

Detective Foley Honored in Death

The body of Detective Michael J. Foley, 9th Squad, lies in a hero's grave in St. John's Cemetery today. Another name has been added to the ever mounting list of police martyrs who have met death in the performance of duty.

His memory was honored at his funeral on April 14, 1937 by hundreds of neighbors and friends and by a large delegation of city and police officials, including Mayor LaGuardia, District Attorney William C. Dodge, Magistrate Thomas A. Aurelio, Commissioner Valentine, Deputy Commissioners John J. Sullivan, David J. McAuliffe, Martin H. Meaney and Byrnes MacDonald; Chief Inspector John J. Seery, Assistant Chief Inspector John A. Lyons, Deputy Chief Inspectors Francis J. Kear, Alexander C. Anderson, John J. O'Connell and Cornelius O'Leary and Inspectors John J. De Martino, Charles H. Neidig, and James J. Sheehy.

Headed by the Police Department Band and with thousands of hushed spectators lining the sidewalks along the line of march, the cortege moved from the slain detective's home to the Roman Catholic Church of St. Ignatius Loyola, Park Avenue and 84th Street, where a solemn mass of requiem was celebrated by the Rev. Francis R. Donovan, assisted by the Rev. Charles J. Gallagher and the Rev. Thomas J. Delihant. The Police Department Glee Club participated in the service.

Shot and mortally wounded in a pistol battle with four thugs on the morning of April 10, Foley, who was 37 years old and lived with his wife and daughter at 166 East 92nd Street, Manhattan, died 18 hours later in Post Graduate Hospital. He was appointed to the Force in August, 1924 and two years later was assigned to the Detective Division.

With Detective John Gallagher, also of the 9th Squad, Foley engaged the men at 3:15 A.M. in the Cafe Boulevard Restaurant, 144 Second Avenue, a second-floor establishment at Ninth Street. Thugs had robbed the place six weeks previous, and the detectives, on patrol duty, called there about fifteen minutes before the shooting in the course of their rounds.

They were seated at a table near the door with Samuel Kupperstein, owner, when the men entered. As the leader advanced into the room and announced to patrons that it was a hold-up, Foley reached for his pistol.

In the few seconds he took to get it out of its holster one robber had seen his movements and opened fire. Foley shot back, emptying his revolver before he sank to the floor, wounded by a bullet which glanced off his right wrist and lodged in the abdomen.

At the same time one thug dropped. A companion seized him and dragged him downstairs to the street. Gallagher, who had also been returning the fire, saw that the two remaining bandits had retreated with the customers

toward the rear of the room, where all were huddled beneath tables.

Rather than lose the pair, Gallagher abandoned pursuit of the others. He lifted Foley to his feet and the latter, bracing himself for a last effort, pointed his empty pistol at the remaining thugs and threatened to kill them if they moved. Gallagher took the opportunity to telephone for aid. He turned the two men over to responsible radio patrolmen and then took Foley to the hospital. It was then that Foley collapsed. His loyalty and devotion to duty had stood the test.



Shortly afterward a man who said he was Joseph O'Laughlin, 22 years old, of 255 East Broadway, was admitted to Gouverneur Hospital, with bullet wounds in the chest and left arm. He declared he had been shot from a passing taxicab on a street corner, but the cafe customers and Detective Gallagher identified him as Foley's assailant.

Another suspect, Philip Chalef, 26, surrendered a few days later. The arrest of two others implicated in the crime and whose identities are known is expected.

Mayor LaGuardia, returning to the City Hall following the service, used a scheduled meeting of the Sinking Fund Commission to attack the Holley Bill, passed the day before by the State Assembly, as a "Magna Charta for punks, pimps, crooks, gangsters, racketeers and shyster Magistrate's Court lawyers."

The Holley Bill provides that a person charged with violation of a criminal law must be taken before a magistrate without delay, or to the nearest jail not under the jurisdiction of the Police Department.

"I attended the funeral of this brave police officer," the Mayor said, "to express the appreciation of the people of this city for the way in which he shot it out with the bandits, wounding one, and, although the chambers of his revolver were empty, holding off the others until his partner could telephone for reinforcements.

"The people of this city are behind the police force in its battle against bandits, criminals, racketeers and gangsters, but only last night the Assembly at Albany passed a bill, which, if it becomes law, would simply cripple the Police Department. The police would have no opportunity for investigation, and any one who is at all familiar with conditions knows how necessary it is that the police make an investigation immediately after an arrest."

And so another name graces a Memorial Tablet in the rotunda at Headquarters.

"I never knew a man who faced death with less fear than Detective Foley," Father Joseph A. McCaffrey, chaplain of the Department, said in his eulogy.

"He was a martyr to his duty, an honor to the Police Department and a credit to the City of New York."