

0311

BOX:

203

FOLDER:

2031

DESCRIPTION:

Hackett, Patrick

DATE:

01/05/86



2031

0312

BOX:

203

FOLDER:

2031

DESCRIPTION:

Donnelly, Thomas

DATE:

01/05/86



2031

0313

XXX—

Counsel,
Filed *5th day of June* 188*6*
Pleads, *W. J. Quilty - 16*

(Section 219, Penal Code.)

ASSAULT IN THE THIRD DEGREE

THE PEOPLE

vs. *B*

Patrick Hackett

and *R*

Thomas Donnelly

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

Wm. J. Higgins
Langley Foreman
Send to J. Percival
for bond.

Witnesses:

03 14

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Patricia Madath and
Thomas Donnelly*

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

Patricia Madath and Thomas Donnelly

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

The said *Patricia Madath and
Thomas Donnelly*, each —

late of the First Ward of the City of New York, in the County of New York aforesaid, on the *25th* day of *December*, in the year of our Lord one thousand eight hundred and eighty-*nine*, at the Ward, City and County aforesaid, in and upon the body of one *Peter McDonald*, in the peace of the said people then and there being, with force and arms, unlawfully did make an assault and *injure* the said *Peter McDonald*, did then and there unlawfully beat, wound and illtreat, to the great damage of the said *Peter McDonald*, 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.

RANDOLPH B. MARTINE,

District Attorney.

0315

BOX:

203

FOLDER:

2031

DESCRIPTION:

Hager, Albert

DATE:

01/29/86



2031

0316

311
Counsel,
Filed 29 day of Jan'y 1886
Pleads,

THE PEOPLE
vs.
Albert Dager
Burglary in the 1st Degree.
[Sections 498, 500, 529, 531]

RANDOLPH B. MARTINE,
District Attorney.

A True Bill.

Francis Higgins Foreman
Jan'y 29th
Pleads True Bill
Ed. R. S.

Witnesses:
Rem for
Chas. Haneigan ✓
414 E. 1st
Joseph Chaswell ✓
210 C. 1st
August Poppe ✓
408 E. 1st
Mrs. Siemich ✓
415 E. 1st
Officer & Constable

0317

Police Court 3 District.

City and County of New York, ss.:

of No. 21 Seventh Street, aged 38 years,

occupation grocer being duly sworn

deposes and says, that the premises No. 21 aforesaid 17th Street,

in the City and County aforesaid, the said being a dwelling where

deponent resides with his family and which was occupied by deponent as a dwelling

and in which there was at the time a human being, by name Mrs Keller

were BURGLARIOUSLY entered by means of forcibly breaking

open with a jimmy a door leading from the hallway into said dwelling

with intent to commit a larceny therein

on the 23 day of January 1886 in the day time, and the

following property feloniously taken, stolen, and carried away, viz:

one eight day clock of the value of fifteen dollars

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

Albert Hager

for the reasons following, to wit:

That deponent was informed by one Frank Levi that a man had come out of deponent's apartment having a clock in his hands. That deponent then discovered that the door above referred to had been forced open with some instrument and the clock in question stolen and carried away.

That deponent followed in the direction taken by the defendant and overtaking him found the clock which deponent identifies as being in the defendant's possession.

Sworn to before me this 23 day of January 1886 at New York City

Notary Public

0318

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss

District Police Court.

Albert Hager

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

Albert Hager

Question. How old are you?

Answer

20 years

Question. Where were you born?

Answer.

Wisconsin

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

Answer.

144 East 14 Street

Question. What is your business or profession?

Answer

Painter

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 the charge
A. Hager*

Taken before me this *20* day of *January* 188*8*

[Signature]

Police Justice.

03 19

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 _____

Albert Hager

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

January 23 188*6*

H. A. Belde

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.

0320

And do. for 9th.
I did 2 J. 3 P.M.
Justice here in
my absence is hereby authorized
to proceed with the case in the
reason that I will be absent from
this jurisdiction
Jan 23/1886

Police Court

District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Christian Thomas
21-7th St.
Albert Hager

Offence *Swagman*

BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

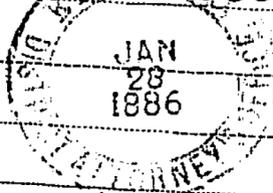
No. 4, by _____
Residence _____ Street.

Dated January 23 1886

Downey Magistrate
William Reynolds Officer.
17th Precinct.

Witnesses *Frank Levi*
No. *21 Seventh* Street.

No. _____ Street,



No. _____ Street,

\$ *1000* to answer

Geo
Om

0321

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Albert Stager

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

Albert Stager

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

The said *Albert Stager*,

late of the *Seventeenth* Ward of the City of New York, in the County of New York aforesaid, on the *twenty third* day of *January*, in the year of our Lord one thousand eight hundred and eighty-*six*, with force and arms, about the hour of *twelve* o'clock in the *day* time of the same day, at the Ward, City and County aforesaid, the dwelling house of one *Christian F. Thomas*,

there situate, feloniously and burglariously did break into and enter, there being then and there some human being, to wit: *one John Keller, whose real Christian name is to the Grand Jury aforesaid unknown*, within the said dwelling house, with intent to commit some crime therein, to wit: the goods, chattels and personal property of the said *Christian F. Thomas*,

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,

0322

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said

Albert Haager
of the CRIME OF ~~GRAND~~ LARCENY IN THE ~~DEGREE~~, committed as follows:

The said *Albert Haager*,

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,
at the Ward, City and County aforesaid, in the *day* time of the said day, with force and arms,

one book of the value of

fifteen dollars.

of the goods, chattels and personal property of one *Christian F. Schaner*,

in the dwelling house of the said *Christian F. Schaner*,

there situate, then and there being found, from 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.

Handwritten signature
Handwritten signature

0323

BOX:

203

FOLDER:

2031

DESCRIPTION:

Hall, William

DATE:

01/27/86



2031

0324

Witnesses:

162

Counsel, J. H. Johnson
Filed 27 day of January 1886
Pleads, A. W. Kelly vs.

Grand Larceny, 5th Degree,
(From the Person.)
[Sections 528, 529, 530, — Penal Code].

THE PEOPLE

vs.

R

William Hall

W. Johnson
vs.

RANDOLPH B. MARTINE,

District Attorney.

W. H. Johnson
vs. A. W. Kelly

ill.

one year

Foreman

Foreman

0325

Police Court First District.

Affidavit—Larceny.

City and County }
of New York, } ss.:

of No. 38 Elizabeth Hoop Kee
Street, aged 40 years,
occupation Laundry being duly sworn

deposes and says, that on the 23 day of January 1886 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of person of deponent, in the night time, the following property viz :

Gold and lawful Money of the United States, ^{in Silver Coins} of divers denominations of the amount and value of Four 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 William Hall (now here)

from the fact that defendant came into deponents laundry and asked deponent to change a two dollar bill for defendant and while deponent was in the act of giving defendant the change the said defendant snatched the aforesaid money from deponents left hand and ran out of said store and deponent positively identifies defendant as the man that did take said money Hoop Kee

Sworn to before me, this 23 day of January 1886
Samuel P. Kelly
Police Justice.

0326

Sec. 198-200.

152

District Police Court.

CITY AND COUNTY OF NEW YORK } ss

William Hall

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. *William Hall*

Question. How old are you?

Answer. *27 years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *23 Boreny three days*

Question. What is your business or profession?

Answer. *work on a yacht*

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 the charge*

William Hall

Taken before me this

day of *January* 188*8*

[Signature]

Police Justice.

0327

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 William

Hall

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 15 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

May 26 188

Samuel C. Smith 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.

0328

Police Court 15th 92 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Wm. Kee
38 Elizabeth
William Hall

Offence from the person

BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Dated Jan 24 1886
P. Reilly Magistrate
Wm. Walsmises Officer.
6 Precinct.

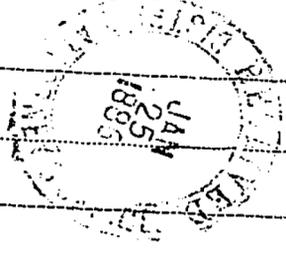
Witnesses _____
No. _____ Street.

No. _____ Street,

No. _____ Street,

\$ 15.00 to answer GS

Committed
\$15.00 for 4 Jan 25
2 P.M.



0329

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

William Hall

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

William Hall

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

The said *William Hall*

late of the First Ward of the City of New York, in the County of New York aforesaid, on the *Twenty third* day of *January* in the year of our Lord one thousand eight hundred and eighty-*nine*, in the *night* time of the said day, at the Ward, City and County aforesaid, with force and arms,

*did enter and break into the United States of America, as a member, said and determination to the said *James* and *William*, of the value of four dollars,*

of the goods, chattels and personal property of one *John Lee*, on the person of the said *John Lee*, then and there being found, from the person of the said *John Lee*, 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.

Richard J. ...
District Attorney

0330

BOX:

203

FOLDER:

2031

DESCRIPTION:

Harrington, John

DATE:

01/14/86



2031

1 E 3 3 1

159

Counsel: *Brade A.*
Filed *1st* day of *August* 188*6*
Pleads *Not Guilty*

[Section 107 - Penal Code]

THE PEOPLE

vs.
John Harrington

RANDOLPH B. MARTINE

By McElroy
Not Guilty to the charge of grand
larceny in the second
A TRUE BILL.

Sworn to by
for the State
at the Court House
at *12/12/86*

Foreman

Samuel M. ...
S. C. ...

at and for ...
at *Nov 2/86*

Witnesses:

0332

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

John Harrington 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

John Harrington

Question. How old are you?

Answer

54 Years

Question. Where were you born?

Answer.

Ireland ~~135 West~~

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

Answer.

135 Washington St 9 mo

Question. What is your business or profession?

Answer.

Porter

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 have no statement to make

John Harrington

Taken before me this

day of *January* 1888

John Harrington

Police Justice.

0333

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

Harrington

John

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of ~~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 Aug 6 188

Solomon
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.

0334

Police Court *Dist 46* First District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

William Conley
27th Precinct
John Harrington

Homicide
Offence

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated *January 10th* 188 *6*

Smith Magistrate

Wm Conley Officer.

27th Precinct.

Witnesses *Manner Rocks*

No. *27th Precinct* Street

Victor Hagmeyer

No. *135 Washington* Street.

Mrs Eliza Wear

No. *135 Washington* Street.

1886

\$ _____ to answer

Shak Gorman

135 Washington Street

Con

Mr. Justice Herald
Deputy Office

0335

STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, SS.

AN INQUISITION,

Taken at the house of Coroners Office No. 15 Chatham Street in the 4th Ward of the City of New York, in the County of New York, this 5 day of January in the year of our Lord one thousand eight hundred and 86 before

M. J. B. Messener M.D. Coroner, of the City and County aforesaid, on view of the Body of Ellen Harrington

135 Washington St. Ten lying dead at Upon the Oaths and Affirmations of good and lawful men of the State of New York, duly chosen and sworn, or affirmed and charged to inquire, on behalf of said people, how and in what manner the said Ellen Harrington came to her death, do upon their Oaths and Affirmations, say: That the said Ellen Harrington came to her death by

Shock from Compound Fracture of the Skull and laceration of the Brain - said injuries having been inflicted with a hatchet in the hands of John Harrington at 135 Washington St. on December 30/85 about 12.45 AM.

In Witness Whereof, We, the said Jurors, as well as the CORONER, have to this Inquisition set our hands and seals, on the day and place aforesaid.

JURORS.

- Stiefel Ave 114 B B
Philip F. Kelly 144 Ave C
James Currie 142 Ave C
Marcus Strub 174 Ave C
Chapmanfield 145 Ave C
James B. Rice 157 Ave C
Beynat Klers 165 Ave C
Hunt Harrison 173 Ave C
Charles Lepploc 170 Ave C
M. J. B. Messener

CORONER, L. S.

0336

CORONER'S OFFICE.

TESTIMONY.

Officer Wm Conley 27th Precinct being sworn says: On Decr 30/85 about 12:45 AM I was informed of the murder of deceased I was on post in Washington, when I was notified by a citizen. I went to the house 135 Washington St. Another officer went with me. We found the Prisoner standing in the room his hands being covered with blood. We took him to the Station House. On going there he said he had committed the deed with a hatchet. (Exhibit No. 1 Hatchet now produced.)

William Conley
Sworn before me this 5th
day of January 1886
Solon B. Smith
Police Justice

Taken before me

this 5th day of January 1886
M. J. Mearns
CORONER.

0337

CORONER'S OFFICE.

TESTIMONY.

2

Officer Maurice Roach 27th Precinct being sworn says. On Decr 30/85, ^{at 12:45 am} I was standing on Cedar & Washington Sts. when I was notified by a citizen that a murder had been committed at 135 Washington St. I sent for Officer Conly & we went to the house and found the deceased lying on the floor dead. The husband was standing in the middle of the floor looking at the deceased. The place was laid out nearly the supper being on the table. We took him to the station house, on the way he admitted having committed the murder. An ambulance came but the woman was dead.

Maurice Roach
Sworn to before me this 5th day of January 1886
Solomon Smith
Police Justice

Taken before me

this 5th day of January 1885

[Signature]

CORONER.

0330

Nicko Stagenbach being sworn says. I reside at 135 Washington St. same house with the Prisoner, I never knew the deceased I never saw the Prisoner until the day of the murder, On Decr 30/85 after 12:30 a.m. the deed was committed, I heard some screams & heard some one fall to the floor I ran up & rapped at the door, but was not admitted I heard sounds as if some one was being murdered, I went down & put on my pants, I saw a woman at the head of the stairs I asked her, I said there is a strenuous fight up stairs - she said "I think he is Kelly - her. I said "I think she is dead already" I went for an officer & found Officer Roche and told him that a man was murdering a woman in 135 Washington St. He told me to go for the other Officer ^{at Court House} I went out to find him, but he thought I was trying to escape & he pushed at me with his club I told him about the murder. When we got to the house they told me to light the lamp to see what was the matter. We went up stairs, a woman in the

Taken before me

this day of 188

CORONER.

0339

CORONER'S OFFICE.

TESTIMONY. 4

hall said "she is dead. An officer arrested the prisoner, he admitted having committed the murder with a hatchet, I said to him if you had admitted me when I rapped the deed would not have been committed ^{the prisoner said what you want could you say} meanwhile the two officers took the prisoner away. A woman entered the room, there was a large clot of blood on the floor, the deceased lay on her back near the window her head on her right shoulder, her dress was drawn up & she had her hand on her drawers but her legs she was still moving, One of the women went for a pillow & put her head on it, On Sunday ~~one~~ previous to James the prisoner came through the house with a knife threatening to kill any one he met. Then the police was called in, after they left he was as distrustful as ever. Before I went for the officers I heard some furniture being broken & heard the prisoner say "now you have got it". Afterwards I found the piece of furniture was a chair which was broken into fragments.

Taken before me

this day of 188

[Signature]

CORONER.

Sworn to before me this 10th day of January 1886
 Victor Hagenbach
 Salom B. Smith Police Justice

0340

CORONER'S OFFICE.

TESTIMONY.

Mrs. Elya West being sworn says.
 I reside at 135 Washington St. I knew
 the deceased since May last, I did not
 know the prisoner so long. On Decr 30th
 about 3. I was in bed my husband was
 at work & listening for his footsteps when
 I heard one scream of a woman
 I jumped out of bed and went to the
 next floor I said I thought Mr.
 Harrington was killing his wife,
 I went & put on my dress & went to
 Harrington's landing, I heard very low
 moans, I said a shade over the fan light
 could not say what it was. I clasped
 my hands ~~to~~ make a noise, I
 screamed, I heard the prisoner
 say "too late, too late, the
 deed is done" I heard the deceased
 say twice "Lift me up, Lift
 me up," He then opened the door
 I then saw the blood & screamed
 murder! she is killed" He said
 yes, I killed her, "there is no
 friends belong to you, The Lord
 have mercy on you" Three Officers
 came in Mr Conley, Pouch & another Officer
 and then I was sickened at the sight of the
 woman lying in a pool of blood her head left
 in two, I can state nothing further
 Taken before me

this 5th day of January 1885
 Elya West
 Sworn to before me this 5th
 day of January 1886
 Solong J. Smith
 Police Justice

CORONER.

0341

CORONER'S OFFICE.

TESTIMONY. 6

Sarah Roman being sworn says;
I reside at 135 Washington St. On Decr 30th
about 12.50 AM I heard Mrs West scream
when I jumped out of bed, I said
"My God is she dead without the
priest" it is a six story building,
there are 22 families in it, I live in
the 4th story deceased lived in 2 floor
back left hand side (North) ^{Room No 6}
When I entered the room she was not
dead she moaned 3 times, I ran out
and sent for the priest, she was lying
on her back, the Officer told me she
was dead, I went down stairs & stood
with the Officer in the room of
deceased till 2.30 AM I had not
seen the prisoner since 20th Decr,
when he was fighting, he drinks - he
called bad names to his wife
he fell & broke one of the rings of
the banister, he was quarrelling with
another man in the house, ^{Mr. Butler} they went
down to the street but returned with
out fighting, I went for an Officer,
I went into the prisoner room 2 weeks
after election, the deceased was very
peaceful - she did not drink she
was very respectable & clean, she had been
washing the day of the murder, the prisoner used
to take before me

this day of 188
J. J. Merser
CORONER.

0342

CORONER'S OFFICE.

TESTIMONY.

7

to beat his wife frequently. Mr & Mrs. Butler used to allow the deceased to stay in their room on such nights as her husband beat her, in order to save her. The prisoner got jealous of James Butler - that is why her quarrels with them. The prisoner got a good thrashing from my husband & another young man.

Sarah ^{her} Gorman
narrator

Sworn to before me this
5th day of January 1886
Solomon Smith
Police Justice

Taken before me

this 5 day of January 1886

W. W. Wessenden
CORONER.

0344

CORONER'S OFFICE.

TESTIMONY.

and inferior curved lines, there are two
wounds, each one connecting with
a compound fracture of the skull.
About three inches over the left ear
there is a wound about two inches long
which is a simple scalp wound,
and in my opinion was due
to ~~the~~ ^{the} compound fracture of the skull,
and laceration of the brain.

Justin Heved M.D.

Taken before me

this 5 day of January 1886

Wm. B. Russell
CORONER.

0346

MEMORANDUM.

AGE.	PLACE OF NATIVITY.	WHERE FOUND.	DATE, When Reported.
40 Years - Months - Days.	Ireland	135 Washington St	Dec 30/85

906 - 1885
HOMICIDE.
AN INQUISTION

On the VIEW of the BODY of
Ben Harrington
 whereby it is found that he came to
 his Death by the hands of

John Harrington

Inquest taken on the 5th day
 of January 1886
 before

W. J. B. McLaughlin Coroner.
 Committed
 Discharged
 Date of death Dec: 30/85

0347

File 906 - 1888
HOMICIDE.

AN INQUISITION

On the VIEW of the BODY of
Ellen Harrington
whereby it is found that she came to
her Death by the hands of

John Harrington

Inquest taken on the *5* day
of *January* 1886
before

M. J. B. Messers, Coroner.

Committed
Bailed
Discharged

Date of death *Decr; 30/83*

MEMORANDUM.

AGE.	<i>40</i> Years - Months - Days.
PLACE OF NATIVITY.	<i>Ireland</i>
WHERE FOUND.	<i>135 Academy for Decr 30/83</i>
DATE When Reported.	<i>Decr 30/83</i>

0348

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

POLICE COURT, 1st DISTRICT.

William Conley
of No. *the 27 Precinct* Street, being duly sworn, deposes and says,

that on the *night of the 29th* day of *December* 188*5*
at the City of New York, in the County of New York, *he arrested John*

Harrington in premises 135 Washington
Street, that the defendant was standing
over the dead body of Ellen Harrington
which was lying on the floor, her head
having been cut open and covered
with blood. And a bloody axe lying
on a table close to where the defendant
stood. That the defendant's hands were
covered with blood. And he admitted
to deponent that he struck said Anne
with the axe & deponent believes that
said Anne's death was caused by
William Conley

Sworn to before me, this

of December 31st 1885

James W. McNamee
Justice

0349

Dr. WILLIAM L. HARDY,
353 West 28th Street.

New York, February 15th 1886

Hon Randolph B Martin
District Attorney
Dear Sir

I have had
John Harrington charged with
murder under daily observation
for the past ten days. From
his previous history his conduct
in prison and my examination
I am of the opinion that he is
insane and a proper subject for
an insane asylum. I am also
of the opinion that he was ^{insane} at
the time he committed the murder

Respectfully
William L Hardy M.D.

0350

The People
VS
John Harrington

0351

115. East 45th St.
New York, City
Mar. 9/86.

Hon. R. B. Hartine

Sist. Attorney

Dear Sir:

At your request I have examined John Harrington now at the City Prison awaiting trial for murder. I have seen him on four occasions & at each of these times have held long conversations with him. I also called upon his former employers & talked with his fellow workmen. I have come to the conclusion that he is of unsound mind & irresponsible. I shall see him from time to time until the trial comes off.

Respectfully submitted
Matthew J. Field, M.D.

0352

People

vs

John Harrington

0353

Pal 1

The People ex rel.
Mary Curran.

vs.

Maria Algie
def.

2 City & County of New York vs.
William S. Stone Jr.
being duly sworn deposes and
says that he is a practicing
Attorney in the City of New York
and that he represented the Dis-
trict Attorney & the Complainant
in the proceedings subsequent
to the arrest of the defendant
and during her examination
before the Magistrate, his Honor
Judge Gourman in the Jefferson
Market Police Court.

Deponent further states that
the crime of which the defen-
dant is charged is Grand Lau-
dery in embezzling & appro-
priating over two thousand

0354

dollars of the complainant's money.

That after a lengthy examination extending over a period of two months, the defendant was held by the Magistrate to await the action of the Grand Jury, and ordered to renew her bail.

This Honor, Judge Rowan requested deponent to take time to examine the nature and value of the property, which was offered as security for defendant's bail by her son David B. Alger and in the mean time the defendant was placed in the custody of her counsel.

Deponent began an investigation of the said proposed security and late at Nos. 145 and 149 Conover Street in the City of Brooklyn, and Deponent took the opinions of two experts acquainted with the value of property in the neighborhood and of this property in particular and

0355

deponent ascertained and reported to the Court as a result of said enquiries that said property No 145 & 149 Courten St. was not sufficient security; that both pieces were probably not worth more than twenty two ~~to~~ thousands dollars, and that the mortgages upon them were eighteen thousand leaving an equity of only four thousand dollars while the bond called for was five thousand dollars.

Justice Younan at first refused to accept the bail upon the foregoing state of facts, and directed the defendant to provide other security, but it appearing to the Court that it was impossible for the defendant to procure any one else, and upon the view, that No 149 Courten St. being a corner lot might bring if sold enough over the value of the other lot to make the total valuation \$23,000, in which case, it would just equal the required bond, he, the said Justice, conclu-

0356

ded to accept the bail as offered,
and the said David B. Algie
thereupon became bondsman for
8 the said defendant in the sum
of five thousand dollars.

The defendant has since
said time and on or about
the day of September last been
indicted by the Grand Jury
of this City and County, and has
pleaded, not guilty, and the
case hereinabove entitled is
on the Calendar of this Court
for trial as deponent is infor-
med and believes.

9 That on the sixth day of October
1885 there appeared on record in
the Register's Office in the County
of Kings, a deed by the said Da-
vid B. Algie to one Thomas Knapp
conveying unto the premises
and all right and title therein
of David B. Algie, situated
at 145 Canaan Street Brook-
lyn, which are ^{part of} the same prem-
ises mentioned in the said bail
bond above mentioned.

10 Deponent has examined the

0357

said deed and finds it to be a valid deed in every respect.

The said David B. Algie has no other property in this State to the best of deponents' belief from investigations recently made, excepting five lots on seventieth street and 11 Ninth Avenue, upon which the foundations for houses have been laid. The nominal value of these lots is about seventy five thousand dollars, and they are mortgaged for seventy four thousand dollars, so that the said David B. Algie's actual 12 interest in the said five lots is very small little beside the value of the foundations which have been laid, and this property was regarded as of ^{no} ministerial or a character that Judge Gorman would not accept it upon the bond as worth anything whatever.

That the defendants' bail has been diminished in value and security about forty or fifty per cent by the conveyance

... is fraud carrying in embezzling & appropriating over two thousand.

0358

of 145 Conover St. above men-
tioned; and is entirely insuffi-
cient in its character on that
account.

That in addition to the foregoing
facts, deponent has ascertained
from reliable sources that
the remaining piece piece of
" property, 149 Conover Street, yet
unsold is liable to be foreclosed
and sold under one of the mort-
gages now upon it, and the security
thus rendered worthless and the
bail bond valueless.

Sworn to before me E. M. Stange
October 19th 1880
E. O. O'Connell Deponent.
Notary Public.
N.Y. Co.

0359

People see see
Mary Curran

or

Maxia Algia

Affidavit of
D. A. Stone Jr.

As to sufficiency
of said affidavits

0360

District Attorney's Office.

PEOPLE

vs.

Maria Algie

G.L.

Let this case
be tried among
very early bail
cases. Next week if possible.

Subpoena

John Curran 506 W. 26 St.

as a witness for the

prosecution -

Recd. 14/85 R.B.M.

Coman

0361

102 Broadway
Nov. 13th 1885

Dear Randolph P. Martine

Dear Sir,

Not forgetting the many matters that occupy your time, permit me to bring to your notice the case of the People ex rel Cuman vs Maria Alge, in which an indictment was found two months ago for Grand Larceny.

I think an examination of the papers will show the probability that a conviction can be secured and that the crime if proved calls for suitable punishment.

You may remember that the accused was to have renewed her bail some

0362

time ago. For some reason
best known to your office.
This requirement has not
been enforced.

Owing therefore to the redu-
ced state of the bond it seems
to me that the case should
be pressed for trial with
all speed.

Delay under the circum-
stances simply enables
the defendant to repeat
statements which she has
already circulated, and
which are very absurd in
themselves, to the effect that
she had now got things
her own way.

I tried to see you today
to tell you the above, upon
Mr. Paris' introduction with
whom I am acquainted
but I found you were

0363

engaged.

I may add that the husband of the complainant is a very important witness for the prosecution & that though his name does not appear upon the papers. His address is

Mr. Curran, 506 West 26th St.
N.Y. City

Very truly Yrs.

Wm. Stoney

0364

The People

vs

Alger

0365

District Attorney's Office.

PEOPLE

vs.

Maria Algie

G.L.

Let this case be
tried in Part 1 -
this term, P.B.M.,
Jan. 5/86

To Mr. Conner

[Signature]

0366

Robert McCahill

Supreme Court

Mary Curran

agst

Annie L. McCahill

Special Term

October 17th. 1884

Donohue, J.

Mr. Ambrose Monell for plaintiff

Mr. D. W. C. Brown for defendant.

Mr. Monell opened the case and called as

a witness

Mary Curran, who being sworn, testified as follows ---

Q You are the plaintiff in this action? A Yes.

Q When were you married to your present husband?

A Last October.

Q On the 22nd. of September your name was Mary Mc Laughlin? A Yes.

Q During the year 1883 were you a part owner of the premises 336 East 32nd. Street in the City of New York?

A Yes.

Q Who was joint owner with you in the premises?

A My sister.

0367

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Q They had previously belonged to your mother ?

A Yes .

Q Where did you live in the early part of 1883 ?

A I lived with Mrs. Algie .

Q Before that ?

A In 41st. Street between 2nd
& 3rd . Avenues .

Q How long have you known Mrs. Algie ?

A She
was my mother's first cousin .

Q How long have you known her ?

A Since I was
a little girl .

Q When did you go to live with Mrs. Algie in 1883 ?

A The thard week in June .

Q Before that you were living in 41st. Street ?

A Yes .

Q How did you come to go to live with Mrs. Algie ?

A I got a letter from Mr. Sullivan that my sister
was going to bring the house in Court and I brought the
the letter to Mrs. Algie .

Q You went over to see Mrs. Algie ?

A Yes .

Q State what you said to Mrs. Algie in regard to it ?

Objected to by defts counsel

0368

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The Court --- They must connect you with it .

Q State your conversation with Mrs. Algie at this time ?

A I went over to see Mrs. Algie with the letter . Mrs. Algie told me to come there in two or three days , she wanted me to stay with her , told me to come and live with her .

Q What did you do ? A I went to live with her in June 1883 .

Q When did you leave there ? A I left there the 22nd. of November 1883 .

Q What conversation , if any , did you have with Mrs. Algie , in regard to your brother's and your sister's , or this house --- relating to the sale of your interest in it by you ; how did you come to talk about it ?

A Mrs. Algie said she could sell my half and she could get a rich gentleman down town to buy it , he would give me the money , and she would take me to get the money .

Q She would take you to get the money ? A Yes .

Q Did she say any thing to you in regard to any ~~threats~~ threats on the part of your sister of taking the prop-

0369

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erty away from you , or putting you in an Asylum , or any thing of that kind ? A Yes , there were about 20 or 25 people came up there , they would were going to serve me with papers .

Q She told you this , that there were 20 or 25 people up there to serve you with papers ? A Yes ; they came around the second time to serve me with papers to put me into a Lunatic Asylum .

Q She told you this ? A Yes .

Q After you went there on the 22nd. of June how often did you leave the house ? A She kept me
locked up two months .

*See
infra*

Q Without going out of the room ? A She did not want me to go out .

Q Do you know of people calling there to see you while you were locked up ? A Yes . She was in the room ; she told me not to go out , they were going to serve me with papers .

Q And would not let you see them ?

A Would not let me see them . She said there were detectives ~~xxxxxx~~ after ~~me~~ her too .

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Q How often did she tell you this ? A She told me this for about 6 weeks , every day she was telling me .

Q Every day for about 6 weeks she was telling you this ? A Yes .

Q Did she ever take you out to see any body in regard to purchasing this house ? A No sir .

Q Do you recollect on the 22nd. of September any conversation that you had with Mrs. Algie or any other party with reference to the sale of this property ? Do you recollect the time when you saw Mr. McCahill ?

A Yes .

Q Where were you when you saw Mr. McCahill come there ?

A I was in the back room .

Q Mrs. Algie came in to see you ? A Yes .

Q What did she say to you ? A She told me to come in , that she had a Commissioner of Deeds there and she was going to get the gentleman to buy the house from me and get me to sign 3 papers .

Q You went into the front room ~~and~~ ; whom did you see there ? A I saw one gentleman .

0371

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Q Do you know whom the gentleman was ?

A His name was Mr. McCahill .

Q Do you know his first name ? A No sir .

Q Do you see him in Court ? A I know him if I saw him .

Q What sort of a looking gentleman was he ?

A He kxsgw has got brown eyes , red whiskers , and full in the face .

It is admitted it was Mr. B. F. McCahill

Q State what conversation you had with him ?

A I had no conversation at all with him .

Q What did Mr. McCahill say to you if any thing ?

A He spoke to me ; he said for me to sign those papers and I was to go with Mrs. Algie to get my money

Q Did you sign the papers ? A Yes sir , I signed 3 papers . I don't know what I signed .

Q Were the papers read over to you ? A They were read to me ; I did not know what the meaning of them was .

Q You did not know what the meaning of them was at all ? A No .

I

0372

Q At the time you signed these papers did you receive any money ? A No sir .

Q None whatever ? A No sir .

Q Have you ever received any money from that day to this ? A I have . All together I have got about \$200.

Q From whom ? A From Mrs. Algie .

Q Did Mrs. Algie ever tell you she had received the money from your property ? A Mrs. Algie told me she never got the money only a couple hundred dollars .

Q She never paid the \$2,500 over to you ? A No .

Q You have never been paid that by any body ?

A No sir .

Cross-exn. by defts counsel .

Q Where did you reside before going to Mrs. Algie ?

A In 41st. Street between 2nd. & 3rd. Avenues .

Q Where did Mrs. Algie live ? A In the same place where she lives now .

Q Where is that ? A 57th. & 58th. Street in 10th Avenue .

0373

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Q Was Mrs. Algie a married lady ? A Yes .

Q What is her husband's name ? A Peter Algie .

Q Is he a builder ? A Yes .

Q A well known man ? A Yes .

Q Of how many people did the household consist ?

A Mrs. Algie .

Q Who else ? A 4 young men sons , one daughter
another young man .

Q They all lived at home ? A Yes .

Q You lived there with them ? A I boarded with
them .

Q You went there when ? A The third week in
June 1883 .

Q How long did you remain there ? A Until the
22nd. of November .

Q You remained there all that time ? A Yes .

Q In the meantime you were married in October ?

A Yes .

Q Were you married in that house ? A I don't
think I was married in October ; I made a mistake ; I
think it was in November . I got married when I took

0374

up my own rooms .

Q Where were you married ? A In 9th. Avenue between
54th. & 55th. Streets .

Q Immediately after you had left Mrs. Algie you got
married ? A Yes .

Q And the marriage took place in 9th. Avenue ? A Yes

Q Is Mr. Curran your husband here ? A Yes .

Q Did you see your husband constantly while you were
at Mrs. Algie's ? A Yes .

Q He came there to see you , visited you ?

A Yes . He came about 2 months to see me .

Q Did you tell your husband that you was under any
duress , that you were hid there , concealed in the
house , locked up ?

A No sir , because Mrs.
Algie did not want me to go out .

Q Did you tell your husband when he would come there
to visit you that you was under any restraint ?

A No sir .

Q You did not say any thing to him about it ?

A No sir .

Q It was in June you went to Mrs. Algie ? A Yes .

Q Before that when you were living in

0375

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41st. Street I understand you to say you had some difficulty with your sister or your brother in respect to this house ?

A Not m, brother .

X Q Your sister ?

A Yes .

Q In respect to the house ?

A Yes .

Q Did you personally have any difficulty with your brother or sister ?

A No sir .

Q How came you to go to Mrs. Algie ?

A Mrs. Algie asked me , she said she would be a mother out of the grave ; she came and coaxed me to come to her .

Q Hadn't you had some difficulty with your sister before you came to Mrs. Algie in respect to this house ?

A No sir .

X Q Hadn't your sister said something about shutting you up in an Asylum ?

A Yes , papers came there while I was boarding at Mrs. Algie's .

X Q I am speaking of before you went to Mrs. Algie's .

A No sir .

I Q You had conversation with Mrs. Algie in reference to your interest in this house and lot ?

A Yes .

0376

II

Q Did you ever see Mr. Thomas McCahill ? I do not speak of the one you saw at the house there ?

A No sir .

Q Did you ever see Mrs. Annie McCahill to whom the conveyance went ?
A No sir ; I never saw her .
All I saw is this one .

Q When was it Mr. Benjamin F. McCahill ~~mx~~ came to the house with papers ?
A I think it was in September .

Q About the 22nd. of September ?
A In September .
date

Q Was that the ~~date~~ you executed the deed ?
A Yes

Q I understand you to say you signed some other papers on that day ?
A I signed 3 papers .

Q How long was Mr. McCahill there ?
A He was there about an hour before I was called in the room .

Q This was about the 20th. or 22nd. of September ?

A Yes .

Q Do you know Mr. George W. Gibbons a lawyer ?

A No sir .

Q Did you ever go to Mr. Gibbons office ?
A I know I went one time down town ; she took me ; I don't know

0377

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what the gentleman's name is .

Q Did you sign a paper there ? A Yes sir . She got me to sign something .

Q Was that a Power of Attorney ? A I don't know what it was .

Q You did not read the paper ? A No sir ; I never read it .

Q Do you know what the paper was , whether it was a Power of Attorney ? A I don't know .

Q Do you know whether it was a paper in reference to disposing of your interest in that house ?

A No sir ; it was some other paper .

Q Did you go to Mr. Gibbons office more than once and execute a paper ? A No sir .

Q Was this office in Chamber Street ?

A I don't know where it was . When I went it was last July .

Q Was the lawyer to whose office you went a young gentleman , large , stout , good looking ? A Yes , there was a stout gentleman there .

Q And a young gentleman ? A Not very young .

0378

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Q Rather dark complexioned ? A Dark complexioned .

Q Was it to No. 9 Chambers Street you went ?

A I don't know what the street was .

Q Did you go to a law office more than once and execute a paper prior to Mr. McCahill's coming to your house ?

A No sir .

Q The paper that you executed , we will assume at Mr. Gibbon's office , didn't you understand that to be a Power of Attorney ?

A No sir .

Q Didn't you understand that the paper had some connection with that house ?

A No sir ; they did not tell me any thing about that .

Q Didn't you understand when you executed that it was for the purpose of giving authority to Mrs. Algie to dispose of your interest in the house ?

A No sir , I never did .

Q What did you understand about it ; or didn't you understand it at all ?

A I did not understand it . I never gave Mrs. Algie authority .

Q Did you receive any thing on account of rents of

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this house while you were at Mrs. Algie's ?

A Yes ; I got my rent every month .

Q Who collected the rents ? A The agent collected them for me .

Q Didn't they come to you through Mrs. Algie ?

A No sir ; I went myself and got them .

Q Who was the agent ? A Mr. Cardwell .

Q Where was his office ? A On 3rd. Avenue .

Q Did you go every week ? A I went most every month .

Q To get the rent ? A Yes .

Q While you were at Mrs. Algie's ? A Yes .

Q Then you went there in June ? Did you go there the 1st. of July ? A Yes .

Q And the 1st. of August ? A Yes sir .

Q And the 1st. of September ? A No sir ; not September and October . She told me that she sold my part ^{in that} ~~of the~~ house and I was not to go there to get any more rents .

Q When did she tell you that ? A She told me the last week in August not to go in September .

0380

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Q Didn't you know that she had not sold your house ?

A No sir ; I did not know any thing about it .

Q Didn't you know she could not sell your house ?

Didn't you know whether you had given her authority or

not to sell your house ? A No sir , I did not
give her any .

Q But you did not go after the 1st. of August ?

A No sir .

Q You did not receive any rent after the 1st. of Aug-

ust ? A No sir , ~~I~~ never received any rents.

Re - Direct .

While you were living at Mrs. Algie's were any papers
served on you there ? Did you see any body come

there with papers for the purpose of serving them on

you ? A I did not see them . I was inside

in the room and heard them talking . Mrs. Algie told

me they had papers at the door in their hands to serve

me .

x x x x x x

0381

I

Mary Curran , recalled and further cross-examined by-defts
counsel ---

Q Didn't you receive some of the consideration for
this house , some of the money paid by Mr. McCahill ?

A No sir .

Q Do you remember buying a shawl or cloak , or some-
thing of that sort ?

A What Mrs. Algie bought
for me I have got marked down .

Q Mrs. Algie bought some things for you ? A Yes .

Q What was the price ? A She told me she bought
them , but she did not get any bill .

Q Did she say the things cost some \$600. ?

A She said they cost more than what they did .

Q Did she say they cost \$600. ? A No sir .

Q What did she say they cost ? A She told me a
circular cost \$35. she bought , a hat cost \$17.

Q She did buy a quantity of things for you ?

A No sir .

Q Didn't she buy a hat ? A She bought a circular
and hat and paid for making a suit for me .

Q Where did you suppose she got the money to pay for

0382

2 those things ? A She told me she borrowed a couple hundred dollars of Mr. McCahill and when my sister sold her half interest in the house and the house would be sold I would get my money and not before .
By plffs counsel .

Q Did you ever see Mrs. McCahill the defendant ?
A No sir .

Q Mrs. Algie told you you would not receive the money until the house had been sold ? A Yes , I was not to get it .

Q And you never received any consideration ?
A No sir .

By defts counsel .

Q Where did you get the money to get married on ?

A Mrs. Algie gave me \$10. I have got it marked down .

Q Is this an account of money you got from Mrs. Algie
A Yes .

Paper shown marked Ex. A and put in evidence by plffs counsel .

Plaintiff rests .

x x x x x x x

0383

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Mary Curran , recalled by pliffs counsel , further testified-

Q Did you hear the testimony of B. F. McCahill in regard to the time you signed those papers ? A Yes .

Q Did he explain to you what those papers were ?

Objected to by defts counsel as not rebuttal .

Objection overruled .

A He read the papers , only I did not know what was in them .

Q Did he ask you whether Mrs. Algie was authorised to receive this money for you ? A No sir . I did not give Mrs. Algie full power to receive money .

Q Did he ask you whether she was authorised ?

A No sir .

Q What did he tell you in regard to how this money was going to be paid ? A He told me to sign the papers and I was to go with Mrs. Algie to get the money .

Q That is all he told you ? A That is all he told me ; and that is all Mrs. Algie told me .

0384

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Cross-exn. by defts counsel .

Q How long was B. F. McCahill at your house on this occasion ? A He was there some time before I came in the room --- an hour or half an hour .

Q How long was he there after you came in the room ?

A About 20 minutes .

Q Was he there some time talking with you ? A Yes.

Q Don't you remember he sat down and asked you a good many questions , when your mother died , how the property came , and who owned it with you , and a great variety of questions , and then drew an affidavit ; do you remember that ?

A Yes . I was not in there when he drew it up .

Q Do you remember his drawing an affidavit for you to swear to ? A No sir .

Q Do you remember ~~how~~ he asked you some questions in reference to this house and then drew an affidavit for you to swear to ?

A No sir ; he did not ask me any questions only a few questions --- asked me who the house belonged to .

Q Are you the daughter of Jane McLaughlin ? A Yes .

0385

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Q That was your mother's name ? A Yes .

Q Did your mother die about the 15th. of January 1881

A Yes .

Q How do you suppose that B. F. McCahill knew those facts if you never told him so ? A No sir ; I never told him so ; I never spoke about them .

Q At the time your mother died did she leave her surviving two other children besides you , Margaret the wife of Frank Gallagher , and Martha McLaughlin ?

A Yes .

Q How do you suppose B. F. McCahill knew that ?

A I never told him any thing about it .

Q You did not tell him so ? A No . I never told him any thing only signed my name to the papers .

Q Were those two children I have mentioned and your self the only children and heirs at law of your deceased mother ? A Yes .

Q Did your father die about 18 years ago ?

A Yes . He is dead 20 years and over .

Q How do you suppose that B. F. McCahill knew that ?

A I never told Mr. McCahill . Mrs. Algie told

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him all this because I did not tell him. I never spoke about my father and mother.

Q Did your mother die leaving a will? A Yes. She made a will before she died.

Q Was that Will proved in the Surrogate's Court and recorded; produced it to the Surrogate and put it on record? A Yes.

Q That was done? A Yes.

Q Did your mother give by her will half of that house to you? A Yes; between the two of us, and gave to give my brother something.

Q At the time you parted with the title to this house last September was the house free and clear of all mortgages? A Yes; it was all clear years before my mother died --- nothing owed on it.

Re - Direct.

Q After you signed these papers, when Mr. McCahill was in the room and after you signed the papers what did you do? A Mrs. Algie told me to go out of the room, she did not want me any more.

Q And you went out leaving Mr. McCahill and Mrs. Algie there together?

x

0387

Second District Police Court

The People v

Mary Curran

Maria Alger

Examination before Justice Gorman

June 26. 1845.

William H. Alger being duly sworn
deposes and says:-

Q. {By Mr. Pease}. Do you know Mary
Curran or Mary M. Loughlin the com-
plainant?

A. I do.

Q. You are the son of Mrs. Alger?

A. I am.

Q. Do you recollect being present at
an interview between your mother
and Mary Curran or Mary M. Loughlin
at which the money in
question in this proceeding was
paid over to her?

A. I do.

Q. Now give an account of that
interview - how it came about,
what was said - all that was said
and done as well as you can
remember.

A. I came into the house that day -

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The 26th day of September 1883, I saw my mother, my brother Robert sitting in the kitchen, and I have seen mother count the money to Robert, and Robert counted it back to mother and mother counted it to Mary McLaughlin who was talking with mother. Mary took it up and put it in her lap and she signed a receipt. She was sitting in the kitchen in a rocking chair. That day I came from Brooklyn to look after my men in New York. I keep a stone yard at 64th street and 11th Avenue - This was between 2 and 5 o'clock.

Q Do you recollect what was said?
- What your mother said?

A Yes, I do. She said she got \$2,500; that there is \$35 kept out for taxes or rent or something. My mother she received \$2,465.

Q Did she say anything about asking Mary McLaughlin to settle with her at some future time?

A After she got it she said "Here is your money; give me a receipt."

0389

we will ^{wait} after "

Q Did you see her sign a receipt?

A I saw her sign a receipt

Q Your brother Robert was present?

A My brother Robert

Q Who else?

A My mother and Mary Mc Laughlin.

Q Is it true that during the time Mary Mc Laughlin was stopping at your mother's house your mother kept her a prisoner and would not allow her to go out?

A No sir - she was in such a state that she was not fit to go out.

Q Can you tell anything about her going out?

A I have seen her leave the house and go out at 6 o'clock and stay out all hours of the night

Q Did you see her frequently talking to her husband - did he often visit her at that house?

A Well, he visited about once or twice. I have seen him - I went out with him

Cross examined by Mr. Stone

0390

Q Did you see the money as it was counted?

A I did

Q Did you handle it?

A No, Sir, I did not handle it.

Q Was the money in packages?

A I could not say how many packages.

Q Were there packages?

A Yes, some were packages - I could not swear how many there was, I did not count the money myself.

Q You say that some of it was in packages?

A Yes; I said that.

Q Who was present at the time you say the money was paid over?

A My mother; my brother Robert - May Mc Laughlin - her name is May Mc Laughlin.

Q Anybody else?

A My sister was there - but she was in the kitchen.

Q Anybody else?

A Nobody else to my knowledge - that I seen

0391

- Q Your father was not there?
- A My father was not there.
- Q After Mary Curran took the money what do you say she did?
- A She rolled it up and left it in her lap and mother says - "Sign that receipt" she signed this receipt. My mother says "We will settle after"
- Q Your mother did the talking?
- A My mother done some talking
- Q Your mother said "Sign receipt and we will settle it after?"
- A Yes - because she was in a fit - she was in the family way - she was not able to go out - Mary Mc Laughlin I am speaking
- Q Did Mary Mc Laughlin have anything in her hand at the time the money was paid to her?
- A She had nothing in her hand except the money that I seen - a pen and ink after.
- Q Mary counted the money did she?
- A Mary counted the money after mother she was well satisfied.

0392

she was glad to get the money.
she stated that she would do
anything for my mother.

Q What was done with the receipts
after they had it signed?

A She handed it over to mother
then I went in the other room
to go get a rest.

Q Did you see anything done with
the receipt?

A I think I seen the receipt signed

Q What was done with it after
it was signed?

A She handed it over to mother,
my mother had this power of Attorney
too that day.

Q Did you see her put it
anywhere?

A Not to my knowledge

Q Did she hold it in her hand?

A She held it in her hand while
I was there - I did not stay
long.

Q Did you stay long?

A No Sir I did not - I had to
go up to my stone yard

Q Did you go out first, or did
Mary Mc Laughlin go out

0393

first?

A I went out first - I went away and left Robert and my mother there?

Q Was there anything said about \$250 of the money which was to be kept out for something?

A That is a thing I could not say. I did not stay long enough to listen to that.

Q How did you happen to be there during the day, at the house, ~~did~~ ^{were} you told that your mother was going to pay over this money?

A No.

Q How did you happen to come there?

A Because I had 17 stone cutters over in New York - I had a yard in 64th street and 11th Avenue - I keep a yard there.

Q How far did you have to walk to your home?

A I had to walk six or seven blocks - from between 57th and 58th street to 64th street

Q Did your mother say anything

0394

about having this money

A No. She did not before. - I never heard anything about it. - I never interfered with it

Q Never said about it in your presence?

A No sir, she did not. She never said anything about it.

Q Do you live at the house?

A I do

Q You were there every day?

A Yes - I was there every day

Q Ate two meals a day there?

A - Sometimes I eat two - some-
times three

Q No conversation as to this real-
estate transaction took place
in your presence at any time?

A No, real estate

Q Did your mother state at any
time that she was ~~engaged~~
negotiating for the sale of this
property to Mrs Annie Mc Cahill?

A No, she did not

Q Did your mother tell you
that she had this money in the
house before it was paid over?

A - She did not.

0395

Q The first that you knew about her having money was when you came to the house?

A When I came in the house.

Q What did she say?

A- She said to me - I saw my mother sitting at a table, my brother Robert was sitting at a table - Mary M. Louphlin sitting at a table, I left Brooklyn at 10 o'clock to get some dinner to put on my other old coat to go to the yard. - between 2 and 5-

Q Can't you be sure?

A- I could not say for sure - it was between 2 and 5.

Q Did you see the receipt personally?

A I did.

Q Who handed it to you?

A I seen it on the table when she signed it - the complainant.

Q Did she take it up to read it?

A She did.

Q Read it herself?

A- Yes, read it herself.

Q Did your mother read it to her?

9

0396

A That is a thing I could not say - I did not take much notice.
Q You did not hear anybody read it to her?

A She read it herself.

Q You did not hear anybody read it to her?

A I heard my brother read it to her - my brother Robert

{ Sworn to before me

the 30th day of June 1885
John J. Gorman
Police Justice

William H. O'Leary
Defendant offers in evidence
a copy of stenographic minutes
of the testimony of Mary Curran
in the case of Mary Curran
against Ann L. Mc Cahill
taken in Supreme Court
General Term Oct 17/1884 before
Justice Donohue

Mr Stone - I will admit it subject to objection if it should be found to be incorrect.

Mr Sadies Boyle called as a witness for defendant to prove the good character of the defendant and the bad character of the complainant for truth and veracity.

0397

Judge Gorman - I will not hear evidence as to character at this time.

Exception.

Maria Curran, the complainant, recalled in rebuttal

Q What was the amount of money that you were to receive for your full share interest in that house?

A \$2,500

Q When you said before Judge Gorman that you had received between \$500 and \$600 - about from Mr Algier - in that neighborhood what did you mean to include?

A I meant meant \$250 ^{to myself and} ~~brother~~ ^{brother} - \$250 ~~was to go to~~ ^{because my}

Q That would make how much altogether?

A \$500.

Q That is what you mean?

A That is what I mean.

Q Taking that \$500 from the \$2,500 Mr Algier owes you how much?

A \$2,000 cash money down - that is what she got.

Q When were you married?

11

0398

A January 24 1884

Q Married to whom?

A Willie Curran

Answers to before me this
day of June 1885

Police Justice

It is admitted that there were two powers of attorney. The first was executed at Mr. Gibbons office some time before the sale of the property, which was subsequently destroyed because the proposed purchaser deemed it insufficient under which to take title. Another one was executed which is in evidence here, for the purpose of supplying the insufficiency.

Case closed on both sides. Witnesses to attend at Essex Market on Monday June 29 at 3 P.M. to sign their depositions.

Given before me } Mary Curran
June 30 1885 }

John Horner
Police Justice

0399

LAW OFFICES OF
WM. LEETE STONE, JR.,
~~16 Exchange Place,~~
102 Broadway

New York, July 15, 1885

People vs Algie,

Hon J. J. Conway
Police Justice

Dear Sir,

I have just made the discovery that there are two people, who, had I known of them at the examinations might have corroborated very satisfactorily the story of the man Reynolds, who testified for the complainant. I presume that the case for the people is well enough as it is

0400

but if you thought
best these people could
be produced by me any
time.

Very Respectfully

N. L. Hoop

0401

Second District

Peace Court

Mary Curran

vs et.

Moria Alger

Before Hon

John Gorman

Peace Justice

April 29th 1885.

Appearances.

James D. McClelland ^{and} Wm L. Stone for

for the people

Brady and Smith ^{and} ^{Wm. P.} ~~Burr~~ for

the defendant
Mary Curran the complainant
being duly sworn depose and say as

By the Court.

Q. where do you reside?

A. 506 West 26th Street

Q. what is your age?

A. 27 years.

Direct Examination

Q. How long prior to September 1883

did you know Mrs. Alger?

A. Since I was born.

Q. were you in September a part

owner of the premises 332 East
32nd Street?

A. Yes; my mother left it to me

Q. and those premises in question

0402

were sold by you and your sister
to whom?

Q My half was sold to Mrs Algie
she sold it and kept the money.

Q Did you execute a power of attorney
to her a written matter or instrument?

A I signed one big paper and one
little paper. that is what I signed

Q Is that your writing (showing witness
the name of my Mr Laughlin.

A Yes sir that was my name. before
I was married

Power of attorney offered in evi-
dence marked Pff Ex 1.

Q Do you know what money was
paid for these premises?

A \$5000 dollars that was my share.

Q How was that paid to you by check.

A I didn't get any of the money. I
got 250 dollars.

Q Did you receive 2500 dollars at any
time from Mrs Algie?

A Yes sir

Q And you know that she received
\$2500 dollars from the person to
whom the house was sold?

A Yes sir Mr McCall

0404

board.

Q When you lived the same way as Mrs
Ayles' family?

A Yes sir

Q Where did you sign this paper exhibited
to you in evidence?

A Down in Mr Gibbons' office two
weeks before the house was sold.

I don't know what street it is in.

I am sure I signed it in Mr Gibbons'
office.

Q Who was present in Mr Gibbons'
office?

A Nobody but her and I and Mrs Gibbons.
She would not let me have a witness.

Q When there was no other person
there at the time you signed this
paper?

A Yes sir

Q Can you read?

A Yes sir.

Q Do you know how the name of Mrs
Cahill got there?

A I don't know anything about it.

Q You say in your complaint Mrs
Cannon that the deed was executed
and the check paid on the 27th

0405

of September 1883?

Q Yes a year ago last September
of Thursday fix it as being the
27th of September?

A Because I know it Mr McCabill
told me so.

Q Do you remember anything else
that occurred on the 27th of Sept 1883
anything else.

Q This check (showing witness) is
the check that was paid you?

A I don't see any check; only 2 weeks
ago Mr McCabill showed it to me
at his house

Q Did you sign the paper below
you (showing witness the complaint)
Ayresen

Q And you swore to it?
Ayresen: that is all right but it is
all true except the signing of the
check

Q You don't sign any check?
Ayresen

Q Did you sign the deed?
Ayresen

Q How was Lurran before you
got this money or before Mr

0406

6

Algie got this money for you as you say for the sale of this property isn't it a fact that Mrs Algie gave you various sums of money from time to time?

Answer

Q never gave you anything whatever
A she gave me a little money, she never gave me any of the money she got from the sale of the house except a little I got from her from time to time before it was about little things she bought of me a cloak and a hat and she didn't have any receipts for them

Q at the time one of Algie's went over to compel your husband to marry you didn't they give you some money?

A she gave me 20 dollars ten at one time and ten at another and she gave me a few chains and two rings

Q now when your first came to Mrs Algie isn't it a fact that you had all your own things in pawn?

0407

7

Avasii had one suit and a shawl
in pawn before I left my
down house and I took them out
myself with my own money
she loaned me a little and
robbed me after that.

Q Did you bring a law suit
through Mr Stone to try and get
back the property?

Avasii never tried to get back
the property

Q Do you recollect on that occasion
promising that you get six hundred
dollars from Mrs Algie on
account of that property?

Avasii doesn't swear so.

Q Now a few days before you
brought this matter into court
sent your husband to Mrs
Algie to demand any money

Avasii 3 months ago and she
put him out and she told him
she would not give me a cent

Q you say here that in or about
the 27th of September 1883 Mrs
Algie cheated you out of the
money?

0408

Q Yes Sir I don't see her face
until I saw her in court the
other day.

Q Why didn't you bring this proceeding
before me?

A Because they were putting it
off in the courts and vacations
in the summer

Q How have you managed to live
during this time?

A My sister kept me one month
friends another and so did
my things my husbands mother
kept some another and so on

Q Now isn't it true that you have
been giving your brother and
sister various sums of money
large sums?

A Yes Sir I never did
the deed

Q Now Mrs Curran at any time
did you ever knowingly give
any receipt to Mrs Ayle for
the payment of this money?

A Yes Sir I never did

Q At the time you signed this deed
was there any thing said about

0409

9
1
your being sent to an insane
asylum?
Ayesie she said worry you
better sell half of this property
half of this house and if you don't
your sister and brother are going
to put you in a lunatic asylum
and I would not let them see me
and I was hiding away in my room
and I was afraid the policeman was
coming to take me away.
I was a little nervous raised any
question about your being
insane when you signed that
power of attorney to her?
Ayesie not until she sold the
house

I was to before me
this 59th day of April 1885

Mary Curran

J. W. Norman

Deputy Justice

0410

10

Maria Algic the defendant being
duly sworn deposes and says
By the Court

Q where do you reside?
A 432 West 57th Street

Q what is your age?
A 40 years.

Direct Examination

Q you are the defendant in this proceeding
are you?

A yes

Q do you know the complainant Mrs
Cannon?

A yes

Q will you please state under what
circumstances she came to your house

A she came to my house about the
latter part of April 1883, she asked
me if she could come to my house
and when she came she stated her

I had no room for her but out
of pity I would keep her and she
remained there for some time

and she paid me eight dollars
a ~~month~~ ^{month} for her room and board
4 dollars per week

and I treated her with the same
respect as one of my own family

was

0411

11

Q. Now you please tell us how the power of attorney came to be given to you?

A. She wanted to sell her part of the property and she wanted money and she was in such a condition that she could not go out herself and she had to have money and she begged of me time and time again to try and raise some money.

and I refused and she kept on begging and I said no you go to your sister and she will take care of you and she said no taking an oath I will never speak to my sister and she begged and begged of me and

finally got the money for her

Q. She was told that that was a power of attorney?

A. Yes sir it was at her solicitation and earnestness that I consented to take it?

Q. And you have paid her property?

A. Yes sir

Q. And she signed it at your house did she not?

A. Yes sir

0412

12

Q And you received from Mr McCallie
a check payable to her order?
A Yes sir

Q And you endorsed it by virtue of the
power of attorney?
A Yes sir

Q What did you next do with it?
A Mr McCallie cashed the check it was
cashed in the bank

Q And you received a check for \$2465⁰⁰/₁₀₀
A Yes sir

Q How you received this money in actual
cash from the bank \$2465⁰⁰/₁₀₀
A Yes sir

Q How did it come to be drawn for
\$2465⁰⁰/₁₀₀ instead of \$2500 dollars?
A There was some rent that came to

\$35⁰⁰ and that was deducted from the
\$2500 dollars and that left \$2465⁰⁰/₁₀₀ dollars

Q You had this \$2465 dollars in cash
A Yes sir

Q What did you do with it?
A I gave it to Mary McLaughlin

Q Whereabouts?
A In my house

Q Was there anybody else present
except Mary McLaughlin and yourself?

0413

13

X Ayesa my son Robert Algie and
Willie Algie and myself ~~and my wife~~
they were all present.

Q Was Mrs Curran satisfied
A She was perfectly satisfied.

Q Made no complaint?
A Yes

Q What next occurred after you paid
the money did she leave the room
did she leave your house?

A Yes for some time

Q How long a time after words?

A About two months, between a month
and two months

Q During this month or two did
she make any complaint to you in
reference to the money?

A No she did

Q Mrs Algie do you know what Mrs
Curran or Mrs McLaughlin did
with that money or any portion
of it?

A I don't know what she did with it

Q Do you know what she did with
any of it did she pay any of it
to anybody?

A Yes

0414

14

1

Q who?

X A She paid me ⁷⁵⁰ 300⁴ hundred dollars
Q what was the reason after paying
you at that time?

A Because she owed it to me ^{and} she
her ~~brother~~ ~~people~~ ~~brother~~

Q did she tell you in what sense she
would give them money?

A Sometimes ten, twenty ^{and} then she
would vary.

Q Did she give money to anybody else
that you know of - didn't she pay
you a hundred dollars for some
furniture that you bought for
her?

A Yes ^{and} she paid money for her
cloak, velvet dress, hats shoes
and dresses

Q about how much in all do you
suppose she paid you?

X A Between ⁷⁵⁰ 3^{and} 4 hundred dollars

Q was this woman in the habit of
going away from your house and
staying away for one two and three
days at a time from your house

A Yes

Q and on any of those occasions did

04 15

15
1
she say she lost any money? and how
spent large amounts where she was
flattering?

Q Yes she would say she lost
a great deal. she never mentioned
the amounts only she said she lost
and spent a great deal of money.
and she told me she would give
her husband large amounts of
money and he would go out and spend
30 unto dollars and get drunk and
come home and use her for thirty
or forty more.

Q Case Examination

Q Was also you say that it was owing
to this young woman Mary Curran
or Mr. Laughlin insisting and per-
suading you that you finally con-
sented to act for her as her attorney
under power of attorney for her
to sell this property?

Q Yes

Q And the reason why you bought her
clothes was because she was not
in any position to go herself?

A She was ^{incompetent} ~~incompetent~~ and had no clothes
to go out in

0416

Q when was the power of attorney executed?

A when I sold the property.

Q when did you finally agree to yield to her persuasions and say you would act for her?

A after she signed the power of attorney on the 22^d of September

Q was she in your house since April?

A yes sir

Q and it was during that time from April down to September that she asked you to act for her as her attorney?

A yes sir

Q up to the time she signed the power of attorney and the house was sold she had no clothes?

A yes sir

Q and she relying upon your family entirely for her support?

A no sir not entirely for her support most absolutely she got small amounts of gifts which would not keep her.

Q you kept her in clothes how long?

0417

17.

A I bought them out of my own money
she had no clothes when she came
to me in april and she had no clothes
until I bought them for her. the
latter part of april

Q when did you buy them again for her?

A In may

Q what time in may?

A I don't remember exactly

Q was it in the middle of may?

A It might be.

Q was it the end of may?

A It might be.

Q you say you bought clothes for
her in the month of may?

Answer

Q How much did you buy for her

A I don't remember the amount now

Q and after may you bought her clothes
in June and July?

Answer

Q about how much clothes did you
buy for her during the months
of may June July and August
and September, about how much
money did you expend for her
clothing during these four months

0418

18

A perhaps one hundred dollars; about
one hundred dollars.

Q and did you expend any more money on
her?

A I did not.

Q and how much more did you expend for
her? you say that from April until
September you spent about a hundred
dollars for clothes for her? Did you
spend any more money for any other
purposes than for obtaining clothes
for her during those months.

A Two to three hundred dollars more
besides that.

Q So that amount from hundred dollars
all together for clothes and velvet dress
any more?

Q when did you buy the velvet dress?

A I cannot give the date.

Q Was it before or after September?

A Before September.

Q and how much did you pay for the
velvet dress?

A about \$25⁰⁰ dollars.

Q what else did you buy for her?

A a few lined cloaks.

Q when did you buy them?

0419

19

A. I cannot give you the date

X Q. Was it in September or October or August?

A. In August latter part of September

Q. You are certain about that?

A. Yes

Q. It was not in May June July or

August or September October?

A. It may be in October

Q. How much did you pay for that?

A. \$50 dollars

Q. Now this property was sold when?

A. Between the 21st or 26th of September

about that time

Q. You have no recollection as to the

certainty of the date it may be

the 27th it may be 25th or the 28th or

24th?

A. It was the 28th or 24th two days before

the receipt, about 2 days.

Q. Now Mrs. Alice the check bears

date the 22nd of September 1883 was

that the date the deed was made?

A. Yes

Q. Did you see it made out?

A. I did not see it made.

Q. You say that Mr. McCool cashed the

check for you at the bank?

0420

20

Q And then you took the check and went right to the bank?

A For Mr. Coal went to the bank, and came back with the money a little while after words.

Q And furnished you as I understood you to say \$2465 dollars and deducted 35⁰⁰/₁₀₀ out of it?

Yes sir

Q Where was this young woman living at the time that you got that \$2465 dollars?

A She was living in my house

Q And you are quite certain that you paid the money over to her the same day that you got it?

A The same afternoon

Q That you are certain of?

Yes sir

Q And how much did you pay her?

A \$2465. dollars.

Q Did you retain the four hundred dollars she owed you out of this money?

A Yes sir she paid me that.

Q In whose handwriting is that receipt?

A I don't know sir

0421

21

Q That is not your handwriting?
A Yes sir

Q And that is not money Mr. Chamberlain says
fine is it?

X A Yes sir

Q From whom did you get that
receipt?

A From Mr. Neal, but my husband
or at least I was in the evening
post but doing transacting some
business and I was talking to the
gentleman in the office about
money matters and he made out
the receipt and I says what kind
of a receipt is this I want to pay some
money to a person.

Q Who was this young man sir?
A I don't know him sir

Q She is the one that drew that receipt
A Yes sir

Q And you knew what it contained
before she signed it?

A Yes sir

Q Is this a receipt for \$465 dollars
showing witness the receipt?

A Yes sir

Q And given on September 26th 1873 as
follows received from Mrs. Alice

0422

Payment in full for my half interest
in the house 336 W 32nd Street
Young in a long time

Q There is no statement in that is there
that she received \$5465 dollars?
you don't notice that did you?

A No sir

Q Do you know that gentleman standing
over there (referring to James Reynolds)
A No.

Q Is he any relation of yours?
A He is a cousin

X
Q Do you remember stating to him in
December last 1883 or December
following that this property was
sued & state to him that you would
keep the \$500 dollars for this woman
in the bank?

A No sir

Q You never made any such statement
A No sir

Q Now I want to ask you this question
you notice the date here is the
26th of September that was the
date you claim you paid the
money?

A Yes sir.

0423

23

Q And the check bears date the 22^d of September 1883?

A Yes sir.

Q Will you be kind enough to explain how it is that you received this check and paid this money on the 22^d day of September when your own this receipt to her on the 26th?

A Because I had not received the full amount at the time.

Q How much did you receive?

A About \$22,150 dollars.

Q Then you did not pay any money on the 22^d day did you?

A Yes sir 2 days later.

Q And how much did you receive on the 26th?

A \$2665 dollars.

Q Then your statement that just as soon as this gentleman went to the bank and got it and gave it to you and you handed it over to her that is a mistake is it not?

A Was the full amount I paid it on the 26th?

Q Then it was true that you paid this money on the 22^d of September?

0424

24.

A woman spent it on the 26th there was
\$50 dollars deposited in the trust
company for 30 days.

Q You endorsed the check on the 25th
of September evening for \$465
dollars and gave it to Mr. McNeal
A Yes sir

Q And he went to the bank and came
back with how much money?

A \$215 dollars and Mr. McNeal de-
posited \$250 dollars in the Trust
Company.

Q As I understand you Mrs. Algie
you advised your son \$215 dollars
on the 25th of September?

A Yes sir - then I cannot answer
to that.

Q Have you ever taken any receipts from
this woman?

A I have

Q Have you got them?

A That is the only one I have.

Q Is that the only receipt you ever took
from her?

A That is the only receipt in full.

Q Mrs. Algie did you ever take any
receipt ^{in the} part payment?

0425

25

for any money from this woman or
any money that was paid on her
account, or for anything that you bought
for her,
Answer:

Q. Was it a fact that you never took
any receipt from her except that
one there?

A. I don't swear to that.

Q. How much money did you actually
get for her altogether, the money
that you loaned her and every thing
that you furnished her? How much
money has she paid you altogether
from the time she went to your
house in April until she left
in September or October 1883?

A. I don't know how much money was
paid you by her, altogether since
April 1883 down to the present time.

Q. Six seven or eight hundred dollars
of money borrowed for loaned
money and money you had ex-
pended for clothes for her
Answer:

Q. How long after the 22^d of September
did she leave your house?

A. About a month.

0426

26.

Q When she left where did she go to?
A 9th Avenue

Q Did she stop with her sister there?
Answer

Q Who did she stop with?

A She took rooms up on 9th Avenue

Q Do you know where her sister lived
at that time?

Answer 10th Avenue

Q And about the latter part of November
she lived on 9th Avenue?

Answer I don't know how long
she lived there.

Q Have you given her any money or
paid her any since the 26th of
September?

Answer I might have bought her some
things at her request.

Re direct Examination

Q Mrs. Aylie on the 26th of September
when you paid this woman the
money you gave you the money and
you gave it to her and you then
had a full and complete settlement
with her and she with you?

Answer I might have been the next
day

0427

27

Q and then you went over with her what she owed you and what the articles cost and everything that you loaned her and expended for her and you then agreed upon a sum?

A yes sir

Q and that was in full payment and satisfaction for what she owed you?

A yes sir

Q about the \$250 dollars of jewelry there is so much talk about, what was the origin of that how did you come to have the 250 dollars deposited out of the amount at that time? was there any agreement why it should be deposited?

A Morton McLaughlin was to get five hundred dollars from his mother's will if he was a good boy and did not strike or beat his sisters and if he did he was only to get 250 dollars. I was present when the will was drawn.

Q at all events that was why the 250 dollars was retained and deposited?

A yes sir

Q and you didn't get it until the 26th

0428

28

ayessii

Receives Examination

If you pay me Mr Cahill went to the
bank and got the money and he gave
it to you and the \$500 dollars was then
deposited from that amount?

ayessii

Given to before me
This 29th day of April 1885 } Marie C. Algie
John J. Gorman
Peace Justice

0429

29

James Reynolds called on the front
of the people being duly sworn
deposed and says

By the Court

Q where do you reside?

A 532 W 4th Street

Q what is your age?

A 40 years.

Direct Examination

Q do you know the defendant in this case
Ayesse I do.

Q do you know Mary Curran?

Ayesse

Q are you a relative of Mrs. Algie?

A She is a first cousin of mine

Q and you are related to Mrs. Curran?

Ayesse

Q do December last did you have any
conversation with Mrs. Algie with
reference to the \$2,500.00 dollars she had
obtained for Mrs. Curran on the
sale of the house?

Ayesse in the Eagle flats 57th Street
and 10th Avenue I saw Mrs. Algie
I went to see money I said and she
gave you that money and I went to
see Mrs. Algie and she said she

0430

30

said she put the 2000 dollars in the bank and she was going to give her so much a month and that she had every cent of that money in the bank.

Q she said in December she was going to give this girl so much a month out of the 2500 dollars she had in the bank

A yes and I asked her what right she had to do any thing of that kind and she said she was the guardian was her and I said it was a lie and if the matter was coming she would not be let in the house and she would not be allowed to go near the place

Q you knew this girl was staying at that time?

A yes

Cross Examined.

Q How much of your time have you spent upon the island?

A I was never on the island in my life

Q were you ever in the tin dog house?

A no

0431

31

Q were you ever arrested in your life ?
A I was not in five minutes

Q what time of day was this ?

A half past six o'clock at night

Q where do you work ?

A Mr Ayers 45th Street

Q do you know that it was in December
that you went to see Mrs Algie ?

A I think it was about that time, I am
sure it was in December

Q might it not have been January ?

A I cannot tell exactly

Q do you remember what day of the
week it was ?

A It was in the middle of the week.

Q was it the beginning of the month or the
ending of it ?

A I cannot tell anything about it

Q will you swear from the time you
left the shop that night ^{and} you went
to see Mrs Algie that you did not take
anything to drink ?

A Yes when I got in the house she
sent for a pint of beer

Q did you stop at Mrs Curran's place
before you went to Mrs Algie that
night ?

0432

32

Q She was in my house that night and she said she had nothing to eat of what time in the evening?

A When I came out of the shop I stopped work at 6 o'clock and then went home and washed up and then went there

Sworn to before me
This 29. th day of ~~April~~ ^{April} 1885 } James Reynolds
John Gorman }
Justice
Subscribed to May 15th 1885 2 P.M.

0433

May 15th 1885.

Examination Resumed.

Robert J. McGill called by the
defendant being duly sworn ^{deposed}
and says I reside 432 W 57th Street
I am 27 years of age and am a
burlier; I am a son of the de-
fendant, I was present at my
mother's funeral on the 26th of Sep-
tember 1883 my brother and mother
were present and my cousin
she was sitting on a rocking chair
in the same room; I remember
that afternoon of the 26th I stayed
at the yard and started the stone cutters
and I kept the yard at a 1/4 past
one o'clock and came to my aunt
house 503 W 57th and I had my dinner
and got to my mother's funeral at
half past 2 o'clock and I saw my
mother count out some money
and I said what are you doing with
this money and she said it belongs
to my and I counted the money
after her to make sure, that
there was exactly enough money
there to pay her for her half interest

0434

2
1
in the house there was \$2465⁰⁰ dollars
after the money was counted by me
my mother again counted it to make
sure it was right and then she gave
it to Mary while she was sitting
in the rocking chair and Mary ^{counted}
counted the money and then my mother
gave me the receipt and I said to Mary
I want you to sign this receipt
for the money and when she did
and I put it away Mary then folded
the money in a handkerchief.
I went away about 10 minutes
afterwards, I am experienced in
counting money.
Grace Examined.

I called Mary over to sign
the receipt after my mother gave
her the money and that was a receipt
for \$2465 dollars for her half interest
in the house that was paid. I got the
receipt from mother and I read it and
read it for Mary when she signed
it, my attention was attracted to the
fact and amount of designation to the
amount in the receipt, I handed
large sum of money out and

0435

3 1

familiar with business transactions
and I own houses too. I made me a
remittance to Murray at the omission
of the amount. in the receipt stated
how much it was. I remembered to
Murray that the ^{half interest} mortgage was twenty
five hundred dollars and that there
was 35% kept out on account of
taxes and etc, I didn't know myself
I don't interest myself that was
the only reason I made at the
omission of the amount paid by
my mother to the Comptroller
in the receipt, It was between 20th
and 5th Oct. I am certain it was
quite it was the 26th of September
I remember seeing the date on the
receipt and I have no other means
of knowing anything about it except
what I described here. I was not
present at the time Mr McCall
paid for the property, I didn't know
at that time how much it was
until my mother told me that
afternoon. It took my mother from
ten to 15 minutes to count the
money. and me about half the

0436

4 1

Time the denominations of the bills were \$5, \$10 and \$20 dollar bills done up in the usual way money is taken from the bank in \$50 packages \$100 dollar packages and \$100 dollar packages and \$5 dollars in 5 dollar bills extra. I was not a witness in the action brought ^{against} by Mrs. McCabill; I have not spoken with my mother or she to me since the last day the case was on I have seen her frequently almost every day I live up stairs over her; the reason why I didn't speak to her was because I didn't want to hurt her feelings and being very busy I spent very little time in the house.

Re Direct Examination;

I mean that my attention was attracted to the fact that to the want of designation of the amount in the receipt, was because it had received me full from Mrs. Heyle the ~~part~~ of my half interest in house 336 E 32nd Street. Nothing was said about the absence

0437

8

1
Bernard M. McCall of 212 East
118th Street being duly sworn deposes
and says as follows by the deponent.
I am a lawyer and practicing in the
city of New York. I know Mary M.
Loughlin known as Mary Curran
as introduced to be on the 22d
day of September 1883. The conversation
had then with her was about the
property in question on 10th Avenue
near 57th Street at Mrs. Algie's house
Mrs. Algie her son Robert and Mrs.
McLoughlin and myself. I then ques-
tioned her about her mother and her
death and I drew out an affidavit
setting forth the facts. I was acting
as attorney for my sister in law.
which was about purchasing this
property after drawing the affidavit
I read the deed to her and explained
it that she was conveying her one
half interest in the property 336
E 33d Street for \$2500. dollars. and I
also had a power of attorney which
I prepared at the request of Mrs.
Algie and explained in effect to
her; that by that power of attorney

0438

9

she gave Mrs. Algie the power to dis-
pose of her property and she read over
the papers herself and I also read them
to her besides and she signed the
deed and power of attorney and the affi-
davit. I then saw soon that this new
power of attorney was drawn was
because one had been drawn by
a man named Gibbons which I
deemed insufficient; after the papers
were executed I wrote her the
affidavit and took her acknowlege-
ment to the power of attorney and the
deed; I then left the deed and the
power of attorney and the affidavit
and said bring those down to my
office and you will get your money
I promised Mrs. Algie if she
authorized Mrs. Algie to receive this
money and she said yes and I saw Mrs.
Algie at my office ^{at} near 12 o'clock that
very day and I drew a check for 2465
dollars and sent it to my brother to
sign and it came back signed and
I gave the check to Mrs. Algie and went
to the bank with her and introduced
her and had it cashed. She was my

0439

10

Masterman was paying 2500 dollars
for this half interest the season with
the check was made out for 2465
dollars and the amount to be paid
was 2500 dollars ~~was~~ because
there was a difference in the rents
of the premises we agreed upon
\$35 dollars as being the difference
\$250 dollars of this 2500 dollars
was retained as a lien, by the will
of June McLaughlin Marys mother
she bequeathed 500 dollars to Master
McLaughlin in the event of his
turning out a sober industrious and
provident man other wise he was
only to receive five dollars. ^{and that}
was to be a charge upon the real
estate. to protect my interest I
insisted upon 250 dollars being
deposited on the 22d of September.
Mrs. Algie took it out on the 24th of
September. I have seen Mary Mc
Laughlin since the trial after the
payment of this money the first
time I saw Mary McLaughlin
was at the trial of the suit brought
by Mary Curran against Annie

0440

11
1
I Mr Cobhill, it was an action brought
to set aside the deed to Annie L. M. C.
Cobhill I had no conversation with
her at that time, since that time
I had a conversation with her
sometime about the month of
February during the progress of
a reference contesting whether
Master M. Laughlin was entitled
to the 250 dollars or not. I saw her
there and had a conversation with
all in relation to this transaction
she told me she did not receive
her money she received in all
about six hundred dollars from
Mrs. de G. and accounted for it for
getting a velvet cloak. and furnished
her share at the time she got
married about six hundred dollars
I don't remember having any
subsequent conversation with
her. I listened to her testimony
at the reference I speak of and I
listened to portions of her testimony
given at Jefferson market in
this case and have had several
conversations with Mary in

0441

12

regard to this money.
Case Examined

Some of those conversations I
spoke of were confidential ~~at~~
conversations.

Revised,

about my opinion of this woman
Mary Curran from the conversations
I had with her ^{and} from her examinations
I entered to

objected to

I under her general reputation
for truth and veracity

question ^{and} answer with ^{her}
I know other people who know
Mary Curran & know her reputation
for truth and veracity to be bad &
would not believe her under oath.
Case Examined

I am acquainted with
her reputation for truth and veracity
I know people Mr Gallagher her
brother saw one people out of the
of the party to this suit and the witnesses
that know the complainant
I never knew her before 22nd of
September 1885 to my knowledge

0442

13

and on the 26th of September I had
the same acquaintance with
Mr. that I had on the 22d. of September
she contacted me professionally
about bringing this suit against
Mrs. Dejeu for this 2465 dollars
objected to on the ground that
I seek the disclosure of prof-
essional business
against Mrs. Dejeu since the
26th of September. that was
about the time the latter part of
January or February 1945 I don't
remember having any conversation
with her before that. that check
of 2465 dollars was my brother
check. at the closing of the files
I had to put up 250 more. for the
referred John Mahan Mrs. Dejeu
and I went to the bank and I introduced
her on the 22d of September and she
drew the money from the bank
then she drew out 2465 dollars
in cash. that she drew from the
bank and she went to the Union
Trust Company in Broadway and
deposited 250 dollars there

0443

Bernard L. Cabell cross examined
June 10th 1885.

~~I do~~ I did not call Mary Curran
as a witness before Mr Franklin
a referee I am not sure about it that
is my impression; Mrs Algie went to
the bank and drew the money I did not
give her permission to draw it the
\$250 dollars it was taken without my
consent.

- Did you never state to me that you intended
to arrest Mrs Algie ^{and} in a criminal
matter and get back this money?
objected to; sustained.

I got out an order in supplementary
proceedings in the case Curran against
McCabell ^{and} to ^{procure the} examination ^{of} Mrs Algie

Q What was the object of that proceeding?
Objected to; sustained.

Q In what year was the order issued?

A It was issued out of the supreme Court
about February 1885; the order was
never served.

Q Did you ever state to me that you intended
to arrest Mrs Algie for the recovery
of this \$250, for Mrs Curran
objected to; sustained

0444

Q. Have you ever had any conversation with
Murray Curran on the subject of recording
this \$3465 or any part thereof from
Mrs. de la Cruz for Murray Curran

Objected, on the ground that the
testimony as to any conversation
between the complainant & spots
as to the subject matter of this exami-
nation is *incompetent* unless it is shown
that the respondent was present at
such conversation.

By the Court: Sustained

Q. Have you ever been consulted profes-
sionally by Murray Curran at any time
A. I have

Q. With reference to this \$3465 dollars

Objected to on the ground that
the testimony of the subject matter
of conversations and consultations
between ^{an attorney} his client is *incompetent*
as bearing testimony as to a privileged
communication

Q. Have you in the course of your testimony
been testified ^{to any} circumstances or con-
versations received directly or in-
directly through or by means of your
professional intercourse with Murray

0446

1
I come to be sworn there
this 25th day of May 1865
John J. Norman
Peace Justice

0447

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 Harrington

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

John Harrington
of the CRIME OF Murder in the first degree,

committed as follows:

The said John Harrington

late of the First Ward of the City of New York, in the County of New York aforesaid, on the thirtieth day of December, in the year of our Lord one thousand eight hundred and eighty-five, at the Ward, City and County aforesaid,

with force and arms, in and upon
one Ellen Harrington, then and
there being, unlawfully, feloniously
and of his malice aforethought
did make an assault, and then
the said Ellen Harrington, in the
a certain hotel, which he the
said John Harrington in his
right hand then and there
had and held, in and upon the
head of her the said Ellen
Harrington then and there
unlawfully, feloniously and of
his malice aforethought did
strike, cut, wound and fracture,

0448

giving unto her the said Ellen
Harrington, then and there, with
the hatchet aforesaid, in and
upon the head of her the said
Ellen Harrington, one mortal
wound and fracture of the length
of four inches and of the breadth
of three inches, of which said
mortal wound and fracture she
the said Ellen Harrington then
and there died.

And so the said jury aforesaid
do say, that the said John Har-
rington then the said Ellen Harring-
ton, in manner and form, and
by the means aforesaid, with
feloniously and of his malice
aforethought did kill and murder,
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

Richard B. Martin,

District Attorney