

0009

BOX:

255

FOLDER:

2465

DESCRIPTION:

Wagner, Gottfried

DATE:

03/03/87



2465

0010

Witnesses:

James Fleming
J Keating

Counsel, *Apprentice*
Filed, *3* day of *March* 188*7*
Pleads, *Not guilty*

THE PEOPLE
vs.
B
Gottfried Wagner
[Section Penal Code]

RANDOLPH B. MARTINE,
District Attorney.

A True Bill.
John W. Sumner
Part III *March 18/87* Foreman.
True & signed
18/87
18/87 *March 18/87*
W.D.

0011

Sec. 198—200.

District Police Court.

CITY AND COUNTY {
OF NEW YORK, } ss

Gottfried Wagner 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 Gottfried Wagner

Question. How old are you?

Answer 31 years

Question. Where were you born?

Answer. Germany

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

Answer. 801 East 169th 12 months

Question. What is your business or profession?

Answer. Car Driver

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. Am not Guilty

Gottfried Wagner

Taken before me this

27th

day of March 1888

Wm. J. Hall

Police Justice.

0012

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 Jan 26 1887 M. A. Burke Police Justice.

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

Dated Jan 28 1887 M. A. Burke 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.

0013

Police Court

5

District

THE PEOPLE, &c.,

ON THE COMPLAINT OF

James Fleming
85-2 Ave
Gottfried Wagner

2
3
4

Offence Malicious
Mischief

Dated January 26 1887

Charles Weiss Magistrate.

Michael Regan Officer.

Precinct.

Witnesses

No. 20 Sts. - 2 Ave Street.

No. inside Street.

No. Street.

\$ 300- to answer

Bailed
4h 28m 2. P.M.
500 Bail

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

0014

William Compsey 113 St First ave
Mr Mosan 410 East 104th St

Patrien Hogan works in
Schuyler's Lumber yard 97th St First^{ave}
James Keating Cond 2nd car R.R. Pass

0015

Sec. 192.

Gottfried
District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before *Charles Melde* a Police Justice
of the City of New York, charging *Gottfried Wagner* Defendant with
the offence of *Malicious Mischief*

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 hear-
ing thereof having been adjourned,

We, *Gottfried Wagner* Defendant of No. *801*
Esplanade Street; by occupation a *Drum*
and *Jacob W. Winderker* of No. *1378 Washington*
Street, by occupation a *Collector* - Surety, hereby jointly and severally undertake that
the above named *Gottfried Wagner* Defendant
shall personally appear before the said Justice. at the *7th* 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 *Five*
Hundred Dollars.

Taken and acknowledged before me, this *26*
day of *September* 188*7*.

Charles Melde
POLICE JUSTICE.

Gottfried Wagner
Jacob W. Winderker

00 16

CITY AND COUNTY } ss.
OF NEW YORK,

day of
Office of Police Justice
SSJ

Sworn to before me, this

the within named Bail and Surety being duly sworn, says, that he is a resident and *free*
holder within the said County and State, and is worth *ten* 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 *one farm on place*

situated & known as No 652 E 153rd
in said City & County & being of the full
value of Five thousand dollars over and
above all legal encumbrances -

5th District Police Court.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Undertaking to appear
during the Examination.

James Fleming

vs.

Cottrell Wagner

Taken the *26* day of *January* 188 *7*

Justice.

W. W. Winderker

James W. Winderker

0017

CITY AND COUNTY
OF NEW YORK, } ss.

POLICE COURT, 5 DISTRICT.

of No. 1852-2^d Avenue Street, aged 35 years,

occupation Car Driver being duly sworn deposes and says

that on the 26 day of January 1887

at the City of New York, in the County of New York, deponent says

that "Gottfried Wagner" (nowhere)
 did Wilfully and Maliciously ~~injure~~
 drive a team of horses attached to a
 large box wagon against a horse car
 that was in his charge, and was out
 of Avenue between 89th and 90th Street in Lower
 City and did break and destroy
 said car to the amount of Thirty Two
 dollars the property of the Second Avenue
 Horse Rail Road Company And in the
 Car and Charge of deponent
 James Fleming

Sworn to before me, this

26

day

of

1887

Police Justice.

0018

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Frederick Wagner

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

Frederick Wagner -

of the CRIME of Misdemeanor and willfully
injuring personal property. -

committed as follows:

The said Frederick Wagner,

late of the Second Ward of the City of New York, in the County of New York afore-
said, on the twenty-sixth day of January, in the year of our Lord
one thousand eight hundred and eighty-seven, at the Ward, City and County aforesaid,

with force and arms, a certain wagon,
drawn by two horses, then and there being driven by him the
said Frederick Wagner, to, at and
against a certain railway car belonging
to a certain corporation known as
The Second Avenue Horse Rail
Road Company, then and there being,
then and there feloniously did
willfully and unlawfully force
and drive, with great force and
violence, and the said personal
property of the corporation aforesaid,
to wit: the railway car aforesaid,
did then and there and thereby

0019

feloniously, unlawfully and intentionally
injure to the amount of the value
of thirty two dollars, 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

Harold W. MacKie

District Attorney.

0020

BOX:

255

FOLDER:

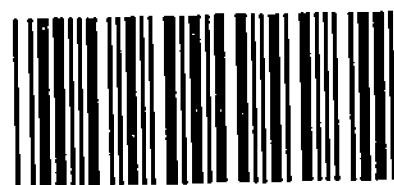
2465

DESCRIPTION:

Walker, John E.

DATE:

03/15/87



2465

Witnesses:

Thos McKay

93
Counsel,
Filed day of March 1887
Pleads *Indictment*

THE PEOPLE

vs *State*
John E. Walker
(2 cases)

Grand Larceny in the
(MONEY)
degree.
(Sec. 528 and 53, Penal Code.)

RANDOLPH B. MARTINE,
PP *Griffith* District Attorney.
Indictment *Indictment* *Indictment*
Sec. 528 and 53, Penal Code.

A True Bill.

Benjamin D. Park
March 31st
March 31st
Foreman.

24 *March*

0021

0022

STENOGRAPHERS' MINUTES.

Court of General Sessions, D.C.

The People vs.
against

John E. Walker, indicted
for Grand Larceny

BEFORE

Hon. Henry A. Elderslee,
and a jury

Monday April 14th 1887

WITNESSES.

DIRECT.

CROSS.

RE-DIRECT.

RE-CROSS.

0023

1

Court of General Sessions, Part 2.

-----)
THE PEOPLE &c.)
- against -) Before Hon. Henry A. Gilder-
John E. Walker, Indicted for) sleeve, and a Jury.
Larceny.)
-----)

Tried, Monday, April 4, 1887.

APPEARANCES.

Assistant District Attorney, Ambrose H. Purdy, for the People;
Mr. for the Defence.

-----000-----

THOMAS MCCabe, being duly sworn, testified, that
he was a shoemaker and lived in Brooklyn, and that he carried
on business at 182 Broadway, New York, for the last 9 years.
On the 19th day of Jan'y. John E. Walker, the prisoner, came
into his place and told him that he was sorry to have kept
him waiting so long for his money,--referring to a pair of
shoes which, he, the defendant, had got from him some nine

0024

2

or ten months previous, the price of which was \$10.50. The prisoner said he was sorry his bill was owing so long, and said he would pay it now and handed the complainant a check which he pulled out of his pocket and handed it to the complainant. He, the complainant, simply asked him to endorse the check and did not know whose check it was. It was a check for \$35.00. It was early in the morning and the complainant did not have change for the balance and he gave the defendant \$20.00 and there was \$4.50 more coming to the defendant and for which he promised to call at some other time. The complainant never saw the defendant after that and he deposited it, the check, in the Fulton Bank the following day and it came back as worthless, that they knew neither the endorser nor the drawer. He, the complainant, kept an account in the Fulton Bank for about 6 years, and in the course of business he deposited this check.

-----000-----

Under cross examination the complainant testified that he knew the defendant at least four years - probably five, and had received paper from him before (probably 20 times) and always found his checks good and honored at the bank; those were his own checks. He, the complainant, knew the prisoner's family and knows them to be honorable

0025

3

and upright people.

-----000-----

Mr. McCabe, the complainant, being recalled by the defense, testified that as soon as he informed the defendant or his brother that this check was bad, it was made good pretty soon thereafter. He could not swear when he learned that the check was of no value, but it was probably four or five days later.

Under cross examination the complainant testified that when the check was presented to him by the defendant, he gave him \$15.00 first and \$5 the following day; and, he, the complainant, wishes to correct his former statement in that respect. The complainant never saw the prisoner again until he saw him in the Tombs; and the money was paid to him by the defendant's brother after he, the defendant, was arrested. The balance paid by the defendant's brother was \$31.50.

-----000-----

0026

Filed Mar 15/87

Court of General Sessions D.C.

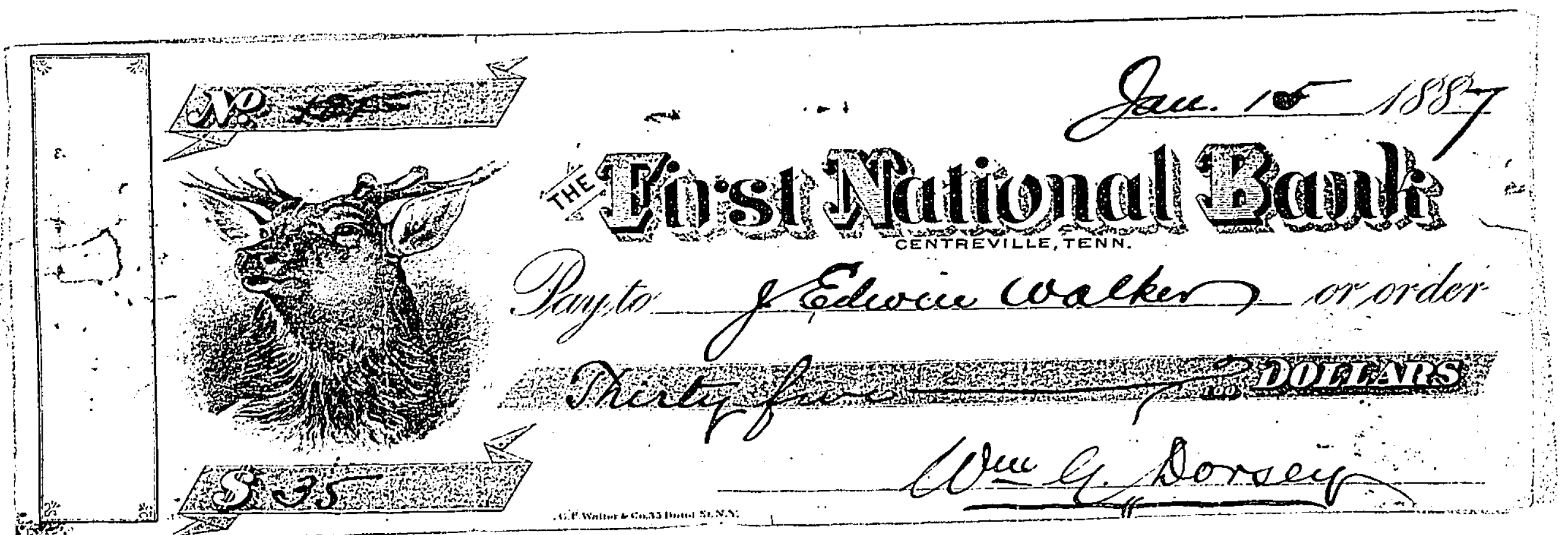
The People vs
against

John E. Walker.

STENOGRAPHERS' TRANSCRIPT.

April 14th 1887.

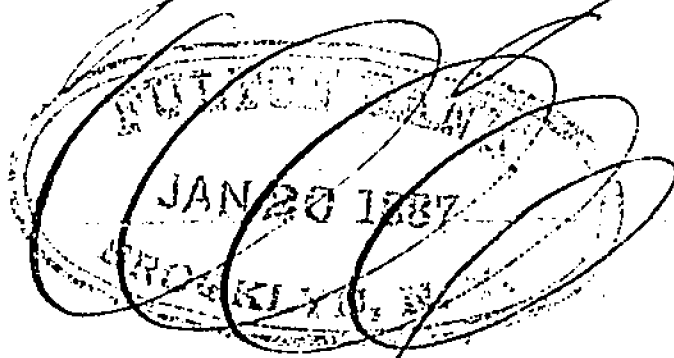
0027



0028

Edwin Walker

Fanny M. Kay



PAY TO THE ORDER OF
John G. Walker
FOR COLLECTION FOR ACCOUNT OF
FULTON BANK OF BROOKLYN
J. A. BENTON, Cashier

0029

No such persons at
Centerville or either
drawer or Endorser

35-

0030

Police Court—

District.

Affidavit—Larceny.

City and County }
of New York, } ss.of No. 192 Broadway Street, aged 35 years,
occupation Shoe Dealer being duly sworndeposes and says, that on the 19th day of January 1888 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 of the Amount and
Value of Thirty Dollars & fifty
Cents

the property of

Deponentand that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,
and carried away by John Edwin Walker(nowhere) from the fact that on
said date the defendant came
to deponent's place of business, no
192 Broadway at about the hour
of ten o'clock P.M. and tendered to
deponent the annexed check in
payment for a pair of shoes he
had ordered from deponent and for which
deponent agreed to pay ten dollars &
fifty cents for said shoes and
represented to deponent that he
had received said check for thirty five
dollars as a liquor agent and signed
Wm Dorsey pay to the order of John Walker

Subscribed before me this

day of

Police Justice

0031

deponent gave the said defendant any
 twenty dollars on account and ten
 dollars & fifty cents in payment for
 a pair of shoes and deponent promised
 to give the defendant the four dollars
 & half due on said check the next day
 deponent at the time believing that the
 aforesaid check was genuine and deponent
 since deposited said check in the Fulton
 Bank of Brooklyn and the said check
 was ~~sent back~~ to deponent as no good
 and that there was no such person
 as the drawer or endorser of said check
 in Centerville Ohio and deponent
 therefore charges the said defendant
 with false and fraudulent representation
 said check to be genuine with intent
 to cheat and defraud deponent
 out of the above described amount
 of money.

Sworn to before me

this 9th day of March 1897

Thomas McKoy

P. J. Coffey
 Police Justice

0032

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, ^{SS}

152 District Police Court.

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

Question. What is your name?

Answer. *John E. Walker*

Question. How old are you?

Answer. *26 years*

Question. Where were you born?

Answer. *New Jersey*

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

Answer. *364 State St. Brooklyn one week*

Question. What is your business or profession?

Answer. *Printer*

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*

Interviewed

Taken before me this

day of

188

Police Justice.

0033

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 188* *McLusky* 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 _____ Justice.

0034

Police Court

1st 307 District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Thomas McKay
192 Broadway
John E. Walker

2

3

4

188

Dated

Magistrate

Officer

Precinct

Witnesses

No.

Street

No.

Street

No.

Street

\$

to answer

BAILED.

No. 1, by

Residence

Street

No. 2, by

Residence

Street

No. 3, by

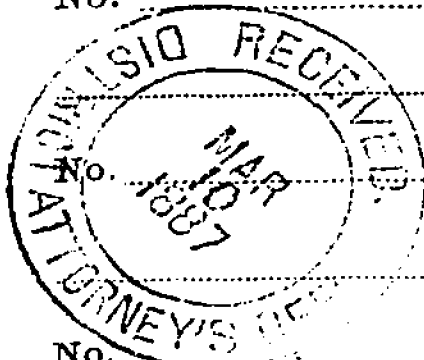
Residence

Street

No. 4, by

Residence

Street



0035

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

John E. Waller

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

— John E. Waller —

of the crime of GRAND LARCENY IN THE *second* DEGREE, committed as follows:

The said *John E. Waller,*

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the *nineteenth* day of *January* in the year of our Lord one thousand eight hundred and eighty-~~seven~~ *at the Ward, City and County aforesaid, with force and arms,* in the *— day —* time of the same day, *one —* promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars *—*; *two* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of ten dollars, and of the value of ten dollars *each*; *four* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five dollars, and of the value of five dollars *each*; *three* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of two dollars, and of the value of two dollars *each*; *ten* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one dollar, and of the value of one dollar *each*; *one* promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty dollars *—*; *two* promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of ten dollars *each*; *four* promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars *each*; *—* divers coins, of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of *ten dollars and fifty cents, and one pair of shoes of the value of ten dollars and fifty cents,*

of the proper moneys, goods, chattels, and personal property of one *—* ~~on the person of the said~~ *Thomas Mc Kay,* then and there being found, ~~from the person of the said~~ *—* then and there feloniously did steal, take and carry away, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

RANDOLPH B. MARTINE,
District Attorney.

0036

BOX:

255

FOLDER:

2465

DESCRIPTION:

Walker, John

DATE:

03/29/87



2465

Witnesses:

Ed. Haines
John Nelson

Counsel,

Filed 29 day of

1887

Pleads

Indignity (30)

THE PEOPLE

vs.

John Walker

Assault in the Second Degree.
(Section 218, Penal Code.)

RANDOLPH B. MARTINE,

By *Apr 4/87* District Attorney.

Ylenda Appleby

Peri-More m.

A True Bill.

Bruce Dask Foreman.

0037

0038

Sec. 198—200.

CITY AND COUNTY
OF NEW YORK

4 District Police Court.

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

Question. What is your name?

Answer.

John Walker

Question. How old are you?

Answer.

22 years

Question. Where were you born?

Answer,

New York City

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

Answer.

551 First Avenue and about 4 months

Question. What is your business or profession?

Answer,

Helper in a brass foundry.

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 -

John Walker

Taken before me this

day of March 1888

Police Justice.

0039

from
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 *ten* Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated *March 22* 188 *7* 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.

0040

1429
Police Court 4 District. 373

THE PEOPLE, &c.,
ON THE COMPLAINT OF

George E. Hauser
2nd Precinct
John Walker

Assault on
an officer

Dated *March 27* 188 *7*
Wuffy Magistrate
Hauser Officer.

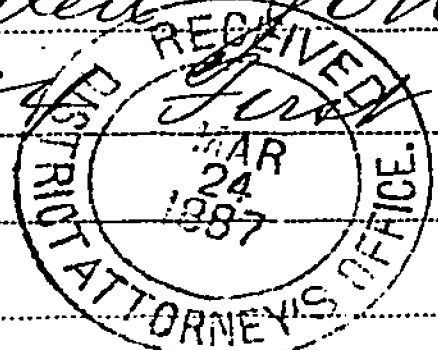
Witnesses *Ewen Johan Ne* Precinct,
484th Street Street.

No. *484th Street* Street.

No. *1000* Street.
\$ *1000* to answer *G.S.*

Com

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



0041

Police Court— 14 District.CITY AND COUNTY } ss.
OF NEW YORK, }

George E. Hauser
 of No. the 21st Precinct Police Street, aged 32 years,
 occupation Police Officer being duly sworn, deposes and says, that
 on the 23rd day of January 1887 at the City of New York,
 in the County of New York, in front of 403 East 28th Street
 he was violently ASSAULTED and BEATEN by John Walker (now here)
(now here), who wilfully and maliciously
 threw several bricks at deponent, one of which
 struck deponent on the back of the neck and another brick
 struck deponent on the right side of the head. That deponent
 was assaulted as aforesaid by said deponent while deponent was
 in uniform and in the discharge of his duties as an officer of Municipal Police
 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 the above assault, &c., and be dealt with according to law.

Sworn to before me, this 27day of March 1887George E. Hauser
Police Justice

0042

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

John Waller

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

John Waller —

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

The said John Waller,

late of the City and County of New York, on the Twenty Third day of January, in the year of our Lord one thousand eight hundred and eightyseven, with force and arms, at the City and County aforesaid, in and upon one

Fitzgerald E. Hauser,

in the peace of the said People then and there being, feloniously did wilfully and wrongfully make an assault; and the said John Waller,

with a certain knives which he the said

John Waller —

in his right hand then and there had and held, the same being then and there likely likely to produce grievous bodily harm, him, the said Fitzgerald E. Hauser, then and there feloniously did wilfully and wrongfully strike, beat, — bruise 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.

0043

SECOND COUNT:

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

John Waller —

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

The said *John Waller*,

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 one *Fitzgerald E. Hauser*, —

in the peace of the said People then and there being, feloniously did wilfully and wrongfully make an assault: and the said *John Waller*, —

— *John* the said *Fitzgerald E. Hauser*,
with a certain *revolver* —
which *John* the said *John Waller* —

in *John* right hand then and there had and held, in and upon the
head and neck of *John* the said
Fitzgerald E. Hauser, —

then and there feloniously did wilfully and wrongfully strike, beat —
bruise and wound, and did then and there and by the means aforesaid, feloniously,
wilfully and wrongfully inflict grievous bodily harm upon the said *Fitzgerald*
Hauser, to the great damage of the said *John Waller*,
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.

0044

BOX:

255

FOLDER:

2465

DESCRIPTION:

Walsh, William T.

DATE:

03/16/87



2465

Witnesses :

1000116

Counsel, *Wm. J. Walsh*
Filed, *16* day of *March* 188*7*
Pleads, *Guilty*

THE PEOPLE
vs.
Wm. J. Walsh
R
MISDEMEANOR.
[Chap. 188, Laws of 1885, §§ 7 and 8, as amended by
Chap. 677, Laws of 1886, §§ 2 and 3; § 430, Penal
Code; Chap. 238, Laws of 1889, § 2; Chap. 246,
Ibid., § 1; and Chap. 215, Ibid., § 2.]

RANDOLPH B. MARTINE,
Part III District Attorney.
16, March 1887
Wm. J. Walsh
A True Bill.

Begin Dash Foreman.
True 1000
10.

0046

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

New York, Oct 20th 1886

CERTIFICATE OF ANALYSIS.

SAMPLE OF BUTTER.

Marked, 15, 988, Oct 10th 1886

Received from B. F. VAN VALKENBURGH, per Chas. Deane
on Oct 15th 1886.

THE SAMPLE CONTAINS:

WATER, - - -	4.04%
ANIMAL AND BUTTER FAT, - - -	86.62%
CURD, - - -	1.13%
SALT, - - -	3.16%

ANALYSIS OF THE FAT:

INSOLUBLE FATTY ACIDS, - - -	95.32%
SOLUBLE " " - - -	0.20%
SPECIFIC GRAVITY OF THE FAT AT 100° F., - - -	0.935

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

Respectfully yours,

E. G. Love (Ph. D.)

MR. B. F. VAN VALKENBURGH.

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

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

Joseph P. Schaefer
Notary Public
(N.Y.) N.Y.C.

0047

No. B. 988

Oct 20th 86

✓

0048

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

Charles Seers of No. 350 Washington Street, being duly sworn, says: That he resides at No. Montgomery Orange Street, ~~in the City of New York~~, County and State of New York, is Fifty (50) years of age, and an expert appointed by HON. JOSIAH K. BROWN, the New York Dairy Commissioner; That at the times hereinafter mentioned one William T. Walsh was a Retail ^{Milk and Butter} ~~Grocery~~ Dealer, and had his ^{milk & butter} ~~Grocery~~ Store in a room in No. 139 Cherry Street, in the said City of New York, and occupied and controlled such room; That on the fourteenth (14) day of October, 1886, deponent went into said William T. Walsh's store and such room, so occupied and controlled by him, and said to me John Grayden ~~that he wanted to buy some Butter~~ ^{in his shop in said store} that he wanted to buy some Butter; That the said John Grayden in response thereto then and there sold and delivered to deponent one half (1/2) pounds of the manufactured substance hereinafter mentioned, for which he asked and deponent then and there paid him fifteen (15) cents per pound; That it was so sold and delivered to deponent by said John Grayden as such clerk as and for Butter, the product of the dairy; That thereafter and on the fifteenth (15) of October, 1886, deponent delivered a portion of such substance so sold to him by said William T. Walsh's said clerk to Edward G. Fire, a Chemist of No. 122 Boney 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 William T. Walsh's said clerk 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; 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 October, 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 William T. Walsh 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 16th day of December 1886.

Charles Seers
J. M. Patterson
Justice.

Police Court
Court of 3000 District
267
County of New York

THE PEOPLE, &c.

vs.
William F. Walsh

Affiant:

Charles Sears
350 Washington St.

Witnesses:

Richard D. Clark
Residence 350 Washington St.
Edmund G. Love

Residence 122 Broadway

Residence

0050

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK { SS

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

Question. What is your name?

Answer.

William J. Walsh

Question. How old are you?

Answer.

22 years

Question. Where were you born?

Answer.

U. S.

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

Answer.

138 Cherry St - 2 years

Question. What is your business or profession?

Answer.

Auto Dealer

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

Answer.

I am not guilty - I demand a trial by jury.

Wm J. Walsh

Taken before me this

21

day of

December

188*8*

Police Justice.

0051

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

Wm. J. Walsh

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 Dec 21 1886

J. K. Murphy

Police Justice.

I have admitted the above-named

William J. Walsh

to bail to answer by the undertaking hereto annexed.

Dated Dec 22 1886

J. K. Murphy

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.

0052

\$100 bail for E
Dec 22 2 PM

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court

District.

THE PEOPLE, &
ON THE COMPLAINT OF

Charles Sears

Wm. J. Walsh

2

3

4

Office
Vis
Cleary

Dated

188

Magistrate.

Officer.

Precinct.

Witnesses

No.

No.

No.

\$

to answer

bailed



0053

Sec. 151.

Police Court 3 District.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police
Justices for the City of New York, by Charles Sears
of No. 350 Washington Street, that on the 15 day of October
1888 at the City of New York, in the County of New York,

William F. Walsh did in premises
139 Cherry Street unlawfully sell to
Complainant a certain substance called
Oleomargarine as butter in violation of Law

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 3 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 16th day of December 1888

J. M. Patterson POLICE JUSTICE.

0054

Police Court 3 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Charles Sears

vs.

William T Walsh

139 Cherry St

Warrant-General.

Dated December 16 1888

Patterson Magistrate

Wais Officer.

The Defendant

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

Officer.

Dated _____ 188

This Warrant may be executed on Sunday or at
night.

Police Justice.

Dated

188

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.

Police Justice

The within named

Dec 27/80

27
32

Miss Dahr

S

139 Cherry St

0055

Court of General Sessions of the Peace.

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

William T. Walsh

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

William T. Walsh

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

of a Misdemeanor, committed as follows:

The said *William T. Walsh*,

late of the City of New York, in the County of New York aforesaid, on the *fourteenth*
day of *October*, — in the year of our Lord one thousand eight hundred and
eighty-*five*, 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
Charles Sears, 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

William T. Walsh

of a Misdemeanor, committed as follows:

The said *William T. Walsh*,

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 *Charles Sears*, *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.

0056

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

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

- William T. Walsh -

of a Misdemeanor committed as follows:

The said

William T. Walsh,

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

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

FOURTH COUNT: (Section 430, Penal Code)

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

- William T. Walsh -

of a Misdemeanor, committed as follows:

The said

William T. Walsh,

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

as an article of food, *one half pound* of a certain substance in imitation of a certain article of food, to wit: butter, without disclosing such 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

- William T. Walsh -

of a Misdemeanor, committed as follows:

The said

William T. Walsh,

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

Charles Sears, -

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

Charles Sears, -

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

- William S. Walsh -

of a Misdemeanor, committed as follows:

The said

William S. Walsh,

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

Charles Sears, 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 1896, § 2.)

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

- William S. Walsh -

of a Misdemeanor, committed as follows:

The said

William S. Walsh,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,

at the City and County aforesaid, did unlawfully sell and cause and procure to be sold to one

Charles Sears, 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 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

- William T. Walsh -

of a Misdemeanor, committed as follows:

The said

William T. Walsh,

late of the City and County aforesaid, afterwards, to wit: on the said *fourteenth* day of *October,* in the year of our Lord one thousand eight hundred and eighty-*six,* at the City and County aforesaid, did unlawfully sell, and cause and procure to be sold, to one *Charles Sears, 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

- William T. Walsh -

of a Misdemeanor, committed as follows:

The said

William T. Walsh,

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

Charles Sears, one half pound

0059

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.

0060

BOX:

255

FOLDER:

2465

DESCRIPTION:

Walter, Philip

DATE:

03/23/87



2465

Witnesses:

Off Art Kim

Just expense

for

to expense

after please

rehearsal

for

174

Counsel,

Filed, 23

day of

1887

Pleads,

Art Kim

46

THE PEOPLE

vs.

Philip Walter

May 5/87

Headquarry

RANDOLPH B. MARTINE,

District Attorney.

April 18/87 Part II

to prove & record

Bank of the State

A True Bill.

and H.D. 100

James D. Foreman.

Apr. 20/87

W.D.

0061

0062

Sec. 198—200.

30

District Police Court.

CITY AND COUNTY
OF NEW YORK, } ss

Philip Walter 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

Philip Walter

Question. How old are you?

Answer

46 years

Question. Where were you born?

Answer.

Lancaster

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

Answer.

91 Second Street over month

Question What is your business or profession?

Answer

Bar tender

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
Philip Muller*

Taken before me this

4

day of *March* 188*7*

Sam'l C. Muller Police Justice.

0063

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 Nov 4 1887 Sam'l C. Bell Police Justice.

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

Dated Mch 4 1887 Sam'l C. Bell 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.

0064

EXCISE.

Police Court

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

George L. Orfman
11 Precinct.
Philip Maltby

2

3

4

Offence

Lane

BAILED,

No. 1, by *Solomon Allen*

Residence *10 E. 1st St.* Street.

No. 2, by *Samuel Peyser*

Residence *69 Ludlow* Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated *March 4* 188 *7*

Orfman Magistrate.

Orfman Officer.

11 Precinct.

Witnesses

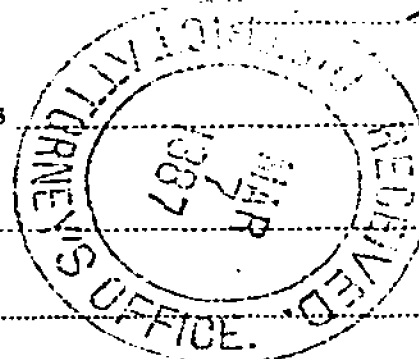
No. Street.

No. Street.

No. Street.

\$ *100* to answer *G. S.*

Committed



0065

Excise Violation-Selling After Hours.

POLICE COURT- 34 DISTRICT.

City and County } ss.
of New York, }

George L. Arthur
of No. 11th Precinct Police Street,
of the City of New York, being duly sworn, deposes and says, that on the 4 day
of March 1887 in the City of New York, in the County of New York, at
No. 91 Delaney Street,

Philip Walter (now here)
did then and THERE EXPOSE for sale, and did sell, give away and dispose of, and cause, suffer,
and permit to be sold, given away and dispose of under his direction and authority, strong and
spirituous liquors, wines, ale and beer, being intoxicating liquors, in quantities less than five gallons
at a time, to be drunk in the house or premises aforesaid BETWEEN THE HOURS OF ONE AND
FIVE O'CLOCK in the morning of said day, contrary to and in violation of the statute in such case
made and provided.

WHEREFORE, deponent prays that said Philip Walter
may be arrested and dealt with according to law.

Sworn to before me, this 4 day
of March 1887 } George L. Arthur
Sam'l A. Keith Police Justice.

0066

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Philip Walker

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

Philip Walker

of the crime of KEEPING OPEN, BETWEEN THE HOURS OF ONE AND FIVE O'CLOCK IN THE MORNING, a place licensed for the sale of strong and spirituous liquors, wines, ale and beer, committed as follows:

The said *Philip Walker*, —
late of the City of New York in the County of New York aforesaid, on the
— *fourth* — day of *March*, in the year of our
Lord one thousand eight hundred and eighty *seven*, 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 between the hours of one and five o'clock in the
morning of the said day, and between the said hours of the said day, to wit: at the hour
of *three* o'clock in the morning of the said day, the said place so licensed as
aforesaid, unlawfully did then and there open and cause and procure, and suffer and
permit, at the time aforesaid 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.

0067

BOX:

255

FOLDER:

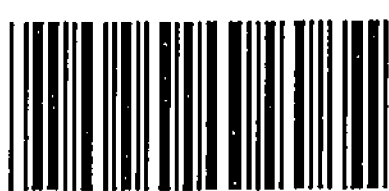
2465

DESCRIPTION:

Waterburg, Nathaniel

DATE:

03/16/87



2465

118

Witnesses :

Counsel, *[Signature]*
Filed, *16* day of *March* 188*7*
Pleads, *[Signature]*

THE PEOPLE

vs.

[Signature]

Nathaniel Waterbury

MISDEMEANOR.

[Chap. 188, Laws of 1885, §§ 7 and 8, amended by Chap. 577, Laws of 1886, §§ 2 and 3, § 480, Penal Code; Chap. 298, Laws of 1882, § 8; and Chap. 216, Ibid., § 2.]

RANDOLPH B. MARTINE,

District Attorney.

Sub. L. April 20th 87

Pleads Guilty

A True Bill.

Bowie Park Foreman.

clerk, F.D.

0069

State of New York, :
 : ss;
City and County of New York :

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 thirty seven years of age and an expert appointed by Hon. Josiah K. Brown, the New York Dairy Commissioner; That at the times hereinafter mentioned one Nathaniel Waterbury was a wholesale dealer in oleomargarine, and carried on said business and had a store or room for that purpose at No. 115 Warren Street in the City of New York and occupied and controlled such store or room.

That on the 15th day of January, 1887, deponent as such expert as aforesaid, and in pursuance of his duties as such, went into said Nathaniel Waterbury's store and such room so occupied and controlled by him, and then and there took from a tub or package then in the possession of said Nathaniel Waterbury in his said store, a sample of the manufactured substance hereinafter mentioned, and carried the same away with him.

That thereafter and on said 15th day of January, 1887, deponent delivered a portion of such substance so taken as aforesaid to Russell W. Moore, a chemist, of the School of Mines, corner of 49th Street and 4th Avenue in the City of New York and caused the same to be analyzed by such Chemist; That the certificate made by such chemist is hereto annexed; That such substance so taken by deponent from said Waterbury's said store and room was not butter the product of the dairy, and was not made from unadulterated milk or cream.

0070

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 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 said Waterbury had such manufactured substance in his possession with intent to sell the same and kept and offered the same for sale in the ordinary course of his said business as a wholesale oleomargarine dealer.

That on said 15th. day of January, 1887, deponent in said Waterbury's said store and room so occupied and controlled by him, saw a quantity of such manufactured substance, kept and offered for sale by said Waterbury in the ordinary course of his said business.

Deponent charges that the said Nathaniel Waterbury against the peace and dignity of the People of the State of New York and the Statutes in such case made and provided, unlawfully, willfully and knowingly so, had such manufactured substance in his possession with intent to sell the same, and kept and offered the same for sale, and was thereby guilty of a misdemeanor.

Sworn to before me this

day of February, 1887.

Wm. J. Gray

Justice

Thomas R. Gray

0071

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 15th day of January 1887 at the City of New York, in the County of New York,

the defendant Nathaniel Waterbury unlawfully had in his possession at No 118: Warren Street in the City of New York, with intent to sell the same a certain manufactured substance known as Oleomargarine, made and colored in imitation and resemblance of natural butter the product of the dairy and kept and offered the same for sale 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 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 _____ day of February 1887.

W. J. Stone

POLICE JUSTICE.

0072

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Thos R Gray
vs.

Nathaniel Waterbury
115 Warren Str

Warrant-General.

Dated *Feb 14* - 188*9*

Power Magistrate

Garity Officer.

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

Jas Garity Officer.

Dated *Feb 15* - 1887

This Warrant may be executed on Sunday or at
night.

Police Justice.

59 yrs
W.
U.S.
Merchant
M
yrs
418 W 20 St

Dated 188

Police Justice.

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

The within named

0073

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

New York, January 19th 1887

CERTIFICATE OF ANALYSIS.

SAMPLE OF BUTTER.

Marked, *N^o 501 January 15/87 J. J. Sorgan*
Received from *Mr. B. F. Van Valkenburgh* per *J. R. Gray*
on *Saturday January 15th 1887*

THE SAMPLE CONTAINS:

WATER,	- - - -	9.60%
ANIMAL AND BUTTER FAT,	- - - -	86.08%
CURD,	- - - -	16.1%
SALT,	- - - -	2.71%
		100.00

ANALYSIS OF THE FAT:

INSOLUBLE FATTY ACIDS,	95.44%
SOLUBLE " "	4.6%
SPECIFIC GRAVITY OF THE FAT	
AT 100° F.,	...
REICHERT FIGURE. C. C. $\frac{N}{10}$ Na OH.,	78

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. Van Valkenburgh*
Art Dairy Co's

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

On the *20th* day of *January* in the year
one thousand eight hundred and Eighty seven 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. J. DeBore

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

0074

ch. 501-9.

January 19/87

0075

Sec. 198—200.

District Police Court.

CITY AND COUNTY
OF NEW YORK { ss

Nathaniel Waterbury 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

Nathaniel Waterbury

Question. How old are you?

Answer

59 years

Question. Where were you born?

Answer.

NY

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

Answer.

418 West 20 St. 2 years

Question What is your business or profession?

Answer

Mechanic

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 I held
my own
Nathaniel Waterbury*

Taken before me this

day of February 188

Police Justice.

0076

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

....., of No. 350 Washington Street,
being duly sworn, says: That he resides at No.
Street, in the City of New York, County and State of New York, is
years of age, and an expert appointed by HON. JOSIAH K. BROWN, the New York Dairy Com-
missioner: That at the times hereinafter mentioned one
..... was a Retail Grocery Dealer, and had his Grocery Store
in a room in No. Street, in the said City of New
York, and occupied and controlled such room; That on the
day of, 1886, deponent went into said
..... store and such room so occupied and controlled by
him, and said to that he wanted to
buy some Butter; That the said in
response thereto then and there sold and delivered to deponent
pounds of the manufactured substance hereinafter mentioned, for which he asked and deponent
then and there paid him cents per pound; That it was so sold
and delivered to deponent by said as
and for Butter, the product of the dairy; That thereafter and on
....., 1886, deponent delivered a portion of such substance so sold to
him by said to

....., a Chemist of No.
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
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; 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 re-
semble 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
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 }
day of 1886. }

Justice.

Police Court
City of New York

County of New York

THE PEOPLE, &c.

^{vs.}
Nathaniel Waterbury

Affiant:

Thomas R. Gray
350 Washington St.

Witnesses:

Joseph J. Sorgan
Residence 350 Washington St.
Renee H. Moore

Residence School of Mines
49 St. & 4th Ave.

Residence

Chas. J. Sorgan
Criminal
229 Broadway

0077

0078

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 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 February 15 188 J. M. Patterson Police Justice.

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

Dated February 15 188 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.

0079

W 6501105
Police Court District.

THE PEOPLE, &c.
ON THE COMPLAINT OF

James A. Gay
vs.
Nathaniel Webster

2
3
4

Office

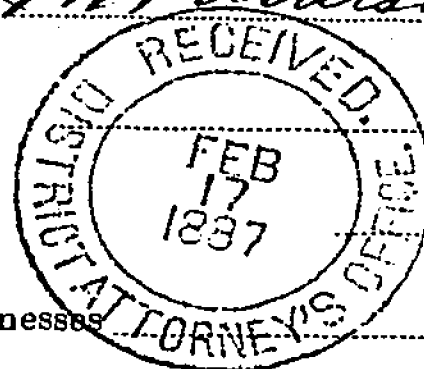
BAILED,
No. 1, by Wm. E. Noehnick
Residence 125 Warren Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Dated February 17 1887
J. M. Patterson Magistrate.



Witnesses _____

No. _____ Street.

No. _____ Street.

No. _____ Street.
\$ 300. to answer G. S.

Bailed
Bill ordered
Paid to 2 1/2 P. M.

0000

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
Plaintiffs,
against

Nathaniel Waterman
Defendant.

The Grand Jury of the City and County of New York, by this indictment, accuse
(Chap. 215, Laws of 1882, § 2). the above-named defendant of a Misdemeanor, committed as follows :

The said defendant, late of the City of New York, in the County of New York aforesaid, on the *eighteenth* day of *May* in the year of our Lord one thousand eight hundred and eighty-*six*, at the City and County aforesaid, did unlawfully sell and cause and procure to be sold to one *Charles Sears*,
ten 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.

SECOND 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 defendant of a Misdemeanor, committed as follows :

The said defendant, late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, did unlawfully sell and cause and procure to be sold to one *Charles Sears*, *ten pounds* —

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~~ ^{13th} day of

0001

~~August~~, ^{April} in the year of our Lord one thousand eight hundred and eighty~~two~~^{five}, (a more particular description of which said article, substance and compound, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

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

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

The said defendant, late of the City and County aforesaid, afterwards, to wit: on the said ~~and fourth~~ day of ~~May~~, ^{May} in the year of our Lord one thousand eight hundred and eighty~~two~~^{five}, at the City and County aforesaid, did unlawfully sell, and cause and procure to be sold, to one ~~Richard Sears~~,
~~ten pounds~~

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.

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

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

The said defendant, 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 ~~Richard Sears~~, ~~ten pounds~~

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.

0082

FIFTH COUNT : (Section 430, Penal Code.)

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

The said defendant, 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 as an article of food, to one *Rhader Sears, Xan*

Yonder —
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.

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

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

The said defendant, 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 *Xan*
Yonder 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 *Rhader Sears.* —

from a certain tub, firkin 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

Rhader Sears, —
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.

RANDOLPH B. MARTINE,

District Attorney.

0083

BOX:

255

FOLDER:

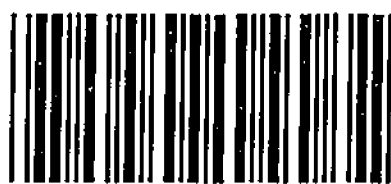
2465

DESCRIPTION:

Waterburg, Nathaniel

DATE:

03/21/87



2465

Witnesses.

105.

Counsel,
 Filed *21* day of *March* 188*7*
 Pleads, *Not guilty*

THE PEOPLE,
 vs.
Nathaniel Waterbury
 MISDEMEANOR.
 [Chap. 183, Laws of 1885, §§ 7 and 8, as amended
 by Chap. 577, Laws of 1886, §§ 2 and 3; and
 Chap. 216, Laws of 1882, § 2.]

RANDOLPH B. MARTINE,
Part 74 April 20 87
Pleads Guilty

A True Bill.

Bowie Stark Foreman.
Reps *7.1*

0085

STATE OF NEW YORK,

County of New York

ss.:

Charles Sears

That he resides in the Town of Port Jervis, in the County of Orange and State of New York, and is 49 years of age, and is an expert, appointed by JOSIAH K. BROWN, New York State Dairy Commissioner;

That on the 18th day of May, 1886, in the Store occupied by him, No. 115 Market street, in the City of New York, in the County of New York and State of New York, one Nathaniel Waterbury, against the

form and statutes in such cases made and provided, and in violation thereof, and against the peace of the people of the State of New York, had in his possession, with intent to sell the same for Butter made from unadulterated Milk or Cream, a number of pounds of a substance, product, manufacture and compound, which was not Butter made from unadulterated Milk or Cream, but had been made by manufacturing, mixing and compounding with and adding to a small quantity and proportion of natural Milk, Cream or Butter a large quantity and proportion of animal fats, or animal or vegetable oils, and was a manufactured oleaginous substance not produced from Milk or Cream; that it had been and was colored with some coloring matter whereby the same was made to resemble Butter, the product of the Dairy, and was so colored thereby, in semblance of and resembled Butter, and did resemble Butter the product of the Dairy; that the said Nathaniel Waterbury did offer and sell offered said substance, product, manufacture and compound for sale as and for ~~Butter made from unadulterated Milk or Cream at such time and place, with intent to sell the same as and for Butter made from unadulterated Milk or Cream and did sell some considerable portion thereof, to wit, ten pounds~~ as and for Butter, the product of the Dairy, and represented the same to be Butter at such time and place; that the said substance, product and compound was not natural Butter produced from pure unadulterated Milk, or Cream of the same, and was not Butter, the product of the Dairy, and was not made exclusively from Milk or Cream, or both; that it contained some substance for the purpose and with the effect of imparting thereto a color resembling that of yellow Butter, and was in imitation and semblance of natural Butter produced from pure unadulterated Milk or Cream of the same, and was colored by some substance to resemble yellow Butter, and was in semblance of natural Butter; that the same was a substance known as Oleomargarine; that it had been made, manufactured and rendered out of some animal fat, or animal or vegetable oils, not produced from unadulterated Milk, or Cream of the same, in imitation and semblance of natural Butter, produced from pure unadulterated Milk, or Cream of the same, by mixing, compounding with and adding to a small quantity of Milk, Cream or Butter, a large quantity and proportion of some animal fats or animal or vegetable oils not produced from Milk or Cream, with design and intent to render, make and produce an article, substance and human food in imitation and semblance of natural Butter.

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

Deponent further says that on said 18th day of May, 1886,

he went to the said Store of said Nathaniel Waterbury in said City and County, and told the owner of said Waterbury that he wanted to buy some butter; that said Nathaniel Waterbury showed deponent ten pounds of the said Oleomargarine hereinbefore mentioned, offered the same to deponent for sale, and sold the same to deponent; that he so sold to deponent ten pounds thereof, and deponent then paid to him therefor the agreed price thereof, amounting to the sum of \$ 1.50; that, as deponent believes and charges, the said Nathaniel Waterbury at the time of so offering and selling the same, well knew that it was Oleomargarine, and had been manufactured and colored as hereinbefore stated; that he did not tell deponent at any time that the said Oleomargarine so sold to deponent was not Butter, the product of the Dairy; that deponent saw the tubs in which the said Oleomargarine was contained, and no printed label bearing the words "Oleomargarine Butter," was delivered by said

to deponent with the Oleomargarine sold to him; that on 19th day of May, 1886, deponent delivered a sample of such Oleomargarine, so purchased by him as aforesaid, to Charles M. Stillwell, a chemist of the city of New York, N.Y., and caused the same to be analyzed by such chemist, as shown by the annexed certificate of such chemist.

Wherefore, deponent prays that a warrant may issue for the arrest of the said Nathaniel Waterbury and that he may be dealt with as the law directs.

Sworn to before me this 3rd

day of June, 1886

J. M. Patterson Justice. Charles Sears

Galloway, the agent and informant in this case, at that time, I believe, and I am confident, by him to sell, one hundred pounds of said

0086

1st District Office
Court of the City and County of New York
County of New York

THE PEOPLE, &c.,

James M. Mathewson
Sections 817, Ch. 983, § 1, 1883

Attorney:

Charles Adams
350 Madison St.

Witnesses:

James M. Mathewson
55 Fulton St.
Residence

James M. Mathewson
350 Madison St.
Residence

148 27th St. N.
Residence

0087

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. 19725.

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

P. O. Box 1261.

New York, May 22 1886

Certificate of Analysis

of a sealed sample of..... "BUTTER".....
marked No. 950 N Waterbury 115 Warren St NY May 18th
1886. Charles Sears Samuel White
received for account of M. B. F. Van Valkenburgh, May 19/86
drawn by our Agent for Mr. Charles Sears.

This Sample contains

Animal and Butter Fat,.... 88.20
Curd,..... 1.25
Salt, [Ash,]..... 2.73
Water, at 100° C.,..... 7.82

Analysis of the Fat present in the sample.

Soluble Fatty Acids, [on a dry basis].... 9.17
Insoluble do do do 96.84
Specific Gravity of the dry Fat, at 100° Fah., 0.9046
Titre,..... °C.

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

Very Respectfully,

Charles M. Stillwell

Mr B. F. Van Valkenburgh

NY

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

On the twenty second day of May 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,

0088

Sec. 198—200.

2

District Police Court.

CITY AND COUNTY
OF NEW YORK } ss

Nathan Waterbury 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.

Nathan Waterbury

Question. How old are you?

Answer.

57 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.

#18 West 20th St. one year

Question. What is your business or profession?

Answer.

Olomayemus dealer

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

Answer.

I am not guilty.

*I demand a Trial by Jury, and
waive all examination here.
Nathan Waterbury*

Taken before me this

20

day of *September*

188*8*

W. H. McEvoy Police Justice.

0089

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

Nathaniel Waterbury
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. 29 188 M. Patterson Police Justice.

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

Dated Nov. 29 188 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.

0091

Adjourned without day,
by Consent, to await
decision of Court of
Appeals, June 14/86
Set down for Nov.
17 at 2 1/2 P.M. at
Jefferson Market

BAILED,

No. 1, by Charles R. Butler

Residence 115 Warren Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court

1759 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Charles Sears

vs.

Nathaniel M. Tuttle

2

3

4

Dated

June 3^d
Patterson

188

Magistrate.

Officer.

Precinct.

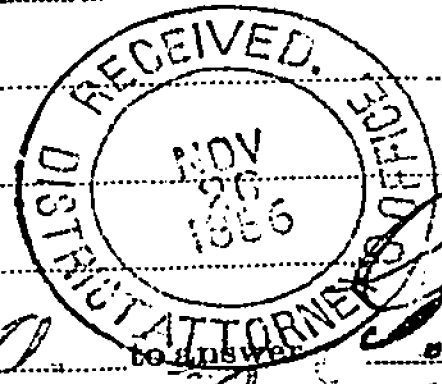
Witnesses

No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ 100 to answer



Bailed

Paroled for
Oct. June 14 - 2 1/2 P.M.
See back

Office of Clerk of
Chapter 1132
2/1885

0092

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
Plaintiffs,

against

Nathaniel Waterbury
Defendant.

(Chap. 215, Laws
of 1882, § 2.)

The Grand Jury of the City and County of New York, by this indictment, accuse the above-named defendant of a Misdemeanor, committed as follows :

The said defendant, late of the City of New York, in the County of New York, aforesaid, on the *29th* day of *January*, in the year of our Lord one thousand eight hundred and eighty-*seven*, at the City and County aforesaid, did unlawfully expose for sale and cause and procure to be exposed for sale, a large quantity, to wit: one hundred 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.

SECOND 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 defendant of a Misdemeanor, committed as follows :

The said defendant, 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 keep and offer for sale and cause and procure to be kept and offered for sale, a large quantity, to wit: one hundred pounds, 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.

THIRD 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 defendant of a Misdemeanor, committed as follows:

The said defendant late of the City and County aforesaid, afterwards, to wit: on the said 15th day of January, in the year of our Lord one thousand eight hundred and eighty-seven, at the City and County aforesaid, did unlawfully have in his possession, a large quantity, to wit: one hundred pounds 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, with intent to sell the same; (a more particular description of which said compound, product or 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.

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

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

The said defendant, 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 have in his possession, a large quantity, to wit: one hundred pounds of a certain compound, product and manufacture made in part from animal fats 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, with intent to sell the same; (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.

0094

BOX:

255

FOLDER:

2465

DESCRIPTION:

Weiss, Albert

DATE:

03/10/87



2465

0095

Witnesses:

C. W. Gardner

~~John~~ ~~McLampkin~~

Catherine McLampkin

25

Heckley

Counsel,

Filed,

1887

Pleads,

Specialty (114)

THE PEOPLE

vs.

B

Albert Weiss

Violation of Excise Law.
(Selling to Minor).
[III Rev. Stat. (7th Ed.) p. 1982, § 15].

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

Bruce Darr Foreman.

Park III June 17/87

Complish sent to Special Sessions

0096

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Arthur Weiss

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

- Arthur Weiss -

of a MISDEMEANOR, committed as follows :

The said *Arthur Weiss*,

late of the City of New York, in the County of New York aforesaid, on the
18th day of *March* in the year of our Lord
one thousand eight hundred and eighty-*seven*, at the City and County aforesaid,
certain strong and spirituous liquor and certain wine, ale and beer, to wit: One gill of wine,
one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, one gill of cordial, one
gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one
gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully
did sell to one *Mary McLaughlin*, who was then and there a minor
under the age of fourteen years, to wit: of the age of *seven* years, as *he* the said
Arthur Weiss, then and there well knew and had
reason to believe; 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.

0097

BOX:

255

FOLDER:

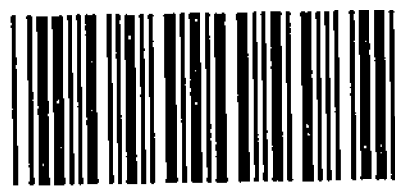
2465

DESCRIPTION:

Whaley, Peter

DATE:

03/10/87



2465

0098

Witnesses:

J. Pauley

31

Counsel,

Filed

day of

1887

Pleads,

THE PEOPLE

vs.

Peter Whaley

Grand Larceny, 2nd degree

[Sections 528, 531, Penal Code]

RANDOLPH B. MARTINE,

Att. Gen.
District Attorney.

Respectfully

A True Bill.

S. P. Lavoysse & Co.

Born & ash Foreman.

0099

Police Court

District

Affidavit—Larceny.

City and County } ss.
of New York,

of No. 658 Broadway Street, aged years,

occupation Dressmaker being duly sworn

deposes and says, that on the 17th day of Feb and march 3 1884 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:

Five Sewing
Machines, of the value of
Twenty Five Dollars
(\$25.)

the property of

Willebrandt & Gibbs, sewing
Machine Company, in care
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 Peter Malley, now here

for the reason that one of
said Machines was found
in the possession of the Defendant
and he admitted and in
open Court Confessed that
he took, stole and carried
away said property. Wherefore
Deponent prays that he be
dealt with as the Law
Directs

J Paruly

Subscribed before me, this
18th day of March 1884
Edmund Beck
Police Justice.

0100

Sec. 198-200.

CITY AND COUNTY { ss
OR NEW YORK,

2

District Police Court.

Peter Whaley 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

Question. How old are you?

Answer

Question. Where were you born?

Answer

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

Answer.

Question What is your business or profession?

Answer

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

Answer.

I am guilty, I took the property

Peter L. Whaley

Taken before me this

day of

188

Police Justice.

0 10 1

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 5 1880 of J. Thompson 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.

0102

Police Court 296 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Jahiel Ramsey
265 Broadway
Peter Muley
1 _____
2 _____
3 _____
4 _____

Dated Mar 5 1887
Hard Magistrate.

Officer.

Precinct.

Witnesses _____
No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ 500 to answer Yes
Orch

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

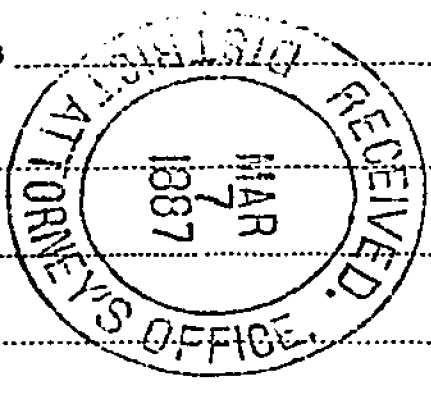
Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.



0103

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Peter Whitney

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

Peter Whitney

of the CRIME OF GRAND LARCENY IN THE *second* DEGREE, committed
as follows:

The said

Peter Whitney

late of the First Ward of the City of New York, in the County of New York aforesaid, on the
22nd day of *March*, in the year of our Lord
one thousand eight hundred and eighty-*seven*, at the City and County aforesaid,
with force and arms,

*five sewing machines of the
value of fifteen dollars each,*

of the goods, chattels and personal property of one *corporation*
called The Wides and Lighter
Sewing Machine Company.

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

Richard B. Smith

District Attorney.

0104

BOX:

255

FOLDER:

2465

DESCRIPTION:

White, Otto

DATE:

03/09/87



2465

April 11
No 17
H. K.

Counsel,
Filed, L. J. Caffrey 1887
Pleads, Not guilty

THE PEOPLE
vs. Otto White
vs. White vs.
[Section 183, Penal Code.]
MURDER IN THE FIRST DEGREE.

RANDOLPH B. MARTINE,
7 1/2 Apr 11/87 District Attorney.
Has appeared to C. J. Dyer 1st.
for trial by order of the C.

A True Bill. April 14: 1887
Tried and convicted
Murder 2nd degree

Bowie Dash Foreman.

Sentenced to State Prison
for natural life, April 25, 1887
J. W. Dyer

Witnesses:
Ed. Williams
Ed. White

2017. 5th Ave

STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, SS.

AN INQUISITION,

Taken at the house of Coroners' Office

No. 67 Park Row Street in the 4th Ward of the City of New York, in the County of New York, this 25 day of February in the year of our Lord one thousand eight hundred and 87 before

Ferdinand Eidman Coroner, of the City and County aforesaid, on view of the Body of Louisa Wolf

lying dead at

Upon the Oaths and Affirmations of Three good and lawful men of the State of New York, duly chosen and sworn, or affirmed and charged to inquire, on behalf of said people, how and in what manner the said

Louisa Wolf came to her death, do upon their Oaths and Affirmations, say: That the said Louisa Wolf came to her death by

Shock from Pistol shot wound of Head (Left Temple) inflicted with a pistol in the hands of Otto White at 315 East 31st St. on Feby 10/87 about 8.30 P.M.

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

JURORS.

Monroe Brown	361 1st Ave
Edward Rock	243 1st Ave
Joseph F. Hawkes.	666 Water St
Adolph Papp. 323 First Ave	Patrick Carroll 309 first ave
Fredrick. Witt. 136 East Second. St.	Leon Levy. 353 1st
W. W. W. 146 1st Ave	W. W. W. 183 - 1st Ave

Ferdinand Eidman CORONER, T. S.

0107

Coroner's Office.

TESTIMONY.

Officer James P. Mullane 2nd Precinct being sworn says: On Feb'y 10/87 about bet. 8.30 and 9 P.M. I was standing corner of 32nd St and 2nd Ave. A young boy about 8 years old came & told me that they were holding Murder & Watch in 31st St. I did not pay much attention to him as I thought it was a family quarrel and I told him to see the man on post. About two minutes afterwards there were three other boys came running to me and told me that a woman had got shot in 31st St. I went down to 315 E. 31st St to investigate, before I got to the house I met Mrs White, about 125 feet from the corner, I asked her what was the matter, she told me she got shot, I asked her if it was her husband did it, she said no it was Otto White I went to the house with her, went up one flight of stairs. She showed me the room, I opened the room door in the kitchen, the lights were all out, I struck a match, I lit the gas in the kitchen walked in from the kitchen into the dining room, Mrs. White followed me in when she was going into the room she made a remark that he must have killed

Taken before me

this

day of

188

CORONER.

Coroner's Office.

TESTIMONY.

the children too. There was a body lying on the floor. It was the servant girl I was told that it was her body by Mrs. White. I went in through the bedroom. There was an infant lying on the floor. It was about three weeks or a month old. Mrs. White picked the baby up, took it in her arms. There were two other small children lying in the bed beside. I went in the front room then and let the gas there. In the meantime Officer ^{Carroll} came. I told him there had been a murder committed. I told him it would be better get an ambulance. In the meantime there were several other officers came in the room. The ambulance was wanted to convey Mrs. White to the Hospital. Mrs. White told me she got shot in the chest by Otto White. She made the remark that Otto who had shot her had killed the servant girl. I searched the rooms, looked in the closet & under the bed and all over. I was searching for the murderer Otto White. Then Officer Miller and myself went to the roof. The roof door was bolted on the inside. I went down stairs. I asked the lady on the top floor if she heard any one come up.

Taken before me

this day of

188

CORONER.

stairs, she said no, she did not, I asked her if she heard any shots fired in the house, she said she heard the reports of a pistol, I went down stairs with Officer Miller, searched the cellar and the yard and water closets. Then I went out in the hall, I met Sergeant Martin in the hall, He asked me did I know this man Otto White ~~to which I replied I did~~ He asked me did I know where to get him. He told me to go to the Station House and tell the Sergeant at the desk that he had sent me & for me to put on my citizens clothes, I told him I had no plain clothes in the Station House, I told him I had them home, He told me to go and put them on & see if I could find this man - Otto White. I went home, put on my plain clothes, took the Elevated up to 74th St & 2nd Ave. I got out there and inquired in the neighborhood if any one knew Otto White living around there, I inquired in 2nd Ave & 74th St. through 74th St to Boulevard, Nobody seemed to know him around there. I came back again through 74th St to 2nd Ave. I met detective McClarty on the

Taken before me

this

day of

188

CORONER.

0110

Coroner's Office.

TESTIMONY.

4

✓ Corner of 73rd & 2nd Ave, I asked me did I find out anything about Otto I told him "No". He said he had his sister's name on a piece of paper, that he was stopping with his sister on the Cor. 74th and 2nd Ave. We tried the three corners of 74th St & 2nd Ave. nobody seemed to know anything about his sister living about there. We tried the S. W. Cor. 74th St & 2nd Ave. and found out that his sister lived in the house. Some of the occupants of the house looked out of the windows. We asked them did Mrs Shaddock live in the house, they said "Yes". I asked them would they be kind enough to come down & open the front door. A young lady came down & opened the front door. We inquired on what floor did Mrs. Shaddock live on. Went up stairs to top floor, Knocked at Mrs. Shaddock's apartments, Mr. Shaddock himself came to the door & let us in. The door was opened forthwith. There was not delay except when he was putting on his pants as I supposed. He did not shut and bolt the door after I was in & told him what I wanted. I asked

Taken before me

this day of

188

CORONER.

Mr. Shaddock was Otto in, He said "Yes"
He said "There he is lying on the bed there"
Otto happened to hear no talking, he woke
up (I judged he was asleep) He said "Hello!"
"Shamie" which is a nick name for me.
He wanted to know what was the matter
I told him I did not know - that the Capt
would like to see him. He said "Alright"
He got up and dressed himself (He was
entirely undressed) In the meantime while
he was dressing himself Detective Mullarky
went out in the hall, His brother in law
asked me what was the matter, I told him
I did not know - only the Capt would like
to see him. He (Otto) dressed himself
He said "I'm ready" I fetched him out in
the hall, Detective Mullarky was standing
in the hall, Detective Mullarky searched
him right away in the hall to see if he had
a pistol, He found no pistol on his person
He Detective Mullarky told me to go
back & search the room and look under
the bed, I searched the room he had been
sleeping in under the bed and pillow
and around, I could not find any pistol
I went out in the hall, Detective Mullarky
asked me did I find a pistol, I told him
"No" I did not, Detective Mullarky

Taken before me

this day of

188

CORONER.

0112

Coroner's Office

TESTIMONY.

6

asked me did I look under the bed I told him I did, we took Otto down stairs and then we took the E. R. R. down Av 34th St + 3rd Ave. and we fetched him into the Station House, The Captain Ryan was there, He said the best thing we could do would be to fetch him down Av Bellevue Hospital to see if Mrs. White could identify him, Capt Ryan + myself and Detective Mullarkey and Otto White and a citizen went to the Hospital (Bellevue), we went up stairs in the ward, Capt. Ryan + I went into the ward where Mrs White was lying. The Capt asked her did she know the man that shot her, and killed the servant girl, she made the remark "She did", Capt Ryan asked her was she sure, she said "Yes" Capt Ryan asked her did she think she was going to die, she said "No" - she would not like to die, Capt Ryan then asked her who was the man that shot her, she made the remark that it was Otto White, Capt Ryan asked her could she identify him if she saw him, she said "Yes" she could, The Capt told me then to go out + tell Detective

Taken before me

this

day of

188

CORONER.

0113

Coroner's Office

TESTIMONY.

7

Barney Mullarky to fetch in Otto
 We fetched him in the ward where
 Mrs White was lying, Detective Mullarky
 a citizen and I went in with him, we
 were all in citizens clothes at the time
 The Capt asked her if she could point
 out the man that did it, she said
 "There's the man that did it" pointing
 to Otto White, The Capt asked ~~her~~ was
 she sure and she said she was positive
 Then Capt Ryan, Detective Mullarky,
 and I ~~and~~ fetched him back to the Station
 House. Mrs White said in the ward
 in presence of Otto White, the Capt Ryan
 and myself the citizen that Otto White
 had killed the servant girl, When I
 first went into Mrs Whites house in
 31st I found the back window in the
 Kitchen open, It is possible that
 the prisoner made his escape by that
 window, it would be easy for him to do
 so, There is a fence about 3 or 4 feet from
 the window, and he could easily have
 made his escape by dropping from the
 fence into the backyard, I arrested Otto
 White about 12.20 AM, Feby 11/87.
 On coming down on the El & RR Otto White
 said he did not know what he was arrested for.

James P. Williams

Taken before me

this

25 day of

February 1887

Residence

Ordinary

CORONER.

Taken before me this 25th
 day of March 1887.
 John B. Duval
 Police Justice

0114

Coroner's Office.

TESTIMONY.

8

Officer William Carroll 21 Precinct
 being sworn says: I have heard the
 testimony of Officer ^{Las.} Mullane which
 I fully corroborate in as much as
 I was connected with the case up
 to the time that the other officers
 went in search of the prisoner Otto White

William Carroll

Sworn to before me this 3^d
 day of March 1887

John B. Smith
 Police Justice

Taken before me

this 25 day of February 1887

Ferdinand Erickson CORONER.

0115

Coroner's Office.

TESTIMONY.

9

^{Frederick W.}
 Sergeant Martin 21st Precinct
 being sworn says, On July 10/87 bet
~~7.30 + 10 PM~~ 8.30 + 9 PM. I was in the
 Station House when Officer Jas. P. Murphy
 came and ordered an Ambulance
 to be sent to 315 E. 31st St. He
 stated that there had been a murder
 committed, I stated to the Sergeant
 in Command Philip Cassidy that
 I had better go and investigate the
 case, I went to 315 E. 31st St. I
 saw Mrs. White I asked her who had
 wounded her, she told me that it was Otto
 White her step son, I then got a full
 description from her of Otto White. To enable
 the Sergeant in Command at the Station
 House to send out a general alarm by
 telegraph for the arrest of Otto White, In
 the meantime I discovered that Otto
 White had a brother living in 35th St.
 bet 1 + 2nd Ave, over Kane's liquor store
 I went there, saw Otto White's brother and
 from him learned the name of his sister
 Mrs. Shaddock who resided at 74th St +
 2nd Ave, He told me that Otto White, lived
 there with her, I then went to the Station House
 and there gave that information to Capt Ryan
 who was present and he sent Detective Mullarky

Taken before me

this day of

188

CORONER.

0116

Coroner's Office.

TESTIMONY.

16
 As 74th St & 2nd Ave giving him the
 name of Mrs Shaddock, Mrs. I asked
 Mrs. White if the servant girl had been
 shot by Otto White and how many shots
 were fired. She said "Yes" and that
 there were 4 shots fired but was not
 positive, I saw the dead body of the
 girl lying on the dining room off the
 Kitchen on the left hand side of the
 room on the floor, I first saw Mrs White
 sitting on a chair in the Kitchen.

Frederick W. Proctor.
 Sworn before me this
 3d day of March 1887
 Solon Smith
 Police Justice

Taken before me
 this 25 day of Feb. 1887
 Ferdinand Orchner CORONER.

0117

Coroner's Office.

TESTIMONY.

11

Detective Mullarky 21 Precinct
being sworn says: I have heard the
statement made by Officer Mullane
which I fully corroborate except that
portion concerning the delay at Mrs
Shaddocks house at 724th and 2nd St when
we wanted to enter the rooms. When
we knocked at the door the
brother in law Mr. Shaddock
answered and said "Who was there?"
we told ^{him} that we were policemen
and wanted to know if Otto White
was stopping with him, He replied
"Yes". we asked if he was in & he
said "Yes". Then he said "You'll wait
awhile till I dress — shutting the
door and as I supposed locking it
When he opened the door again we walked
in and found Otto in the bed. We
were delayed longer than I thought
was necessary, The prisoner was undressed
in bed when I saw him, He had nothing
but his under clothes on him, It might
be five minutes from the time we knocked
at the door till we gained admittance, I
could not dress myself in that time, I heard
no conversation inside while we were waiting, I was
standing at front part of building & the bed was in the rear
part. There may have been conversation & I not hear it.

Taken before me

Bernard Malarky

this 25 day of February 1887

Richard A. Adams CORONER.

Sworn before me this
24 day of March 1887
John D. Smith
Police Justice

0118

Coroner's Office.

TESTIMONY.



Elizabeth White being sworn says: I reside at 315 E. 31 st. I am a widow. I remember the occurrence on July 10/87. About 8:30 PM July 10/87 I was tired and went to bed. A few minutes after a rap came at the door. My servant Louisa Wolf quickly jumped up and unlocked the door. I heard two shots fired, I jumped up from my bed, wanted to get into the living room. Before I got into the room he Otto White shot twice at me I saw him distinctly, but he missed his aim. Then I wanted to go to the door and he took a hold of me on the left arm I believe and he shot me in the face, I then hollowed, screamed and opened the another door meaning the door of the room where the girl lay Otto White when he first entered and shot the girl did not enter through the same door that I left the room but through the kitchen door. I wanted to get out on the street and Mr Splaine was standing in the door, I wanted to tell him something but he went away, I then went out and ran down the street and went to Mr Herberts, two

Taken before me

this day of

188

CORONER.

0119

Coroner's Office.

TESTIMONY.

13

doors east of me. Then Mr Herbert's
 sister came to the door, she exclaimed
 "My God! You are full of blood," Then
 I told her that Otto White shot
 me. Then I wanted to enter her
 rooms she then told me not to
 do it as there was nobody at home
 I then went back on the street, then
 another man had the door open of
 an adjoining house and I ran in there
 they all ran away from me because
 I was full of blood. Then I rang the
 bell on the next house North West
 of mine, they opened the ^{store} door and
 closed it up quick when they saw
 me. Then I stood on the street in front
 of said door, some boys came up to
 me & I told them to go for a policeman
 one of them came back & said the Officer
 did not want to come, I sent them
 again. Then an old woman came to me
 and I told her that Otto White shot
 me. I don't know her name but I have
 seen her frequently, I told her Otto White
 had shot me & I was afraid he was going to
 kill my children. Then I saw a policeman
 who went back to the house with me. The lights
 were out, He lighted a light and then I

Taken before me

this day of

188

CORONER.

first saw my servant girl lying on the floor dead. I did not see Otto White fire the shots at the girl, but I heard the shots. And after that he came towards me & took a hold of me and shot me. There was nobody there but Otto White. Nobody could have been there when I retired but I & my all my doors were shut and locked. Instantly after I ~~heard~~ ^{saw} the last two shots fired at me by Otto White I wanted to rush out when he took a hold of me. After the Officer had lighted the gas I wanted a Doctor Joyce ^{called} after that I was conveyed to Bellevue Hosp. When the first rap was given the servant girl jumped up forthwith and then I heard two shots fired in succession. I rushed from my bedroom & then saw Otto White standing in the room aiming at me, he fired two shots and missed me. ~~Shot~~ Sometime after I was in the Hosp. Capt Ryan came to my bedside, asked me if I could identify the man who shot me if he was confronted with me and I said I could. Then Otto White was confronted before me and I said "That is the man that shot me and killed my servant girl." There

Taken before me

this day of

188

CORONER.

0121

Coroner's Office.

TESTIMONY.

15

were several men standing around
my bed and I picked ^{out} the prisoner
Otto White, as the person who shot me
.

Elizabeth White

Swoorn before me this
3^d day of March 1887
Soldier Smith
Police District

Taken before me

this 25 day of Feb. 1887

Frederica Ordman CORONER.

0122

Coroner's Office.

TESTIMONY.

February 11th 1884

Hogues

Autopsy

on the body of

Louisa Wolf

Age: 18 years

Nativity: U.S.

Cond. Single

Inspection: Body well nourished. Riger mortis
Laceration of the scalp about two inches to the
left from the middle of the orbital arch and
slightly upwards. Part of the frontal bone
and sphenoidal bone exposed and showing
a bullet hole into the cranial cavity.

Autopsy: Ecchy moris under the scalp. A small
hole through the greater wing of the Sphenoid
bone and Dura mater. Laceration of the brain
in an oblique direction towards the right side,
passing underneath the corpus callosum.
Fracture of the skull at the right and
lower half of the occipital bone. Great
haemorrhage into various parts of the brain.
Heart: normal. Lungs: normal. Spleen: normal.
Liver: enlarged otherwise normal. Kidneys: normal.

Cause of Death: Shock from Pistol-shot Wound, causing
fracture of the skull and laceration of the brain. Profuse

Taken before me

this day of

188

Ferdinand Sidman CORONER.

Gustav Scholze M.D.
Dep. Coroner

0123

Coroner's Office,

CITY AND COUNTY }
OF NEW YORK, } ss.

Otto White being duly examined before the undersigned, according to law, on the annexed charge, and being informed that he was at liberty to answer or not, all or any questions put to him, states as follows, viz. :

Question—What is your name?

Answer— Otto White

Question—How old are you?

Answer— 22 years

Question—Where were you born?

Answer— U. S.

Question—Where do you live?

Answer— 258 E. 74th St.

Question—What is your occupation?

Answer— Clerk

Question—Have you anything to say, and if so, what, relative to the charge here preferred against you?

This is a great mistake I am not the man who did the shooting I knew nothing about it till my arrest.

Otto White

Taken before me, this 25 day of Feby 1887

Ferdinand Didman CORONER.

0124

MEMORANDUM.

AGE.	PLACE OF NATIVITY.	WHERE FOUND.	DATE, When Reported.
18 Years. — Months — Days.	U. S.	315 East 31st St.	February 11/87

Adm. No. 463 - 1887

HOMICIDE.

AN INQUISITION

On the VIEW of the BODY of

Louisa Wolf

whereby it is found that she came to
her Death by the hands of

Otto White

Inquest taken on the 25 day
of February 1887
before

Jerdinand Edmund Coroner.

Committed

Obtained

Discharged

Date of death Febry 10/87.

0125

Feb 25 - 463 - 1887
HOMICIDE.

AN INQUISITION

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

Otto White

Inquest taken on the 25 day
of February 1887
before

Jordin and Edmund Coroner.

Committed
Bailed
Discharged

Date of death Feb 10/87

MEMORANDUM.

AGE.	PLACE OF NATIVITY.	WHERE FOUND.	DATE, When Reported.
18 Years. - Months - Days.	N. D.	315 East 31st St.	February 11/87

0126

Sec. 198—200.

4

District Police Court.

CITY AND COUNTY OF NEW YORK, ss

Otto White 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

Otto White

Question. How old are you?

Answer

22 Years

Question. Where were you born?

Answer.

U.S. of York

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

Answer.

258 East 74 - 2 mos

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 do not desire to make any statement at this time Otto White

Taken before me this 22nd day of August 1918
J. J. Sullivan
Police Justice.

0127

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.....

Otto White

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 March 3 1887 Solow B Smith Police Justice.

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

Dated 188 Police Justice.

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

Dated 188 Police Justice.

0128

Police Court 4 District. 292

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Bernard Maloney
21 Precinct
Otto White

Offense Homicide

2 _____
3 _____
4 _____

Dated March 3 1887

Smith Magistrate

Maloney Officer.

21 Precinct.

Witness Elizabeth White

No. 219 E. 37 St Street.

Das. P. Mullane

No. 21st Precinct Street.

William Carroll

No. 21st Precinct Street.

John J. Martens

21st Precinct

Com

Charles Scholer

Chambers Office

BAILED,

No. 1, by _____

Residence _____ Street _____

No. 2, by _____

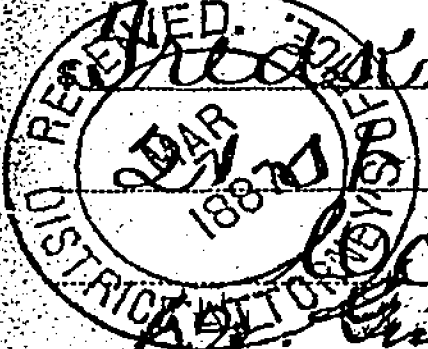
Residence _____ Street _____

No. 3, by _____

Residence _____ Street _____

No. 4, by _____

Residence _____ Street _____



0129

-----X
The People

vs

Otto White
-----X

City and County of New York SS:

Robert O'Byrne, being duly sworn deposes and says; I reside at No. 233 East 31st Street, and am an Attorney and Counsellor at law. I am and have been since about the 1st of February, 1887, acquainted with Mrs. Elizabeth White who resides at 219 East 32nd Street, and who was a witness before the Coroner in the above entitled case. I first became acquainted with Mrs. White upon the occasion of drawing her will, which I was first requested to do by Dr. Thomas F. Joyce, of No. 217 East 31st Street, her family physician. Mrs. White was at that time a widow, her husband having died about two months before that time. In the course of preparing to draw the said will, I made an investigation of the property owned by Mrs. White, whether by conveyance from her said husband or otherwise, and so became familiar with the same. My father, John O'Byrne, an Attorney and Counsellor at law, had previously to this time been consulted by the brother of the defendant herein, for the purpose of ascertaining whether or no he had any rights to the real property which had been owned by his father, the husband of said Mrs. White, during his life time.

0130

About a week before the shooting herein, the brother of Otto White and his brother-in-law, who I understand is the same person at whose house Otto White was arrested on the night of the shooting herein, consulted my father as to the said property rights, and were informed by him that according to the conveyances they had no rights at all as to the New York property. The brother-in-law appeared much excited and indignant.

I understand that it has been stated by several people that a young man with black moustache was accustomed to visit Mrs. White in the evening, after the death of her husband, and that that young man was the one who shot her and not Otto White. I was accustomed to visit Mrs. White during the time in question, in the evening for the purpose of consulting her concerning the matter of the estate above referred to, and the description would accord with my appearance.

*Sworn to before me
this 6th day of April,
1887.*

Robert C. Pryor

*AD Butler
Notary Public
N.Y. Co*

THE PEOPLE OF THE STATE OF
NEW YORK,

against

Otto White

Defendant

Robert W. Byrne,

RANDOLPH B. MARTINE,

DISTRICT ATTORNEY,

No. 32 CHAMBERS STREET,

NEW YORK CITY.

0131

0132

The People, &c.

vs.

OTTO WHITE.

City and County of New York, ss :-

HERMAN KLEWIN being duly sworn, deposes and says : I am twenty-eight years old, and was born in West Prussia, Germany. I came to this country on November 15th, 1883. I am a tailor by occupation. Ever since I came to this country I have been pursuing that business. I worked first in an establishment in Houston Street. Upon the 2nd of December, 1883, I became employed by a tailor named Herbert, at No. 319 East 31st Street, in this city, and I worked for him for a year and four months. As his place of business was only two doors from No. 315 East 31st Street, the premises in which John White or Veit, the father of Otto White, lived, and as he was acquainted with Mr. Herbert, my employer, he would frequently come into the shop, and as he could speak the German language, and as I was a greenhorn, newly-arrived, I got into conversation with him, as he came into the shop often as frequently as three or four times a day. Standing in the door of the shop at 319 East 31st Street, he pointed out to me Otto White as his son, calling him by name, and he also pointed out to me and made me acquainted with his other son, John White, who was younger than Otto. From the time when I first became

0 133

acquainted with Otto White, as aforesaid, which was somewhere around Christmas, 1883, up to the time of the shooting of Mrs. White, which I remember occurred upon the 10th of February, 1887, I frequently saw Otto White-- perhaps as frequently as a hundred times. I never spoke to him, but I know him as well as I know my little finger, or as well as I know myself. On the 10th of February, 1887, aforesaid, at between twenty and twenty-five minutes after eight in the evening, I was in the saloon of Mr. Andrew Vollmer, No. 565 Second Avenue, which is on the west side of the avenue, between 31st and 32nd Street, two doors north of thirty-first Street. When I entered I looked at the clock, and I was surprised to see that it was so late, and I said to Mr. Vollmer "Is it so late as that?" and he said "Yes." I looked at the clock because I had to go to a Mr. *Campen* to deliver some ~~pr~~ataloons that I had been making. When I entered the saloon there were present there Mr. Vollmer, his wife Margaretta Volmer, and Otto White. Otto White was standing against a table, doing nothing as far as I could see. He went out as soon as I came in. I am positive that the time of day was ~~sixty~~ 8.20 or 8.25 in the evening, because I looked at the clock, as I described, and because I asked Mr. Vollmer the question I have mentioned. I am positive also that it was the tenth day of February, because I was informed at about nine o'clock that same evening, by a boy in the employ of one William Wittkohn, a grocer doing business at 575 Second Avenue, that Mrs. White

0134

had been ~~shot~~. That, for one circumstance, fixed it in my mind. It is also fixed in my mind by the further circumstance that on the morning after the shooting, the children of Mrs. White were put in the care of my wife, and have been in her care ever since, and I am positive that it was on the evening before they were put into her care that I saw Otto White in said saloon at the time mentioned.

Sworn to before me this
day of April 1887.

Herman Kurwin
Rudolph L. Schauf

COMMISSIONER OF DEEDS,
N. Y. CITY & COUNTY.

0135

-----X
The People

vs

Otto White
-----X

City and County of New York SS:

Andrew Vollmer, being duly sworn deposes and says:
I am thirty-one years of age, and was born in Wurtemberg, Germany. I came to this country some fifteen years ago. I have kept a lager beer saloon in various parts of this city, and now keep one at No. 565 Second Avenue. I took possession there on the 2nd or 3rd day of December, 1885. I am customarily in my store every day, attending to my business. In the course of my residence there, in the first part of the Summer of 1886, I became acquainted with a man, and familiar with his face, whose name I did not then know. I learned in the first part of the Winter of 1886, that his name was Otto White. Otto White came into my saloon, as well as I can remember, in the first part of the Summer of 1886, for the first time. He did not have any regular period of coming. Sometimes he would come twice a week, sometimes once a week, and sometimes once in two weeks. Along in the middle and until the end of the fall of 1886, his visits became more than usually frequent. He came as often as often as perhaps three or four times a week - he came so frequently that I was thoroughly familiar with his face. Towards the

0136

latter part of our acquaintance, I called him by name - addressing him as Otto. I think sometime after Thanksgiving, 1886, Otto White began to work for a butcher named Mullen, whose store is on Second Avenue, between 31st and 32nd Street, on ^{the} east side. From the time he began to work for said Mullen his visits to my saloon were less frequent.

On the 10th of February, 1887, at about between twenty and twenty five minutes after eight in the evening, my wife, Otto White, and myself were standing in my saloon at No. 565. Otto White complained to me of suffering from chills, he had a pony of whisky, he drank no beer, he drank nothing but a pony of whisky. I drank nothing.

I am positive of the time of the evening, from the fact that Herman Klewin, with whom I have been acquainted ever since I kept the saloon at 565, and who resides at 319 East 32nd Street, came into the saloon, and looking at the clock said to me "I did not think it was so late" I looked at the clock and saw it indicated between twenty and twenty five minutes past eight. I said to Mr. Klewin, "yes it is", or words to that effect. Immediately after Mr. Klewin came into the saloon Otto White went out.

I fix the date as being the 10th of February from the fact that about 9 o'clock on this same evening when Otto White was there, as above mentioned, I was informed by a boy in the employ of William Witthohn, whose place of business is at 575 Second Avenue, that Mrs. White had been shot. I am positive that it was Otto White who was in the saloon at the time mentioned for I had been familiar with

0137

his face for several months before this occurrence, and
there could be no mistake. The clock at which I looked
to ascertain the time in the night in question, was in the
store when I took possession. I have always regulated my
time by it, and my business, and I have never found it more
than five minutes out of the way one way or the other.

Sworn to before me this

7 day of April 1887.

Andrew J. Fisher
Rudolph L. Scharf

COMMISSIONER OF DEEDS,
N. Y. CITY & COUNTY

0138

-----X
The People

vs

Otto White
-----X

City and County of New York SS:

Margaretta Vollmar, being duly sworn, deposes and says: I am the wife of Andrew Vollmer, who keeps a lager beer saloon at No. 565 Second Avenue. He took possession there on or about the second or third of December 1885, and has done business there ever since. I am frequently in the saloon. Sometime in the Summer of 1886 I became acquainted with Otto White. I did not then know him by name. I learned his name sometime in the fall or in the beginning of Winter of 1886. I have frequently seen him in my husband's saloon, and I am thoroughly familiar with his face - I could not mistake his face. On the night of the 10th of February, 1887, I was in my husband's saloon between a quarter and half-past eight. When I went into the saloon my husband and Otto White was there. Otto White was standing, as well as I can remember, near the bar. As I entered the room Mr. Herman Klewin, who resides at 319 East 32nd Street, came into the saloon. I saw him look at the clock and heard him say, "I did not think it was so late." I heard my husband say: "Yes, it is."

I fix the time of the evening by the circumstance that after supper I was up stairs, taking care of my

0139

baby children, and I wished to get down stairs a little time in the store, if I could. For that purpose I looked at a clock up stairs, and found that it was six or seven minutes after eight. That clock I have had for about three years, and I have always found it pretty correct. I have never known it to be more than a few minutes too fast or too slow. After looking at the clock I nursed my baby for a few minutes, as near as I can remember, about seven or eight minutes. I then put a shawl around my shoulders, took the baby in my arms, and went down stairs. into the saloon, seeing Otto there. As soon as Mr. Klewin came in Otto went out.

I fix the date as the 10th of February from the fact that I was informed about 9 o'clock by a boy in the employ of William Whitthohn, a grocer doing business at 576 Second Avenue, that Mrs. White had been shot. That fact impressed the date upon my mind, as I was naturally excited at that news.

Sworn to before me this

day of April 1887.

Margaret White
Rudolph L. Scharf

COMMISSIONER OF DEEDS,
N. Y. CITY & COUNTY.

THE PEOPLE OF THE STATE OF
NEW YORK,

against

Off White

Opposition

RANDOLPH B. MARTINE,
DISTRICT ATTORNEY,
No. 32 CHAMBERS STREET,
NEW YORK CITY.

**POOR QUALITY
ORIGINAL**

0141

[illegible]

POOR QUALITY
ORIGINAL

0142

Herman Klein 319 E 32 St

Andrew Klein 560 E 32 St

Mrs A. Klein 560 E 32 St

Samuel Klein 319 E 32 St

Isaac Klein 560 E 32 St

Blanche Klein 560 E 32 St

Daniel Spillane 316 E 31 St

Mary Spillane " " " "

0143

Grand Jury Room.

PEOPLE

18.
(W. H.
... ..
... ..

... ..
... ..
... ..
... ..
... ..

Get up in two ways

1. By false swearing of one for hire or negotiation of friendship.
2. By inducing a person who is found to have an erroneous impression to state it under oath.

It gets its value by being set up at once.

It is to be regarded with great caution on unsuccessful attempt to establish it is a circumstance of great weight against the prisoner.

By inducing a person who is found to have an erroneous impression to state it under oath —

Horris P. Shattuck - Cross-examined.

Q What time did you wind your clocks?
A. Between 7³⁰ and twenty minutes to
eight.

Q. Now tell this Court and jury and will
you swear that the clocks were wound
within ten minutes? A. Yes, sir.

Q. Now do you come to recollect that that
was the time on that night? A. Be-
cause I took notice of the clocks when
I wound them up.

Q. Did it vary any five minutes in time?
the time of your winding the clocks?

A. It might vary five minutes.

Q. You will swear that you wound
them and wound other clocks every
night within five minutes of the same
time? A. Yes, sir, I have them on a
night run and could wind them
at the same time.

Q. Every night except when on the
night run? A. Yes, sir.

Q. You swear now before this Court and
jury that every night from the first
to the 10th of Feb'y you wound your
clocks within five minutes of the same
time, is that so? A. Yes, sir.

Q. Did you set the clocks at the time of
winding them up? A. No, sir; didn't need
to set them.

0146

Direct-examination

How many clocks have you here? A, I have a small alarm clock, a striking clock and an electric clock. Besides my watch this night I wound up the clocks and went down after that and a cup of tea.

TORN PAGE

St. Mrs. Denning. the condition
of the Donalites under
Jeroboam. They afflict the
just, they take a bribe, and
turn aside the poor in the gate
from their right.

Ramon Lact. p. 165. Evidence
of accomplice --

Brimell on Circumstances 515

~~circumstances. Judge 1-7-18-2~~
~~p. 515. above.~~

the falseness of it.

1. by compelling them to bring
witnesses
2. by accusing the defendant
before the prosecutor.
3. by advising the court & look
into them.

Persons. who for hire or an
unrighteous friendship

0148

Police Department of the City of New York,

Precinct No. 21

New York March 21st 1887.

Mr Carter

Dear Sir,

The following are the names of the witnesses who are supposed to know something in the case of Otto White. Vig

Andrew Vollmer	526. 2 nd Avenue
Margaret Vollmer	565. 2 nd "
Heaman Klywin	319 E 32 nd St.
Thomas Serradan	203 24 th Avenue
Robert Byrne	233 E 31 St.
James Byrne	233 E 31 "
James Hughes	574. 2 nd Avenue
James Lauber	521. 2 nd Avenue
James Corcoran Peddler	31 st & 2 nd Ave
Daniel Spillane	316 E 31 st St.
Mary Spillane	316 E 31 st "

P. S. If these people should be sent for before the trial please let me know the time & place so that I may be there at the same time

Respectfully

Thomas M. Ryan

Captain 21st Precinct.

0149

Permanence
Othello White

0150

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, DISTRICT

of No. 1st Street, aged 21 years,
occupation Police Officer being duly sworn deposes and says

that on the 18th day of February 1887

at the City of New York, in the County of New York, he arrested
Otto White, charged with having
shot and killed the Louisa Wolf
with and by means of a certain
pistol loaded with powder and lead
which he Otto fired and maliciously
fired and discharged at the deceased
as deponent is informed and believes
that such information was given to deponent by
Elizabeth White now in Hospital who in deponent's
presence identified said Otto as the person who so
shot & killed Louisa Wolf and who also shot & wounded
said Elizabeth White — Bernard Malarky

Sworn to before me, this 17th day of February 1887

Police Justice.

0151

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Otto White

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

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

The said Otto White,

late of the City of New York, in the County of New York aforesaid, on the fourth day of February, in the year of our Lord one thousand eight hundred and eighty-seven, at the City and County aforesaid, with force and arms, in and upon one Samira White, in the peace of the said People then and there being, wilfully, feloniously, and of his malice aforethought, did make an assault, and the said Otto White, a certain pistol then and there charged and loaded with gunpowder and one leaden bullet, which said pistol the said Otto White in his right hand then and there had and held, to, at, against, and upon the said Samira White, — then and there feloniously, wilfully, and of his malice aforethought, did shoot off and discharge, and the said Otto White, — with the leaden bullet aforesaid, out of the pistol aforesaid, then and there by force of the gunpowder aforesaid, shot off, sent forth, and discharged, as aforesaid, then the said Samira White, in and upon the head of her the said Samira White, then and there feloniously, wilfully, and of his malice aforethought, did strike, penetrate, and wound, giving to her the said Samira White, then and there, with the leaden bullet aforesaid, so as aforesaid discharged, sent forth, and shot out of the pistol aforesaid, by the

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said *Otto White*, in and upon the *head* of
the said *Samira Wolff*, one mortal wound of the breadth
of one inch, and of the depth of six inches, of which said mortal wound *there* the
said *Samira Wolff* ~~at the City and County aforesaid,~~
~~from the said~~ ~~day of~~ ~~in the~~
~~year aforesaid, until the~~ ~~day of~~ ~~in the same year~~
~~aforesaid, did languish, and languishing did live, on which said~~
~~day of~~ ~~in the year aforesaid, the said~~
~~at the City and County aforesaid, of the said mortal wound did die.~~
There and there died.

And so the Grand Jury aforesaid do say: That the said

Otto White, there, —

the said *Samira Wolff*, in the manner and form, and by
the means aforesaid, wilfully, feloniously, and of *his* malice aforethought, did kill,
and murder, against the form of the Statute in such case made and provided, and against the
peace of the People of the State of New York and their dignity.

RANDOLPH B. MARTINE,

District Attorney.