

0093

BOX:

202

FOLDER:

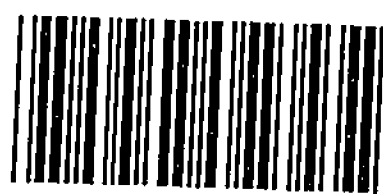
2021

DESCRIPTION:

Baker, Lillie

DATE:

01/08/86



2021

Compt. Pr. l. t. u. 86

Witnesses :

Counsel, \_\_\_\_\_  
Filed 8 day of Jan 1886  
Pleads \_\_\_\_\_

THE PEOPLE  
vs.  
Ellie Baker  
Grand Larceny 2nd degree  
[Sections 528, 531 — Penal Code.]

RANDOLPH B. MARTINE,  
District Attorney.

A True Bill.

Thurman Higgins  
Jury 1/16, 1886  
Foreman.  
H. C. Cuddy  
Clerk  
W. H. H.

0095

Police Court—2 District.

Affidavit—Larceny.

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

Annie Allen

of No. 142, East 14<sup>th</sup> Street, aged 23 years,occupation Housekeeper being duly sworndeposes and says, that on the 30<sup>th</sup> day of December 1888 at the City of NewYork, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the Night time, the following property viz:

One plush cloak of the value of  
seventy five dollars. One black  
silk dress of the value of forty  
dollars ~~and~~ one hat of the value  
of eighteen <sup>dollars</sup>. And good an lawful  
money of the united states to the  
amount and value of two dollars  
all of the value of One hundred  
and thirty five dollars. (\$135.00)

the property of Deponent

Subscribed and sworn to before me, this  
1888 day of May

Police Justice

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 Lillie Baker (nowhere)  
from the fact that on the above  
date the said defendant boarded  
with deponent. And deponent went  
out leaving the defendant in charge of  
said premises. And leaving said  
property in said premises. And  
when deponent returned the said  
defendant was gone and the aforesaid  
property was missing. And when  
the said defendant was arrested  
the cloak the dress and the hat was  
found in her possession. And the  
said defendant has since admitted  
and confessed to Detective Sergeant

0096

James. M<sup>r</sup> Guin of the Central Office  
Police that she the said defend ant  
did take steal and carry away  
the aforesaid property from the  
house No 1412 East 14th Street.

'annie' allen

Sworn to before me  
this 2<sup>d</sup> day of January 1886

cey c. wh

Police Justice

Dated 1886 Police Justice.

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

There being no sufficient cause to believe the within named

Dated 1886 Police Justice.

I have admitted the above named

Dated 1886 Police Justice.

of the City of New York, until he give such bail.

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

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

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

Police Court, District,

THE PEOPLE, &c.,  
on the complaint of

Offence—LARCENY.  
Dated 1886  
Magistrate.  
Officer.  
Clerk.  
Witnesses,  
No. Street.  
No. Street.  
No. Street.  
to answer Sessions.



0097

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 33 years, occupation Detective Sergeant of No.

300 Mulberry Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Annie Allen

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

Sworn to before me, this

day of

188

2nd day of January 1888 } James W. McGinnis

W. J. O'Connell  
Police Justice.

0098

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK, ss

District Police Court.

*Lillie Baker* being duly examined before the undersigned, according to law, on the annexed charge: and being informed that it is *h<sub>e</sub>* right to make a statement in relation to the charge against *h<sub>e</sub>*; that the statement is designed to enable *h<sub>e</sub>* if *h<sub>e</sub>* see fit to answer the charge and explain the facts alleged against *h<sub>e</sub>* that *h<sub>e</sub>* is at liberty to waive making a statement, and that *h<sub>e</sub>* waiver cannot be used against *h<sub>e</sub>* 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 do not know of anything I want  
to say  
*Lillie Baker.*

Taken before me this

day of January 1886

Police Justice.

0099

*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* Alfred Smith

*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* January 2 *188*

*Police Justice.*

*I have admitted the above-named*

*to bail to answer by the undertaking hereto annexed.*

*Dated* \_\_\_\_\_ *188*

*Police Justice.*

*There being no sufficient cause to believe the within named*

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

*Dated* \_\_\_\_\_ *188*

*Police Justice.*

0100

Police Court-- 2 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*Aunie Allen*  
*142 East 14th*

*Willie Allen*

1  
2  
3  
4

Offence

BAILED,

No. 1, by  
Residence Street.

No. 2, by  
Residence Street.

No. 3, by  
Residence Street.

No. 4, by  
Residence Street.

Dated *January 21* 188 *6*  
*Proctor* Magistrate

*Wm. Guine + Morgan* Officer.  
*Central* Precinct.

Witnesses *Jas. Wm. Guine*  
No. *Central* Street.

No. Street,

No. Street,

\$ *10.00* to answer *Law*

*Onu*

0101

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Sillie Sadan

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

Sillie Sadan

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

The said Sillie Sadan,

late of the First Ward of the City of New York, in the County of New York aforesaid on the thirtieth day of December, in the year of our Lord one thousand eight hundred and eighty-five, at the Ward, City and County aforesaid, with force and arms,

one cloak of the value of  
twenty-five dollars, one  
dress of the value of forty  
dollars, one hat of the value  
of fifteen dollars, and the  
sum of two dollars in  
money, of the value of  
two dollars, —

of the goods, chattels and personal property of one Annie Allen,

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.

Randolph B. Smith,  
District Attorney



0102

BOX:

202

FOLDER:

2021

DESCRIPTION:

Balk, Joseph

DATE:

01/05/86



2021

0103

BOX:

202

FOLDER:

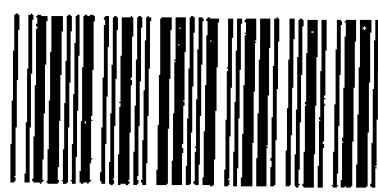
2021

DESCRIPTION:

Knob, Frederick

DATE:

01/05/86



2021

0104

BOX:

202

FOLDER:

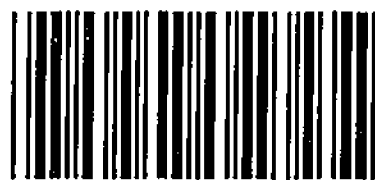
2021

DESCRIPTION:

Cadigan, Morris

DATE:

01/05/86



2021

0105

BOX:

202

FOLDER:

2021

DESCRIPTION:

Brady, Francis

DATE:

01/05/86



2021

0106

Witnesses

Wm. St. John

In this case defendant  
1. 3 were tried separately  
in this court. As the riding  
in the case is the same as  
that which is against the  
other three defendants, I  
recommend that the  
indictment be dismissed  
as to Knick.

Mar. 16/87 U. M. Davis,  
S. M. S. P. C. C. C.

Counsel,

Filed day of May 1886

Heads, Mockley-

THE PEOPLE

vs.

Joseph Balk,  
Frederick Knick,  
Morris Cadogan,  
Francis P. Brady

RANDOLPH B. MARTINE,

District Attorney.

Not tried & acquitted -  
P. of Dec. 13/86  
Not tried & acquitted -  
May 20/87

A True Bill.

Foreman.

May 20/87

Speed & Leggett

Wm. St. John

Indictment returned

May 24/87

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



0107

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT—FOURTH DISTRICT.

Deponent *William Sutcliffe* age 22  
of No. *441*, *10th* Avenue Street,

being duly sworn, deposes and saith, that on the *22* day of *December*  
18*85*, at the *22nd* Ward of the City of New York, in the  
County of New York, was feloniously taken, stolen, and carried away, from the person of deponent,  
by force and violence, without his consent and against his will, the following property, viz:

*One Silver Watch & related chain*  
*attached*

of the value of *Twenty five* Dollars,  
the property of *deponent*,

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

*Joseph Bask*, *Frederick W. Knob*,  
*Mauris Cadigan*, *Francis P. Brady*  
(all named) from the fact that at the  
house of about 12 1/2 o'clock this a.m.  
deponent was in *49th* Street between the  
*9th* & *10th* Avenue when deponent had said  
watch attached to said chain in the left  
hand pocket of the vest then worn upon  
deponent's person.

That said defendants engaged  
deponent in conversation when one of said  
defendants took deponent by the hand  
and as deponent at that time thought in  
a friendly way. That at that time  
said Bask struck deponent in the  
face and on the head and at that  
time the other three defendants fell  
on top of deponent pushing deponent  
against a fence. That at that time  
when deponent was down deponent  
felt one of said defendants grab the  
watch from his pocket.

*Wm. Sutcliffe*

day of *December* 18*85*  
*John W. Morris* Police Justice.  
Sworn to before me, this *22*

0108

Sec. 198—200.

4

District Police Court.

CITY AND COUNTY {  
OF NEW YORK, } ss

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

Question. What is your name?

Answer Francis P Brady

Question. How old are you?

Answer 23 years

Question. Where were you born?

Answer. New York

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

Answer. 460 West 52<sup>d</sup> Street, 1 month

Question. What is your business or profession?

Answer. Shoemaker

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

Francis P Brady

Taken before me this

22<sup>d</sup>

day of December 1885

John J. McQuinn Police Justice.

0 109

Sec. 198—200.

4 District Police Court.

CITY AND COUNTY OF NEW YORK, ss

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

Question. What is your name?

Answer. Joseph Balk

Question. How old are you?

Answer. 29

Question. Where were you born?

Answer. New York

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

Answer. 431 W 49th St. 2 years

Question. What is your business or profession?

Answer. Barber

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.  
Joseph Balk  
mark

Taken before me this

27th

day of April 1885

John J. Quinn

Police Justice.

0110

Sec. 198—200.

4 District Police Court.

CITY AND COUNTY  
OF NEW YORK, ss

Frederick F Kuob being duly examined before the under-  
signed, according to law, on the annexed charge: and being informed that it is his right to  
make a statement in relation to the charge against him; that the statement is designed to  
enable him if he see fit to answer the charge and explain the facts alleged against him.  
that he is at liberty to waive making a statement, and that no waiver cannot be used  
against him on the trial.

Question What is your name?

Answer Frederick F Kuob

Question. How old are you?

Answer 21 years

Question. Where were you born?

Answer. New York

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

Answer. 311 West 44<sup>th</sup> St. 2 years

Question What is your business or profession?

Answer Butcher

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  
Frederick F Kuob

Taken before me this

22<sup>nd</sup>  
day of December 1885

John J. McQuinn

Police Justice.

0111

Sec. 198—200.

4th

District Police Court.

CITY AND COUNTY { ss  
OF NEW YORK,

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

Question What is your name?

Answer Morris Ladigan

Question. How old are you?

Answer 23 years

Question. Where were you born?

Answer. New York

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

Answer. 141. West 50th St. 5 years

Question What is your business or profession?

Answer. Laborer

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

Answer. I am not guilty  
his  
Morris Ladigan  
mark

Taken before me this

day of April 1885

John J. McQuinn Police Justice.



0112

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

*defendant*

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

Dated \_\_\_\_\_ 188

*John Roman* 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.

0113

\$2500 bail for Ex until 2 PM  
December 22<sup>nd</sup> 1885

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court 4 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

William Sutcliffe  
441 - 10 Ave  
Joseph Back  
Frederick W. Knob  
Maurice Cadigan  
Francis P. Brady

Offence Robbery

Dated December 22 1885

Magistrate

Officer

22 Precinct.

Witnesses

No. 516 York 49 Street.

Peter Masterson

No. 137 W 50<sup>th</sup> Street,

No. Street,

\$2000 to answer

Chas

0114

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Joseph Balla, Frederick  
Ande, Morris Radigan  
and Francis P. Bradley*

The Grand Jury of the City and County of New York, by this indictment, accuse *Joseph Balla, Frederick Ande, Morris Radigan and Francis P. Bradley* of the CRIME OF ROBBERY in the *First* degree, committed as follows:

The said *Joseph, Frederick, Morris, and Francis, each* —

late of the First Ward of the City of New York, in the County of New York aforesaid, on the *Twenty-second* day of *December*, in the year of our Lord one thousand eight hundred and eighty-*five*, in the *morning* time of the said day, at the Ward, City and County aforesaid, with force and arms, in and upon one *William Sutcliffe*, in the peace of the said People, then and there being, feloniously did make an assault, and

*one watch of the value of Twenty  
five dollars, and one chain of  
the value of one dollar,*

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

*them the said Joseph, Frederick,  
Morris and Francis, knowing them  
and there aided by an accomplice  
actually present)* —

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

*Randolph Martinie,  
District Attorney*

0115

SECOND COUNT—

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

of the CRIME OF RECEIVING STOLEN GOODS, committed as follows :

The said

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

of the goods, chattels and personal property of

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

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

then and there well knowing the said goods, chattels and personal property to have been  
feloniously stolen, taken and carried away, against the form of the statute in such case made  
and provided, and against the peace of the People of the State of New York and their dignity.

RANDOLPH B. MARTINE,  
District Attorney.

0116

BOX:

202

FOLDER:

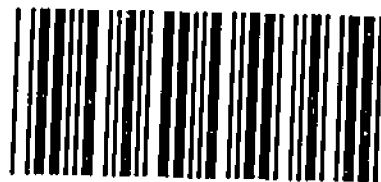
2021

DESCRIPTION:

Baner, Frederick

DATE:

01/05/86



2021



**Witnesses:**

Counsel,

Filed

Filed \_\_\_\_\_ day of \_\_\_\_\_

Pleads, *Arfau*

# THE PEOPLE

25.

21

Friedrich Bauer

RANDOLPH B. MARTINE,

*District Attorney.*

# A True Bill.

James Higgins Foreman

May 1/96.

Condr. D. per 2 dec

11-60-1

10/10/10

0117

0118

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged \_\_\_\_\_ years, occupation Elijah L. Austin of No. Policeman

Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of Harriet B. Knight  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this 43  
day of April 1888

Elijah L. Austin

Andrew J. White  
Police Justice.

0119

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK, { ss

District Police Court.

*Fredrick Bremer* 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.

*Fredrick Bremer*

Question. How old are you?

Answer.

*45 years*

Question. Where were you born?

Answer.

*Germany*

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

Answer.

*W. H. H. H.*

Question. What is your business or profession?

Answer.

*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.

*Amquely F. Baier*

Taken before me this

day of

*Amquely F. Baier*

Police Justice.

0120

Police Court— District.

City and County } ss.:  
of New York,

of No. St Nicholas Ave 112 & 113<sup>th</sup> Street, aged 40 years,

occupation Married being duly sworn.

deposes and says, that the premises No St Nicholas Ave 112 & 113<sup>th</sup> Street,  
in the City and County aforesaid, the said being a dwelling house

and which was occupied by deponent as a dwelling house  
and in which there was at the time a human being, by name Rachel W. Masford

were **BURGLARIOUSLY** entered by means of forcibly creating  
a light of glass in one of the rear  
windows of the first story of said  
premises and then forcibly removing  
the catch or lock upon said window  
on the 23<sup>rd</sup> day of December 1888 in the right time, and the  
following property feloniously taken, stolen, and carried away, viz:

A quantity of wearing apparel such  
as dresses etc of the value of  
One hundred dollars

the property of deponent

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

Frederick Bomer

for the reasons following, to wit:

That upon said date said  
premises were broken and said property  
taken and carried away and  
that deponent is informed by Officer  
Elijah R. Austin (30<sup>th</sup> Precinct) that he  
Austin arrested said Bomer with said  
property in his (Bomer's) possession  
deponent further says that he has seen  
said property which said Austin

0121

found in the possession of said  
Boney and fully identifies it  
as that which was stolen from  
said broken fence

Sworn before me this } Harritt B. Knight  
23rd day of December 1881 }  
Andrew White

Police Justice

Police Court District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

Burglary

Dated 188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No. Street.

0122

*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* \_\_\_\_\_

*Frederick Porter*

*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* *Dec 23* 188 \_\_\_\_\_ *Police Justice.*

*I have admitted the above-named* \_\_\_\_\_

*to bail to answer by the undertaking hereto annexed.*

*Dated* \_\_\_\_\_ 188 \_\_\_\_\_ *Police Justice.*

*There being no sufficient cause to believe the within named* \_\_\_\_\_

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

*Dated* \_\_\_\_\_ 188 \_\_\_\_\_ *Police Justice.*



0123

6, Police Court

1453 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Harriet B. Smith  
St. Nicholas Ave. Bet.  
112 & 113 St.  
Frederick House

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

2

3

4

Dated

November 23, 1888

Magistrate

Officer.

30 Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

\$

1500 to answer

0124

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 B. Bower*

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

*Frederick B. Bower*

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

The said *Frederick B. Bower*,

late of the *5th* Ward of the City of New York, in the County of New York  
aforesaid, on the *twenty third* day of *December*, in the year  
of our Lord one thousand eight hundred and eighty-*four*, with force and arms, about the  
hour of *twelve* o'clock in the *night* time of the same day, at the Ward,  
City and County aforesaid, the dwelling house of one *Marion C. Knapp*,

there situate, feloniously and burglariously did break into and enter, there being then and there some  
human being, to wit: *one Rachel W. Knapp*,

within the said dwelling house, with intent to commit some crime therein, to wit: the goods, chattels  
and personal property of the said *Marion C. Knapp*,

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

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

0125

SECOND COUNT—

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

*Frederick Bauer* —

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

The said *Frederick Bauer*,

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

*five dresses of the value of twenty*  
*dollars each, and divers other articles*  
*of female clothing and wearing*  
*apparel, of a number and description*  
*to the Grand Jury aforesaid unknown,*  
*of the value of one hundred dollars.*

of the goods, chattels and personal property of one *Samuel P. Smith*,

in the dwelling house of the said *Samuel P. Smith*, —

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

0126

THIRD COUNT—

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

*Fredricka Bauer*

of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said *Fredricka Bauer*,

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

*gave over to the value of  
twenty dollars each, and gives  
other articles of female clothing  
and wearing apparel, of a number  
and description to the Grand Jury  
aforesaid unknown, of the value  
of one hundred dollars, —*

of the goods, chattels and personal property of one *Samuel B. Smith*,  
by ~~a certain person~~ or persons to the Grand Jury aforesaid unknown, then lately before feloniously  
stolen, taken and carried away from the said *Samuel B. Smith*,

unlawfully and unjustly, did feloniously receive and have; the said *Fredricka  
Bauer* —

then and there well knowing the said goods, chattels and personal property to have been feloniously stolen,  
taken and carried away, against the form of the statute in such case made and provided, and against the  
peace of the People of the State of New York and their dignity.

**RANDOLPH B. MARTINE,**

**District Attorney.**

0127

BOX:

202

FOLDER:

2021

DESCRIPTION:

Barker, William

DATE:

01/14/86



2021

Witnesses:

The Complainant recommends that clemency be shown defendant that charge be dismissed. In view of that recommendation I can see no good end to be obtained by trying this case, and recommend that within, in dictment be dismissed and bail discharged, Dec 23. 1886  
Randolph B. Martine  
Dist. Atty.

149

Counsel, *Judge Elliott*  
Filed *14* day of *January*, 188*6*  
Pleads *Not Guilty*

THE PEOPLE

vs.

*B*

*William H. Barker*

[Section - 124, - Penal Code]  
*Violations*

RANDOLPH B. MARTINE,

District Attorney.

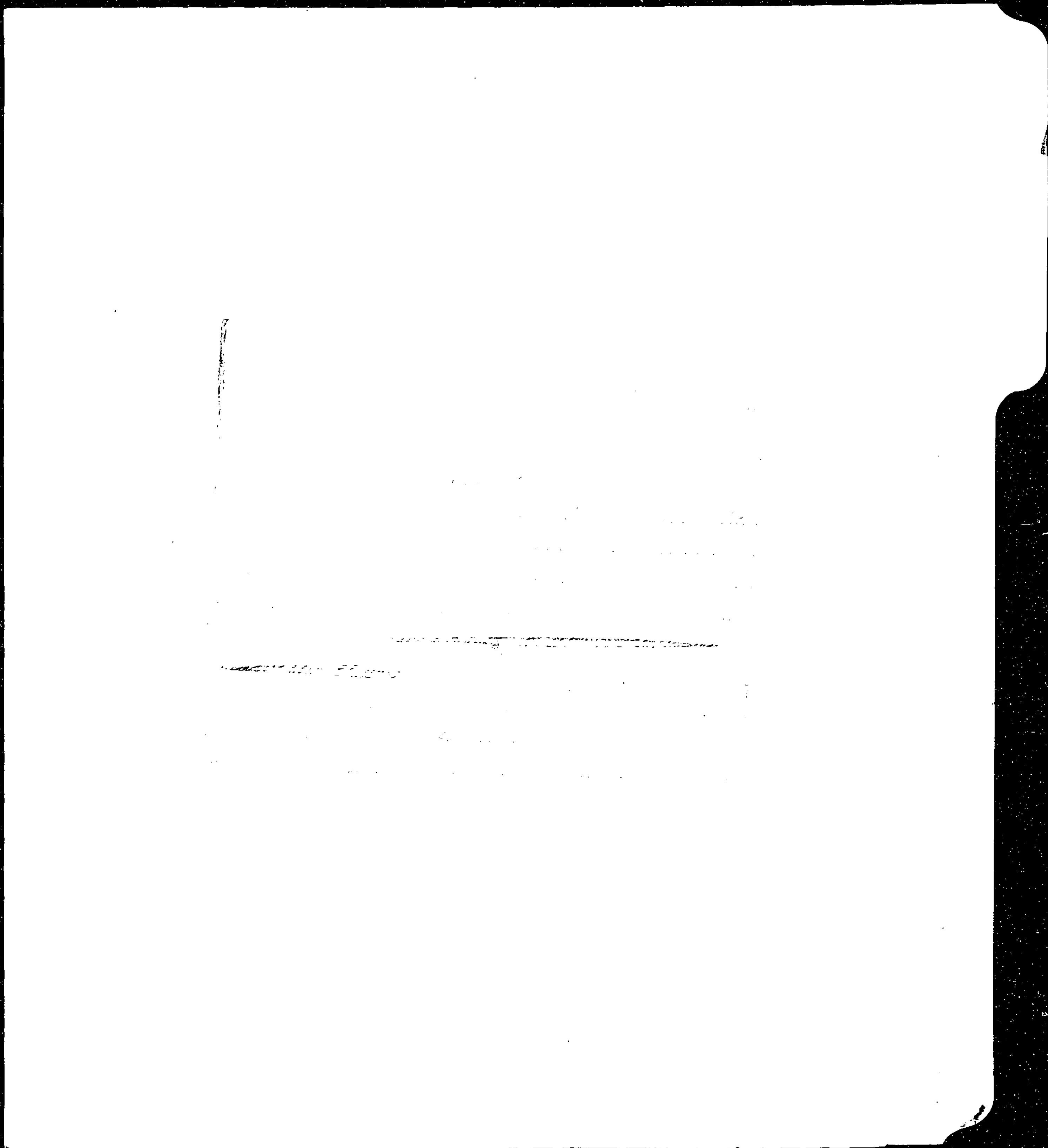
A TRUE BILL.

*Francis Higgins* Foreman  
*Des on no of Henry*  
*& Baie desc. del*  
*Mund addressed for*  
*22 Dec 29/86*

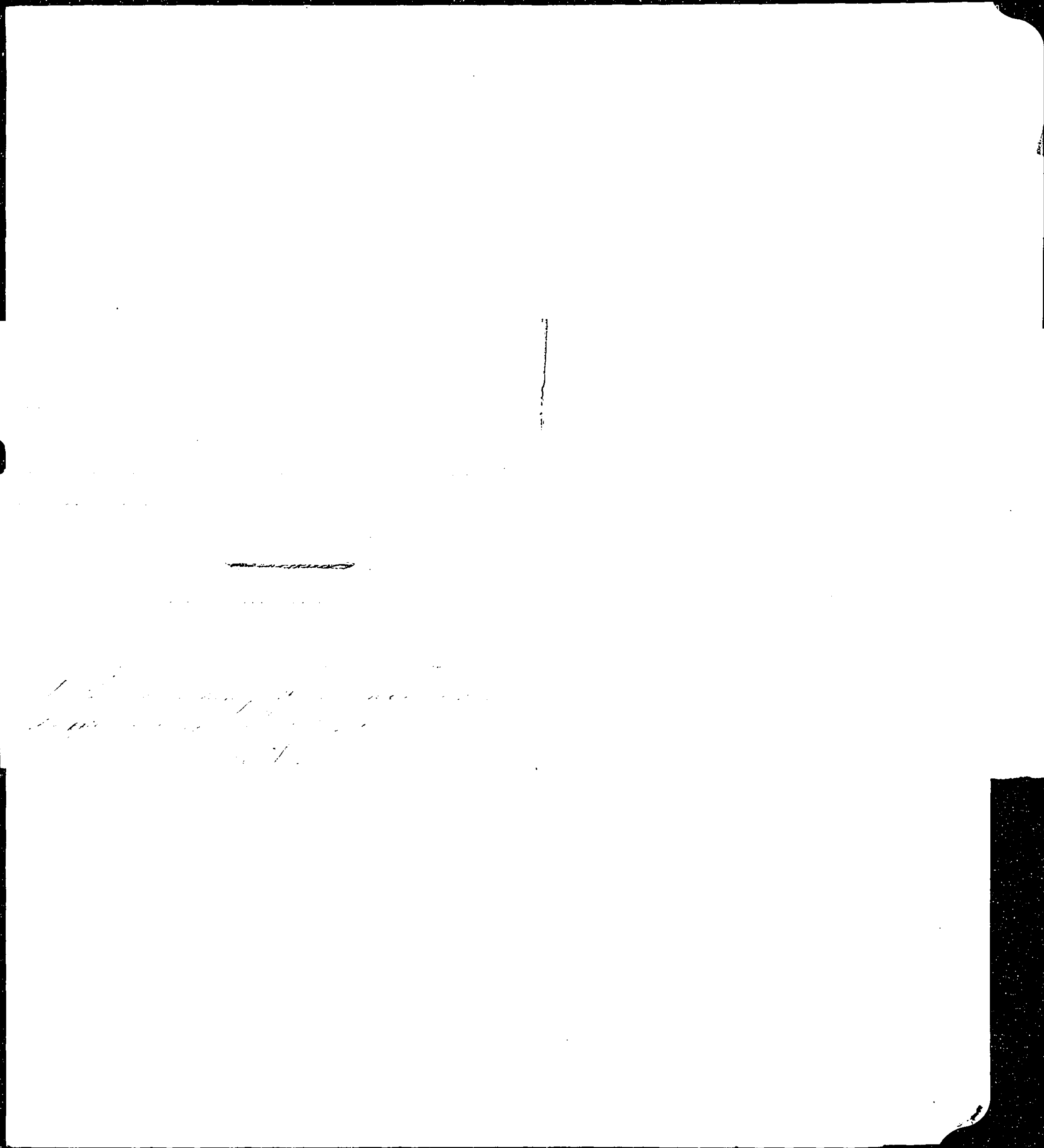
0128



0129



0130



0131

Dr. J. J. J.  
11 St. St.  
City

0132

TELEPHONE CALL NASSAU-434.

DEWITT C. GARDNER,  
GENERAL

STATIONER, —AND— PRINTER

BLANK BOOK MANUFACTURER,

NO. 11 DEY STREET,

ENGRAVER & LITHOGRAPHER.

NEW YORK.

0133

Hon. Randolph B. Martine,  
District Attorney,  
N. Y. Co.

Dear Sir:

In the matter of the People against William  
H. Barker, indicted for seduction under promise of mar-  
riage, I respectfully report as follows :

The complainant, who is the female alleged to  
have been seduced, has written several letters expressing  
her wish to withdraw the charge and abandon the prose-  
cution, and these letters will be found among the papers  
in this case. I have taken the precaution, however, of  
causing her to appear before me and be personally ex-  
amined in order to ascertain whether the letters were  
genuine. She acknowledges that she wrote them, and has  
this day subscribed in my presence the annexed formal  
withdrawal of the charge.

The complainant consenting, I think the indict-  
ment should be dismissed.

New York City, December 22, 1886.

Respectfully submitted,

*McKenzie Sumpster*  
*Asst Dist Atty*

0134

THE PEOPLE OF THE STATE OF  
NEW YORK

*against*

*Wm. A. Barker*

*Respond,*

RANDOLPH B. MARTINE,  
DISTRICT ATTORNEY,

No. 32 CHAMBERS STREET,  
NEW YORK CITY.



The People ex rel  
 Mary Fitzgerald  
 vs  
 William H. Barker.

Before the  
 Hon Andrew J. White,  
 Justice.

The Complaint should be dismissed.

First-

Because the evidence is insufficient and is not what the law requires to show that the offense of seduction under promise of marriage has been committed.

This is not a case where the question of probable cause arises on which the accused could be held to answer.

It is a case where supposing the evidence to be true and the same were submitted to a jury they could not under the Law convict. If they could not then there could be no probable cause.

An examining Court must be satisfied that the evidence before it is sufficient to prove the facts which constitute the offense, and if not the Complaint should be dismissed.

Probable cause is always where evidence taken proves the offense and therefore goes

to the jury-

Now in order to test this case let us see what is required to be proved under Sec' 284 and 286 of the Penal Code (which is the same as Ch' III Law of 1848.

A promise to marry and afterwards having sexual intercourse with the female to whom the promise was made does not constitute seduction.

But the seduction under promise of marriage is where the promise to marry is conditioned on the party to whom the promise is made allowing him to have sexual intercourse with her, and the consideration of and in consequence of such promise the accused is allowed to have such sexual intercourse-

What then is necessary to be proved:

- 1<sup>st</sup> - The promise to marry under which such seduction was accomplished,
- 2<sup>nd</sup> - The sexual intercourse in consequence of such promise.
- 3<sup>rd</sup> - That the female is an unmarried female of previous chaste character.
- 1<sup>st</sup> - The promise to marry by reason of

which promise the accused had sexual intercourse.

This particular promise and no other promise must be proved

This specific promise followed by sexual intercourse and in consequence of such promise is to be proved; Now? Like any other promise, by the subsequent admissions or declarations of the accused. See 70 N.Y. 38.

But it is not enough that the seduced swears to this promise.

No conviction can be had under Sec 284 upon the testimony of the seduced female unsupported by other evidence.

Sec 286, Penal Code.

Now there is no other evidence besides that of the complainant. No other witness was introduced by the complainant but Mrs Greason, and she testifies to what she heard the accused say in February and March last, and nothing in regard to the promise alleged to have been made on the 3<sup>d</sup> of June last.

The above view is sustained by the cases decided by the Court of Appeals;

Kenyon v People, 26 New York R. 203.

Royce v People,	55 N. Y. R.	644.
Armstrong v People,	70 N. Y. R.	38.
People v. Kane	14 Abb. R. L.	15.
Kaufman v. People	11 Hun	82.
People v. Huettis	32 Hun	58.

If the promise were in consideration of the seduction it sustains the prosecution, otherwise not.

Wilson v People, 58 Georgia 328.

I have dwelt on the above ground of there being no corroborative evidence of the promise made on the 3<sup>d</sup> of June last or any evidence of an admission made subsequent to that time as showing no evidence as required by Sec 286, Penal Code.

### Second.

The accused should not be held on such testimony as that of the Prosecutrix, as no reliance can be placed on what she testifies to. She, in her affidavit, fixes the time when the promise under which the accused had connexion with her was on the 22<sup>d</sup> day of June 1885. In her examination she first fixes it in October last, two months ago and finally settles down on or about



the 3<sup>d</sup> day of June. She is contradicted by Mrs Greason as to when the promise of marriage was made, who fixes it in February and March last.

She is contradicted by the witness Jerow as to what she testified <sup>fast to</sup> what took place on the 23<sup>d</sup> day of November last between her and the defendant at her house.

She says first she took out the Warrant because her mother told her and afterwards she says it was because she found herself in the family way.

It would be useless to point out the number of contradictions.

Ignorance will not account for the Contradictions.

Who can believe, as she says, that she only discovered a week before the 24<sup>th</sup> of November last that she was in the family way.

### Third.

The defendant contradicts the complainant in regard to any promise made by him to marry her at any time.

Denies he ever was out in the day

with her sailing, and also contradicts her as to what she says took place on November 23<sup>d</sup> last.

#### Fourth-

Miss Ryan says she gave her name and said she was married, and when asked if the defendant was her husband said no, he was only a visitor.

#### Fifth-

As the complainant does not fix any certain day on which the promise alleged to have been made by the defendant to marry her conditioned on her allowing him to have sexual intercourse with her, but says it was on or about the 3<sup>d</sup> day of June last, the difficulty of the defendant's meeting such accusation must be apparent to the Court, especially when she has in her affidavit fixed the time as the 22<sup>d</sup> day of June and in her examination varied the time to different days.

John A. Goodlett  
of Counsel  
for def<sup>t</sup>



The People ex rel  
Mary Fitzgerald

vs  
Wm H. Barker



Brief of the deft

John A. Goodlett  
of Counsel.  
23 Park Row N.Y.  
Rooms 17 & 18.

To Hon A.J. White  
Justice.

0141

0142

District Attorneys Office  
City & County of  
New York

N.Y. General Sessions

People

vs  
William H. Barker

As complainant in the above  
Case I beg to withdraw  
the complaint and recommend  
dismissal of the indictment  
Dec 22, 1886.

Mary Fitz Gerald

0143

Pecker

as

Wm. H. Barrow

Withdrawal of charge

0.144

TORN PAGE

Compliments  
Wendell

see you in my dreams  
night, and I long  
the happy day when  
Feb 24<sup>th</sup> 85.

My Darling Mary:

I hope you  
will forgive me for keep-  
ing you waiting so long  
for an answer to your  
letter. I am afraid you  
don't think much of  
me after yesterday. I  
made a big fool of  
myself. I am ashamed  
of myself. I hope you  
are not angry with me,  
my own little Pet.

My love for  
you grows stronger every  
day, my Love, and I am  
never so happy as when  
I am near you, my dear  
precious Pet.

0145

I see you in my dreams  
every night, and I long  
for the happy day when  
I can call you my Own

I hope you dream  
of me also, and that  
you love me as fondly as  
ever. I wear your letters  
next to my heart and  
every night before going  
to bed I kiss them all  
and place them un-  
der my pillow. You must  
not think that I am  
silly and soft for  
doing this, but I do  
it because I love you  
so much, you precious  
little darling.

You did not an-  
swer that question I  
asked you in my last  
note, my Baby. Please

0146

Exh A. by  
Compliment

do so in your next. If  
you have saved the letter  
just read it over and  
you will see what I  
mean, precious darling dear

You must write me  
a longer letter next time,  
and I only wish that  
I had the time to write  
a longer one to you; but  
I will have to stop now  
and must be satisfied  
with sending you one  
thousand kisses and  
twice as many hugs.

From your own true  
love, Billie.

P.S. Please answer  
soon, Darling.



0147

Complaudauto  
18<sup>th</sup> March '85

March 5<sup>th</sup> '85

My Darling Precious Pet,

you must forgive me  
for not answering your letter  
before this, but I have not  
had time. I think of  
you every day and night  
of my life, my Baby, so  
you cannot say that I  
do not care anything  
for you. I love you  
better than my own  
life, my Darling, and  
I would die for you  
if necessary.

I don't think I  
had better tell you  
my dream, Baby, for  
you might not like to  
hear it.

0148

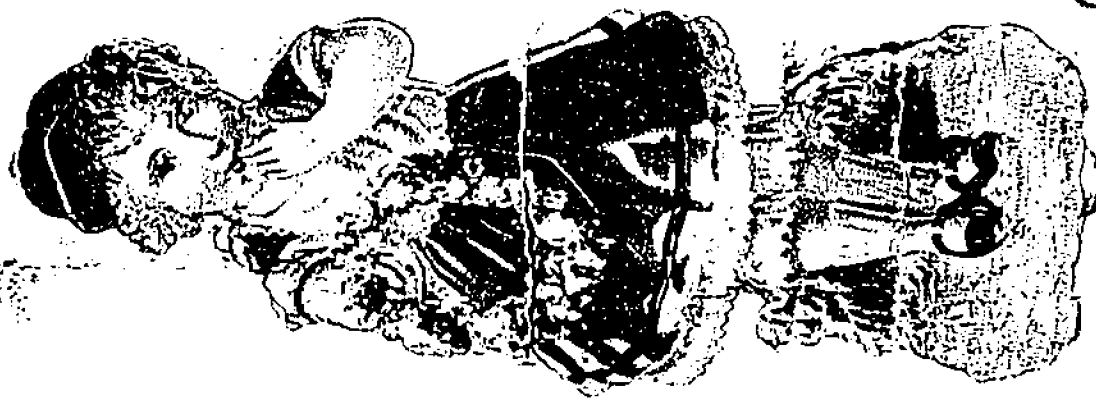
I am sorry that I can  
not write you a longer  
letter, Love, but as I  
am very busy, I must  
close by sending you my  
best love and 1000000  
kisses.

Ever yours,

Billie

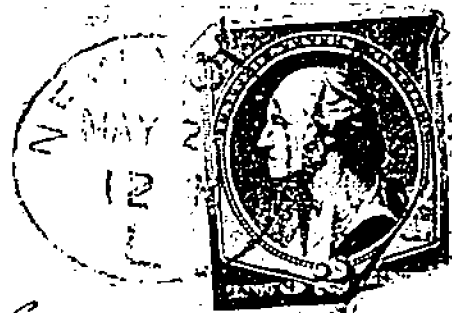
P.S. Please excuse  
haste and bad writing.  
Answer soon, Pet.

B.



By  
Cmhl

0149



Mr. William B. Barker  
79 East 121 St  
City

0150

Police Court, District.

City and County } ss.  
of New York,

of No.

235 E 121

Street, aged

19 years,

occupation

Dressmaker

being duly sworn, deposes and says,

that on the

about 22 day of June

1885

at the City of New

York, in the County of New York,

William H. Barker

did seduce and have sexual connection with deponent under a promise of marriage. From the following facts to wit: that at about the month of September 1884 deponent was introduced to said Barker, and that said Barker then began to pay deponent his attentions and frequently visited her at her residence and at all times professed great love and affection for her and that on or about the 22<sup>nd</sup> day of May 1885 said Barker asked deponent to sign a marriage and said that he would marry her at some near future date, and that on or about June 22, 1885 said Barker requested deponent to have sexual connection with him, and deponent believing in the protestations of said Barker of love, and that he would marry deponent allowed him to have connection with her. Deponent further says that she is not pregnant with child of which said Barker is the father, and that she was of previous chaste character, and that said Barker has refused to marry deponent.

Mary Fitzgerald

Subscribed to me this 22<sup>nd</sup> day of November 1885

James W. Barker  
Justice

0151

Police Court-- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Mary Fitzgerald  
vs.  
Wm H Barker

2  
3  
4

Offence,

Dated 188

Magistrate.

Officer.

Clerk.

Witnesses,

No. Street,

No. Street,

No. Street.

\$ to answer Sessions

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

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

Dated 188

Police Justice.

I have admitted the above named 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.



0152

CITY AND COUNTY  
OF NEW YORK, } ss.

POLICE COURT, DISTRICT.

Mary Gleason

of No. 406 E 125 Street, aged 22 years,

occupation married being duly sworn deposes and says

that on the 15th day of February 1885

at the City of New York, in the County of New York, Dependent heard

William H. Barker Jr. say to  
Mary Fitzgerald the Dependent  
in Dependent's presence, that he  
Barker would marry said  
Mary Fitzgerald as soon as  
he Barker was in circumstances  
which would permit him to do  
so

Mary Gleason

Sworn to before me, this 15th day of February 1885

Charles H. Smith  
Police Justice.



TORN PAGE

0153

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK { ss.

District Police Court.

*William H. Barker* 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 H. Barker*

Question. How old are you?

Answer

*21 years*

Question. Where were you born?

Answer.

*MS*

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

Answer.

*199 E 121. 6 mos*

Question What is your business or profession?

Answer.

*Photographer*

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*

*W H Barker*

Taken before me this *24*  
day of *November* 193*4*  
*William H. Barker*  
Police Justice.

0154

Sec. 151.

Police Court 5 District.

CITY AND COUNTY } *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 Mary Fitzgerald

of No. 235 E 121 Street, that on the 22 day of June

1888 at the City of New York, in the County of New York,

William W. Barker under a promise  
of marriage did seduce  
and betray Complainant

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 24 day of November 1888

Andrew J. White POLICE JUSTICE.

0155

Police Court ..... District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

Warrant-General.

Dated ..... 188

Magistrate

Officer.

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

*James P. Blumenthal*

Dated *Apr. 24<sup>th</sup>* 188

This Warrant may be executed on Sunday or at  
night.

Police Justice.

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

Dated

188

The within named

*William H. Butler, 21 N. S. 1<sup>st</sup> East 121<sup>st</sup>*

Police Justice

0156

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

William H. Barker

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 200 Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated

November 29 188

Andrew J. White

Police Justice.

I have admitted the above-named

Defendant

to bail to answer by the undertaking hereto annexed.

Dated

November 29 188

Andrew J. White

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.

0157

Police Court

1472 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Mary Fitzgerald

135 E. 121

William H. Barker

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

2

3

4

Dated

188

Magistrate

Officer.

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

\$

to answer

Bailed

0158

1880  
Nov 2

Mr W. H. K. writes you this note  
telling you that at some date he  
will make the habit of the  
- in - is that I want him  
to dis mis the charge of seduc-  
tion I made against you  
as I was urged by bad friends  
to get out the warrant and  
make the charge against  
you that I did make and  
that I wish to prosecute  
you further and that I will not  
appear up - you in court in the  
case but - reason urged  
me to get out the warrant for  
you and I want the whole  
thing settled from my heart  
I never intended you any  
harm and I would rather



0159

go to prison my self than have  
you go i was urged by some very  
greason and other had him  
to do ... at i did do Mr Thompson  
is a very bad man and urged me  
to do ~~you~~ <sup>you</sup> have i mean this  
from my hart and before  
judge and jury that  
all will be settled  
Chas Fitch Lyndall





0162

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 H. Barker

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

William H. Barker  
of the CRIME OF Seduction, —

committed as follows:

The said William H. Barker,

late of the First Ward of the City of New York, in the County of New York aforesaid, on the twenty-second day of June, — in the year of our Lord one thousand eight hundred and eighty-five, at the Ward, City and County aforesaid, did feloniously, under and by means of a promise of marriage by him made to one Mary E. Fitzgerald, who was then and there an unmarried female of previous chaste character, seduce and have sexual intercourse with her the said Mary E. Fitzgerald, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

Donald P. Martin,  
District Attorney.

0163

BOX:

202

FOLDER:

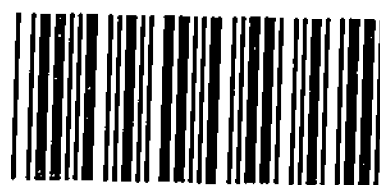
2021

DESCRIPTION:

Bartel, Gustav

DATE:

01/20/86



2021

Witnesses:

Counsel, *W. H. C. [Signature]*  
Filed *20* day of *Jan* 188 *6*  
Pleads *Not Guilty*

THE PEOPLE

vs.

*B*

*Gustav Bartel*

MISDEMEANOR.

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

*Pat H April 25*  
*Pleaded Guilty*  
*Chambers 1899*

Foreman.

*Geo H 100 [Signature]*  
*perces [Signature]*



0165

Sec. 192.

34 District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }  
OF NEW YORK, } ss.

An information having been laid before William J. Power a Police Justice  
of the City of New York, charging Gustave Bartel Defendant with  
the offence of a Hindrance

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, Gustave Bartel Defendant of No. 85

Alphonse Street; by occupation a grocer

and Bernhard Gunt of No. 73 Borgher

Street, by occupation a grocer Surety, hereby jointly and severally undertake that

the above named Gustave Bartel Defendant

shall personally appear before the said Justice, at the 34 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 Three  
Hundred Dollars,

Taken and acknowledged before me, this 21 Gustave Bartel

day of Dec. 188 5 Bernhard Gunt

W. J. Power POLICE JUSTICE.

0166

CITY AND COUNTY }  
OF NEW YORK, } ss.

the within named Bail and Surety being duly sworn, says, that he is a resident and  
holder within the said County and State, and is worth \_\_\_\_\_  
exclusive of property exempt from execution, and over and above the amount of all his debts and  
liabilities, and that his property consists of \_\_\_\_\_

*four*  
*at 504 East 33<sup>rd</sup> street New York City*  
*of the value of ten thousand dollars*  
*Bernhard Gunt.*

District Police Court.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

Undertaking to appear  
during the Examination.

Taken the \_\_\_\_\_ day of \_\_\_\_\_ 188

Justice.

Sworn to before me, this \_\_\_\_\_  
day of \_\_\_\_\_ 188  
*by David Police Justice*

0167

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

New York, Nov 18<sup>th</sup> 1885

1506

# CERTIFICATE OF ANALYSIS.

## SAMPLE OF BUTTER.

Marked, No 816; No 85 Allen St, NY City; Nov 5<sup>th</sup> 85  
Received from B. F. Van Valkenburgh per J. J. Sorogan  
on Nov 6<sup>th</sup> 1885.

### THE SAMPLE CONTAINS:

WATER,	- - - -	9.39%
ANIMAL AND BUTTER FAT,	- - - -	85.40%
CURD,	- - - -	1.16%
SALT,	- - - -	4.05%

### ANALYSIS OF THE FAT:

INSOLUBLE FATTY ACIDS,	-	95.15%
SOLUBLE " "	-	0.42%
SPECIFIC GRAVITY OF THE FAT		
AT 100° F.,	- - -	9.044

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 eighteenth day of November in the year  
one thousand eight hundred and eighty five 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 E. Ketchum  
Notary Public  
Canton, N. Y.

0168

No- 816

Nov-18/85

Edwin M. H. R.

0169

STATE OF NEW YORK,

County of New York

ss.:

350 Washington Street

Joseph J. Sorogan, being duly sworn, deposes and says:  
That he resides in the City of New York 568 West 42nd Street in the County of New York and State of New York, and is 28 years of age,

and is an Agent appointed by Josiah K. Brown, New York State Dairy Commissioner;

That on the 5th day of November, 1885, in the Store occupied by him, No. 559 Broadway street, in the City of New York in the County of New York

and State of New York, one Eustace Bartel, 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 Eustace Bartel

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, one

round as and for Butter, the product of the Dairy, and represented the same to be Butter at such time and place; that the said substance, product and compound was not natural Butter produced from pure unadulterated Milk, or Cream of the same, and was not Butter the product of the Dairy, and was not made exclusively from Milk or Cream, or both; that it contained some substance for the purpose and with the effect of imparting thereto a color resembling that of yellow Butter, and was in imitation and semblance of natural Butter produced from pure unadulterated Milk or Cream of the same, and was colored by some substance to resemble yellow Butter, and was in semblance of natural Butter; that the same was a substance known as Oleomargarine; that it had been made, manufactured and rendered after April thirtieth, 1885, out of some animal 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 same was not manufactured, or in process of manufacture on April thirtieth, 1885, but has been rendered, manufactured, compounded and mixed since April thirtieth, 1885, as deponent is informed and believes that said Eustace Bartel did suffer and permit his servant and agent in charge of said store to offer and sell said Oleomargarine to deponent as if it were Butter

~~That the tube 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 5th day of November

1885, he went to the said Store of said

Eustace Bartel, in said City and County, and told the said clerk for said Bartel that he wanted to buy some Butter; that said clerk in charge of said store

showed deponent a number of pounds of the said Oleomargarine hereinbefore mentioned, offered the same to deponent for sale, and sold the same to deponent; that he so sold to deponent as butter one round thereof, and deponent then paid to him therefor the agreed price thereof, amounting to the sum of twenty cents; that, as deponent believes and charges, the said Eustace Bartel 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 tube in which the said Oleomargarine was contained, and no printed label bearing the words "Oleomargarine Butter" was delivered by said Eustace Bartel~~

on the clerk and servant in charge of said store at the time of said sale to deponent with the Oleomargarine sold to him; that on

November 6th, 1885, deponent delivered a sample of such Oleomargarine, so purchased by him as aforesaid, to Edmund G. Love

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 Eustace

Bartel and that he may be dealt with as the law directs.

Sworn to before me this 5th day of December, 1885.

Joseph J. Sorogan

Justice.



0170

Justice.

State of New York  
County of New York  
Court of Sessions  
1885. 9<sup>th</sup> Jan.

THE PEOPLE, &c.,

vs.  
Gustave Bartel

Affidavit:

Joseph J. Sorogan  
350 Washington Street

Witnesses:

Thomas R. Young

Residence, 307 Washington St.

Edward G. Love

Residence, 122 Broadway

Residence



0171

Sec. 151.

Police Court 3d 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 Joseph J. Corrigan  
of No. 568 West 42d Street, that on the 5 day of November  
1885 at the City of New York, in the County of New York,

Eustace Bartel  
85 Allen Street did unlawfully  
sell Phonograph records instead  
of Butter in violation of Chapter  
183, section 8, of the laws  
of 1885.

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 21 day of December 1885

Wm. J. [Signature] POLICE JUSTICE.

0172

Police Court 3<sup>rd</sup> District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Joseph D. Surrogan  
vs

Bartholomew Bartell

Warrant-General.

Dated Dec 21<sup>st</sup> 1885

Posner Magistrate.

Kershaw Officer.

The Defendant

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

Kershaw Officer.

Dated Dec 21<sup>st</sup> 1885

This Warrant may be executed on Sunday or at  
night.

Police Justice.

REMARKS.

Time of Arrest, Dec 21/85

Native of Germany

Age, 42

Sex, Male

Complexion, \_\_\_\_\_

Color, White

Profession, Greengrocer

Married, No

Single, No

Read, No

Write, No

Wm. H. H.

0173

3

DISTRICT POLICE COURT.

THE PEOPLE,  
ON COMPLAINT OF  
*Joseph J. Borofan*  
*Gustav Bartee*  
<sup>agts</sup>

Examination had *Jan 11-14* 1886

Before *Maurice J. Power* Police Justice.

I, *Waterman L. Omsby* Stenographer of the District Police

Court, do hereby certify that the within testimony in the above case is a true and correct copy of  
the original Stenographer's notes of the testimony of *Joseph J. Borofan,*  
*Thomas R. Gray and Lena Bartee*

as taken by me on the above examination before said Justice.

Dated *Jan 15* 1886.

*Waterman L. Omsby*  
Stenographer.

*M. J. Power*  
Police Justice.

0174

Third District  
Police Court

The People v.  
Joseph A. Sorogan

Gustave B. Carter

Examination Before Justice Power  
Jan 11 1886

J. J. Sorogan the complainant  
being duly sworn and examined  
by Mr. Gore as a witness for the  
People deposes and says:-  
I am an agent employed by the  
New York Seamy Commission. I  
was in the store of the defendant  
15 Allen Street on the 5th of  
November, 1885. I saw a lady  
clerk there. I asked for a pound  
of twenty cent butter. She did it  
up and I paid for it. She  
wrapped it in common wrapping  
paper - white wrapping paper  
and then there was brown  
over it.

Q. Was there any printed label with  
the words "Almonferine Butter" on  
it?

A. No Sir.

Q. You paid how much?

A. Twenty cents.

0175

Q What did you do with that butter the substance that you got?

A I went outside and Mr Gray and I examined the substance we went to 42 Norfolk street and there we transferred a portion of it into a glass jar, sealed it and took it and delivered it to a chemist Mr C. J. Love at 122 Bowery

Q It was so sealed up that the content could not be abstracted without breaking the seal when you delivered it to the chemist

A Yes, Sir

Cross Examined by Mr. Probert.

I had never visited the premises before. I know the defendant by sight. I met him two or three times

Q Have you any knowledge that he was the owner of the store

A - He told me he was

Q That is the only knowledge you have?

A - Yes Sir

Q You say you purchased the article from a lady clerk?

A Yes, Sir



Q Have you told the whole connection that you had with her?

A I bought some other articles - a loaf of bread, some sausage, and a pound of twenty cent butter.

Q Did you point to the butter?

A - No, Sir.

Q I ask you whether there was a stamp on it representing it to be butter?

A I could not say whether there was or not. I did not notice any.

Q Did she at the time represent it to you to be butter?

A Yes, Sir.

Q How?

A I called for a pound of twenty cent butter and she did it up.

Q Was that the only representation she made?

A Yes, Sir.

Q There was nothing about asking whether it was butter?

A No, Sir.

Q Was the defendant present?

A I do not remember.

Q Do you know whether he was on the premises or not?

A I could not say.

Q Do you know that she



0177

person who waited upon you  
was his wife?

A - I could not say as to that  
she was acting as clerk

Q Do you know when or where  
this article that you purchased  
was manufactured?

A I could not say when or  
where.

Q Can you say when or where it  
was manufactured?

A I cannot say when or where.

Q Could you say whether it  
had been manufactured a year  
or two years before

A Yes

Q How long had it been manufactured?

A I do not think -

Q I did not ask you that - I ask  
your judgement whether it  
had been manufactured over  
a year

A I know it was manufactured  
inside of a year

Q From your own knowledge  
of the matter how long may this  
have ~~been~~ ~~manufactured~~ been made?

A - From what I have seen of  
it -

Q - Have you any scientific knowledge  
how it is manufactured?

A No, Sir

Q Upon what do you base your knowledge of how long it had been manufactured?

A - From the reason that after it gets two or three or four months old it does not have the fresh flavor that it does when it is first made.

Q You think this was not twenty months old?

A I do not

Q are you prepared to swear it was not?

A No I will not swear it was not

Q Will you swear that the lady did not tell you that she had no twenty cent butter?

A She did not tell me so.

Q You are in the habit of purchasing butter from different places about New York?

A Yes, Sir

Q Did you ever purchase any pure butter for twenty cents a pound?

A I have done it

Q How long since?

A At that time we used to buy pure butter at different places for twenty cents. It was butter, it was not oleomargarine. Of course it was not the best butter.

- Q Do you know whether the defendant had instructed the lady from whom you purchased the article to sell it as butter.
- A- I have no knowledge of her instructions.
- Q Did you see any article in the store stamped "oleomargarine"?
- A No, sir.
- Q Or "Butterine"?
- A No, sir.
- Q You say you had a conversation with the defendant by which you learned that he was the proprietor?
- A Yes, sir.
- Q When?
- A I do not remember the date. I think it was about the first of December - somewhere three or four weeks after you made your purchase?
- Q About that time.
- Q Did you ask the lady at the time you made the purchase whether she was in the employ of the defendant?
- A I did not.
- Q Did you ask her whether she was defendant proprietor or clerk?

0180

A - She was acting in the capacity of clerk.

Q - Did you ask her?

A - I did not

Q - Have you ever had any conversation with her in regard to the instructions she received as to the sale of the articles there?

A - I have not - All my knowledge

Q - that I have is that she was there acting as clerk.

Q - Beyond that you have no knowledge?

A - No, Sir.

Re-direct by Mr. Gove

Q - Did Mr. Preidel tell you how long he had been proprietor?

A - Yes Sir.

Q - How long?

A - Since 1873.

SWORN TO BEFORE ME

THIS 4<sup>th</sup> DAY OF Jan. 1886

*Wm. J. O'Brien*  
POLICE JUSTICE.

Thomas R. Gray being duly sworn and examined as a witness for the people deposes and says: - I am one of the experts of the New York Dairy Commission. I was with Mr. Borogan on Nov 3 when he

0181

made the purchase at 85 Allen street. I went with him when he came out to look at the butter. We went and examined it at 42 Norfolk street, and Mr. Dwyer put a portion in a bottle. When he sealed it and labelled it, I was present when he did it. There was a tape put around it, sealed with wax. It was sealed so that the butter or oleomargarine could not be taken out without breaking the seal.

Examined by Mr. Dwyer.

Q You were not present when the purchase was made?

A. W. Sir

Q And know nothing about it?

A. W. Sir.

SWORN TO BEFORE ME  
THIS 11 DAY OF Jan. 1886.  
W. Dwyer  
POLICE JUSTICE.

Thomas R. Gray



0182

3<sup>d</sup> Dist Police Court

The People vs.  
Joseph J. Sorogan  
Gustav Bartel

Examination before Justice Power  
Second day - Jan 14. 1883.

Joseph J. Sorogan recalled and <sup>cross</sup> examined  
by Mr. Brogert counsel for defense

Q. Were you ever in the premises, 45  
Allen Street more than once?

A. Yes.

Q. More than once?

A. Yes.

Q. Did you make purchases more  
than once?

A. No, Sir, only once - on the 5<sup>th</sup>  
day of November 1882 at between  
5 and 6 o'clock in the evening.  
A lady of whom I made the  
purchase was the only person in  
the store. No other person came  
in while I was in there. I am  
quite sure of that. I remember  
what purchases I made.  
a loaf of bread, ten cents  
worth of sausage, and then  
I called for a pound of  
twenty cent butter.

Q. Did the lady say anything at



0183

the time. Did you have any  
connection with her?

A Nothing only as I told you.  
She called for the package,  
she did it up and gave it to  
me.

Q You did not point to any  
particular butter?

A - No, sir.

Q Simply said give me a pound  
of 20 cent butter?

A Yes, sir.

SWORN TO BEFORE ME  
THIS 64 DAY OF Jan. 1895.  
W. J. O'Connell  
POLICE JUSTICE.

Mrs Lena Bartel, the wife of the  
Defendant, and a witness in the  
behalf being duly sworn and examined  
by the Profect Deponer and says:  
I reside at 85 Allen. I attend  
store for my husband. I saw  
the complainant there. I do not  
know on what day. He was there  
on the evening. I guess he was  
there twice. The second time he  
asked for my husband. I  
remember he bought a loaf of  
Jumfernell a quarter of a pound  
of the best butter and about  
18 cents worth of sausage.

- Q. Did you ever in your life sell him a pound of oleomargarine?
- A. No Sir, I never in my life sell oleomargarine butter without letting people that is oleomargarine. I tell them it is artificial butter. I tell everybody it is mixed butter. I am sure that I never sell any piece of it without letting persons what it is.

cross examined by Mr. Gove.

- Q. You attend for your husband when he is away?
- A. Yes. I attended for him on Nov. 5. There was nobody in the store with me when the complement came in. I sold him Jumperell and sausage and a quarter of a pound of the best butter. I wrapped the sausage in brown paper, I wrapped the butter first in white paper and then in brown paper.
- Q. You did not put any printed label on it?
- A. No Sir I do not know anything about that.
- Q. You did not give him anything like that?

A No, Sir.

Q. Whatever you did sell him you did not wrap it in a wrapper marked oleomargarine?

A No, I did not.

Q How much did he pay you?

A - I do not know - It was 8 cents for the butter, 5 cents for bread, I could not tell what the balance was.

Q What did he give you?

A - Twenty-five cents piece

Q One 25 cent piece?

A Yes.

Q Did you take the price of all the things out of that?

A Yes; I guess so. I do not know. I have forgotten.

Q How much sausage did he buy?

A It was a quarter - I do not know what kind. I remember distinctly his paying for it. There was nobody else there. I did not see Mr Gray.

Q You had, besides the best butter, oleomargarine?

A Yes; it was in the window; it was in rolls or prints.

Q It was not that that you gave Mr Doogan?

A - No, Sir

Q You are positive you did not

give him one of these rolls?

A. I know I never gave of any person one of these rolls unless I told the purchaser that it was olomagarine.

Q. I ask you are you positive that you did not give Mr. Sorogan one of these rolls that evening?

A. Yes; I am positive

SWORN TO BEFORE ME

THIS 14 DAY OF Jan. 1885.

negotiator  
POLICE JUSTICE.

Thomas R. Gray, R. called, and examined by Mr. Gong.

Q. Were you outside the store 85 Allen street that evening?

A. Yes, sir

Q. And was Sorogan inside?

A. Yes, sir. I saw him come out.

Q. What did he have in his hand?

A. Three packages - among them a package of butter.

Q. Did you see him have a package in his hand when he came out of the store?

A. Yes; We examined it right there and then.

Q. What was in the butter package?

A. It was a round package of butter - about one pound.

0187

It had a print of a sheaf of wheat on the top of it.

Q Was it like one of those in the window?

A Like one of those in the window.

Q Are you positive as to whether there was as much as a quarter of a pound?

A It was a pound I should say it was more than a quarter.

Q It was one of those prints

A Yes, Sir.

Q Where did you go to examine it?

A 242 Norfolk St.

Q Who carried it?

A Sorogan

Q Wrapped in paper

A - Wrapped in paper.

Q - Did you buy any butter on your way?

A No, Sir.

Q Or Ollomengarine?

A No, Sir.

Q You examined it?

A - Yes, and Sorogan transferred it to a bottle in my presence.

Q - Had you an opportunity to mix it with any other butter?

A No, Sir.

0188

Re. Cross

Q - You swear you know where the package came from?

A - It came from 85 Allen street

Q How do you know?

A Because <sup>as</sup> I said, I saw him go in without it and come out with it. I staid out by the window.

Q Could you see through the window?

A I could.

Q Did you search him before he went in?

A I saw he did not have anything in his hand.

Q Where did you come from

A - Direct from 353 Washington St. to this place.

Q Did you stop on the way?

A I do not know that I did.

Q Will you swear that he did not?

A W. O.

SWORN TO BEFORE ME

THIS 14 DAY OF Jan 1886.

*W. J. Brown*  
POLICE JUSTICE.

Joseph J. Boropam re-called by  
the Court

Q - when you came out of 85 Allen street where were these packages?

A In my hand.



0189

2- In what shape was the butter that you bought there?

A- Prints. Round prints

2- Was it in packages similar to those in the window?

A- Yes, Sir.

2- Do you recollect that you got from this lady a pound of butter at twenty cents a pound?

A- Yes, Sir; that is what I called for.

2- How much did you pay for it?

A- 35 cents

2- What did you pay her in?

A- I do not remember the exact money

Re-cross.

2- What denomination of money was it?

A- I do not know. I could not say whether it was bills or silver. I presume it was silver.

SWORN TO BEFORE ME  
THIS 16 DAY OF Jan 1886  
J. J. O'Dwyer  
POLICE JUSTICE.

0190

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

*Gustav Barte*

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 *January 14* 188 *6* *W. J. Owen* Police Justice.

I have admitted the above-named *defendant*

to bail to answer by the undertaking hereto annexed.

Dated *January 14* 188 *6* *W. J. Owen* 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.

0191

#310 for  
of December 26<sup>th</sup> 1885  
Jan<sup>y</sup> 11. 2<sup>30</sup> P.M.  
Jan<sup>y</sup> 14: 3. P.M.

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court

District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Joseph A. Long  
350<sup>th</sup> Washington  
Gustave Partel

2

3

4

Dated

188

Magistrate

Officer.

Decinet.

Witnesses

No.

No.

No.

\$ 300

to answer

Bailed

Street,

Street,

Street,

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0192

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*Augustus Bartel*

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

*— Augustus Bartel —*

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

The said *Augustus Bartel*,

late of the City of New York, in the County of New York aforesaid, on the *24th* day of *November*, in the year of our Lord one thousand eight hundred and eighty-*five*, at the City and County aforesaid, *one pound* of a certain oleaginous substance and compound, not made nor produced from milk or cream (a more particular description of which said substance and compound, and of the ingredients and matters of which the same was made and produced, is to the Grand Jury aforesaid unknown, and cannot now be given), unlawfully did sell, and cause and procure to be sold to one *Joseph J. Dorogau*, for butter, the product of the dairy; against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

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

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

*— Augustus Bartel —*

of a Misdemeanor, committed as follows:

The said *Augustus Bartel*,

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

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

0193

THIRD COUNT: (Section 430, Penal Code.)

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

*- Augustus Bartel -*

of a Misdemeanor, committed as follows:

The said *Augustus Bartel,*

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

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

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

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

*- Augustus Bartel -*

of a Misdemeanor, committed as follows:

The said *Augustus Bartel,*

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

from a certain *tin and box* which was not then and there stamped, branded or marked as aforesaid, and did then and there unlawfully omit to deliver therewith to the said *Joseph J. Saragau,* 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.

0194

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

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

*Augustus Bartel* -

of a Misdemeanor, committed as follows :

The said *Augustus Bartel*,

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

*Joseph J. Dorogau, one pound*

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

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

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

*Augustus Bartel* -

of a Misdemeanor, committed as follows :

The said *Augustus Bartel*,

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

*Joseph J. Dorogau, one pound*

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

**RANDOLPH B. MARTINE,**

**District Attorney.**



0195

BOX:

202

FOLDER:

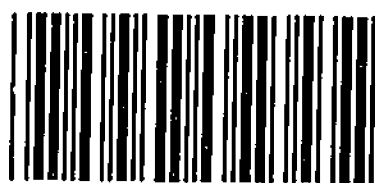
2021

DESCRIPTION:

Beglow, Thomas

DATE:

01/12/86



2021

0196

Witnesses :

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

107

Counsel, \_\_\_\_\_  
Filed 11 day of May 1886  
Pleads \_\_\_\_\_

THE PEOPLE

vs.

R

Thomas Beglow

do.  
11th  
1886  
Court

[Section 5986 - Penal Code]  
Amended

RANDOLPH B. MARTINE,

District Attorney,

22 May 1886

made guilty.

A TRUE BILL.

Case No. 112.

Amended

Foreman

0197

Sec. 198—200.

District Police Court.

CITY AND COUNTY { ss  
OF NEW YORK,

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

Question What is your name?

Answer

Thomas Bylow

Question. How old are you?

Answer

36 years

Question. Where were you born?

Answer.

Dublin

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

Answer.

925 East 74th Street. 7 months

Question What is your business or profession?

Answer.

Carpenter

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

Answer.

I found the tools

Thomas Bylow

Taken before me this

6

day of January 1888

Samuel M. Stille Police Justice.

0198

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 10 Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated January 6 1886 Samuel C. Miller 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.

0199

Police Court-- District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

James M. Barry  
19<sup>th</sup> Precinct  
Thomas Begdon

1  
2  
3  
4

Office of Prosecution  
of Burglary Trials  
Violation § 508 of Penal Code

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated January 6 1886

Magistrate

Officer.

19 Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

\$ 1000 to answer

Coram

0200

STATE OF NEW YORK.  
CITY AND COUNTY OF NEW YORK, } ss: POLICE COURT, 4 DISTRICT.

James V. Barry  
of No. 19<sup>th</sup> Police Precinct Street, being duly sworn, deposes and says,  
that on the 6 day of January 1886  
at the City of New York, in the County of New York, he saw Thomas

Angelaw (name) in Third Avenue  
between 56<sup>th</sup> & 57<sup>th</sup> Streets in said City,  
acting in a suspicious & unusual  
manner, at about the hour of one  
o'clock AM. That Deponent arrested  
said Thomas, & found unlawfully in  
his possession upon his person,  
six skeleton keys & an article known  
& described as key nipper. That  
said keys & nipper are tools used in  
the commission of the crime of burglary.



0201

Therefore deponent charges defendant  
with having <sup>in</sup> his possession burglary in-  
struments in violation of section 508  
of the Penal Code of the State of  
New York.

James W. Barry

known for before me  
this 16 day of January 1886

Samuel C. McCall  
Police Justice.

POLICE COURT— DISTRICT—

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

AFFIDAVIT.

Dated 188

Magistrate.

Officer.

Witness,

Disposition

0202

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK  
against

Thomas Crawford

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

- Thomas Crawford -

of the CRIME OF *Arson of a house and  
mishers in his possession, with  
intent criminally to use the same,*  
committed as follows:

The said Thomas Crawford,

late of the *19th* Ward of the City of New York, in the County of New York afore-  
said, on the *sixth* — day of *January*, in the year of our Lord  
one thousand eight hundred and eighty-*five*, at the Ward, City and County aforesaid,  
did unlawfully have in his pos-  
session, in the night time of the  
same day, certain implements, *designed*  
designed and commonly used for  
the commission of *burglary*, to wit:  
*six* *hacks* and one pair of  
mishers, with intent to use and  
employ the same in the commission  
of a crime, to wit: the crime of  
*Arson* and *burglary* by breaking  
into and entering the building  
of some person or persons to the  
place of *John* *Adams* *unknown*,  
there situate, with intent the  
goods, chattels and personal

0203

property of the said person or  
persons, in the said building then  
and there being found, then and  
there feloniously and unlawfully  
to steal, take and carry away  
against the form of the Statute  
in such case made and provided,  
and against the peace and dignity  
of the said People,

Randolph Martin,

District Attorney.

0204

BOX:

202

FOLDER:

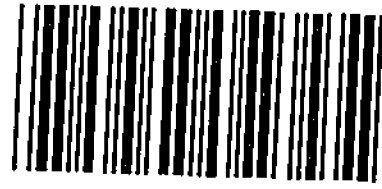
2021

DESCRIPTION:

Berbecker, Frederick

DATE:

01/13/86



2021



0206

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

POLICE COURT, 9 DISTRICT.

Mary Shaw

of No. 10 Delaney Street, being duly sworn, deposes and says,

that on the 26 day of December 1885

at the City of New York, in the County of New York, Frederick Berbacker

came to deponents premises and  
invited upon entrance at 8. A. M. when he  
had no right there, and broke open  
the door of deponents house and  
broke the banisters of the stairway  
of said house, wilfully and maliciously  
destroying said property belonging to  
deponent of the value of ten dollars.

Mary Shaw

Sworn to before me, this

26

day

of

December

188

5

188

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188

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My Son

Police Justice



0207

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss

Frederick Berbecker 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

Frederick Berbecker

Question How old are you?

Answer

26 years

Question Where were you born?

Answer

U. S.

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

Answer

26 Elizabeth St. 18 years

Question What is your business or profession?

Answer

Varnisher

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

Answer

I went to that house and rang the bell. I had a right to go in because I pay rent for a room in that house occupied by Annie Broken. I did not break open the door. I did not break the barnisters. I did insist upon going in because I believed I had a right there. I demand a trial by jury.  
Frederick Berbecker

Taken before me this

26

day of December 188 85

My Deputy

Police Justice.

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 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 Dec 26 1885 my brother Police Justice.

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

Dated Dec 26 1885 my brother Police Justice.

*Police Justice.*

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

Dated December 26<sup>th</sup> 1885 Wm. Brown  
..... Police Justice.

Dated December 26 188 5 My City  
..... Police Justice.

~~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.*

*Dated* \_\_\_\_\_ 188 \_\_\_\_\_ *Police Justice.*

*Police Justice.*

0209

BAILED.

No. 1, by Timothy Rabbe  
Residence 175 1/2 St. Street.

No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

Police Court 3 District. 1468

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Mary Shaw  
208 E 34  
Frederick Berbeck

2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

Offence Murder  
Murder

Dated Dec 26 188

Pomer Magistrate  
Robert Murphy Officer.  
11 Precinct.

Witnesses Robert Murphy

No. 10 Street.

No. \_\_\_\_\_ Street,

No. \_\_\_\_\_ Street,

\$ 300 to 85

Bailed

02 10

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 Berthelmer*

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

*Frederick Berthelmer* -

of the CRIME OF UNLAWFULLY AND WILFULLY *infringing* -  
PERSONAL PROPERTY OF ANOTHER, committed as follows:

The said *Frederick Berthelmer*,

late of the *South* Ward of the City of New York, in the County of New York  
aforesaid, on the *26th* day of *December*, in the year  
of our Lord one thousand eight hundred and eighty *five*, at the Ward, City and  
County aforesaid, with force and arms, a certain *door of the value*  
*of ten dollars, and the drawers of*  
*a certain stairway*  
of the value of *twenty dollars*, -  
of the goods, chattels and personal property of one *Mary Shaw*  
then and there being, then and there feloniously did unlawfully and wilfully  
*break and injure to the amount of the*  
*value of ten 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.

SECOND COUNT.—And the Grand Jury aforesaid, by this indictment, further  
accuse the said *Frederick Berthelmer* -

of the CRIME OF UNLAWFULLY AND WILFULLY *infringing* -  
REAL PROPERTY OF ANOTHER, committed as follows:

The said *Frederick Berthelmer*,

late of the *South* Ward of the City of New York, in the County of New York  
aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City  
and County aforesaid, with force and arms, a certain *door of the value*  
*of ten dollars, and the drawers of a*  
*certain stairway*  
of the value of *twenty dollars*, -  
in the *building* of one *Mary Shaw*, -  
there situate, then and there being, of the real property of the said

*Mary Shaw*.

then and there feloniously did unlawfully and wilfully *break and*  
*injure to the amount of the value*  
*of ten 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.

*Richard B. Martine*  
**JOHN McKEON,**

District Attorney.

0211

BOX:

202

FOLDER:

2021

DESCRIPTION:

Berbecker, Frederick

DATE:

01/14/86



2021

02 12

Witnesses:

157 Grand

Counsel,

Filed 14 day of

1886

Pleads

Mich. 15.

THE PEOPLE

vs.

Fred'k Berbeck

(2 cases)

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

RANDOLPH B. MARTINE,

District Attorney.

Off. Term Expires

A True Bill.

Sub. II May 10/87.

Signature of Foreman.

May 4th 1887



0213

Police Court— 9 District.

CITY AND COUNTY } ss.  
OF NEW YORK. }

of No. 70th Street Robert Murphy Street, aged 27 years,  
occupation Police Officer being duly sworn, deposes and says, that  
on the 26 day of December 1888 at the City of New York,  
in the County of New York,

he was violently ASSAULTED and BEATEN by Frederick Berberken  
who struck deponent one blow in the face  
with his fist while deponent was engaged  
in the performance of his duty as a police officer  
in arresting the said defendant for malicious mischief  
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 26

day of December 1888

W. J. O'Neil

Police Justice

Robert Murphy

0214

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK, ss

District Police Court.

*Friedrich Perbecker* 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 *26 years* *Friedrich Perbecker*

Question How old are you?

Answer *U.S.* *26.*

Question Where were you born?

Answer *26 Elizabeth St, U.S.*

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

Answer *26 Elizabeth St* *11 years*

Question What is your business or profession?

Answer *Farmer*

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 had a right to be in the house where the officer found me. I pay rent for a room there. I think the officer had no right to arrest me. I did not strike him. I demand a trial by jury.*

*And Perbecker*

Taken before me this

*26*

day of *Dec*

1881

Police Justice.

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

committed, and that there is sufficient cause to believe the within named \_\_\_\_\_  
*Frederick Berbecke,*

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

Dated Dec 26 1885 City of New York Police Justice.

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

Dated December 26<sup>th</sup> 1888 Mybury 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.*

02 16

BAILED,

No. 1, by Frederick Rabb  
Residence 175 Hill Street.

No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

Police Court 3 District. 1469

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Robert Murphy  
10 Precinct

Frederick Berbeckes

2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

Offence Arrest or  
Officer Murphy

Dated Dec 26 188 5

Domen Magistrate  
Murphy Officer.  
11 Precinct.

Witnesses Mary Shaw

No. 10 Street.

No. \_\_\_\_\_ Street,

No. \_\_\_\_\_ Street,

\$ 300 to answer 88

Bailed

0217

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 Berthel*

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

*Frederick Berthel*

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

The said *Frederick Berthel*,

late of the City of New York, in the County of New York aforesaid, on the  
*Twenty ninth* day of *December*, in the year  
of our Lord one thousand eight hundred and eighty *five*, at the City and County  
aforesaid, with force and arms feloniously made an assault in and upon one

*Robert Murphy*

then and there being a *patrolman* of the Municipal Police of the City of  
New York, and as such *patrolman* being then and there engaged in the lawful

*apprehension of the said Frederick Berthel for the crime of un-  
lawfully and maliciously destroying  
and injuring property.*  
and the said *Frederick Berthel*.

him, the said *Robert Murphy*.

then and there feloniously did beat, strike, wound and otherwise illtreat, with intent  
then and there and thereby to prevent and resist the lawful *apprehension*  
of *himself* \_\_\_\_\_ as aforesaid,  
against the form of the Statute in such case made and provided, and against the peace  
of the People of the State of New York and their dignity.

RANDOLPH B. MARTINE,

District Attorney.