

0009

BOX:

102

FOLDER:

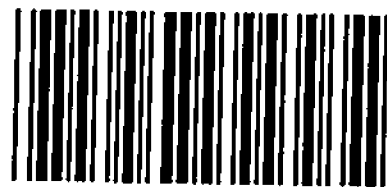
1088

DESCRIPTION:

Alst, Edward

DATE:

05/28/83



1088

177 *William*

Day of Trial,

Counsel,

Filed *22* day of

1888

Pleads

THE PEOPLE

vs.

47.
84 Norfolk

B

Edward O'Driscoll

Violation of Excise Law.
Selling without License.

JOHN MCKEON,

District Attorney.

22 May 24/88
pleads guilty.

A TRUE BILL.

W. McKing

Foreman.

fine \$5.

III 22.5 (188) 1981 6 13

00 10

0011

Court of General Sessions of the Peace
and County
OF THE CITY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

Edward Alst

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

of the CRIME of *Selling Spirituous Liquors without a License*,
committed as follows :

The said *Edward Alst*

late of the *5th* Ward of the City of New York, in the County of
New York aforesaid, on the *20th* day of *May* in the year
of our Lord one thousand eight hundred and eighty *1882*, at the Ward,
City and County aforesaid, certain strong and spirituous liquors, and certain wines, to
wit: one gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of
whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill
of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor
to the Grand Jury aforesaid unknown, unlawfully did sell, in quantity less than five gallons
at one time, to

Francis J. McKeon

and to certain other persons whose names are to the Grand Jury aforesaid unknown, without
having a license therefor, as required by law, contrary to the form of the statute in such case
made and provided, and against the peace and dignity of the People of the State of New
York.

JOHN McKEON, District Attorney.

00 12

EXCISE VIOLATION—WITHOUT LICENSE.

Police Court— 3 District.

CITY AND COUNTY }
OF NEW YORK, } ss.

of No. 10th Precinct Police Francis Hughes Street,
of the City of New York, being duly sworn, deposes and says, that on the 14th day
of May 1883, in the City of New York, in the County of New York, at
No. 89 Norfolk Street,
Edward Alsh, now times

did then and there sell, and caused, suffered and permitted to be sold, under his direction and authority, strong and
spirituous liquors, wines, ale and beer, being intoxicating liquors, in quantities less than five gallons at a time, to be
drunk in the house or premises aforesaid without having a proper license therefor contrary to and in violation of law.

That said deponent then and there
sold and gave to deponent a glass of
beer to be drunk on the premises

WHEREFORE, deponent prays that said Edward Alsh
may be ~~arrested~~ and dealt with according to law.

Sworn to before me, this 14th day
of May 1883

Francis Hughes
James P. [Signature]
POLICE JUSTICE.

Dated _____ 188 _____ *Police Justice.*

0014

Sec. 198-200

CITY AND COUNTY }
OF NEW YORK, } ss.

Third District Police Court.

Edward Alsh 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. *Edward Alsh*

Question. How old are you?

Answer. *44 years 7 mos*

Question. Where were you born?

Answer. *Germany*

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

Answer. *89 Norfolk St. 14 years.*

Question. What is your business or profession?

Answer. *Patron Keeper*

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 made application for a license.*

I demand a trial by jury at the Court of General Sessions.

Edward Alsh.

Taken before me this

14

day of

May

188*8*

John J. Sullivan

Police Justice.

00 15

BOX:

102

FOLDER:

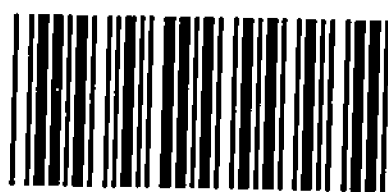
1088

DESCRIPTION:

Apgar, Olin H.

DATE:

05/15/83



1088

0016

108
Counsel, J. J. New
Filed 15 day of May 1883
Pleads Nov. 4. 1883

THE PEOPLE

25.

P
Olin W. Dugan

Grand Larceny, Second degree, and
Receiving Stolen Goods.

JOHN McKEON,
District Attorney

THE BIR

Foreman.

Pen 4 months

0017

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Olin A. Anger

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

Olin A. Anger

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

The said Olin A. Anger

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the
21st day of April in the year of our Lord one thousand eight hundred and
eighty-~~three~~, at the Ward, City and County aforesaid, with force and arms

seven pool balls of the value of
four dollars each

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

JOHN McKEON, District Attorney.

0019

Police Court 2 District 414

FILE PEOPLE, &c.,
ON THE COMPLAINT OF
John M. Moore
448 239th St.
Old St. August

1 Old St. August
2 _____
3 _____
4 _____

Offence, Grand Larceny

BAILLED,

No. 1 by _____
Residence _____
Street _____

No. 2, by _____
Residence _____
Street _____

No. 3, by _____
Residence _____
Street _____

No. 4, by _____
Residence _____
Street _____

Dated May 8 1883

P. J. Duffy Magistrate.
W. O. Sigmond Officer.
20 Clerk.

Witnesses, Frank Denny
No. 425 West 3rd Street,
No. _____ Street,
No. _____ Street,
No. 340 Street,
to answer U. S.
Cons

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 Old St. August

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

Dated May 8th 1883 P. J. Duffy 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.

0020

Sec. 198-200

2 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Olin H. Appgar 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.

Olin H. Appgar

Question. How old are you?

Answer.

33 years

Question. Where were you born?

Answer.

New York City

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

Answer.

305 East 10th Street six months

Question. What is your business or profession?

Answer.

Rail Road Man

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

Olin H. Appgar

Taken before me this

day of

[Signature]

Police Justice.

0021

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 24 years, occupation Paper Stainer of No. 423 West 37th Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of John M. Moore
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 8

day of May 188

Frank Perry
Police Justice.

0022

2nd

District Police Court.

Affidavit—Larceny.

CITY AND COUNTY
OF NEW YORK.

Liquor 4448 Ninth Ave
of No. Street.

Street.

being duly sworn, deposes and says, that on the 21th day of April 188

at the Above premises in the City of New York,

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

of the deponent, with the unlawful intent to deprive the true owner of the use and benefit thereof the following property, viz:

Seven Ivory pool balls in all
of the value of twenty Eight dollars

Sworn before me this

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

Olin W. Angar (now here) from the fact that the Defendant and a man named Frank Perry came into deponent's place and played a game of pool and after they left deponent missed the aforesaid balls and was informed by Frank Perry that he saw the aforesaid property in the Defendant's possession said property being the property taken stolen and carried away from deponent

John M. Moore

Police Justice.

0023

BOX:

102

FOLDER:

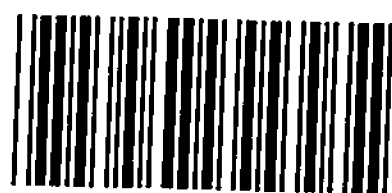
1088

DESCRIPTION:

Asselstine, Henry A.

DATE:

05/01/83



1088

0024

251 (C.D.) returned

Counsel,

Filed 1 day of May 1883

Pleads

THE PEOPLE

vs.
J. B. Brown

P

Denny A. Asseltine

Attorney at Law
[Section 34-529 and 532]

JOHN McKEON,

District Attorney

22 May 1. 1883

A True Bill. Pleads guilty.

A. W. Mendenhall

Foreman.

James R. Pen

P. C.

0025

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Denny A. Asselstine

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

~~_____~~ Denny A. Asselstine ~~_____~~
~~attempting to commit~~
of the CRIME OF ~~Small~~ LARCENY ~~in the~~ ~~degree~~, committed as follows:

The said Denny A. Asselstine

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the
12th ~~on the~~ day of April in the year of our Lord one thousand eight hundred and
eighty- ~~three~~, at the Ward, City and County aforesaid, with force and arms
two shirts of the value of one
dollar, each, two jackets of
the value of fifty cents each,
and two pairs of overalls of
the value of fifty cents each
pair

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

John Mc Keon

District Attorney

0026

40 E Houston St - April 12th

Mr Cohen

Please give bearer for me
two blue flannel shirts, two jumpers
two pair overalls.

M. D. Dunn

POOR QUALITY
ORIGINALS

0027

17-11-32nd

0028

Police Court 3 District. 338

THE PEOPLE, &c.,
ON THE COMPLAINT OF
William L. L. L.
338 vs. Samuel
Henry Charles
1
2
3
4
Offence Forgery

BAILED,
No. 1, by _____
Residence _____ Street _____
No. 2, by _____
Residence _____ Street _____
No. 3, by _____
Residence _____ Street _____
No. 4, by _____
Residence _____ Street _____
No. 5, by _____
Residence _____ Street _____

Dated April 14 1883
Magistrate Harman
Officer Brewer
Precinct 14
Witnesses Michael L. L.
No. 470 East Manhattan Street.
No. _____ Street.
No. _____ Street.
No. _____ Street.
\$ 100 William L. L.
Street Camden

APR 16 1883
RECEIVED
DISTRICT CLERK
OFFICE

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 Henry Charles

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 100 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 April 14 1883 Henry Charles 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.

0029

Sec. 198-200

CITY AND COUNTY } ss.
OF NEW YORK, }

3rd District Police Court.

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

Question. What is your name?

Answer. Henry Aseltine

Question. How old are you?

Answer. 28 years

Question. Where were you born?

Answer. Canada

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

Answer. 354 Bowery Street

Question. What is your business or profession?

Answer. Peacher

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

H. Aseltine

Taken before me this

14

day of April

1883

Wm. H. Spencer Police Justice.

0030

CITY AND COUNTY }
OF NEW YORK, } ss.

Michael Dunn
Discharged Criminal,
aged 56 years, occupation Superintendent for the House of of No.
40 East Houston Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of William Cohen
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 14 } Michael Dunn
day of April 1883 }

Hugh Curran
Police Justice.

POOR QUALITY
ORIGINALS

0031

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

POLICE COURT, 3rd DISTRICT.

35 years, a Merchant William Cohen aged
of No. 338 BATTERY Street, being duly sworn, deposes and

says that on the 12 day of April 1883

at the City of New York, in the County of New York, Henry Reseltine

(nowhere) did knowingly and feloniously
utter as true, the hereto annexed paper
purporting to be an order made by Michael
Dunn of No. 40 East Houston Street
for two flannel shirt two jumpers and
two pair overalls, with the felonious intent
to cheat and defraud deponent,
that on said 12th day of April 1883
said Henry came to deponent's store
at the aforesaid premises, and then
demanded of deponent the aforesaid
property for said Michael Dunn,
that the said property was immediately
wanted by said Dunn, for two men,
who were in a ragged condition in
the office of Mr. Dunn and that
if deponent does not believe this Henry,
deponent should bring the goods there
himself, deponent did bring said property
to said Michael Dunn, who informs
deponent that he did not make said
order, and that the signature thereto is
false fraudulent and counterfeit
Deponent therefore charges that said
Henry did make and utter said order
with the felonious intent to cheat and
defraud deponent as aforesaid

William Cohen

Sworn to before me this
14th day of April 1883

Joseph J. ...

0032

BOX:

102

FOLDER:

1088

DESCRIPTION:

Austin, James

DATE:

05/07/83



1088

C47

0033

BOX:

102

FOLDER:

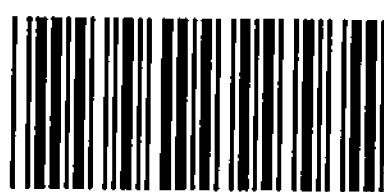
1088

DESCRIPTION:

Harrison, Joseph

DATE:

05/07/83



1088

POOR QUALITY
ORIGINALS

0034

W. D. [Signature]
Counsel
Filed *May 1883*
Pleas *Not guilty (1)*
THE PEOPLE
vs.
W. D.
James Austin
(Excess)
Joseph Hamilton
BURGLARY—First Degree, and
Grand Larceny
(Sec 496-506-508-530-531-550)
JOHN McKEON,
District Attorney.
A True Bill
W. D. [Signature]
Foreman.
Verdict of Guilty, along specify of which count.
May 9/83.
W. D. [Signature]
Each S. P. 5 years.

0035

COURT OF GENERAL SESSIONS OF THE PEACE

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

James Austin and
Joseph Harrison

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

James Austin and Joseph Harrison
of the CRIME OF BURGLARY in the First Degree, committed as follows:

The said James Austin and Joseph
Harrison

late of the Seventh Ward, of the City of New York, in the County of
New York, aforesaid, on the thirteenth day of April in the
year of our Lord one thousand eight hundred and eighty three with force
and arms, about the hour of four o'clock in the night time of the same
day, at the Ward, City and County aforesaid, the dwelling house of

Frederick Sherman
there situate, feloniously and burglariously did break into and enter, each of
them being then and there armed by a con-
federate actually present,
whilst there was then and there some human being, to wit, one Peter C.

Martin within the said dwelling-house, the said
James Austin and Joseph Harrison
then and there intending to commit some crime therein, to wit: the goods, chattels and
personal property of Frederick Sherman

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.

0036

COURT OF GENERAL SESSIONS OF THE PEACE
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against

James Austin and
Joseph Harrison

The Grand Jury of the City and County of New York, by this indictment, accuse
James Austin and Joseph Harrison
of the CRIME OF BURGLARY in the First Degree, committed as follows:

The said James Austin and Joseph
Harrison
late of the South Ward of the City of New York, in the County of
New York, aforesaid, on the thirteenth day of April in the
year of our Lord one thousand eight hundred and eighty three with force
and arms, about the hour of four o'clock in the night time of the same
day, at the Ward, City and County aforesaid, the dwelling house of

Frederick Sherman
there situate, feloniously and burglariously did break into and enter, each of
them being then and there assisted by a com-
petent actually present
whilst there was then and there some human being, to wit, one Peter C.
Martin

within the said dwelling-house, the said
James Austin and Joseph Harrison
then and there intending to commit some crime therein, to wit: the goods, chattels and
personal property of Frederick Sherman

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.

notes) being then and there due and unsatisfied, of the value of

0037

Second Count:

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

James Austin and Joseph
Harrison
of the CRIME OF Grand Larceny in the first
degree
committed as follows:

The said James Austin and Joseph
Harrison, late of the Town

~~late of the City of New York~~ Ward of the City of New York, in the County of New York, aforesaid, on the thirtieth day of April in the year of our Lord one thousand eight hundred and eighty ~~three~~ three at the Ward, City and County aforesaid, with force and arms, about
the hour of four o'clock in the night time
of the same day ~~four~~ four promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars each; four promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of ten dollars, and of the value of ten dollars each; four promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five dollars, and of the value of five dollars each; five promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of two dollars, and of the value of two dollars each; ten promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one dollar, and of the value of one dollar each; four promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty dollars each; four promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of ten dollars each; four promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars each; ~~promissory note for the payment of money, (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of two dollars~~; ~~promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of one dollar~~ one silver coin of the Kingdom of Great Britain and Ireland, of the kind commonly called two shilling pieces, of the value of fifty cents, two silver coins of the United States of the kind known as quarter dollars, of the value of twenty five cents each, one silver coin of the United States, of a smaller kind and denomination to the Grand Jury aforesaid unknown, of the value of fifty dollars and eighty cents, and ten pieces of paper of the value of one cent each

of the goods, chattels, and personal property of one Frederick Sherman, in the dwellinghouse of the said Frederick Sherman 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 M. TAYLOR, District Attorney~~

0038

And the Grand Jury aforesaid, by this indictment, further accuse the said
James Austin and Joseph Harrison
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said James Austin and Joseph Harrison

late of the Ward, City, and County aforesaid, afterwards, to wit: on the day and in
the year aforesaid, with force and arms, at the Ward, City, and County aforesaid, from
promissory notes for the payment of money, being then and there due and unsatisfied (and of the
kind known as United States Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars
each; from promissory notes for the payment of money, being then and there due and
unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of ten dollars, and of the value
of ten dollars each; from promissory notes for the payment of money, being then and there due
and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five dollars, and of the
value of five dollars each; five promissory notes for the payment of money, being then and
there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of two dollars,
and of the value of two dollars each; ten promissory notes for the payment of money, being
then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination
of one dollar, and of the value of one dollar each; from promissory notes for the payment of
money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty
dollars each; from promissory notes for the payment of money (and of the kind known as bank
notes), being then and there due and unsatisfied, of the value of ten dollars each; from promissory
notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of
the value of five dollars each, one silver coin of the Kingdom
of Great Britain and Ireland of the kind
commonly called two shilling pieces, of the
value of fifty cents, two silver coins of the
United States of the kind known as
quarter dollars, of the value of twenty
five cents each, silver coins of the United
States, of a number, kind and denomination
to the Grand Jury aforesaid unknown, of the
value of fifty dollars and eighty cents, and
ten pieces of paper of the value of one
cent each

of the goods, chattels and personal property of _____

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

unlawfully and unjustly, did feloniously receive and have (the said James
Austin and Joseph Harrison)

then and there well knowing the said goods, chattels, and personal property to have
been feloniously stolen), against the form of the Statute in such case made and pro-
vided, and against the peace of the People of the State of New York, and their dignity.

JOHN McKEON,

District Attorney.

0039

Filed

~~to act~~

1885

Pleads

THE PEOPLE

vs.

James' Question
[Two cases]

Assault in the First Degree. etc
(Firearms.)
[See 217 and 219]

JOHN MCKEON,

District Attorney.

A TRIE BIT.

Foreman.

0040

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

James Austin

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

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

The said *James Austin*

late of the City of New York, in the County of New York aforesaid, on the *thirteenth* day of *April* in the year of our Lord one thousand eight hundred and eighty *three* with force and arms, at the City and County aforesaid, ~~in the peace of the said People then and there being, feloniously did~~ assault, ~~and~~ *and* ~~against~~ *one Hermann Sternman* with a certain *revolver* then and there loaded and charged with gunpowder and one leaden bullet, which the said *James Austin* in *his* right hand then and there had and held, the same being a deadly and dangerous weapon, ~~willfully and feloniously did then and there shoot off and discharge~~ with intent ~~to kill~~ the said *Hermann Sternman* thereby 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

James Austin

of the Crime of assault in the second degree, committed as follows:

The said *James Austin, late of the City and County aforesaid*

afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, ~~in the peace of the said People then and there being, feloniously did~~

~~and~~ *and* ~~against~~ *one Hermann Sternman* a certain *revolver* then and there loaded and

charged with gunpowder and one leaden bullet, which *he* the said

James Austin

in *his* right hand, then and there had and held, the same being an instrument likely to produce grievous bodily harm, ~~feloniously did, willfully and wrongfully then and there shoot off and discharge~~

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.

~~James Austin, late of the City and County aforesaid~~

0041

~~Court of General Sessions of the Peace~~

~~OF THE CITY AND COUNTY OF NEW YORK~~

Third Count.

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

James Austin

of the CRIME OF Assault in the Second Degree

committed as follows:

The said James Austin

~~of the County of New York, do hereby certify that the following~~

~~The said~~

late of the City and County of New York, on the thirtieth day of April in the year of our Lord one thousand eight hundred and eighty three at the City and County aforesaid, with force and arms feloniously made an assault in and upon one Bernard Intemann

then and there being a patrolman of the Municipal Police of the City New York, and as such patrolman being then and there engaged in the lawful apprehension of the said James Austin for Burglary and Larceny,

and the said James Austin, to, at and against the said Bernard Intemann, a certain pistol then and there loaded and charged with gunpowder and one leaden bullet, which he the said James Austin in two times then and there shot and sent, deliberately did then and there attempt to shoot off and discharge, with intent

then and there to prevent and resist the lawful apprehension of himself as aforesaid, 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.

0042

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

Underman Capt. Allen
of 10th Prec.

Police Court- 3rd District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Michael Thompson
103 Bowery
James Austin
Joseph Harrison

Offence, Burglary
and Larceny

Dated May 1st 1883

William M. Patterson
Magistrate.

Wm. C. Clerk.

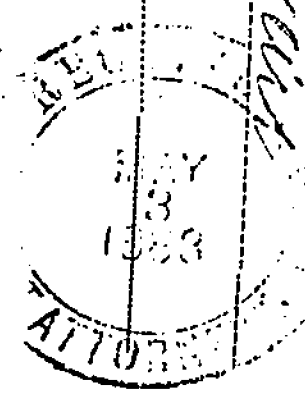
Witnesses, Thomas Thompson

John W. Maceneaney
Edward J. O'Neil

Thomas Thompson and
Patrick J. Morris

all of 10th Prec. Police
Court to answer

undertaking hereto



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 Austin
and Joseph Harrison
guilty thereof, I order that he be held to answer the same and be committed to the Warden and Keeper of the City Prison of the City of New York, until he
be legally discharged
Dated May 1st 1883 J. M. Patterson Police Justice.

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

Dated _____ 1883 _____ 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 _____ 1883 _____ Police Justice.

0043

Sec. 198-200

CITY AND COUNTY }
OF NEW YORK, } ss.

3 District Police Court.

Joseph Harrison 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. Joseph Harrison

Question. How old are you?

Answer. 42 years of age

Question. Where were you born?

Answer. New York City

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

Answer. 446 East 52 St. Five months

Question. What is your business or profession?

Answer. Cooper

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. That is all I have to say.
Joseph Harrison

Taken before me this 14

day of May

188 8

A. M. O'Connor
Police Justice.

0044

Sec. 198-200

3

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

James 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.

James Austin

Question. How old are you?

Answer.

36 years of age

Question. Where were you born?

Answer.

Ireland

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

Answer.

Millwaukee, Wis.

Question. What is your business or profession?

Answer.

Carpenter

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 nothing to say.

James Austin

Taken before me this

day of

Nov

1888

13

J. M. Patterson
Police Justice.

0045

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 27 years, occupation John M. Sweeney
Police Officer of No.

10th Precinct Police Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Frederick Sherman

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

Sworn to before me, this 1st

day of May 188 3

John M. Sweeney

J. M. Patterson
Police Justice.

0046

CITY AND COUNTY }
OF NEW YORK, } ss.

Edward J. Quirk
aged 32 years, occupation Police officer of 10th Precinct Police Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Fredrick Sherman
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 1st
day of May 188 3 } Edward J. Quirk

J. M. Patterson
Police Justice.

0047

CITY AND COUNTY }
OF NEW YORK, } ss.

Herman Lutermaun
aged 32 years, occupation Police Officer of ~~the~~
10th Precinct Police Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Fredrick Sherman
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 1st
day of May 188

Herman Lutermaun
J. M. Paucier
Police Justice.

0048

Police Court—3^d District.City and County }
of New York, } ss.:

Frederick Sherman
of No. 109 Bowery Street, aged 45 years,
occupation Hotel Keeper being duly sworn
deposes and says, that the premises No 109 Bowery Street,
in the City and County aforesaid, the said being a Brick Building

and which was occupied by deponent as a Public Hotel and Restaurant
and in which there was at the time a human being, by name Peter C. Martin
and about thirty other living human beings
were BURGLARIOUSLY entered by means of forcibly breaking open
and entering the Restaurant in said premises
by means of opening the side door of said
Restaurant with a False Key at about the
hour of 11 o'clock A. M.
on the 30th day of April 1883 in the Night time, and the
following property feloniously taken, stolen, and carried away, to-wit: From a Paper
in said Restaurant, viz: Gold and Silver
Money consisting of light-three Dollars
in notes or Bank Bills of divers den-
ominations and values, and fifty Dollars
and eighty Cents in Silver Coins, said
money being all of its amount and
value of one hundred and thirty-three
80/100 Dollars, and two silver watches,
one Cotton Wing Bag and a number of
written memoranda, said property being all
of the value of one hundred and fifty 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

James Austin and Joseph Harrison,
both here present.

for the reasons following, to wit: That about the hour of 2
o'clock on the morning of the 30th day of April
1883 deponent left said premises and
saw that the Restaurant was closed
and secured and that said property was
contained within the Paper in said
Restaurant. That at the hour of 6 o'clock
on the morning of the 30th day of April
1883 deponent returned to said Restaurant,

0049

Having been notified of said burglary, and dependent thereon found that said restaurant has been broken open and that said safe, containing said property, has been forcibly broke and torn open and said property stolen therefrom. That dependent is now here informed by officer Intemann, here present, that about the hour of 11 o'clock on the morning of the 30th of April 1883 he said officer saw the defendant Austin, in company with three others, standing on the corner of Cuyler and Hester Street, about a block and a half from dependent said premises. That said Austin and said other men ran away on the approach of said officer and that said officer pursued them and overtook said Austin and seized him whereupon said Austin struck said officer four blows on the head with some heavy instrument and escaped from the custody of said officer all of which dependent is informed and believes.

That dependent is further informed by officer Gault, here present, that he, said officer, arrested the defendant Harrison,

Police Court — District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Defendant

Burglary

Dated

188

Magistrate

Officer

Clerk

Witnesses:

Committed in default of \$

Bail

Bailed by

No.

Street

0050

about the time Officer Latemann was struck as aforesaid, and that the arrest of said Harrison was made in Eberly Street near Canal Street while he was running away. That said Officer Grubb further informs deponent that after the arrest of the defendant Harrison he, Officer Grubb, found concealed upon his, Harrison's, person and in his, Harrison's, possession the Silver Coins now here shown to the amount of Twenty-two dollars. That among the coins so found in the possession of said Harrison are two silver quarter dollars and a two shilling English silver piece which coins are positively identified by certain marks upon them which were made by deponent, as being the property of deponent and as being a portion of the property so unlawfully and feloniously stolen and carried away from deponent

0051

as aforesaid. That the defendant Austin was arrested by officer Mc Sweeney, (here present, and defendant is informed by said officer Mc Sweeney that after the arrest of said Austin the sum of eighty-one dollars in notes or bank bills and twelve \$5.00 in silver coins, and a roll of ten cent pieces containing the amount of five dollars and a number of written memoranda were found in the possession and upon the person of said Austin. That the property so found in the possession of said Austin is now here shown and defendant identifies among said property three of said written memoranda as being in the hand writing of defendant and as having been stolen from the safe as above described. That among the bills so found with the defendant Austin is a ten one dollar bill and

0052

deponent identifies said bill as a portion of said stolen property by reason of now having in his possession the piece which was torn from said bill and which fits and corresponds exactly to the torn portion of said bill. That deponent further identifies a five dollar bill and another one dollar bill, among the money so found with said Austin as being a part of said stolen property by certain marks upon said bills. That deponent also identifies the full of ten cent pieces as a portion of said stolen property. That the cotton money bag now here shown is a portion of said stolen property and was found, as deponent is informed and believes, by Officer Gunk on the side walk in Chrysler Street where the defendant Harrison was arrested.

Fredrick Sherman.

Advised to before me this
1st day of May 1883
J. W. Harrison of Police Justice

0053

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

Police Court-3 District. 388

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Harmon Datamann
10 of me of

James Austin

Offence *felony*
Assault & Battery

Dated *May 1st* 1883

William Magistrate.

William Officer.

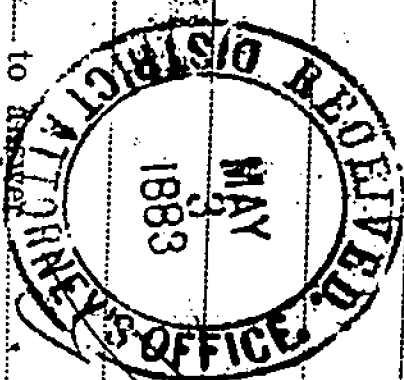
Wm Clerk.

Witnesses,

No. _____ Street,

No. _____ Street,

No. _____ Street,



Conrad to *James*

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 Austin*

guilty thereof, I order that he be held to answer the same and ~~he be admitted to bail in the sum of~~ *be legally discharged*
~~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 1st* 1883 *J. M. Patterson* 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.

0054

Sec. 198-200

J District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

James 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. *James Austin*

Question. How old are you?

Answer. *36 years of age*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *Millwaukee, Wis.*

Question. What is your business or profession?

Answer. *Carpenter*

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 nothing to say.*

James Austin

Taken before me this

day of

May

188

John J. Sullivan
Police Justice.

0055

Police Court— 3^d District.

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

Hermann Internmann
of 10th Precinct Police St. N.Y.

being duly sworn, deposes and says, that
on Monday the 30th day of April
in the year 1883 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by James Austin

Now here, while deponent was
in the legal discharge of his
duties as a police officer.
That deponent was in the act
of arresting said defendant in
the Commission of a felony
to wit: Burglary and Larceny, and
while deponent was in charge of
street conveying said defendant
to the Station House he turned
suddenly on deponent and struck
deponent four violent blows on the
head with some heavy instrument
and thereafter presented a pistol
at deponent and said to deponent
"You son of a bitch if you follow
me longer I'll kick you". That
deponent was so beaten

with the felonious intent to grievously do him bodily harm; and with out 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 1st day
of May 1883

Hermann Internmann
Police Justice.