0009

BOX:
242
FOLDER:
2351
DESCRIPTION:
McAleer, Patrick

DATE:
12/22/86

2351

Witnesses:

D. J. Lorozan

Chas. M. Stillwell

Counsel, ...

Filed, 22 day of Dec, 1886

Pleads, Not guilty

THE PEOPLE

vs.

B

Patrick McAleer

(3 cases)

MISDEMEANOR.

[Chap. 188, Laws of 1885, §§ 7 and 8, as amended by Chap. 577, Laws of 1886, §§ 2 and 3; § 430, Penal Code; Chap. 238, Laws of 1882, § 3; Chap. 246, Ibid., § 1; and Chap. 215, Ibid., § 2.]

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

Part III April 18/87

Pleads Guilty

S. M. Comstock

Foreman.

Susp

F.S.

STATE OF NEW YORK,
City and County of New York, } ss:

Joseph J. Sorogan, of No. 350 Washington Street, being duly sworn, says: That he resides at No. 106 East 8th Street, in the City of New York, County and State of New York, is 29 years of age, and an expert appointed by HON. JOSIAH K. BROWN, the New York Dairy Commissioner; That at the times hereinafter mentioned one Patrick McAleer was a Retail Grocery Dealer, and had his Grocery Store in a room in No. 500 Hudson Street, in the said City of New York, and occupied and controlled such room; That on the 8th day of October, 1886, deponent went into said Patrick McAleer's store and such room so occupied and controlled by him, and said to him Patrick McAleer that he deponent wanted to buy some Butter; That the said Patrick McAleer in response thereto then and there sold and delivered to deponent one half pound of the manufactured substance hereinafter mentioned, for which he asked and deponent then and there paid him fourteen cents ~~per pound~~; That it was so sold and delivered to deponent by said Patrick McAleer as and for Butter, the product of the dairy; That thereafter and on 8th October, 1886, deponent delivered a portion of such substance so sold to him by said Patrick McAleer to Charles M. Stillwell, a Chemist of No. 55 Fulton Street in said City of New York, and caused the same to be annalyzed by such Chemist; That the certificate thereof made by such Chemist is hereto annexed; That such substance so sold and delivered to deponent by said Patrick McAleer was not Butter, the product of the dairy, and was not made from unadulterated milk or cream; That it was a manufactured oleaginous substance not produced from milk or cream, and had been made by mixing, compounding with and adding to natural milk, cream or Butter, some annimal fats or animal or vegetable oils, not produced from milk or cream, so as to produce an article, substance and human food in imitation and semblance of natural Butter; That the said substance had been and was colored with some coloring matter whereby said substance was made to and did resemble Butter the product of the dairy, and was so colored thereby in semblance of and to resemble natural Butter; ~~That on said day of, 1886, deponent in said store and room occupied and controlled by him saw a quantity of such manufactured substance offered for sale as and for Butter made from unadulterated milk or cream, with intent to sell the same as and for Butter made from unadulterated milk or cream in the ordinary course of said Grocery business.~~

Deponent charges that the said Patrick McAleer against the peace and dignity of the people of the State of New York and the statues in such case made and provided, unlawfully, wilfully and knowingly so, had such manfactured substance in his possession with intent to sell the same as and for Butter made from unadulterated milk or cream, and so offered the same for sale with such intent, and so sold the said portion thereof to this deponent as and for Butter the product of the dairy, and caused, procured, and suffered the same to be so offered for sale and sold, and was thereby guilty of a misdemeanor.

Sworn to before me this 11th *day of* November *1886.* } Joseph J. Sorogan

John J. Norman
Police *Justice.*

2nd Dist Police

Court of New York

County of New York

THE PEOPLE, &c.

Joseph J. Sorogan

vs.

Patrick McAleer

Affidavit:

Joseph J. Sorogan

380 Washington Street

Witnesses:

Edward H. Wilson

Residence 380 Washington Street

Charles H. Stillwell

Residence 55 Fulton Street

Residence

Sec. 198—200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

Patrick McAleer 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. Patrick McAleer

Question. How old are you?

Answer. 60 years of age

Question. Where were you born?

Answer. Ireland

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

Answer. 30 Christopher St (6 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 Patrick McAleer

Taken before me this day of 188

Police Justice.

POOR QUALITY ORIGINAL

0014

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

Office and Laboratory of

STILLWELL & GLADDING,

Analytical and Consulting Chemists,

Old Series, No. 9406.
New Series, No. 20596

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

P. O. Box 1261.

New York, Oct 11 1886

Certificate of Analysis

of a sealed sample of "BUTTER"

marked 855 Oct 9th 1886 300 Hudson St N Y City
E L Wilson

received for account of Mr B. F. Van Valkenburgh Oct. 9/86

~~drawn by our Agent~~ Per Mr J. J. Sargan

This Sample contains		*Analysis of the Fat present in the sample.*	
Animal and Butter Fat,	83.80	Soluble Fatty Acids, [on a dry basis]	0.35 %
Curd,	1.57	Insoluble do do do	95.02
Salt, [Ash,]	5.36	Specific Gravity of the dry Fat, at 100° Fah.,	0.9052
Water, at 100° C.,	9.27	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,
Chas M Stillwell M D

CHEMISTS
PRODUCE
EXCHANGE

Mr B F Van Valkenburgh
N Y

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

On the twelfth day of October in the year one thousand eight hundred and eighty six before me personally came Charles M 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.

POOR QUALITY ORIGINAL

0015

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

Office and Laboratory of

STILLWELL & GLADDING,

Analytical and Consulting Chemists,

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

Old Series, No. 9406.
New Series, No. 2056

P. O. Box 1261.

New York, Oct 11 1886

Certificate of Analysis

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This Sample contains		*Analysis of the Fat present in the sample.*	
Animal and Butter Fat,	83.80	Soluble Fatty Acids, [on a dry basis]	0.35 %
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Water, at 100° C.,	9.27	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,
Chas M Stillwell M.A.

CHEMISTS
PRODUCE
EXCHANGE

Mr B J Van Valkenburgh
M.A.

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

On the twelfth day of October in the year one thousand eight hundred and eighty six before me personally came Charles M 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.

No. 855
Oct. 11th 86

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 Joseph J. Sorogan of No. 357 Washington Street, that on the 9th day of October 1886 at the City of New York, in the County of New York,

On the premises 500 Hudson Street one Patrick McAleer did felo de Joseph J Sorogan one half pound of oleomargarine made in imitation and resemblance of butter as and for butter in violation of Chapter 577 of the Laws of 1886

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 2nd 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 11th *day of* November 1886

Thos. Mc Mahon POLICE JUSTICE.

Police Court ..... District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Joseph J. Sorogan
vs.
Patrick McAleer

Warrant—General.

Dated November 11 1886

Gorman Magistrate

Campbell Officer.

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

Rounds. Matthew Campbell Officer.

Dated November 12. 1886

This Warrant may be executed on Sunday or at night.

.....Police Justice.

60. W. 3rd house N. Y. Pr 130 Christopher St

The within named

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

.....Police Justice.

0019

Police Court 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
vs.
1 Michael Leonard
2
3
4

Offence Assault & Battery of Ford

BAILED,
No. 1, by Michael Leonard
Residence 558 Madison Street.
No. 2, by
Residence Street.
No. 3, by
Residence Street.
No. 4, by
Residence Street.

Witnesses
No. Edward Ferrell
Street.
No. 455 1st Avenue
Street.
No.
Street.
No. 6th
to answer
Street.

Dated Nov 12 1886
John J. Kinnan Magistrate.
Officer.
Precinct.

RECEIVED NOV 15 1886 ATTORNEY'S OFFICE

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

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

Dated Nov 12 188 6 John J. Kinnan *Police Justice.*

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

Dated Nov 12 188 6 John J. Kinnan *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.*

Court of General Sessions of the Peace.

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against
Patrick McAleer

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

— Patrick McAleer —

(Chap. 183, Laws of 1885, § 8, as amended by Chap. 577, Laws of 1886, § 3.)

of a Misdemeanor, committed as follows:

The said Patrick McAleer,

late of the City of New York, in the County of New York aforesaid, on the eighteenth day of September, in the year of our Lord one thousand eight hundred and eighty-nine, at the City and County aforesaid, one Roll 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 intentionally sell, and cause and procure to be sold to one Samuel G. White, as and 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. 183, Laws of 1885, § 8, as amended by Chap. 577, Laws of 1886, § 3).

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

— Patrick McAleer —

of a Misdemeanor, committed as follows:

The said Patrick McAleer,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, unlawfully did unintentionally sell and cause and procure to be sold to one Samuel G. White, one Roll — 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), as and 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.

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

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

Patrick McAleer

of a Misdemeanor committed as follows:

The said Patrick McAleer,

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

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

FOURTH COUNT: (Section 430, Penal Code)

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

Patrick McAleer

of a Misdemeanor, committed as follows:

The said Patrick McAleer,

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 Samuel G. White

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.

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

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

Patrick McAleer

of a Misdemeanor, committed as follows:

The said Patrick McAleer,

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 in such case, to deliver to the purchaser thereof, 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 Samuel G. White,

from a certain tub and box, which was not then and there stamped, branded or marked as aforesaid, and unlawfully did not then and there deliver therewith to the said Samuel G. White,

such purchaser as aforesaid, 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.

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

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

of a Misdemeanor, committed as follows:

The said Patrick McGean,

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 Samuel G. White, 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.

SEVENTH COUNT: (Chap. 183, Laws of 1885, § 7, as amended by Chap. 577, Laws of 1886, § 2.)

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

of a Misdemeanor, committed as follows:

The said Patrick McGean,

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 Samuel J. White, one Rolls pound of a certain article, substance and compound in imitation and semblance 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, manufactured and produced out of divers animal fats and oils not produced from unadulterated milk, or cream from the same, the said article substance and compound not having been manufactured prior to, and not being in process of manufacture, on the first day of August, in the year of our Lord one thousand eight hundred and eighty six, (a more particular description of which said article, substance and compound, is to the Grand Jury aforesaid nnknown, 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.

EIGHTH COUNT: (Chap. 183, Laws of 1885, § 8, as amended by Chap. 577, Laws of 1886, § 3.)

And the Grand Jury aforesaid, by this indictment further accuse the said Patrick McAleer — of a Misdemeanor, committed as follows:

The said Patrick McAleer, late of the City and County aforesaid, afterwards, to wit: on the said eighteenth day of September, in the year of our Lord one thousand eight hundred and eighty-nine, at the City and County aforesaid, did unlawfully sell, and cause and procure to be sold, to one Samuel J. White, one Rolls pound — of a certain compound product and manufacture made in whole from animal fats and animal and vegetable oils, not produced from unadulterated milk or cream, which said compound product and manufacture had been before then, and was then and there colored with coloring matter, whereby the same did then and there resemble butter, the product of the dairy (a more particular description of which said compound, product and manufacture, and of the fats and oils from which the same was so made as aforesaid, 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.

NINTH COUNT: (Chap. 183, Laws of 1885, § 8, as amended by Chap. 577, Laws of 1886, §3.)

And the Grand Jury aforesaid, by this indictment further accuse the said Patrick McAleer — of a Misdemeanor, committed as follows:

The said Patrick McAleer, 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 Samuel J. White, one Rolls pound

No 168

Witnesses:

Saml J. White
J. H. Geisler

Counsel,

Filed, 22 day of Dec 1886

Pleads, Not guilty (23)

THE PEOPLE

vs.

Patrick McAleer
(3 cases)

MISDEMEANOR.

[Chap. 188, Laws of 1885, §§ 7 and 8, as amended by Chap. 577, Laws of 1886, §§ 2 and 3; § 430, Penal Code; Chap. 238, Laws of 1882, § 3; Chap. 246, Ibid., § 1; and Chap. 215, Ibid., § 2.]

RANDOLPH B. MARTINE,

District Attorney.

Apr. 18/87

A True Bill.

Part III April 18/87
Dead
S. W. Condrick Foreman

Foreman.

Fine $100.

POOR QUALITY ORIGINAL

6288

0025

OFFICIAL CHEMIST
—TO THE—
N. Y. MERCANTILE EXCHANGE.

Office and Laboratory

JOSEPH F. GEISLER, Ph. C.,

Analytical and Consulting Chemist,

N. Y. Mercantile Exchange Building.

New Series, No. 1223

New York, Sept. 25th 1886.

Certificate of Analysis

of a sealed sample of "BUTTER"

marked #113-8" P. McAleer, #500 Hudson Street, September 18th 1886 Samuel J. White N.Y. Metropolitan

received from Mr. B. F. Van Valkenburgh, Assist State Dairy Com.

per Mr. Samuel J. White on Sept 18th 1886

This Sample contains

Animal and Butter Fat,	85.80 %
Curd,	1.26 %
Salt, [Ash]	4.52 %
Water, at 100° C.,	8.42 %
	100.00 %

Analysis of the Fat present in the sample:

Soluble Fatty Acids, [on a dry basis]	.68 %
Insoluble " " " "	94.47 %
Specific Gravity of the dry Fat, at 100° F.,	9054
Titre,	

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

Very Respectfully,

J. F. Geisler

Mr B. F. Van Valkenburgh
Assist. State Dairy Com.

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

On the 27th day of Sept in the year one thousand eight hundred and Eighty six before me personally came J. F. Geisler a chemist and 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.

E. T. DuBois
NOTARY PUBLIC No. 70,
CITY & COUNTY OF NEW YORK.

No. 1113. C

Sept. 27/14

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

Samuel J. White, of No. 350 Washington Street, ~~Street, in the City of New York, County~~ Middletown Orange County and State of New York, is 36 years of age, and an expert appointed by Hon. JOSIAH K. BROWN, the New York Dairy Commissioner; That at the times hereinafter mentioned one P. McAleer was a Retail Grocery Dealer, and had his Grocery Store in a room in No. 500 Hudson Street, in the said City of New York, and occupied and controlled such room; That on the 18th day of September, 1886, deponent went into said store and such room so occupied and controlled by him, and said to said McAleer that he wanted to buy some Butter; That the said McAleer in response thereto then and there sold and delivered to deponent 1/2 pound of the manufactured substance hereinafter mentioned, for which he asked and deponent then and there paid him 15 cents per pound; That it was so sold and delivered to deponent by said McAleer as and for Butter, the product of the dairy; That thereafter and on the 18th day of September, 1886, deponent delivered a portion of such substance so sold to him by said McAleer to Joseph H. Geisler, a Chemist of No. Corp Harrison & Hudson Streets in said City of New York, and caused the same to be analyzed by such Chemist; That the certificate thereof made by such Chemist is hereto annexed; That such substance so sold and delivered to deponent by said McAleer was not Butter, the product of the dairy, and was not made from unadulterated milk or cream; That it was a manufactured oleaginous substance not produced from milk or cream, and had been made by mixing, compounding with and adding to natural milk, cream or Butter, some animal fats or animal or vegetable oils; ~~That on said day of 1886, deponent in said store and room occupied and controlled by him saw a quantity of such manufactured substance offered for sale as and for Butter made from unadulterated milk or cream, with intent to sell the same as and for Butter made from unadulterated milk or cream in the ordinary course of said Grocery business.~~

Deponent charges that the said P. McAleer, against the peace and dignity of the people of the State of New York and the statutes in such case made and provided, unlawfully, wilfully and knowingly so, had such manufactured substance in his possession with intent to sell the same as and for Butter made from unadulterated milk or cream, and so offered the same for sale with such intent, and so sold the said portion thereof to this deponent as and for Butter the product of the dairy, and caused, procured, and suffered the same to be so offered for sale and sold, and was thereby guilty of a misdemeanor.

Sworn to before me this 12th *day of* October, 1886. } Samuel J. White

A. M. Patterson

Justice.

Second District Police
Court of the City and
County of New York
Warrant.

THE PEOPLE, &c.,

vs.

P. McAleer

October 12. 1886
Patterson
Justice

Affidavit:
Samuel J. White
350 Washington St

Witnesses:
W. W. Meeker
Residence 350 Washington St
Joseph F. Geisler
Residence 350 Washington St

Residence

8288

Sec. 198—200. ..... 2 ..... District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Patrick McAleer 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. Patrick McAleer

Question. How old are you?

Answer. Eighty years

Question. Where were you born?

Answer, Ireland

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

Answer. 180 Christopher Street. About seven years

Question. What is your business or profession?

Answer, Waiter

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 a trial by jury

Patrick McAleer

Taken before me this 1st *day of* May 188 6.

Matthews ..... *Police Justice.*

0030

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 Samuel J. Whitley of No. 350 Washington Street, that on the 6th day of September 1886 at the City of New York, in the County of New York,

Sue P. McAleer did offer for sale and sell to said White 1/2 pound of oleomargarine as and for butter made from unadulterated milk or cream from the same in violation of the statutes in such cases made and provided.

Mr. Brown M. 500 Pearl

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 2nd 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 12th *day of* October 1886

J. M. Patterson POLICE JUSTICE.

0031

Police Court ..... District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Samuel J. White
vs.
P. McAleer
500 Hudson St

Warrant—General.

Dated October 12th 1886

Patterson *Magistrate*

Campbell *Officer.*

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

Campbell Res *Officer*

Dated 188

This Warrant may be executed on Sunday or at night.

..... *Police Justice.*

The within named ..... 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

..... *Police Justice.*

POOR QUALITY ORIGINAL

0032

BAILED,

No. 1, by M. C. Leonard

Residence 535 7th Avenue Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Police Court 4 District.

15 Tod

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Edward Hilliard

vs.

1 Patrick Allen

2

3

4

Dated October 16 188 6

Offence Adulterating Food

Witnesses Geo. F. Forster

No. 1 Mercantile Building Street.

No. Street.

No. Street.

$ 300 to answer

Patrick Allen

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 Patrick Allen *guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of* Three *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 Oct 16 188 6 J. M. Patterson *Police Justice.*

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

Dated Oct 16 188 6 J. M. Patterson *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.*

Court of General Sessions of the Peace.

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Patrick McAleer

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

— Patrick McAleer —

(Chap. 183, Laws of 1885, § 8, as amended by Chap. 577, Laws of 1886, § 3.)

of a Misdemeanor, committed as follows:

The said Patrick McAleer,

late of the City of New York, in the County of New York aforesaid, on the ninth day of October, — 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 intentionally sell, and cause and procure to be sold to one Joseph J. Donoghue, as and 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. 183, Laws of 1885, § 8, as amended by Chap. 577, Laws of 1886, § 3).

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

Patrick McAleer —

of a Misdemeanor, committed as follows:

The said Patrick McAleer,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, unlawfully did unintentionally sell and cause and procure to be sold to one Joseph J. Donoghue, 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), as and 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.

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

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

Patrick McAleer

of a Misdemeanor committed as follows:

The said Patrick McAleer,

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 J. Donagan, one half pound of a certain substance, not being butter, and commonly called oleomargarine, and did then and there falsely represent the same to the said Joseph J. Donagan, to be butter; against the form of the statute in such case made and provided, and against the peace and dignity of said people.

FOURTH COUNT: (Section 430, Penal Code)

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

Patrick McAleer

of a Misdemeanor, committed as follows:

The said Patrick McAleer,

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. Donagan, 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.

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

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

Patrick McAleer

of a Misdemeanor, committed as follows:

The said Patrick McAleer,

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 in such case, to deliver to the purchaser thereof, 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 G. Donagan,

from a certain tub and box which was not then and there stamped, branded or marked as aforesaid, and unlawfully did not then and there deliver therewith to the said

Joseph G. Donagan.

such purchaser as aforesaid, 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.

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

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

Patrick McAleer

of a Misdemeanor, committed as follows:

The said Patrick McAleer,

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 G. Donagan, 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.

SEVENTH COUNT: (Chap. 183, Laws of 1885, § 7, as amended by Chap. 577, Laws of 1886, § 2.)

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

Patrick McAleer

of a Misdemeanor, committed as follows:

The said Patrick McAleer,

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. Donagan, one half pound of a certain article, substance and compound in imitation and semblance 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, manufactured and produced out of divers animal fats and oils not produced from unadulterated milk, or cream from the same, the said article substance and compound not having been manufactured prior to, and not being in process of manufacture, on the first day of August, in the year of our Lord one thousand eight hundred and eighty six, (a more particular description of which said article, substance and compound, is to the Grand Jury aforesaid nnknown, 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.

EIGHTH COUNT: (Chap. 183, Laws of 1885, § 8, as amended by Chap. 577, Laws of 1886, § 3.)

And the Grand Jury aforesaid, by this indictment further accuse the said Patrick McAleer — of a Misdemeanor, committed as follows:

The said Patrick McAleer, late of the City and County aforesaid, afterwards, to wit: on the said ninth day of October, — in the year of our Lord one thousand eight hundred and eighty-nine, at the City and County aforesaid, did unlawfully sell, and cause and procure to be sold, to one Joseph J. Donagan one half pound — of a certain compound product and manufacture made in whole from animal fats and animal and vegetable oils, not produced from unadulterated milk or cream, which said compound product and manufacture had been before then, and was then and there colored with coloring matter, whereby the same did then and there resemble butter, the product of the dairy (a more particular description of which said compound, product and manufacture, and of the fats and oils from which the same was so made as aforesaid, 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.

NINTH COUNT: (Chap. 183, Laws of 1885, § 8, as amended by Chap. 577, Laws of 1886, §3.)

And the Grand Jury aforesaid, by this indictment further accuse the said Patrick McAleer — of a Misdemeanor, committed as follows:

The said Patrick McAleer, 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. Donagan, one half pound,

0037

BOX:
242
FOLDER:
2351
DESCRIPTION:
McCue, Myles

DATE:
12/14/86

2351

Witnesses:

Officer Dubois

1082

Counsel,

Filed 14 day of Dec 1886

Pleads, Not guilty

THE PEOPLE

vs.

B

Myles McCue

24 Day - 30 Day

Nov. 21/86

VIOLATION OF EXCISE LAW.
(Keeping Open on Sunday.)
[III Rev. Stat. (7th Edition), page 1989, Sec. 5].

RANDOLPH B. MARTINE,
District Attorney.

A True Bill.

S. W. Gorsuch
Foreman.

Sent to Special Sessions
March 17
S. D.

8688

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against
Myles McRae

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

of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said Myles McRae,

late of the City of New York, in the County of New York aforesaid, on the 2nd day of November, in the year of our Lord one thousand eight hundred and eighty-six, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of, and having the control of a certain place there situate which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place, so licensed as aforesaid, unlawfully did not close, and keep closed, and on the said day, the said place so licensed as aforesaid, unlawfully did open, and cause and procure, and suffer and permit, to be open, and to remain open; against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

RANDOLPH B. MARTINE, District Attorney.

0040

BOX:
242
FOLDER:
2351
DESCRIPTION:
McDonnell, Frank

DATE:
12/01/86

2351

Witnesses:

#329-B.

Counsel, ...

Filed 1 day of Dec 1886

Pleads .....

23
36-2 THE PEOPLE

vs.

Frank McDonnell

Larceny, 2nd Degree
(MISAPPROPRIATION.)
[Sections 528 and 58 §, of the Penal Code].

RANDOLPH B. MARTINE,
District Attorney.

A True Bill.

M N Thorne
Foreman.

F2. Dec 1/86
Pleads Guilty G 2d Dy
Elmira Ref.

1600

Police Court— 2 District.

Affidavit—Larceny.

City and County of New York, } ss.:

Alfred J. Pulsford

of No. 734 Broadway Street, aged 29 years, occupation Importer being duly sworn deposes and says, that on the 12 day of June 188 6 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property viz:

Good and lawful money of the United States consisting of a check on the East River National Bank indorsed by deponent and of the value of One hundred and twenty six Dollars and three Cents

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 Frank McDonald from the fact that said defendant was in the employ of deponent and that at about 12 O'clock noon of the above date deponent sent said defendant to the said East River National Bank to make a deposit and obtain cash for the check hereto attached and return the cash so obtained to deponent. Deponent is informed by the receiving teller of said Bank that the said defendant made deposit for deponent at said Bank on the above date and receiving

Sworn to before me, this day of 188

Police Justice.

POOR QUALITY ORIGINAL

0043

the said Sum of money herein mentioned for the Check hereto attached and left deponents Bank Book at said Bank. Deponent further says that the said defendant failed to return to him the money obtained as herein described and that he has not since seen said defendant.

Therefore deponent charges the said defendant with feloniously taking stealing and carrying away the aforesaid property at the time and in the manner herein described.

Sworn to before me
this 20th day of July 1886
Solon B. Smith
Police Justice

A. J. Pulsford.

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 h to be discharged.

Dated 188 . Police Justice.

W
Police Court, 2 District.

THE PEOPLE, &c.,
on the complaint of
Alfred Pulsford
vs.
1 Frank McDonnell
2
3
4

Offence—LARCENY.

Dated July 20 1886
Smith Magistrate.
Jno Tilley Officer.
Central Office
Clerk.

Witnesses,
No. Street,
No. Street,
No. Street,
$ to answer Sessions.

Sec. 198—200

CITY AND COUNTY OF NEW YORK, } ss.

Frank McDonnell ..... District Police Court.

Frank McDonnell 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. Frank McDonnell

Question. How old are you?

Answer. 23 years of age

Question. Where were you born?

Answer. New York City

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

Answer. 88 Second St (3 years)

Question. What is your business or profession?

Answer, Clerk

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

Frank McDonnell

Taken before me this 17 *day of* August 188 9

Police Justice.

Sec. 151.

2 District Police Court.

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 any Marshal or Policeman of the City of New York:

Whereas, Complaint on oath, has been made before the undersigned, one of the *Police Justices* in and for the said City, by Alfred J. Pulsford of No. 737 Broadway Street, that on the 13 day of July 188 at the City of New York, in the County of New York, the following article to wit:

Gold and Coin of the United States

of the value of One hundred and twenty six and three Cents Dollars, the property of Complainant w as taken, stolen, and carried away, and as the said complainant has cause to suspect, and does suspect and believe, by Frank McDonald

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 every of you, to apprehend the body of the said Defendant and forthwith bring him before me, at the 2 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 2 *day of* July 188 6

Solomon Simon POLICE JUSTICE.

POLICE COURT 2 **DISTRICT.**

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Alfred J. Pulsford

vs.

Frank McDonald

Warrant—Larceny.

Dated July 20 188 6

Solomon Simon *Magistrate*

John O'Neill *Officer*

Complainant

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

Officer.

Dated 188.

This Warrant may be executed on Sunday or at night.

Police Justice.

REMARKS.

Time of Arrest,

Native of

Age,

Sex

Complexion,

Color

Profession,

Married

Single,

Read,

Write,

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

X3298

2 1770

Police Court 2 District.

THE PEOPLE &c.,
ON THE COMPLAINT OF
J. Nelson
vs.
Thos. McDonnell
2 .....
3 .....
4 .....

Offence Larceny

Dated Nov 28 1886

Patterson Magistrate.

Officer.

Precinct.

Witnesses .....

No. Receiving Teller Street.

No. East River National Bank Street.

No. ..... Street.

$ 1,500 to answer G S

Comm

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 Thos McDonnell

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Fifteen 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 Nov 29 1886 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.

0047

No. 869 New York, June 12 1886

EAST RIVER NATIONAL BANK,

Pay to the order of Myself

One hundred & twenty six 03/100 Dollars.

$126.03/100

A. E. CHASSAR & CO., 42 BOND STREET, NEW YORK.

A. J. Pulsford

0048

A. J. Palsford

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Frank McDonald

The Grand Jury of the City and County of New York, by this indictment, accuse Frank McDonald of the CRIME OF Grand LARCENY, in the second degree, committed as follows:

The said Frank McDonald,

late of the First Ward of the City of New York, in the County of New York aforesaid, on the twelfth day of June, in the year of our Lord one thousand eight hundred and eighty-nine, at the Ward, City and County aforesaid, being then and there the clerk and servant of one Alfred G. Baldwin,

and as such clerk and servant then and there having in his possession, custody and control certain moneys, goods, chattels and personal property of the said Alfred G. Baldwin,

the true owner thereof, to wit: the sum of one hundred and twenty six dollars and three cents in money, lawful money of the United States of America, and of the value of one hundred and twenty six dollars and three cents,

the said Frank McDonald, afterwards, to wit, on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, did feloniously appropriate the said sum of money

to his own use, with intent to deprive and defraud the said Alfred G. Baldwin,

of the same, and of the use and benefit thereof; and the same moneys, goods, chattels and personal property of the said Alfred G. Baldwin,

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

RANDOLPH B. MARTINE,
District Attorney.

0050

BOX:
242
FOLDER:
2351
DESCRIPTION:
McGowan, Edward

DATE:
12/21/86

2351

Witnesses:

Morris Bartnowsky

Officer Hagan

No 155

Counsel, Walker

Filed 21 day of Dec 1886

Pleads, Not Guilty/2v

THE PEOPLE

vs.

Edward Mc Gowan

Burglary in the second Degree.
Petit Larceny as Bailee.
[Sections 497, 506, 528, 532, 550].

RANDOLPH B. MARTINE,
Dis. Jan 13, 1887 District Attorney.
Tried and acquitted

A True Bill.

S M Comstock
Foreman
Jany 7th 1v.

Police Court— 3rd District.

City and County of New York, } ss.:

Morris Bartnowsky

of No. 19 Essex Street, aged 27 years,

occupation Cloak Maker being duly sworn

deposes and says, that the premises No. 19 Essex Street, 10th Ward

in the City and County aforesaid the said being a Tenament House

and which was occupied by deponent as a dwelling house

and in which there was at the time a human being, ~~by name~~ to wit: deponent

were BURGLARIOUSLY Broke and entered by means of forcibly inserting his arm and hand through the jam light over the door of deponents bed room on the 2nd floor of said premises, after forcibly opening said jam light,

on the 13th day of December 1886 in the night time, and the following property feloniously taken, stolen, and carried away, viz:

One over Coat, of the value of five dollars and fifty cents

the property of deponent

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid BURGLARY was committed and the aforesaid property taken, stolen and carried away by Edward McGowan, now here,

for the reasons following, to wit: That deponent went to bed in said room about the hour of 10 o'clock on the night of said day. That the door of said room was then closed and locked on the inside, and the jam-light over said door closed, and said Coat within said room hanging on the wall close to the door. That when

deponent awoke the morning following deponent discovered that the gas light was open and that said coat was stolen and carried away. That the letter, written in Hebrew, new here shown and marked as an exhibit was within the pocket of said coat where it was so stolen. That deponent is now here informed by officer Edward Hagan that the arrested said defendant charged with an assault on one Edward Stern, and that upon searching him, said defendant, on the night of the 15th instant the, said officer, found said letter in the pocket of the pants then worn by said defendant. Sworn to before me this 16th day of December 1886

Patrick Kartunkiller

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.*

Police Court, _____ District.

THE PEOPLE, &c.,
on the complaint of

vs.

1 _____
2 _____
3 _____
4 _____

Offence—BURGLARY.

Dated _____ 188 _____ *Magistrate.*
_____ *Officer.*
_____ *Clerk.*

Witnesses,
_____ *Street,*
_____ *Street,*
_____ *Street,*

No. _____
No. _____
No. _____

$ _____ *to answer General Sessions.*

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

Sec. 198–200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

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

Question. What is your name?

Answer. Edward McGowan

Question. How old are you?

Answer 25 years

Question. Where were you born?

Answer. New York City

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

Answer. 27 Canal Street

Question What is your business or profession?

Answer. Driver a wagon

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

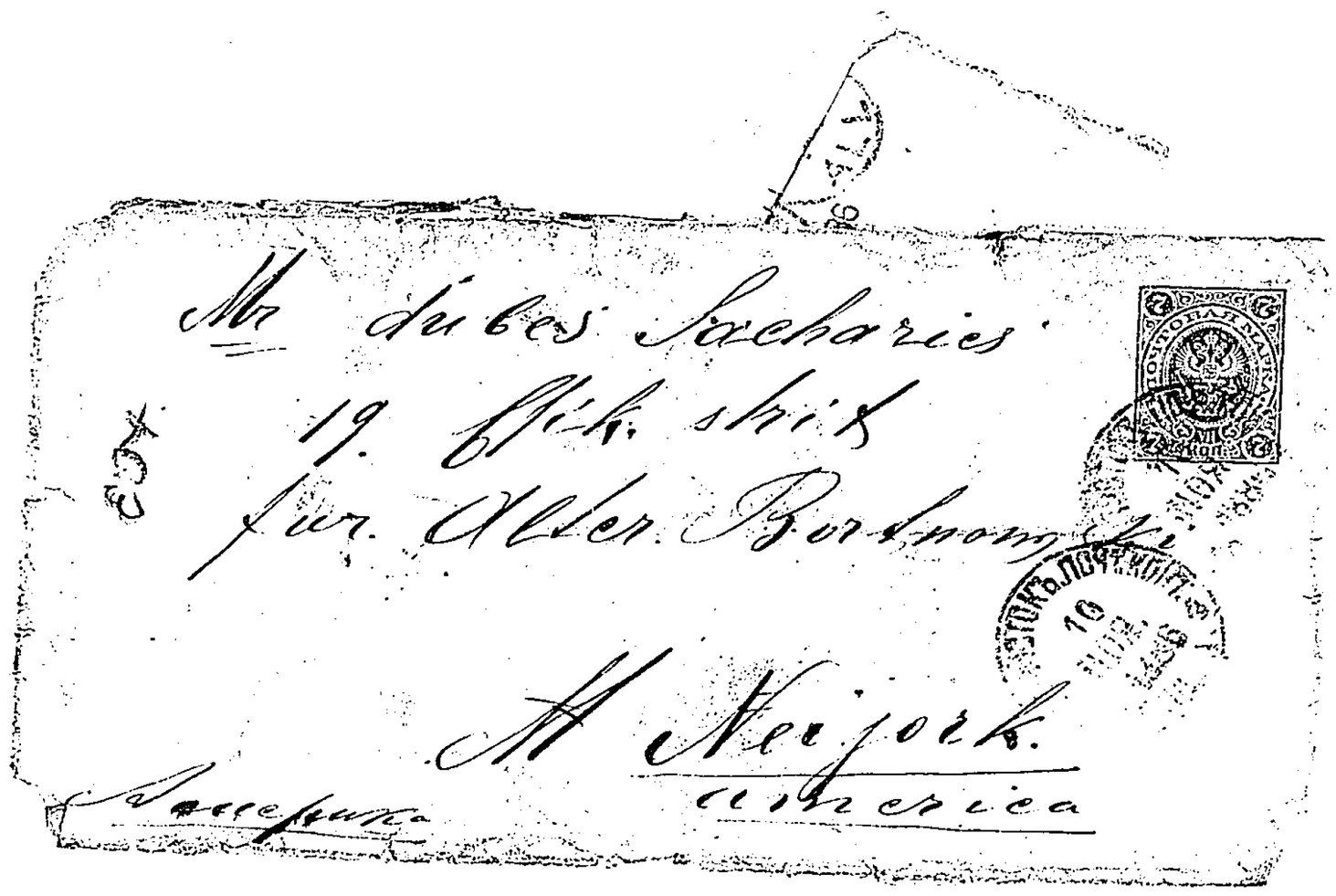
Answer. I am not guilty of the charge

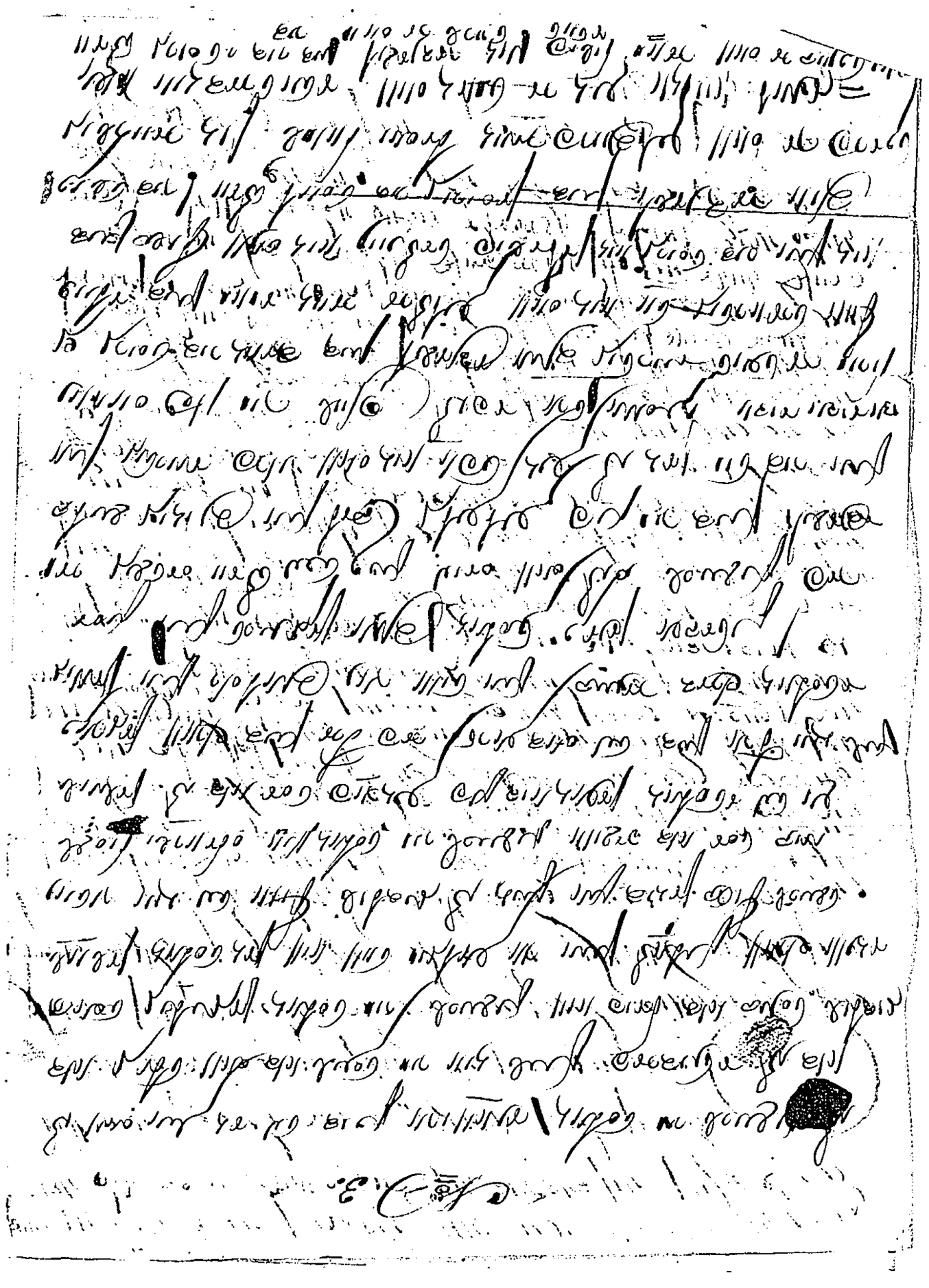
Edward McGowan

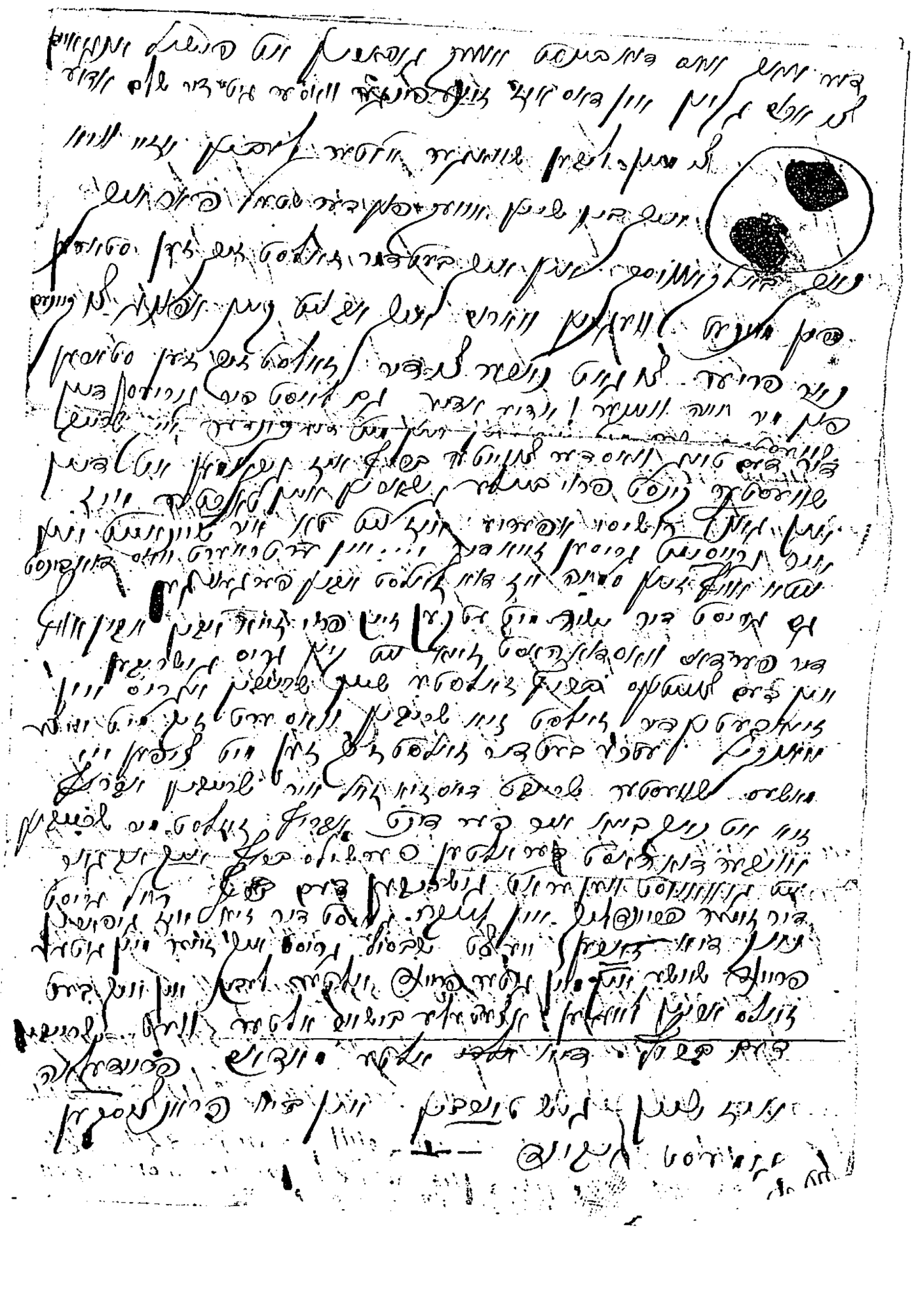
Taken before me this 16 *day of* December 1889

Patterson *Police Justice.*

0055







POOR QUALITY ORIGINAL

0063

BAILED,

No. 1, by ..... Street.

Residence ..... Street.

No. 2, by ..... Street.

Residence ..... Street.

No. 3, by ..... Street.

Residence ..... Street.

No. 4, by ..... Street.

Residence ..... Street.

Police Court 8 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Mary Hammond
619 Greene
Edward McGowan

1
2
3
4

Offence Burglary

Dated December 16th 1886

Magistrate.

Edward Hagan Officer.

Witnesses 11 Precinct.

No. ..... Street.

No. ..... Street.

No. ..... Street.

$ 1500 to answer

RECEIVED. DEC 20 1886 INDICTMENTS

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named Edward McGowan *guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of* Fifteen *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 December 16th *188*6 C. D. Dawson *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.*

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against
Edward McFarman

The Grand Jury of the City and County of New York, by this indictment, accuse Edward McFarman — of the CRIME OF BURGLARY IN THE second DEGREE, committed as follows:

The said Edward McFarman,

late of the South — Ward of the City of New York, in the County of New York aforesaid, on the thirteenth day of December, in the year of our Lord one thousand eight hundred and eighty-five, with force and arms, about the hour of twelve o'clock in the night time of the same day, at the Ward, City and County aforesaid, the dwelling house of one

Morris Bartholomew —

there situate, feloniously and burglariously did break into and enter, there being then and there some human being, to wit: the said Morris Bartholomew

within the said dwelling house, with intent to commit some crime therein, to wit: the goods, chattels and personal property of the said Morris Bartholomew

in the said dwelling house then and there being, then and there feloniously and burglariously to steal, take and carry away.

against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity,

SECOND COUNT—

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

of the CRIME OF GRAND Petit LARCENY, IN THE First DEGREE, committed as follows:

The said Edward McFarlane,

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

one overcoat of the value of five dollars and fifty cents, and one piece of paper of the value of one cent,

of the goods, chattels and personal property of one

Morris Bachmansky

in the dwelling house of the said

Morris Bachmansky

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

THIRD COUNT—

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

— Edward McGowan —

of the Crime of RECEIVING STOLEN GOODS, committed as follows:

The said Edward McGowan,

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

one piece of paper of the value of one cent, and one overcoat of the value of five dollars and fifty cents,

of the goods, chattels and personal property of one

Morris Bachmansky,

by ~~a~~ certain ~~person or~~ persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, taken and carried away from the said

Morris Bachmansky,

unlawfully and unjustly, did feloniously receive and have; the said

Edward McGowan,

then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, taken and carried 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. MARTINE,
District Attorney.

0067

BOX:
242
FOLDER:
2351
DESCRIPTION:
McGrath, Thomas

DATE:
12/22/86

2351

Witnesses:

Saml. J. White

J. H. Geisler

Jur 69 Reynard

~~Reynard~~

Counsel, ...

Filed, 22 day of Dec 188 6

Pleads, Not guilty (20)

THE PEOPLE

vs.

Thomas McGrath

MISDEMEANOR.

[Chap. 188, Laws of 1885, §§ 7 and 8, as amended by Chap. 577, Laws of 1886, §§ 2 and 3; § 430, Penal Code; Chap. 238, Laws of 1882, § 3; Chap. 246, Ibid., § 1; and Chap. 215, Ibid., § 2.]

RANDOLPH B. MARTINE,

District Attorney.

18th apr. 87

V.M.D.

A True Bill.

Part III April 18/87

Pleads Guilty

S. M. Comstock

Foreman.

Fine $150

POOR QUALITY ORIGINAL

OFFICIAL CHEMIST
—TO THE—
N. Y. MERCANTILE EXCHANGE,

Office and Laboratory
JOSEPH F. GEISLER, Ph. C.,
Analytical and Consulting Chemist,
N. Y. Mercantile Exchange Building.

New Series, No. 1011

New York, September 21st 1886

Certificate of Analysis

of a sealed sample of "BUTTER"

marked #1108-E." Thos. McGrath, 574 Tenth Avenue, September 7th 1886 Samuel J. White N. W. Meeker

received from Mr. B. F. Van Valkenburgh, Assist. State Dairy Com.

per. Mr. Samuel J. White on Sept. 8th 1886.

This Sample contains

Animal and Butter Fat,	87.38 %
Curd,	.64 %
Salt, [Ash]	1.93 %
Water, at 100° C.,	10.05 %
	100.00 %

Analysis of the Fat present in the sample:

Soluble Fatty Acids, [on a dry basis]	1.69 %
Insoluble " " " "	93.75 %
Specific Gravity of the dry Fat, at 100° F.,	.9055
Titre,	

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

Very Respectfully,

J. F. Geisler

Mr B. F. Van Valkenburgh
Assist. State Dairy Com.

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

On the 22 day of Sept in the year one thousand eight hundred and Eighty six before me personally came J. F. Geisler 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.

E. T. DeBois
Notary Public
No 70.

No. 1108. E

Sept. 21st 1886

0071

OFFICIAL CHEMIST — Office and Laboratory

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

Samuel J. White, of No. 350 Washington Street, being duly sworn, says: That he resides at ~~No.~~ Middletown, Orange County ~~Street, in the City of New York, County~~ and State of New York, is 36 years of age, and an expert appointed by Hon. JOSIAH K. BROWN, the New York Dairy Commissioner; That at the times hereinafter mentioned one Thomas McGrath was a Retail Grocery Dealer, and had his Grocery Store in a room in No. 574 Tenth Avenue ~~Street,~~ in the said City of New York, and occupied and controlled such room; That on the 7th day of September, 1886, deponent went into said store and such room so occupied and controlled by him, and said to said McGrath that he wanted to buy some Butter; That the said McGrath in response thereto then and there sold and delivered to deponent one pound of the manufactured substance hereinafter mentioned, for which he asked and deponent then and there paid him 25 cents per pound; That it was so sold and delivered to deponent by said McGrath as and for Butter, the product of the dairy; That thereafter and on the 8th day of September, 1886, deponent delivered a portion of such substance so sold to him by said McGrath to Joseph H. Geisler, a Chemist of ~~No.~~ Cor of Harrison & Hudson Streets in said City of New York, and caused the same to be analyzed by such Chemist; That the certificate thereof made by such Chemist is hereto annexed; That such substance so sold and delivered to deponent by said McGrath was not Butter, the product of the dairy, and was not made from unadulterated milk or cream; That it was a manufactured oleaginous substance not produced from milk or cream, and had been made by mixing, compounding with and adding to natural milk, cream or Butter, some animal fats or animal or vegetable oils; ~~That on said day of, 1886, deponent in said store and room occupied and controlled by him saw a quantity of such manufactured substance offered for sale as and for Butter made from unadulterated milk or cream, with intent to sell the same as and for Butter made from unadulterated milk or cream in the ordinary course of said Grocery business.~~

Deponent charges that the said Thomas McGrath against the peace and dignity of the people of the State of New York and the statutes in such case made and provided, unlawfully, wilfully and knowingly so, had such manufactured substance in his possession with intent to sell the same as and for Butter made from unadulterated milk or cream, and so offered the same for sale with such intent, and so sold the said portion thereof to this deponent as and for Butter the product of the dairy, and caused, procured, and suffered the same to be so offered for sale and sold, and was thereby guilty of a misdemeanor.

Sworn to before me this 12th *day of* October *1886.* } Samuel J. White

J. M. Patterson
Justice.

Second District Police
Court of the City and
County of New York

Warrant

THE PEOPLE, &c.,

vs.

Thomas McGrath

October 12 1886
Patterson
Justice

Affidavit: Samuel J. White
350 Washington St

Witnesses: Wm W. Meeker
Residence 350 Washington St
Joseph F. Geisler
Residence 350 Washington St

Residence

POOR QUALITY ORIGINAL

2108

Sec. 198—200.

CITY AND COUNTY OF NEW YORK, } ss.

District Police Court.

Thomas McGrath 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. Thomas McGrath

Question. How old are you?

Answer. 47 years of age

Question. Where were you born?

Answer. Ireland

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

Answer. 57 H — 10th Av (6 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

Thomas McGrath

Taken before me this 18 *day of* 188 *Police Justice.*

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 Samuel J. White of No. 350 Washington Street, that on the 7th day of September 1886 at the City of New York, in the County of New York,

one Thomas McGrath did offer for sale and sell to said White one pound of oleo-margarine as and for butter made from unadulterated milk or cream from the same, in violation of the laws in such cases made and provided

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 2nd 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 12th *day of* October 1886

J. M. Patterson POLICE JUSTICE.

0075

Police Court 2nd District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Samuel J. White
vs.
Thomas McGrath
574 Tenth Ave

Warrant—General.

Dated October 12th 1886

Patterson Magistrate

Campbell Officer.

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

Campbell Pct Officer.

Dated 188

This Warrant may be executed on Sunday or at night.

Police Justice.

The within named 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

Police Justice.

0076

Police Court— 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Thomas P. Dunne
vs.
Chas. Smith
2 Mott St
3 Mary Smith
4 Adulteration of Food
Offence

BAILED, Thomas P. Dunne
No. 1, by 20 Mott St Street.
Residence
No. 2, by Street.
Residence
No. 3, by Street
Residence
No 4, by Street.
Residence

Dated October 14 188 6
Chas. Smith
Edward Smith
Witnesses
No. 1 Chas. Smith 20 Mott St Street.
No. 47 Mott St Street.
No. Street.
No. Street.
$ 500 to answer
Chas. Smith

Magistrate.
Officer.
Precinct.

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named Defendant guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Five Hundred Dollars and be committed to the Warden and Keeper of the City Prison of the City of New York until he give such bail.

Dated October 14 188 6 J. M. Patterson Police Justice.

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

Dated October 14 188 6 J. M. Patterson Police Justice.

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

Dated ..... 188 . ..... Police Justice.

Court of General Sessions of the Peace.

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against
Thomas McTigue

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

— Thomas McTigue —

(Chap. 183, Laws of 1885, § 8, as amended by Chap. 577, Laws of 1886, § 3.)

of a Misdemeanor, committed as follows:

The said Thomas McTigue,

late of the City of New York, in the County of New York aforesaid, on the Seventh day of September, in the year of our Lord one thousand eight hundred and eighty-first, 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 intentionally sell, and cause and procure to be sold to one Samuel G. White, as and 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. 183, Laws of 1885, § 8, as amended by Chap. 577, Laws of 1886, § 3).

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

— Thomas McTigue —

of a Misdemeanor, committed as follows:

The said Thomas McTigue,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, unlawfully did unintentionally sell and cause and procure to be sold to one Samuel G. White, 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), as and 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.

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

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

— Thomas McFarlan —

of a Misdemeanor committed as follows:

The said Thomas McFarlan,

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 Samuel G. White, one pound of a certain substance, not being butter, and commonly called oleomargarine, and did then and there falsely represent the same to the said Samuel G. White,

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

FOURTH COUNT: (Section 430, Penal Code)

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

— Thomas McFarlan —

of a Misdemeanor, committed as follows:

The said Thomas McFarlan,

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 Samuel G. White —

as an article of food, one 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.

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

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

— Thomas McFarlan —

of a Misdemeanor, committed as follows:

The said Thomas McFarlan,

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 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 in such case, to deliver to the purchaser thereof, 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 Samuel G. W. Lake, — from a certain tub and box which was not then and there stamped, branded or marked as aforesaid, and unlawfully did not then and there deliver therewith to the said Samuel G. W. Lake, — such purchaser as aforesaid, 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.

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

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

of a Misdemeanor, committed as follows:

The said Thomas McGrath,

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 Samuel G. W. Lake, one 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.

SEVENTH COUNT: (Chap. 183, Laws of 1885, § 7, as amended by Chap. 577, Laws of 1886, § 2.)

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

of a Misdemeanor, committed as follows:

The said Thomas McGrath,

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 Samuel G. White, one pound of a certain article, substance and compound in imitation and semblance 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, manufactured and produced out of divers animal fats and oils not produced from unadulterated milk, or cream from the same, the said article substance and compound not having been manufactured prior to, and not being in process of manufacture, on the first day of August, in the year of our Lord one thousand eight hundred and eighty six, (a more particular description of which said article, substance and compound, is to the Grand Jury aforesaid nnknown, 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.

EIGHTH COUNT: (Chap. 183, Laws of 1885, § 8, as amended by Chap. 577, Laws of 1886, § 3.)

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

of a Misdemeanor, committed as follows:

The said Thomas McGrath,

late of the City and County aforesaid, afterwards, to wit: on the said twenty-fourth day of September, in the year of our Lord one thousand eight hundred and eighty-five, at the City and County aforesaid, did unlawfully sell, and cause and procure to be sold, to one Samuel G. White, one pound —

of a certain compound product and manufacture made in whole from animal fats and animal and vegetable oils, not produced from unadulterated milk or cream, which said compound product and manufacture had been before then, and was then and there colored with coloring matter, whereby the same did then and there resemble butter, the product of the dairy (a more particular description of which said compound, product and manufacture, and of the fats and oils from which the same was so made as aforesaid, 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.

NINTH COUNT: (Chap. 183, Laws of 1885, § 8, as amended by Chap. 577, Laws of 1886, §3.)

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

of a Misdemeanor, committed as follows:

The said Thomas McGrath,

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 Samuel G. White one pound,

0081

BOX:
242
FOLDER:
2351
DESCRIPTION:
McKiernan, Thomas

DATE:
12/22/86

2351

183

Witnesses:

G. I. Sorogan

Chas. M. Stillwell.

Counsel,

Filed, 22 day of Dec 1886

Pleads, Not guilty 13

THE PEOPLE

vs.

Thomas Mc Kiernan

MISDEMEANOR.

[Chap. 188, Laws of 1885, §§ 7 and 8, as amended by Chap. 577, Laws of 1886, §§ 2 and 3; § 450, Penal Code; Chap. 238, Laws of 1882, § 3; Chap. 246, Ibid., § 1; and Chap. 215, Ibid., § 2.]

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

S. W. Comstock

Foreman.

Complaint sent to Special Sessions

2888

0083

Court of General Sessions of the Peace.

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against
Thomas McKiernan

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

— Thomas McKiernan —

(Chap. 183, Laws of 1885, § 8, as amended by Chap. 577, Laws of 1886, § 3.)

of a Misdemeanor, committed as follows:

The said Thomas McKiernan,

late of the City of New York, in the County of New York aforesaid, on the 29th day of October, — 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 intentionally sell, and cause and procure to be sold to one Joseph J. Donogan, as and 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. 183, Laws of 1885, § 8, as amended by Chap. 577, Laws of 1886, § 3).

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

— Thomas McKiernan —

of a Misdemeanor, committed as follows:

The said Thomas McKiernan,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, unlawfully did unintentionally sell and cause and procure to be sold to one Joseph J. Donogan, 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), as and 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.

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

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

Thomas McKiernan

of a Misdemeanor committed as follows:

The said Thomas McKiernan,

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 J. Donagan, one half pound of a certain substance, not being butter, and commonly called oleomargarine, and did then and there falsely represent the same to the said Joseph J. Donagan

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

FOURTH COUNT: (Section 430, Penal Code)

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

Thomas McKiernan

of a Misdemeanor, committed as follows:

The said Thomas McKiernan,

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. Donagan

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.

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

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

Thomas McKiernan

of a Misdemeanor, committed as follows:

The said Thomas McKiernan,

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 in such case, to deliver to the purchaser thereof, 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. Donogan.—

from a certain tub and box which was not then and there stamped, branded or marked as aforesaid, and unlawfully did not then and there deliver therewith to the said

Joseph J. Donogan.—

such purchaser as aforesaid, 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.

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

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

—Thomas McKiernan—

of a Misdemeanor, committed as follows:

The said Thomas McKiernan,

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. Donogan, one Holly Pounds

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.

SEVENTH COUNT: (Chap. 183, Laws of 1885, § 7, as amended by Chap. 577, Laws of 1886, § 2.)

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

—Thomas McKiernan—

of a Misdemeanor, committed as follows:

The said Thomas McKiernan,

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 G. Donaghue, one Hatch's pound of a certain article, substance and compound in imitation and semblance 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, manufactured and produced out of divers animal fats and oils not produced from unadulterated milk, or cream from the same, the said article substance and compound not having been manufactured prior to, and not being in process of manufacture, on the first day of August, in the year of our Lord one thousand eight hundred and eighty six, (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.

EIGHTH COUNT: (Chap. 183, Laws of 1885, § 8, as amended by Chap. 577, Laws of 1886, § 3.)

And the Grand Jury aforesaid, by this indictment further accuse the said Thomas McKiernan of a Misdemeanor, committed as follows:

The said Thomas McKiernan, late of the City and County aforesaid, afterwards, to wit: on the said 29th day of October in the year of our Lord one thousand eight hundred and eighty-nine, at the City and County aforesaid, did unlawfully sell, and cause and procure to be sold, to one Joseph G. Donaghue, one Hatch's pound of a certain compound product and manufacture made in whole from animal fats and animal and vegetable oils, not produced from unadulterated milk or cream, which said compound product and manufacture had been before then, and was then and there colored with coloring matter, whereby the same did then and there resemble butter, the product of the dairy (a more particular description of which said compound, product and manufacture, and of the fats and oils from which the same was so made as aforesaid, 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.

NINTH COUNT: (Chap. 183, Laws of 1885, § 8, as amended by Chap. 577, Laws of 1886, §3.)

And the Grand Jury aforesaid, by this indictment further accuse the said Thomas McKiernan of a Misdemeanor, committed as follows:

The said Thomas McKiernan, 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 G. Donaghue, one Hatch's

Count

of a certain compound, product and manufacture made in part from animal fats and animal and vegetable oils not produced from unadulterated milk or cream, which said compound, product and manufacture had been before then, and was then and there colored with coloring matter, whereby the same did then and there resemble butter, the product of the dairy, (a more particular description of which said compound, and of the ingredients thereof, 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 of the People of the State of New York, and their dignity.

RANDOLPH B. MARTINE,

District Attorney.

0000

BOX:
242
FOLDER:
2351
DESCRIPTION:
Meany, Richard

DATE:
12/22/86

2351

Witnesses:

Thos R. Gray
R W Moore

179 Reynaud

Counsel,

Filed, 22 day of Dec 188 6

Pleads, Not guilty (VB)

THE PEOPLE

vs.

Richard S. Meany

MISDEMEANOR.

[Chap. 188, Laws of 1885, §§ 7 and 8, as amended by Chap. 577, Laws of 1886, §§ 2 and 3; § 430, Penal Code; Chap. 238, Laws of 1882, § 3; Chap. 246, Ibid., § 1; and Chap. 215, Ibid., § 2.]

RANDOLPH B. MARTINE,

Part III, *District Attorney.*
Apr. 18/87 Jul 18/87
Pleads Guilty

A True Bill.

S. W. Comstock
Foreman.

Fine $100
pd.

6888

0090

RUSSELL W. MOORE, A. M. M. Sc.
CHEMIST.

New York, October 11th 1886

CERTIFICATE OF ANALYSIS.

SAMPLE OF BUTTER.

E. C. DeBois Oct 11/86

Marked, No 9485 October 4th 1886 R. S. Meany & Co 1445 First Ave N.Y.

Received from Mr B. F. VanNuckenburgh per I. R. Gray

on Tuesday October 5th 1886.

THE SAMPLE CONTAINS:

Water,	10.92%
Animal and Butter Fat,	83.52%
Curd,	.94%
Salt,	4.62%
	100.00

ANALYSIS OF THE FAT:

Insoluble Fatty Acids,	94.74%
Soluble " "	.62%
Specific Gravity of the Fat at 100° F.,	....%
Reichert Figure. C. C. $\frac{N}{10}$ Na OH.	1.42

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,

Russell W. Moore

Mr. B. F. VanNuckenburgh
Asst Dairy Comr

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

On the 12th day of October in the year one thousand eight hundred and Eighty six before me personally came Russell W. Moore 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.

E. T. DeBois
NOTARY PUBLIC No. 70,
CITY & COUNTY OF NEW YORK.

No. 485. G.
Oct. 11th 86

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

Thomas R. Gray, of No. 350 Washington Street, being duly sworn, says: That he resides at No. 42 Norfolk Street, in the City of New York, County and State of New York, is 36 years of age, and an expert appointed by Hon. JOSIAH K. BROWN, the New York Dairy Commissioner; That at the times hereinafter mentioned one Richard S. Meaney was a Retail Grocery Dealer, and had his Grocery Store in a room in No. 1445 First Avenue ~~Street,~~ in the said City of New York, and occupied and controlled such room; That on the 4th day of October, 1886, deponent went into said — store and such room so occupied and controlled by him, and said to said Meaney that he wanted to buy some Butter; That the said Meaney in response thereto then and there sold and delivered to deponent 1 pound of the manufactured substance hereinafter mentioned, for which he asked and deponent then and there paid him twenty five cents per pound; That it was so sold and delivered to deponent by said Meaney as and for Butter, the product of the dairy; That thereafter and on 5th day of October, 1886, deponent delivered a portion of such substance so sold to him by said Meaney to Russell W. Moore, a Chemist of School of Mines 4th Ave & 49th Street in said City of New York, and caused the same to be analyzed by such Chemist; That the certificate thereof made by such Chemist is hereto annexed; That such substance so sold and delivered to deponent by said Meaney was not Butter, the product of the dairy, and was not made from unadulterated milk or cream; That it was a manufactured oleaginous substance not produced from milk or cream, and had been made by mixing, compounding with and adding to natural milk, cream or Butter, some animal fats or animal or vegetable oils; ~~That on said — day of — 1886, deponent in said — store and room occupied and controlled by him saw a quantity of such manufactured substance offered for sale as and for Butter made from unadulterated milk or cream, with intent to sell the same as and for Butter made from unadulterated milk or cream in the ordinary course of said Grocery business.~~

Deponent charges that the said Richard S. Meaney, against the peace and dignity of the people of the State of New York and the statutes in such case made and provided, unlawfully, wilfully and knowingly so, had such manufactured substance in his possession with intent to sell the same as and for Butter made from unadulterated milk or cream, and so offered the same for sale with such intent, and so sold the said portion thereof to this deponent as and for Butter the product of the dairy, and caused, procured, and suffered the same to be so offered for sale and sold, and was thereby guilty of a misdemeanor.

Sworn to before me this 26 *day of* November *1886.* } Thomas R. Gray

Solon B. Smith *Justice.*

4th District Police
Court of the City and
County of New York

THE PEOPLE, &c.,

vs.

Richard D. Mauney

Affidavit:
Thos C. Gray
350 Washington St

Witnesses:
Thos C. Du Bois
Residence 350 Washington St
Russell W. Moore
Residence 350 Washington St

Residence

0094

POLICE COURT— 4th DISTRICT.

City and County of New York, ss.:

THE PEOPLE,

vs.

Richard S Meaney

On Complaint of Thomas R Gray

For Misdemeanor

After being informed of my rights under the law, I hereby ~~waive~~ demand a trial, by Jury, on this complaint, and demand a trial at the COURT OF ~~SPECIAL~~ GENERAL SESSIONS OF THE PEACE, to be holden in and for the City and County of New York

Dated November 27 188 6

R. S. Meaney

Solon B Smith Police Justice

Sec. 198—200.

CITY AND COUNTY OF NEW YORK, } ss

4 District Police Court.

Richard Sheaney 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. Richard Sheaney

Question. How old are you?

Answer. 27 years

Question. Where were you born?

Answer, Ireland

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

Answer. 1445 1st Avenue, 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.

R. S. Sheaney

Taken before me this 27th day of March 1888

Police Justice.

POOR QUALITY ORIGINAL

0096

Sec. 151.

Police Court _____ 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 Thomas R Gray of No. 350 Washington Street, that on the 4 day of October 188 6 at the City of New York, in the County of New York, Richard S. Meaney at 1445 1st Ave did sell as butter a substance not made from unadulterated milk or cream

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 26 *day of* November 188 6

John B Smith POLICE JUSTICE.

0097

Police Court ..... District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Warrant—General.

Dated 188

..... *Magistrate*

Tooker ..... *Officer.*

The Defendant Richard S. Meany taken, and brought before the Magistrate, to answer the within charge, pursuant to the command contained in this Warrant.

age 27 Irish Res 1447 · 1 · Ave

..... *Officer.*

Dated November 27 188 6

This Warrant may be executed on Sunday or at night.

..... *Police Justice.*

The within named

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

..... *Police Justice.*

0098

BAILED,

No. 1, by Auer & Kroy

Residence 1426 - 7 Avenue Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Police Court 1st District

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Thomas P. Gray

vs.

1 Richard Sheaney

2

3

4

Offence Selling as Butter a substance not made from unadulterated Milk or Cream

Dated November 26 188

Magistrate.

Officer.

Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

$ to answer

Bail

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 Richard Sheaney

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

Dated November 27 188 Solon B. Smith *Police Justice.*

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

Dated Nov. 27 188 Solon B. Smith *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.*

Court of General Sessions of the Peace.

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against
Richard D. Meany

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

— Richard D. Meany —

(Chap. 183, Laws of 1885, § 8, as amended by Chap. 577, Laws of 1886, § 3.)

of a Misdemeanor, committed as follows:

The said Richard D. Meany,

late of the City of New York, in the County of New York aforesaid, on the Fourth day of October, — in the year of our Lord one thousand eight hundred and eighty-nine, 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 intentionally sell, and cause and procure to be sold to one Thomas R. Fogarty, as and 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. 183, Laws of 1885, § 8, as amended by Chap. 577, Laws of 1886, § 3).

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

Richard D. Meany —

of a Misdemeanor, committed as follows:

The said Richard D. Meany,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, unlawfully did unintentionally sell and cause and procure to be sold to one Thomas R. Fogarty 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), as and 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.

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

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

Richard S. Meany

of a Misdemeanor committed as follows:

The said Richard S. Meany

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 Thomas R. Fagan one pound of a certain substance, not being butter, and commonly called oleomargarine, and did then and there falsely represent the same to the said Thomas R. Fagan to be butter; against the form of the statute in such case made and provided, and against the peace and dignity of said people.

FOURTH COUNT: (Section 430, Penal Code)

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

Richard S. Meany

of a Misdemeanor, committed as follows:

The said Richard S. Meany

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 Thomas R. Fagan

as an article of food, one 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.

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

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

Richard S. Meany

of a Misdemeanor, committed as follows:

The said Richard S. Meany

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 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 in such case, to deliver to the purchaser thereof, 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 Thomas R. Fogarty from a certain tub and box which was not then and there stamped, branded or marked as aforesaid, and unlawfully did not then and there deliver therewith to the said Thomas R. Fogarty such purchaser as aforesaid, 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.

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

And the Grand Jury aforesaid, by this indictment further accuse the said Richard S. Meany of a Misdemeanor, committed as follows:

The said Richard S. Meany, 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 Thomas R. Fogarty, one 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.

SEVENTH COUNT: (Chap. 183, Laws of 1885, § 7, as amended by Chap. 577, Laws of 1886, § 2.)

And the Grand Jury aforesaid, by this indictment further accuse the said Richard S. Meany of a Misdemeanor, committed as follows:

The said Richard S. Meany, 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

Thomas R. Fagan, one pound

of a certain article, substance and compound in imitation and semblance 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, manufactured and produced out of divers animal fats and oils not produced from unadulterated milk, or cream from the same, the said article substance and compound not having been manufactured prior to, and not being in process of manufacture, on the first day of August, in the year of our Lord one thousand eight hundred and eighty six, (a more particular description of which said article, substance and compound, is to the Grand Jury aforesaid nnknown, 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.

EIGHTH COUNT: (Chap. 183, Laws of 1885, § 8, as amended by Chap. 577, Laws of 1886, § 3.)

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

Richard S. Meany

of a Misdemeanor, committed as follows:

The said Richard S. Meany,

late of the City and County aforesaid, afterwards, to wit: on the said Ninth day of October, in the year of our Lord one thousand eight hundred and eighty-nine, at the City and County aforesaid, did unlawfully sell, and cause and procure to be sold, to one Thomas R. Fagan

of a certain compound product and manufacture made in whole from animal fats and animal and vegetable oils, not produced from unadulterated milk or cream, which said compound product and manufacture had been before then, and was then and there colored with coloring matter, whereby the same did then and there resemble butter, the product of the dairy (a more particular description of which said compound, product and manufacture, and of the fats and oils from which the same was so made as aforesaid, 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.

NINTH COUNT: (Chap. 183, Laws of 1885, § 8, as amended by Chap. 577, Laws of 1886, §3.)

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

Richard S. Meany

of a Misdemeanor, committed as follows:

The said Richard S. Meany,

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

Thomas R. Fagan, one pound

0103

BOX:
242
FOLDER:
2351
DESCRIPTION:
Measanti, Louis

DATE:
12/01/86

2351

Witnesses:

X355

Counsel, 335 Bway
N. Salomon

Filed 1st day of Dec 1886

Pleads Not Guilty Dec 6

THE PEOPLE

vs.

B

Louis Measanti

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

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

Foreman.

Part III April 11 87

Bail forfeited.

F. April 29. 1887

POOR QUALITY ORIGINAL

0105

STENOGRAPHER'S MINUTES.

Second District Police Court.

THE PEOPLE, &c., IN COMPLAINT OF

Edward David

vs.

Louis Meranti

BEFORE HON.

Hon. Henry Ford

POLICE JUSTICE,

Oct 25 1886

APPEARANCES: For the People, ... For the Defence, ...

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G. J. Tracy

Official Stenographer.

0106

Second District Police Court.

THE PEOPLE,
ON COMPLAINT OF
Edward David
agst.
Louis Mezzanti

Examination had Oct 25 1886
Before Hon J Henry Ford Police Justice.

I, M. J. Tracy Stenographer of the 2nd District Police Court, do hereby certify that the within testimony in the above case is a true and correct copy of the original Stenographer's notes of the testimony of Edward David and Miss M. A. David as taken by me on the above examination before said Justice.

Dated Oct 25 1886.

M. J. Tracy
Stenographer.

J Henry Ford
Police Justice.

New York Oct 25th 1886
Second Dis' Police Court
J. Henry Ford Esq Presiding.

The People on Complaint of Edward David vs. Louis Mesanti	Felonious Assault.

Edward David [redacted], age 50 years, in the Artificial Flower and Ostrich Feather business at 117 Macdougal St, and 160 Green St, and at the present No 10 West 3rd St, being duly sworn deposes and says, On August 14th 1886 at 5.30 P.M. we were going home; Mr Mesanti stopped me in the hall-way of 160 Green St, and said he owed pay me a Bill, I told him I had no time, as my wife was waiting for me on the stoop; he said he must pay it to-day, I said I did not want it, and went with him to a room in the same house, He put the money on the desk and gave me the Bill and Pen to receipt it. When I had the Bill to make

a receipt, he took the money away, I said, you think I am a fool, you forced me in and when I want to take the money, you take the money back, when I was going near the door, he then insulted me by calling me "thief!", I went to slap him in the face, when I went back to slap him, his wife took me by the throat, and he knifed me,—

Cross Examination

Q. How long do you know the Defendant?

A. 4 or 5 years

Q. How long have you had dealings with him?

A. That was the second time, he bought some things.

Q. What business is the Defendant in?

A. Fancy Feather; he and his wife asked me if I wanted to sell, I say I cannot refuse, and I sell him 10 gross at one dollar a gross.

Q. You both have business in the same place

Q. Or house?
A. Yes Sir
Q. On the same floor?
A. No Sir. I live on the floor above him.
Q. When the Defendant first saw you, who were with you?
A. My Daughter and, my wife and a gentleman.
Q. When Mr Masnuti called you in, you went in alone?
A. My Daughter went in with me.
Q. How large is Mr Masnuti's place of business
A. It is a store floor divided, the first half for selling purposes and the other half for a work shop, there is a partition between the shop and the Salesroom and he lives in the rear.
Q. Do there a Desk in Mr Masnuti Office?
A. Yes Sir.
Q. Is it a large Desk? Is it a low Desk.
A. A desk that you sit down to.
Q. Is there any

Q. a railing round his Office?
A. No Sir.
Q. How far from the desk is the door?
A. Right near the window. I cannot tell exactly, ten or twelve feet
Q. And when you came or went into the room, was Mr Masaniti standing or Sitting?
A. Standing.
Q. Where abouts was he stand=
=ing?
A. All the time near me.
Q. And when he went to the Desk did he sit down?
A. No, I sat down
Q. How much did Mr Masaniti owe you at that time?
A. Five Dollars ($5.00)
Q. How much was the Bill originally?
A. Ten dollars ($10.)
Q. He paid $5. Where did Mr Masaniti take the money from?
A. His pocket.
Q. Do you Know in what Kind of money it was?
A. Silver

Q. When you sat down what was the first thing you remember saying to Mr Massanti?

A. I say nothing, I said nothing. I tell him everyone needs money.

Q. You sat down to the table and Mr Massanti took out of his ~~silver~~ pocket the four silver dollars, from the time he took the money out of his pocket what did you say?

A. You take me for a fool, and want to take back the money.

Q. Mr Massanti gave you four dollars?

A. Yes Sir.

Q. What did you do then?

A. I do nothing, I pay him on the hand, you take me for a fool, and then he called me "thief"

Q. Did Mr Massanti say nothing to you till he called you "thief"

A. Not a word.

Q. You say the only word he used was to call you "thief"

A Yes Sir, I do not remember what he said in English.

Q. What did he say to you in English

A "Thief" "Thief." 5 or 6 times

Q. Did he move away from where he was standing?

A He went to the other side with his wife, she was there all the time.

Q. Was anyone present except his wife?

A And my daughter.

Q. He took the money and put it, in his pocket?

A Yes Sir.

Q. What did you say?

A You take me for a fool.

Q. What did he say? I do not know what he said.

Q. Were you not very angry then?

A No. He made me angry

Q. How far had you gone to the door.

A I was opening the door.

Q. And you came back to slap him in the face

A. Yes Sir.

Q. You had your hand uplifted in the attitude of striking?

A. Yes Sir.

Q. And then you say his wife caught you by the throat?

A. Yes Sir.

Q. Were you standing up then?

A. Yes Sir.

Q. Did she throw you down?

A. No Sir

Q. When she took you by the throat, did you do anything

A. Nothing at all, the moment the wife took me by the throat, I felt the stab in leg, hip and in the groin.

Q. Did you see Mr Manzanitz get up from his place?

A. I fell down after that

Q. The first thing you saw, was Mrs Manzanitz taking you by the throat?

A. Yes Sir.

Q. You did not see him after Mrs Manzanitz took you by the throat?

A. No Sir

Q. Then you felt some one stabbing you?

A. Yes Sir.

Q. I did not touch either of them.

Q. How far from the door were you standing when she took you by the neck?

A. Near the window

Q. Mr Manzanti was near his desk?

A. Yes Sir, and the last thing I remember was he was calling me "thief, "thief".

Sworn to before me this 25th day of Oct 1886
J. Mumford

Police Justice

Mary A. David, age 20 years occupation, artificial flower worker with Gen Jotten, and lives at 112 McDougal St. being duly sworn deposes and says On Saturday night August 14th I was going home with my father and Mother and a gentleman. In the hallway of 160 Green St. Mr Musanti stopped my Father, wanting to pay him money, a bill, and my Father, my Father told him he did not need it, Monday would do. Mr Musanti went into his room and so did my father. Mr Musanti gave the pen and ink to my father to receipt the bill, and left the money on the desk, while my father was receipting the bill, the Defendant threw the money away and put it in his pocket again, My father asked him if he took him for a fool and was crazy. My father said, you can pay it Monday, I am going, my wife is waiting for me out side, he pushed to go. Then my father was called thief three times by

Mr Marzanti, then my father was near the door, and he said to Marzanti let this be the last time you insult me, or I will make you feel it, then Marzanti took hold of my father by the neck and then his wife caught my father by the throat. I then left the room to call my mother and the gentleman, they were out side.

Ques You remained in the room with your father till Mr Marzanti called him "thief"

Ans It was his wife grabbed my father by the throat.

Ques Did you see the Defendant do anything to your father except to grab him by the throat?

Ans I did not.

Ques Did you see Mr Marzanti pull down four dollars on the table?

Ans I did.

Ques And you saw him take the money up again, and put it into his pocket

Ans Yes Sir.

Ques Did he say anything to him from the time he pull the

Ans money down till he put it in his pocket?

He told him he was a good for nothing, and a "thief".

Ques Before the time that Mr Masanti called your father that name, did your father say anything to him?

Ans He did not,— he said he did not want to be insulted in that manner, at the time he grabbed him by the neck, this took place at the Desk near the window.

Ques You are sure that your father did not say anything to Mr Masanti to cause him to get angry?

Ans Yes Sir, my father did not say anything.

Ques Was anything said or done with offence to the Title?

Ans Nothing was said.

Ques Was anything said about a Discount.

Ans He wanted ten per cent off, and my father said he only allowed 7½ per cent.

Ques How far was Mrs Mansanti from Mr Mansanti?

Ans As near as I am to you.

Ques Was Mr Mansanti sitting or standing?

Ans Standing.

Ques The last thing you remember seeing was that both of them had their hands on your fathers throat?

Ans Yes Sir

Ques When you came in, you saw your father fainting?

Ans Yes Sir.

Ques You are sure you have given all the conversation that you remember hearing between your father and Mr Mansanti?

Ans That is all

Ques Is your memory any better now than it was then?

Ans I suppose it is the same.

Ques Has anyone spoken to you with reference to your testimony here to-day or what you showed yesterday here?

Ans No Sir.

Ques Have you spoken with your father about it?

103

Ans Yes Sir, I spoke about it.

Ques About what you would say there?

Ans No Sir.

Ques All this conversation took place in French, which you understand?

Ans Yes Sir, I understand it.

Ques Did he call him "thief" in English?

Ans Yes Sir.

Ques Did any other part of the conversation take place in English, except the word "thief"?

Ans No Sir, all the rest was in French.

Ques And all the English words used was the word thief?

Ans Yes Sir.

Counsellor for Defendant — I move to dismiss the Complaint on the ground of insufficient evidence.

Motion Denied

Defendants Counsel waives further Examination

Sworn to before me
This 20th day of Oct 1886
J. Henry Ford
Police Justice

0120

Sec. 192.

District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY OF NEW YORK, } ss.

An information having been laid before J. Henry Ford a Police Justice of the City of New York, charging Louis Mansati Defendant with the offence of Felonious Assault

and he having been brought before said Justice for an examination of said charge, and it having been made to appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and the hearing thereof having been adjourned,

We Louis Mansati Defendant of No. 160 Green Street, by occupation a Manufacturer and Joseph Lindlara of No. 190 Green Street, by occupation a Artificial Leaves Surety, hereby jointly and severally undertake that the above named Louis Mansati Defendant shall personally appear before the said Justice, at the 2 District Police Court in the City of New York, during the said examination, or that we will pay to the People of the State of New York the sum of Ten Hundred Dollars.

Taken and acknowledged before me, this 20 *day of* May 1886.

L. Mansati

Joseph Lindlara

J. Henry Ford Police Justice.

0121

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Taken the day of 188

Justice.

Undertaking to appear during the Examination.

CITY AND COUNTY OF NEW YORK, } ss.

Joseph Lindblom

the within named Bail and Surety being duly sworn, says, that he is a resident and house holder within the said County and State, and is worth Twenty Hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of Stock Trade and fixtures in the Artificial Leaf business at No 190 Greenwich Said City worth four thousand dollars free and clear

Joseph Lindblom

Sworn to before me, this day of 188

Police Justice.

0122

Sec. 192.

2 District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY OF NEW YORK, } ss.

An information having been laid before J. Henry Ford a Police Justice of the City of New York, charging Louis Mansati Defendant with the offence of Felonious Assault

and he having been brought before said Justice for an examination of said charge, and it having been made to appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and the hearing thereof having been adjourned,

We, Louis Mansati Defendant of No. 165 Grand Street; by occupation a Manufacturer and Alexander Panizzi of No. 144 Bleecker Street, by occupation a Liquor Dealer Surety, hereby jointly and severally undertake that the above named Louis Mansati Defendant shall personally appear before the said Justice, at the 2 District Police Court in the City of New York, during the said examination, or that we will pay to the People of the State of New York the sum of Ten Hundred Dollars.

L Mansati

A. G. Panizzi

Taken and acknowledged before me, this 20 *day of* Aug 1886.

J. Henry Ford POLICE JUSTICE.

0123

CITY AND COUNTY OF NEW YORK, } ss.

Alexander Panizzi

the within named Bail and Surety being duly sworn, says, that he is a resident and householder within the said County and State, and is worth Twenty Hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of Stock Trade and fixtures in the Liquor Business at No 144 Bleecker Street said City and is worth five thousand dollars over and above all debts.

A Panizzi

Sworn to before me this 7 day of July 188 8

Police Justice.

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Taken the day of 188

Justice.

Undertaking to appear during the Examination.

St Vincents Inst
Sept 3/86.

This is to certify that Edward David is still under treatment in this institution, and will not be able to appear before you at present.

J. L. Byrne M.D.
Act Med Supt.

2 District Police Court,

New York, Aug 19 1886.

To Officer Geo Murdock

15 Precinct Police.

Sir:

You will please bring to this Court on the 20 day of August 1886, at 2 o'clock in the afternoon, a Doctor's Certificate as to the condition of Edward Davis in the St Mark's Hospital, or bring him to Court to make formal complaint against Louis Marsatti arrested by you on the 14 day of August 1886, and held to await result of injuries.

J. Ellerupford

Police Justice.

0126

St Vincent's Hosp
Aug 20th 86

Edw. David is still unable to leave his bed.

John R. Deane M.D.
House Physician

0127

Aug 15 1886

St. Vincent's Hosp.

Edward David of 112 W. Drexel St. is at present in this Hospital suffering from a Stab Wound to the leg and is unable to leave his bed.

John O'Dwyer M.D.
House Phys & Surg

Judge Powers

Police Court— 2 District.

City and County of New York, } ss.:

Edward David

of No. 112 Macdougal Street, aged 50 years, occupation Manufacturer of Flowers & Feathers being duly sworn deposes and says, that on 14th day of August 1886 at the City of New York, in the County of New York, in premises No 160 Greene st he was violently and feloniously ASSAULTED and BEATEN by Louis Measanti (now here) who willfully and maliciously cut and stabbed deponent once in the right leg and twice in the thigh with a knife he then and there held in his hand cutting deponent severely from the effects of which deponent was confined in St Vincents Hospital for eight weeks

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 before me, this 11th day of October 1886 } Edward David

J. M. Patterson Police Justice.

0129

CITY AND COUNTY OF NEW YORK, } ss.

POLICE COURT, 2 DISTRICT.

George Murdock

of No. the 15th Pct Police Street, aged 33 years,

occupation Police Officer being duly sworn deposes and says,

that on the 14th day of August 188 6

at the City of New York, in the County of New York, he arested Louis Mansati (now here) charged by Edward David. with having stabed him David in the right leg so severely that he is now confined to the St Vincents Hospital and unable to appear in Court as shown by the annexed certificate. Wherefore deponent prays the said Louis Mansati may be held to await the result of said injuries so inflicted by him upon the said Edward David

George Murdock

Sworn to before me, this 15th day of August 188 6

Police Justice.

0130

Police Court, 21 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Louis Mausau

AFFIDAVIT.

Dated August 15th 188 6

Ford Magistrate.

Geo Murdock Officer.

15 Prect

Witness,

$1000 - bail for ✗

Disposition, Com to await result of injury

0131

Sec. 198—200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Louis Mazanti

Question. How old are you?

Answer. 53 years old

Question. Where were you born?

Answer, Italy

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

Answer. 160 Greene St 4 years

Question. What is your business or profession?

Answer, Manufacturer of feathers

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

L Mazanti

Taken before me this 11th *day of* December 1886

Charles Hall ..... *Police Justice.*

POOR QUALITY ORIGINAL

0132

Justice Court Police Court 2 — 16th District.

THE PEOPLE, &c., ON THE COMPLAINT OF Edward Harrington, 112 Chardonnay St. vs. Paul Measantt

Offence Assault & Battery

BAILED,

No. 1, by Joseph Kirchner Residence 160 Greene Street.

No. 2, by Alex Plenzinger Residence 144 Bleecker Street.

No. 3, by ..... Residence ..... Street.

No. 4, by ..... Residence ..... Street.

Dated October 25th 1886 Magistrate.

Witnesses Arthur Ogden, 1 Sixth Avenue, Officer. No. 27 Lawrence Street. Ed. J. Lahrin, 1 Sixth Avenue, Officer. No. 27 Lawrence Street. Ellen Lee, 2½ P.M. No. ..... Street.

Attorney Benjamin Manderich

Counsel Pro Bono

Bail $1000 to answer Held

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 Oct 25th 1886 J. Hunt Ford Police Justice.

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

Dated Oct 25 1886. J. Hunt Ford Police Justice.

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

Dated ..... 188 . ..... Police Justice.

0133

MEMORANDUM.

FROM
J. P. SOLOMON,
(Solomon, Kantrowitz & Esberg,)
COUNSELOR-AT-LAW,
335 BROADWAY,
Rooms 37, 38, 39, 40 & 41.

NEW YORK March 21 1887.

TO Randolph B. Martine, Esq.
District Attorney.
City

Dear Sir:-

I have just received notice that the Masanti case is set down for trial for the 23rd. Mr. Ma santi is at present in Florida, as you will perceive from the letter which I enclose.

I have written to him to-day, asking him to return immediately, and if you will be kind enough and set the case down for trial anytime after the 10th or 12th, of April, I will be ready to go to trial.

Resp'y

J. P. Solomon.

People
vs
Masconti } Mch 22d 1887

Let this case stand over
until April 10 - If complt has
been subpoenaed - send word
at once by special messenger to
Complt. ~~M. Weil~~ I do not want complt
to come down unnecessarily
B.M.

0135

DISTRICT ATTORNEY'S OFFICE,

New York, Feb 16, 188 7

Mr Parker -
I am just informed that Masquati case is on calendar for tomorrow - I am under agreement to let this case stand until March term,
Let it go off the calendar
R.B.M.

Mr Dale
Take the off
RO
Let this go off
RO

0136

District Attorney's Office.

PEOPLE

vs.

Louis Masanti

Assault

Subpoena - Officer
Geo Delaney -
15th Precinct

0137

ROGERS, PEET & Co.
CLOTHIERS
569 to 575 Broadway
N.W. Cor. Prince St.

New York, Jan 6 1887

Mr Martine
Dist attorney.
Dear Sir

Would you be so kind to notify Mr Geo Delaney ~~as he~~ on day of trial of Ch David against Hazentiel as he wishes to testify to what he has seen.

Yours Resp'y
Chas David
112 McDougal st

P.O. address of Geo Delaney
5th Precinct (Mercer st)

0138

District Attorney's Office.

PEOPLE

vs.

Louis Mezzanti

On for Mar 23, 1887,
Pt 3. Take off calendar,
and send me papers.
LDP

To April 14, 1887 Pt 3

12 L S Tx

0139

District Attorney's Office
City & County of
New York

People
v
Lunatic

Dr. Byrne is not the
right witness. Because
he was not there when the
crime (rape) was taken
to the Asylum.
Dr. John A. Stein, 348 W
56th st. was the charge
at that time

For Defendant

0140

District Attorney's Office.

PEOPLE

vs.

Louis Measanti

Assault

For Part 2
Jany 31/87
ADO

District Attorney's Office.

Part Two

PEOPLE

vs.

Louis Measanti

Assault Jany 14

~~Issued~~ Jany 11

Let this case be tried in Part 2 ~~for~~ Jany 11th.

I ~~resume~~ this case tried on this day.

RBM,

Dec 22/86

To Mr Parker

0141

Jacksonville Floride
Février 25 1887
Monsieur Salomon
335 Bway
New York City
Cher Ami
A cause de ma pauvre santé
mon Médecin m'a
conseillé de rester encore
ici 8 ou 10 Semaines
Toujours à vos ordres
Je vous serre la main
Votre Ami
Louis Massanet

P.S Vous pouvez adresser
toutes mes lettres au soin
de Monsieur J Buckey
Clothing & Hats store
Jacksonville
Floride

0142

District Attorney's Office.
City & County of
New York.

188

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

0143

John Parker

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Louis Meconski

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

— Louis Meconski —

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

The said Louis Meconski,

late of the City of New York, in the County of New York aforesaid, on the fourteenth day of August, 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 Edward David, — in the peace of the said People then and there being, feloniously did make an assault and him the said Edward David, — with a certain knife —

which the said Louis Meconski — 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 Edward David, — 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

— Louis Meconski —

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

The said Louis Meconski,

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 Edward David, — in the peace of the said People then and there being, feloniously did wilfully and wrongfully make an assault, and him the said Edward David, — with a certain knife —

which he the said Louis Meconski — in his — right hand then and there had and held, the same being a dangerous 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.

THIRD COUNT—

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

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

The said Louis Meersaulti,

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 Edward David,

in the peace of the said People then and there being, feloniously did wilfully and wrongfully make an assault, and him the said Edward David,

in and upon the leg and thigh — of him the said Edward David, — did then and there feloniously, wilfully and wrongfully strike, beat, kick, cut, bruise and wound, and did thereby then and there feloniously, wilfully and wrongfully inflict upon him the said Edward David, — grievous bodily harm, to the great damage of the said Edward David, — against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

RANDOLPH B. MARTINE,
District Attorney.