

0498

BOX:

116

FOLDER:

1232

DESCRIPTION:

Madden, Dennis

DATE:

10/12/83



1232

0499

103

Counsel,  
Filed *12* day of *Oct* 188*3*  
Pleads *Not Guilty*

THE PEOPLE  
vs.  
*Dennis*  
*Madden*  
*et al*

*Prison License, Degree, and Receiving Stolen Goods, (Sections 408, 509, 528, 537, and 539)*

JOHN McKEON,  
District Attorney.

A True Bill.

*J. H. Clendon*  
*et al*  
Foreman  
*Wm. J. ...*  
*et al*

0500

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Dennis Madden

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

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

The said Dennis Madden

late of the 17th Ward of the City of New York, in the County of New York aforesaid; on the ninth day of October in the year of our Lord one thousand eight hundred and eighty-three with force and arms, about the hour of four o'clock in the day time of the same day, at the Ward, City and County aforesaid, the dwelling house of

John Conaghan

there situate, feloniously and burglariously did break into and enter,

~~whilst there was then and there some human being, to wit, one~~

~~within the said dwelling house,~~ the said

Dennis Madden

then and there intending to commit some crime therein, to wit: the goods chattels and personal property of the said John Conaghan in the said dwelling house 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.

0501

SECOND COUNT.

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

Dennis Madden  
of the CRIME OF Fake LARCENY, committed as follows:

The said Dennis Madden

late of the Ward, City and County aforesaid, afterwards, to wit: on the said \_\_\_\_\_  
ninth day of October in the year of our Lord one thousand eight  
hundred and eighty-three, at the Ward, City and County aforesaid, in the

day time of said day, with force and arms, one promissory  
note for the payment of money of the  
said 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,  
one other promissory note for the  
payment of money of the said 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  
other promissory notes for the payment  
of money of the said 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,  
divers coins of the United States of  
America, of a number, said and  
denomination to the Grand Jury  
aforesaid unknown, of the value  
of one dollar and thirty five cents  
and one thousand printed pieces of  
paper of the value of one cent each

of the goods, chattels and personal property of one \_\_\_\_\_ John  
Conaghan in the dwelling house of one  
John Conaghan there situate, then and there being found  
in the dwelling house 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.

0502

THIRD COUNT.

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

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

The said Dennis Madden

late of the Ward, City and County aforesaid, afterwards, to wit: on the said  
ninth day of October in the year of our Lord one thousand eight  
hundred and eighty-three, with force and arms, at the Ward, City and County  
aforesaid, one thousand printed  
pieces of paper of the value  
of one cent each

of the goods, chattels and personal property of John Conaghan

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before  
feloniously stolen of the said John Conaghan

unlawfully and unjustly did feloniously receive and have (the said Dennis  
Madden)

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 pro-  
vided, and against the peace of the People of the State of New York and their dignity.

**JOHN McKEON,**

*District Attorney.*

0503

Police Court 22 District 182

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*John Conaghan*  
*432 E 132 St*  
*Jennis Madden*

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

Offence Burglary

Dated October 10 1883

*Shuffy* Magistrate.

*Thomas Hoffmire* Officer.

Witnesses *Elizabeth Conaghan* 15  
No. 432 East 13 Street.

*John O'Brien*  
No. 432 East 13 Street.

*William J. Quinn*  
No. 432 East 13 Street.

*500* to *John J. Quinn*

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 \_\_\_\_\_

Jennis Madden  
guilty thereof, I order that he be held to answer the same and he 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 October 10 1883 *P. J. Shuffy* 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.

0504

Sec. 198-200

2<sup>d</sup> District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

Dennis Madden 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. Dennis Madden

Question. How old are you?

Answer. 25 years

Question. Where were you born?

Answer. London, England

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

Answer. No 138 Macdougall Street; 2 weeks

Question. What is your business or profession?

Answer. Book Agent

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

Dennis Madden

Taken before me this

15<sup>th</sup>

day of Oct

1883

[Signature]

Police Justice.

0505

101

Court - 2<sup>d</sup> District.

and County }  
of New York, } ss.: John Conaghan  
of No. 432 East 13<sup>th</sup> Street, aged 26 years,  
occupation boot canasser being duly sworn

deposes and says, that the premises No 432 East 13<sup>th</sup> Street,  
in the City and County aforesaid, the said being a brick building and in  
which said apartment  
and which was occupied by deponent as a dwelling  
and in which there was at the time <sup>no</sup> human being, by name

were BURGLARIOUSLY entered by means of forcibly breaking open  
a window opening into said apartment from the  
rear

on the Tuesday day of the 9<sup>th</sup> day of October 1883 in the day time, and the  
following property feloniously taken, stolen, and carried away, viz: One bill or note  
of the value and denomination of Five Dollars, one  
bill or note of the value and denomination of Two Dollars,  
two bills or notes each of the value and denomination of One  
Dollar and silver change to the value of One  
Dollar and Thirty-five Cents and a quantity of <sup>minted</sup> coin  
of the value of One Dollar, in all of the value of  
Eleven Dollars and Thirty-five Cents

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  
Dennis Madden

for the reasons following, to wit: At about four o'clock on the afternoon  
of said day deponent left said property in a bureau  
drawer in said premises, after having counted said  
money and placed it in said drawer in the presence  
of said Madden. Deponent then went out, leaving  
in said apartment his wife, Elizabeth Conaghan,  
who informs deponent that shortly after he left she,  
deponent's said wife went out, locking the door of the  
apartment and fastening said window before she went

0506

out. Deponent is further informed by said Elizabeth Coughlan that shortly after five o'clock she returned and missed said property from said drawer and found said window open and a pane of glass therein broken and the catch unfastened. Deponent is also informed by John O'Brien that between four and five o'clock on said afternoon he saw said Madden approach said window in the said yard and shortly thereafter heard a noise in Coughlan's room which adjoins the room occupied by him, the said John O'Brien. Said O'Brien also informs deponent that after said Madden was arrested, said Madden held some money in his hand behind his back, apparently endeavoring to pass it to some one, but said O'Brien took said money believing it to belong to deponent and found it to consist of one Five Dollar bill, one Two Dollar bill and one One Dollar bill. Deponent found <sup>a number of</sup> ~~found~~ <sup>unfastened</sup> circulars which deponent had left in said apartment.

Sworn to before me this  
 15<sup>th</sup> day of October 1883  
 P. J. Coffey  
 Police Justice

John Coughlan

CITY AND COUNTY }  
 OF NEW YORK, } ss. John O'Brien, 32 years old, laborer, of  
 No 432 East 13<sup>th</sup> Street New York City and  
 Elizabeth Coughlan  
 aged 35 years, occupation Married of No.

432 East 13<sup>th</sup> Street, being <sup>severally</sup> each <sup>duly</sup> sworn, <sup>each</sup> deposes and  
 says, that <sup>each</sup> he has heard read the foregoing affidavit of John Coughlan  
 and that the facts stated therein on information of <sup>each one of said</sup> deponents <sup>said</sup> are true of deponents' own  
 knowledge.

Sworn to before me, this 15<sup>th</sup> day of October 1883 }  
 John O'Brien

Elizabeth Coughlan  
 Police Justice.

0507

out. Deponent is further informed by said Elizabeth Coughlan that shortly after five o'clock she returned and missed said property from said drawer and found said window open and a pane of glass therein broken and the catch unfastened. Deponent is also informed by John O'Brien that between four and five o'clock on said afternoon he saw said Madden approach said window in the said yard and shortly thereafter heard a noise in Coughlan's room which adjoins the room occupied by him, the said John O'Brien. Said O'Brien also informs deponent that after said Madden was arrested, said Madden held some money in his hand behind his back apparently endeavoring to pass it to some one, but said O'Brien took said money believing it to belong to deponent and found it to consist of one Five Dollar bill one Two Dollar bill and one One Dollar bill. Deponent found <sup>found</sup> on the person of said Madden when he was searched in the Station House <sup>a number of</sup> ~~a~~ circulars which deponent had left in said apartment.

Sworn to before me this  
 15<sup>th</sup> day of October 1883  
 [Signature]  
 Police Justice

John Coughlan

CITY AND COUNTY }  
 OF NEW YORK, } ss. John O'Brien, 32 years old, laborer, of  
 No 432 East 13<sup>th</sup> Street New York City and  
 Elizabeth Coughlan  
 aged 19 5/8 years, occupation Married of No.  
 432 East 13<sup>th</sup> Street, being <sup>severely</sup> ~~duly~~ sworn <sup>each</sup> ~~and~~  
 says, that <sup>each</sup> ~~he~~ has heard read the foregoing affidavit of John Coughlan  
 and that the facts stated therein on information of <sup>each one of said</sup> ~~deponents~~ <sup>said</sup> are true of <sup>said</sup> ~~deponents'~~ own  
 knowledge.

Sworn to before me, this 15<sup>th</sup> day of October 1883 } [Signature]  
 John O'Brien

[Signature]  
 Elizabeth Coughlan  
 Police Justice.

0508

BOX:

116

FOLDER:

1232

DESCRIPTION:

Madigan, James

DATE:

10/09/83



1232

*In open court.*

67.

Counsel,  
Filed *9* day of *Oct* 1883  
Pleas

THE PEOPLE

*vs.*  
*124 Prospect St. N.Y.C.*  
*James*  
*Madison*

*Grand Larceny, Second Degree.*  
*1251004 5317*

JOHN MCKEON,

*District Attorney.*

*P. 2 Oct 9/83*  
*Pleas guilty.*  
**A True Bill.**

*W. H. Madison*

*Foreman*  
*H. R. F.*

0509

0510

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

James Madison

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

James Madison of the crime of GRAND LARCENY, in the Second degree, committed as follows:

The said James Madison

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

\$250.

three promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one thousand dollars, and of the value of one thousand dollars each: three promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five hundred dollars, and of the value of five hundred dollars each: twenty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one hundred dollars, and of the value of one hundred dollars each: thirty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of fifty dollars, and of the value of fifty dollars each: fifty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars each: sixty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of ten dollars, and of the value of ten dollars each: eighty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five dollars, and of the value of five dollars each: ninety promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of three dollars, and of the value of three dollars each: one hundred promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of two dollars, and of the value of two dollars each: one hundred and twenty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one dollar, and of the value of one dollar each: one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of one hundred dollars: one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of fifty dollars: two promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty dollars each: three promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of ten dollars each: ten promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars each: ten promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of three dollars each: fifteen promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of two dollars each: thirty promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of one dollar each: bank bills of banks to the jurors aforesaid unknown, and of a number and denomination to the jurors aforesaid unknown, of the value of one thousand dollars. Two gold coins (of the kind usually known as double eagles), of the value of twenty dollars each: three gold coins (of the kind usually known as eagles), of the value of ten dollars each: six gold coins (of the kind usually known as half eagles), of the value of five dollars each: fifteen gold coins (of the kind usually known as quarter eagles), of the value of two dollars and fifty cents each: ten gold coins (of the kind usually known as three dollar pieces), of the value of three dollars each: thirty gold coins (of the kind usually known as dollar pieces), of the value of one dollar each: gold coin of the denomination to the jurors unknown, and a more particular description whereof cannot be given, of the value of one thousand dollars. Sixty silver coins (of the kind usually known as half dollars), of the value of fifty cents each: one hundred and fifty silver coins (of the kind usually known as quarter dollars), of the value of twenty-five cents each: three hundred silver coins (of the kind usually called dimes), of the value of ten cents each: six hundred silver coins (of the kind usually known as half dimes), of the value of five cents each: one thousand silver coins (of the kind known as three cent pieces), of the value of three cents each: silver coin of a denomination to the jurors unknown, and a more particular description whereof cannot be given, of the value of fifty dollars. Three thousand coins (of the kind known as cents), of the value of one cent each: five hundred coins (of the kind known as two cents), of the value of two cents each.

of the goods, chattels, and personal property of one Charles E. Wadsett then and there being found, feloniously did steal, take and carry away, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

JOHN McKEON, District Attorney

POOR QUALITY ORIGINAL

0511

BAILED.

No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

Police Court No. 11791 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
James Mackel  
James Madigan  
Grand

1 \_\_\_\_\_  
2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

Offence \_\_\_\_\_

Dated Oct 5 1888

Magistrate,  
James Daly  
Officer,  
1st Precinct.

Witnesses  
St. Vincent  
St. Vincent  
No. \_\_\_\_\_ Street,  
No. \_\_\_\_\_ Street,

No. \_\_\_\_\_ Street,  
No. \_\_\_\_\_ Street,  
\$ 1000 to answer.

Oct 5

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 1000 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 Oct 5 1888 Solomon Bennett 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.

POOR QUALITY ORIGINAL

05 12

Sec. 198-200

CITY AND COUNTY OF NEW YORK

1st District Police Court.

*James Madigan* being duly examined before the undersigned, according to law, on the annexed charge: and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him if he see fit to answer the charge and explain the facts alleged against him that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer. *James Madigan*

Question. How old are you?

Answer. *15 years*

Question. Where were you born?

Answer. *Brooklyn*

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

Answer. *Brooklyn*

Question. What is your business or profession?

Answer. *Criminal*

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 of the charge*  
*James Madigan*

Taken before me this  
day of *October*  
188*8*  
*John J. Smith*  
District Justice.

05 13

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Henry A. Feraband*

aged 21 years, occupation Waiter of No. 68 Bloomfield Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Charles E. Wacker

and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 5 day of Oct 1888 *H. A. Feraband*

*Salou B. Smith*  
Police Justice.

0514

First

District Police Court

Affidavit—Larceny.

CITY AND COUNTY OF NEW YORK, ss

of No.

60 Nassau Street, Charles E. Wackett, 38 years old, Manufacturer

And being duly sworn, deposes and says, that on the 21 day of June 1883 at the City of New York,

in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, With intent to deprive the true Owner thereof the following property, viz:

Lawful Money to the amount of two hundred and fifty 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 James Madegan now here

from the fact that at the above specified time he was in deponent's employment as an errand boy and was by deponent given said money to deposit to his credit in the Cheekam National Bank of New York City which he did not do but did unlawfully steal and appropriate the same to his own use and profit. As deponent now charges from the fact that the entries made in the books of the bank in respect of the money

Signature

Signature

James Madegan

05 15

purporting to have been made by  
one Henry A. Fairbank a Clerk  
in said Bank and acknowledging  
the receipt of certain moneys. It was  
not made by him but was by  
the defendant made for the purpose  
of receiving deponent's moneys  
the aforesaid money & further after  
being informed of his rights under  
the same the defendant confessed that  
he did make such false entries  
and did steal & appropriate the  
money as before stated -

Charles E. Wackett

Done & before me this }  
5 day of Oct 1883 }  
John W. ... }  
Justice }

District Police Court.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

AFRIDAVID-Larceny.

vs.

Dated

188

Magistrate.

Officer.

WITNESSES:

DISPOSITION

05 16

BOX:

116

FOLDER:

1232

DESCRIPTION:

Maguire, John

DATE:

10/12/83



1232



0518

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 Maguire

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

of the CRIME OF Grand Larceny in the Second degree as a Second Offense, committed as follows:

At a Court of General Sessions of the Peace in and for the City and County of New York, held at the City Hall in the said City of New York, on the fourteenth day of July in the year of our Lord one thousand eight hundred and eighty-one before the Honorable Rufus B. Conroy, City Judge of the said City of New York, Justice of the said Court of General Sessions of the Peace and who then and there constituted the said Court, the said John Maguire was in due form of Law convicted of a Felony, to wit: of Grand Larceny, upon a certain indictment then and there in the said Court, <sup>depending</sup> against him the said John Maguire, for that he, the said John Maguire, by the name and description of John Maguire, then late of the First Ward of the City of New York, in the County of New York, aforesaid, on the eighth 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 overcoat of the value of twenty dollars one pair of pantaloons of the value of ten dollars one shirt of the value of ten dollars and one over-shirt of the value of ten dollars one

0519

value of the value of ten dollars of the goods, chattels, and personal property of one William Grant then and there being found, feloniously did steal, take and carry away.

And thereupon, upon the conviction aforesaid, it was considered by the said the Court of General Sessions of the Peace in and for the City and County of New York, and adjudged, that the said John Maguire, for the felony aforesaid, whereof he was convicted as aforesaid, be imprisoned in the State Prison for the term of two years, as by the record thereof doth more fully and at large appear.

And the said John Maguire, late of the First Ward of the City of New York in the County of New York, aforesaid, afterwards, to wit: on the fifth day of October, in the year of our Lord one thousand eight hundred and eighty three, having been duly discharged and remitted of the said judgment, by reason of the expiration of the said term of imprisonment and by commutation of time duly allowed according to law, at the Court, City and County aforesaid, with force and arms, one watch of the value of twenty dollars, and one chain of the value of fifteen dollars, of the goods, chattels and personal property of one David Mitchell on the person of the said David Mitchell then and there being found, from the person of the said David Mitchell then and there feloniously did steal, take and carry away, against the form of the Statute in

0520

such case made and provided, and against  
the peace of the People of the State of  
New York, and their dignity:

John McKeon  
District Attorney.

0521

74 Rids returned

Counsel,  
Filed *OK* day of *Oct* 1883  
Pleads

*Kingdon in the  
Second Office  
[53498-506-528-532/688]*

THE PEOPLE  
vs.  
*R*  
*James*  
*[Pearce]*

JOHN McKEON,  
*District Attorney*

A True Bill.  
*J. H. McKeon*  
Foreman.

*Sentenced on  
another indictment  
Oct 15/13*

0522

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 Maguire

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

John Maguire

of the CRIME OF Burglary in the Third degree, as a Second Offense committed as follows:

At a Court of General Sessions of the Peace, in and for the City and County of New York, held at the City Hall in the said City of New York, on the fourteenth day of July in the year of our Lord one thousand eight hundred and eighty-three before the Honorable Rufus B. Connors, City Judge of the said City of New York, Justice of the said Court of General Sessions of the Peace, and who then and there constituted the said Court, the said John Maguire was in due form of law convicted of a felony to wit: of Grand Larceny upon a certain indictment then and there, in the said Court depending against him the said John Maguire, for that he the said John Maguire, by the name and description of John Maguire, then late of the First Ward of the City of New York, in the County of New York, aforesaid, on the eighth 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 overcoat of the value of twenty dollars one pair of pantaloons of the value of ten dollars, one shirt of

0523

the value of ten dollars, one over and above of  
the value of ten dollars, one over and above of the  
value of ten dollars of the goods, chattels  
and personal property of one Wolf Grant  
then and there being found, feloniously  
did steal, take and carry away.

And thereupon, upon the conviction  
aforesaid, it was considered by the said  
the Court of General Sessions of the Peace  
in and for the City and County of New  
York, and adjudged, that the said John  
Maguire, for the felony aforesaid, whereof  
he was convicted as aforesaid, be im-  
prisoned in the State Prison, for the  
term of two years, as by the record thereof  
doth more fully and at large appear.

And the said John Maguire, late of  
Seventh Ward of the City of New York in  
the County of New York aforesaid, after-  
wards, to wit: on the twenty eighth day  
of September, in the year of our Lord one  
thousand eight hundred and eighty  
three, having been duly discharged and  
remitted of the judgment aforesaid by  
reason of the expiration of the said term  
of imprisonment and by commutation  
of time duly allowed according to law,  
at the Ward, City and County last aforesaid,  
with force and arms, about the  
hour of twelve o'clock in the day time  
of said day, the dwelling house of Thomas  
Stanton Resnicotte, feloniously and burglariously  
did break into and enter, the said  
said John Maguire then and there intending

0524

to commit some crime therein, to wit: the  
goods, chattels and personal property of the  
said Thomas Stanton, in the said dwelling  
house then and there being, then  
and there feloniously and burglariously  
to steal, take and carry away, and one  
dozen of the value of two dollars and  
fifty cents, one shawl of the value of  
three dollars and fifty cents, nine spears  
of the value of forty cents each, and one  
coat of the value of three dollars, of the  
goods, chattels and personal property of  
the said Thomas Stanton, in the said  
dwelling house then and there being  
then and there feloniously and burglariously  
did steal, take and carry  
away, against the form of the Statute  
in such case made and provided, and  
against the peace of the People of the  
State of New York, and their dignity.

John McKeon

District Attorney

0525

BOX:

116

FOLDER:

1232

DESCRIPTION:

Maguire, Michael J.

DATE:

10/12/83



1232

0526

74

Day of Trial, *E. Littleberry*  
Counsel, *W. J. Littleberry*  
Filed, *2* day of *July* 188*3*  
Pleads *Not Guilty*

*Guilty*  
Assault in the First Degree

THE PEOPLE  
*vs.*  
*Michael J. Quinn*

*J. J. McKeon*  
JOHN MCKEON,  
District Attorney.

*24* Dec. 24/83  
*Adm. & Co. v. Quinn*  
*Assault & battery on the person*  
A TRUE BILL to the jury of the Ct.  
*J. J. McKeon*

Foreman.

*See down for 24*  
*Oct. 24*  
*Penbury*

0527

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

*Michael J. Maguire*

The Grand Jury of the City and County of New York, by this indictment, accuse *Michael J. Maguire*

of the CRIME OF *Assault in the first degree*, committed as follows:

The said *Michael J. Maguire*

late of the City of New York, in the County of New York, aforesaid, on the *Eight* day of *October* in the year of our Lord one thousand eight hundred and eighty *three* with force of arms, at the City and County aforesaid, in and upon the body of *James Patterson* in the peace of the said people then and there being, feloniously did make an assault and *injure* the said *James Patterson* with a certain *knife* which the said *Michael J. Maguire*

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

SECOND COUNT:

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

*Michael J. Maguire*

of the CRIME OF *Assault in the Second Degree*, committed as follows:

The said *Michael J. Maguire*, late of *the City and County* aforesaid afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said *James Patterson* then and there being, feloniously did, willfully and wrongfully, make an assault and *injure* the said *James Patterson* with a certain *knife* which the said *Michael J. Maguire*

in *his* right hand then and there had and held, the same being an instrument likely to produce grievous bodily harm, feloniously did, willfully and wrongfully then and there beat, strike, stab, cut and wound

against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN McKEON, District Attorney.

0528

Police Court No. 37 District 182

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

James Gallagher  
209th St  
Michael F. M. Gurne

Offence Felonious Assault  
1st Battery

BAILIED,  
No 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Dated Oct 9 1883

Magistrate

Office

Precinct

Witnesses

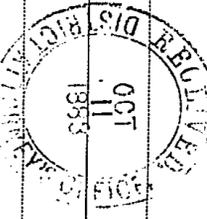
No. Street

No. Street

No. Street

No. Street

\$ 1000 to answer



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 Michael F. M. Gurne

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Ten 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 Oct 9 1883 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

0529

Sec. 198-200

CITY AND COUNTY }  
OF NEW YORK, } ss.

District Police Court.

*Michael F M & Guire* 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. *Michael F M & Guire*

Question. How old are you?

Answer. *22 years.*

Question. Where were you born?

Answer. *United States*

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

Answer. *570 Grand Street about 2 years.*

Question. What is your business or profession?

Answer. *Painter maker*

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

Answer. *I done the stabbing in self defense*

*M. F. Maguire.*

Taken before me this

day of

*[Signature]*

Police Justice.

POOR QUALITY ORIGINAL

0530

Police Court 30 District.

CITY AND COUNTY OF NEW YORK, } ss.

James Patterson  
of No. 309 7th Avenue 30 years Street,

being duly sworn, deposes and says, that  
on Monday the 8th day of October

in the year 1883 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Michael J. Mc Guire  
(now dead) from the fact that  
said Mc Guire came into deponent's  
premises and with a knife then  
held in the hands of said Mc Guire  
cut him on the side of the body  
on the shoulder, and on the back

with the felonious intent to take the life of deponent, or to do him grievous bodily harm; and without any justification on the part of the said assailant :

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

Sworn to before me, this 9th day  
of October 1883

James Patterson

J. H. Duffy  
POLICE JUSTICE.

0531

BOX:

116

FOLDER:

1232

DESCRIPTION:

Mahoney, Daniel

DATE:

10/22/83



1232

The Court please  
ask for security  
in this case - He  
is the brother of  
Duff - witness  
Slight. *Ed*

191

Counsel,  
Filed 2<sup>nd</sup> day of Oct 188 3  
Pleads *Wm G Kelly 23*

THE PEOPLE  
vs.  
*Daniel*  
*Maloney*  
*18 March 1883*

Assault in the Second Degree.  
(Section 218, Penal Code).

JOHN McKEON,  
21 Oct 20/83 District Attorney,  
Pleads Assault 3<sup>rd</sup> dy.  
A True Bill.

*Wm A. Curston*  
Foreman.

*9 Mar 1883*  
*J.S.*

0532

0533

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK  
against

Daniel Mahoney

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

Daniel Mahoney

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

The said Daniel Mahoney

late of the City and County of New York, on the 27th day of  
October, in the year of our Lord one thousand eight hundred and  
eighty-three with force and arms, at the City and County aforesaid, in and upon one

Timothy Mahoney

in the peace of the people of the said State then and there being, feloniously did  
willfully and wrongfully make an assault: and the said Daniel

Mahoney

with a certain knife which he the said

Daniel Mahoney

in his right hand then and there had and held, the same being then and there an  
instrument likely to produce grievous bodily harm, pain,  
the said Timothy Mahoney then and there feloniously  
did willfully and wrongfully strike, beat, stab, cut, bruise and wound,  
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.

0534

SECOND COUNT

And the Grand Jury aforesaid by this indictment further accuse the said \_\_\_\_\_

\_\_\_\_\_ Daniel mahoney \_\_\_\_\_

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

The said Daniel mahoney \_\_\_\_\_

late of the City and County of New York, afterwards to wit: on the nineteenth  
day of October in the year of our Lord one thousand eight hundred and  
eighty-three at the City and County aforesaid, with force and arms, in and  
upon one Timothy mahoney \_\_\_\_\_

in the peace of the People of the State of New York then and there being, feloniously  
did willfully and wrongfully make an assault: and the said Daniel  
mahoney with the said Timothy mahoney  
with a certain knife \_\_\_\_\_  
which he held in his right hand then and there had and held, in  
and upon the neck \_\_\_\_\_  
of him the said Timothy mahoney \_\_\_\_\_  
then and there feloniously did willfully and wrongfully strike, beat, stab, cut  
bruise and wound, thereby then and there willfully and wrongfully, feloniously inflicting  
upon the said Timothy mahoney \_\_\_\_\_  
grievous bodily harm, to wit: striking then and  
then cutting and bruising  
his neck \_\_\_\_\_

against the form of the Statute in such case made and provided, and against the peace  
of the People of the State of New York and their dignity.

JOHN McKEON, District Attorney.

0535

CLERK'S NO. 10563

Police Court - 1st District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*James H. DeLoach*  
23 *West*  
*Street, New York*

1  
2  
3  
4  
Offence  
*Assault to Battery*

Dated *October 16* 188 *3*

*Lawrence* Magistrate.

*133* Officer.

*27* Precinct.

Witnesses

*John J. West*  
No. *11* Street.

*James J. O'Brien*  
No. *1* Street.

*John J. O'Brien*  
No. *1* Street.

*John J. O'Brien*  
No. *1* Street.

No. \_\_\_\_\_ Street,  
to answer \$ \_\_\_\_\_ Sessions.



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 *defendant*

guilty thereof, I order that he be held to answer the same and he 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 *October 16* 188 *3*

*[Signature]*  
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.

0536

Sec. 198-200

CITY AND COUNTY }  
OF NEW YORK, } ss.

*First* District Police Court.

*Daniel Kahaney* 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. *Daniel Kahaney*

Question. How old are you?

Answer. *17 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *23 West Street for two years*

Question. What is your business or profession?

Answer. *Driver*

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.*

*Daniel Kahaney*  
*Driver*

Taken before me this

day of *October*

1883

*[Signature]*  
Police Justice.

0537

POLICE COURT / DISTRICT.

City and County of New York, ss.:

THE PEOPLE,

vs.

On Complaint of *Quintus Mason*  
For *Assault & Battery*

*Lucie P. Mason*

After being informed of my rights under the law, I hereby waive a trial, by Jury, on this complaint, and my right to make a statement in relation to it and demand a trial at the COURT OF SPECIAL SESSIONS OF THE PEACE, to be holden in and for the City and County of New York.

Dated *October 16* 188 *3*.

*[Signature]*

*Lucie P. Mason*  
*subscribed*

Police Justice.

0538

Police Court— 12th District.

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

Timothy Deane

of No. 23 West Street,

being duly sworn, deposes and says, that  
on Monday the 15th day of October  
in the year 1883, at the City of New York, in the County of New York,

he was violently **ASSAULTED** and **BEATEN** by Charles Deane  
(a negro man), did unlawfully with  
a knife in his hand cut this deponent  
on the left side of his neck.

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 16  
day of February 1883

Timothy M. M. M.

[Signature]  
Police Justice.

0539

BOX:

116

FOLDER:

1232

DESCRIPTION:

Mahoney, Daniel

DATE:

10/23/83



1232

POOR QUALITY ORIGINAL

0540

197

Day of Trial, *J. M. O'Connell* 1883  
Counsel, *J. M. O'Connell*  
Filed *23* day of *Feb*  
Pleads *Mr. Gully Ed*

*36* THE PEOPLE  
*164 Nov 14* vs.

*Daniel F*  
*Madronney*

Assault in the First Degree etc [33 217 and 218]

JOHN MCKEON,  
District Attorney.

*22 Oct 26/83*

*Pleas Accau Edg*

A TRUE BILL.

*J. M. O'Connell*  
Foreman.

*J. M. O'Connell*

*By Mr. O'Connell  
exhibits read  
Ed*

0541

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

Daniel Mahoney

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

Daniel Mahoney

of the CRIME OF *Assault in the first degree*, committed as follows:

The said Daniel Mahoney

late of the City of New York, in the County of New York, aforesaid, on the Eighteenth day of October in the year of our Lord one thousand eight hundred and eighty Three with force of arms, at the City and County aforesaid, in and upon the body of Patrick Cullen in the peace of the said people then and there being, feloniously did make an assault and in the said Patrick Cullen with a certain knife which the said Daniel Mahoney

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

SECOND COUNT :

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

Daniel Mahoney

of the CRIME OF *Assault in the Second Degree*, committed as follows:

The said Daniel Mahoney, late of the City and County aforesaid afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said Patrick Cullen then and there being, feloniously did, wilfully and wrongfully, make an assault and in the said Patrick Cullen with a certain knife which the said Daniel Mahoney

in his right hand then and there had and held, the same being an instrument likely to produce grievous bodily harm, feloniously did, wilfully and wrongfully then and there beat, strike, stab, cut and wound

against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN McKEON, District Attorney.

0542

BAILED,

No. 1, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street,  
 \_\_\_\_\_

No. 2, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street,  
 \_\_\_\_\_

No. 3, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street,  
 \_\_\_\_\_

No. 4, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street,  
 \_\_\_\_\_

Police Court - 2<sup>d</sup> District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Patrick Eudlen  
 162 West 8<sup>th</sup> St.  
 Daniel Mahoney

1  
2  
3  
4

Offence, Felonious Assault

Dated October 21 1883

Magistrate.

Ermoline Steery  
Officer.

Witnesses, Thomas P. Moran  
James P. Morris  
Street,

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

No. 1000 to answer  
Street,

Comptroller



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 Daniel Mahoney

guilty thereof, I order that he be held to answer the same and he 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 October 21 1883 Police Justice.

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

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

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

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

0543

Sec. 198-200

2<sup>d</sup> District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

Daniel Mahoney 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. Daniel Mahoney

Question. How old are you?

Answer. 37 years

Question. Where were you born?

Answer. Staten Island, N.Y.

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

Answer. No 162 Wooster Street, 1 year

Question. What is your business or profession?

Answer. Laborer

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. The man struck me first. I acted  
in self defence

Daniel Mahoney

Taken before me this 21<sup>st</sup>

Day of October

1883

William Patterson  
Police Justice.

0544

Police Court - 2<sup>d</sup> District.

CITY AND COUNTY OF NEW YORK, } ss.

Patrick Bullen, 30 years old, laborer

of No. 162 Waverley Street,

New York City

being duly sworn, deposes and says, that on Thursday the 18<sup>th</sup> day of October

in the year 1883 at the City of New York, in the County of New York, in the yard at the rear of

No 162 Waverley

he was violently and feloniously ASSAULTED and BEATEN by Daniel Mahoney,

murderer, who <sup>cut</sup> stabbed deponent three times with a knife then and there held in his right hand, inflicting two severe wounds upon deponent's face and a cut upon deponent's right arm

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

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

Sworn to before me, this 21<sup>st</sup> day of October 1883

Patrick Bullen  
deponent

J. M. Patterson POLICE JUSTICE.

0545

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

POLICE COURT, 90 DISTRICT.

Cornelius Leary

of No. 8th Police Precinct Street, being duly sworn, deposes and says,

that on the 19th day of October 1883

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

Daniel Mahoney (now here) from the fact that deponent is informed by Patrick Cullen of 62nd Avenue Street that said Mahoney cut him across the nose with a knife then held in his hand; said Cullen being <sup>now</sup> confined at St Vincent Hospital from the effects of said injuries Deponent prays that the said Mahoney may be committed to await the result of <sup>said</sup> injuries  
Cornelius Leary

Sworn to before me, this 20th day of October 1883

John P. Watson Police Justice

0546

POLICE COURT— 2 DISTRICT.

THE PEOPLE, & c.,  
ON THE COMPLAINT OF

*vs.*  
Daniel Madou

**AFFIDAVIT.**  
*John W. Smith*

Dated Oct 20 1883

Robertson Magistrate.

Leary Officer.

Witness, \_\_\_\_\_

Disposition To await result

POOR QUALITY ORIGINAL

0547

221 (W) Oct 30

Counsel,

Filed *Oct* 25 day of *Oct* 1883

Pleas

Grand Jurors, *First degree* [53520ms5307]

THE PEOPLE

vs.

*Thomas S.*

*Molander*

JOHN McKEON,

District Attorney.

A True Bill.

*M. A. Anderson*

Foreman

0548

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 P. Maloney

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

Thomas P. Maloney  
of the crime of GRAND LARCENY, in the first degree, committed as follows:  
The said Thomas P. Maloney

late of the First Ward of the City of New York, in the County of New York, aforesaid,  
on the Eighth day of June in the year of our Lord one thousand eight

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

of the goods, chattels, and personal property of one John Maloney then and there being found, feloniously did steal, take and carry away, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

JOHN McKEON, District Attorney

5th Dist Court.

N. Y. SPECIAL SESSIONS.

THE PEOPLE

vs.

*Thos. P. Maloney*

Stenographer's Transcript,

Oct. 3<sup>rd</sup>, 1883.

DAVID S. VEITCH,  
OFFICIAL STENOGRAPHER,  
101 CENTRE STREET, N. Y.

0549

0550

J. P. MANN, Printer, 84 Nassau St., N. Y.

STENOGRAPHER'S MINUTES.

*Fifth Dist. Police Court.*  
~~N.Y. SPECIAL SESSIONS.~~

THE PEOPLE

vs.

*Thos. P. Malaney*

BEFORE

*Hon. B. T. Morgan,*  
*Police Justice.*

*October 3<sup>rd</sup> 1883.*

WITNESSES.

Direct.

Gross.

Re-called.

*Thos. P. Malaney*

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DAVID S. VEITCH,

Official Stenographer,

101 CENTRE ST., N. Y.

0551

FIFTH DISTRICT POLICE COURT.

THE PEOPLE :  
vs :  
THOS. P. MALANEY. :

B e f o r e  
HON. B. T. MORGAN,  
POLICE JUSTICE.

October 3rd. 1883.

Mr. E.R. HILL for the complainant.

Mr. W.E. ILIFF for the defendant.

This examination was continued from a former ~~previous~~ day. The previous examination was taken by the Justice himself.

Counsel for the defendant now moved for the discharge of the prisoner upon the ground, first:- that there does not appear from the testimony taken that there was <sup>any</sup> ~~not~~ felonious intent on the part of the prisoner to cheat and defraud the complainant. Second,-that it appears <sup>from</sup> ~~upon~~ the testimony <sup>that</sup> ~~for~~ the purpose for which this money was deposited was to secure the employment, which the complainant at that time was desirous of obtaining. Motion denied.

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City and County of New York ss:

T H O M A S F. M A L L A N E Y the defendant in this action  
having been duly sworn in his own behalf, deposes and says.

Q (Mr. Cliff). You have heard the full statement of the  
complainant in this matter?

A I have heard his statement, yes.

Q What day did you first meet the complainant, Mr. Halkett?

A I met him on the 6th. of June 1883.

Q Whereabouts?

A At No. 5 Pine Street; the office of William J. <sup>Cole</sup> Cohen & Co. -

Q How did you come to meet him there?

A The circumstances are these: I had contracted to buy a  
piece of hotel property; I was introduced to him by Mr.  
Mudgett of Wm. J. <sup>Cole</sup> ~~Cohen~~ & Co's. -

Q For what purpose were you introduced to him?

A Because I had instructed him to advertise for a cashier,  
bookkeeper and superintendent for a hotel property which  
I had.

Q Mr. Halkett answered that advertisement?

A So Mr. Mudgett informed me; he was <sup>one</sup> ~~sent~~ of a number of

0553

3

people who applied.

Q Now please state the conversation that took place between yourself and Mr. Halkett at that time in relation to this employment?

A Mr. Mudgett introduced him to me and he showed me his references; I asked him what he had been doing since the last reference and he told me he had been in the hotel business; I asked him what experience he had in the hotel business and he told me that he had been in Africa in the diamond fields; that he had been through Cape Town and various other places; I asked him how long he had been here and he said only a short while; I told him that I wanted some one to protect my money down there; keep the books and have the general supervision of the hotel. He said that he thought he could occupy that place and we came to the matter of salary; I told him that I proposed to pay about twenty dollars per week to a good man; he thought he could do it; I told him that I required security; he said I am prepared to give the security; I said very well give what you can with these references and I think you will be satisfied; then he urged that twenty dollars per week was not enough and I said that is a big salary for a hotel man but after the

0554

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first months business I will give you \$25.00-With that understanding we closed the matter; then I asked him when he could come to work and he said that he had not anything to do and he would come at once; I said all right come down this afternoon; in the evening he met me and we went down there; I made that agreement in writing; he came back next morning and handed me the money, for which I gave him a receipt.

Q During that conversation was anything said in relation to who was the owner of the hotel?

A There was nothing said as to the ownership of the hotel; I was introduced as the proprietor.

Q Did you at that time tell Mr. Halkett that you were the owner of the Hotel Brunswick at Amityville L. I.?

A I did not tell him any such thing.

Q Did you at any time tell Mr. Halkett that you had paid \$25,000.00 for that hotel?

A I did not.

Q Did you represent to Mr. Halkett in any words that you had purchased the hotel and had paid for it?

A No sir.

Q Did you tell Mr. Halkett at any time in what manner you occupied that hotel?

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A No I did not; it would have been very absurd if I did I think.

Q Did you at that time tell Mr. Halkett that you had purchased the hotel under a contract?

A I told him nothing about the purchase or ownership of the hotel; I was simply introduced as the proprietor and there I rest.

Q For what was the \$800.00 deposited by Mr. Halkett that you have?

A It was deposited with me for the proper discharge of his duty, and also to secure to me my money which passed through his hands; he had the handling of all the money which came into the house and that was his position there; he kept the books---cash book and other books.

Q Was any one present during that conversation?

A Mr. Mudgett was present during that conversation.

Q The party who introduced you?

A Yes sir the broker in the transaction.

Q What day was it that Mr. Halkett deposited this money with you?

A On the 7th of June; I think that receipt shows the date; he came down with me in the afternoon and when we got there

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I made this memorandum; I said that is our understanding, isn't it? And he said, yes; I said what about the money and he said I will give you that when I ~~get~~<sup>go</sup> to ~~work~~<sup>N.York</sup> to-morrow and I said very good; and in the morning he gave me the money.

Q Then you received the money June the 8th?

A Yes sir.

Q Was this money deposited with you pursuant<sup>to</sup> and under the terms marked in Ex. I.?

A Yes sir.

Q Did the complainant enter your employment then?

A Yes sir.

Q And how long did he remain?

A He remained to my knowledge until the 5th of July and I think a few days after.

Q From the time until he deposited the money until the present time has Mr. Halkett demanded from you the return of the \$800.00?

A He never asked me for it; this man entered into my employment and handled all my money and I cannot find any vouchers for it.

0557

7

CROSS - EXAMINATION.

- Q You say he showed you some references?
- A Yes sir.
- Q Did he give them to you?
- A Yes sir.
- Q Some written references?
- A Yes sir.
- Q Will you let us have them?
- A Yes sir those are the references (produced).
- Qx Did Mr. Halkett make any inquiry of you as to your responsibility?
- A When?
- Q At that time.
- A Which time sir?
- Q On the 6th of June.
- A No sir he did not.
- Q He never asked you if you were a responsible man?
- A No sir.
- Q He voluntarily gave you the money without asking anything in regard to your responsibility?

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A He gave it to me subject to that agreement.

Q He never made any inquiry?

A No sir.

Q You gave him no reference?

A No sir.

Q Did he ask for any?

A He did not ask me for any; I could have given them to him.

Q You are positive that there was nothing said upon his part?

A Nothing further at the time of this agreement.

Q He simply made the agreement and you pocketed the money?

A I dispute that; I did not pocket his money; I received it subject to that agreement.

Q Have you ever made these representations with reference to the ownership of this hotel to any one else at about this time?

Question objected to as immaterial; objection overruled; exception.

A To what persons do you mean; to any body?

A We'll follow that up by and by.

A No sir I did not represent that I owned the property.

Q Did you ever represent to any person that you owned the property and had paid twenty five thousand dollars for it,

0559

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or thereabouts?

A No sir; that I positively say.

Q Or that you paid any other sum for it?

A ~~Nothing~~ that I owned the property; I have this explanation to make:--- I had told several people who asked me about the place that I had bought the property--- people that were not interested in business matters with me at all--- strangers, people who were probably prospective guests; people I met in Wall Street. I told them I had bought a hotel in Amityville L. I.; I was usually asked how much it was worth and I said probably about \$25,000.00; that was a general conversation in a general way with people who had no business relations with me in relation to the hotel; that is an explanation of that answer that I gave you. In a matter of this kind a broker who negotiated this contract told a great many people that the house was not in the market any longer; I had become the possessor of it and they came to me and I told them I had bought the place; a great many people down there know me; a great many people wanted the place, and I finally got it on a contract to buy it and that is how those questions came.

0560

10

Q You stated that Mr. Halkett never asked you for the \$800.00?

A He never asked me for his \$800.00; absolutely never.

Q I want to ask you this question: On the 29th of June when he came down to ~~work~~<sup>NYC</sup> to see you--- didn't he on that day demand the money from you?

A He never demanded it from me.

Q (Re-direct) Mr. Malaney have you ever at any time from the first day of May 1883 up until the present time made any representations to this effect, that you had purchased that hotel and paid \$25,000.00 for it; or that you were the owner of that hotel for the purpose of obtaining credit or showing yourself to be a man of responsibility?

A For that purpose never.

Q Why do you still retain in your possession the \$800.00 deposited with you by Halkett.

Question objected to; objection overruled.

A Because the man did not properly discharge his duty, and because I believe he has in his possession some money belonging to me as far as I can get out from my books, which were all kept by him ~~XXX~~ and are in his hand writing.

*Given to before me  
October 3<sup>rd</sup> 1883  
A. Lehmann Police Justice.*  
Edward P. Malaney



0562

Sec. 151.

*5th* District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss *In the name of the People of the State of New York; To the Sheriff of the County of New York, or any Marshal or Policeman of the City of New York:*

Whereas, Complaint on oath, has been made before the undersigned, one of the Police Justices in and for the said City, by *John Hackett*

of No. *340 East 5th* Street, that on the *8th* day of *June* 188*3* at the City of New York, in the County of New York, the following article to wit :

*Lauque money of the United States*  
*of the value of Eight hundred* Dollars,  
the property of *John Hackett Complainant*  
was taken, stolen, and carried away, and as the said complainant has cause to suspect, and does suspect and believe, by *Thomas P. Malony by false, fraudulent and untrue representations*  
Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to answer the said complaint.

These are, Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and every of you, to apprehend the body of the said Defendant and forthwith bring him before me, at the *5th* DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this *15th* day of *July* 188*3*  
*P. L. Morgan* POLICE JUSTICE.

POLICE COURT OF DISTRICT.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*John Hackett*  
vs.

Warrant-Larceny.

Dated *July 15th* 188*3*

*Morgan* Magistrate

*Starr* Officer

The Defendant  
taken, and brought before the Magistrate, to answer the within charge, pursuant to the command contained in this Warrant.

Officer.

Dated 188

This Warrant may be executed on Sunday or at night.

Police Justice.

REMARKS.

Time of Arrest,

Native of

Age,

Sex

Complexion,

Color

Profession,

Married

Single,

Read,

Write,

0563

Sec. 198-200

*Fifth* District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Thomas P Maloney* 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 P Maloney*

Question. How old are you?

Answer. *25 years*

Question. Where were you born?

Answer. *Philadelphia*

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

Answer. *122 East 16 Street - 6 months*

Question. What is your business or profession?

Answer. *Lawyer*

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. *Not guilty*

*Thomas P Maloney*

Taken before me this

Day of *Sept* 188*8*

*W. J. Morgan* Police Justice.

POOR QUALITY ORIGINAL

0564

*J.H.* District Police Court.

Affidavit—Larceny.

CITY AND COUNTY OF NEW YORK, ss

of No. *340 East 55th* Street, *John A. Kelt, age 26 years,*  
*a bookkeeper,*

being duly sworn, deposes and says, that on the *8th* day of *June* 188 *3*

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

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

of deponent, *by false, fraudulent and untrue representations*

the following property, viz: *Eight hundred dollars lawful money of the United States*

Sworn before me this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_

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 *Thomas P. Maloney, who by the use of false, fraudulent and untrue representations, and with the intent to deprive and defraud this deponent of his property, falsely represented to this deponent that he (Maloney) would employ this deponent as cashier and bookkeeper and general superintendent of the Hotel Brunswick, in Monticello, Long Island, and would pay this*

Police Justice.

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deponent for said services as Cashier &c.  
 weekly and every week the sum of  
 twenty dollars in return for said ser-  
 vices by this deponent; and further said  
 Maloney fully and fraudulently represen-  
 ted to this deponent that he owned  
 said Hotel Brunswick, at Amityville  
 Long Island and he (Maloney) had paid  
 for the same the sum of twenty-five  
 thousand dollars. That relying upon these  
 representations as true, and this deponent  
 believing them to be true entered into an  
 agreement with said Maloney to enter  
 his (Maloney's) service as Cashier and  
 Bookkeeper as aforesaid, and this deponent  
 further gave to said Maloney the sum of  
 eight hundred dollars and the said Maloney  
 received said sum of eight hundred dollars  
 from this deponent as security for the faithful  
 performance of the duties as Cashier and Book-  
 keeper as aforesaid, and which sum of eight  
 hundred dollars said Maloney received from  
 this deponent before the entry into the service  
 of said Maloney as aforesaid.

That this deponent entered the service of said  
 Maloney as aforesaid on the date aforesaid  
 and remained in said service until the 9th day of  
 July last, and during that time this deponent has  
 frequently requested and demanded from said Maloney  
 his wages due him which said Maloney has utterly  
 refused to give this deponent. That subsequently this  
 deponent was informed that said Maloney does not  
 own the Hotel Brunswick in Amityville Long Island  
 as aforesaid; and that said Maloney knowing  
 this, willfully and feloniously made said representation  
 to this deponent, knowing the  
 same to be untrue and with  
 willful intent to cheat and de-  
 fraud this deponent.

Therefore this deponent charges said Thomas  
 P. Maloney with being a thief and a cheat  
 and as the law directs.

Given to before me  
 July 15th 1888.  
 A. J. Morgan  
 District Justice.

WITNESSES:  
 [Signature]  
 DISTRICT JUDGE

District Police Court.

PEOPLE, &c.,  
IN THE COMPLAINT OF

AFFIDAVIT - LARGELY

Date

0566

BOX:

116

FOLDER:

1232

DESCRIPTION:

Mahaney, Thomas

DATE:

10/25/83



1232

0567

Tom's Police Court

The People  
-vs-

Thos P. Mahoney

Oct-6-'83  
(2<sup>d</sup> session)

- Testimony -

D. A. Peltz - Stoughton  
101 Centre St. N.Y.C.

0568

In the District Police Court  
The People  
-11-  
Thos. D. Maloney }  
                              } Before  
                              } Hon. J. L. Morgan  
                              } Police Justice  
                              } Oct 6th 1893.

Mr E. R. Hill for Complainant.  
Mr W. E. Gliff for Defendant.

Thos. D. Maloney, the defendant in this  
action was rem-re-called by his Counsel to  
obtain the following question which was  
propounded to him on the previous exami-  
nation

(By Mr Gliff) This was the question put to you:  
Mr Maloney, have you ever at any time  
from the first day of May 1893 up until  
the present time made any representa-  
tions to this effect, that you had purchased  
that hotel and paid \$25,000.00 for it, or  
that you were the owner of that hotel, for  
the purpose of obtaining credit or showing  
yourself to be a man of responsibility?  
Your answer to that question was, "for  
that purpose, never"

0569

2  
A. For that purpose; Never, in this sense, I never represented that I had bought or owned the property or paid \$25,000.00 cash for the property. In a general way I said that I bought the property, and gave references to one or two people from whom I bought goods.

Q (The Court) Did you go out West at any time?

A Yes, Sir, I went West about the middle of July, I think

Q Well, at the time that you went West - was the hotel then under your proprietorship?

A Yes, Sir, my wife was in charge of it

Q How long did you remain West?

A I remained there about 60 days or so or more.

Q When did you return home?

A I returned home about the 14th of September, I think, and went home to my house in New York. I represented to Mr. Hackett at the time, that I would be obliged to go West on business matters which I would have to go West to settle. I explained that fully to him at the time, and that is the reason I wanted a responsible man and wanted Security

0570

Examined

3.

Q - You say you went west?

A - Yes.

Q - That is a very indefinite place - What do you mean by going west?

A - That was the Judge's question

Q - Where?

A - I went to Cleveland and to Chicago

Q - In July?

A - ~~First of July, I think, about the 17<sup>th</sup> or~~  
18<sup>th</sup>

A - And I went to Philadelphia. I went the latter part of July, I think, about the 17<sup>th</sup> or 18<sup>th</sup>.

Q - Did you leave New York?

A - Yes. I went there on special business connected with some mines I own, and of which I have no deal with me

(Re-direct)

Q - What caused you to go west upon this business at this time?

A - My engagements with people with whom I was associated

0571

4  
Q (Mr Hill) You did not so much to get out of the way of this process?

A I never knew there was such a process

Q Never until you were arrested?

A No Sir

Q Did you write any letters home or receive any letters in which you were told that there was a warrant out for you?

A No Sir, nothing of this kind I had had known there was a warrant of this kind I would have been here long ago.

John Hallett (recalled)

(Mr Hill)

Q Did you demand the \$800. that you deposited with Mr Maloney?

A I did, Sir, on Sunday Morning last Sunday Morning I was there, about the 7th of the month, the 7th July on Sunday Morning in the presence of Thomas Morrell and the bar-tender, and the time was about nine o'clock in the morning

Q You demanded the \$800.

A Yes, Sir, and my demand and my name.

0572

- Q He had a Diamond of yours, did he?  
A Yes, sir, he had
- Q Did you get the \$800.?  
A No, sir
- Q Did you get your wages?  
A No, sir
- Q Did you get your Diamond then?  
A No, sir
- Q Did you get it afterwards?  
A Yes, sir, a good while afterwards, when  
I got a warrant. It cost me  
about \$35.00 to get it
- Q State whether you demanded or asked  
for those papers of reference?  
The Court. That does not make  
any difference

Answer for the Complainant now offered to show  
that the Complainant asked for  
the papers, and that the Defendant  
maliciously kept them. Excluded  
from examination.

- Q You say you received your Diamond back,  
did you?  
A Yes, sir, I did

0573

6.  
Q When you demanded <sup>the</sup> return of the diamond  
what was the reason Mr Maloney gave for not re-  
turning it?

A He said some one in New York had it  
locked up, and he could not get it  
He put me off from time to time,  
and at last I was obliged to get a  
warrant for it

Sworn to before me  
October 6<sup>th</sup> 1883.

Int. Rec. R. H.

B. Jellorson

Police Justice

City of New York St.

Henry Hartline, a witness called by  
the prosecution, sworn & examined by  
me Hill.

Q - Where do you reside?

A - 224 W 34 St - in this city

Q - What is your business?

A - I am in the oil business

Q - In business for yourself?

A - Yes, sir, I am with Mr Curtin

Q - What is the firm?

A - Curtin & Co

Q - You are in their employ?

A - Yes, sir, as Salesman

0574

7  
Q Do you know this defendant, Mr Maloney?  
A Yes, Sir

Q Where did you first see him?

A First Mr Maloney where I was  
boarding, 224 W 34 Street

Q Did he call upon you there?

A Yes, Sir, he was living there in  
the house at the time

Q Where did you next see him?

A I did not meet him again until  
I met him on the way to his hotel,  
on the boat

Q When did you see him on the boat?

A As near as I can remember, ~~the~~  
I think it was in July of this year.  
It was in May that I first saw  
him. I would not be positive about  
the time I met him afterwards

Q Have you ever told him any good?

(Objection by the defence, ~~irrelevant~~)  
~~is not~~ ~~irrelevant~~, exception  
Sustained. I propose to show that he  
bought goods of this firm, on the repre-  
sentations that he owned this prop-  
erty, ~~and~~ had bought it & paid for it.  
I desire to contradict him on that

0575

Subject.

~~(Maloney's reception)~~

a - Yes, sir, we sold him ten barrels of oil in May, about the 27<sup>th</sup> or 28<sup>th</sup>.

Q Tell us exactly what his representations were?  
(The question previously asked Mr. Maloney was read to this witness, and he was asked if he (Maloney) ever made any such representations to him (witness) in the purchase of any goods from his firm)

a - He did, sir. He said that he had bought the hotel and paid \$20,000 for it, those are the words he used, and that is how he expressed himself.

Q Did you sell him the goods on those representations?

a - Yes, sir.

Q And delivered them?

a - And delivered them.

Q Of what value were the goods?

a - \$87.00

Q Were the goods ever paid for?

a - No, sir.

0576

Answers

9.

Q When and where did Mr Maloney make that representation to you?

A At the house where I was boarding and where he was boarding, in May of this year

Q Will you now give us the exact word and language that Mr Maloney expressed that in?

A That is it, Sir. He said that he had bought this hotel for \$25,000 at Suva, in the Cing Islands.

Q Is that all that was said upon that subject at that time?

A Yes, Sir. That is all that was said upon that one point

Q Is that all that was said upon that subject at that time?

A Yes, Sir

Answer before me this  
6th day of Oct 1883

Henry B Hawking

R. L. Morgan  
Police Justice

City & County of New York, N.Y. -

J. Clark Curtin a witness called by the people,  
and sworn deposes & says: -

(By the Court)

Q Your residence?

A 265 Blomfield St. St. Robert, N.Y.

Q Where is your place of business?

A - 91 West St.

Q What business are you in?

A - Oil

Q What is the firm name?

A - Curtin & Co

Q Do you know the Defendant, Mr. Mahoney?

A - I do, Sir

Q Where did you first make his acquaintance?

A - In the Hotel Brunswick, Albany, N.Y.

Long Island about June 30th of this year.

Q Do you know Mr. Harline, the witness who  
has just testified?

A - Yes Sir

Q Is he in your employ?

A - He is in my employ, Sir, as Salesman

Q You saw Mahoney at Albany, N.Y. for the first time?

A - Yes Sir

Q You met him at his hotel there?

A - Yes Sir

Q State the purpose of your going there?

(Objection by the Defense)

Q You were there?

A - Yes Sir

Q. Mr. Gliff, Counsel for the defendant, asked the defendant this question: "Mr. Maloney, have you ever at any time from the first day of May 1883 up until the present time made any representations to this effect, that you had purchased that hotel and paid \$25,000.00 for it, or that you were the owner of that hotel for the purpose of obtaining credit, or showing yourself to be a man of responsibility? That referred to the hotel at Smithville L. J."

(Counsel for the defendant objects to the witness answering this question, on the ground, that he (witness) did not meet the defendant until after the goods were sold; the representations if they were made to him were not made for the purpose of obtaining credit.)

Q (The Court) Did he mean that in reference to the credit that you had already given him?

A Yes, sir

Q And for which credit he had not paid yet?

A Exactly, sir

Q Was the representation made to you by Mr. Maloney on the 30th of June in regard to his responsibility for the purpose of continuing the credit already incurred?

A - I quite believe it was, sir

Q State the conversation as far as the responsibility - ?

0579

12.  
A - Went down there, sir, to collect a bill which Mr Maloney owed us. He said that he could not pay it then, but would pay it in ten days or two weeks from that date. He told me that he had bought the hotel and paid for it, and also owned some property back of the hotel.

Q On that did you continue the credit?  
A Yes, sir, on that statement we continued the credit.

Q Has he ever paid you for that?  
A No, sir.

Q His account is still due?

A - The amount is still due, sir.

Q And the sum is ~~an~~ how much?

A - \$87.88

### Cross Examined

Q You testified that he said in effect, Mr Curtin, the substance of my question which was read to you. Now, give me as near as you can the exact language of Mr Maloney in relation to his owning that hotel and paying for it?

A - I think that he said to me, that he had bought the hotel and had paid for it, and did not expect to make any money out of it this year but would the next, as he was going to make some improvements around there. He pointed out some

0580

15

properly back of the stable, he said he was  
also going to improve that  
? Is that all that was said?

A. Well, I could not remember any  
further details, but that was the substance  
of it, Sir

? Assuming that he had not made those repre-  
sentations, would you have continued  
his credit?

A. No Sir, we would not. I will tell you  
simply why. We are very wary of country  
hotels. We have had a little experience  
with them on several occasions.

~~I am~~

I would be pleased to see this  
on the day of Oct 1883

J. Clark Clifton

B. L. Longan  
Police Justice

0581

14.

Defendant's Counsel moved for his discharge on  
the evidence already before the Court

— The Court denied the motion to  
discharge, and held the defendant  
to bail in the sum of Two Thousand Dollars.

0582

Five to Police Court -

The People  
-or-

Thos P. Mahoney

Oct-6-'83  
(23. Lesson)

- Secretary -

D. A. Feltz - Secretary  
101 Centre St. N.Y.C.

0583

POOR QUALITY  
ORIGINAL

COUNTY OF NEW YORK, ss.

In the Name of the People of the State of New York, To any Sheriff, Constable,  
Marshal or Policeman in this State, GREETING :

An indictment having been found on the 25 day of Oct.  
1883, in the Court of General Sessions of the Peace, of the County of  
New York, charging Thomas S. Maloney

with the crime of Grand Larceny first degree

You are therefore Comanded forthwith to arrest the above named Thomas  
Maloney and bring him before that Court to answer the indictment; or  
if the Court have adjourned for the term, that you deliver him into the custody of the Keeper of the  
City Prison of the City of New York.

New York City, the 30 day of Oct 1883.

By order of the Court,

  
Clerk.

0584

POOR QUALITY ORIGINAL

N. Y. General Sessions of the Peace

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Thomas Maloney*  
*122 5th 16th St*

Bench Warrant for Felony.

Issued *October 30* 1883

The officer executing this process will make his return to the Court forthwith.

*Nov. 14<sup>th</sup> 1883*

*The within named defendant is at present living in Boston from information received.*

*Von Gerichin & Reilly*

0585

Examination held this 29<sup>th</sup> day of Sep-  
tember 1883 at 5<sup>th</sup> St. St. Louis Court  
at 2 $\frac{1}{2}$  o'clock P.M.

City & County of Jay. ss.

I John Bullett the Clerk of the Court  
being duly sworn says in con-  
firmation. I first met the de-  
fendant on the 5<sup>th</sup> day of last June  
through an advertisement in  
the Herald of the 5<sup>th</sup> day of June  
at No. 5 Pine Street. for Cashier  
and General Superintendent.

I called at the office No. 5 Pine  
Street pursuant to the adver-  
tisement, I was there shown into  
the room where Mr. Mudgett was,  
I said I called with reference  
to the advertisement which ap-  
peared in yesterday's Herald.  
I said to Mr. Mudgett I was in  
a position to pull down the  
Security and handed in my  
Certificates from my former  
Employers and stated what  
I had been doing from the  
Date of the last Certificate. He  
read them and said they

0586

were satisfactory. Then he, Mudgett, said that Mr Malamy who was the advertiser had purchased a nice piece of property for a Summer Hotel, and that he was a thorough straightforward man and if we could arrange it it would be a very pleasant and comfortable situation for me during the summer months.

I then met shortly afterwards Mr Malamy who said he had bought a fine Hotel down in Long Island, that he had paid \$20,000. for it and he wanted a young man to take charge of the place in his absence - principally to look after the books and the cash - he had other business to attend to in the City and consequently would not be a great deal away from the place - he wanted a thorough trustworthy party and for the faithful discharge of his duty he would be required to deposit \$500. Mudgett who was then present at this

0587

Conversation then said, this party  
referring to me - to Maloney has  
very good references and I think  
feel will suit - Maloney then said  
he had left the matter to Wadgett  
to get a good man - I think it was  
arranged that I was to go down  
to the Hotel and see if I thought  
it was suitable - I met Mr  
Maloney that afternoon and we  
went down to the Hotel together.  
On the journey there, Mr Maloney  
told me that he was interested in  
mining & speculation and that  
he had found out west and he  
reckoned he was worth a half  
million dollars - that he was  
very fortunate always in getting  
out with gentlemen who could  
afford to keep on to the spec-  
ulations until such times as  
they turned commiserative. I  
went down to the Hotel and  
returned next day. Mr Maloney  
asked me on my return to the  
City if I could deposit the money  
due that day. That was on the  
8th day of June last. I said

0588

Certainly, he could get the money  
as soon as we got to the City.  
In the meantime, that is the three  
previous, the agreement between  
us had been drawn up. On  
our return to the City I gave  
Malumy a sight draft upon  
Wesport King and Sons for the  
sum of £224, 19/- which was  
equal in American Currency to  
\$1092.15. Malumy returned to me  
\$292.15 - reserving as per the  
agreement of £68 - for himself.  
After giving thus the money to  
Malumy I asked for a receipt.  
He said Oh - never mind about  
that - I'll give it you after we  
get down to Unityville. Mr  
Mudgett said Oh no you had  
better give it to him here -  
He, Malumy, said surely I am  
good enough for that amount.  
Mudgett said yes - You might  
die and many things might occur.  
Mr. Malumy then gave me a  
receipt. I deposited the money  
as security for the faithful  
performance of my duty.

0589

What I know about <sup>it</sup> ~~that~~ Maloney own-  
ing the Hotel was what he told me.  
What he, Maloney, bought it and  
paid twenty five thousand dollars  
for it.

Re. Daniel Hamman -

The money was paid to Maloney  
at No. 5 Pine Street. It was the  
general representation that he  
~~was~~ <sup>Maloney</sup> responsible and owned  
that Hotel that induced me  
to part with the \$800. I believe  
at the time that Maloney owned  
this Hotel, and in that belief  
I parted with this money. It  
was for these reasons alone that  
induced me at that time to part  
with my money.

Re. Cass Ekmanian.

It was not solely for the pur-  
pose of obtaining the position  
that I parted with my money.

Question. Did ~~you say to Mr~~

Did not Mr Maloney say to  
you at the time of the employ-  
ment that he must have a  
measure of responsibility and the

0590

Who could deposit security for  
the faithful discharge of his  
duties in such position?

Answer. He said that he required  
security for the faithful discharge  
of my duties.

Mr. Wudgett was present at the  
time Mr. Wulsey made the  
representational relations to the  
members of the State.

Examination before me  
September 29<sup>th</sup> 1883  
R. P. Morgan  
Witness.

Examination adjourned till October  
3<sup>rd</sup> 1883. at 5<sup>th</sup> Div. Police Court, at  
2<sup>1</sup>/<sub>2</sub> o'clock P.M. -

Examination held this 3<sup>rd</sup> day of  
October 1883 at 5<sup>th</sup> Div. Police  
Court at 2<sup>1</sup>/<sub>2</sub> o'clock P.M. pursuant  
to adjournment -

The Defendant present with his  
Counsel -

0591

The written agreement marked  
E. 1. and receipt marked E. 2.  
offered in evidence by the attorney  
for complainant, and received  
without objection on the part  
of the counsel for the defendant.

City & County of N.Y. ss.  
I, Robert W. L. West residing at  
No. 23 West 34<sup>th</sup> Street of this City  
being duly sworn say: I am  
an Attorney & Counselor at Law.  
I have only incidentally to the  
Real Estate on my profes-  
sion. An Attorney for the  
House known as the Hotel  
Commissioners at Huintyville L.I.  
for the purposes of sale or letting.  
I know Mr. Thomas P. Maloney.  
He was introduced to me by the  
Real Estate Agent named Corley  
about the last of April or the 15<sup>th</sup>  
of May of this year. We had  
several conversations about  
his leasing or purchasing the  
Hotel and he finally con-  
traced to purchase it.

0592

Two copies of the Contract were made both of which were signed by Dr Guernsey and Mr Maloney. The Contract here shown and marked as Ex. C. is the Contract referred to. Pending the fulfillment of the Contract I permitted Mr Maloney to occupy the premises as a Tenant at Sufferance - The Contract was not fulfilled. And he remained as Tenant at Sufferance so long as he occupied the premises which was about the 25<sup>th</sup> of July. The sum of Six hundred dollars was paid upon the Contract. The first payment of \$100 was made I believe to Real Estate Agent with my concurrence I think May 18<sup>th</sup>. The second payment which was \$50. was made some weeks later. I am not sure of the date. I have a memorandum at the office which would give the exact date. This was all that was ever paid on the

0593

Contract. No title Deed or property  
Ever passed to Mr. Malumy.

Can Examination.

Mr. Malumy remained in  
possession of the premises from  
about the 10<sup>th</sup> of May to the 20<sup>th</sup> of  
July. During that time he held  
possession only part of the  
time under this Contract. E. J.  
Under this Contract E. J. held  
possession until the Contract  
was broken which was about  
20 days after May 10<sup>th</sup>. Subsequent  
to that time only by my per-  
mission and an agreement  
with me that he was a Tenant  
at Sufferance. I told the De-  
pendent Malumy that if he came  
forward <sup>with the money</sup> within a reasonable  
time I would permit him to  
fulfill the Contract. This was a  
continued understanding while  
he was in possession. Subse-  
quent to the breaking of the  
Contract I think he paid the  
sum of \$500. already referred  
to. This understanding does not

0594

now contains in the same form.

Re-direct Examination.

The \$500 referred to was paid  
on the 5<sup>th</sup> of June last to the  
best of my recollection

Robert W. Gilbert

Sworn to before me

October 3<sup>rd</sup> 1883

R. H. Morgan  
Police Justice.

0595

WILLIAM E. ILIFF,

ATTORNEY AND COUNSELOR AT LAW,

7 NASSAU STREET,

Continental Bank Building.

NEW YORK.

0596

W. L. Oct. 3<sup>rd</sup> 1883. B. L. L. P. J.  
Agreement made the seventh  
day of June 1883 between  
Thomas Malaney and  
John Halkett.

Malaney agrees to employ  
Halkett as cashier and  
bookkeeper and general super-  
intendent of the Hotel Brus-  
wick Amityville Long Island  
for the season at a weekly  
salary of twenty dollars per  
week for the first four weeks  
and at the rate of twenty five  
dollars per week thereafter.

Halkett deposits with  
Malaney eight hundred dol-  
lars as security for the  
proper discharge of his duty.  
The same to be returned to  
him on thirty days notice from  
Halkett.

Witnessed  
Malaney

Thomas Malaney  
John Halkett

0597

New York June 8<sup>th</sup> 1853

Received from John Falkitt - eight  
hundred dollars as per agreement of  
June 7<sup>th</sup> 1853

Thomas Maloney

Recd. June 30<sup>th</sup> 1853.  
B. L. H.  
J. J.



0599

POOR QUALITY ORIGINAL

John M. ...

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POOR QUALITY  
ORIGINAL

0600

*Ed. J. ...*  
*...*  
*...*



0601

Memorandum of Agreement made May 7<sup>th</sup> 1883  
between Egbert Guernsey and Thomas P. Malamy.

Guernsey agrees to convey to Malamy the Hotel  
and premises known as the Douglas House  
situated at Amityville, Suffolk Co. N.Y. for  
the sum of \$21500. subject to the following  
conditions:

Premises to be conveyed subject to mortgage  
for \$15500. now thereon which is part of the  
consideration above named; said Malamy  
to pay \$2000. in cash within 20 days from  
date hereof, and to give said Guernsey a  
mortgage for \$4000. on the premises, same  
to be a second lien on the real estate and  
a first lien on the chattels now contained  
therein to be payable as follows. \$1000. May 1.  
1884; \$1000 September 15. 1884, and the balance  
of \$2000 May 1. 1885. Such mortgage to bear  
date June 1. 1883. and sums secured to draw  
interest at six percent per annum. to  
be payable Jan. 1. and July 1. of each year.  
Said Guernsey agrees to sell and deliver to  
Malamy with and as part of said premises  
all the furniture chattels and fixtures in  
and about said premises, now owned by  
the said Guernsey, same to be included in  
above purchase price.

Deed and bond and mortgage to be delivered June

0602

1. 1883. title to be searched before that date.  
Conveyance to be free of taxes and interest,  
and other liens except ~~as above~~ <sup>mentioned</sup> mortgages.

Malamy agrees to purchase at terms  
above stated, and also to keep furniture  
issued for amount of second mortgage  
policy to stand as security for same.  
Guernsey agrees that Malamy may enter  
said premises & occupy the same as tenant  
by sufferance until June 1. 1883. when  
possession is to be given him.

In presence of  
Eugene A. Duplanti  
Robert W. Gilbert

Egbert Guernsey

Thomas P. Malamy

