

0147

BOX:

210

FOLDER:

2086

DESCRIPTION:

Briggs, James E.

DATE:

03/24/86



2086

Witnesses:

W. S. C. Vidal

Off. John Hall

other Indictment

was found in 1886

officer Conff

informs me that

the Complainant

disappeared in

mediately after the

Indictment was

found; about 6

months after Com-

plainant married

the man who got

her in the family

way - whereabouts of

Complainant are

unknown - I ask the

dept be discharged on

his own recognizance

Feb 20 1893

ad

Counsel,

Filed 24 day of March 1886

Pleads voluntarily

THE PEOPLE

vs.

James E. Reingo

[Section Penal Code]

Section 201

RANDOLPH B. MARTINE,

Ordered by the Court

in and to the effect

that the bill

of the People

against the

Complainant

be dismissed

with costs

do

done by the

Clerk of the

Court

at New York

0148

0149

Recd 3:45 PM
J. J. Barry
Dec 11 1892
City
District Attorney William
City of New York

0150

District Attor. recys. Allen
City & Court
New York.

Recd 3:45 PM

P. A. Bacon Esq
92 Broadway
City

0151

Ent Sessions

People {

Briggs {

I hereby consent
that William H. Reid Esq. be
substituted as Attorney for
the Defendant in my place
and stead, and the Clerk
is hereby requested to mark
such substitution on the
calendar so that the name
of said William H. Reid Esq.
shall thereon appear as sole
Att'y for said Deft. —
Dated Feby 28 AD 1887.

E. H. Merrin

I consent to above

William H. Reid

120 B. Way

0152

District Attorney's Office.

PEOPLE

vs.

James E. Briggs
Abortion

Let this case
stand over
until March
term - P.B.M.,
Mar 23/87
To Mr Parker

0153

E. H. BENN,
ATTORNEY AND COUNSELLOR,
22 Nassau St., New York,

N.Y. Dec 14 - 1888.

Hon Randolph B. Martin Esq

Dear Sir - Just talking
with you about this case
of the People against Dr
Briggs and Mary East Spring
and the Elevated Road, and
of my intention to submit
the enclosed affidavits
you told me to apply to
you and to submit them
to you personally and
not to any of your sub-
ordinates. I am remind-
ed by the fact that your
term of office will soon
expire to do it now.

If you should desire
the application to be signed

0154

by physicians and
others I will get such
names, but I do not
suppose it to be neces-
sary or even desirable.

You told me to have
an application or re-
quest signed by which
I suppose you meant
an application by myself.

Truly yours

E H Benn

The People
vs
Bryant

0155

District Attorney's Office,

New York, *Feb 13 1887*

THE PEOPLE, &c.,

vs.

James C. Trigg
E. H. Jacobson Esq.,

Attorney and Counsellor at Law.

Dear Sir:

Please take notice that
the above-named defendant, for whom you are
Counsel, will be placed on the calendar of
Part *Two* Court of General Sessions,
for trial on *March 1st*

Very respectfully,

RANDOLPH B. MARTINE,

District Attorney.

0156

LAW OFFICES
EDWARD R. BACON,

UNITED BANK BUILDING,
BROADWAY & WALL ST.

NEW YORK, *July 23^d* 188*7*

*Received by P. M. Hastings Esq
District Attorney.*

Dear Sir:-

*The enclosed Notice
in The People's Press, addressed
to E. R. Bacon, was, through
mistake of your messenger,
left at my office today.*

I herewith return same.

*With respect, I am,
Very truly yours,*

E. R. Bacon

W. J.

0157

STATEMENT.

Sarah ^{Sutton} ~~Suttler~~ residing at 159 East 52nd Street, got in the family-way, and prior to her going to see the doctor had been ⁱⁿ the family-way about two months. I was recommended by the gentleman that caused me the trouble to go and see this doctor - he gave me a card introducing me to this doctor; that he could cure me. On the 3rd day of February, I called at his residence No. 70 West 11th Street - I have been there five times - I went in the office, the doctor asked me how long I had been that way. I handed him a card he did not ask any questions. All he said when I got in the office was "how long have you been this way", I says about two months, he says "very well; I wish you had came a little sooner". I asked him how much would it be, he said fifty dollars. I told him I had only twenty-five, he said he would like to have the fifty dollars down. He placed me in the chair and performed the operation. Q. Did he use an instrument? A. Yes sir. - several instruments; he had a case of instruments, and he selected one. Did he pass it up in the mouth of the womb? Yes sir. Did it pain you much? A. Yes sir. How long was you there? A. I was there for an hour and then went away. I next went on Sunday and he performed the same operation over again. Q. Did you discover yourself unwell after that? A. No sir.. On Thursday the next time he performed a similar operation. He did not hardly say anything, he said "I stood it pretty well; that I was one out of twenty that stood it so well". He asked me the first time if I had ever been under operation before, and I told him no. When I went the fourth time he performed the same operation. The first three times I was alone; the fourth time I went with a young lady; then she went for a pain in her side, she explained the pain to him, he told her that he would take it in his hands; but if he did it would cost her two dollars a visit. She asked him what was the matter with me, he said he was doctoring me for congestion of the womb; that is all she said to him, he told her to remain in the room with me - he put me in the chair and performed the operation again, and she remained in the room; she was sitting in one corner of the room. The I went on Saturday this young fellow that caused me the trouble went with me and paid the last ten dollars. He sat in the room while the doctor performed the operation. Q. What time did you become unwell? A. The fifth time, then I went and stayed a week up where I was stopping, I then came home to mother's house; that was on Friday, I went down town to this doctor again and he performed the same operation again; after he got through I was taken with pains all through me, I sat in the office about twenty minutes; it made me sick to my stomach. - I felt terrible sick, he told me to stay until I felt better

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He told me to take hot drinks and bathe my feet in mustard water. Went home and said that I had been to the doctor's for a cold; I told my mother what the doctor told me to do; ^{my} mama did not know what was the matter; I refused to tell until another doctor called on Monday morning.

0159

Statement .

Jacob
Mrs. ^{52nd} Wilson of 159 East 52th Street.

Q. The former witness is your daughter ? A. Yes sir.

Q. On the 7th of March you daughter, in your house was taken ill, and you sent for a doctor? Yes sir. Q. And you were present ? A. Yes sir; she was suffering terribly

Q. Did a foetus pass from her ? A. Yes sir; I saw it . I asked the doctor if he could not do anything for her, he says no; I cannot, can't you get her something, she will be all right he says. He sent for two doctors, but none of them came.

Q. Were you present when your daughter passed this foetus ? A. Yes sir; I saw it when she passed it .

0160

STATEMENT :

Mrs.Lizzie Wilson, I reside at No.2033 Second Avenue.

Q Do you recollect of going to Dr.Briggs with this lady?

A Yes sir;on that occasion I went to see about the pain in my side; it was the fourth time that she had been there. When I first went in I asked him about the pain in my side, he said have you had a mis-go, (I had doctors Shaw and Rainer) I told him that I had a terrible pain in my side and that I was recommended here - he spoke about me having a mis-go,and says I think you are ruptured;;he said if it is not very tedious I will only charge you two dollars a visit,but that if it was he would have to charge me five; he said you had better bring Mr.Wilson with you. I asked him if there was not another room where I could go into - he says it don't make any difference. I asked him what he was doctoring her for. he said for congestion of the womb. I turned my back to a small case. He asked her for the rest of the money; he said very well,but did not say much on account of me being there. She got up and said very little about it; that was the last time that I went.

0161

The People

vs
James E Briggs

Dec 14 1888.

Hon Randolph B. Martin District
Attorney:

I herewith submit to
you the annexed affidavits and
respectfully ask that in view
of all the facts and circum-
stances of this case, and par-
ticularly of the facts detailed
in those affidavits that
a nolle prosequi be entered
in this case. I believe the
defendant to be entirely in-
nocent and that the com-
plaint was not made for
a good or honest purpose.
Still I think and the defend-
ant thinks that as the talk
about it among his friends
and patients long since quiet-
ed down, it would be better
for him to have the prosecution
quietly dropped or abandon-
ed. ~~There~~ to have a public
trial and an acquittal.

A trial, even if acquitted would greatly injure if not ruin him. His arrest was a very great injury to him, and almost the stopped his practice as a physician. He is now after nearly two years gradually recovering it. He is a respectable physician in good standing and was never before charged with crime and as it seems to me justice to him and duty to the public requires that the prosecution be dropped as quietly as possible.

Hoping that you will take that view of it I submit these papers.

Respectfully Yours

E H Garrison

Council for the Deaf

32 Nassau Street

N.Y.

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The People

vs.

James E. Briggs.

City and County of New York: ss:

Jennie E. Briggs being duly sworn says: I am the wife of the above named James E. Briggs, and reside with him at his residence No. 105 West 54th Street, where he also has an office, and is practicing as a physician and surgeon.

On the 3rd of February last, a man who was a stranger to me, called there and asked for Dr. Briggs, my husband. He was then absent and I told the man so, he then asked if I knew any thing about the criminal case of Sarah Wilson against the doctor. I told him I did not. He then gave me his card, the card of John S. Graher, Attorney &c., of 318 Broadway, New York, and said the Doctor, had better call on him at his office at once, and then went away. When the Doctor returned I gave him the card, and told him what Mr. Graher had said.

Afterwards, on the 5th of February the same man called again. The Doctor was then in, and they had a conversation in the front parlor. I was in the back parlor, writing, 15 feet from where they were. The sliding doors between the front and back parlor were part-

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ly open, and I heard a part of their talk, but not all as I went out of the room once or twice while Mr. Graber was there, but I heard talk of a settlement and I heard Mr. Graber says that in order to have a nolle prosequi entered, it would cost ^{some} ~~more~~ money, and that as it was a criminal charge all arrangements must be made through other parties. ^{just} ~~then~~ as Mr. Graber was going out, on ~~the~~ ^{go}ing into the private hall, I was passing from another room, through the hall to the back parlor. Mr. Graber was then talking and I heard him say to the Doctor, that *he presumed* five hundred dollars would cover the whole expense, and that nothing more would come of it.

Sworn to before me this

21st - day of March, 1887.

Jennie E. Briggs,
R. L. Campbell
Notary Public
New York County

0165

-----X
: The People, :
: vs. :
: James E. Briggs. :
-----X

City and County of New York: ss::

James E. Briggs above named, being duly sworn, says: I am a physician and surgeon, regularly licensed, and have practiced in this City for many years. On the day of March, 1886, I was arrested at my office, No. 70 West 11th Street, by Sergeant

Cuff on a charge of having procured an abortion on one Sarah Wilson. At the time I was arrested, Sergeant Cuff said to me, that for a couple of hundred dollars it could all be hushed up and nothing done about it. I told him I was not guilty and refused to give him the money, and I was then taken to the station-house and locked up, and soon after indicted. I gave bail, and have ever since been out on bail, engaged in my business.

After I was indicted I heard that I could settle the whole thing for money, but I would have nothing to do with it. I knew that I was entirely innocent of the crime charged, and would not submit to be blackmailed by anybody.

On the 3rd day of February last, my wife in-

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formed me that a man had that day been at my house, ~~my~~ my absence, and asked her if she knew anything about that criminal case of Sarah Wilson against me, and that she told him she did not, and that he then left his card and told her to tell me that I had better call and see him, at his office, at once, and then left. She gave me the card. It was the card of John A. Graber, a lawyer of 318 Broadway. I took the card that same day to E. H. Benn, of 206 Broadway, my counsel, and he advised me not to go near Mr. Graber, but said he would like to see Mr. Graber, himself, and see what the scheme was, but that he did not know him.

On the 5th of February, Mr. Graber, called again at my house; I was then at home. I had never met him before. He introduced himself, and handed me his card, telling me that he had called before, and not finding me ~~at~~, he had left his card, with a request that I would call on him, but as I had not done it he had come again. He said he had come to see if some arrangement could not be made to settle up the criminal charge against me, made by Detective Cuff.

He said the whole thing could be settled up and a nolle prosequi entered, but it would cost money. I told him it was a blackmailing matter from the start. That Sergeant Cuff, a relative of the girl, or of the woman the girl lived with, and who called the girl Sarah Wilson, wanted me to give him \$200 to hush up the matter.

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at first, and because I wouldn't do it, they had prosecuted me, and that the publicity and expense had nearly ruined my practice already, and I now could not pay anything if I wanted to. He said my friends should help me, and that he presumed \$500 would cover the whole expense.

I told him I had no friends that I could look to for such a purpose, but referred him to my counsel, E. H. Benn. After some further talk he left, stating, however, before he left, that he would call and see Mr. Benn, which I understand he did, and for what passed between them, I refer to the affidavit of Mr. Benn, having no personal knowledge of it, not being present.

I supposed when arrested, that this charge against me was too absurd on its face to receive any consideration. I did not suppose that any magistrate or prosecuting officer would believe that it would require ten or even six operations with instruments, a week apart, as was charged on information and belief, to procure an abortion, or that I or any doctor would be such a fool as to perform such an operation upon a girl, and then send her home to have their family physician, or some other doctor called to take care of her in her sickness, yet that was the charge in this case on which this prosecution is founded.

The facts in regard to my treatment of the girl are these.

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She came to my office on the 5th day of January, 1886, and said she had pains in her abdomen, putting her hand on the part to show me where, and wanted medicine or treatment, whatever the case required. I asked her if she was married, and she said she was not. I then asked her if she knew any reason or cause for it, and she said she did not, and that there was no cause that she knew anything about, that she had done nothing to cause it. I then told her I would make an examination, and did so, using a speculum, such as is in common use. ~~_____~~

I saw that there was inflammation of the vaginal cavity, and was of the opinion that she needed treatment for vaginitis and I then told her that ~~Exceed~~ if I undertook to treat her, it would require from 10 to 15 treatments, and that it would cost her \$5 a treatment, or \$50 for all, and I asked her if she was able to pay, she said she was, and she had no appearance of being poor.

I gave her the first treatment that day using the speculum, and with an atomizer, applying a spray of fluid extract of golden seal, glycerine and carbolic acid to the parts, using also a cotton swab on the end of a stick to cleanse the parts, and after that I treated her in a similar manner on the 9th, 13th, 16th, 20th, 26th and 30th of January, and on the 6th, 16th and 24th of February, 1886, the last treatment being on the 24th of February, which was the last time she came.

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On the 5th of January when I gave her the first treatment, she paid me \$5, and afterwards, during the month of January, paid me at one time \$10, at another \$25, and at another time \$10 making \$50 in all.

There was no different or other treatment of the girl by me, nor any treatment of her by me after February 24th.

If afterwards, on the 6th of March, 1886, she *aborted* or had a miscarriage, as is charged, I know nothing of it, and did nothing to cause it, or for the purpose of causing it. I used no instrument, or medicine to cause it, and if I had, the result would have been produced, if at all, in less than ten days. I gave her no medicine at all.

Sworn to before me this 21st day of March 17th, 1887. :

James E. Biggs

Joseph Marshall
Notary Public
N.Y. Co.

0170

-----X
The People,
vs.
James E. Briggs.
-----X

City and County of New York: ss:

Felix Curran being duly sworn,
says; I reside in Troy, N. Y. In January and February,
1886, I worked for and resided and lived with Dr. James E
Briggs, at No. 70 West 11th Street, in the City of New
York.

I then occupied a room adjoining his office
which was lighted by swinging windows between that room
and his office. Those windows were and are about 6½
feet above the floor, and were usually open for ventila-
tion.

A few days after New Years, but I cannot remem-
ber the exact day, while I was in said room adjoining the
doctor's office, said windows being open, a female came
to the doctor's office and said to the doctor that she
had pains, a burning sensation in her somewhere, but just
where, as I could not see at the time, I do not know,
and that she had had the pains for some time past, and
would like to know what it was, or what could be done for
it. The doctor asked her if she was married, she answer-
ed that she was not. He then asked her if she knew of
any cause for the trouble. She said she did not. The

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doctor then asked her name, she said Sarah Wilson, I noticed that particularly as I knew a woman in Troy by that name. The doctor said he would examine her. After a little time, I heard the doctor say to her that he found the whole vaginal cavity much inflamed and some ulceration which would require quite a number of treatments. She asked how many. The doctor said probably from ten to fifteen, and he then asked her if she was able to pay, and she said she was if it would not cost too much, and she asked him how much it would cost. He said \$5 a treatment, or that he would give her the necessary treatments in all for \$50. She said very well, I want to get well.

I know of her coming to see the doctor afterwards, in January and February, and I heard her say she was feeling better. I have worked for and assisted Dr. Briggs at times for many years.

Sworn to before me this

22nd day of March, 1887.

James E. McHugh
Notary Public
Rensselaer County N.Y.

Felix Luman

0172

The People,

vs.

James E. Briggs.

City and County of New York: ss:

Erastus H. Benn being duly sworn says: I am an attorney and counsellor at law, practicing in the City of New York, and was until about two weeks since the attorney and counsel for the above named James E. Briggs, in this cause, and I am counsellor for him still.

On the 3rd of February, last, the said Briggs brought to me the card of John S. Graher, a lawyer of No. 318 Broadway, saying that Mr. Graher, had called at his house that day in his absence and left that card, with a request that he, Dr. Briggs, would, ^{call} or a statement rather, that the doctor had better call at his office and see him at once in regard to the black-mailing case, as he called it.

I advised the Doctor not to go near him, and after that ^{on the} 5th of February, the doctor called on me again, saying that the man who left the card on the 3rd had that day called on him, saying that he was a lawyer acting in the interest of the parties prosecuting this case, and proposed a settlement, promising for a cer-

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tain sum of money to procure a nolle prosequi, and that he, the doctor, had referred the said Graher to me.

After that on the 7th of February a young man from Mr. Graher's office called on me at my office and said that Mr. Graher said I wanted to see him, (Graher) and that Mr. Graher said he would be at his office until 3 P.M.

I told the young man I did not know anything about it, and asked him what it was about, but he could not or did not tell me. I remembered the name from having the card that Dr. Briggs had left with me, and suspected what he wanted, and wishing to hear what he would say, I immediately went over to Mr. Graher's office, but he was not in, and I came back, saying however, that I would call there again the next day, but I afterwards concluded not to go, and did not go.

On the 9th of February, Mr. Graher came to my office, introduced himself, and talked freely to me about this indictment and prosecution of Dr. Briggs, for abortion, and proposed to settle it, and have a nolle prosequi entered for money.

I asked him who he represented or from whom he came, but he declined to tell. I asked him if it was Surgeant Cuff. His reply was that Cuff was very vindictive, but he would not talk. I then asked him if it was the girl herself, and he said no. I then asked him and on the 10th of February, I received from Mr. Filling

0174

he the doctor had returned the said check to me.
part sum of money to procure a nolle prosequi and that

if it was the mother. He replied that it was a near
relative, but finally said he had talked with the mother
of the girl, or the woman calling herself the mother.
I asked him how much they thought they wanted and he
said \$500. I told him I thought that was rather high
that Surgeant Cuff had once offered to settle it for
\$200. "Yes," he said "but there has been a good deal
done since then, and there is more expense." I then
said, suppose we should pay that, how could we know
that the nolle prosequi would be entered. The district
attorney or his deputy having charge might bring the case
on for trial, just the same. "Oh," said he, "there will
be no trouble about that, and no money need be paid over
until the nolle prosequi is entered." He said the money
could be deposited in a bank and not to be taken until
the entry of the nolle prosequi, and the discharge of
the doctor.

I then told him the doctor had no money but
that I would see what his friends would do. I then ask-
ed him what would be done if they did not get the \$500.
He said the case would then be brought to trial. I
asked him if he was sure of it, and he said he was. I
then said, suppose the doctor is not guilty, and could
never be convicted. His reply was, if he is tried he
will be convicted, sure. I then said I would see what
I could do, and let him know. I did nothing, however,
and on the 15th of February, I received from Mr. Filley

0175

legislator' and I thought that he had talked with the doctor
 and that he was the doctor. He said that if he was the doctor

the bail notice which had that day or the day before
 been sent to him notifying him that the case of the
 People against James E. Briggs would be tried on the
 17th day of February. I did not then think there was any
 intention to try the case on the 17th and in the after-
 noon of the 15th I went to Mr. Graher's office a request
 that he call on me and the next day he came.

I told him they were rushing things too fast,
 that to raise \$500 from the friends of Dr. Briggs would
 take some time, and that the case should not have been
 on for trial so soon, and that I must have more time.
 He said well, the trial could be postponed, and told
 me to go to the Court on the 17th, and say I had other
 business and could not try it then; and ask for a post-
 ponement, it would be granted. I said how can I be
 sure of that? Suppose Mr. Purdy refuses and insists
 upon trying it, the Court may not postpone it. Oh, said
 he, there will be no trouble about that, and said that
 if he had time he would see that the case was not put
 on the calendar for that day, but he thought it was then
 too late. I had no doubt it would be as he said and
 the next day I went to the Court and had the doctor there
 and when the other cases were called at the opening of
 the Court, I asked Mr. Purdy, who was the prosecuting
 officer, if he was going to try the case against Dr. Briggs
 that day. He asked if I was ready and I said no. He
 asked me then what day I would be, and I said I did not

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know. He then asked if I would be ready on the next Monday, (the 21st.) I said no. He then asked what day, and I said, call it the 24th, and he then announced that the case of the People against James E. Briggs, would be tried on the 24th of February, and that the witnesses in that case should attend on that day.

I don't know any of the witnesses for the prosecution, but the doctor and another person with whom who knows them, told me that there were ~~none~~ of them there.

In about an hour or less, after that, I saw Mr. Graher in the City Hall Park, and spoke to him about the case. I said the case against Mr. Briggs was on the calendar that day. "Yes," he said, "but you didn't have any trouble putting it off. I said no, that the witnesses were not there. He said, he saw them and attended to that.

I then tried to induce Mr. Graher to consent to negotiate for a smaller sum ~~than~~ but he said they would not come down below \$500. I then again told him I would try and see what could be done, but did not however, intend to pay or ~~raise money~~ ^{raise money} for such a purpose.

On the 23rd day of February I applied to have the case put off, and it was done and has not since been on the calendar. Although on the 25th of February, notice was given Mr. Willey, the ~~surety~~ ^{surety}, that the cause

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would be tried in Part 2, of the Court of Sessions, on
the 1st day of March 1887.

Sworn to before me this :

~~21st~~ day of March 1887. :

E. H. Benn

Mar. E. Helms

Notary Public N.Y. Co

0178

Court of General Sessions

The People

vs

James E. Briggs

Defendant

The State of New York

0179

W. Reid Gould, Law Blank Publisher and Stationer, 168 Nassau St., N. Y.

The People of the State of New York, TO

Hon. Justice of the Fourth District
Police Court of the City of New
York

CERTIORARI
TO CERTIFY CAUSE OF
DETENTION.

GREETING :

We Command you, That you certify fully and at large to ~~our Justice~~
Hon. Charles Donohue one of the
Justices of the Supreme Court of
New York
at Court House in City of New York
on the 16th day of March 1886 at 1.30 o'clock P.M.
the day and cause of the imprisonment of James E. Briggs

by you detained ; as is said, by whatsoever name the said

James E. Briggs

shall be called or charged ; and have you then this writ

Witness,

the

Sixteenth

day of

March

1886

at the City of New York

James A. Angel

Attorney.

James A. Angel

Clerk.

0180

ETIENNE C. VIDAL, M. D.,
24 EAST 5th STREET.

OFFICE HOURS:
7 TO 9 A. M.
2 TO 4 P. M.
6 TO 7 P. M.

New York, March 13th 1886

This is to certify that Sarah Wilson
is not yet out of danger.

Etienne Vidal

0181

ETIENNE C. VIDAL, M. D.,
244 EAST 51st STREET.

OFFICE HOURS:
8 to 12 A. M.
2 to 4 P. M.
5 to 7 P. M.

New York, March 11th 1886

This is to certify that Sarah Wilson, 159
East 52nd St., has been and is still, under my
care suffering from the effects of an abortion.
While the prospects of recovery are favorable,
there are possibilities of a dangerous termination.

Etienne Vidal.

0182

POLICE COURT, FOURTH DISTRICT.

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

John T. Cuff
of *the 19th Precinct Police* Street, being duly sworn, deposes and says,
that *James E. Briggs* (now present) is the person of that name
mentioned in deponent's affidavit of the *10* day of *March* 18*86*

hereunto annexed. *and was identified by Sarah Wilson*
as the person who produced and procured said
abortion as charged in the annexed complaint
Sworn to before me, this

day of *March* 18*86*

John T. Cuff
James E. Briggs POLICE JUSTICE.

0183

Police Court, 4 District.

City and County } ss.
of New York,

of the 19th Precinct Police John T. Luff
occupation Police Officer being duly sworn, deposes and says,
that on the 7th day of March 1886, at the City of New

York, in the County of New York, he was informed at the 19th Precinct Station House by Etienne C Vidal M. D of No 241 East 52nd Street. That Sarah Wilson aged 18 years of No 159 E 52nd Street in said City was suffering from the effects of an Abortion and that the said Doctor was notified to attend said Sarah by her Mother. Dependent says that after said Doctor reporting said case he said Doctor informed dependent that he had examined said Sarah and discovered that there was an Abortion performed on ~~said Sarah~~ her, and that he found the Fetus lying on the bed between said Sarah's legs attached to the Placenta which was not yet delivered and that the said Doctor cut the cord connecting the same with said Fetus and thereafter examined if it were possible to remove the Placenta which he said Doctor said was impossible.

That Dependent says that said Doctor informed him previous to him reporting said case says that said Sarah Wilson informed him that she had an abortion performed on her on the day previous and five times previous to that and that the person who performed said operation used instruments and that she had been pregnant for two months previous. Dependent says that he called at the residence of Sarah Wilson and she acknowledged and confessed to him that a Doctor named Briggs of No 70 West 11th Street had performed operations on her on four times with instruments to

0184

procure an Abortion and that she had been pregnant for the past two months previous to said operation but refused to tell the name of the person who she became pregnant with

Sworn to before me this
10th day of Mch 1886

John P. Cuff

Samuel O'Reilly Police Justice

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 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 1886
Police Justice.
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1886
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 1886
Police Justice.

Police Court-- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

1
2
3
4

Offence,

Dated 1886

Magistrate.

Officer.

Clerk.

Witnesses,

No.

Street,

No.

Street,

No.

Street,

\$

to answer

Sessions.

0185

CITY AND COUNTY }
OF NEW YORK, } ss.

Etienne C. Vidal

aged 38 years, occupation Physician of No.

241 E 52d

Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of John J. Luff

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

Sworn to before me, this 10th
day of March 1886

Etienne Vidal

Samuel C. Bell
Police Justice

0186

Sec. 151.

Police Court 4 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 John T. Guff

of the 19th Precinct Street, that on the 6 day of March

1886 at the City of New York, in the County of New York,

against a Doctor named Briggs who resides
at no 70 W 11th Street aged 45 dark complexion beard
in face who did feloniously and unlawfully
perform an operation on Sarah Wilson with
instruments to procure an abortion she
being pregnant and said defendant
did perform said operation

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
forthwith before me, at the 7 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 10 day of March, 1886

Sam'l O'Reilly POLICE JUSTICE.

0187

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, { ss

James E Briggs 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 E Briggs

Question. How old are you?

Answer

49 years

Question. Where were you born?

Answer.

Troy N Y

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

Answer.

70 W 11th St 6 years

Question What is your business or profession?

Answer

Physician

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 and demand an Examination

James E Briggs

Taken before me this

day of

March

1886

Police Justice.

0188

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 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 _____ 188

_____ 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.

0189

The Justice presiding at this Court will hear and determine this case by reason of my absence

Sam'l O'Reilly
Police Justice

BAILED,

No. 1, by Samuel R. Filler
Residence 76 Hall Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

Police Court

342 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

John J. Cuff

257 E. 23rd

James E. Briggs

1
2
3
4

Offence Abortion on
Sarah Wilson

Dated Mch 10 1886

Daniel O. Reilly Magistrate

Cuff Officer.

23 Precinct.

Witnesses
Eugene C. Vidal

No. 241 E 52nd Street.

\$2500 for E.
Certificate received

that Sarah Wilson was not out of danger

The defendant is committed to await the result of inquest

Mrs Wilson
159 East 57th

0190

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 E. Binney

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

James E. Binney

of the CRIME of Abortion,

committed as follows:

The said

James E. Binney,

late of the First Ward of the City of New York, in the County of New York aforesaid, on the fourth day of March, in the year of our Lord one thousand eight hundred and eighty-six, at the Ward, City and County aforesaid, with force and arms, did feloniously use a certain instrument, the name of which said instrument is to this day known as the "abortion" machine, in, upon, about and within the body of one Sarah Suttler, who was then and there a woman pregnant with child, by her and there forcibly, thrusting and inserting the said instrument, up and into the womb of her the said Sarah Suttler, with intent thereby to produce the miscarriage of the said Sarah Suttler, the said use of the instrument aforesaid not being then and there necessary to preserve

0191

the life of the said Sarah Sutter,
or of the ~~child~~ child with which
she was so pregnant 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.

Charles B. Smith

District Attorney.

0192

Witnesses:

Chief Clerk

Counsel, ex
Filed, 1st day of Dec 1886
Pleads,

Wm. H. 313 B

THE PEOPLE

vs.

James E. Briggs

Section

[Section — Penal Code]

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

W. H. 313 B

Foreman.

0193

Police Department of the City of New York,

Precinct No.

New York, Feb. 18th 1887

George McCoy Esq.

Dear Sir
I am unable to see the Complainant
in the Briggs Case and her mother
says she does not know anything
about her or when she can be found
if the case is put on for this
day a week I may find something
out before then. And the next time
you will go and see Mrs Wilson
yourself until you receive some
of her blessings towards all of us
District Attorneys Office included

I am Respectfully
J. J. Coffey
23^d Precinct

0194

PART I.

THE COURT ROOM IS IN THE SECOND STORY, AND FRONTING THE PARK.

If this Subpoena is disobeyed, an attachment will immediately issue.
Bring this Subpoena with you, and give it to the Officer at the Court Room door, that your attendance may be known.
[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPÆNA

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York,

To

Off. Buff

of No. Street,

GREETING :

WE COMMAND YOU, That, all business and excuses ceasing, you *appear* in your proper person, before the Court of General Sessions of the Peace to be holden in and for the City and County of New York, at the Sessions Building in the Park of the said City, on the day of *February* instant, at the hour of eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf, against

17 *Geo. E. Briggs*
in a case of Felony, whereof *he stands* indicted. And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

WITNESS, Hon. FREDERICK SMYTH, Recorder of our said City, at the City Hall, in our said City, the first Monday of *February*, in the year of our Lord 1887

RANDOLPH B. MARTINE, District Attorney.

PART I.

THE COURT ROOM IS IN THE SECOND STORY, AND FRONTING THE PARK.

If this Subpoena is disobeyed, an attachment will immediately issue.
Bring this Subpoena with you, and give it to the Officer at the Court Room door, that your attendance may be known.
[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPÆNA

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York,

To

Dr. C. B. Vidal

of No. *241 E. 52* Street,

GREETING :

WE COMMAND YOU, That, all business and excuses ceasing, you *appear* in your proper person, before the Court of General Sessions of the Peace to be holden in and for the City and County of New York, at the Sessions Building in the Park of the said City, on the day of *February* instant, at the hour of eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf, against

17 *Geo. E. Briggs*
in a case of Felony, whereof *he stands* indicted. And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

WITNESS, Hon. FREDERICK SMYTH, Recorder of our said City, at the City Hall, in our said City, the first Monday of *February*, in the year of our Lord 1887

RANDOLPH B. MARTINE, District Attorney.

PART I.

THE COURT ROOM IS IN THE SECOND STORY, AND FRONTING THE PARK.

If this Subpoena is disobeyed, an attachment will immediately issue.
Bring this Subpoena with you, and give it to the Officer at the Court Room door, that your attendance may be known.
[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPÆNA

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York,

To

Sarah Suttler

of No. *159 E. 52* Street,

GREETING :

WE COMMAND YOU, That, all business and excuses ceasing, you *appear* in your proper person, before the Court of General Sessions of the Peace to be holden in and for the City and County of New York, at the Sessions Building in the Park of the said City, on the day of *February* instant, at the hour of eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf, against

17 *Geo. E. Briggs*
in a case of Felony, whereof *he stands* indicted. And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

WITNESS, Hon. FREDERICK SMYTH, Recorder of our said City, at the City Hall, in our said City, the first Monday of *February*, in the year of our Lord 1887

RANDOLPH B. MARTINE, District Attorney.

0195

PART I.

THE COURT ROOM IS IN THE SECOND STORY, AND FRONTING THE PARK.
If this Subpoena is disobeyed, an attachment will immediately issue.
Bring this Subpoena with you, and give it to the Officer at the Court Room door, that your attendance may be known.
[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPŒNA

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York,

To *Dr. E. C. Vidal*

of No. *241 E. 52* Street,

GREETING :

WE COMMAND YOU, That, all business and excuses ceasing, you *appear* in your proper person, before the Court of General Sessions of the Peace to be holden in and for the City and County of New York, at the Sessions Building in the Park of the said City, on the *17* day of *February* instant, at the hour of eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf, against

Jan. E. Briggs
in a case of Felony, whereof *he* stands indicted. And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

WITNESS, Hon. FREDERICK SMYTH, Recorder of our said City, at the City Hall, in our said City, the first Monday of *February*, in the year of our Lord 1887

RANDOLPH B. MARTINE, *District Attorney.*

PART I.

THE COURT ROOM IS IN THE SECOND STORY, AND FRONTING THE PARK.
If this Subpoena is disobeyed, an attachment will immediately issue.
Bring this Subpoena with you, and give it to the Officer at the Court Room door, that your attendance may be known.
[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPŒNA

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York,

To *Off. Buff*

of No. _____ Street,

GREETING :

WE COMMAND YOU, That, all business and excuses ceasing, you *appear* in your proper person, before the Court of General Sessions of the Peace to be holden in and for the City and County of New York, at the Sessions Building in the Park of the said City, on the *17* day of *February* instant, at the hour of eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf, against

Jan. E. Briggs
in a case of Felony, whereof *he* stands indicted. And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

WITNESS, Hon. FREDERICK SMYTH, Recorder of our said City, at the City Hall, in our said City, the first Monday of *February*, in the year of our Lord 1887

RANDOLPH B. MARTINE, *District Attorney.*

PART I.

THE COURT ROOM IS IN THE SECOND STORY, AND FRONTING THE PARK.
If this Subpoena is disobeyed, an attachment will immediately issue.
Bring this Subpoena with you, and give it to the Officer at the Court Room door, that your attendance may be known.
[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPŒNA

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York,

To *Sarah Suttler*

of No. *159 E. 52* Street,

GREETING :

WE COMMAND YOU, That, all business and excuses ceasing, you *appear* in your proper person, before the Court of General Sessions of the Peace to be holden in and for the City and County of New York, at the Sessions Building in the Park of the said City, on the *17* day of *February* instant, at the hour of eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf, against

Jan. E. Briggs
in a case of Felony, whereof *he* stands indicted. And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

WITNESS, Hon. FREDERICK SMYTH, Recorder of our said City, at the City Hall, in our said City, the first Monday of *February*, in the year of our Lord 1887

RANDOLPH B. MARTINE, *District Attorney.*

0196

Off Court Do you know anything about this witness

PART I.

THE COURT ROOM IS IN THE SECOND STORY, AND FRONTING THE PARK.

If this Subpoena is disobeyed, an attachment will immediately issue.

Bring this Subpoena with you, and give it to the Officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPOENA

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York,

To

of No.

Mrs. Lizzie Wilson
2033 - 2 Ave

GREETING:

WE COMMAND YOU, That, all business and excuses ceasing, you appear in your proper person, before the Court of General Sessions of the Peace to be holden in and for the City and County of New York, at the Sessions Building in the Park of the said City, on the 17 day of February instant, at the hour of eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf, against

in a case of Felony, whereof he stands indicted. And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

WITNESS, Hon. FREDERICK SMYTH, Recorder of our said City, at the City Hall, in our said City, the first Monday of February, in the year of our Lord 1887

RANDOLPH B. MARTINE, District Attorney.

23 Pre. 105
Off Buff
Harc.

PART I.

THE COURT ROOM IS IN THE SECOND STORY, AND FRONTING THE PARK.

If this Subpoena is disobeyed, an attachment will immediately issue.

Bring this Subpoena with you, and give it to the Officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPOENA

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York,

To

of No.

Mrs. Jacob Wilson
159 E. 52

GREETING:

WE COMMAND YOU, That, all business and excuses ceasing, you appear in your proper person, before the Court of General Sessions of the Peace to be holden in and for the City and County of New York, at the Sessions Building in the Park of the said City, on the 17 day of February instant, at the hour of eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf, against

in a case of Felony, whereof he stands indicted. And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

WITNESS, Hon. FREDERICK SMYTH, Recorder of our said City, at the City Hall in our said City, the first Monday of February, in the year of our Lord 1887

RANDOLPH B. MARTINE, District Attorney.

0197

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 E. Donaghy

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

of the CRIME OF *Abortion*,—

committed as follows:

The said *James E. Donaghy*,—

late of the *First* Ward of the City of New York, in the County of New York aforesaid, on the *ninth* day of *March*,—in the year of our Lord one thousand eight hundred and eighty-*nine*, at the Ward, City and County aforesaid, with force and arms, in and upon one *Sarah Wilson*, who was then and there pregnant with child, feloniously and unlawfully did make an assault, and did then and there feloniously and unlawfully use a certain instrument, the name of which said instrument is the *Pig and Iron* as yet unknown, in and upon the body and wounds of her the said *Sarah Wilson*, with intent thereby to produce the miscarriage of her the said *Sarah Wilson*, the said use of the instrument aforesaid not being necessary to preserve the life of the said *Sarah Wilson*, or of the child with which she

was so frequent 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.

Second Count:

And the Grand Jury aforesaid,
by this indictment further accuse the
said James E. Snagg of the same crime
of Abduction, committed as follows:

The said James E. Snagg, late
of the Ward, City and County aforesaid,
do hereby, to wit: on the day and in the
year aforesaid, at the Ward, City and
County aforesaid, with force and arms,
in and upon the said Sarah Wilson, then
then and there pregnant with child as
aforesaid, willfully and feloniously did
make another assault, and did then and
there willfully and feloniously use certain
means to the Grand Jury aforesaid as
yet unknown, in and upon the words
and body of her the said Sarah Wilson,
with intent thereby to produce the mis-
carriage of her the said Sarah Wilson,
the said use of the means aforesaid not
being necessary to preserve the life of
the said Sarah Wilson, or of the child

0199

with which the war was pregnant as a precedent
against the form of the State 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.

0200

BOX:

210

FOLDER:

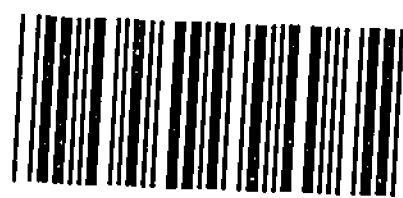
2086

DESCRIPTION:

Broderick, John

DATE:

03/05/86



2086

Witnesses:

Francis Pielon

Mary Pielon

Officer McCarty

Counsel,

Filed

day of

March 1886

Pleeds,

THE PEOPLE

vs.

R

John Broderick

March 16/86

Each separately 3 day

Robbery, degree. [Sections 224 and 228, Penal Code]

RANDOLPH B. MARTINE,

Magistrate District Attorney.
less one year.

A True Bill.

Chas. B. Folsom

March 17/86

Foreman.

Spred Jury charged
11 for 10 of 12 day
11 for 10 of 12 day
11 for 10 of 12 day

0202

CITY AND COUNTY
OF NEW YORK, } ss.

POLICE COURT, FOURTH DISTRICT.

of No. 319 East 39

Street

being duly sworn, deposes and saith, that on the 28th day of February 1886, at the 21st Ward of the City of New York, in the

County of New York, was feloniously taken, stolen, and carried away, from the person of deponent, by force and violence, without his consent and against his will, the following property, viz:

Good and lawful money
of the United States of the amount
and value of one dollar and one
pair of Eye Glasses of the value
of Three dollars in all of the
value of about four dollars

of the value of four hundred Dollars,
the property of Complainant

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 force and violence as aforesaid, by

John Brodick (now here)
and ~~an~~ an unknown person
not arrested from the fact
that about the hour of one o'clock A.M.
as deponent was passing through
East 39th Street and State in front
of said premises he was seized
violently a hold of by the said person
John placed their hands into deponent's
pockets and took the above property.
Deponent further says that he has
been informed by Mary Delow that
she was standing in front of the
said premises and saw the said
Brodick strike deponent in
face with his fist knocking
him down and then Brodick
and the unknown man ran away
deponent therefore charges the said
Brodick with feloniously taking
from deponent with force and
violence the above mentioned property
Francis's Delow

Sworn to before me, this

day of

March 1886

John Brodick

Police Justice.

0203

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 39 years, occupation Housewife of No. 319 E 39 Street, being duly sworn deposes and

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

Sworn to before me, this 2 day of March 1886 } Mary Victor

Andrew J. White
Police Justice.

0204

Sec. 198-200.

District Police Court.

CITY AND COUNTY
OF NEW YORK,

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

Question. What is your name?

Answer

Question. How old are you?

Answer

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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 don't know anything about the affair

John Broderick

Taken before me this

day of *March*

188*8*

Samuel J. Smith
Police Justice.

0205

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

Defendant

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *Twenty-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 *March 2* 188 *Andrew 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.

0206

Police Court-- District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Francis P. [illegible]
319 East 39th
John D. [illegible]

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Dated

March 2

1886

Magistrate

Officer.

Precinct.

Witnesses

Mary P. [illegible]

No.

319 East 39th

Street.

No.

Street.

No.

Street.

\$

2500

to answer

[Signature]

0207

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 Broderick

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

of the CRIME OF ROBBERY in the First — degree, committed as follows:

The said John Broderick,

late of the First Ward of the City of New York, in the County of New York aforesaid, on the ~~Twenty-fifth~~ day of ~~January~~ ~~1887~~, in the year of our Lord one thousand eight hundred and eighty-~~seven~~ ~~1887~~, in the day time of the said day, at the Ward, City and County aforesaid, with force and arms, in and upon one Francis Pielow, in the peace of the said People, then and there being, feloniously did make an assault, and one United States Treasury Note of the denomination and value of one dollar, one silver coin of the value of one dollar, two silver coins of the value of fifty cents each, divers other coins, of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of one dollar, and one pair of ~~glasses~~ of the value of three dollars, of the goods, chattels and personal property of the said Francis Pielow, from the person of the said Francis Pielow, against the will, and by violence to the person of the said Francis Pielow, — then and there violently and feloniously did rob, steal, take and carry away,

(The said John Broderick, then and there aided and abetted by an accomplice actually present, whose name is to the Grand Jury aforesaid unknown) 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. Martin,
District Attorney.

0208

BOX:

210

FOLDER:

2086

DESCRIPTION:

Brooks, Karmel

DATE:

03/11/86



2086

0209

Witnesses:

Charles O'Leary

H. L. Hood

Counsel, *Randolph B. Martine*
Filed *11* day of *March* 188*6*

Pleads *Not Guilty*

THE PEOPLE

vs.

B

Hornel Brooks

MISDEMEANOR.

RANDOLPH B. MARTINE,

Public Defender District Attorney.

Pleads Guilty

A True Bill.

Charles B. Brooks

Foreman.

True for *FI*

0210

E. G. LOVE, PH. D.,
Analytical and Consulting Chemist,
122 BOWERY,

New York, Jan 30th 1886

153

CERTIFICATE OF ANALYSIS.

SAMPLE OF BUTTER.

Marked, No 927; Brooks 576 8th Ave Jan 25th 86
Received from B. F. Van Valkenburgh per Chas. Sears
on Jan 26th 1886.

THE SAMPLE CONTAINS:

WATER, - - - -	1.0.6.7%
ANIMAL AND BUTTER FAT, -	85.0.5%
CURD, - - - -	1.2.9%
SALT, - - - -	2.9.9%

ANALYSIS OF THE FAT:

INSOLUBLE FATTY ACIDS, -	94.96%
SOLUBLE " " -	0.61%
SPECIFIC GRAVITY OF THE FAT	
AT 100° F., - - -	0.9072

This sample is composed mainly of animal fat, and was not produced from unadulterated milk, or cream from the same. It was not produced from milk or cream alone. It contains coloring matter, whereby it is made to resemble butter, the product of the dairy; and it is in imitation and semblance of butter, produced from pure unadulterated milk or cream from the same.

Respectfully yours,

E. G. Love, Ph. D.

Mr. B. F. Van Valkenburgh

State of New York, }
City of New York, } ss.
County of New York, }

On the first day of February in the year
one thousand eight hundred and eighty-six
E. G. Love to me known, and known to me to be the individual
described in, and who executed the foregoing instrument, and
acknowledged that he executed the same.

Joseph K. Schaefer
(Notary Public)
N. Y. 86

0211

No. 927.

Jan 30th 86

✓

0212

E. G. LOVE, PR. D.

STATE OF NEW YORK,
County of New York ss.:

Charles Sears, being duly sworn, deposes and says:
That he resides in the Town of Bronx in the County of Orange and State of New York, and is 49 years of age, and is an expert appointed by JOSIAH K. BROWN, New York State Dairy Commissioner; That on the 25th day of January, 1886 in the Store occupied by him, No. 576 Eighth Avenue, in the City of New York in the County of New York and State of New York, one Kammel Brooks, against the form and statutes in such cases made and provided, and in violation thereof, and against the peace of the people of the State of New York, had in his possession, with intent to sell the same for Butter made from unadulterated Milk or Cream, a number of pounds of a substance, product, manufacture and compound, which was not Butter made from unadulterated Milk or Cream, but had been made by manufacturing, mixing and compounding with and adding to a small quantity and proportion of natural Milk, Cream or Butter a large quantity and proportion of animal fats or animal or vegetable oils, and was a manufactured oleaginous substance not produced from Milk or Cream; that it had been and was colored with some coloring matter whereby the same was made to resemble Butter, the product of the Dairy, and was so colored thereby, in semblance of and resembled Butter, and did resemble Butter the product of the Dairy; that the said Kammel Brooks did offer

and offered said substance, product, manufacture and compound for sale as and for Butter made from unadulterated Milk or Cream at such time and place, with intent to sell the same as and for Butter made from unadulterated Milk or Cream, and did sell some considerable portion thereof, to wit, 12 pounds as and for Butter, the product of the Dairy, and represented the same to be Butter at such time and place; that the said substance, product and compound was not natural Butter produced from pure unadulterated Milk, or Cream of the same, and was not Butter the product of the Dairy, and was not made exclusively from Milk or Cream, or both; that it contained some substance for the purpose and with the effect of imparting thereto a color resembling that of yellow Butter, and was in imitation and semblance of natural Butter produced from pure unadulterated Milk or Cream of the same, and was colored by some substance to resemble yellow Butter, and was in semblance of natural Butter; that the same was a substance known as Oleomargarine; that it had been made, manufactured and rendered after April thirtieth, 1885, out of some animal fats or vegetable oils not produced from unadulterated Milk, or Cream of the same, in imitation and semblance of natural Butter, produced from pure unadulterated Milk, or Cream of the same, by mixing, compounding with and adding to a small quantity of Milk, Cream or Butter a large quantity and proportion of some animal fats or animal or vegetable oils not produced from Milk or Cream, with design and intent to render, make and produce an article, substance and human food in imitation and semblance of natural Butter. That the same was not manufactured, or in process of manufacture on April thirtieth, 1885, but has been rendered, manufactured, compounded and mixed since April thirtieth, 1885, as deponent is informed and believes

that the tubs in which the same was contained did not have the words "Oleomargarine Butter" upon the top or side thereof, and such words were not burned in or painted thereon with permanent black paint, in a straight line not less than one half inch in length, where deponent could see such brand; that no printed label, bearing the words "Oleomargarine Butter" was delivered therewith to the purchaser thereof.

Deponent further says that on said 25th day of January, 1886 he went to the said Store of said Brooks in said City and County, and told his said servant and employee that he wanted to buy some Butter; that said servant and employee showed deponent a number of pounds of the said Oleomargarine hereinbefore mentioned, offered the same to deponent for sale, and sold the same to deponent; that she so sold to deponent 12 pounds as and for butter thereof, and deponent then paid to her therefor the agreed price thereof, amounting to the sum of \$ 0.11; that, as deponent believes and charges, the said servant and employee at the time of so offering and selling the same, well knew that it was Oleomargarine, and had been manufactured and colored as hereinbefore stated; that she did not tell deponent at any time that the said Oleomargarine so sold to deponent was not Butter, the product of the Dairy; that deponent saw the tubs in which the said Oleomargarine was contained, and no printed label bearing the words "Oleomargarine Butter," was delivered by said servant and employee to deponent with the Oleomargarine sold to him; that on January 26th, 1886, deponent delivered a sample of such Oleomargarine, so purchased by him as aforesaid, to E. G. Love a chemist of

and Brooks is one of his employees and servant of Brooks and is intended to deponent offer for sale, and this said servant of Brooks

02.13

Court of W.
County of New York

THE PEOPLE, &c.,

vs.

Samuel Brooks

Affidavit:

Charles Deane
350 Washington St

Witnesses:

W. W. Meeker

Residence 350 Washington St

E. G. Love

Residence 122 Bowery

Residence

02-14

Sec. 198-200

2

District Police Court.

CITY AND COUNTY OF NEW YORK, ss

Samuel Brooks 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. *Samuel Brooks.*

Question. How old are you?

Answer. *40 years old*

Question. Where were you born?

Answer. *Boston Mass.*

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

Answer. *576 8th Avenue. About. 8 years.*

Question. What is your business or profession?

Answer. *Butter Churn and Eggs.*

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 and
I demand a trial by jury
Samuel Brooks*

Taken before this

day of *July* 188*8*

W. J. [Signature]
Police Justice.

02 15

Sec. 151.

Police Court 2nd 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 Charles Sears of the County of Montgomery
Orange County, and State of New York, that on the 5th day of January
1886 at the City of New York, in the County of New York,

one Samuel Brooks did suffer
and allow one of his servants and
employees to offer for sale and
the said servant and employee did sell
to deponent one half pound of oleomargarine as
and for butter made from an adulterated milk
or cream of the said.

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 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 February 1886
[Signature]
POLICE JUSTICE.

02 16

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Charles Leves

vs

Harriet Leves

Warrant-General.

Dated February 15th 1886

W. L. De Magistrate.

Farrall Officer.
Harriet Leves

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

John W. Farrall Officer.
Farrall

Dated 1886

This Warrant may be executed on Sunday or at
night.

Police Justice.

REMARKS.

Time of Arrest February 17 1886

Native of N. S.

Age, 40

Sex,

Complexion,

Color, White

Profession, Farmer

Married, Y

Single.

Read, Y

Write, h

576 8 001

0217

BAILED.

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court

2nd District.

THE PEOPLE, &c.
ON THE COMPLAINT OF

Charles. Dean

vs.

Karnel Brooks

2

3

4

Dated

February 17

1886

Uelde

Magistrate.

John D. Farrell

Officer.

Court

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

\$

to answer

Street.

Office of Adulteration
of Food

been committed, and that there is sufficient cause to believe the within named

guilty of, 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 Feb 17 1886

I have admitted the above-named

to bail in the sum of the undertaking hereto appended.

Dated Feb 17 1886

There being no sufficient cause to believe the within named

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

Dated Feb 17 1886

Police Justice.

0218

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Samuel Broderick

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

Samuel Broderick —

(Chap. 458, Laws of 1885, § 3.) of a Misdemeanor, committed as follows:

The said *Samuel Broderick*,

late of the City of New York, in the County of New York aforesaid, on the *25th* day of *January*, in the year of our Lord one thousand eight hundred and eighty-*nine*, at the City and County aforesaid, *one half pound* of a certain oleaginous substance and compound, not made nor produced from milk or cream (a more particular description of which said substance and compound, and of the ingredients and matters of which the same was made and produced, is to the Grand Jury aforesaid unknown, and cannot now be given), unlawfully did sell, and cause and procure to be sold to one *Charles Sears*, for butter, the product of the dairy; against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

SECOND COUNT: (Chap. 246, Laws of 1882, § 1.)

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

Samuel Broderick —

of a Misdemeanor, committed as follows:

The said *Samuel Broderick*,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, did unlawfully sell and cause and procure to be sold, at retail, to one *Charles Sears*, *one half pound* of a certain substance, not butter, commonly called oleomargarine, and did then and there falsely represent the same to the said *Charles Sears*, —

to be butter; against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

0219

THIRD COUNT: (Section 480, Penal Code.)

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

Samuel Bruders —
of a Misdemeanor, committed as follows:

The said *Samuel Bruders*.

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,
at the City and County aforesaid, did unlawfully sell, and cause and procure to be sold, to one

Charles Sears, as an article of food *one half pound* of a certain
substance in imitation of a certain article of food, to wit: butter, without disclosing such imi-
tation by a suitable and plainly visible mark or brand; against the form of the statute in such
case made and provided, and against the peace and dignity of the said people.

FOURTH COUNT: (Chap. 283, Laws of 1882, § 3.)

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

Samuel Bruders —
of a Misdemeanor, committed as follows:

The said *Samuel Bruders*.

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,
at the City and County aforesaid, a certain parcel containing *one half pound*
of a certain article and substance in semblance of butter, not the legitimate product of the
dairy, and not made exclusively of milk or cream, but into which divers oils and fats not pro-
duced from milk or cream, entered as component parts (a more particular description of which
said article and substance is to the Grand Jury aforesaid unknown, and cannot now be given), the
same being then and there an article and substance required by law, in case of retail sales in
parcels, to be sold from a tub, firkin, box or package, distinctly and durably stamped, branded
or marked upon the top and side with the words "Oleomargarine Butter" only, where it could
be plainly seen, in Roman letters, burned in or painted thereon with permanent black paint in
a straight line, and not less than one-half inch in length, and wherewith the seller was then
and there required by law, to deliver to the purchaser, a printed label, bearing the plainly
printed words "Oleomargarine Butter" only, in Roman letters not less than one-half inch
in length, in a straight line, unlawfully did then and there sell and cause and procure to be
sold at retail to one *Charles Sears*, —

from a certain *box and box* which was not then and
there stamped, branded or marked as aforesaid, and did then and there unlawfully omit to de-
liver therewith to the said *Charles Sears*, —
a label of the kind and description aforesaid, against the form of the statute in such case made
and provided, and against the peace and dignity of the said people.

0220

FIFTH COUNT : (Chap. 215, Laws 1882, § 2.)

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

- Daniel Broder -

of a Misdemeanor, committed as follows :

The said Daniel Broder,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, did unlawfully sell and cause and procure to be sold to one

Charles Seam, one half pound

of a certain article and substance in semblance of natural butter, and known as oleomargarine or imitation butter, the same not being the legitimate product of the dairy, and not being made exclusively from milk or cream, or both, with salt or rennet, or both, with or without coloring matter or sage, but into which divers oils, and animal and other fats, not produced from milk or cream, had been introduced (a more particular description of which said article and substance is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

SIXTH COUNT : (Chap. 458, Laws of 1885, § 2.)

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

- Daniel Broder -

of a Misdemeanor, committed as follows :

The said Daniel Broder,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, did unlawfully sell and cause and procure to be sold to one

Charles Seam, one half pound

of a certain article, substance and compound in imitation and semblance of, and designed to take the place of natural butter produced from pure, unadulterated milk, or cream of the same the said article, substance and compound, so sold as aforesaid, being rendered and manufactured out of divers animal fats and oils not produced from unadulterated milk, or cream from the same, the said article, substance and compound not being manufactured or in process of manufacture on the ^{39th} ~~thirtieth~~ day of April, in the year of our Lord one thousand eight hundred and eighty-five (a more particular description of which said article, substance and compound, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

RANDOLPH B. MARTINE,

District Attorney.

0221

BOX:

210

FOLDER:

2086

DESCRIPTION:

Brown, William

DATE:

03/03/86



2086

Witnesses:

Michael Ryan

Off. Michaeland
1415 Mac.

#712 Lempster 2

Counsel, *[Signature]*
Filed 3 (day of March 1886)
Pleads, *[Signature]*

THE PEOPLE

vs.

[Signature]

William Brown

Grand Larceny, 2nd Degree.
(From the Person.)
[Sections 528, 531 — Penal Code.]

[Signature]

RANDOLPH B. MARTINE,
District Attorney.

A True Bill.

[Signature] Charles B. Folsom
Foreman.
[Signature] March 8/86.
[Signature] J. J. Conrath.
State Repository
March 11/86.

0222

0223

Police Court— / 0/- District.

Affidavit—Larceny.

City and County }
of New York, } ss.Michael Ryan
of No. 39 East 110th Street, aged 45 years,
occupation Mason being duly sworndeposes and says, that on the 28 day of February 1886 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession

and person of deponent, in the day time, the following property viz :

One silver watch of the value of
fifteen dollars \$15

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 Brown (now here)

Deponent says that about the hour of three
P. M. on said date ~~deponent~~^{he} was standing
in the Bowry near Spring Street in
said City and he felt some person
take said property which was attached
to a chain and contained in the pocket
of the vest. Then and there near by himDeponent says that he is informed by
Officer Marshall of the 14th Precinct
that he saw said defendant standing
along side of him and said defendant
was acting in a suspicious manner and
said officer arrested said defendant
and found said watch in his hand
Michael Ryan

Sworn to before me, this

day

of 1886
David W. Kelly Police Justice.

0224

CITY AND COUNTY }
OF NEW YORK, } ss.

John Mulholland
aged _____ years, occupation *Police Officer* of the
14th Precinct Police Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of *Michael Ryan*
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this *1*
day of *March* 188 *6* *John Mulholland*

Sam'l O'Halloran
Police Justice.

0225

Sec. 198-200.

District Police Court.

CITY AND COUNTY { ss
OF NEW YORK,

William Brown 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 Brown

Question. How old are you?

Answer.

18 years

Question. Where were you born?

Answer.

New York

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

Answer.

43 Borsery one month

Question. What is your business or profession?

Answer.

Machine Operator

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

Answer.

I am guilty of having the watch in my possession I found it on the sidewalk

William Brown

Taken before me this

day of

1886

James J. McLaughlin Police Justice.

0226

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 10 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 Dec 1 1886 Samuel J. [Signature] Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0227

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court

260 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Michael Ryan
39 East 110

1 William Brown

2 _____

3 _____

4 _____

Offence Carrying Term
1/2 year

Dated Mch 1 1886

D. O. Reilly Magistrate

Murphy & Co. Officer.

14 Precinct.

Witnesses John Murphy & Co.

14th Precinct Police Street.

No. _____ Street,

No. _____ Street,

\$ 1000 to answer \$ 5

Committed

0228

The People
vs.
William Brown.

Court of General Sessions, Part I.
Before Judge Gildersleeve.

March 8, 1896.

Indictment for grand larceny in the second degree.

Michael Ryan sworn and examined . Where do you live? No. 39 East 110th Street. What is your business? Mason. Do you work every day? No, not every day, when I have work. Do you remember the 28th day of February, 1896? Yes sir. Did you have then as your property a silver watch and were you wearing it? Yes sir. You lost that silver watch didn't you, on that day? Yes sir. Where were you when you first discovered that it was gone? I think it was in the Bowery, No. 210 near Spring Street. About what time of day was it? I think it was close on to three o'clock in the afternoon. Will you tell the Jury and Court just what happened there? There was some excitement in a window, I stood outside watching the crowd, about twenty around, as I was standing in a crowd I felt a tug at my watch, I looked down and the watch was gone, I did not see it again but I looked down to see and the first thing I saw was the watch in the officer's hands and he had this fellow William Brown at the time. He had this Brown by the arm? Yes sir, I never saw him until that day, I followed the two down the road, the officer said, where are you going? I said, it is nothing to you, I thought the officer was an accomplice of his. He did not have his uniform on did he? No, he did not, he was in colored clothes. You were standing at the window, you had the watch in your pocket, you felt a tug at the chain and you looked down immediately? Yes sir and the watch was gone. Was the chain hanging down? Yes sir. Had the chain been broken at all?

0229

No. You turned around and you saw your watch where? In the officer's hand, linked with that fellow, going off from me. And did he have hold of this fellow here, the defendant? Yes sir he had, I followed them when I saw them going out of the crowd, the officer said, where are you going? I said, it has nothing to do with you; he said are you not coming for your watch? I said, yes I am, I followed the officer, then I knew who he was. Did you go to the Station House? Yes sir. What took place there? Some questions were put, I do not know what they were now, I never was in the court before. How much was your watch worth? That I cannot tell you, it was valued at about fifteen dollars, I paid thirty dollars for it. Did you get your watch back? Not yet. I do not know that it was a cider mill that was in the window, there was a crowd around it.

John Mulholland sworn and examined. I am a police officer of the 11th precinct and made the arrest of the defendant in this case on the 28th of February. Where did you arrest him? In front of 208 Bowery. Did you see the complainant there at the time? Yes sir. Will you state to the Court and Jury what took place when you were there? I saw the complainant coming down the street, down the Bowery, I noticed him, it was a kind of a cool day, he had his hands in his pocket and his watch and chain was exposed; he came and stood in front of a cider mill at 208 Bowery. I saw the prisoner get up close to him, I stood about ten feet behind both of them and from the prisoner's action I thought that he was going to take the

0230

watch. The prisoner stood on the right of the complainant and as he eased away from him I knew he must have the watch and just then the complainant turned around. I saw his watch chain hanging and I went and caught this prisoner's hand and in the hand was the watch. I said to the complainant, is this your watch? He appeared to be kind of surprised and did not say anything, I says, you come with me and you will get your watch, we went to the corner of Spring Street and he was going down the Bowery and I said to him, "don't you want your watch", and shoved it to him. He said, certainly. I said, come with me and you will get it; then he followed me down to the Station House; he identified the watch there as his.

William Brown sworn and examined in his own behalf, testified. I am eighteen years old and have never been charged with any offence before. On this afternoon I was going up the Bowery towards Houston Street, I saw a crowd looking in a window and I stood looking in the window, there was a ship going up and down in there and as I was looking in something hit my foot kind of heavy, I looked down and it was a watch, I picked up the watch and I had not more than picked it up when the officer grabbed my hand and he took me to the Station House; there were a couple of men between me and the man who lost his watch, I did not know who the watch belonged to because I had not time to find out when the officer took hold of me, I did not have it concealed but had the watch in my hand. I live in 13 Bowery and work in Robert Gear's paper place in Chamber Street.

The Jury rendered a verdict of guilty.

0231

Testimony in the case
of Brown

filed March
1886.

0232

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

William Brown

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

William Brown

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

The said *William Brown,*

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

one watch of the value of

fifteen dollars,

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

Randolph B. Martin,
District Attorney

0233

BOX:

210

FOLDER:

2086

DESCRIPTION:

Bua, Vincenzo

DATE:

03/31/86



2086

0234

Witnesses:

Vincenzo B. B. B.

312

Counsel,

Filed

W. E. York
day of *March* 188*6*

Pleads

Willfully

THE PEOPLE

vs.

F

Vincenzo B. B.

ASSAULT IN THE FIRST DEGREE, ETC.
(Sections 217 and 218, Penal Code).

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

Chas. B. B. B.

Foreman.

April 6/86

Chas. B. B. B.

24th March 1886

F

0235

Police Court—1st District.

City and County } ss.:
of New York,

of No. 63 Barter Street, aged 44 years,
occupation Saloon Keeper being duly sworn

deposes and says, that on 23rd day of March 1886 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Vincenzo Bua
who cut and stabbed deponent
in the left side with the
blade of a knife then and
then held in his hand said
injuries being inflicted

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

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

Sworn to before me, this 26th day
of March 1886.

Domenico Defroja

Sam'l O'Reilly Police Justice.

0236

Sec. 198-200.

CITY AND COUNTY { ss
OF NEW YORK,

_____ District Police Court.

Vincenzo Buia 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

Vincenzo Buia

Question. How old are you?

Answer

28 years

Question. Where were you born?

Answer.

Italy

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

Answer.

105 Mott St. 5 months

Question What is your business or profession?

Answer

Laborer

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

Answer.

I am not guilty

Vincenzo Buia

Taken before me this

76

day of March 1886

Samuel C. Kelly Police Justice.

0237

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

Defendant

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 10 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 March 26 1888 *Samuel C. Kelly* 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.

0238

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court

4th District.

THE PEOPLE, &c.

ON THE COMPLAINT OF

Lominio De Grazia
63rd St
Vincenzo Dea

2 _____

3 _____

4 _____

Offence *See Case and*

Dated *March 26* 188 *6*

O'Reilly Magistrate

McMahon Officer.

6 Precinct.

Witnesses _____

No. _____ Street.

\$1000 for E. McH 26 Street,
2 P. M.

No. _____ Street,

\$ *1000* to answer *GS*

Committed

0239

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Vincenzo Bua

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

- Vincenzo Bua -

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

The said *Vincenzo Bua*,

late of the City of New York, in the County of New York aforesaid, on the *August 25th* day of *March*, - in the year of our Lord one thousand eight hundred and eighty-*nine*, with force of arms, at the City and County aforesaid, in and upon the body of one *Domenico Delgarza* in the peace of the said People then and there being, feloniously did make an assault and *him* the said *Domenico Delgarza*, with a certain *knife* -

which the said *Vincenzo Bua* - 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 *him* the said *Domenico Delgarza*, 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

- Vincenzo Bua -

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

The said *Vincenzo Bua*,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of one *Domenico Delgarza*, - in the peace of the said People then and there being, feloniously did wilfully and wrongfully make an assault, and *him* the said

Domenico Delgarza, - with a certain *knife* -

which *he* the said *Vincenzo Bua*, - in *his* - right hand then and there had and held, the same being an *instrument* likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully beat, strike, stab, cut and wound, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

Donald J. Martin,
District Attorney

0240

BOX:

210

FOLDER:

2086

DESCRIPTION:

Burns, James

DATE:

03/25/86



2086

0241

BOX:

210

FOLDER:

2086

DESCRIPTION:

Reilly, James T.

DATE:

03/25/86



2086

445-New 46

Witnesses:

Off Jeremiah Ogan
Tark Polder

239 86P 13

Counsel,

Filed *20th* day of *March* 188*6*.

Pleads, *Not guilty*

THE PEOPLE

vs.

R

James Burns

and

R

James J. Kelly

Robbery, *1st* degree.
[Sections 224 and 225, Penal Code].

RANDOLPH B. MARTINE,

Pr April 1/88 District Attorney.

Not tried & accepted.

A True Bill.

Chas. S. Folsom

Foreman.

April 1/88

0242

0243

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

Police Court--First District.

Robert McDonald
of No. 502 East 65th Street, being duly sworn, deposes
and says, that on the 17th day of March 1886
at the Fourth Ward of the City of New York, in the
County of New York, was feloniously ^{attempted to be} taken, stolen, and carried away, from the person of de-
ponent, by force and violence, without his consent and against his will, the following property viz:

Lump sum of the United States
to the amount and value of
eighteen Cents and two Rep

of the value of \$18.00
the property of deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property
was feloniously ^{attempted to be} taken, stolen, and carried away by force and violence as aforesaid, by

James Burns and James
Reilly, both now here, for the
reasons following, to wit: That
deponent was passing through
the City Hall Park, about the
hour of 8 o'clock on the evening
of said day, and said property
was then contained in the
pockets of the pants then worn
upon deponents person. That
said defendants together appra-
ched deponent and without
speaking to deponent, struck

Subscribed and sworn to before me this

at

in

City of New York

Police Court

0244

deponent several times knocking
deponent down. That while
deponent lay prostrate the
said defendants threw them-
selves upon deponent and
forcibly held deponent down
and inserted their hands
into the said pockets of de-
ponent's pants. That deponent
shouted "Police" whereupon
officer Logan, then present,
came up and apprehended
said defendants in the act
of assaulting and attempting
to rob deponent.

Sworn to before me this { Robt McDonald
18th day of March 1886

J. K. Smith

Police Justice

0245

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, { ss

District Police Court.

James Burns 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 Burns*

Question. How old are you?

Answer. *27 years of age*

Question. Where were you born?

Answer. *Dublin, Ireland*

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

Answer. *Watertown, Conn.*

Question. What is your business or profession?

Answer. *Cook*

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

Answer. *The Complainant followed me into a water closet in the Park and I struck him and knocked him down. I did not attempt to rob him.*
James Burns

Taken before me this
day of *March*
188*6*

John M. M.
Police Justice.

0246

Sec. 198-200.

District Police Court.

CITY AND COUNTY
OF NEW YORK, { ss

James Reilly 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 Reilly

Question. How old are you?

Answer.

34 years of age

Question. Where were you born?

Answer.

Brooklyn, N.Y.

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

Answer.

985 Atlantic Av., Brooklyn

Question. What is your business or profession?

Answer.

Agent

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

Answer.

I am not guilty. I came up and found Burns upon the body of the Complainant, and I said "what's this," and while I stood there I was arrested. I never saw Burns before. James J. Reilly

Taken before me this

18th

day of *March*

188*8*

Police Justice.

0247

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 Burns and James Rely
guilty thereof, I order that ~~they~~ be held to answer the same and ~~they~~ 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 March 18 188 6 J. Phillips 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.

0248

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court ³⁶⁰ District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Robert McDonald
502 E. 6th St.
445 1/2 4th St.
James Burns
James Kelly

3

4

Offence attempted at Robbery

Dated *March 18* 188 *6*

Kilbride Magistrate

J. J. Logan Officer.

City Hall Park Precinct.

Witnesses *James Logan*

City Hall Park Precinct.

James Mayley

Howard Horne Street,

Chatham Square

No. _____ Street,

\$ *Conid* to answer *G. S.*

without bail

0249

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 Burns, and
James T. Reilly

The Grand Jury of the City and County of New York, by this indictment,
accuse James Burns & James T. Reilly
of the CRIME OF ROBBERY in the 1st degree, committed as follows:

The said James Burns and James
T. Reilly, each —
late of the First Ward of the City of New York, in the County of New York aforesaid, on the
seventeenth day of March, in the year of our Lord one thousand
eight hundred and eighty-six, in the night time of the said day, at the Ward, City
and County aforesaid, with force and arms, in and upon one Robert McDonald,
in the peace of the said People, then and there being, feloniously did make an assault, and
one silver coin of the kind called dimes;
of the value of ten cents, three nickel
coins, of the kind called five-cent pieces,
of the value of five cents each, eight
coins of the kind called cents, of the
value of one cent each, and two keys
of the value of ten cents each.

of the goods, chattels and personal property of the said Robert McDonald,
from the person of the said Robert McDonald, against the will,
and by violence to the person of the said Robert McDonald,
then and there violently and feloniously did rob, steal, take and carry away, (each of

them the said James Burns, and
James T. Reilly, then
and there aided by an accom-
plice actually present) —
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. Martinie,
District Attorney

0250

BOX:

210

FOLDER:

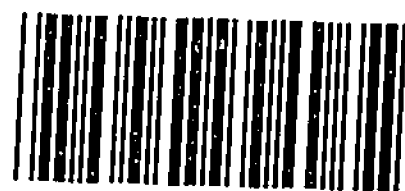
2086

DESCRIPTION:

Burns, William

DATE:

03/15/86



2086

E. S. Doubleday
Virginia Lynch

Counsel, *[Signature]*

Filed 20 day of March 1886

Pleads *voluntarily* K

THE PEOPLE

25.

William Burn

~~RANDOLPH B. MARTINE,~~

District Attorney.

Please Buy 3 degrees

A True Bill.

21 June years. 25
Grav. 13. 26. 28. 30

March 25/96.

Köremen

227.

35 mg 35 mg 35 mg
[Section 78-528-31, Penal Code]
Sections 78-528-31, Penal Code

0251

0252

Police Court—

District—

City and County } ss.:
of New York,

of No. 348 Front Street, aged 25 years,
occupation Merchant being duly sworn.

deposes and says, that the premises at aforesaid Seventh Street
in the City and County aforesaid, the said being a Warehouse for
the deposit and sale of paints oils brushes &c
and which was occupied by deponent as such
and in which there was at the time no human being, by name

were **BURGLARIOUSLY** entered by means of forcibly breaking
through a skylight leading from the
roof into said premises with intent
to commit a larceny therein

on the Sixth day of March 1886 in the Night time, and the
following property feloniously taken, stolen, and carried away, viz:

About ten dozen paint brushes,
of the value of about sixty dollars

the property of deponent and his copartners
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

William Burns now present
for the reasons following, to wit: that deponent is informed
by Virginia Lynch now present that
about half past seven o'clock P.M.
on the night of said day she saw the
defendant raise up a window in the
front part of said premises and jump
into the street that she further informs
deponent that at the time the defendant
so jumped an officer was on the roof of

0253

the building as if searching for some person And deponent believes the same to be true. Deponent further says that he is informed by John Peters that about eleven o'clock P.M. ^{on} the night of the said day he discovered ^{that} the glass of the skylight had been broken and an entrance to the premises effected thereby. And he further informs deponent that he found the property within described wrapped up in paper and tied with twine preparatory to carrying the same away but which were left by the defendant in his flight from the premises as deponent believes and charges -

Sworn to before me this } Edwin S. Doubleday
10th day of March 1886 }
Wm. H. H. }
Police Justice }

Police Court	District.
THE PEOPLE, &c.,	Degree.
ON THE COMPLAINT OF	Burglary
vs.	
Dated	188
Magistrate.	
Officer.	
Clerk.	
Witnesses:	
Committed in default of \$	Bail.
Bailed by	
No.	Street.

0254

CITY AND COUNTY }
OF NEW YORK, } ss.

Virginia Lynch
aged 19 years, occupation Flower envelope cutting of No.

338 Front Street, being duly sworn deposes and

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

Sworn to before me, this 16th
day of March 1888 by Virginia Lynch

W. A. Hurd
Police Justice.

0255

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 27 years, occupation Porter of No.

187 Forsyth Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of

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

Sworn to before me, this

day of

188

March 18th John Peters

Wm. H. H. H.
Police Justice.

0256

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, ss

District Police Court.

William Burns 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. *William Burns*

Question. How old are you?

Answer. *48 Years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *35 Monroe Street*

Question. What is your business or profession?

Answer. *Laborer*

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

Answer. *I am not guilty. I have not
been out of my own premises
since the 5th day of this month.
I have been unwell all that time
and was advised to remain in
the house. My wife and
others can testify to my confinement
in my house for the time stated, and
I was found there by the officers.*

William Burns
mark

Taken before me this

day of *March* 188*8*

Police Justice.

0257

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 Burns
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *Two* *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 *March 10th* *188* *_____* *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.*

to answer
Netta Barping
646 Water

0259

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

The People of the State
of New York,

against

William Burns

The Grand Jury of the City
and County of New York, by this
Indictment accuse William Burns
of the crime of Burglary in the
third degree, as a second offence,
committed as follows:

Wherefore, to wit: at a Court of
General Sessions of the Peace, holden
in and for the City and County of
New York, at the City Hall in said
City, on the twentieth day of June,
in the year of our Lord one thousand
eight hundred and eighty
three, before the Honorable Rufus
W. Peck, Judge of the said
City, and Justice of the said Court,
the said William Burns, was in
due form of law convicted of a
felony, to wit: Burglary in the

record degree, upon a certain indictment
 then and there in the said Court
 depending against him the said
 William Burns, by the name and
 description of William Burns, for
 that he the said William Burns,
 then late of the First Ward of the
 City of New York, in the County of
 New York, aforesaid, on the 29th day
 of May in the year of our Lord one
 thousand eight hundred and eighty
 three, at the Ward, City and County
 aforesaid, with force and arms
 one hundred and twenty pounds
 of ammunition of the value of forty
 five cents each pound of the goods,
 chattels and personal property of
 one William R. Volney then and
 there being found, then and there
 feloniously did steal, take and carry
 away; And thereupon, upon the
 conviction aforesaid, it was considered
 by the said Court of General Sessions
 of the peace, and ordered and ad-
 judged, that the said William Burns,
 for the felony and grand larceny
 aforesaid, should be imprisoned in the
 State Prison for the term of two
 years, as by the record thereof doth

more fully and at large appear.
 And the said William Brown,
 having been so convicted by the
 said jury and again having and
 having been duly discharged and
 remitted by the said judge and
 conviction, afterwards, to wit: on
 the fifth day of March, in the year
 of our Lord one thousand eight
 hundred and eighty six, with force
 and arms, at the County Ward of
 the City of New York, in the County
 of New York a certain build-
 ing, to wit: the warehouse of the
 said William R. Halsey, then situate,
 situate and situate and situate
 break into and enter, with intent
 the goods, chattels and personal
 property of the said William R.
 Halsey, in the said warehouse then
 and there being, then and there
 situate and situate and situate
 steal, take and carry away, against

0262

more fully and at large appear.
And the said William Brown,
having been so convicted by the
said jury and again having and
having been duly discharged and
remitted by the said judge and
conviction, do hereby certify that on
the fifth day of March, in the year
of our Lord one thousand eight
hundred and eighty six, with force
and arms, at the County Ward of
the City of New York, in the County
of New York do hereby, a certain find-
ing, to wit: the warehouse of the
said William B. Brown, then situate,
situate and lawfully and lawfully
break into and enter, with intent
the goods, chattels and personal
property of the said William B.
Brown, in the said warehouse then
and there being, then and there
lawfully and lawfully 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.

Second Count..

And the Grand Jury do say that this indictment against the said William Brown doth lie against him in the second degree as a second offence, committed as follows:

The said William Brown, having been so as aforesaid in due form doth have committed do the said Grand Jury and agent do say do say, and having been so as aforesaid and do say do say and committed do the said Grand Jury and conviction, afterwards, to wit: on the said sixth day of March in the year of our Lord one thousand eight hundred and eighty six, at the County of New York in the County of New York do say do say, with force and arms, one hundred and twenty five hundred, do the value of fifty cents each, do the goods, chattels and personal property do one William C. G. G. in the warehouse of the said William R. G. there situate, then and there being found; in the warehouse do say do say and there do say do say.

0264

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.

Randolph P. Martin,

Attorney at Law.

0265

BOX:

210

FOLDER:

2086

DESCRIPTION:

Butler, James

DATE:

03/11/86



2086

0266

Witnesses:

Joseph J. Sorocan
W. H. Sullivan

810
Counsel, *R. B. Martin*
Filed *11* day of *March* 1886
Pleads *Not Guilty*

THE PEOPLE

vs.

B

James Butler

MISDEMEANOR.

RANDOLPH B. MARTINE,

Part of April 18/87
District Attorney.

Pleads Guilty
A True Bill.

Chas. B. DeLoach

Am. H. O. J.
Foreman.
W.

0267

CHAS. M. STILLWELL, A. M.
THOMAS S. GLADDING, A. M.

Office Laboratory of

STILLWELL & GLADDING,
Analytical and Consulting Chemists,

Old Series, No. 9496.

New Series, No. 18977.

No. 55 Fulton St., cor. Cliff St.,

P. O. Box 1261.

New York, Feb 11. 1886

Certificate of Analysis

of a sealed sample of "BUTTER"

marked # 830 24th 1886 Butler House

616 10th Ave NY City - J R Gray

received for account of Mr. B F Van Valkenburgh, Feb 9th

drawn by our Agent per Mr. J. J. Soregan

This Sample contains

Analysis of the Fat present in the sample.

Animal and Butter Fat,....	86.42	Soluble Fatty Acids, [on a dry basis]...	0.447
Curd,.....	1.03	Insoluble do do do	95.14
Salt, [Ash],.....	3.32	Specific Gravity of the dry Fat, at 100° Fah.,	0.9041
Water, at 100° C.,.....	9.23	Titre,.....°C.	

This sample is composed mainly of Animal Fat and was not produced from unadulterated milk, or cream from the same. It was not produced from milk or cream alone. It contains coloring matter, whereby it is made to resemble butter—the product of the dairy, and it is in imitation and semblance of butter produced from pure unadulterated milk or cream from the same.

Very Respectfully,

Charles Stillwell

Mr B F Van Valkenburgh

State of New York
City New York
County of New York

On the eleventh day of February in the year one thousand eight hundred and eighty-eight before me personally came Charles Stillwell to me known, and known to me to be the individual described in, and who executed the foregoing instrument, and he acknowledged that he executed the same.

W. S. Holbrook

NOTARY PUBLIC,
KINGS COUNTY.
Certificate filed in N. Y. County,

0268

No. 830.
Feb 11 1886

RECEIVED
JAN 11 1886
OFFICE OF THE
SHERIFF
COUNTY OF
SANTA FE
NEW MEXICO

0270

Wm. J. P. P.
Court of *New York*
Wm. County of *New York*

THE PEOPLE, &c.,

vs.

James P. P.

Applicant:

Joseph P. P.
350 Washington St.

Witnesses:

Thomas R. P.

Residence *350 Washington St.*

Charles M. P.

Residence *55 Fulton St.*

Residence

0271

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss

2 District Police Court.

James Butler 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 Butler

Question. How old are you?

Answer

31 years old

Question. Where were you born?

Answer.

Ireland

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

Answer.

226. E 49th St Over 2 years.

Question What is your business or profession?

Answer

Grocer

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 and I demand a trial by jury

no *James Butler*

Taken before me this

day of

Michael J. [Signature]
Police Justice.

0272

Sec. 151.

Police Court 4th 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 Joseph J. Loran
of No. 330 Washington Street, that on the 16th day of February
1886 at the City of New York, in the County of New York, one James Butler did

sell to said Joseph J. Loran one pound
of oleomargarine and for butter did
violate section 8 of Chapter 438 of the laws
of 1883

James Butler 616 10th Ave

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 4th 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 3rd day of February 1886

Police Justice.

0273

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Joseph J. Sirogan
vs.
James Butler

Warrant-General.

Dated *March 3* 188*6*

Joseph J. Sirogan Magistrate

James Butler Officer.
The Defendant

taken, and brought before the Magistrate, to answer
the within charge, pursuant to the command con-
tained in this Warrant.

John D. Farrell Officer.

Dated 188

This Warrant may be executed on Sunday or at
night.

..... Police Justice.

having been brought before me under this Warrant, is committed for examination to the
WARDEN and KEEPER of the City Prison of the City of New York.

Dated

188

The within named

Police Justice.

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

Guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of One 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 4 1888 [Signature] Police Justice.

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

Dated June 4 1888 [Signature] 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 _____ 1888 _____ Police Justice.

0275

Police Court 2 District. 319

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Joseph J. Sorogan
DR. 350 Washington
James Butler

Offence Adulteration of Food

BAILED,

No. 1, by Patrick J. O'Connor
Residence 406 West 56th Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Dated March 2nd 188 6

Duffy Magistrate
John D. Farrell Officer.
Cornhill Precinct.

Witnesses _____

No. _____ Street.

No. _____ Street,

No. _____ Street,

\$ 100 to answer Fines

Bailed

0276

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 Butler

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

James Butler

(Chap. 458, Laws of 1885, § 3.) of a Misdemeanor, committed as follows:

The said

James Butler

late of the City of New York, in the County of New York aforesaid, on the *nineteen* day of *September*, in the year of our Lord one thousand eight hundred and eighty-*six*, at the City and County aforesaid, *one pound* of a certain oleaginous substance and compound, not made nor produced from milk or cream (a more particular description of which said substance and compound, and of the ingredients and matters of which the same was made and produced, is to the Grand Jury aforesaid unknown, and cannot now be given), unlawfully did sell, and cause and procure to be sold to one *Joseph F. Saragau*, for butter, the product of the dairy; against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

SECOND COUNT: (Chap. 246, Laws of 1882, § 1.)

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

James Butler

of a Misdemeanor, committed as follows:

The said

James Butler

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, did unlawfully sell and cause and procure to be sold, at retail, to one *Joseph F. Saragau*, *one pound* of a certain substance, not butter, commonly called oleomargarine, and did then and there falsely represent the same to the said *Joseph F. Saragau*.

to be butter; against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

0277

THIRD COUNT: (Section 430, Penal Code.)

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

James Butler —

of a Misdemeanor, committed as follows:

The said *James Butler*,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, did unlawfully sell, and cause and procure to be sold, to one

Joseph J. Saragan, as an article of food *one half pound* of a certain substance in imitation of a certain article of food, to wit: butter, without disclosing such imitation by a suitable and plainly visible mark or brand; against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

FOURTH COUNT: (Chap. 238, Laws of 1882, § 3.)

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

James Butler —

of a Misdemeanor, committed as follows:

The said *James Butler*,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, a certain parcel containing *one half pound* of a certain article and substance in semblance of butter, not the legitimate product of the dairy, and not made exclusively of milk or cream, but into which divers oils and fats not produced from milk or cream, entered as component parts (a more particular description of which said article and substance is to the Grand Jury aforesaid unknown, and cannot now be given), the same being then and there an article and substance required by law, in case of retail sales in parcels, to be sold from a tub, firkin, box or package, distinctly and durably stamped, branded or marked upon the top and side with the words "Oleomargarine Butter" only, where it could be plainly seen, in Roman letters, burned in or painted thereon with permanent black paint in a straight line, and not less than one-half inch in length, and wherewith the seller was then and there required by law, to deliver to the purchaser, a printed label, bearing the plainly printed words "Oleomargarine Butter" only, in Roman letters not less than one-half inch in length, in a straight line, unlawfully did then and there sell and cause and procure to be sold at retail to one

Joseph J. Saragan.

from a certain *tin* box which was not then and there stamped, branded or marked as aforesaid, and did then and there unlawfully omit to deliver therewith to the said *Joseph J. Saragan*, — a label of the kind and description aforesaid, against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

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FIFTH COUNT: (Chap. 215, Laws 1882, § 2.)

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

James Butler —

of a Misdemeanor, committed as follows:

The said *James Butler*,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, did unlawfully sell and cause and procure to be sold to one

Joseph J. Dossagan, one half pound

of a certain article and substance in semblance of natural butter, and known as oleomargarine or imitation butter, the same not being the legitimate product of the dairy, and not being made exclusively from milk or cream, or both, with salt or rennet, or both, with or without coloring matter or sage, but into which divers oils, and animal and other fats, not produced from milk or cream, had been introduced (a more particular description of which said article and substance is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

SIXTH COUNT: (Chap. 458, Laws of 1885, § 2.)

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

James Butler —

of a Misdemeanor, committed as follows:

The said *James Butler*,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, did unlawfully sell and cause and procure to be sold to one

Joseph J. Dossagan, one half pound

of a certain article, substance and compound in imitation and semblance of, and designed to take the place of natural butter produced from pure, unadulterated milk, or cream of the same the said article, substance and compound, so sold as aforesaid, being rendered and manufactured out of divers animal fats and oils not produced from unadulterated milk, or cream from the same, the said article, substance and compound not being manufactured or in process of manufacture on the ^{30th} ~~thirteenth~~ day of April, in the year of our Lord one thousand eight hundred and eighty-five (a more particular description of which said article, substance and compound, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

RANDOLPH B. MARTINE,

District Attorney.