

**BOX
014
FOLDER
134**

Courts: Special Sessions

1910



COURT OF SPECIAL SESSIONS
CHAMBERS

JOSEPH M. DEUEL
JUSTICE

ANSWERED
JAN 13 1910

125 West 80th St

N.Y. Jan'y. 12. 1910

Dear Mr Mayor:

I want to remind you that the
Children's Court is part and parcel
of the City administration; it holds
Sessions every day in the week except
Sunday at Eleventh St Corner Third Ave
and I extend to you a most cordial
invitations
to sit with me any day you like;
preferably on Saturday as that
is holiday day for school children.
My term ends Saturday Feb'y 5th
and I shall be there every day
except Jan'y 28 + 29 when I must
make a visit to Washington.

I am very anxious for you
to see the Court in operation and
to explain its procedure.

Respectfully,
Hon Wm J. Gaynor
Mayor

Yours very sincerely
Joseph M. Deuel

COURT OF SPECIAL SESSIONS,
FIRST DIVISION.
CHILDREN'S PART.
66 THIRD AVENUE, NEW YORK.
JUSTICES' CHAMBERS.

February 11, 1910.

To His Honor William J. Gaynor,
Mayor of the City of New York.

Sir:-

In response to your communication of February 10, inquiring as to the facts in the case of The Peo. vs. Morris Diamond, I beg to submit the following from the records of the Children's Court:-

Morris Diamond, twelve years old, of 331 East 25th street, was arrested on January 21, 1909, in company with three other boys for stealing spark plugs, altogether of the value of \$5.60, at the Automobile Show in Madison Square Garden. The boys pleaded guilty when arraigned in the Children's Court the following day before Justice Deuel. After a warning by the Court and promises from the boys that they would conduct themselves thereafter as they should, one of the defendants, Peter Boyle, fifteen years old, was released on parole until March 17, while sentence was suspended in the cases of the other boys. Daily attendance at school was one of the conditions.

The Principal of Public School No. 14, Manhattan, reported to the Court on January 29, following, that Morris Diamond had been conducting himself very badly after his return to school from court, his conduct on one day having been so bad that one day his teacher had been compelled to forcibly restrain him. The report of the Society for the Prevention of Cruelty to Children showed that the boy kept bad company and frequently remained away from home over night. Mr. Fruauf, Principal of Public School No. 14, stated that the boy had behaved himself so badly that it had been necessary to

COURT OF SPECIAL SESSIONS,
FIRST DIVISION.
CHILDREN'S PART.
66 THIRD AVENUE, NEW YORK.
JUSTICES' CHAMBERS.

ask the mother to take him home. Mrs. Diamond said that she wanted to have the boy committed to an institution. The mother was directed produce the boy in the Children's Court and on January 29, 1909, Justice Deuel reopened the case, revoked the suspension of sentence and committed the boy to the House of Refuge. Mrs. Diamond had changed her mind on this day and asked that the boy be given another chance, but in view of the open defiance of the conditions imposed by the Court when sentence was suspended, Justice Deuel felt there was no course but to commit the boy.

On March 3rd, 1909, an application was made to the Board of Managers of the House of Refuge for the parole of the Diamond boy. The application was granted and the boy was released on parole. On May 4th, because of the boy's truancy it was necessary for the parole officer of the House of Refuge to warn the boy that he must attend school each day. This warning was given in the presence of the boy's Principal by William C. O'Keeffe, of the House of Refuge.

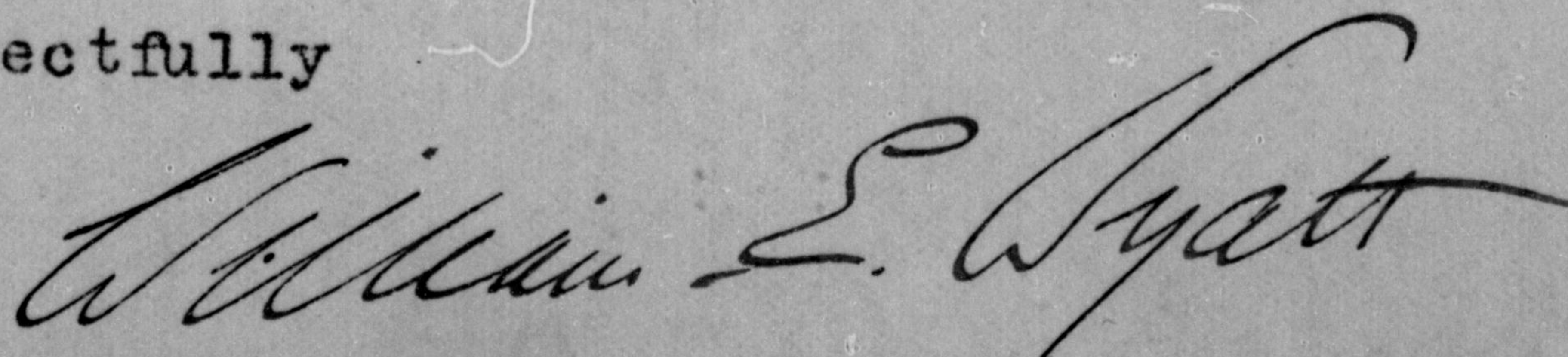
On September 27th, 1909, Morris Diamond was again arrested, this time for shop lifting. He was charged with stealing a number of articles of stationery and cutlery, of the value of \$8.95, from the counters of the store of Greenhut & Co., on Sixth avenue. Lewis Wiener 14 years old, of 208 East 21st street, was arrested with the boy on this charge of shop-lifting. The boys pleaded not guilty in court. They were represented by counsel, as are all children charged with offenses in the Children's Court, but were duly convicted on September 28 by Justice Deuel. Lewis Wiener was released on parole until October 1st. His parole was then continued until December 4th when sentence was suspended by Justice Hoyt.

COURT OF SPECIAL SESSIONS,
FIRST DIVISION.
CHILDREN'S PART.
66 THIRD AVENUE, NEW YORK.
JUSTICES' CHAMBERS.

Morris Diamond, however, being on parole from the House of Refuge, was sent back to that institution in charge of one its officers, it being within the jurisdiction of that institution to retake the boy for violation of his parole and to deal with him in accordance with the laws governing that institution. Sentence was suspended in the shop lifting case .

There have been frequent and persistent applications to the Court and to the House of Refuge, as I am informed, since then for the release of the boy. The Superintendent of that institution and the Managers, I believe, feel that a mistake was made when the boy was released from that institution on parole after the first commitment, as he had served only a small part of the time which is customary in such cases. I am told that the parents have made two formal applications recently to the authorities at the House of Refuge for the release of the boy, the last application having been presented on February 2nd, last, and having been denied. The matter is one entirely within the control of the House of Refuge. I am informed that the managers there believe that the boy is justly detained now and that his release after his conviction for shop-lifting while on parole from that institution would be neither to the boy's best interests nor the best interests of the community.

Respectfully



Justice Presiding
in Children's Court.



CHAMBERS OF LORENZ ZELLER
JUSTICE OF THE COURT OF SPECIAL SESSIONS
FIRST DIVISION
32 FRANKLIN STREET

April 14th, 1910.

Dear Mr. Mayor:-

The letter of March 31st, complaining of the conduct of the Police during afternoons, as well as your letter of April 8th to Judge Barlow, has been handed to me yesterday by Justice Deuel, to whom the same was forwarded.

I preside in the Children's Court this month and I shall forthwith make a thorough investigation of the facts set forth in the anonymous letter and transmit my findings to you as well as to the Police Department in due time.

Respectfully yours,

Hon. William J. Gaynor,
Mayor City of New York.

Memorandum for the Mayor.

Letter from Judge Lorenz Zeller from the Court of Special Sessions reporting on an anonymous letter sent President Barlow of the Board of Magistrates for investigation, to the effect that the Police Lieutenant and five patrolman on duty at the Children's Court were using their room for gambling, and that while gambling indulged in vile language. Judge Zeller states that the room occupied by the Police is very small, that it has but a small table in it, with three chairs and two lockers for the officers. He states that the Lieutenant informs him that he never played cards in the room, and never knew of a game there. Stated that the officers sometimes played dominoes. Intimates that the complaint may have been made by the janitor of the building, between whom and the Lieutenant there appears to exist considerable ill-feeling.

R.A.

COURT OF SPECIAL SESSIONS,
FIRST DIVISION.
CHILDREN'S PART.
66 THIRD AVENUE, NEW YORK.
JUSTICES' CHAMBERS.

Lorenz Zeller, Justice.

April 21st, 1910.

Dear Sir:-

Referring to the letter of March 31st, hereto attached, and forwarded to me as the Presiding Justice of the Children's Court this month by Justice Deuel, I beg to say that I have made a most searching investigation of the charges therein set forth.

The room occupied by the police is small, about eight by twelve, fronting on Third avenue, with but one window. There is a small table in it with three chairs and two lockers for the officers. There is no elevator in the building, and the writer no doubt refers to the elevated railroad. While a passenger on a southbound train might be able to look into this room, yet I hardly think any one could see what was going on therein. I examined every woman employed in the building with a view of ascertaining what was observed by them, and each one assured me that the door leading to the officers' room was always open and every one could see what the officers were doing. They told me that once in a while they saw two officers playing dominoes, but they never saw any card playing or cards in the officers' room. I called before me the ^{ant}Lieuten and he states that not only did he never play cards in the room but he never knew the game of poker

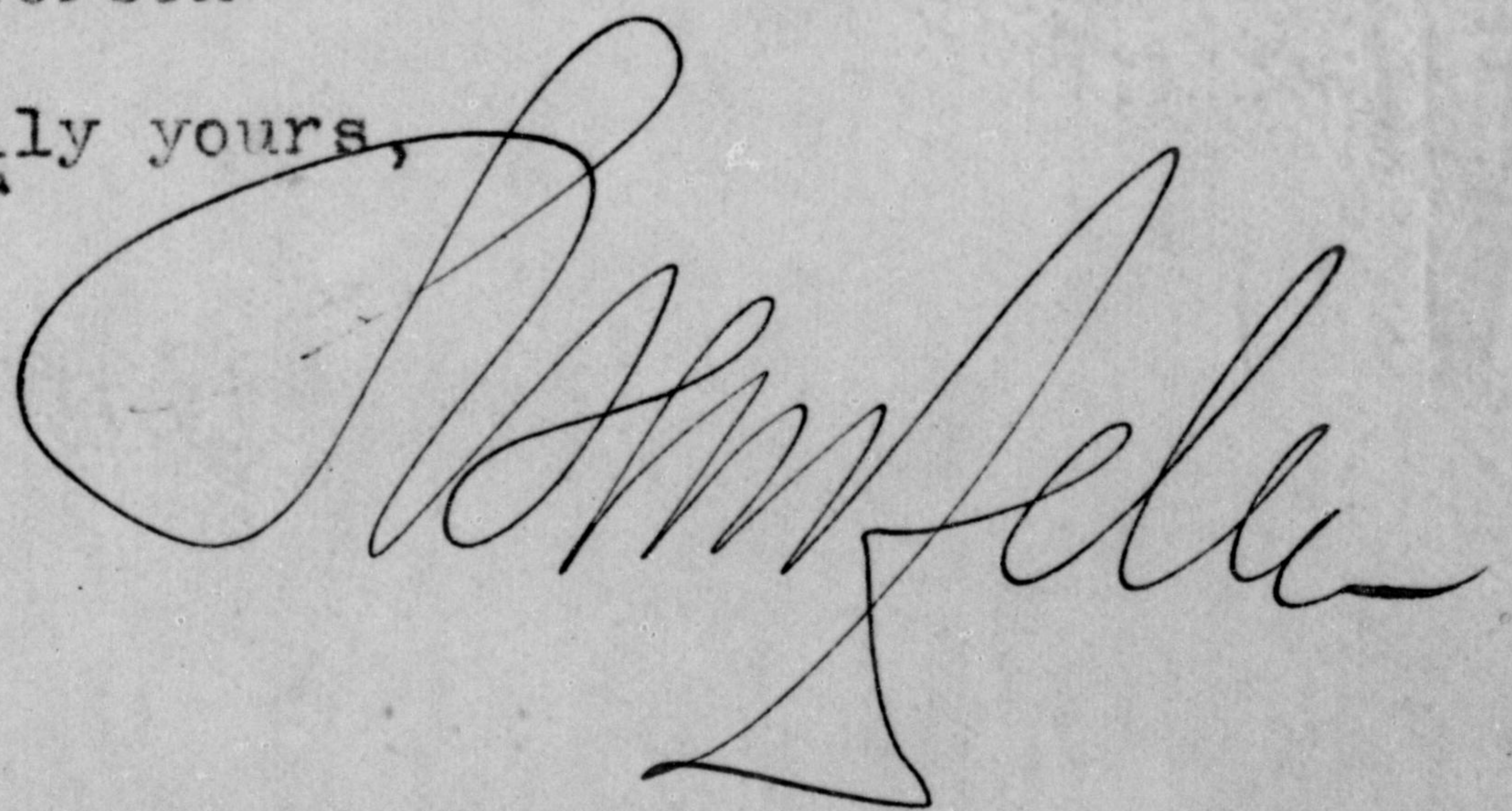
COURT OF SPECIAL SESSIONS,
FIRST DIVISION.
CHILDREN'S PART.
66 THIRD AVENUE, NEW YORK.
JUSTICES' CHAMBERS.

or any other game of cards, neither did he see or would he allow any card playing on the part of his officers. The strongest reason why he would possibly not permit any such violation of the police rules is found in the fact that between the janitor and himself there has been for some time past quite some ill feeling and the former would be but too glad if he could discover any violation of the police rules on the part of the Lieutenant. Such ill feeling was confirmed by the janitor who told me that the Lieutenant complained to him about matters which did not concern him. The janitor states that he always found the door leading to the police room open and that there certainly never was any card playing going on therein, and if there was he certainly would have observed it.

From the facts established by me I find there is absolutely no truth in the charges, and I believe the letter to be written by a malicious person.

Respectfully yours,

Hon. William J. Gaynor,
Mayor, City Hall, New York.

A large, stylized handwritten signature in dark ink, likely belonging to John M. Felt, is written over the signature line and extends into the right margin.

BOARD OF CITY MAGISTRATES
OF THE CITY OF NEW YORK
FIRST DIVISION

PETER T. BARLOW, President
55 East 21st Street

New York, April 12, 1910.

Honorable Joseph M. Deuel,
Justice, court of special sessions,
MANHATTAN.

Dear Judge:-

On April 4th, His Honor, the Mayor, sent me the enclosed letter. I at once answered him asking further instructions, and explaining that neither the police nor the children's court was in any way under my jurisdiction, to which I receive an answer this morning to this effect:

April 8th.

"Dear Judge Barlow:

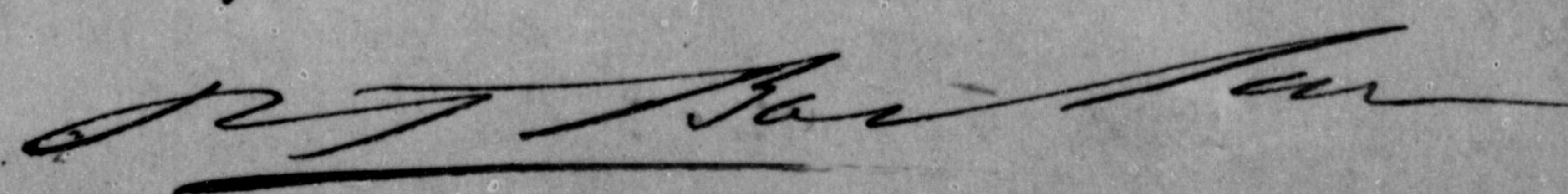
Your favor of April 6th is at hand, and it will be agreeable to me if you would pass the complaint onward to the Magistrate who has charge of this children's court for the time being.

Yours very truly,

(sgd) W.J. Gaynor, Mayor."

In accordance with the above instructions I enclose this letter to you in order that the matter may be taken up by the Justices of your court.

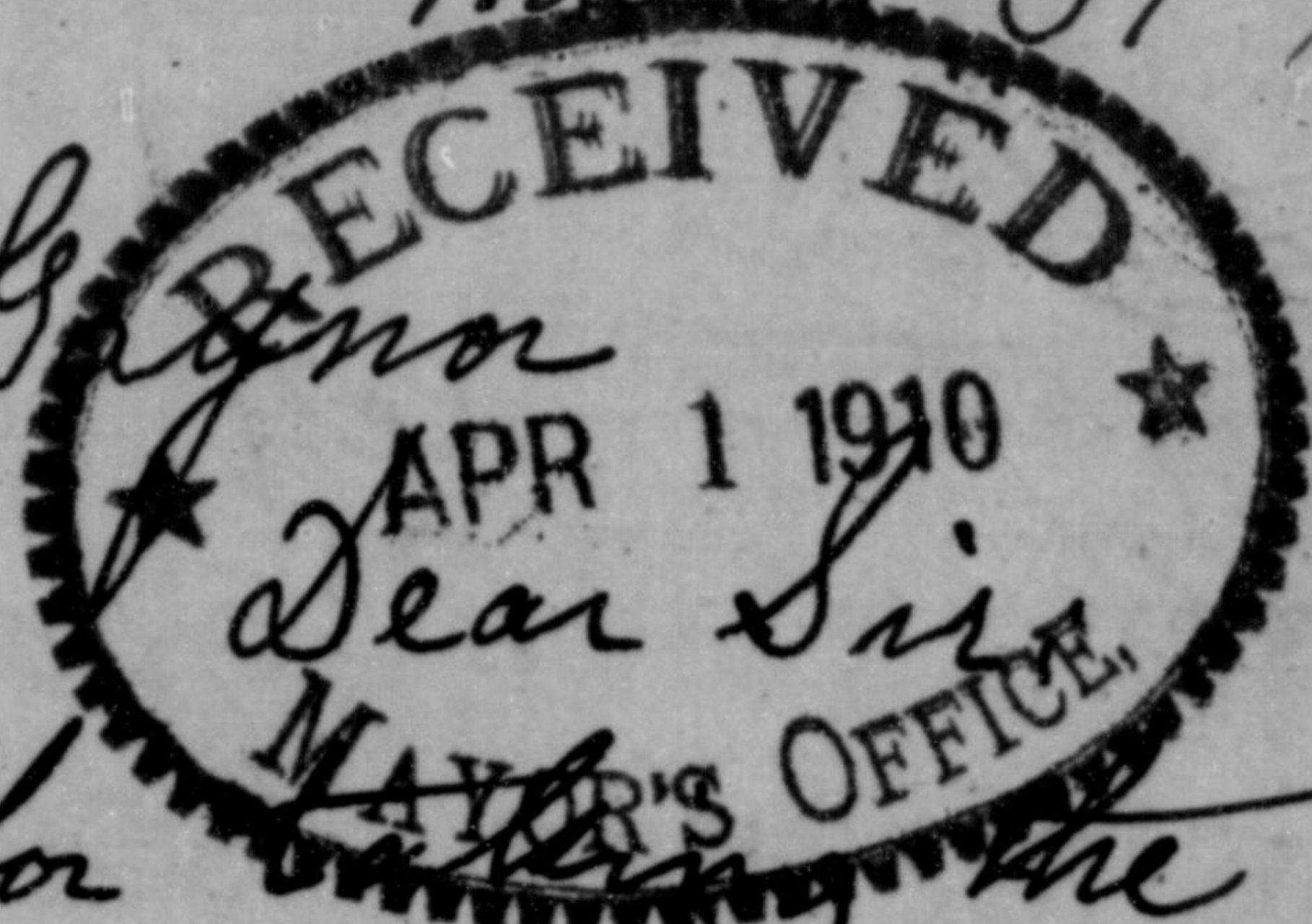
Yours,



President.

March 31 / 1910

Hon Mayor Gagnon



Pardon me for ~~taking~~ the liberty
I think it is about time that
this Gambling should be
stopped at the Children's Court
11th Street & 3rd Ave. from

1 o'clock until 5 every day
By the Deputies and 5 police
in their room and their language
to each other is terrible

Our girls are obliged to pass
their room and hear and see
what is going on it is so
open that you can see it from
the elevator They light all
the lights and play what they

Call a little draw If you
should send anyone to
investigate let them come
up with a light step and
they can see for themselves
that they are doing wrong
It is not right to have young
girls to hear and see those
things so for our sake
stop it. And God will
reward you

And oblige

A Employee

3rd Avenue entrance to the
2nd floor front over the
Charity department

Joseph F. Higgins.

COURT OF SPECIAL SESSIONS,
FIRST DIVISION.

COR. FRANKLIN & CENTRE STREETS,
NEW YORK.

Glenon
- 6

Dear Mr Adamson,
Recently I sent some
credentials, when applying
for position of Inspector of
Taxicabs to your office,
wishing to use same soon
I ask for the return of
same.

Thanking you in advance

I remain

Yours
J. F. Higgins
% Above

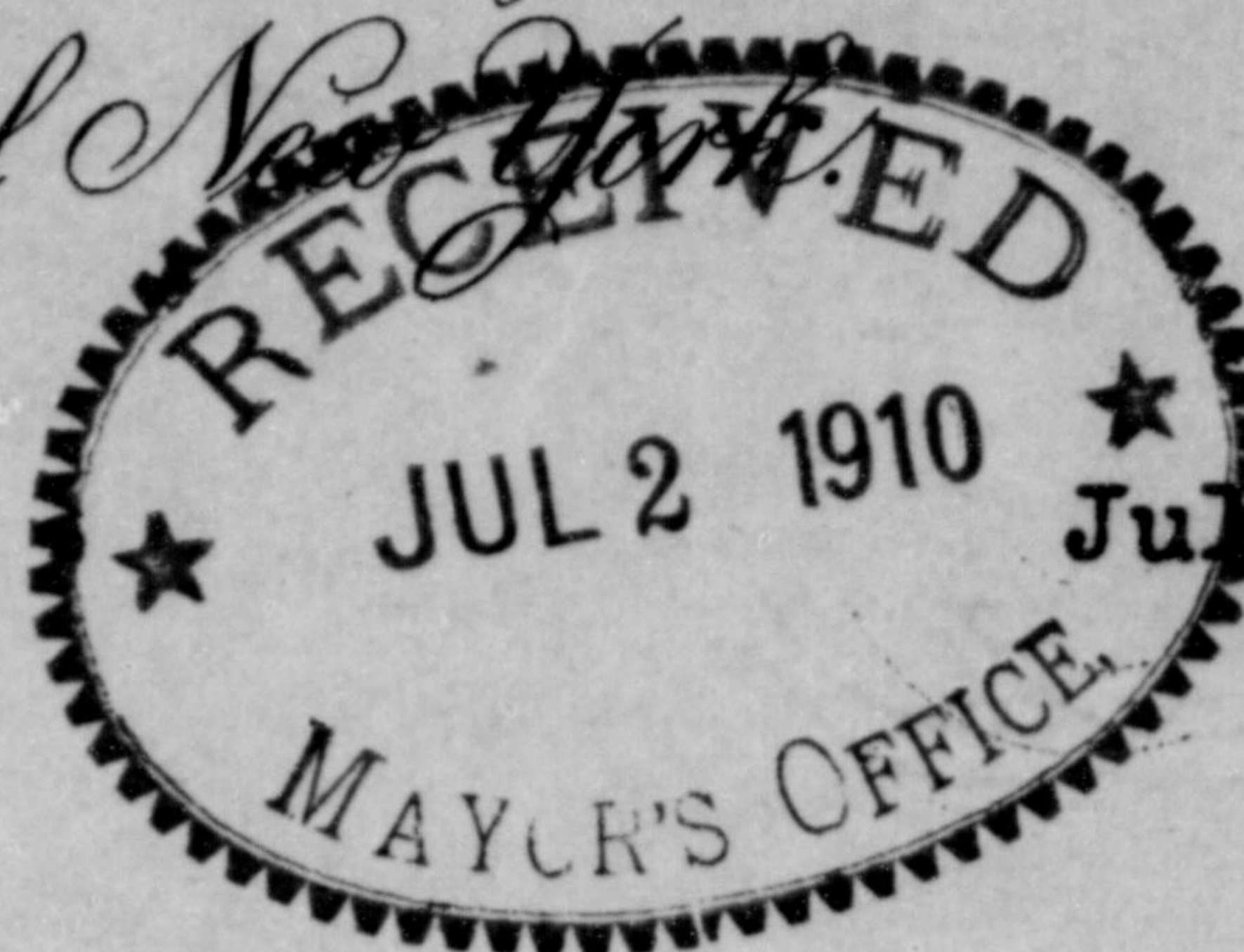
Received
29/10
J. F. Higgins

*Justices' Chambers,
Court of Special Sessions,*

OF THE SECOND DIVISION OF THE CITY OF NEW YORK

171 Atlantic Avenue, Borough of Brooklyn

City of New York



July 1, 1910.

Hon. William J. Gaynor,
Mayor.

My dear Judge:

In the reorganization of this Court it will become necessary to appoint a Chief Clerk. Appreciating your sincere desire to have each branch of the City's government administered with industry, honesty and intelligence, and believing in the furtherance of such, it will be necessary to have as Clerk of this Court a man who beyond question will meet these requirements.

I believe it to be almost necessary that our present Clerk, Joseph L. Kerrigan, should be selected for that position. He has been under my observation for the past twelve years, and has heartily cooperated in any and everything tending to the betterment of this Court. Feeling it is your desire to continue one who by his merits and his industry has earned such continuance, I would sincerely ask your interest in his appointment.

Respectfully,

President of the Board of Justices of Court
of Special Sessions, 2nd Div.,
City of New York.

V
COURT OF SPECIAL SESSIONS.

~~FIRST DIVISION.~~

COR. FRANKLIN & CENTRE STREETS,
NEW YORK.

July 21, 1910.

To His Honor, the Mayor,
City Hall, New York.

Dear Mr. Mayor:-

I have your favor of the 19th instant.

In the matter of probation officers and the method of their appointment, whether under judicial authority solely or from an eligible list prepared by the Civil Service Commission, I have not yet reached any final judgment, but still hold myself in an attitude of inquiry. You know, of course, that the Civil Service Commission has appointed an examination for the eleventh proximo.

I have known Mr. Homer Folks for many years, and will be pleased to listen patiently to all he wishes to say. I shall be pleased to see and speak with Mr. Warburg, and it will be all the more delightful in case we can find time to meet at dinner next week, as you suggest.

Very sincerely yours,

Sam Franklin Russell

CLERK'S OFFICE,
COURT OF SPECIAL SESSIONS,
FIRST DISTRICT

COR. FRANKLIN & CENTRE STREETS,

NEW YORK.

William M. Fuller
Clerk



July 22/10

Robt Adamson Esq.

My Dear Mr. Adamson

It has been
so long since I have
had the pleasure of
meeting you that I
have almost forgotten
what you look like.
After much deliber-
ation I am enclosing
you a copy of a
letter I sent this
morning to Judge
Wilkin of this Court.
The justices voted

yesterday on the question of
retaining me in my present
position (Clerk of the Court
— in W. County, as now consti-
tuted) I have no hesitancy
in saying that the "flowers
of the Court" were on my
side. The vote was a
tie. Judge Ryan of S. I.
did not vote. He wanted
to meet me first. I am
to meet him to-morrow.
The Chief Justice, as you will
note, voted for me.
"The opposition" is led by
Judges Geller, ^{mayor} and Moss.
If you will read my
letter, you will see that
believing in the righteousness
of my cause, I am some-
what earnest. I am, in
politics, an independent
an idealist, if you please.
I am "throwing no boquets"

when I state that
I remarked after
I saw the 'trend of
this administration:
"Thank God New York
has at last, come
to its own".

I would like Judge
Gaynor to lead
into this matter.
I believe it has to
do with the welfare
of this Court -
I have been here
since its inception
(1895) and with the exception
of one or two boards
suggested by the
Finance Department
have initiated or

CLERK'S OFFICE,
COURT OF SPECIAL SESSIONS,
FIRST DIVISION.

COR. FRANKLIN & CENTRE STREETS,
NEW YORK.

William M. Fuller
Clerk

251

helped to initiate
all of the complicated
administrative ma-
chinery of this
great office.
My friend Geo.
Gordon Battle advised
me to see the Mayor.
I do not know just
how I would be
received - I recall
a pleasant and
profitable day spent
fishing with his
Honor in the old
Herald's days. I
was then on the Tucker story.

Otherwise I have not met
him except at public
functions - I have nothing
whatever to say against Mr.
Frank W. Smith except that
he was without experience as
to the workings of the Court
when he was appointed -
Now my good friends Geller
et al. would supplant me
with another inexperienced
man and this as an abstract
proposition cannot but be
harmful to the success of
this Court - My fealty and
loyalty has always been
aside from any other con-
sideration given to the Court
as constituted - I want
you to show my letter to
Judge Gaynor - My friend
Alex Keogh (Civil Service Commⁿ)
will vouch for all I say -
Then, if the Judge will see
me I'd like to present my
cause in person. Sincerely
Wm. Fuller

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Then if the Judge will see
me I'd like to present my
cause in person. Sincerely
Wm. Feller

copy

CLERK'S OFFICE,
COURT OF SPECIAL SESSIONS,
FIRST DIVISION.

COR. FRANKLIN & CENTRE STREETS,
NEW YORK.

William M. Fuller
Clerk
FREDERICK H. DRESSEL
DEPUTY CLERK

July 22nd, 1910.

Hon. Robert J. Wilkin,

My dear Judge Wilkin:

I have been made acquainted, through my good friends among those who attended yesterday's meeting of the Justices, with the result thereof. In the first place, I desire to thank you for your support. I would not have had that support had I not earned it, because I know that your vote was dictated by what you have learned of my work here. In the same way I have earned the support of Justices Deuel, Olmsted, Wyatt and Hoyt. I have earned more than their support, - I have earned their affectionate regard, and that in these troublous times is a great consolation to me.

Among the Justices who voted on this question yesterday were some who do not know me personally and have had no opportunity to judge of my work as Clerk of this Court. It is with some satisfaction that I arrogate unto myself this reflection: that if it were a question of merit alone I would have received the support of more than one who under the peculiar exigencies of the case voted against me. The spectacle is presented of a capable, honest and faithful public servant, who for 15 years has performed his work with credit to himself and to the satisfaction of his immediate superiors, petitioning for re-appointment, as against the claims of an incompetent person with no idea of the work before him. I realize this question in all its phases. I would like to mention some facts to you to justify your expressed confidence in me.

Only recently Judge Rosalsky, of the Court of General Sessions, said to Judge Russell, in effect: "If you want a clean office, if you want an office run in a way that will be a credit to your administration, if you want to appoint a man in whom you may have absolute confidence, I recommend William M. Fuller for the position." This was in relation to my candidacy for Chief Clerk. I am sure I may refer with equal confidence to a majority of the Justices of that Court.

George Gordon Battle has written to me on the occasion of his appearing in my behalf when certain unjust charges were preferred against me: "It has given me a great satisfaction to defend an honest and capable public official from unjust attack and you and the Court are to be congratulated upon the result, to a successful issue." Mr. Battle recently wrote to Mr. Justice Russell: "I have known Mr. Fuller for 25 years. I have known his work, both as prosecuting attorney and counsel for the defense. I do not believe in all the city you can find as capable, honest and intelligent a man as he is to fill this position (the Chief Clerkship). I can conscientiously say from my personal knowledge that I consider both the City of New York and the Court itself very fortunate in securing the services of Mr. Fuller as Clerk."

I have received similar encomiums from Hon. Eugene Philbin and others. There is not a lawyer who has ever practiced before this bar who will not give me similar endorsement.

Justice Olmsted of this Court writes: "I have never in my life met a man with a more conscientious regard for public service than Mr. Fuller. I consider him one of the most honorable men I have ever met

in my life."

Justice Deuel of this Court writes: "After a life-time's experience with Courts and with Clerks' Offices, and being intimately acquainted with the nature of the work done by Mr. Fuller, I consider him an able, honest and efficient Clerk, and do not believe his equal can be found in the City of New York or elsewhere."

I am mentioning these facts to offset what may have been said in derogation of myself at yesterday's meeting. As far as any charges which have ever been preferred against me, they can be very readily explained. Believe me when I tell you that instead of blame it should have been quite the reverse. As I stated before, I have been here for 15 years and I have handled the Court's money to the extent of more than a million of dollars, and a most careful scrutiny has failed to show one penny in error. I helped formulate the present procedure in this office, in preparing the blanks and books of record. I have trained every man in this office without exception to know and to do his work. In many instances I have had unpromising raw material which is now a credit to the public service. I hold that my knowledge of this work is an asset to this Court, and a help to the Justices thereof. Please do not think this a matter of vain boasting. I am writing with honesty and sincerity and with a sincere belief in the righteousness of my cause.

The question now comes up: Shall I be retained in office? Shall I receive recognition for what has been the work of the best years of my life? I have not the pleasure of knowing Mr. Justice Ryan. I have, I can say with perfect frankness, made many inquiries concerning

him and from what I learn of him I can say: "Thank God he is the kind of man he is," because I have no fear as to the result of the election next Wednesday if I may be permitted to bring before his mind the facts as herein stated. I will be deeply grateful to you, therefore, if you will ask Justice Ryan if he will accord me an interview. I am authorized by Justice Deuel to say to Justice Ryan that he (Judge Deuel) has asked me to have an interview with him. Mr. Frederick H. Man, of the firm of Man & Man, Attorneys, 56 Wall Street, urges me in his name to do likewise.

Therefore, may I ask that you request of Justice Ryan to let me know at what time today it will be convenient for me to see him. He can instruct one of the Clerks in Brooklyn to telephone me at this office (5286 Franklin). If you see fit, I will be also deeply indebted to you if you will show this letter to Justice Ryan, as I believe he is to occupy the Bench with you today. I have made a copy of this letter and with your permission I would like to send the same to Justice Fleming.

With deep and heartfelt appreciation for anything you may do for me in this most trying situation, believe me,

Very sincerely yours,

voting for Fuller

Justice Russell, Chief Justice
" *Deuel*
" *Alvares*
" *Wyatt*
" *Hoyt*
" *Wilkin*
" *Fleming*

Wm. Fuller
voting against Fuller
Justice Fuller
" *May*
" *Woods*
" *Salmon*
" *McJannet*
" *Forker*
" *O. Keefe*

*Justice Ryan not voting
until he has seen Fuller*

FWS

COURT OF SPECIAL SESSIONS
OF THE CITY OF NEW YORK
ISAAC FRANKLIN RUSSELL
CHIEF JUSTICE

Russell

September 6, 1910.

Hon. John Purroy Mitchel,
Acting Mayor,

City Hall, Manhattan.

Dear Sir:

I am compelled to personally appeal to you for assistance in saving the Court of Special Sessions from running into disorder and chaos for the want of proper attention being given to its request by the Board of Estimate and Apportionment. The law, which took effect on July 1st in some instances and in others on September 1st, absolutely requires certain things to be done, and as yet we have been denied the proper clerical force to perform the same, to conform with its requirements. Unless immediately relief is granted we cannot foretell the consequences. No clerical equipment has been afforded the Chief Justice, likewise the Chief Clerk. It is required that a Bureau of Information be started on July 1st of this year. We shall require additional Attendants, which latter matter can possibly afford to wait; but the former request should be granted forthwith.

Yours respectfully,

Isaac Franklin Russell
CHIEF JUSTICE.

*Engagement made
with Isaac Russell for
10:30 AM. Sept 9th 1910
W.R.C.*

COURT OF SPECIAL SESSIONS
OF THE CITY OF NEW YORK
ISAAC FRANKLIN RUSSELL
CHIEF JUSTICE

New York City, September 23rd 1910.

Mr. Robert Adamson,
Secretary to the Mayor
of the City of New York,
City Hall, N. Y. City.

Dear Mr. Adamson:-

I have your favor of the 20th instant, enclosing a communication of M. Newman relative to Louis Newman of No. 3 Manhattan Street, a former inmate of the House of Refuge.

This matter will receive my immediate attention.

Very truly yours,

Isaac Franklin Russell

COURT OF SPECIAL SESSIONS
OF THE CITY OF NEW YORK
ISAAC FRANKLIN RUSSELL
CHIEF JUSTICE

New York City, October 3rd 1910.

Honorable John Purroy Mitchell,
Acting Mayor, City of New York,
City Hall, N. Y. City.

My dear Sir:-

I return a letter of Mrs. Mary Newman, mother, I suppose, of Louis Newman, a lad of fifteen, residing at 3 Manhattan Street, for the files of your office.

I have had an investigation made by Mr. Graveur, Chief Probation Officer of this Court, and by the Society for the Prevention of Cruelty to Children: I have also consulted with Mr. Justice Wyatt, by whom the recommitment was made.

The proper practice is to have the application made at the House of Refuge, to the Board of Parole. I doubt the propriety of our Court reopening the matter. I have ^{advised} Mrs. Newman to that effect, in a letter, a copy of which I enclose.

Very truly yours,

Isaac Franklin Russell

Enclosure.

COURT OF SPECIAL SESSIONS
OF THE CITY OF NEW YORK
ISAAC FRANKLIN RUSSELL
CHIEF JUSTICE

New York City, October 6th 1910.

William B. Meloney, Esq.,
Executive Secretary,
Mayors Office,
New York City.

Dear Sir:-

I beg to acknowledge receipt of your favor of yesterday, enclosing by direction of the Mayor, a letter from Mrs. Neuman, bearing date ~~of~~ the 1st instant, and complaining of certain ~~unjust~~ treatment meted out to a boy named Louis Neuman, resulting in his being committed to the House of Refuge.

I have heretofore received from the Acting Mayor, a lengthy communication on this same subject, to which I have made a full answer after careful investigation; and I have recommended an application in this instance to the Parole Board at the House of Refuge. This, I am advised by Mr. Justice Wyatt, is the orderly procedure at this stage.

Very truly yours,

Isaac Franklin Russell
Ch. J.

TEMPORARY CHAMBERS
346 BROADWAY
MANHATTAN.
ROOM 638.

COURT OF SPECIAL SESSIONS
OF THE CITY OF NEW YORK
ISAAC FRANKLIN RUSSELL
CHIEF JUSTICE

New York City, October 20th 1910.

William B. Meloney, Esq.,
Executive Secretary to the Mayor,
City Hall, New York City.

My dear Sir:-

Your letter of the 18th instant,
enclosing a communication signed by Sale Benso-
vitz, of No. 204 Greenpoint Avenue, Brooklyn,
complaining of alleged injustice in the Court
of Special Sessions, in Brooklyn, is received.

I am directed by Chief Justice
Russell to assure you that this matter will
have his immediate and careful attention.

Very truly yours,

Conley Thutworth
Secretary.

COURT OF SPECIAL SESSIONS
OF THE CITY OF NEW YORK
ISAAC FRANKLIN RUSSELL
CHIEF JUSTICE

New York City, November 3rd 1910.

William B. Meloney, Esq.,
Executive Secretary,
Office of the Mayor,
New York City.

My dear Sir:-

I enclose a copy of a letter which I have
this day sent to Mr. Sale Bensevitz, of No. 204 Green-
point Avenue, Brooklyn, N. Y. City, complaining of alleged
injustice in this court.

Very sincerely yours,

Isaac Franklin Russell

Enclosure.

(COPY)

New York City, November 3rd 1910/

Mr. Salo Bensevitz,
No. 204 Greenpoint Avenue,
Brooklyn, N. Y. City.

Dear Sir:-

I have your letter of October 16th written to
Mayer Gayner, and referred to me for investigation.

By direction of the Mayor, I have made a thorough
investigation of your grievances, and have examined carefully
the stenographers minutes of the trial, under date of June
24th last, in the case of the People against Gevitz. I find
by such investigation that you have no just ground for your
complaint. You are entirely mistaken in what you say about
the Assistant District Attorney, in view of the fact that Mr.
Charles K. Terry was present at the trial and conducted the
examination of witnesses.

You are also in error in your statement that the
prosecution was not fully heard, inasmuch, as the record shows
that in addition to yourself, Mr. Samuel Tierman, Mr. David
Jackowitz and Rosie Jackowitz were examined as witnesses for
the prosecution.

The case, in my judgment, was properly disposed of
on trial.

Very truly yours,

(signed) Isaac Franklin Russell
Chief Justice.

COURT OF SPECIAL SESSIONS
OF THE CITY OF NEW YORK
ISAAC FRANKLIN RUSSELL
CHIEF JUSTICE

New York City, November 14th 1910.

William B. Meloney, Esq.,
Executive Secretary,
Office of the Mayor,
City Hall,
New York City.

Dear Mr. Meloney:-

I beg leave to acknowledge receipt of a
letter from Thomas J. Nimmo, of No. 626 Park Place, Brook-
lyn, for investigation.

This matter has my immediate attention.

Very truly yours,

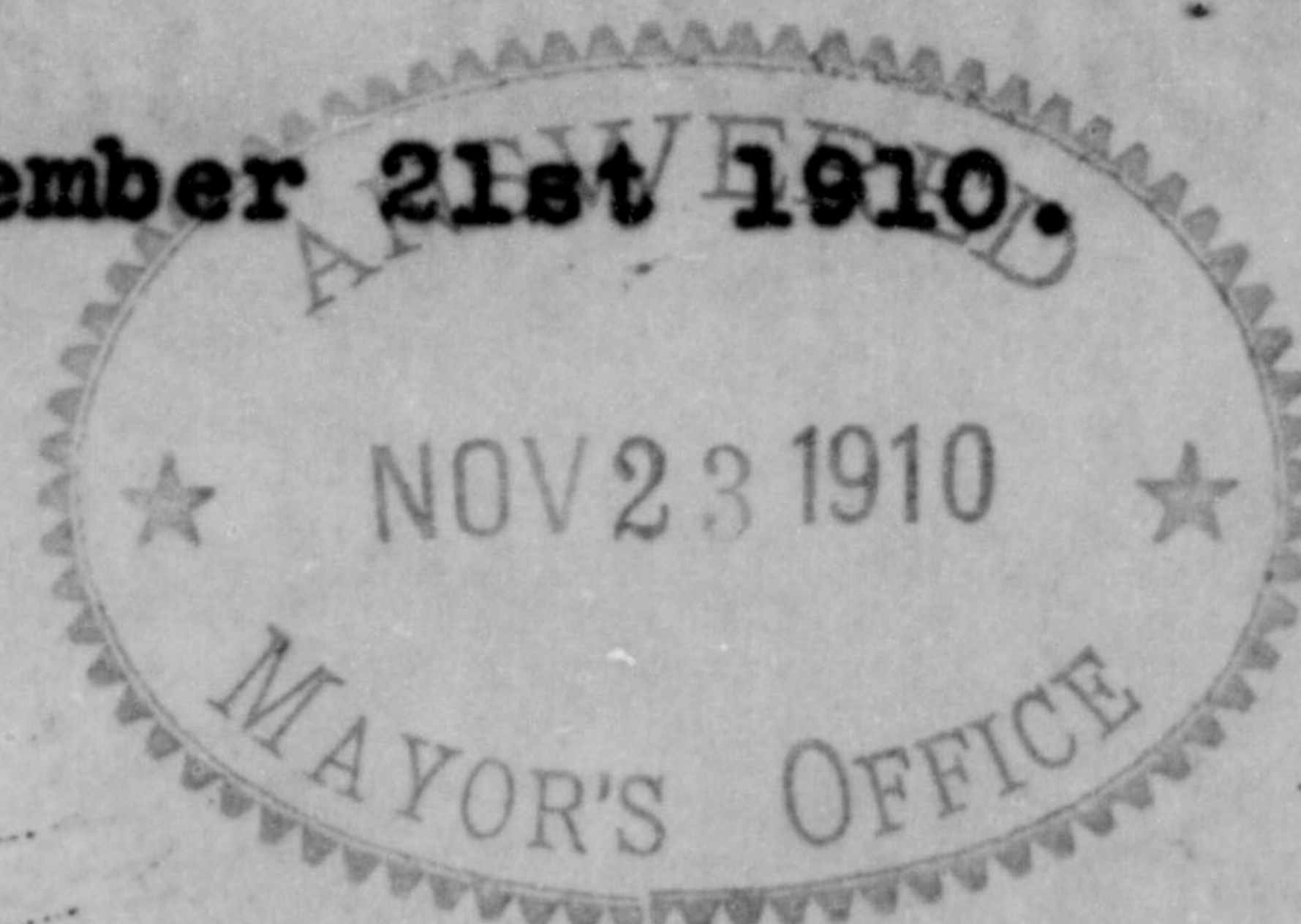
Isaac Franklin Russell

TEMPORARY CHAMBERS
346 BROADWAY,
MANHATTAN.
ROOM 638.

COURT OF SPECIAL SESSIONS
OF THE CITY OF NEW YORK
ISAAC FRANKLIN RUSSELL
CHIEF JUSTICE

New York City, November 21st 1910.

William B. Meloney, Esq.,
Executive Secretary to the Mayor,
City Hall, New York City.



My dear Sir:-

In reply to your letter of November 12th 1910, transmitting by direction of his Honor the Mayor, a letter from Thomas J. Nimmo, of No. 626 Park Place, Brooklyn, for investigation, I am directed by the Chief Justice to say, that the matter has been investigated and that the status of the case is this:

On the 19th day of July 1910, two defendants, Ambercrombie and Walsh, were arraigned in the Second District Magistrates' Court and held for Special Sessions for trial on the 26th day of July 1910, on the charge of assault upon the person of the complainant Nimmo. The hearing was then adjourned to December 6th 1910 for trial. On the 9th day of August 1910, one John Connors was arraigned in the Second District Magistrates' Court on the complaint of Thomas J. Nimmo, on the charge that he was a party to the said affray. Connors was held for trial in this Court on November 30th 1910.

It appearing that these two trial dates, involving the same charge, are conflicting, and that Walsh, Ambercrombie and Connors should be tried at the same time, it has been arranged that both cases are to be placed upon the calendar for trial on November 30th 1910, when all available witnesses for the prosecution will be present.

COURT OF SPECIAL SESSIONS
OF THE CITY OF NEW YORK
ISAAC FRANKLIN RUSSELL
CHIEF JUSTICE

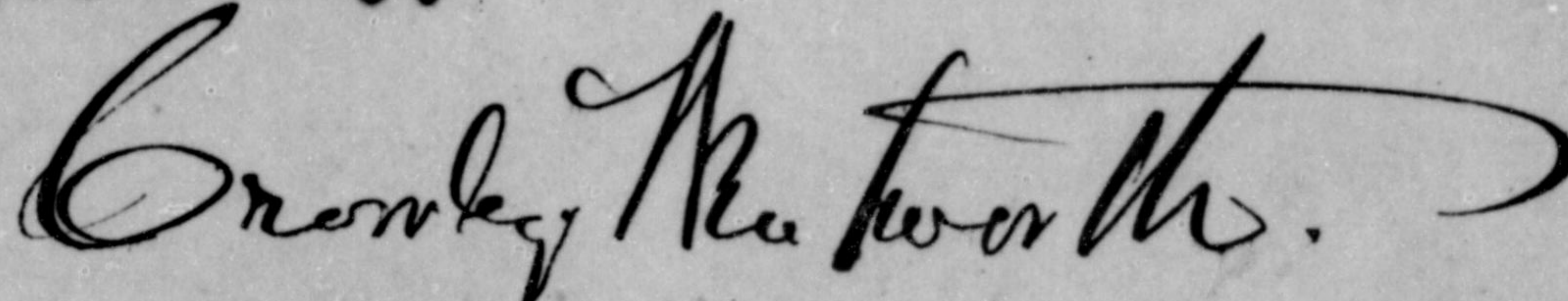
(2)

W.B.M.

The reason for the existing situation is, that Ambercrombie and Walsh and Connors were brought before the Court on separate complaints, and therefore the cases were placed upon the calendar for different dates for trial.

Mr. Nimmo called at the Chambers of the Chief Justice last week and was entirely satisfied with this adjustment of the matter.

Respectfully,


Secretary.

*Justices' Chambers,
Court of Special Sessions,
OF THE SECOND DIVISION OF THE CITY OF NEW YORK
171 Atlantic Avenue, Borough of Brooklyn
City of New York.*

December 2, 1910.

Copy

TO THE HONORABLE BOARD OF ESTIMATE AND
APPORTIONMENT OF THE CITY OF NEW YORK.

Gentlemen:

The Associate Justices of the Court of Special Sessions, residing in the Boroughs of Brooklyn, Queens and Richmond, respectfully request your Honorable Board to re-consider the matter of equalizing their salaries for the year 1911.

The budget for the year 1911, as finally adopted, fixes our salaries at \$6,000 per annum, while the salaries of our associates who reside in New York County are fixed at \$9,000 per annum. There is now but one Court of Special Sessions for the entire city, and under the present system of rotation each member of the Court, without regard to his place of residence, is required to sit in every county in the City. At the present time only one of the three Justices holding the Court of Special Sessions in the Borough of Manhattan is a resident of New York County, but his salary is 50% greater than that of his associates, one of whom is presiding. Four of the Justices residing in New York County are now holding Court in the Boroughs of Brooklyn, Queens and Richmond. If any member of your Honorable Board can advance a single reason why we should be thus discriminated against we would be glad to be

enlightened, but at present we are unable to understand why our associates from New York County should receive salaries 50% greater than we receive for trying the same cases in the same territory.

We do not believe that the Board deliberately intended to treat us unfairly by fixing our salaries without regard to the character of the services rendered; or that it intentionally disregarded the express purpose of the Legislature that it should equalize the salaries of the Associate Justices (Section 104, Chapter 659 Laws of 1910); or the provisions of Section 56 of the Charter to the effect that "remuneration for work done shall be the same throughout all the Boroughs for positions of like character." We are mindful of the fact that the preparation of the budget involved the consideration of many difficult questions, and it is quite possible that we failed to make our position clear in the few moments which you were able to give us. If the matter can be re-considered, however, we are confident of our ability to satisfy every member of the Board that the salaries of the Justices should be equalized.

The undersigned therefore earnestly request your Honorable Board to re-consider the matter of equalizing the salaries of the Associate Justices of the Court of Special Sessions. We would be pleased to appear before the Board and state our reasons for asking for an equalization, or, if desired, briefs will be submitted.

Very respectfully,

Morgan M. L. Ryan

Robert J. Wilkin

James J. McInerney

Geo. J. O'Keefe

Howard J. Forker

John Fleming

Arthur C. Salmon

File
TEMPORARY CHAMBERS
L 346 BROADWAY,
MANHATTAN.
ROOM 638.

COURT OF SPECIAL SESSIONS
OF THE CITY OF NEW YORK
ISAAC FRANKLIN RUSSELL
CHIEF JUSTICE

New York, Dec. 17, 1910

Mr. Robert Adamson,
Secretary to the Mayor,,
New York City.

My dear Sir;

I have your communication of Dec. 13, regarding
a prisoner in the Penitentiary known as Jane Myers

I thank you for calling my attention to the mat-
ter which I have already begun to investigate.

Very truly yours,

(Isaac Franklin Russell)

TEMPORARY CHAMBERS
L 346 BROADWAY,
MANHATTAN
ROOM 638.

COURT OF SPECIAL SESSIONS
OF THE CITY OF NEW YORK
ISAAC FRANKLIN RUSSELL
CHIEF JUSTICE

New York City, December 21st 1910.

Robert Adamson, Esq.,
Secretary to the Mayor,
City Hall, N. Y. City.

My dear Mr. Adamson:-

In reply to your letter of December 13th, concerning a prisoner in the Penitentiary known as Jane Myres, I beg leave to say that I have given the matter my earnest consideration, and find that the Justices of the Court of Special Sessions have no authority to interfere in such an instance.

I have informed Miss Myres that her only remedy lies in an appeal to the Governor, pursuant to Section 692, Code of Criminal Procedure.

I enclose a copy of a letter which I have sent to Miss Myres.

Very sincerely yours,

Isaac Franklin Russell

Chief Justice.

Enclosure.

DICTATED BY
CHIEF JUSTICE RUSSELL
BUT NOT SIGNED BY HIM

9
New York City, December 21st 1910.

Miss Jane Myres,
Penitentiary, Blackwells Island,
New York City.

Dear Madam:-

In accordance with a request from the Mayor,
dated December 13th, I have carefully investigated the facts
of your case.

In reply to your petition, I beg leave to say,
that the Justices of the Court of Special Sessions have no
authority to interfere in such an instance. I would sug-
gest that your only remedy would be an appeal to the Gover-
nor, pursuant to Section 692 of the Code of Criminal Pro-
cedure. If such an application is made to him by your-
self or your lawyer, he will send to us for any information
that we may have. This information will be duly forwarded
when demanded.

Very truly yours,

(signed) Isaac Franklin Russell.
Chief Justice.

TEMPORARY CHAMBERS
346 BROADWAY,
MANHATTAN,
ROOM 638.

COURT OF SPECIAL SESSIONS
OF THE CITY OF NEW YORK
ISAAC FRANKLIN RUSSELL
CHIEF JUSTICE

New York, Dec. 28, 1910.

Mr. Robert Adamson,
Sec'y. to the Mayor,
New York City.

Dear Sir::

I have your favor of Dec. 27th, enclosing a letter
from Thomas J. Nimmo. I will give the matter my immediate
attention.

Very truly yours,

Isaac Franklin Russell.
S.

DICTATED BY
CHIEF JUSTICE RUSSELL
BUT NOT SIGNED BY HIM.