

0000

BOX:

78

FOLDER:

875

DESCRIPTION:

Allen, Leander L.

DATE:

10/04/82



875

0889

*W. H. C. of ...
...
...*

Day of Trial.
Counsel, *[Signature]*
Filed *H* day of *Oct* 1882
Pleads *Not Guilty*

THE PEOPLE
vs.
1624 *vs.* *B*
Leander S. Allen

Adulterated Milk.

BENJ. K. PHELPS
John McLean
District Attorney.

R 2 Oct 19/82
A True Bill. *pleas do guilty.*

[Signature]
Foreman.
[Signature]

0890

State of New York
City & County of New York ss.

Laander L. Allen, being duly sworn deposes and says that he resides at No. 16 E. 24th Street that he does business at No. 247 E 10th Street in New York City that he has been there for the last 4 years, that he deals in milk, eggs, and butter, that he is well known in the neighborhood in which he does business, and has the reputation of selling only first class articles to his customers. Deponent further says that he always endeavours to obtain the best milk to furnish his customers, and has sent back milk to the farmer who supplied him when the milk did not come up to the standard as required by law. Deponent further says that he uses the lactometer and cream gauge and every measure in his power

0891

To enable ^{her} to see your mother
ance has never knowingly
sold or disposed of or kept
for sale any unwholesome, impure
or adulterated milk.

Leander S. Allen

Wm. H. Freeman
Oct 19th day of October 1882
Dr. James H. Freeman
Wm. H. Freeman
Wm. H. Freeman

0892

Amesbury

London S. Allen

Official

0893

City and County of New York, ss.

Edward W. Martin aged 25 years of number 47 West 53rd street
Assistant Sanitary Inspector of said city, being duly sworn, deposes and says, that on the
2nd day of May in the year 1882,

at premises number 247 East 10th Street in the City of New York, the said premises being
a place then and there where Milk was kept for sale, one Brandon S. Allen
unlawfully did then and there keep, have and offer for sale three quarts of impure and unwhole-
some Milk, which had been and was then and there watered, adulterated, reduced and changed by
the addition of water or other substance, or by the removal of cream therefrom, and that such
impure, unwholesome, watered, adulterated or reduced and changed Milk was then and there, by
the said Brandon S. Allen, unlawfully held, kept and offered for sale
against and in violation of the provisions of the Sanitary Code, and of such Sanitary Code then
and there, and at all times thereafter in force and operation, and especially against and in violation
of the provisions of a section and ordinance of such Sanitary Code which was duly passed and
adopted by the Board of Health of the Health Department of the said City of New York, and by
said Health Department at a meeting thereof, duly held in said city, on the twenty-third day of
February, 1876, in the manner and language following, to wit:

"Resolved, That under the power conferred by law upon the Health Department, the
following additional section to the Sanitary Code, for the security of life and health be, and the
same is hereby, adopted and declared to form a portion of the Sanitary Code.

"No Milk which has been watered, adulterated, reduced or changed in any respect by the
addition of water or other substance, or by the removal of cream, shall be brought into, held,
kept or offered for sale at any place in the City of New York, nor shall any one keep, have or
offer for sale in the said city any such Milk."

That said ordinance was thereafter duly published once a week, for two successive weeks, in
the City Record, a daily official newspaper and journal published in said city, to wit, in the issues
of such newspaper of the 24th day of February, 1876, and also of the 2d day of March, 1876, and
that said ordinance was, at all times alleged herein, in full force and operation in said city
and county.

Sworn to before me the 10th day
of May 1882.

Edward W. Martin.

Solomon Smith

Police Justice.

0894

Police Court, 3rd District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Edward Wharanting
of Co 47, 1st 35th St.

vs.

Franklin S. Allen

of Co 247 East 10th St.

Apparatus Company Co.

Dated May 10 1882

Schuch Justice.

Officer.

Seals 80 qts per day

80% added water.

0095

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK,

3. DISTRICT POLICE COURT.

Frederic L. Allen 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. Frederic L. Allen

Question. How old are you?

Answer. Forty five years

Question. Where were you born?

Answer. United States

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

Answer. 247 East 10th St - 3 years

Question. What is your business or profession?

Answer. Butter & Milk dealer

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. I tested this milk with a cream gauge and it showed well

F. L. Allen

Taken before me, this 3
day of May 1882

Robert Smith
Police Justice.

h

0896

Sec. 151.

Police Court 3rd District.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by Edward W. Martin, Ass't. Supt. Dept. of Licenses of No. 47 West 55 Street, that on the 2nd day of May 1882 at the City of New York, in the County of New York,

at premises numbered 47 West 10th Street said premises being a place where milk was kept and offered for sale and Edward W. Martin did then and there unlawfully keep, have and offer for sale impure unwholesome material and adulterated milk in violation of Section 186 of the Sanitary Code of said City

Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to answer the said complaint.

These are, Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant and bring him forthwith before me, at the 3rd DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 10th day of May 1882

Signature of Police Justice

POLICE COURT 3rd DISTRICT.

THE PEOPLE, &c., ON THE COMPLAINT OF

Edward W. Martin vs. 47 West 55th Street

Edward W. Martin

47 West 10th Street

Dated May 10th 1882

Signature of Magistrate

Signature of Officer

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

Signature of Officer

Dated May 10th 1882

This Warrant may be executed on Sunday or at night.

Police Justice.

REMARKS.

Time of Arrest, May 13th 1882

Native of C.S.

Age, 45

Sex, 247, 3. 10th St.

Complexion, _____

Color, _____

Profession, _____

Married, _____

Single, _____

Read, _____

Write, _____

0898

CLERK'S NO. 44-19

Police Court 3 District.

THE PEOPLE, &c.,
vs. EDWARD T. ALLEN

Complaint of
Edward T. Allen
#7 York 5-5
Violation
Sanitary Code

Office, 2
Sanitary Code

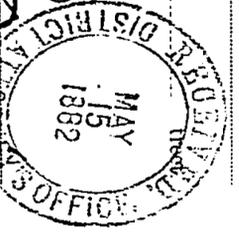
Dated May 13 1882

Smith Magistrate.

BAILED,
No. 1, by Edward Allen
Residence 16 E 24th Street,
No. 2, by
Residence
No. 3, by
Residence
No. 4, by
Residence

Witnesses:
No. Street,
No. Street,
No. Street,

Fairbanks
General Services



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 Edward T. Allen

Wid to answer and be
guilty thereof, I order that he be admitted to bail in the sum Two Hundred Dollars and be committed to the Warden or Keeper of the City Prison until he give such bail.

Dated May 13 1882 Solou Smith Police Justice.

I have admitted the above named Edward T. Allen
to bail to answer by the undertaking hereto annexed.

Dated May 13 1882 Solou Smith Police Justice.

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

Dated _____ 188 _____ Police Justice.

6689

CLERK'S No. 357

4419

Sec. 208, 209, 210 & 212.

Police Court District.

THE PEOPLE, &c.,
vs. THE COMPLAINT OF

Edward W. Martin
#7 Head 55
Daudud. Allen
Trotter & Co
Office, Trotter & Co

BAILED,

No. 1, by Leander Allen

Residence 16. E 24. Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated May 13 1882

Smith Magistrate.

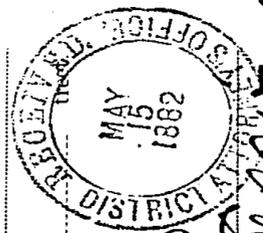
Officer.

Clerk.

Witnesses.

No. Street.

No. Street.



Daint
General Store

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

guilty thereof, I order that he be admitted to bail in the sum of Five Hundred Dollars and be committed to the Warden or Keeper of the City Prison until he give such bail.

May 13 1882
Dated
Sealed
Justice

I have admitted the above named
Francis F. Brown

to bail to answer by the undertaking hereto annexed.
May 13 1882
Dated
Sealed
Justice

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

Dated 1882
Police Justice.

0900

Court of General Sessions of the Peace of
the City and County of New York.

THE PEOPLE OF THE STATE OF
NEW YORK,

against
Leander S. Allen

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

Leander S. Allen

of the crime of exposing for sale
adulterated milk
committed as follows:

The said Leander S. Allen

late of the Seventeenth Ward of the City of New York, in the County of
New York, aforesaid, on the second day of May in the year
of our Lord one thousand eight hundred and ~~seventy-eight~~ two at the Ward,
City and County aforesaid, unlawfully and knowingly did expose for sale at the
premises known as number two hundred & forty seven East Tenth Street,
then and there situate, ten quarts of impure, adulterated and unwholesome milk, 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.

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

Leander S. Allen

of the CRIME OF keeping, having and offering
for sale adulterated milk
committed as follows:

The said

Leander S. Allen

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, at the store and place of business
of the said Leander S. Allen
known as number two hundred and forty seven East Tenth Street,
in said Ward, City and County, and the said premises being then and there a place
where milk was kept for sale, unlawfully did then and there keep, have, and offer for
sale ten quarts of impure and unwholesome milk, which had been, and was then and there
watered, adulterated, reduced and changed by the addition of water or other substance,
and that such impure, unwholesome, watered, adulterated, reduced and changed milk
was then and there by the said Leander S. Allen
unlawfully held, kept and offered for sale
against and in violation of the provisions of the Sanitary Code, and of such Sanitary
Code then and there, and at all times thereafter in force and operation, and 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.

0901

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

Seander E. Allen

of the CRIME OF keeping and having adulterated
milk

committed as follows:

The said Seander E. Allen

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, did bring into the said Ward, City and County, and then and there have ~~and offer for sale,~~ at the store and place of business of him, the said Seander E. Allen known as number two hundred & forty seven East Tenth Street, the said premises being then and there a place where milk was kept for sale, unlawfully did then and there keep/have, ~~and offer for sale,~~ ten quarts of impure and unwholesome milk, which had been and was then and there, watered, adulterated, reduced and changed by the addition of water or other substance, and that such impure, unwholesome, watered, adulterated or reduced and changed milk was then and there, by the said Seander E. Allen unlawfully held/kept ~~and offered for sale~~ against and in violation of the provisions the Sanitary Code, and of such Sanitary Code then and there, and at all times thereafter in force and operation, and especially against and in violation of the provisions of a section and ordinance of such Sanitary Code, which was duly passed and adopted by the Board of Health of the Health Department of the said City of New York, and by said Health Department at a meeting thereof, duly held in said City, on the twenty-third day of February, 1876, in the manner and language following, to wit:

Resolved, That under the power conferred by law upon the Health Department, "the following additional section to the Sanitary Code, for the security of life and health be, and the same is hereby adopted and declared to form a portion of the "Sanitary Code.

"No milk which has been watered, adulterated, reduced, or changed in any respect by the addition of water or other substance, or by the removal of cream, shall be brought into, held, kept or offered for sale at any place in the City of New York, nor shall any one keep, have, or offer for sale in the said city any such milk."

Which said ordinance was thereafter duly published once a week, for two successive weeks, in the *City Record*, a daily official newspaper and journal published in said city, to wit: in the issues of such newspaper of the 24th day of February, 1876, and also of the 2d day of March, 1876, and which said ordinance was then and there, and at all times thereafter, in full force and operation against the forms of the Statute in such case made and provided.

John Mc Keon

~~JOHN Mc KEON,~~
~~BENJ. R. FIELDS,~~ District Attorney.

0902

BOX:

78

FOLDER:

875

DESCRIPTION:

Arthur, Albert

DATE:

10/10/82



875

0903

WITNESSES.

Day of Trial, *11/1*
Counsel, *Drapp* Oct 1882
Filed *10* day of
Pleas *Not guilty (20)*

THE PEOPLE

vs.
Peltonius Assault and Battery.

P

Robert Arthur

John McKeeon

JOHN MCKEON,
District Attorney.
11/1

A True Bill.

Robert J. K.
Foreman.
December 11 1882

John J. Covert
on record *13/18*
S.P. 5 years *Dec 13/18*

0904

4 2
The People v. Albert Arthur { Court of General Sessions. Part I
Before Judge Cowing. Dec. 11. 1882.
Indictment for felonious assault and
battery. Ephraim R. Steinhardt sworn and
examined, testified. I live at 239 West Twentyfourth
st; I was at Aberles' theatre on the night
of the second of October in one of the boxes.
I saw Mrs. Arthur in one of the boxes and
I saw the prisoner when he came in and
stabbed her. I was sitting in the back of
the box; there were five or six people in
the box; the prisoner passed by me; Mrs
Arthur was sitting down two or three steps
below; he fell right on her and then after
wards I saw the blood coming from her.
He was striking her. I should judge the
whole thing did not take a minute; he
must have stabbed her eight or nine times
surely with a knife; he had a knife. I
should judge it must have been a broken
knife that was sharpened down. I took hold
of him and pulled him off and he stood
for a moment as though he was going
to stab me, but he broke away from
me and ran out. That was the last
I ever seen of him. Cross examined. It
was not a private but a public box I
was in; anybody can go in. A gentleman

0905

named Bart from Kipton, Ind., was one of the men who was in the box; there was also a brother of mine and another gentleman whose name I did not know. It was the inside box nearest the stage. There was another lady in the box beside Mrs. Arthur - maybe a minute before. I saw her once or twice before at the same place. I do not think she was in the box when the prisoner entered, but I would not be positive; she had not been sitting on my lap; she was not sitting beside me, I was not even talking when I was talking to Mr. Bart, a customer of mine. I was not drunk, I never get drunk, I am not that kind of a man. I think Mrs. Arthur was dressed in her stage costume; she was going on the stage to appear. I do not know that there was in the box that night a gentleman by the name of Clark. I think affair took place before the beginning of the last piece; it might be $\frac{1}{4}$ past 9 o'clock. I saw the prisoner enter the box; he did not say a word. I did not notice anything in his hand. People were going in and out all night there; I thought he was a waiter. I helped to get a doctor, I went out for a physician. I came back and afterwards I went home.

0906

Nellie Arthur, sworn and examined testified: I live 270 Broome St. I was in Aberle's theatre on the night of the 2nd of Oct. last. I was in the box when this affair took place. The prisoner came into the box and cut and stabbed me. I thought he struck me first off in the face. I kind of staggered to one side and blood commenced to flow. I knew he cut me and he ran right down stairs. I did not see the knife in his hand; I was cut eleven times - three times in the shoulder, three times on the cheek, once on the head, once on the arm and cut on both hands. He did not say anything to me before he cut me nor I to him. Cross Examined: There were about five people in the box. I was introduced to the gentleman who was a witness here and a couple of others. I sat on a chair down on the second or third step; a gentleman who had sent for me was on my right. I do not know his name; there was no one on my left. There was a few down front and Mr. Steinhart sat back and there was another gentleman sitting on one of the lower steps. I was playing in the theatre at the time and was in costume. This affair

0907

happened before the second act. I had seen the gentleman who sent for me before in the box; he was a stranger. I never saw him afterwards. I had been living at my mother's and the prisoner followed me around to see if I had been doing anything out of the way. I had not been in the habit of going up into this box I could not say when I had seen my husband before this night; it might have been a week. I remember one Saturday night he asked me if I would go and live with him and I told him, no. I should judge I had been living away from my husband about a month before this happened. I have seen him a number of times since I was attended by Dr Cropper. I have not been able to go out in consequence of my injuries until the last two or three weeks. He attended me about three or four weeks. Have you stated that you deemed yourself in fault in this matter? No sir, I was doing nothing wrong when he entered that box. Have you attempted to withdraw the charge in this case? Yes sir, I would like to withdraw the charge but not for any cause of my own. This was the case for the prosecution.

0908

Albert Arthur sworn and examined in his own behalf testified. I heard something during the day that this happened which brought me to this theatre that night. I went there with no intent to harm my wife. I had no intent to kill or anything of that kind. I went to see whether or not the statements I heard were true. I know I harmed her. When I entered the box I saw a man to my left with a woman in his lap; the moment she saw me enter the box she immediately ran out; she knew me and I suppose she was frightened. I turned and looked partly to the right and I saw my wife sitting about the centre of the box there was three gentlemen sitting across this box about in the centre. My wife was lying across the laps of these three men. In a moment I forgot myself. I was under the influence of liquor. I don't know what occurred only what I have heard since. I tell this before my God. Had you supposed previous to this your wife was virtuous and was faithful to you and your interests? Yes sir. I had. Examined. You did not remember what occurred that night after you got in the box? No sir. I did not. I saw

0909

my wife sitting there, and what I done I forget. I supposed my wife was virtuous until I received this information. What is your occupation? I am a variety performer. I was not in the business at that time, I had given it up last Spring. I was working as a waiter in a restaurant in Chatham street. I worked for Mr. Taylor and I also worked in the Jim Fiske restaurant for Mrs. Kelly. I was out of employment on the day this affair happened, I quit work. I was working the night before. I was doing night work. Was there anything in your employment that required you to carry on your person this knife? I do not know what knife you are speaking about. Yes I do know I had a pocket knife that closed up. By Counsel. Have you got the same knife in your pocket now that you had that night? Yes sir, I have. By Mr. Fellows. When did you take the knife out of your pocket? I do not know. I had no knife in my hand when I entered the box. By Counsel. Is that the same knife? That is the knife (showing it). By Mr. Fellows. You do not know what you did after you did the stabbing? I do not know whether I

0910

did the stabbing or not. I have heard that I did and that my wife was injured. When did you recover yourself again? When the man placed his hand on my shoulders; that brought me to my senses in the box. I run out of the box when he put his hand upon me. I was frightened I suppose and that is what made me run. This happened between the acts. There was an audience there, but the audience cannot see into the box; it was a proscenium box next to the stage and partly in front of the audience. The curtains were partly drawn; they were drawn far enough to shut out those people. It is impossible to look into Aberle's box fully from the auditorium; there was no light in the box that I saw. I have never performed in that theatre. I was never in those boxes before. I was in the boxes downstairs once before. I looked into the box passing through. I have been back on the stage of Aberle's theatre with friends. You could look on the stage from the back of the box. The theatre was lit up the time this affair took place. I mean to say that my wife was lying across the laps of three men sitting in that box.

0911

Edward Gilgar sworn and examined. testified. I am an officer of the 15th and arrested the prisoner on the 3^d of Oct., the day after the stabbing at 25 Prince St. I asked him in regard to stabbing his wife? He said he stabbed her two or three times. I asked him what kind of knife it was? He said it was a table knife broke in the centre and sharpened down to a point; he used to carry it in his pocket for the purpose of pairing his nails. This conversation occurred in Mulberry street on my way going toward the 15th precinct station house. Cross Examined. I found the prisoner in a garret room 25 Prince St. third floor I asked him if his name was Albert Arthur and he said, yes. He made the statement about the knife voluntarily to me. He said he was a little under the influence of liquor, that he made a little money on the Sunday night before I took the prisoner to Mrs. Arthur after I arrested him and she identified him as the man that stabbed her. Ephraim R. Steinhardt was recalled. I am not a married man. He described the way the boxes are constructed, said the box he was in was

0912

lit, and that there was nothing to prevent a good part of the audience looking in and seeing everything that was going on in the box.

The jury rendered a verdict of guilty of assault with intent to do bodily harm.

0913

Testimony in the
case of
Albert Arthur
filed Oct.

1892.

0914

**POOR QUALITY
ORIGINAL
DOCUMENT(S)**

09 15

R

This is to certify
that the entire collection con-
tained is about the same
as at the last report.
Wm. H. ...
S. P. Cropper

DR. S. P. CROPPER, } OFFICE HOURS:
41 EAST TENTH ST., } 8 TO 10 A. M.
NEW YORK. } 12 " 2 P. M.
6 " 8 P. M.

09 16

DR. S. P. CROPPER,

41 East Tenth Street,

OFFICE HOURS: { 8 to 10 A. M.
12 to 2 P. M.
6 to 8 "

NEW YORK

R

Dear Sir,
I have the pleasure
to inform you that
the condition of the
prognosis is
not by any means
out of danger yet.

(Signed), S. P. Cropper, M.D.

0917

712 West 11th
N.Y. City Oct 3rd 1912

It is to certify that
I was called in to witness
last night at 11 P.M. I made
an autopsy from wounds in-
flicted with a single cutting
knife, & returned upon the
head, face, scalp, shoulder,
arms & legs a list of wounds
critical conditions and made
a prognosis of her case
as may appear.

Signed: J. M. [unclear]

09 18

Police Court—*Second* District.

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

Ephraim R Steinhardt

of No. *239 West 24th St or 258 Canal Street,*

on *Monday* the *2d* being duly sworn, deposes and says, that
day of *October*

in the year 188*2* at the City of New York, in the County of New York,

Nelly Arthur
was violently and feloniously ASSAULTED and BEATEN by *Albert Arthur*

(now here) That deponent saw said
defendant wilfully and maliciously
cut and stab *Nelly Arthur* in the
head, hand breast and shoulder
with a knife then and there held
in the hand of said *Albert Arthur*
in a private box in *Abels Theatre's*
in *East 8th Street* in said *City*

with the felonious intent to take the life of *Nelly Arthur*, or to do her bodily harm; and without any
justification on the part of the said assailant :

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

Sworn to before me, this *4th* day
of *October* 188*2* }

R. S. & High
POLICE JUSTICE.

Ephraim R. Steinhardt

0919

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

2d

District Police Court.

Albert Arthur

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 Arthur*

Question. How old are you?

Answer. *24*

Question. Where were you born?

Answer. *Canada*

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

Answer. *93 Canal St five weeks*

Question. What is your business or profession?

Answer. *Actor*

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 went in a box in a theatre + I found my wife lying across the laps of three men and that was the cause of my assaulting her*

Albert Arthur

Taken before me this

4th

day of

October

1887

John J. [Signature]
Police Justice.

0920

Police Court 629 111
2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William S. Steinhack
239 West 24 St.

1 Albert Arthur

Offence, Fel A + B in
Armed Robbery

BAILED,
No. 1 by _____
Residence _____
Street _____

No. 2, by _____
Residence _____
Street _____

No. 3, by _____
Residence _____
Street _____

No. 4, by _____
Residence _____
Street _____

Dated October 4 1882

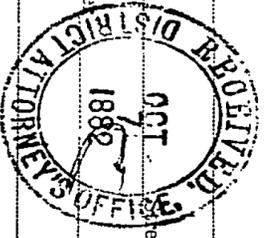
730 + 73rd St Magistrate,
Edward G. Lagan 15 Officer.

Witnesses, William Arthur Clerk.

No. 145 East 8th Street, Street,

No. _____ Street,

No. _____ Street,
\$ _____ to answer



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

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~~ give such bail.

Dated Oct 4th 1882 B. W. Rishy Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

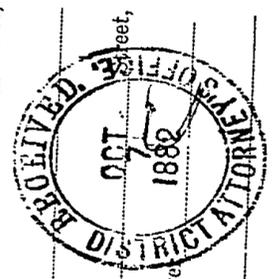
12621

Police Court District. 2

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Ephraim S. Steinhilber
239 West 24 St.
1 Albert Arthur
2
3
4

Dated October 4 1882
304 Bxly Magistrate.
Edward Gidgar 15 Officer.

Clerk.
Witnesses, Willie Arthur
No. 145 East 8th Street, Street,



BAILED,
No. 1 by
Residence Street,
No. 2, by
Residence Street,
No. 3, by
Residence Street,
No. 4, by
Residence Street,

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 Arthur

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Five Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he ~~gives~~ such bail.

Dated Oct 4/1882 Police Justice.

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

Dated _____ 1882 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 _____ 1882 Police Justice.

0922

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 Arthur

The Grand Jury of the City and County of New York, by this indictment, accuse
Albert Arthur
of the CRIME OF "Assault and Battery upon another with a deadly weapon with intent to
kill," committed as follows:

The said

Albert Arthur

late of the City of New York, in the County of New York, aforesaid, on the
second day of October in the year of our Lord
one thousand eight hundred and eighty two with force and arms, at the City and
County aforesaid, in and upon the body of Kelly Arthur
in the peace of the said people then and there being, feloniously did make an assault
and her the said Kelly Arthur
with a certain knife
which the said

Albert Arthur

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

SECOND COUNT.

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

Albert Arthur

of the CRIME OF "Assault upon another, without justifiable or excusable cause, with a
sharp dangerous weapon, with intent to do bodily harm," committed as follows:

The said

Albert Arthur

afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid,
with force and arms, in and upon the body of the said Kelly

Arthur then and there being, wilfully and feloniously did make an
assault and her the said Kelly Arthur
with a certain knife which the said

Albert Arthur

in his right hand then and there
had and held, the same being then and there a sharp, dangerous weapon, wilfully and
feloniously, and without justifiable and excusable cause, did then and there beat, strike,
stab, cut and wound, with intent to then and there wilfully and feloniously do bodily
harm unto her the said Kelly Arthur
against the form of the Statute in such case made and provided, and against the peace of
the People of the State of New York and their dignity.

JOHN McKEON, District Attorney.

0923

BOX:

78

FOLDER:

875

DESCRIPTION:

Austin, Harry A.

DATE:

10/05/82



875

0924

Sixty seven

Counsel: *W. B. Bergin*
Filed: *Oct 2* 188 *2*

Pleads: *Not Guilty*

THE PEOPLE
vs.
James A. Austin
Son of John A. Austin

BURGLARY—First Degree, and
Grand Larceny.

JOHN McKEON,
District Attorney.

A True Bill.

Charles A. K...
Foreman.

Oct 6/82

Verdict of Guilty should specify of which count.

Charles J. ...
State Referee

0925

POLICE COURT— *3rd* DISTRICT.

City and County }
of New York, } ss:

Arthur V. Pruseen
of *Depot Lane, Fort Washington*, being duly sworn,

deposes and says, that the premises *No. 120*
12th Ward, in the City and County aforesaid, the said being a

Dwelling
and which was occupied by deponent as a *Dwelling*.

entered by means *of cutting a slit from the* **BURGLARIOUSLY**
outside blind, removing the catch
and raising the sash

on the *night* of the *1st* day of *September* 18*82*
and the following property feloniously taken, stolen, and carried away, viz:

Silver ware, consisting of
forks, spoons, and one butter
dish in all of the value of
Three hundred 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 *Harry A. Austin*, now
present.

for the reasons following, to wit; *That deponent's premises*
were entered as above described
and the aforesaid property stolen
therefrom. That defendant admitted
in the presence and hearing of depo-
nent, admitted participating in the
entering of said premises and stealing
said property.

Arthur V. Pruseen

Sworn to before me
this 29th day of Sept 1882
James C. [unclear]
Notary Public

0926

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

DISTRICT POLICE COURT.

Harry A. Austin 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. Harry A Austin

Question. How old are you?

Answer. Seventeen

Question. Where were you born?

Answer. In Boston, Mass.

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

Answer. 3 Ave bet 65 & 66 St. 3 or 4 weeks.

Question. What is your business or profession?

Answer. I can make chairs.

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 was standing at Cooper Institute, when a man got in conversation with me. in the course of which I told him I had been in a Reform school for stealing and he said he had been in State Prison. He proposed to break into the house. I went with him and watched outside while he went in, and waited until he came out with the silver. He got into an Elevated train

Taken before me, this

day of _____ 188

and went down town - He offered

Police Justice

me some of the silver. I told him I had no place to hide it, when he promised to meet me the next day. I haven't seen him since. He said his name was John Saunders.

Harry A. Austin.

*Examined before me
this 29 Sept 1887
Charles W. Austin*

0920

Sept 29

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Arthur Burgess
Wagon Lane
Mont Haffey
Harry Haffey

BAILED,

No. 1, by

Residence

Street,

No. 2, by

Residence

Street,

No. 3, by

Residence

Street,

No. 4, by

Residence

Street.

Dated *29 Sept* 188*2*

Magistrate.

White
Thurgan

Clerk.

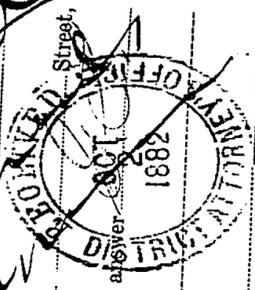
Witnesses, *Mr Thurgan*

No. *1* Street *White*

No. *1* Street *White*

No. *1* Street *White*

to appear



It appearing to me by the within depositions and statements that the crime therein mentioned has been committed,

and that there is sufficient cause to believe the within named *James J. White*

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of ~~Five hundred Dollars~~

give such bail.

I have admitted the above named *James J. White*

to bail to answer by the undertaking hereto annexed.

Dated *29 Sept* 188*2* Police Justice.

There being no sufficient cause to believe the within named *James J. White*

guilty of the offence within mentioned, I order he to be discharged.

Dated *29 Sept* 188*2* Police Justice.

0929

COURT OF GENERAL SESSIONS OF THE PEACE

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Harry A. Austin

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

Harry A. Austin

of the CRIME OF BURGLARY in the First Degree, committed as follows:

The said

Harry A. Austin

late of the Twelfth Ward of the City of New York, in the County of New York, aforesaid, on the sixth day of September in the year of our Lord one thousand eight hundred and eighty-two with force and arms, about the hour of eleven o'clock in the night time of the same day, at the Ward, City and County aforesaid, the dwelling house of

Arthur V. Briesen

there situate, feloniously and burglariously did break into and enter, by means of

forcibly breaking open an outer window thereof

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

V. Briesen

within the said dwelling-house, the said

Harry A. Austin

then and there intending to commit some crime therein, to wit: the goods, chattels and personal property of Arthur V. Briesen

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.

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

Harry A. Austin

of the CRIME OF GRAND LARCENY IN A DWELLING HOUSE, committed as follows:

The said

Harry A. Austin

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, about the hour of eleven o'clock in the night time of said day,

value of three dollars each, fifty spoons of the value of three dollars each, and one butter dish of the value of fifteen dollars

of the goods, chattels, and personal property of Arthur V

Briesen in the said dwelling house of one

Arthur V. Briesen then and there being found

in the dwelling house aforesaid, then and there feloniously did steal, take and carry away against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

JOHN McKEON, District Attorney.

0930

END OF
BOX