

0 19 1

**BOX:**

442

**FOLDER:**

4071

**DESCRIPTION:**

Quigley, Michael

**DATE:**

06/30/91



4071

0192

Witnesses:

After having examined into all the facts herein and from statements made by the complainant I am of opinion that no conviction can be had as the element of intent is lacking therefore I command that the indictment be dismissed

Wm. H. Thompson  
Sept 21/91

Counsel, *Lo (True)*  
Filed *20* day of *June* 1891  
Pleads, *Not Guilty July 1/91*

THE PEOPLE

vs.

*Michael Lingley*

Grand Larceny (Second Degree.)  
[Sections 528, 537 — Penal Code.]

DE LANCEY NICOLL,

District Attorney.

Sub. T Sept 18, 91 12.5.60

Sub. I " 21, 91 6.5.60

A True Bill.

*Chas. J. [Signature]*  
Foreman.  
*Sept 21/91*  
*[Signature]*  
*[Signature]*

0193

Police Court 5th District.

Affidavit—Larceny.

City and County }  
of New York, } ss:

Timothy Mahoney  
of No. 340 East 4th Street, aged 27 years,  
occupation Mason & Builder being duly sworn,  
deposes and says, that on the 24 day of June 1891 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the pos-  
session of deponent, in the day time, the following property, viz:

One horse and wagon together of the  
value of Four hundred and twenty five  
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 Michael Quinlan

from the fact that at about the hour of eight  
o'clock and thirty minutes A.M. on said date  
deponent left the said horse and wagon standing  
in front of a building deponent was erecting on  
the corner of Twenty first Street and East 4th Street  
and deponent is informed by Patrick McKeon  
of No 405 East 4th Street that at about the  
hour of nine o'clock A.M. on said date he saw the  
said deponent take and carry away  
the aforesaid property. Deponent is further informed  
by Officer Patrick McKittick of the 26th  
Precinct Police that he found the deponent in  
possession of said property and deponent subsequently  
saw said property and identified the same as deponent's property.

Timothy Mahoney

Sworn to before me this 25 day  
of June 1891  
Police Justice.

0 194

CITY AND COUNTY } ss.  
OF NEW YORK, }

*Patrick McKittrick*  
aged *29* years, occupation *Police Officer* of No. *265*  
*Greenwich* Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of *Timothy Mahoney*  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this *25*  
day of *June* 188*7* *Patrick M. Kittrick*

*[Signature]*  
Police Justice.

0195

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Patrick Noctor*

aged 30 years, occupation Labour of No.

405 East 9th Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of *Timothy Mahoney*

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

Sworn to before me, this 25th day of June 1889 *Pat Noctor*

*[Signature]*  
Police Justice.

0196

Sec. 198-200.

5

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Michael Quigley* 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 Quigley*

Question. How old are you?

Answer.

*39 years*

Question. Where were you born?

Answer.

*Ireland*

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

Answer.

*206 West 60<sup>th</sup> St New York*

Question. What is your business or profession?

Answer.

*Parer*

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 of stealing the horse and wagon I was intoxicated at the time and I did not know what I was doing*

*Michael Quigley*

Taken before me this

day of

*20*  
*1899*

Police Justice

0197

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, *500* and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated *June 20* 188*9* *[Signature]* Police Justice.

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

Dated *[Blacked out]* 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.

0198

Police Court *5th* District *849*

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Timothy Mahony*  
*370 vs. 86th St*  
1 *Michael Quigley*  
2  
3  
4

*Lawrence*  
*Palmer*  
Offence

BAILED.

No. 1, by *Patrick Doklan*  
Residence *517 West 49th* Street.

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

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

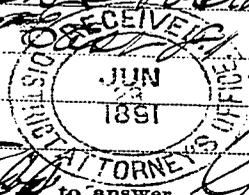
\_\_\_\_\_ Street.

Dated *June 25* 1891  
*Dinner* Magistrate  
*Patrick McKittrick* Officer.

Witnesses *Patrick McKittrick*  
No. \_\_\_\_\_ Street.

*Patrick Keaton*  
No. *405* Street.

No. \_\_\_\_\_ Street.  
\$ *5.00* to answer



*Com*

0199

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 Quigley*

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this  
indictment, accuse *Michael Quigley* —

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

The said

*Michael Quigley*

late of the City of New York, in the County of New York aforesaid, on the *24<sup>th</sup>*  
day of *June* — in the year of our Lord one thousand eight hundred and  
ninety *one*, at the City and County aforesaid, with force and arms,

*one horse of the value of three  
hundred and fifty dollars and  
one wagon of the value of one  
hundred and twenty five dollars*

of the goods, chattels and personal property of one

*Timothy Mahoney*

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

*He Lancy Nicoll,  
District Attorney.*