

BOX

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**City Magistrates-Night
Courts**

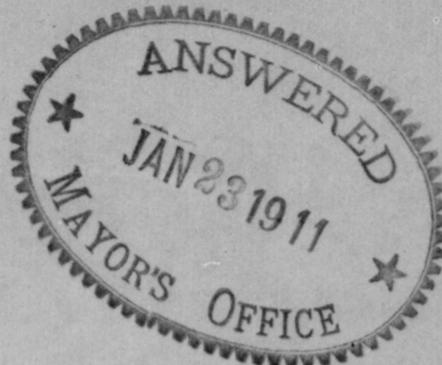
1911-1912

OFFICE OF
THE CHIEF CITY MAGISTRATE
FIRST DIVISION, CITY OF NEW YORK
300 MULBERRY STREET
MANHATTAN

WILLIAM McADOO
CHIEF CITY MAGISTRATE

NEW YORK January 11, 1911.

Hon. William J. Gaynor,
M a y o r ,
City Hall, Manh.



S i r : -

I beg leave to enclose herewith reports on the Night Courts for Men and Women. Permit me to call your attention to the fact that in the Women's Night Court, of the 2037 women arraigned there 1525 were discharged by the Magistrate and 512 convicted. The new system of finger-printing convicted women is now beginning to make returns, and 34 were identified by the finger-prints, some of them three times although giving different names. I commend the work of the Judges in this Court. So far as I can, I favor the commitment, especially of the younger women where the case looks in any wise hopeful, to reformatories and those other institutions provided by law.

You will also notice that in the Men's Night Court 3352 of those arraigned were discharged out of a total of 6865. These 3352 men were arrested after the close of the day court, and, without this court, would have remained in prison until the following day if not bailed out. The amount of fines, \$3,246.50, is quite considerable. I have been informed that the Police Department have some objections to this Court, on

the ground that the discharge of the defendants during the night prevents the inspection of men who are professional criminals by the Detective Bureau in the morning, it being a custom of that Department-- for the information especially of the younger men in the Detective Bureau-- to have what is called a "line up" of suspects and well known criminals every morning.

The system which prevailed up to this time, of making returns from the Courts is not sufficient in detail for me to be able to analyze, from the figures given to me, the number of prisoners who were held in the Night Court charged with such offense as being a disorderly person and intended to cover those known to be pickpockets or other professional criminals. I am addressing myself to the work of so reforming the returns from the courts as to be able to more clearly analyze their work and classify the offenses. To this end, however, permit me to say, that it will be necessary that this office should be in co-operation with the Police Department and the Commissioner of Corrections, and I would be glad indeed if Your Honor could see your way to suggest that the two other officials and myself confer together on this subject. Our returns are now in no wise up to the standard of those in the great cities in Europe. Properly collected, these statistics and tables would not only be interesting to students, but would furnish a fine practical basis for effective reform by those concerned in

administering the government of the city.

I would also be glad if I could have official information from the Police Department as to their exact attitude regarding the Night Court for men.

If the Night Courts are to remain separated as they now are, entailing additional labor on the magistrates, being in session, as they are, every night in the year, I would suggest that the law be changed as to the opening and closing hours of these courts. I believe if the law read that they should open at 9 p.m., instead of eight o'clock, and close not earlier than one o'clock a.m., unless in the discretion of the Chief City Magistrate the volume of business, as shown by the returns from Police Headquarters, required later hours, it might be ^{advantageously} closed at the hour first named. As a general rule, the largest number of cases have been disposed of by one o'clock, especially if the magistrate sits continuously to that hour, and, it most frequently happens that from that until three o'clock in the morning he hasn't anything to do, but is compelled to remain there, getting to his home in a distant part of the city at a very unseemly hour. The long drag between one and three o'clock, doing nothing, is more wearing on the magistrates than if they were actively engaged, and I know from my own experience and that of the other judges, that they consider the nervous strain incidental to this prolongation of the night session more burdensome than formerly when there was but one night court and the number of prisoners brought in in the first hour were oftentimes of

The Mayor

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1/11/11

so great a volume as to keep the magistrate actively engaged until the last minute of the prescribed hour for closing. The majority of the magistrates are very desirous of this change, and, I am quite convinced that if they knew it could be closed by law at one o'clock they would readily meet any emergency and remain open to any hour in the morning where their presence ^{was} ~~by~~ actually required.

Very respectfully,

William M. Deo

Chief City Magistrate.

MEMORANDUM FOR THE MAYOR.

This is a letter from Chief City Magistrate McAdoo.

He asks for more cooperation between the Magistrates' Courts, the Department of Police and the Department of Correction, and adds: "I would be glad indeed if your Honor could see your way to suggest that the two other officials" (the Commissioner of Police and the Commissioner of Correction) "and myself confer together on this subject."

The subject to which Judge McAdoo addresses himself is with respect of the administration of the night courts, and particularly as to the custom of holding prisoners on charges of being disorderly persons. He says that numbers of prisoners have been held in the Night Court charged with this offense, which is intended to cover those known to be pickpockets or other professional criminals, so that there may be a "line up" in the morning for the information, especially of the younger men, of the Detective Bureau.

A handwritten signature in dark ink, consisting of several stylized, overlapping loops and a horizontal line at the bottom.

“ Another interesting table shows what is being done with the women of the street. They have never been so free from molestation as now. This is a comparative table of the disposition of cases in September, 1909, and for the same month in 1910:

	1909.	1910.
Discharged	631	417
Workhouse	1	27
Fined \$1 to \$10.....	545	9
Probation	5	..
Good behavior bond.....	2	..
House of Good Shepherd...	1	..
N. Y. Magdalen and Benev- olent Society	1
Hospital	21
Total arraignments	1,185	475
Total convictions	554	58
Total commitments	2	49

OFFICE OF
THE CHIEF CITY MAGISTRATE
FIRST DIVISION, CITY OF NEW YORK
300 MULBERRY STREET
MANHATTAN

WILLIAM McADOO
CHIEF CITY MAGISTRATE

NEW YORK April 3, 1911.

My Dear Mayor Gaynor:

My attention has been called to a statement published in the "New York Times" of Sunday, (a clipping of which I enclose), which is intended to show the work of the Night Court for Women.

These figures are grossly inaccurate, as you will see by the report herewith enclosed. Instead of 417 having been discharged in the month of September, the total arraignments in that Court were 473, of which 263 were convicted and sentenced by the Magistrates for various offenses of which the Court had summary jurisdiction, one was held for a felony, 24 for misdemeanors and 183 were discharged. Fifty-nine of these convictions were for soliciting for the purposes of prostitution or for violations of other laws relating to that vice. In September we had not put in operation the card system under which every case in the Courts in these Boroughs is now reported to this office daily, and, in the cases of women arraigned for disorderly conduct, soliciting on the streets, the letters "Sol." are placed in brackets after the words, "Disorderly Conduct," so that we can separate these cases every day from the other offenses under that heading. We know, however, from the fact that fifty-eight women were finger-printed that those represent the convictions for soliciting on the public streets, and that the remainder were for other causes than those connected with this vice.

The Mayor:

April 3, 1911.

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I enclose also table showing the work of the Night Court for Women, from the 1st of September up to date. Coupled with the charge that no effort is being made to keep the streets free from these women, nor to abate the indecencies and dangers of this nuisance, the month of September was evidently selected because of the small number of convictions for this form of disorderly conduct.

You will notice by the tables that during the months of September and October the figures had reached the minimum but afterwards they jumped suddenly up and have maintained a high level ever since. The reason why there were so few women brought to the Night Court during the months of September and October for this charge was because, after the new law went into effect, these women who frequent the streets were led to believe, from statements made to them, that the physical examination proscribed by Sec.79 and the consequences to them, were very serious, and I can testify, not only from statements made to me, but from my own inspection of the streets at that time, that the usual thoroughfares, which these people frequent, became largely deserted by this class of women who were frightened by such stories. Finding the reports in regard to this system had been distorted and exaggerated, they grew bolder by December, and, in addition to that, on the 25th day of November, Mr. Justice Bischoff declared that part of the law unconstitutional, and the physical examinations were thereupon discontinued.

Of the 1525 convicted since September 1st, the following is the disposition of the cases:

The Mayor:

April 3, 1911.

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Workhouse	1005
Fined	270
Probation	95
Discharged	18
Sentence Suspended	10
Bedford Reformatory	24
House of Mercy	1
House Good Shepherd	9
Magdalen Home	7
Hospital	79
Reprimand	4
\$200.00 Bonds, to keep the peace 6 months	1
Pending	<u>2</u>
Total	1525

Prior to the 1st day of September, 1910, there were no records available to show the number of women arrested, convicted or discharged as to this particular offense.

Very sincerely yours,

William M. ...
Chief City Magistrate.

Hon. William J. Gaynor,

M a y o r ,

Number and disposition of cases for "Soliciting" &c.

From September 1st to December 31st, 1910:

	Sept.	Oct.	Nov.	Dec.	Total
Workhouse.....	27	47	144	138	356
Fined.....	9	6	3	13	31
Probation.....	--	4	11	16	31
Discharged.....	--	1	2	4	7
Sentence Suspended....	--	--	2	1	2
Bedford Reformatory..	--	--	2	1	3
House Good Shepherd..	--	--	---	1	1
Magdalen Home	1	--	1	---	2
Hospital.....	<u>21</u>	<u>32</u>	<u>26</u>	<u>---</u>	<u>79</u>
	58	90	190	174	512

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Number and disposition of Cases for "Soliciting," &c.
 From January 1 to March 31, 1911:

	Jan'y.	Feb'y.	March	Total
Workhouse.....	225	180	244	649
Fined.....	67	67	105	239
Probation.....	32	17	15	64
Discharged.....	5	3	3	11
Bedford Reformatory.....	5	13	3	21
House of Mercy.....	---	1	---	1
House of Good Shepherd.....	3	3	2	8
Magdalen Home.....	---	3	2	5
Suspended Sentence.....	---	4	4	8
Reprimand.....	---	1	3	4
\$200.00 Bonds, to keep 6 mos.....	1	---	---	1
Pending.....	<u>2</u>	<u>---</u>	<u>---</u>	<u>2</u>
	340	292	381	1013

Total number of arraignments and disposition of
 prisoners at the Female Night Court from September 1st, 1910
 to March 31st, 1911, inclusive.

	<u>Arraigned</u>	<u>Convicted Prostitution</u>	<u>Other Convictions</u>	<u>Discharged</u>
September	473	58	205	181
October	499	90	170	207
November	509	190	127	175
December	556	174	140	200
January	705	340	97	223
February	606	292	104	178
March	<u>727</u>	<u>381</u>	<u>151</u>	<u>133</u>
Totals	4075	1525	994	1297

Philip Block
Chief Clerk

[Faint handwritten notes and signatures in the bottom left corner]

Apr 3/1911

Re. to the work
of the Night
Court for Women
showing figures

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NIGHT COURTS BILL.

The World:

My attention has been called to an editorial in this morning's issue entitled "Spiking the Night Court." With all that is said in favor of these courts by The World I heartily and earnestly agree. They fulfil a most useful public purpose and have come to stay.

I think, however, you have not seen the bill in question, which, as you state, was introduced by Senator Frawley and passed by the Senate. I drew the bill myself and it expressly provides that the courts shall not close earlier than 3 o'clock A. M. and at such later hour as the Chief City Magistrate may deem necessary in the public interest. It is the unanimous opinion of the Magistrates, especially those who sit in the Night Court for Men, that the court should close much earlier than 3 o'clock A. M., as it is their experience that there are few if any prisoners brought in after 1 o'clock in the morning. I am so certain about the proper closing for the Night Court for Women that I should be guided by experience. If the views of the professional bondsmen come into view, why of course the closing should be extended, if not even later than 3 o'clock A.

Strongly, and I might say consistently, opposed as I am to the evils pointed out by The World, I think the public can be assured that there will be no abuse of the responsibility cast upon me by the proposed enactment.

The physical and nervous strain upon the Magistrates holding Night Courts is quite considerable, and I was induced to favor this measure by their unanimity in asserting that at the Men's Night Court the general rule was that they had comparatively nothing to do between 1 and 3 o'clock in the morning, and that the court could be closed earlier than now allowed by law without inviting any of the evils which the system was designed to repress.

WILLIAM M'ADOO,
Chief City Magistrate

New York, June 5.

SPIKING THE NIGHT COURT.

~~Senator~~ Frawley's bill permitting the Manhattan Night Court to be closed at any hour after 1 A. M. fixed by the Chief Magistrate has passed the Senate. It should go no further.

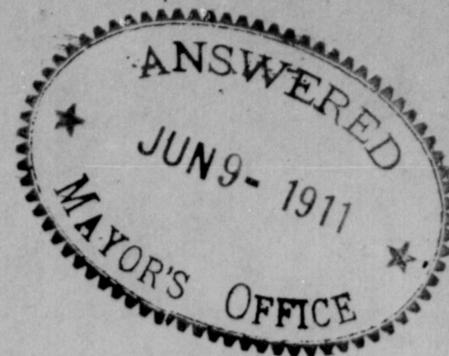
The Night Court was established to lessen the risk that innocent persons might be subjected to imprisonment unnecessarily, and also and chiefly to cut off the graft of the professional bondsmen, extorted from the wretched, helpless women of the street. Additional Magistrates were appointed to take care of the increased work. They were scarcely in their places when efforts were begun to spike the law and close the court.

Either the Night Court is needed or it is not needed. If the professional bondsman is dead, if unnecessary arrests for purposes of extortion are no longer made, if the summons system is complete and universal, there is no further need of this tribunal at all. But if it is still needed we should hear no more about shortening its hours. At 1 A. M. the "night" within which the \$5-fee bondsman of old reaped his infamous harvest is only just beginning.

World. June 5-11

OFFICE OF
THE CHIEF CITY MAGISTRATE
FIRST DIVISION, CITY OF NEW YORK
300 MULBERRY STREET
MANHATTAN

WILLIAM McADOO
CHIEF CITY MAGISTRATE



NEW YORK

June 7th, 1911.

Hon. William J. Gaynor,

Mayor,

City Hall, Manh.

Re. NIGHT COURTS.

My Dear Mayor Gaynor:

I beg to call your attention to a clause in the annual report with reference to changing the hours of the Night Courts for men and women, and also to an editorial which appeared in "The World," and a letter which I subsequently wrote to that paper in connection therewith. The Bill, which I understand is passed and is before you, is the one introduced in the Senate by Senator Frawley and was drawn by me. I have given the matter careful and painstaking investigation and am convinced that we can, without any injury to the public interests, close the Men's Night Court at an earlier hour than three o'clock a.m., and the Women's Night Court probably between two and three a.m. All of the cases that go to the Men's Night Court are for minor offenses, such as intoxication, peddling without a license, disorderly conduct, etc., and the police arrests are practically closed by midnight. In the Women's Night Court defendants are brought in often later than one a.m., although many nights, between one

and three o'clock there are few if any arrests.

You will see that the Bill gives me entire discretion as to the closing hours after one a.m., and, if the Bill becomes a law, I will proceed with great caution, and, after painstaking examination, to regulate the hours so that none of the abuses, which these courts were designed to correct, can be again restored. The larger number of Magistrates sit in the Men's Night Court. Only three sit in the Women's Night Court and these assure me that if it is found that the arrests of women ^{are} ~~is~~ in such numbers after one a.m. as to provide work for the court, they will be glad to sit to any hour named by me. Of course, you will understand that I thoroughly appreciate that the personal comfort and convenience of the Magistrates is not to be considered against large public interests, nor allowed to interfere with the reform of abuses in connection with these courts. I will also make it my business to act in harmony with the Police Department, with reference to having the courts always ready to dispose of any night prisoners that the Police may have on hand.

The Magistrates, so far as I have been able to learn their opinions, are unanimously in favor of the change, as they testify that at the Men's Night Court they are most frequently without any prisoners to try in the early hours of the morning. I do not believe they are trying to shirk or evade their duties in the premises, and they have been so earnestly co-operative with me in

Hon. Wm. J. Gaynor, Mayor.

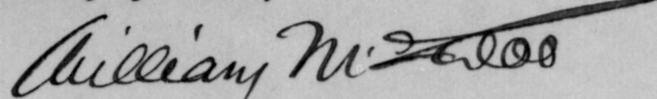
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June 7'11.

the reforms which we have in hand that I believe it is only just that I should give ear to any reasonable complaint which they have to make, to the end that they may address themselves to their duties with hearty good will and content .

Believe me, always,

Very sincerely yours,

A handwritten signature in cursive script, appearing to read "William M. Wood". The signature is written in dark ink and is positioned above the typed name of the Chief City Magistrate.

Chief City Magistrate.

June 7/1911

re. to changing
the Hours of the
Night Court

Excerpt from Annual Report of the
Board of City Magistrates, First Division, for the year ending
December 31, 1910:

"The night work of these courts is arduous and subjects the Magistrates to considerable physical and nervous strain, but I am convinced beyond doubt that it is necessary, salutary and must be continued. Popular opinion is, so far as I know, practically unanimous in favor of these courts. After careful investigation, I arrived at the conclusion that these courts might well be closed, in most instances, at one o'clock in the morning, or kept open thereafter subject to the discretion of the Chief City Magistrate in co-operation with the Police Department. The Magistrates themselves are unanimously in favor of this change. This would have the court continuously in session from eight p.m. to one a.m., instead of a recess and a long wait with nothing to do in the early hours of the morning as is now often the practice."

April 3, 1912.

Hon. William McAdoo,
Chief City Magistrate.

Sir: -

The following is a report of the Women's (Night) Court and Second District (Day) Court of convictions of prostitutes for the quarter ending March 31st, 1912:

Total convictions 1173, of which there were 706 old cases and 467 new cases, which were disposed of as follows:

Committed to the Workhouse.....	907
Fined.....	48
Placed on Probation.....	154
Committed to Institutions.....	44
Suspended sentences.....	5
Discharged with Reprimand.....	14
Cases Pending.....	<u>1</u>
Total	1173

Respectfully,

Philip H. Hall
Chief Clerk.

*3/31/12
J. J. [unclear]
G. [unclear]*

April 3/1912.
16- work of courts.

Committed to Institutions.....	44
Placed on Probation.....	124
Fined.....	48
Committed to the Workhouse.....	203

as follows:

102 old cases and 461 new cases, which were disposed of

Total convictions 1113, of which there were

prostitutes for the quarter ending March 31st, 1912:

Court and Second District (Day) Court of convictions of

The following is a report of the Women's (Night)

S I T : -

Chief City Magistrate.

OFFICE OF
THE CHIEF CITY MAGISTRATE
FIRST DIVISION, CITY OF NEW YORK
300 MULBERRY STREET
MANHATTAN

WILLIAM McADOO
CHIEF CITY MAGISTRATE



NEW YORK May 24th, 1912.

Dear Mayor Gaynor:

I am sending this letter to Mr. Clinton Graham, who wrote you a letter complaining that he was requested to leave the Women's Night Court by one of the Attendants because he had been there on other occasions. I hope this reply will meet your approval.

The life is pestered out of us with a lot of men and women who want to go over there and make that court a sort of show place. Aside from the disorderly and criminal element who follow these women, there are quite a number of men and women who claim to be humanitarian and philanthropists, who apparently are never happy unless they are dealing with this question of the so-called social evil, and, if we allowed it, they would crowd on to the bar and on the bench and sit in court every night in the week, claiming that they are there for philanthropic and beneficent purposes. I do all I can to keep all these elements out of the place, and this I am convinced you approve of.

Very sincerely yours,

A handwritten signature in cursive script, appearing to read "William McAdoo".

Chief City Magistrate.

To, Hon. Wm. J. Gaynor,
Mayor,
New York City.

C O P Y .

May 24, 1912.

Clinton Graham, Esq.,
10 Wall Street, Manhattan.

S i r : -

Your letter of the 20th instant to His Honor, Mayor Gaynor, complaining that you had been excluded from the Jefferson Market Night Court for Women by an Attendant Officer for the reason that you had been there before and it was the Judge's orders that such people should be refused admittance, has been referred to me.

The difficult and delicate task which confronts the Magistrates who preside in that court has at times been added to by the large number of people who insist upon crowding into the room, so as to make it uncomfortable for those who work there. In addition to that, there are a class who come there, which you and all good citizens, I know, would consider quite undesirable and not entitled to any special consideration, namely, the so-called levers, pimps, cadets and inhuman parasites who prey on these unfortunate women. The attendants at that Court have been selected with great care as men of good judgment and discretion and well-mannered, and they are instructed to treat everybody with politeness and patience. In an endeavor to free the court from those who are attracted there apparently because the cases border on social and sexual questions and for some reason or other like to watch these women, and from those who prey upon them, it is quite likely that occasionally a mistake may be made. The City Authorities contemplate building a new court for women, and if I have anything to say about it, it will be in a small room. It is a great injustice to these poor creatures that people crowd in to look upon them as a sort of curiosity. We certainly will not allow this court to be turned into a human zoo or be exploited in any way.

Very respectfully,

(Signed)

William McAdoo,

Chief City Magistrate.