

0333

BOX:

242

FOLDER:

2354

DESCRIPTION:

O'Connor, Edward

DATE:

12/22/86



2354

**POOR QUALITY ORIGINAL**

0334

1177

Counsel, \_\_\_\_\_  
Filed, 22 day of Dec 1886  
Pleads, Not guilty

**MISDEMEANOR.**  
[Chap. 188, Laws of 1885, §§ 7 and 8, as amended by Chap. 577, Laws of 1886, §§ 2 and 3; § 480, Penal Code; Chap. 238, Laws of 1882, §§ 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 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996, 997, 998, 999, 1000]

THE PEOPLE

*vs.*

*Edward O'Connor*

RANDOLPH B. MARTINE,  
District Attorney.

**A True Bill.**

*S. W. ...*

*Foreman.*

*...*

Witnesses:  
*J. R. Wheeler*  
*J. M. ...*

*...*  
*...*  
*...*

*...*

**POOR QUALITY ORIGINAL**

0335

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

Office and Laboratory

**JOSEPH F. GEISLER, Ph. C.,**  
Analytical and Consulting Chemist,

New Series, No. 1220...

N. Y. Mercantile Exchange Building.

New York, Sept. 22<sup>nd</sup> 1886.

**Certificate of Analysis**

of a sealed sample of "BUTTER"  
marked #473-D No. 128 Eighth Ave. N. Y. Sept. 9<sup>th</sup> 1886  
received from Mr. B. F. Van Valkenburgh Assist. State Dairy Com. Arch. Clark, J. R. Wheeler  
per Mr. Arch. D. Clark on Sept. 11<sup>th</sup> 1886

*This Sample contains*  
Animal and Butter Fat, - - - 86.77 %  
Curd, - - - - - 4.0 %  
Salt, [Ash] - - - - - 2.28 %  
Water, at 100° C., - - - - 10.75 %  
100.00 %

*Analysis of the Fat present in the sample:*  
Soluble Fatty Acids, [on a dry basis] - 75 %  
Insoluble " " " - 94.32 %  
Specific Gravity of the dry Fat, at 100° F., 9054  
Titre, .....

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

Very Respectfully,

J. F. Geisler

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

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

On the 22<sup>nd</sup> day of Sept in the year one thousand eight hundred  
and Eighty six before me personally came J. F. Geisler  
to me known, and known to me to be the individual described in, and who executed the foregoing instrument, and  
acknowledged that he executed the same.

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

**POOR QUALITY  
ORIGINAL**

0336

No. 773.8  
Sept 20/86

RECEIVED  
OFFICE OF THE  
SECRETARY OF THE  
NAVY

POOR QUALITY ORIGINAL

0337

OFFICIAL CHEMIST  
- TO THE -

JOSEPH F. GEISLER

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

*Jedediah R. Wheeler*, of No. 350 Washington Street, being duly sworn, says: That he resides at No. *110 East 22<sup>nd</sup> St* Street, in the City of New York, County and State of New York, is *62* years of age, and an expert appointed by Hon. JOSIAH K. BROWN, the New York Dairy Commissioner; That at the times hereinafter mentioned one *Edward Connor* was a Retail <sup>Butter</sup> ~~Grocery~~ Dealer, and had his <sup>Butter</sup> ~~Grocery~~ Store in a room in No. *128 Eighth Avenue* Street, in the said City of New York, and occupied and controlled such room; That on the *9<sup>th</sup>* day of *September*, 1886, deponent went into said

store and such room so occupied and controlled by him, and said to *said Edward Connor* that he wanted to buy some Butter; That the said *Edward Connor* in response thereto then and there sold and delivered to deponent ~~the~~ *one half pound* pound of the manufactured substance hereinafter mentioned, for which he asked and deponent then and there paid him *14* cents per <sup>half</sup> pound; That it was so sold and delivered to deponent by said *Edward Connor* as

and for Butter, the product of the dairy; That thereafter and on *11<sup>th</sup> day of September*, 1886, deponent delivered a portion of such substance so sold to him by said *Edward Connor* to *Joseph F. Geisler*, a Chemist of *No. Cor Harrison & Hudson* Street in said City of New York, and caused the same to be analyzed by such Chemist; That the certificate thereof made by such Chemist is hereto annexed; That such substance so sold and delivered to deponent by said *Edward Connor*

was not Butter, the product of the dairy, and was not made from unadulterated milk or cream; That it was a manufactured oleaginous substance not produced from milk or cream, and had been made by mixing, compounding with and adding to natural milk, cream or Butter, some animal fats or animal or vegetable oils; ~~That on said~~ day of ~~1886~~, deponent in said ~~store and room occupied and controlled by him saw a quantity of such manufactured substance offered for sale as and for Butter made from unadulterated milk or cream, with intent to sell the same as and for Butter made from unadulterated milk or cream in the ordinary course of said~~ Grocery business.

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

Sworn to before me this *November* day of *1886*.

*Jedediah R. Wheeler*  
*J. P. Patterson*  
Justice.

POOR QUALITY ORIGINAL

0330

2<sup>nd</sup> District Police  
Court of the City and  
County of New York

*[Signature]*

THE PEOPLE, & C.,

vs.

*Edward J. Conroy*

Affiant:

*J. R. Wheeler*  
350 Washington St.

Witnesses:

*A. S. Clark*

Residence 350 Washington St.

*J. F. Gaele*

Residence Mercantile Exchange  
St. Andrew & Nassau Sts.

Residence

POOR QUALITY ORIGINAL

0339

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, ss

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

Question. What is your name?

Answer. Edward Connor

Question. How old are you?

Answer. 18 years old

Question. Where were you born?

Answer. Jersey City N.J.

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

Answer. 320 N. 21<sup>st</sup> St 7 years

Question. What is your business or profession?

Answer. Butter dealer

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

Answer. I am not guilty and I demand a trial by jury  
Edward Connor

Taken before me this 26 day of Nov 1886  
J. J. Williams Police Justice.

POOR QUALITY ORIGINAL

0340

Sec. 151.

Police Court 2<sup>nd</sup> 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 Federick R. Wheeler of No. 110 East 2<sup>nd</sup> Street, that on the 9<sup>th</sup> day of September 1886 at the City of New York, in the County of New York,

one Edward O'Connor did offer for sale and did sell to said Wheeler one half pound of oleomargarine as and for butter in violation of the statutes in such cases made and provided

Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to answer the said complaint.

These are, Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant, and bring him forthwith before me, at the 2<sup>nd</sup> 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<sup>th</sup> day of November 1886

A. M. Patterson POLICE JUSTICE.

Police Court 2<sup>nd</sup> District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Federick R. Wheeler  
vs.

Edward O'Connor

Warrant-General.

Dated November 24 1886

Patterson Magistrate.

Campbell Officer.

The Defendant Edward O'Connor

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

Randy Weather Campbell Officer.

Dated November 26 1886

This Warrant may be executed on Sunday or at night.

Patterson Police Justice.

REMARKS.

Time of Arrest, 1:50 P.M.

Native of N.Y.

Age, 18

Sex, Male

Complexion, Fair

Color, White

Profession, Butcher Shop

Married, No

Single, Yes

Read, Yes

Write, Yes

320. Br. 21. Street

POOR QUALITY ORIGINAL

1440

BAILED  
 No. 1, by Michael Murphy  
 Residence 409 E. 22<sup>nd</sup> Street

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

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

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

1772  
 Police Court District

THE PEOPLE, &c.,  
 ON THE COMPLAINT OF  
J. J. Miller  
288<sup>th</sup> St.  
Edman & Peterson  
 1 \_\_\_\_\_  
 2 \_\_\_\_\_  
 3 \_\_\_\_\_  
 4 \_\_\_\_\_  
 Offence A clutteration  
of food

Dated Nov 26 1886

Mr. Patterson Magistrate

Witnesses J. J. Miller  
J. J. Peterson  
 No. \_\_\_\_\_ Street

No. \_\_\_\_\_ Street  
J. J. Peterson  
 No. \_\_\_\_\_ Street

No. \_\_\_\_\_ Street  
300  
 to answer

300  
to answer

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

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

Dated Nov 26 1886 J. M. Patterson Police Justice.

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

Dated Nov 26 1886 J. M. Patterson Police Justice.

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

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

POOR QUALITY  
ORIGINAL

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District Attorney's Office.

PEOPLE

vs.

Edward O'Connor  
Olev -

Let this case  
~~get~~ be tried  
in Part 2 on  
21<sup>st</sup> - with RBM  
Nov 17/87  
To Mr Parker

J. M. Scharf  
1880

**POOR QUALITY ORIGINAL**

0343

**Court of General Sessions of the Peace.**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*Edward O'Rourke*

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

*Edward O'Rourke*

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

of a Misdemeanor, committed as follows:

The said *Edward O'Rourke*,

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

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

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

*Edward O'Rourke*

of a Misdemeanor, committed as follows:

The said *Edward O'Rourke*,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, unlawfully did unintentionally sell and cause and procure to be sold to one *Jedediah P. Wheeler*, *one half pound* of a certain oleaginous substance and compound, not made nor produced from milk or cream (a more particular description of which said substance and compound, and of the ingredients and matters of which the same was made and produced, is to the Grand Jury aforesaid unknown, and cannot now be given), as and for butter, the product of the dairy; against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

**POOR QUALITY  
ORIGINAL**

0344

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

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

*Edward Roman* —

of a Misdemeanor committed as follows:

The said

*Edward Roman,*

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

*Frederick R. Wheeler, one half pound*  
of a certain substance, not being butter, and commonly called oleomargarine, and did then and there falsely represent the same to the said *Frederick R. Wheeler,*

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

FOURTH COUNT: (Section 480, Penal Code)

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

*Edward Roman* —

of a Misdemeanor, committed as follows:

The said

*Edward Roman,*

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

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

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

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

*Edward Roman* —

of a Misdemeanor, committed as follows:

The said

*Edward Roman,*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, a certain parcel containing *one half pound* of a certain article and substance in semblance of butter, not the legitimate product of the dairy,

**POOR QUALITY  
ORIGINAL**

0345

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

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

*Jedediah Q. Wheeler,*  
such purchaser as aforesaid, a label of the kind and description aforesaid, against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

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

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

*Edward O'Connor* —

of a Misdemeanor, committed as follows:

The said *Edward O'Connor,*

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

*Jedediah Q. Wheeler, one half pound*

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

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

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

*Edward O'Connor* —

of a Misdemeanor, committed as follows:

The said *Edward O'Connor,*

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

**POOR QUALITY ORIGINAL**

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

*Isidore R. Wheeler, one half pound*

of a certain article, substance and compound in imitation and semblance of natural butter produced from pure, unadulterated milk, or cream of the same, the said article, substance and compound, so sold as aforesaid, being rendered, manufactured and produced out of divers animal fats and oils not produced from unadulterated milk, or cream from the same, the said article substance and compound not having been manufactured prior to, and not being in process of manufacture, on the first day of August, in the year of our Lord one thousand eight hundred and eighty six, (a more particular description of which said article, substance and compound, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

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

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

*Edward O'Connor*

of a Misdemeanor, committed as follows:

The said *Edward O'Connor,*

late of the City and County aforesaid, afterwards, to wit: on the said *ninth* day of *September*, in the year of our Lord one thousand eight hundred and eighty-*two*, at the City and County aforesaid, did unlawfully sell, and cause and procure to be sold, to one *Isidore R. Wheeler*

*one half pound*  
of a certain compound product and manufacture made in whole from animal fats and animal and vegetable oils, not produced from unadulterated milk or cream, which said compound product and manufacture had been before then, and was then and there colored with coloring matter, whereby the same did then and there resemble butter, the product of the dairy (a more particular description of which said compound, product and manufacture, and of the fats and oils from which the same was so made as aforesaid, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

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

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

*Edward O'Connor*

of a Misdemeanor, committed as follows:

The said *Edward O'Connor,*

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

*Isidore R. Wheeler, one half pound*

0347

BOX:

242

FOLDER:

2354

DESCRIPTION:

O'Connor, James

DATE:

12/22/86



2354

POOR QUALITY ORIGINAL

0348

Counsel,  
Filed 22 day of Dec 1886

Pleads *Guilty*

THE PEOPLE  
vs.  
*James O'Connor*

MISDEMEANOR.  
[Chap. 188, Laws of 1886, §§ 7 and 8, as amended by Chap. 677, Laws of 1886, §§ 2 and 3; § 430, Penal Code; Chap. 238, Laws of 1882, § 2; Chap. 246, Ibid., § 1; and Chap. 215, Ibid., § 2.]

RANDOLPH B. MARTINE,  
*Dist. Atty.*  
Pleads *Guilty*

A True Bill.

*S. McConstrick*  
Foreman.  
*Am 700 P*

Witnesses:  
*Chas. Sears*  
*E. G. Lane*

**POOR QUALITY ORIGINAL**

0349

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

New York, Oct 27<sup>th</sup> 1886

1653

CERTIFICATE OF ANALYSIS.

SAMPLE OF BUTTER.

Marked, B 9911, October 22<sup>nd</sup> 1886

Received from B. F. VAN VALKENBURGH, per *Chas. Deane*  
on Oct 23<sup>rd</sup> 1886.

THE SAMPLE CONTAINS:

WATER, - - - -	10.90	%
ANIMAL AND BUTTER FAT, - - - -	85.24	%
CURD, - - - -	0.83	%
SALT, - - - -	3.03	%

ANALYSIS OF THE FAT:

INSOLUBLE FATTY ACIDS, - - - -	94.81	%
SOLUBLE " " - - - -	0.13	%
SPECIFIC GRAVITY OF THE FAT AT 100° F., - - - -	0.942	

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

*Joel Nichols*  
Notary Public  
(N.Y.) N.Y.C.

**POOR QUALITY  
ORIGINAL**

0350

Ch. B. 994  
Oct-27<sup>th</sup> 76

—

8  
2

POOR QUALITY ORIGINAL

0351

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

Charles Sears of No. 350 Washington Street, being duly sworn, says: That he resides at No. Montgomery, Orange Street, in the City of New York, County and State of New York, is fifty (50) years of age, and an expert appointed by HON. JOSIAH K. BROWN, the New York Dairy Commissioner; That at the times hereinafter mentioned one James O' Connor <sup>was</sup> a Retail Grocery Dealer, and had <sup>his</sup> Grocery Store in a room in No. 87 Catherine Street, in the said City of New York, and occupied and controlled such room; That on the twenty second (22) day of October, 1886, deponent went into said Glynns store and such room so occupied and controlled by him, and said to said James O' Connor <sup>that he wanted to buy some Butter</sup>; That the said James O' Connor in response thereto then and there sold and delivered to deponent one half (1/2) pounds of the manufactured substance hereinafter mentioned, for which he asked and deponent then and there paid him at the rate of thirty eight cents per pound; That it was so sold and delivered to deponent by said James O' Connor as and for Butter, the product of the dairy; That thereafter and on the twenty third (23) day of October, 1886, deponent delivered a portion of such substance so sold to him by said James O' Connor to Edward G. Fox, a Chemist of No. 122 Bowery Street in said City of New York, and caused the same to be analyzed by such Chemist; That the certificate thereof made by such Chemist is hereto annexed; That such substance so sold and delivered to deponent by said James O' Connor was not Butter, the product of the dairy, and was not made from unadulterated milk or cream; That it was a manufactured oleaginous substance not produced from milk or cream, and had been made by mixing, compounding with and adding to natural milk, cream or Butter, some animal fats or animal or vegetable oils; Not produced from milk or cream, so as to produce an article, substance and human food in imitation and semblance of natural Butter; That the said substance had been and was colored with some coloring matter whereby said substance was made to and did resemble Butter the product of the dairy, and was so colored thereby in semblance of and to resemble natural Butter; That on said \_\_\_\_\_ day of \_\_\_\_\_, 1886, deponent in said \_\_\_\_\_ store and room occupied and controlled by him saw a quantity of such manufactured substance offered for sale as and for Butter made from unadulterated milk or cream, with intent to sell the same as and for Butter made from unadulterated milk or cream in the ordinary course of said \_\_\_\_\_ ~~Grocery business~~.

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

Sworn to before me this 10<sup>th</sup> day of December, 1886. } Charles Sears  
Wm. Patterson Justice.

POOR QUALITY ORIGINAL

0352

Police Court  
County of 3rd District

County of *New York*

THE PEOPLE & C.  
*Charles Sears*

*James O' Connor*

*James*

Affiant:

*Charles Sears*  
*350 Washington St*

Witnesses:

*Archibald D. Clark*

Residence *350 Washington St*

*Edward G. Carr*

Residence *122 Boman*

Residence

**POOR QUALITY ORIGINAL**

0353

Sec. 108-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss

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

Question What is your name?

Answer

*James O'Connor*

Question. How old are you?

Answer

*27 years*

Question. Where were you born?

Answer.

*Ireland*

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

Answer.

*144 Madam St about 8 years*

Question What is your business or profession?

Answer.

*Clerk*

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

Answer.

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

*James O'Connor*

Taken before me this

day of *December* 188*6*

*W. J. Sullivan* Police Justice.

**POOR QUALITY ORIGINAL**

0354

Sec. 151.

Police Court 3 District.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*In the name of the People of the State of New York; To the Sheriff of the County of New York, or to any Marshal or Policeman of the City of New York, GREETING:*

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by Charles Sears of No. 350 Washington Street, that on the 22 day of October 1888 at the City of New York, in the County of New York,

*James Honor dia in premises 80 Catherine Street unlawfully sell to Complainant a certain substance called Oleomargarine for butter in bid of the Statute in such case made & provided*

Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to answer the said complaint.

These are Therefore, in the name of the PEOPLE of the State of New York, to command you ~~the said~~ Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant and bring him forthwith before me, at the 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 10<sup>th</sup> day of December 1888

J. M. Patterson POLICE JUSTICE.

**POOR QUALITY ORIGINAL**

0355

Police Court 3 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Charles Lewis*  
vs.  
*James Connor*

Warrant-General.

Dated December 10<sup>th</sup> 1888

*Dutton* Magistrate

*Romey* Officer.

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

..... Officer.  
Dated ..... 188

This Warrant may be executed on Sunday or at  
night.

..... Police Justice.

*December 11, 81*

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

*37 yrs*  
*Orlana*  
*Clerk*  
*P.*  
*44 Madison*

The within named

Police Justice

POOR QUALITY ORIGINAL

0356

BAILED,  
 No. 1, by James P. Connors  
 Residence 79 Avenue Street.  
 No. 2, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street.  
 No. 3, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street.  
 No. 4, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street.

Police Court District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Charles Decker

James P. Connors

Offence Violation of  
Clemency Law

Dated Dec 11 1886

Patterson Magistrate.

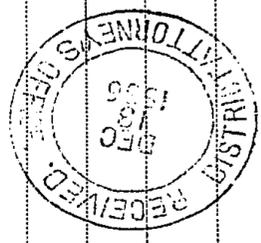
Officer \_\_\_\_\_

Precinct \_\_\_\_\_

Witnesses \_\_\_\_\_

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

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



No. 379 Street S. J.  
to answer

David

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

James P. Connors

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 11 1886 J. M. Patterson Police Justice.

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

Dated December 11 1886 J. M. Patterson Police Justice.

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

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

**POOR QUALITY  
ORIGINAL**

0357

**Court of General Sessions of the Peace.**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*James O'Rourke*

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

*James O'Rourke* -

(Chap. 188, Laws of  
1885, § 8,  
as amended by  
Chap. 577, Laws of  
1886, § 8.)

of a Misdemeanor, committed as follows:

The said *James O'Rourke*,

late of the City of New York, in the County of New York aforesaid, on the *22nd*  
day of *October*, - in the year of our Lord one thousand eight hundred and  
eighty-*nine*, at the City and County aforesaid, *one half pound*  
of a certain oleaginous substance and compound, not made nor produced from milk or cream  
(a more particular description of which said substance and compound, and of the ingredients and  
matters of which the same was made and produced, is to the Grand Jury aforesaid unknown, and  
cannot now be given), unlawfully did intentionally sell, and cause and procure to be sold to one  
*Charles Sears*, as and for butter, the product of the dairy; against the  
form of the statute in such case made and provided, and against the peace and dignity of the said  
people.

SECOND COUNT: (Chap. 188, Laws of 1885, § 8, as amended by Chap. 577, Laws of 1886, § 3).

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

*James O'Rourke* -

of a Misdemeanor, committed as follows:

The said *James O'Rourke*,

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

**POOR QUALITY  
ORIGINAL**

0358

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

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

*James O'Connor* -

of a Misdemeanor committed as follows:

The said *James O'Connor,*

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

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

FOURTH COUNT: (Section 490, Penal Code)

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

*James O'Connor* -

of a Misdemeanor, committed as follows:

The said *James O'Connor,*

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

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

FIFTH COUNT: (Chap. 288, Laws of 1882, § 8.)

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

*James O'Connor* -

of a Misdemeanor, committed as follows:

The said *James O'Connor,*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, a certain parcel containing *one half pound* of a certain article and substance in semblance of butter, not the legitimate product of the dairy,

**POOR QUALITY ORIGINAL**

0359

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

*Charles Sears,* —

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

*Charles Sears,* —

such purchaser as aforesaid, a label of the kind and description aforesaid, against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

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

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

*James Roman* —

of a Misdemeanor, committed as follows:

The said *James Roman,*

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

*Charles Sears, one half pound*

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

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

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

*James Roman* —

of a Misdemeanor, committed as follows:

The said *James Roman,*

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

**POOR QUALITY ORIGINAL**

0360

at the City and County aforesaid, did unlawfully sell and cause and procure to be sold to one *Charles Sears, one half pound* of a certain article, substance and compound in imitation and semblance of natural butter produced from pure, unadulterated milk, or cream of the same, the said article, substance and compound, so sold as aforesaid, being rendered, manufactured and produced out of divers animal fats and oils not produced from unadulterated milk, or cream from the same, the said article substance and compound not having been manufactured prior to, and not being in process of manufacture, on the first day of August, in the year of our Lord one thousand eight hundred and eighty six, (a more particular description of which said article, substance and compound, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

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

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

*James O'Connor* -

of a Misdemeanor, committed as follows:

The said *James O'Connor,*

late of the City and County aforesaid, afterwards, to wit: on the said *22nd* day of *October*, - in the year of our Lord one thousand eight hundred and eighty-*six*, at the City and County aforesaid, did unlawfully sell, and cause and procure to be sold, to one *Charles Sears, one half pound*

of a certain compound product and manufacture made in whole from animal fats and animal and vegetable oils, not produced from unadulterated milk or cream, which said compound product and manufacture had been before then, and was then and there colored with coloring matter, whereby the same did then and there resemble butter, the product of the dairy (a more particular description of which said compound, product and manufacture, and of the fats and oils from which the same was so made as aforesaid, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

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

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

*James O'Connor* -

of a Misdemeanor, committed as follows:

The said *James O'Connor*

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

*Charles Sears, one half pound*

0361

BOX:

242

FOLDER:

2354

DESCRIPTION:

O'Neill, Frank

DATE:

12/22/86



2354

**POOR QUALITY ORIGINAL**

0362

*Mar 1903*

Counsel,  
Filed *22* day of *Dec* 188*6*  
Pleads *poor quality (23)*

**MISDEMEANOR.**  
[Chap. 188, Laws of 1885, §§ 7 and 8, as amended by Chap. 877, Laws of 1890, §§ 2 and 3; § 480, Penal Code; Chap. 288, Laws of 1882, §§ 3; Chap. 246, Ibid., § 1; and Chap. 216, Ibid., § 2.]

THE PEOPLE  
vs.  
*Frank O'Neill*

RANDOLPH B. MARTINE,  
*District Attorney.*  
*Part II April 20/87*  
*Pleads Guilty*

**A True Bill.**

*S. W. Conant*  
*Sup. Ct.*  
*Foreman.*

Witnesses:  
*Paul J. White*  
*J. M. Geisler*



**POOR QUALITY ORIGINAL**

0363

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

Office and Laboratory

JOSEPH F. GEISLER, Ph. C.,

Analytical and Consulting Chemist,

N. Y. Mercantile Exchange Building.

New Series, No. 1221....

New York, Sept. 25<sup>th</sup> 1886.

Certificate of Analysis

of a sealed sample of "BUTTER"  
marked #111-8' Empire State Tea Co. 841 Tenth Ave. September 13<sup>th</sup> 1886 Samuel J. White  
received from Mr. B. F. Van Valkenburgh, Assist. State Dairy Com.  
per Mr. Samuel J. White on Sept. 14<sup>th</sup> 1886

This Sample contains  
Animal and Butter Fat, - - - 80.98 %  
Curd, - - - - - 1.33 %  
Salt, [Ash] - - - - - 3.16 %  
Water, at 100° C., - - - - 14.53 %  
100.00 %

Analysis of the Fat present in the sample:  
Soluble Fatty Acids, [on a dry basis] - 43 %  
Insoluble " " " " - 57 %  
Specific Gravity of the dry Fat, at 100° F., .9041  
Titre.....

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

Very Respectfully,

J. Geisler

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

State of New York  
City of New York  
County of New York

On the 27<sup>th</sup> day of Sept. in the year one thousand eight hundred and eighty six before me personally came J. F. Geisler a chemist and to me known, and known to me to be the individual described in, and who executed the foregoing instrument, and acknowledged that he executed the same.

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

**POOR QUALITY  
ORIGINAL**

0364

No 1111-E  
Sept- 25/86

POOR QUALITY ORIGINAL

0365

Office and Laboratory

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

JOSEPH F. GEISLER Ph. C.

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

*Samuel J. White*, of No. 350 Washington Street, being duly sworn, says: That he resides at ~~No. 36~~ *Middleton Orange County* Street, in the City of New York, County and State of New York, is *36* years of age, and an expert appointed by Hon. JOSIAH K. BROWN, the New York Dairy Commissioner; That at the times hereinafter mentioned one *Robert Hill* was a Retail Grocery Dealer, and had his Grocery Store in a room in No. *841 South Avenue* Street, in the said City of New York, and occupied and controlled such room; That on the *13<sup>th</sup>* day of *September*, 1886, deponent went into said store and such room so occupied and controlled by him, and said to *Frank O'Neill* that he wanted to buy some Butter; That the said *Frank O'Neill* in response thereto then and there sold and delivered to deponent *1/2* pounds of the manufactured substance hereinafter mentioned, for which he asked and deponent then and there paid him *Two* cents per <sup>half</sup> pound; That it was so sold and delivered to deponent by said *Frank O'Neill* as and for Butter, the product of the dairy; That thereafter and on *14<sup>th</sup>* *September*, 1886, deponent delivered a portion of such substance so sold to him by said *Frank O'Neill* to *Joseph F. Geisler*, a Chemist of *No. Cor Harrison and Hudson* Street in said City of New York, and caused the same to be analyzed by such Chemist; That the certificate thereof made by such Chemist is hereto annexed; That such substance so sold and delivered to deponent by said *Frank O'Neill* was not Butter, the product of the dairy, and was not made from unadulterated milk or cream; That it was a manufactured oleaginous substance not produced from milk or cream, and had been made by mixing, compounding with and adding to natural milk, cream or Butter, some animal fats or animal or vegetable oils; That on said ~~day of~~ *September*, 1886, deponent in said store and room occupied and controlled by him saw a quantity of such manufactured substance offered for sale as and for Butter made from unadulterated milk or cream, with intent to sell the same as and for Butter made from unadulterated milk or cream in the ordinary course of said ~~Grocery business.~~

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

Sworn to before me this *30<sup>th</sup>* day of *September*, 1886. } *Samuel J. White*  
*J. J. [Signature]* Justice.

POOR QUALITY ORIGINAL

0366

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

THE PEOPLE, &c.,  
vs. White  
of Frank O'Neill

Affiant:  
Samuel J. White  
350 Washington St

Witnesses:  
Joseph J. Guider  
Residence 350 Washington St  
W. W. Meeteer  
Residence 350 Washington St

Residence

James Abner  
350 Washington St  
New York

POOR QUALITY ORIGINAL

0367

BAILED,  
 No. 1, by James Caban  
 Residence 177  
 Street  
 No. 2, by \_\_\_\_\_  
 Residence \_\_\_\_\_  
 Street  
 No. 3, by \_\_\_\_\_  
 Residence \_\_\_\_\_  
 Street  
 No. 4, by \_\_\_\_\_  
 Residence \_\_\_\_\_  
 Street

Police Court District 4

1495-

THE PEOPLE, &c.,  
ON THE COMPLAINT OF-

James Smith

Frank Smith

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

Offence Murder

Dated

October 5 188

Smith Magistrate.

Officer

Precinct

Witnesses

No. \_\_\_\_\_

Street

No. \_\_\_\_\_

Street

No. \_\_\_\_\_

Street

to answer

James Smith  
Frank Smith

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 Alexander

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 Oct 2 188 James Smith Police Justice.

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

Dated Oct 3 188 James Smith Police Justice.

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

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

**POOR QUALITY  
ORIGINAL**

0368

Mo 2.  
6.6.66

6.6.66  
at 1/106 - 2, 106  
- 106 (106) 106  
6.6.66

**POOR QUALITY ORIGINAL**

0369

Sec. 151.

Police Court 4th 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 ~~under~~ oath, has been made before the undersigned, one of the *Police*  
*Justices* for the City of New York, by *Samuel J. White*  
of No. *350 Washington* Street, that on the *13th* day of *September*  
188*6* at the City of New York, in the County of New York,

*one Frank O'Neill did offer for sale and sell to said White 1/2 pound of also margarine not made from unadulterated milk or cream from the same, as and for butter made from unadulterated milk or cream from the same*

Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to answer the said complaint.

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant and bring *him* forthwith before me, at the *4th* DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this C., to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this *30th* day of *September*, 188*6*

*J. J. Wilhite* POLICE JUSTICE.

**POOR QUALITY ORIGINAL**

0370

841-10 ave  
Police Court \_\_\_\_\_ District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

Warrant-General.

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

Magistrate

*Foley* Officer.

The Defendant *Frank O'Neill*  
taken, and brought before the Magistrate, to answer  
the within charge, pursuant to the command con-  
tained in this Warrant. *24 Ireland*

*879-10th ave. Foley* Officer.

Dated *Oct 3d* 188

This Warrant may be executed on Sunday or at  
night.

*Quar...* Police Justice.

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

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

The within named

Police Justice.

POOR QUALITY ORIGINAL

0371

Court of General Sessions of the Peace.

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*Franka Miedl*

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

*Franka Miedl*

(Chap. 188, Laws of 1885, § 8, as amended by Chap. 577, Laws of 1886, § 3.)

of a Misdemeanor, committed as follows:

The said *Franka Miedl,*

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

SECOND COUNT: (Chap. 188, Laws of 1885, § 8, as amended by Chap. 577, Laws of 1886, § 3).

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

*Franka Miedl*

of a Misdemeanor, committed as follows:

The said *Franka Miedl,*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, unlawfully did unintentionally sell and cause and procure to be sold to one *Samuel J. White, one half pound* of a certain oleaginous substance and compound, not made nor produced from milk or cream (a more particular description of which said substance and compound, and of the ingredients and matters of which the same was made and produced, is to the Grand Jury aforesaid unknown, and cannot now be given), as and for butter, the product of the dairy; against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

**POOR QUALITY  
ORIGINAL**

0372

THIRD COUNT: (Chap. 246, Laws of 1892, § 1).

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

*- Franca Ornell -*

of a Misdemeanor committed as follows:

The said

*Franca Ornell,*

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

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

FOURTH COUNT: (Section 490, Penal Code)

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

*- Franca Ornell -*

of a Misdemeanor, committed as follows:

The said

*Franca Ornell,*

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

*Samuel J. White -*

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

FIFTH COUNT: (Chap. 238, Laws of 1892, § 3.)

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

*- Franca Ornell -*

of a Misdemeanor, committed as follows:

The said

*Franca Ornell,*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, a certain parcel containing *one half pound* of a certain article and substance in semblance of butter, not the legitimate product of the dairy,

**POOR QUALITY  
ORIGINAL**

0373

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

*Samuel J. White -*

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

*Samuel J. White. -*

such purchaser as aforesaid, a label of the kind and description aforesaid, against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

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

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

*Franka Smith -*

of a Misdemeanor, committed as follows:

The said *Franka Smith,*

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

*Samuel J. White, one half pound*

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

SEVENTH COUNT: (Chap. 188, Laws of 1885, § 7, as amended by Chap. 577, Laws of 1886, § 2.)

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

*Franka Smith -*

of a Misdemeanor, committed as follows:

The said *Franka Smith,*

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

**POOR QUALITY ORIGINAL**

0374

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

*Samuel J. White, one half pound*

of a certain article, substance and compound in imitation and semblance of natural butter produced from pure, unadulterated milk, or cream of the same, the said article, substance and compound, so sold as aforesaid, being rendered, manufactured and produced out of divers animal fats and oils not produced from unadulterated milk, or cream from the same, the said article substance and compound not having been manufactured prior to, and not being in process of manufacture, on the first day of August, in the year of our Lord one thousand eight hundred and eighty six, (a more particular description of which said article, substance and compound, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

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

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

*Franka Orrell*

of a Misdemeanor, committed as follows:

The said *Franka Orrell,*

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

*Samuel J. White one half pound*

of a certain compound product and manufacture made in whole from animal fats and animal and vegetable oils, not produced from unadulterated milk or cream, which said compound product and manufacture had been before then, and was then and there colored with coloring matter, whereby the same did then and there resemble butter, the product of the dairy (a more particular description of which said compound, product and manufacture, and of the fats and oils from which the same was so made as aforesaid, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

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

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

*Franka Orrell*

of a Misdemeanor, committed as follows:

The said *Franka Orrell,*

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

*Samuel J. White, one half pound*

0375

BOX:

242

FOLDER:

2354

DESCRIPTION:

O'Rourke, Thomas

DATE:

12/24/86



2354

POOR QUALITY ORIGINAL

0376

No 2 18

Counsel,  
Filed 24 day of Dec 1886  
Pleads, 10th July 77.

THE PEOPLE  
vs. *R*  
Thomas G. O'Rourke  
18 11 16  
3 16 11 16  
-supposed

Burglary in the Third Degree.  
Section 498

RANDOLPH B. MARTINE,  
District Attorney.  
11 1/2 Ave 487  
New York City.

A True Bill.

*J. W. Conant*

Foreman

Ben J. J. J. J.  
100 years.

Witnesses:  
*George Libberger*

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

POOR QUALITY ORIGINAL

0377

Police Court— District.

City and County of New York, ss.:

of No. 121 1/2 St. Avenue Street, aged 31 years, occupation a steam-keeper being duly sworn

deposes and says, that the premises No. 41 1/2 St. Avenue Street,

in the City and County aforesaid, the said being a good strong building the

apart which was occupied by deponent as a ~~part~~ <sup>part</sup> and in which there was at the time a human being, by name

and in which there was at the time a human being, by name

and in which there was at the time a human being, by name

were BURGLARIOUSLY entered by means of forcibly breaking down the

doors and windows and the windows being broken down and the

doors and windows being broken down and the doors and windows

being broken down and the doors and windows being broken down

and the doors and windows being broken down and the doors and windows

being broken down and the doors and windows being broken down

on the 11th day of December 1884 in the night time, and the

following property feloniously taken, stolen, and carried away, viz:

Five or six signs of various colors and designs

Some black and some white having a blue border

Value of the signs about ten dollars

From a copy of Deponent's affidavit sworn before me this 11th day of December 1884

POOR QUALITY ORIGINAL

0378

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, } ss.

District Police Court.

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

Question. What is your name?

Answer.

*Thomas G. Rowke*

Question. How old are you?

Answer.

*Eighteen years*

Question. Where were you born?

Answer,

*New York City*

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

Answer.

*15 816 West 16 Street; eight years*

Question. What is your business or profession?

Answer,

*Saddler*

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

Answer.

*I have nothing to say*

*Thomas G. Rowke*

Taken before me this

day of *November* 188*8*

*Thomas G. Rowke*  
Police Justice.

POOR QUALITY ORIGINAL

0379

BAILED,

No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_

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

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

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

Police Court - 1909  
District

THE PEOPLE, & c,  
ON THE COMPLAINT OF

George Waldron  
74-8 Ave  
1  
2  
3  
4

Offence - Wardship

Dated November 21 1886

Magistrate  
Precinct

Witnesses

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

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

No. \_\_\_\_\_  
Street \_\_\_\_\_  
to answer

*[Signature]*

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 \_\_\_\_\_

John Waldron Waldron  
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 November 21 1886 John Waldron Police Justice.

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

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

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

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

POOR QUALITY ORIGINAL

0380

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 F. Rowden

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

Thomas F. Rowden

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

The said Thomas F. Rowden,

late of the Sixteenth Ward of the City of New York, in the County of New York, aforesaid, on the twenty-first day of December, in the year of our Lord one thousand eight hundred and eighty-~~two~~ <sup>two</sup>, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the ~~residence~~ <sup>residence</sup> of one

Figoras Suterage

feloniously and burglariously did break into and enter, with intent to commit some crime therein, to wit: with intent, the goods, chattels and personal property of the said

Figoras Suterage,

in the said ~~residence~~ <sup>residence</sup> 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.

Handwritten signature of District Attorney

District Attorney.