

BOX:

43

FOLDER:

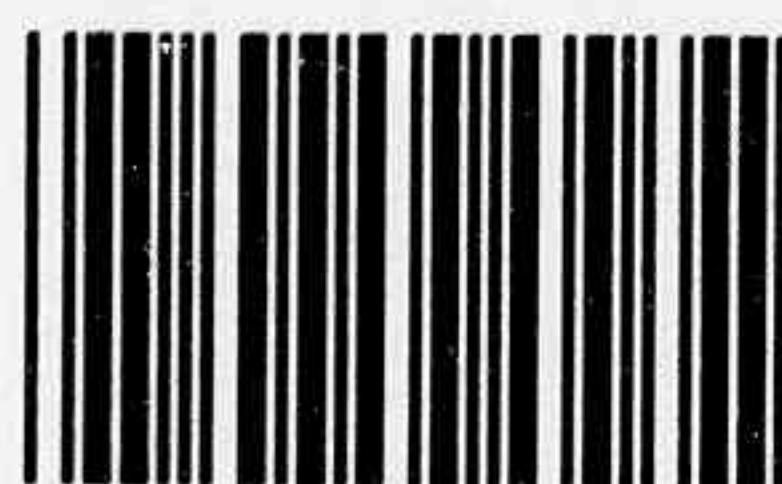
499

DESCRIPTION:

Eagan, Michael

DATE:

07/12/81



499

Howard To

Counsel,

Filed 12 day of July 1881
Pleads not guilty (13)

THE PEOPLE

vs.

INDICTMENT—Assault with in-
tent to steal as in pocket.

Michael Eagan
2 cases

David G. Polling
BENJ. K. PHILLIPS

District Attorney.

A True Bill.

Acquiesce

July 15. 1881. Foreman.

Spencer Connelley

Jan 6 ms.

41
The People v. Court of General Sessions. Part I
Michael Egan Before Recorder Smythe. Aug. 2, 1880
Indictment for grand larceny.
George R. Blanchard, sworn. I live 16 Fifth Ave.,
on the 7th of July I owned two dogs; on that day one
of my dogs was stolen by the prisoner who gave
his name as Michael Egan. On the afternoon
in question a gentleman was at my house ne-
gotiating some business matters, and as he
left the room I thought of an additional question
that I wished to put to him referring to a telegram
about to be sent, and I stepped to the front win-
dow of my house which was open and which
is covered by an iron rail and leaned
over this iron rail to look at him as I expected
him every moment to appear at my door
and pass down the steps. It appears that
he had met my wife in the hall and did
not immediately appear, which gave me a
moment to look about me. I saw the prisoner
with two or three others standing halfway between
the entrance of my house and the entrance
of the Berkley hotel, which is the next building.
I was looking out of the window and my ser-
vant appeared with these two dogs, the one
in question costing sixty dollars, and the other
one having cost seventy five dollars in
London. The moment my servant appeared

at the top of the steps one of the party shouted, "Hi, hi, Billy here they is." With that the dog started down the steps and one of the party fell against one of the dogs and reached up on the third step to get him; the dog being frightened started back into the house. The other little dog was five feet from the line ^{where} my premises ~~joined~~ ^{joined} the street and was frightened, so that literally the prisoner is correct in saying that the dog was seized on the sidewalk. These two men clapped their hands for the purpose of frightening the dog; the dog ran down the street and while still immediately in front of my premises struck the iron pipe which carries the water out of my yard on to the pavement. This hurt him and he fell down and doubled himself up when the prisoner fell upon the dog and stole or took him. Those are the facts. The prisoner started down the street with his associates. My friend, who had been to visit me, came out on the top step, and at my request followed him and then I followed him. I overtook the man in Eighth St. between Thompson St. and Fifth Ave. The prisoner passed the dog over to one of his associates, I passed him over to the officer and made a complaint to the Captain and he was put under arrest. I gave sixty dollars in cash

to Collins, who at that ~~time~~ had a dog establishment. The man who received the dog from the prisoner followed him to the Station house. Egan acknowledged that he took the dog. Cross Examined I cannot say that my wife offered the prisoner money if he would give the dog up but I would not be at all surprized if she said it. The dog was licensed; he had a number on his collar at the time; he did not have a muzzle on and he was not attached by a string; the prisoner had frightened the dog on the street line. The dog was on my stoop at the time. The men clapped their hands. The prisoner told me he was a dog catcher, but he did not show me a badge. I do not know whether he showed the gentleman that was at my house a badge or not.

Michael Egan, sworn and examined on his own behalf testified. I live 428 East Thirteenth St. I was a licensed vendor. I am now a dog catcher, I got my license on the 5th of June from the Mayor's clerk. I went down on the 6th to Mr. McMahon, the pound master and showed my appointment to him; he wrote something on his book and asked me for a dollar and I gave him a dollar. I went out on the morning I was arrested I was out all night before with a horse and

and I turned in an amount of dogs in the morning about 20 or 22. I slept until the afternoon between five and six and I went out catching them. I had two assistants with me, we had four dogs at the same time; they were holding them; we were coming up South St to Fifth Ave. I seen these two dogs on the sidewalk with this colored man standing. I made a chase to catch them. One ran up the stoop and the other one ran down below the stoop about ten or fifteen feet away from his premises when I took the dog off the sidewalk. The colored man asked me to give him the dog. I told him I was a dog catcher and that my assistant had the papers. This gentleman's wife offered me any amount of money if I would return the dog from the wagon. I told her I could not do it. The gentleman wanted to take the dog by force; the policeman came down. I told him how I took the dog. This gentleman made a charge that I took it from his stoop and the dog was on the sidewalk. He took me to the station house and the judge took the dog from my assistant. I did not intend to steal the dog. I intended to take the dog to the pound as I had been in the habit of doing all summer.

Cross Examined. I had a badge for 1880 on

me at the time, but the badge for 1881 was in charge of another man.

John M. Mahon, the Supt. of the dog pound, testified that he gave the prisoner a badge in June when he brought a letter from the Mayor. The prisoner is a dog catcher and has delivered dogs to me from day to day.

The jury rendered a verdict of guilty of petty larceny with a recommendation to mercy.

He was sent to the penitentiary for one month and fined ten dollars.

Testimony in the case
Michael Ragan
filed July 1889

The People
 Michael Ruffin } Court of General Sessions, Part First.
 Indictment for assault with intent to steal as a pickpocket } Before Judge Cowing. July 15. 1881

You are the complainant and a police officer of the 29th precinct? Yes sir. Did you arrest the prisoner? Yes sir. When and where? On the 11th Monday morning about ten minutes past three o'clock. On the 11th of July you arrested the prisoner did you? Yes sir. What attracted your attention to him? I observed him in company with two other young men walking through the square and he appeared to be watching looking for people sitting on the bench. I saw these parties up the square hanging around and looking at the man sitting on the bench, and they came back in front of this man and two of them stood facing the man. As they came back there was two of them stood facing the man and this young man, the prisoner, was searching the man's pockets there as he sat on the bench. As I approached quite close to him he got through his vest and was just turning his coat to feel on the inside of it apparently, and when they came in collision with me he knocked the hat off and ran. I shouted, "Stop" and he would not. He was stopped near Fourteenth St by one of the Fourteenth Precinct officers. I brought him back and the man said he had not

lost anything. He would not make a complaint, so I took him (the prisoner) to the station house. You said you were walking through the Square, you noticed these three young men, they passed a man on the bench, they looked at him as they passed and the way they looked at him attracted your attention, they went back and stopped before him and this searching went on. Yes sir. Cross Examined. Where did this take place, officer? In Union Square Park. What part of Union Square Park? The entrance in Fifteenth St. On which side of the Park? The West side. How far into the Park was the man sitting at the time you first saw him? About fifteen feet probably. How far were you from the prisoner at the time? I might have been about eight rods from him. Were you on the street or in the Park? I walked through the Park over to him. I walked through when I saw them coming back to this man I walked up toward him. What brought you into the Park? Seeing these men apparently together as if they were going to rob this man by their actions. When did you first observe those men? Walking around the Square a short while before this. Where were you the first time you saw this young fellow? I was between Fourteenth and Fifteenth streets on the east side. And were

they on the east side too? They came around and went out on the west side. Were you walking on the sidewalk in the Park or walking on the sidewalk on the street at the time you first saw them. In the Park. Were you on duty in the Park? I go through there occasionally. That is not your line of duty is it in the Park? Occasionally. Have they not got policemen dressed in gray for that purpose? Not at that hour in the morning. You were not on your beat? I was a little bit off it, yes. You got a little bit off your beat before you saw the prisoner at the bar? No sir. Did you get out of your beat? Following those three persons in the way they were acting and the complaint I had heard before of five or six of them in company I was watching these three. Were there two with him? Yes sir, two with him. How far did you follow them after you first saw them before they came to this man? I did not follow them at all; when they came back to this man I stepped across. This man was dressed in black and had a white shirt; by the actions of course I went over toward him to see that they did not rob him. How far were you from them at the time you saw them approach this man? I was pretty well on the east side of the Square and the man was on the west side. There were a number of trees and things between you and this man? Yes

but there was a very bright light where this man sat; it was in the night time about ten minutes past three o'clock; it was star light in the morning of the 11th of July. Now was this man sitting? He was sitting asleep on the bench. Did he wake up? No sir, he did not. Did you speak to him? Yes sir. Then did you speak to him? After I arrested the prisoner and brought him back. The man had been drunk; he was very chowzy and tired. He went through his person a little bit and said he had not lost anything and he would not make a complaint. The prisoner I saw fumbling around his clothes. I got very close to him. I saw him put his hand under the man's coat. I positively swear to that. I don't know whether the man had any valuables on his person or not. Michael Egan, sworn and examined in his own behalf testified. I have heard the statement of the policeman. I did not attempt to steal anything from a man sitting on a bench in Union Square Park on the morning of the 11th of July. I did not go near the man for the purpose of stealing and did not assist anybody to steal anything from him. I was sitting on the bench before this man came there. I did not feel his vest pocket. I was sleeping on the bench and the officer woke me up. I was never in prison. The jury rendered a verdict of guilty. He was sent to the penitentiary for six months.

John Dowd 813.0
79.00
160.30

Testimony in the case
of Michael L. Lapan
filed July 1881

FORM 10.

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

John H. White
of the 29 Precinct Police Street, being duly sworn, deposes and says,

that on the 11 day of July 1881 at the City of

New York, in the County of New York,

deponent-arrested Michael Eagan
(now here) in Union Square Park
and said Eagan did then and
there assault a person unknown
to this deponent and lay his
hand upon the clothing then and
there upon by said unknown person
with intent to steal as a pick
pocket -

John H. White

Sworn before me this

11

day

1881

Police Justice.

Police Court—Second District.

THE PEOPLE, &c.

ON THE COMPLAINT OF

John H. White
29th Precinct
vs.

AFFIDAVIT.

Arrest with intent to steal

Michael Eagan

Dated,

July 11 1881

B O Bxly Justice.

White 29 Officer.

Witness,



For return

General Sessions

Comm

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

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That

Michael Eagan

late of the First 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 - *one* at the Ward, City and County
aforesaid, with force and arms, in and upon ~~one~~ *a certain person to the*

jurors aforesaid unknown did make an assault, and that the said
Michael Eagan
the hands of him the said *Michael Eagan*

unknown, unlawfully did lay
upon the person of the said *person to the jurors aforesaid*

unknown, and upon the clothing
which was then and there upon the person of the said *person to the jurors*
aforesaid unknown

with intent then and there certain goods, chattels and personal property of the said
person to the jurors aforesaid unknown

on the person of the said, *person to the jurors aforesaid*
unknown then and there being found, from the person of the said
person to the jurors aforesaid unknown
then and there

feloniously 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.

DANIEL C ROLLINS,
~~JOHN J. ROLLINS~~ District Attorney.

BOX:

43

FOLDER:

499

DESCRIPTION:

Eagan, Michael

DATE:

07/12/81



499

Aug-

71

~~W.H.~~ E.E.R.

Counsel,

Filed 12 day of July 1881

Pleads Not guilty (13)

THE PEOPLE

vs.

30 8.13

INDICTMENT Larceny from

Michael Eagan

DANIEL C ROLLINS,
BENJ. K PHELPS,

District Attorney.

A True Bill.

Allen O. Apgar

Foreman.

Aug. 2 - 1881

Tried and convicted

Pr. - rec. to money
for M. O. L. H. O. for
F. C.

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

Police Court--Second District.

George A. Blanchard

of No *16*, *Fifth Avenue* Street, being duly sworn, deposes
and says, that on the *7th* day of *July* 188/
at the City of New York in the County of New York, was feloniously taken, stolen and carried
away, from the possession of deponent, *at the above premises*

the following property, to wit: *one ^{living} dog.*

of the value of *Sixty* Dollars,
the property of *this 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 *Michael Cagau (now here)*
et al to this deponent unknown,
for the reason that at or about six o'clock p.m. on the
day aforesaid deponent said the accused with one
other to this deponent unknown approach deponent's
doorstep where deponent's servant had in his possession
deponent's dog. That deponent heard the accused call to
his confederate the unknown person aforesaid and
say "here they is" meaning deponent's dog, and the
accused and his confederate then and there ran to
the base of deponent's doorstep and then by clapping
their hands frightened ^{away} the dog aforesaid and running
after the said dog took stole and carried the said
dog away. The accused was arrested by deponent and
given into the custody of Officer Paulson of the 15th Precinct
Prison.

Sworn to before me, this

2nd

day

of

188/

Police Justice.

Police Court—Second District.

CITY AND COUNTY
OF NEW YORK,

Michael Eagan

being duly examined before the undersigned, according to law, on the annexed charge; and being informed, that he is at liberty to refuse to answer any question that may be put to him states as follows, viz.:

Question.—What is your name?

Answer.—*Michael Eagan*

Question.—How old are you?

Answer.—*Thirty four years*

Question.—Where were you born?

Answer.—*New York*

Question.—Where do you live?

Answer.—*458 E. 13th St*

Question.—What is your occupation?

Answer.—*Dog-catcher*

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

Answer.—

*The dog was on the sidewalk
when I picked him up.*

Michael Eagan

Taken before me, this

day of

1887

Police Justice.

Form 891.

Police Court-Second District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
George W. Murchison
16 5th Ave.
Michael Casper

Affidavit-Larceny

DATED *July 8th* 188*1*

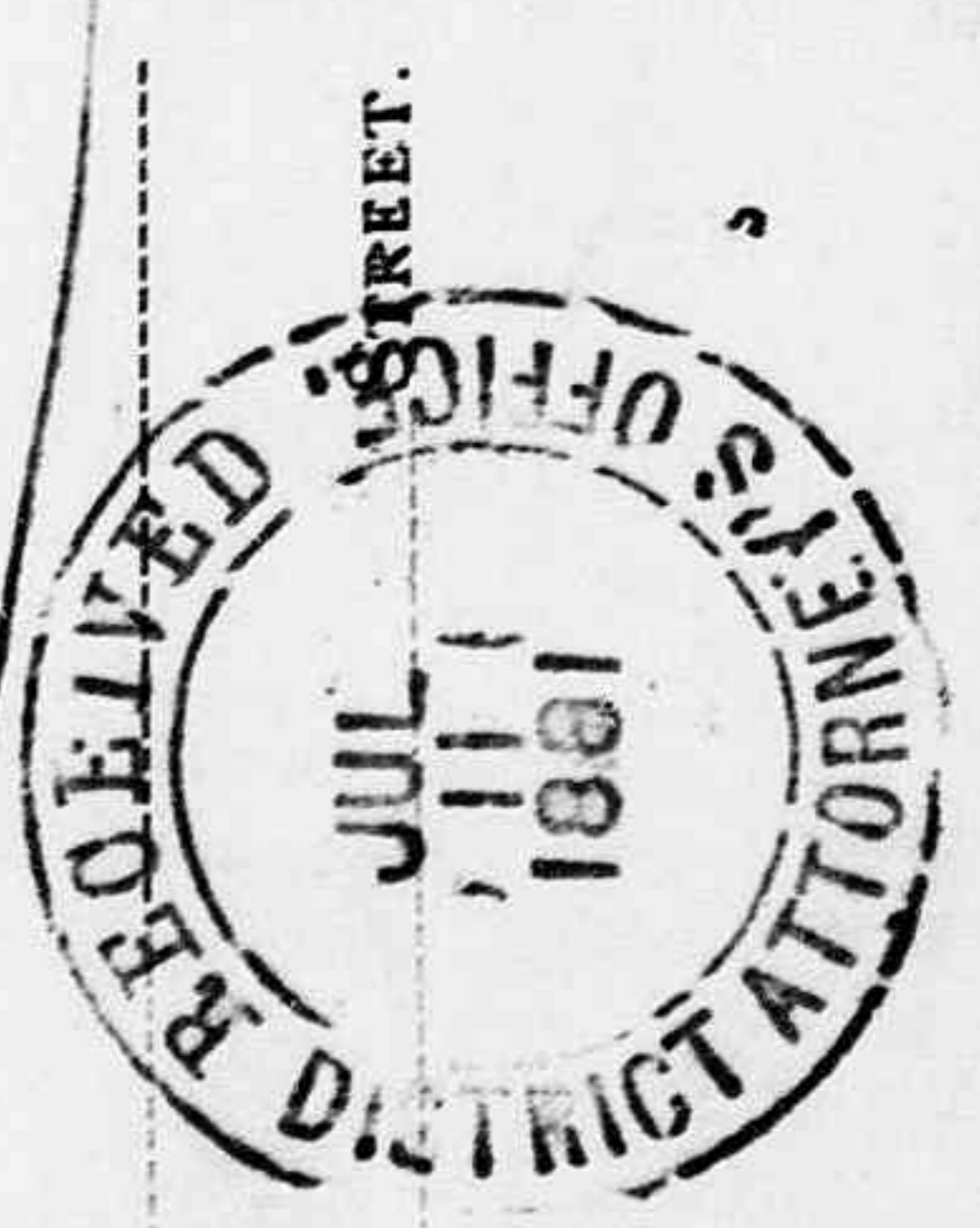
Dixley MAGISTRATE.
Hewson 13th St.

WITNESSES
Hewson, 13th St. N.Y.
Cartier Morris, 16, 3rd Avenue.

500 TO ANS.

BAILED BY

No.



CITY AND COUNTY }
OF NEW YORK, } ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That *Michael Egan*

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

on the *seventh* day of *July* in the year of our Lord one
thousand eight hundred and eighty *one* at the Ward, City, and County aforesaid,
with force and arms

*One living animal (of the kind commonly
called a dog) of the value of sixty
dollars.*

of the goods, chattels, and personal property of one *George R. Blanchard*
on the person of said *George R. Blanchard* then and there being found,
from the person of said *George R. Blanchard* 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.

DANIEL C ROLLINS,

~~BENJ. K. PHELPS,~~ District Attorney.