

THE KILLING OF OFFICER NORTON.

EFFORTS TO INDUCE THE COURT TO INFLICT

A LIGHT SENTENCE ON FITZPATRICK

Bernard F. Fitzpatrick, a Police officer, son of Alderman Fitzpatrick, who was tried for the murder of Police Officer Thomas J. Norton and convicted of manslaughter in the third degree, was to have been sentenced by Judge Gildersleeve in the General Sessions Court yesterday. The prisoner was not brought from the Tombs to court with the common herd of offenders, some of whom perhaps were guilty of stealing in order to satisfy their hunger, but was driven to the court-room in a cab. The highest penalty that can be imposed on Fitzpatrick, under the verdict, is four years in State prison, and the lowest two. Since his conviction it had come to the knowledge of Assistant District Attorney O'Byrne that an effort would be made to induce the court to impose a lighter penalty than the maximum on the prisoner, on the ground of previous good character, and inquiries were set on foot by the prosecution for the purpose of offsetting such a movement. District Attorney McKeon appeared in person before Judge Gildersleeve, and said he hoped no clemency would be shown the prisoner. Fitzpatrick, he said, had committed other acts of violence before he killed Officer Norton. He had been sentenced to six months' imprisonment for attempting to stab "Owney" Geoghegan and had also shot at Thomas Campbell, a saloon-keeper, brother of ex-Civil Justice Campbell, but no complaint had been made in the latter case. Fitzpatrick, Mr. McKeon said, had had murder in his heart for years, and he felt he was only doing his duty in asking the court to show him no leniency. Counsel for the defense contended that in both the cases mentioned Fitzpatrick had acted in self-defense. He asserted that the prisoner had never been sentenced to six months' imprisonment, but had been held in bonds to keep the peace for that space of time. The District Attorney, on the other hand, is positive that Fitzpatrick was actually sentenced to a term of imprisonment in the Work-house, but was released through influence. Judge Gildersleeve said that the only consideration that would have any weight with him in disposing of the case was the previous good character of the prisoner. If any evidence on that point could be produced he would hear it. Counsel for the defense said he would produce such evidence, and asked for a postponement until to-day. The court granted the motion, and the crowd of politicians in attendance departed. Fitzpatrick was driven back to the Tombs in the same cab which had brought him.

The New York Times

Published: February 28, 1882

Copyright © The New York Times