotel. We had dinner at High Bridge and had something to drink which Mr. Managan paid for. We went to bed about 9 o'clock; we were sitting in the room from supper to bed time; he did not sit with us; we saw him just before going to bed. He got into the bed with the two of us; he was undressed; he undressed himself in our room. Lizzie and I had gone to bed. We did not say anything to him when he got into bed; we made no protest, he was between us; he was in bed with us until coming on morning when he went in his own room. We were not awake all that time; we went to sleep. He was trying to get on top of Lizzie, but he did not. Then he took her into his room the next night. On Sunday night he did something to me and Lizzie.

0314

On Monday night he brought her into his room - he pulled her in - she did not resist; he asked her to go in; he took hold of her and led her in. I don't know what he did in there. I did not go into his room. He did not do any thing to me on Monday night; we were caught on Tuesday night. He did not sleep in my bed on Monday night.

Cross Examined. I thought it was wrong to go to that hotel on Monday night with this man. Monday night I did not sleep with him; when we were returning from Mrs. Gannon's on Tuesday night to the hotel we were arrested. We went back to the hotel because we had no home to go to; he paid for the room at the hotel for Tuesday night. I never run away from the Asylum before during the five years I was there except when I was out with people connected with the Asylum. Did any man ever do this to you before? No sir. You never were wronged before by a man? No sir.

William O'Loole sworn. I am an officer connected with the First Inspection District Inspector Murray's office. I arrested Flanagan. There was an alarm sent out from the Central office stating that two

POOR QUALITY
ORIGINALS

03 15

34

girls had run away from the Orphan Asylum. The Sister in charge sent word up to the Inspector. The case was explained to me by the Inspector and I went to look for the prisoners. I went down to the corner of Prince and Mott sts. and waited there for about three or four hours. I heard he was in the habit of being around there. I got him about four o'clock corner of Prince and Mott sts. on the 14th of June, Tuesday. I saw Manafort in the liquor store and called him one side and said, "I wish to speak to you. Your name is Manafort." He said, "Yes." I said, "Do you know anything about two girls that run away from the Orphan Asylum?" He hesitated first and said he heard something about them. I said, "It is a felony to abduct children from an institution or any place else. You have committed a felony. I understand you have taken those children away." He said, "No, he had not taken them away, but he knew something about them." I said, "Where are they?" He said away up in Harlem. I said, "Harlem is a big place. I want you to tell me where they are." He said, "They are up in Harlem somewhere on the Bridge." I could not get anything further out of

03 16

him. I arrested him and notified the Society for the prevention of cruelty to children on Tuesday 17th of June at four o'clock in the afternoon. Officer Curry and I went up to Barberi. He told me that he thought we would be able to find them up around the Bridge or the Mount Morris hotel, that that was the last place he saw them. I went up to the Mount Morris hotel in company with officer Curry and then over to Mrs. Gannon's house looking for the two girls. They had been there that day. He returned to the hotel and at 1/4 past seven in the evening the girls passed along the street in front of the hotel. The prisoner said to me, "I wish to speak to them first (that was just about three or four minutes before the girls came) because they are timid and you may scare them. I took the girls up stairs in company with I believe, the porter of the hotel. In consequence of inquiries I made at the hotel I arrested Hanagan for abduction. I went to Mrs. Gannon's because the prisoner accompanied me there; he came back with me to the hotel. After they came down stairs they told me in his presence that he promised to get them a situation,

0317

that the morning they met him he said if they went back to the institution they would get beaten and punished for running away and the best thing they could do was to go along with him and he would procure them situations. He said then he took them around Spring St. near Mott, ^{and} left them there in charge of a woman while he went away and that he afterwards returned to take them up to this Mount Morris hotel where I saw by the Register that he registered as Flanagan and family, Flanagan and children Lizzie McGuire told me in his presence that he took the girl and locked the other girl into his room, took hold of her, placed his hand under her clothes and commenced to carry on and got her so excited that she did not know what she was doing, that he threw her on the bed and forcibly had connection with her, that she tried to scream, that he smothered her, that she was weak and was afraid to make any further noise, that she could not struggle and did all she could to get away from him. That was what she told me in his presence.

03 18

Jerena told me about the same story although she said she got in bed with both of them - he got feeling their persons but she did not say that he had anything to do with her that night. What did he say as to this, did he say anything? He told me that he was simply doing an act of charity. When those girls charged him with having taken those improper liberties with them having intercourse what did he say? At first he denied it and afterwards he said they were interfered with before. That is all he said at that time. After that time at the corner of Boston St. we came down on the Elevated train down town. When we reached the corner of Boston St. and the Bowery, we got out on the platform. I had Lizzie McGuire and the other girl alongside of me all the time. Officer Curry was sitting along with me. The prisoner told me that he made Officer Curry a proposition and that he would make the thing right with me if I would let him go then and there. I said, "we had better go down to the station house first and we will see about this affair afterwards. That was all he said at that time. He did not say anything to me afterwards.

03 19

Patrick Mullen sworn. I am one of the proprietors of the Mount Morris hotel, 130th St and Third Avenue. I was not there when the girls were there. My brother is in charge; he is here. Thomas J. Mullen sworn. I am one of the proprietors of the Mount Morris hotel. I remember seeing the defendant there and the two girls that have been on the stand on Friday about the middle of June 8 1/2 or 9 o'clock. The defendant stated to me that those two young girls were his daughters, that he was just after burying his wife and he would like for a place for his two daughters; he registered at the hotel as Thomas Flanagan; he came across ^{the street} with a young man, an oysterman, and the young man said that he knew them. The defendant said to me that he was very poor and could not afford to pay any more than 50 cents for a room - we must charge him a dollar a room, two dollars for two rooms. The ~~second~~ day I believe he registered as Thomas Flanagan. The third day he did not register at all to my knowledge because I was not there. I have not the register here. The officer says that he saw on your register (officer O'Leary) that he saw registered, "Flanagan and family," do you know whether that is so or not? No sir, I do not.

0320

Harry McLaughlin sworn. I live at 32 Prince
 St., the Orphan Asylum, where these little
 girls have been. Lizzie was there going on 14
 years and Teresa about five. I do the
 buying for the house, I am there going on
 17 years. They have not been out of the
 asylum to my knowledge before this oc-
 casion; they never left the asylum unless
 a sister went on an excursion. The
 Prince St. Orphan asylum had the charge
 and ^{sole} custody of those children and they
 had charge of their education and maintenance.
 William O'Leary recalled. I have a copy of the
 Register; the defendant registered as
 Mr. Callaghan and family, June 16. th.
 Thomas Mullen recalled. The name the
 defendant gave on the second night was
 Mr. Callaghan and family.

The Case for the Defence.

Thomas Flanagan sworn and examined
 in his own behalf testified. Before I was ar-
 rested I lived at 22 Spring St. I am a
 widower for the last ten years. I was con-
 nected with this Orphan asylum in Prince
 St. as engineer. I was not in their employ
 when these girls ran away. I noticed those
 girls there. I used to work in the wash
 room with one of them. I left there on the

0321

13th of June. I went up to the office Fifty Second St. and Madison Avenue to get paid to the general agent, and after I got paid I was going to work in the Manhattan hotel. I got out at Prince St. I had no breakfast going up and I was going down to Mr. Cullis' to have my breakfast. As I was going in I saw those two girls outside. They kind of smiled at me and looked. Says I, "What took you girls here?" They said, "we run away this morning." "What did you run away for?" "We were punished yesterday." "Who punished you, what were you punished for?" I says, "You were bad girls." One of them showed me her neck. I said, it was your own fault. I have been all around for three years amongst them, and I have never known a sister to raise a hand to a child. I knew they were lying. Says I, "Where have you been, what time did you run away?" "Between five and six o'clock." "Where have you been since?" "We went to see our aunt. Did you see her?" I knew they were lying. I says, "It is better for you to go back." "No, they would kill themselves before they would go back. I said, you

0322

are very foolish not to go back. One of them said "we had nothing to eat since morning." I brought them in to Mr. Cullis'; they sat down at the same table. I told them to call for what they wanted. When breakfast was over I was kind of ashamed, they did not look very respectable. I went up to the bar and Mr. Cullis was there at the desk. I handed him over the checks. He said, "Are those your daughters?" I said, "No, they belong to the Asylum, they are after running away this morning. Will you be kind enough to have an eye on them, I will report them." I went out. They stood outside; they asked me where I was going? They said they wanted to see a certain young fellow. They did not know where he was working. I started along and went over to Prince St. I had the key of the gate at the time. I did not give them up where I used to go in. The gates happened to be barred inside. I went round to the door and rung the bell and one of the little girls came to the window and asked what I wanted? I told her I wanted to get in. There are some of my things in there. I want to

0323

see a sister. She said the sister is up stairs and you cannot get the key. I walked away, I suppose they were very sorry I left so sudden, that I did not stay. The next day I met those girls and asked them where do you calculate to go? Better for you to go back; take my advice. What are you going to do? They said they would get a place. I said, I know of no place. If I had been out I might get a chance for you. Where do you calculate to go? Lizzie said to me, Such a one sent for us; they call her Mrs. Reilly. So they brought me along. I went with them as far as Chatham St. and this Mrs. Reilly is one of the girls who kept a Museum. I said, O you notorious villains, is this where you have been all morning. That is a nice step to the leave the Catholic Asylum to enter a Museum. I turned on my heel to go back and they followed me up as far as Spring St. I wanted to get some papers so as to have something to show in going to another place as engineer. I went into 22 Spring St. and asked Mrs. Dowd if she would be kind enough to let two girls who had run away

POOR QUALITY
ORIGINALS

0324

from the Asylum here, I have to go down town and at the same time I would try and get a place for them. This was Mrs. Dorod of Spring St. Left the girls there I went down town to Mr. Dolan's a friend of mine. I know that his wife had a girl. I asked the man who attended inside if Dolan was inside. He said, no, he will soon be in. I waited till he came in. I says, one is 20 and the other is 18. He told me they are so old. My wife has got a girl, but I know a very good man, I think he might take one. "All right, where is he?" He went be here till evening. I went back up town, I had something to do, I went into this place and there was the two girls. It was about five o'clock. I says, "Come with me, I think I will get a place for one of you anyway." The girls were out early in the morning. I went and hailed a car and brought them down to the station house at the City Hall. We got out at the City Hall and went to the corner of Des and Greenwich Sts. This is where the gentleman lives. I stayed there for some time. Finally he came into the private office and these two

0325

girls were inside. the name of this man is Hugh Dolan. It was six o'clock in the evening then. I said, Are you hungry? They said they had nothing since morning. I took them over to Smith and McShells and gave them their supper. After the supper we went over again, and the man did not come. I started with the girls. I said, "What are you going to do? Take my advice and go back to the Sisters. If you go back to the Sisters, I will see the Sister myself, though she is mad for my leaving. She told me that you were the two worst girls in the house, she told me if there was any friend or person that would take you she would be glad to get clear of you. What are you going to do? They said, Let us stay in this room." I said, No, I cannot do that. I searched very respectable places on the Bowery that I know of. When I brought them to any place nobody would take them; they were willing to go any place, so I would be with them. I got mad and told them, no. I left them there in the street. I say to myself, there are friends of mine in the Anglans, if I get you up before late I may get you in. I took the train to Harlem Bridge

0326

I got up about half past ten. I knew it was too late to bring them to Mrs. Gannett's. I knew a waiter and asked him if he knew any private place I would get for these girls. He says, "You may call them for my children for to night." He went with me; he told me he knew a decent place. I knew it myself; the place was full. I said to them, for God's sake, come back, I will ring the bell and I will get you in. They did not want to do it. This gentleman said, I know a place where you will get a bed for the night, the Mount Morris hotel across the way. I did not know there was any such hotel in the city. He spoke to Mr. Muller and Mr. Muller wanted a dollar and a half for the rooms. I told him I was a poor man and had buried a wife some time ago and had five children, I have no money to spare. He said that he would give it to me for a dollar; he gave me two rooms for a dollar. I went up stairs, it was eleven o'clock at this time. I brought them into this room and gave them the choice of the room. I went into my own room and the girl Lizzie followed.

POOR QUALITY
ORIGINALS

0327

me. I told them to lock the door and I went into my own room and took off my shoes and stockings and coat and went down to say a few prayers and when I got through the two were back again, one each side of me. They insisted upon staying. I said, No, you can not stay with me. I said, "What are you going to do?" The two laid down and I went and laid on the further side of the bed. I was pretty tired, I had not been long in the bed when I went to sleep. I thought I heard somebody hallowing and I woke up and she had laid on me and she was pulling me over. I said to Lizzy, "I thought you were asleep too. She says, 'What you going to lie over me?'" "O no," I said. She said, "you know I know what a man is, I am not afraid of you." I got out of the bed and took the key out of their door and I locked the door and put the key in my pocket and went in and threw myself on the bed and laid there till five o'clock the next morning. I got up and washed myself and went over across the Bridge to Mrs. Gannon and told her that there was

POOR QUALITY
ORIGINALS

0328

two girls that run away from the Orphan Asylum and they do not want to go back; be kind enough to see if you can get a place. She said, I will do my best. She was there and saw Mrs. Stapleton. One of them said they would take one for a day or two. I went back, the girls were up at this time, I wanted them to take breakfast. I went over and left them in Mrs. Garrison's. I went down town, I had some business to do. I came back about seven o'clock or may be later. I went over, and they were in Mrs. Garrison's. They had not a place for them; they had a family of their own and had boarders, they had room only for themselves. I brought them back to the hotel and kept them there. One of them wanted me one night and the other the next night, and that is the way they acted. I resisted. I am here before God and this jury and am innocent of the charge that that girl has made against me. I had connection with neither of those girls and I did not attempt to. I took them to the hotel because there was no place to go; on that very day there was

POOR QUALITY
ORIGINALS

0329

some chance to get employment. Did you take them for the purpose of prostitution or having sexual intercourse? No sir I took them to save them from the streets and get a place. Cross Examined. I was arrested on Tuesday. When I saw these girls first I knew they had run away from the Asylum. I was about two blocks from the asylum. I did complain to a policeman in Spring St. but do not know his name. I told him they escaped from the Asylum and were at the Mount Morris hotel. I told the proprietor of the hotel that they were my children. I did not take them to the police station because I knew they would run away. I knew these children for a couple of years in the Asylum.

Bridget Garmon sworn. I live at 155 Lincoln Avenue. I know the defendant Flanagan; he brought these girls to my house on Saturday morning. I forget the date. They stayed with me from ten till between seven and eight in the evening. I am a married woman living with my husband. He said he left those girls with me till he would go down and look for the place for them; he came back and took them away. I did not see them Sunday, but they

POOR QUALITY
ORIGINALS

0330

came back Monday morning at 8 o'clock and remained till 3 in the afternoon and left. I showed the advertisement in the paper to them, that they were fugitives and described as wild girls. She asked me what paper? I said "the Star". She said she did not care it was in the moon. I did not see them Tuesday morning. I did not see them afterward. The defendant told me he hired a room for these girls but he did not say where and I did not ask him. He told me they escaped from an Asylum, that they would not go back, that they would choose themselves first. Neither of the girls complained to me that they had been abused or outraged. Flanagan did not tell me that the girls tried to seduce them. John Cullis swore. I keep a restaurant in the Bowery between Prince and Spring Sts. Flanagan has been in my place several times. I saw him in there Friday morning with two girls. I asked him if they were his daughters and he said no, they had run away from the Home and he was going to report them. That is all that was said between him and me; he left the place after he paid the bill and that is the last I saw of them.

POOR QUALITY
ORIGINALS

0331

Charles Gillen sworn. I know Hanagan. I got a letter but not from Hanagan. I got it from a bar tender corner of Prince and Mott Sts. Hanagan was there at the time and got the bar keeper to write it. It was about two young girls who run away. I chopped the letter in the box at the Asylum.

Harry McLaughlin recalled. I saw a note at the Asylum and I went and saw the bar tender about it. Hanagan came in and I asked him if he had seen the girls and he said he saw them the evening before. He did not say they were at the Mount Morris Hotel.

The jury rendered a verdict of guilty.

0332

BOX:

144

FOLDER:

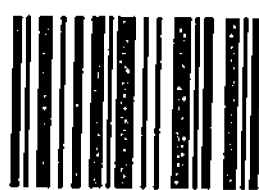
1483

DESCRIPTION:

Foley, John

DATE:

07/10/84



1483

Witnesses:

Counsel

Filed

Pleas

1884

day of

July 4

THE PEOPLE

vs.

John Wiley

Grand Larceny 2nd degree
(From the person)
[Sections 528, 53 V. - Penal Code]

PETER B. OLNEY,

July 16th 84 District Attorney.

Plead guilty
A True Bill.

George J. Jackson
Foreman.

24th 84

July 11th 84

0333

0334

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against

John Foley

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

John Foley
of the CRIME OF GRAND LARCENY in the *second* degree, committed as follows:

The said *John Foley*

late of the First Ward of the City of New York, in the County of New York aforesaid, on the
first day of *July* in the year of our Lord one thousand
eight hundred and eighty *four*, in the *day* time of the said day, at the Ward, City and
County aforesaid, with force and arms,

one watch of

the value of ten dollars

of the goods, chattels and personal property of one *Moses Shofarman*
on the person of *the said Moses Shofarman*
then and there being found, from the person of the said *Moses Shofarman*
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.

Peter B. Olney
District Attorney

0335

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

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Wm. Chapman
29 6th Ave.
John Foley

2
3
4

Offence Larceny from the person

Dated July 2nd 1889

Magistrate.
Schward Connolly Officer.

7th Precinct.

Witnesses

No. _____ Street _____

No. _____ Street _____

No. _____ Street _____

\$ 1000. to answer

W. J. S.
Cand

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 John Foley

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

Dated July 2nd 1889 J. M. Patterson Police Justice.

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

Dated _____ 1889 _____ 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 _____ 1889 _____ Police Justice.

0336

Sec. 198-200

CITY AND COUNTY }
OF NEW YORK, } ss.

District Police Court.

John J.oley 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.

John J.oley

Question. How old are you?

Answer.

going on 17 years of age

Question. Where were you born?

Answer.

England

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

Answer.

522 West 46 St. 3 years.

Question. What is your business or profession?

Answer.

Driver of a wagon

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
John J.oley

Taken before me this *2* day of *Aug* 188*4*
W. M. Cantor
Police Justice.

0337

3d

District Police Court.

Affidavit—Larceny.

CITY AND COUNTY
OF NEW YORK, } ss.

Moses Shafarman
 of No. *29 East Broadway* Street, *Hatter*, aged *60 years*,
 being duly sworn, deposes and says, that on the *first* day of *July*, 188*4*
 at the *day time in 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 deponent's person,*
 the following property, viz :

One Silver Watch, of the value
of Ten 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 *John J.oley, now*
here, and two other men whose
names are unknown to deponent,
from the fact that about the
noon of 11/2 o'clock P. M. of said
day deponent was standing in
Christopher Street looking at a
fire. That said watch was then
in the left pocket of the vest
then worn upon deponent's person.
That said J.oley and said other
men were pushing against

0338

deponent, and deponent felt said
Foley insert one of his hands
into said pocket and take said
watch therefrom and hand it
to one of said other men. That
deponent seized hold of said Foley
and held him and said other
men ran away.

Sworn to before me this } Moses Chapman,
2^d day of July 1884

H. W. Patterson Police Justice

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

AFRIDA VIT-Lacy

Dated

188

Magistrate.

Officer.

WITNESSES:

DISPOSITION

0339

BOX:

144

FOLDER:

1483

DESCRIPTION:

Foley, Thomas

DATE:

07/14/84



1483

Witnesses:

Isaac R. Sweeney
O. J. Murphy

No 76.

Counsel,

Filed 14 day of July 1884

Pleads

July 11th

THE PEOPLE

vs.

P

Thomas Foley

Sections 498, 506, 520 and 532
and Court Records
Burglary in the THIRD DEGREE.

PETER B. OLNEY,

District Attorney.

A True Bill.

Gay W. Seaborn

Foreman.

Aug. 5. 1884

Pleads Burglary

House of Refuge

0340

0341

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Thomas Foley

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

Thomas Foley

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

The said

Thomas Foley

late of the *Second* Ward of the City of New York, in the County of New York aforesaid, on the *Sixth* day of *July* in the year of our Lord one thousand eight hundred and eighty-*four*, with force and arms, at the Ward, City and County aforesaid, a certain *part of a* building there situate, to wit: the *store* of one *Isaac R. Smeery*

Isaac R. Smeery

feloniously and burglariously did break into and enter, with intent to commit some crime therein, to wit: with intent, the goods, chattels and personal property of the said

Isaac R. Smeery

in the said *store* then and there being, then and there feloniously and burglariously to steal, take and carry away, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

0342

SECOND COUNT.

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

Thomas Foley

of the CRIME OF Petite LARCENY,
committed as follows:

The said Thomas Foley

late of the Second Ward of the City of New York in the
County of New York aforesaid, afterwards, to wit: on the said Sixth day of
July in the year of our Lord one thousand eight hundred
and eighty four, at the Ward, City and County aforesaid, in the day
time of said day, with force and arms,

one box of cigars

of the value of one dollar

of the goods, chattels and personal property of one Draco B.
Sweeney in the store of

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

Peter B. Odum
District Attorney

BAILED,	
No. 1, by	Street
Residence	
<hr/>	
No. 2, by	Street
Residence	
<hr/>	
No. 3, by	Street
Residence	
<hr/>	
No. 4, by	Street
Residence	

Police Court District

THE PEOPLE, &c.
ON THE COMPLAINT OF

James D. Incey
1119 West 1st St.
St. Paul, Minn.

Thomas J. O'Leary

1884
JUL 6

1884 JUN 6

Offence Burglary

Dated July 8 198

Magistrate

Patrolman _____ Officer _____
 _____ Precinct _____

Witnesses *St. Murphy*

No. 211 Street.

No. Street,

No. 2 Street, 14

to answer Sessions.

John

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 Thomas Foley

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

Dated 2 May 8 188

Solon Smith
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.

0344

Sec. 198-200

CITY AND COUNTY }
OF NEW YORK, } ss.

District Police Court.

Thomas Foley being duly examined before the under-
signed, 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. *Thomas Foley*

Question. How old are you?

Answer. *15 years*

Question. Where were you born?

Answer. *MS*

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

Answer. *21 Cherry Street 2 years*

Question. What is your business or profession?

Answer. *Boot black.*

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. *Another boy put me up on
the window and I saw the
box of cigars there, and I took
them*

Thomas Foley

Taken before me this
day of *July* 188*7*
James J. Sullivan
Police Justice.

POOR QUALITY
ORIGINALS

0345

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 43 years, occupation Patrick Murphy
Police officer of No.

4th Precinct Police street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Isaac R. Sweeney
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 8
day of July 1888 of Patrick R. Murphy

Solomon B. Smith
Police Justice.

0346

Police Court—First District.City and County } ss.:
of New York,

Isaac R. Smezy
 of No. 103 Beekman Street, aged 43 years,
 occupation Cigar dealer being duly sworn
 deposes and says, that the premises No 103 Beekman Street,
 in the City and County aforesaid, the said being an iron building
The first floor of
and which was occupied by deponent as a Cigar Store
and in which there was at the time a human being, by name

were BURGLARIOUSLY entered by means of forcibly entering
said store by climbing in through
a window over the door leading to
said store

on the 6th day of July 1889 in the day time, and the
 following property feloniously taken, stolen, and carried away, viz:

One box containing fifty
cigars, of the value of one
dollar

the property of Deponent

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid
 BURGLARY was committed and the aforesaid property taken, stolen, and carried away by

Thomas Foley (nowhere)

for the reasons following, to wit:

Deponent is informed
by Officer Patrick Murphy of the 14th
Precinct Police, that he found said
Foley on top of the iron window, and on a
level with the window through which said
Foley had entered, and also that he
found a box of cigars by the side of
said Foley and which deponent identifies
as his property. Isaac R. Smezy

Subscribed before me this 8th day of July, 1889
 J. W. M. J. W. M. J. W. M.
 Justice of the Peace

0347

BOX:

144

FOLDER:

1483

DESCRIPTION:

Fraser, Alexander

DATE:

07/14/84



1483

0348

BOX:

144

FOLDER:

1483

DESCRIPTION:

Cunningham, Joseph

DATE:

07/14/84



1483

Witnesses:

John G. Clark
John Shanderson

Counsel,

Filed 14 day of

188

Pleas

July 15

THE PEOPLE

vs.

Alexander Fraser

to 1st & 2nd degree

Grand Larceny 2nd degree

[Sections 529, 53, 155 of Penal Code].

PETER B. OLNEY,

District Attorney.

They 12/14
12th 12th & 12th 12th

A True Bill.

George J. Jackson

Foreman.

Booth H. of Ref

Booth H. of Ref

POOR QUALITY
ORIGINALS

0349

0350

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Alexander Fraser
and Joseph Cunningham

The Grand Jury of the City and County of New York, by this indictment, accuse
Alexander Fraser and
Joseph Cunningham
of the CRIME OF GRAND LARCENY in the Second degree, committed as follows:

The said Alexander Fraser and
Joseph Cunningham, each
late of the First Ward of the City of New York, in the County of New York aforesaid, on the
Sixth day of July in the year of our Lord one thousand
eight hundred and eighty-four, at the Ward, City and County aforesaid, with force and arms,

Two hundred pounds of
brass of the value of
thirty cents each pound

of the goods, chattels and personal property of one John S. Roper

then and there being found, 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.

0351

SECOND COUNT—

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

Alexander Fraser and Joseph Cunningham

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

The said *Alexander Fraser and Joseph Cunningham*, each

late of the First Ward of the City of New York, in the County of New York aforesaid, on the
Sixth day of *July* in the year of our Lord one thousand
eight hundred and eighty-*four*, at the Ward, City and County aforesaid, with force and arms,

*two hundred pounds of
bills of the value of
thirty cents each pound*

of the goods, chattels and personal property of *one John S. Roper*

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 S. Roper*

unlawfully and unjustly, did feloniously receive and have; the said *Alexander
Fraser and Joseph Cunningham*

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.

PETER B. OLNEY,

District Attorney.

Testimony in the case
of H. H. Hager and
Joseph Cunningham

Filed July
1884.

0352

0353

41
 The People
 vs
 Alexander Frazer
 and
 Joseph Cunningham } Court of General Sessions, Part I
 Before Recorder Smythe. July 22, 1884.
 Indictment for grand larceny
 in the second degree.

John Shaughnessy, sworn and examined. I live in Brooklyn, but I work at 510 Water st. I am a driver for Edward Pyre, truckman. We were taking out some machinery for Wilson and Rope at 22 and 24 Frankfort st. from the 3rd to the 5th of July. We lost a quantity of brass between Saturday night and Sunday morning - air chambers and other different parts of a pump, which the owner said were worth sixty dollars. I saw the prisoners on the 7th Monday behind the building digging the brass out of the sand about half past five o'clock. A man called my attention and I went to the window. I found them digging up the brass that we missed. I did not say anything to them. I went to the Oak st. police station and Officer Clarke was sent with me. I saw them arrested at the very spot. I went with the officer. The officer asked them where they got the brass and they said some boy told them it was buried there and they were digging it up. The smallest one, Cunningham said that the brass was directly under the building, under the bridge at 22 and 24.

0354

Frankfort St: How far away was that sand heap from where you saw the brass Saturday night? About 25 feet. They were all small pieces of brass, anybody could pick them up; I should judge there was about forty pounds altogether; they were the fittings of an engine. John J. Clarke sworn: I am an officer of the Fourth precinct and arrested these boys on the complaint of the last witness about six o'clock in the evening in the rear of 22 Frankfort St. There was two men had them in possession when I got there. I asked them where they got the brass and one of them told me some boy told them it was down there and they went there to get it. I believe it was the larger of the two. I fetched them to the station house and searched them and that larger boy Mayer had one small brass coupling in his pocket: Cross Examined. That was identified by the complainant. The prisoner did not tell me anything about it. He did not tell me he found that going through the yard. I did not see any utensils of any kind by which they were digging sand.

John Thompson recalled by Mr. Adams. Do you know any thing about the market value of the brass? No sir; the owner said it was worth \$60. Counsel admitted it was worth \$25.

0355

The case for the Defence

Alexander Mazze sworn and examined. I was digging some sand the day I was arrested to get some brass. A boy named Joseph Pigeon told me there was some brass there; he lives in 30 Rose St; he said he wanted me to take it. I did not know it was stolen and I did not know who it belonged to. I knew it did not belong to me. The brass coupling that was found on me I found walking through the arch of the bridge. I found that before I got to the sand pile and put it in my pocket. Cross Examined. I have known Pigeon about six months; he told me about this brass Sunday night; he told that Mr. (Cunningham) and that boy called me and then he told the two cops. He said there was some brass under the bridge and if we wanted it we could have it. I am 16 years old. Pigeon is not quite as big as me. He went over to the place and pointed it out to us before dark Sunday night. Pigeon told me to leave it till morning; he told me to sell it but did not tell me where; he works in Sweeney's brass foundry in Hudson St. I work at fan handles for J. J. McCloskey. There was no mark over the spot where we were to dig, ^{but} Pigeon showed it to us where it was. I did not think of asking Pigeon anything about the brass. I supposed

0356

it was his own. I never knew him to have any brass before. I have not done any work for a month. I have never been arrested before. I was lodging at the Gouverneur St. lodging house before I was arrested. I have not any father or mother. When Pigeon ^{told you that} ~~you~~ ^{could have the} brass did he tell you you were to give him any money after you sold it? Yes sir. How much were you to give him? He said to give him half.

Joseph Cunningham sworn. I live at 35 Madison St. I remember going down Rose St. the day I was arrested. I know Pigeon. He says to me, "Do you want some brass?" I says, "yes." I says, "Where?" He says, "Come on down and I will show you." So he went on down and showed me where a lot of brass was. He did not say a word about it being stolen. I saw the piece of brass as he was going down to the sand pile; he picked it up. Cross Examined. He was going down through the bridge, he walked up along the arches and he picked the brass up under the bridge. Pigeon did not say anything to me about selling the brass; he uncovered it and showed it to me; we were going to sell it in a junk shop in Ann St. The jury rendered a verdict of guilty of receiving stolen goods.

Date _____ 188_____ Police Justice.

0358

Sec. 198-200

CITY AND COUNTY }
OF NEW YORK, } ss.

District Police Court.

Joseph Cunningham 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.

Joseph Cunningham

Question. How old are you?

Answer.

16 years

Question. Where were you born?

Answer.

New York

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

Answer.

35 Madison St. about one month

Question. What is your business or profession?

Answer.

None

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. A boy named Pigeon told me it was buried there and we were digging it up.

Joseph Cunningham

Joseph Pigeon

30 Rose Street

Taken before me this
1898
Police Justice.

0359

Sec. 193-200

CITY AND COUNTY }
OF NEW YORK } ss.

District Police Court.

Alexander Frazer 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.

Alexander Frazer

Question. How old are you?

Answer.

16 years

Question. Where were you born?

Answer.

New York City

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

Answer.

Gouverneur St about 2 weeks

Question. What is your business or profession?

Answer.

None

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. Another boy told me it was buried there and we were digging it up
Alexander Frazer.

Taken before me this
John J. O'Sullivan
Justice.

0360

Police Court—First District.

Affidavit—Larceny.

City and County } ss.:
of New York,

John Shaughnessy

of No. 510 Water

Street, aged 21 years,

occupation Driver

being duly sworn

deposes and says, that on the 6 day of July

1884 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 day time, the following property viz :

a quantity of Brass of the value of
about sixty dollars

the property of John S. Rope and James A. Wilson
Copartners and in 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 Alexander Frazer and Joseph Cunningham (both now here) from the fact that deponent missed said property from premises Nos 25 & 24 Frankfort Street in said city and subsequently deponent found said property in said defendants possession.

John. Shaughnessy

Sworn to before me this 6 day of July 1884
John S. Rope
Police Justice