

**BOX  
014  
FOLDER  
131**

**Courts: Municipal Court  
New York City**

**1911**





*Alfred P. W. Seaman,*  
*F. Spiegelberg,*  
*William Young,* } Justices.  
*James V. Gilloon, Clerk.*  
*John H. Servis, Deputy Clerk.*

*Municipal Court of the City of New York,*  
 BOROUGH OF MANHATTAN.  
*Fifth District,*  
*2555 Broadway,*

*New York,* March 1st, 1911. *190*

Copy of letter delivered to Secretary  
of Board of Estimate and Apportionment  
March 4th, 1911.

To the Board of Estimate and Apportionment  
of the City of New York,

277 Broadway, New York City.

Gentlemen:

Application is hereby made for provision for court-houses for the Municipal Court in the First, Fourth and Sixth Districts of the Borough of Manhattan. The necessity of such provision is as follows:

In the First District the Court is now occupying premises at Nos. 54 to 60 Lafayette Street which, as we are informed, are held under a lease expiring January 1st, 1913, upon a rental of \$15,500. a year. The premises are wholly inadequate and inappropriate for court purposes and for the care of the rapidly increasing records of the district. This district takes in the entire westerly portion of the Borough of Manhattan, south of Fourteenth Street. On account of its being the most convenient district for attorneys in the lower part of the City the volume of business is very great. For some months past the monthly returns to the City have been about \$5,000.00.





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(B. E. & A. -2)

Provision is needed for five court-rooms, with necessary clerks' offices, jury rooms, justices' rooms, and storage room. The location is fairly central, but it would be unwise to go further east, nor would it be well to go more than a block or so west of Broadway. The court-house should be convenient to lawyers in the downtown region, including lower Broadway, Wall Street, &c., but at the same time should not be so far downtown as to be inconvenient for numerous tenants in the upper part of the district who are frequently required to attend on summary proceedings.

The Fourth District of the Borough of Manhattan.

In this district court is now held in a building owned by the City of No. 151 East 57th Street. This whole building is now required for the uses of the criminal courts. Efforts are being made by Mr. Hyde, the City Chamberlain, to find some other adequate accommodations for the court. The district extends from Fourteenth

Street to Fifty-ninth Street, and from Lexington Avenue to the East River; and apart from the fact that the entire building is required by the City for other purposes, the location is exceedingly inconvenient for numerous litigants who are daily required to





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(B. E. & A. -3)

attend in this court. The court-house should be located between Lexington and Third Avenues, and between 20th and 40th Streets.

Two court-rooms, with the necessary rooms for justices, juries, clerks' offices, and storage, are required.

The Sixth District of Manhattan. The court-house in this district is now located at the northwest corner of Eighty-third Street and Third Avenue. The premises are held under a lease expiring January 1st, 1913, at a rental of \$5,000. a year. It was recognized at the time the premises were taken that they were wholly unfit for the purposes, but it seemed impossible at that time, as now, to procure anything else in the district. The Third Avenue elevated road which passes directly in front of the court-room windows creates such a noise that it is almost impossible to conduct trials upon these premises.

The same accommodations are required in this district as in the Fourth. The district extends from Fifty-ninth Street to One hundred and tenth Street, and from Lexington Avenue to the East River. The court-house should be located somewhere between Third and Lexington Avenues and Seventy-third and Eighty-sixth Streets.

Changes will be required in other districts, but this





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*New York,* \_\_\_\_\_ *190* \_\_\_\_\_

(B. E. & A. -4)

application is now made for the reason that in these districts, especially in the First and the Sixth, it has been impossible to find any suitable premises which may be hired for court purposes, and if, as seems unavoidable, new buildings are to be erected, it will be necessary that immediate action be taken by your Board in order that they may be ready for occupation at the expiration of the present leases.

This application for new court-houses in the districts above enumerated is made on behalf of the Board of Justices by its committee appointed for the especial purpose of securing such accommodations.

Very truly yours,

Signed - Alfred P. W. Seaman,

Chairman, Committee on Court-Houses.

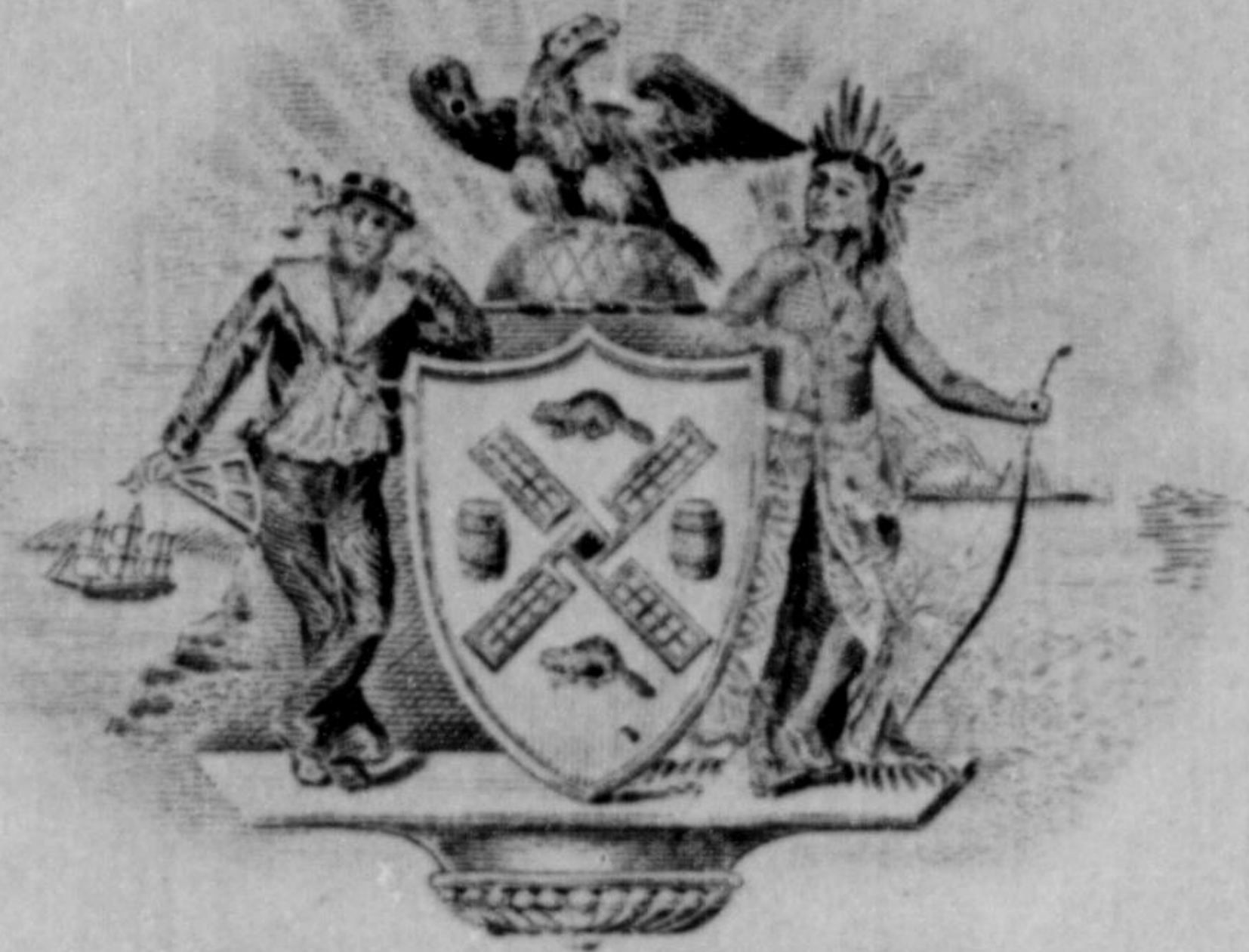
HON. WILLIAM J. GAYNOR, Mayor

City Hall, City Hall Park,

NEW YORK CITY.



JOHN M. TIERNEY  
PRESIDENT



JAMES J. DEVLIN  
SECRETARY  
264 MADISON STREET  
BOROUGH OF MANHATTAN

MUNICIPAL COURT  
OF THE CITY OF NEW YORK  
BOARD OF JUSTICES

March 21st, 1911.

Robert Adamson Esq.,

Secretary to the Mayor,

City Hall, City.

Dear Sir:-

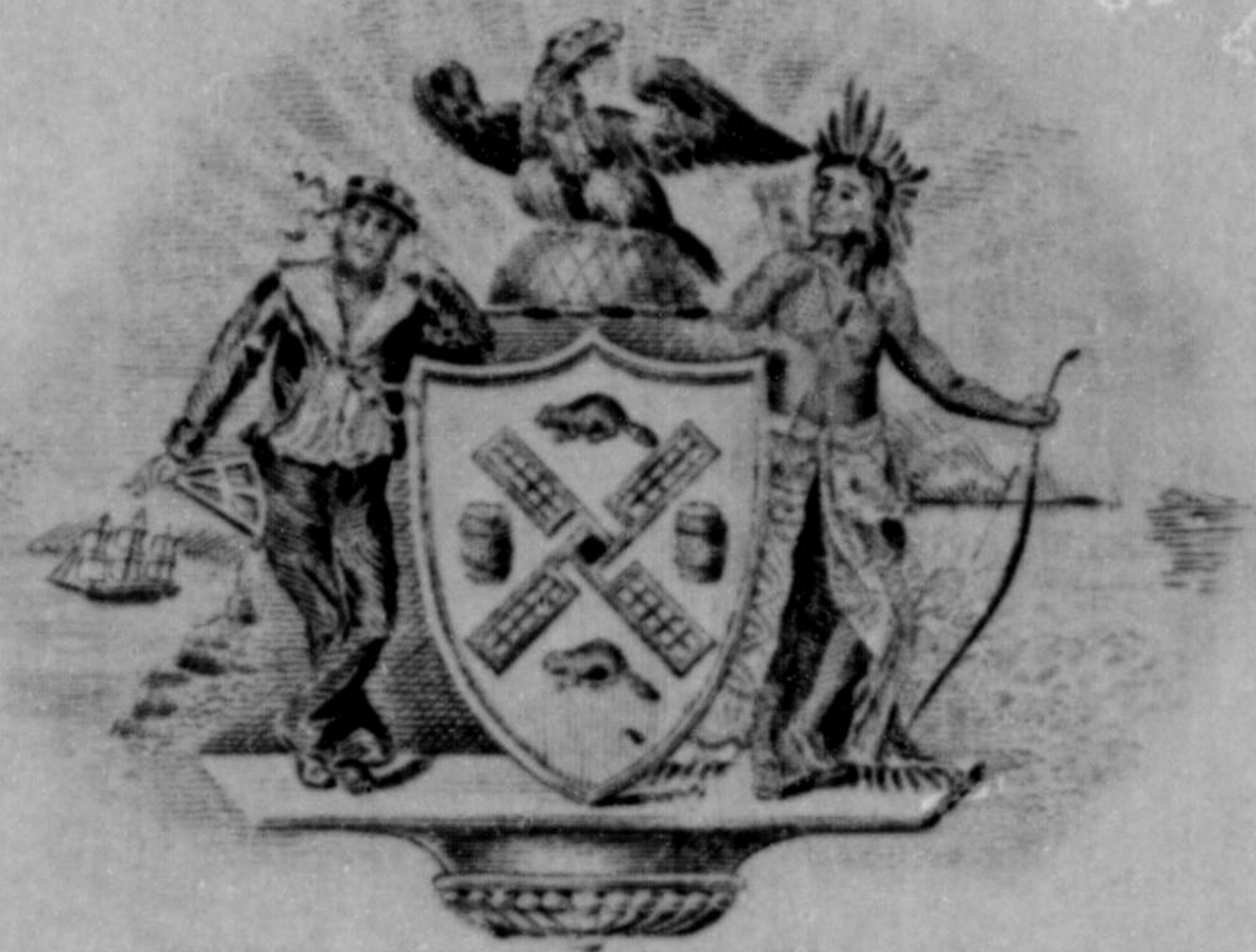
I beg leave to acknowledge the receipt of your letter inclosing letters from Charles Horstmann of 873 Whitlock Avenue, in this Borough, respecting a trial of a suit of Michaelson vs. Horstmann in the Municipal Court of the First District of Manhattan on February 21st. I have sent these letters to the Clerk of that Court with a request that he inform me of the facts. When I hear from him I shall write you again.

Yours Truly,

President, Board of Justices.



JOHN M. TIERNEY  
PRESIDENT



JAMES J. DEVLIN  
SECRETARY  
264 MADISON STREET  
BOROUGH OF MANHATTAN

MUNICIPAL COURT  
OF THE CITY OF NEW YORK  
BOARD OF JUSTICES

March 30th, 1911.

Robert Adamson Esq.,

Secretary to the Mayor, City Hall, City.

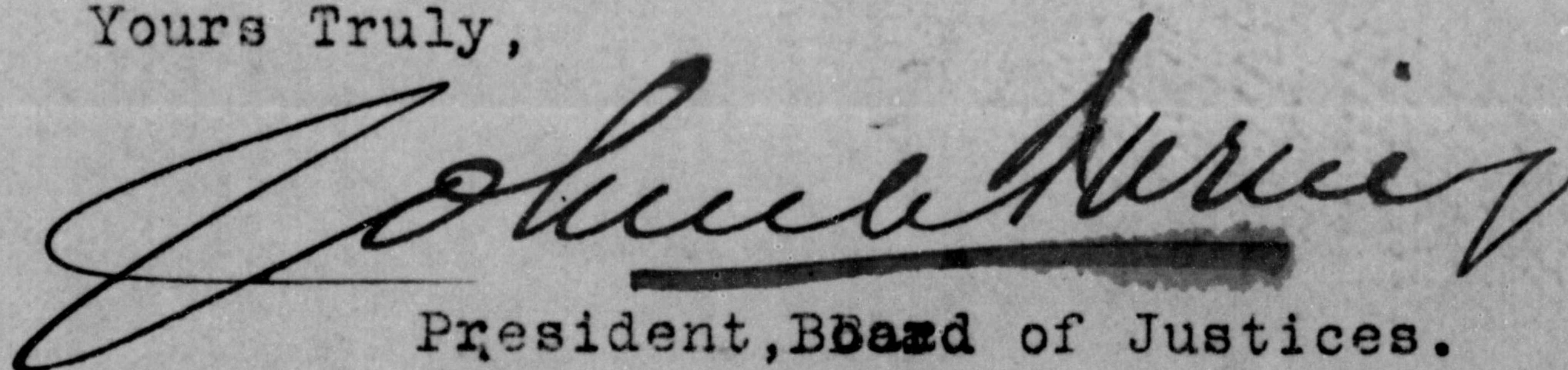
Dear Sir:-

I beg leave to inclose to you herewith letter of Thomas O'Connell, Clerk in the Municipal Court, First District of Manhattan, on the subject of the case of Michaelson against Horstman which was in that Court on February 21st and which was made the subject of two letters to the Mayor by Charles Horstman.

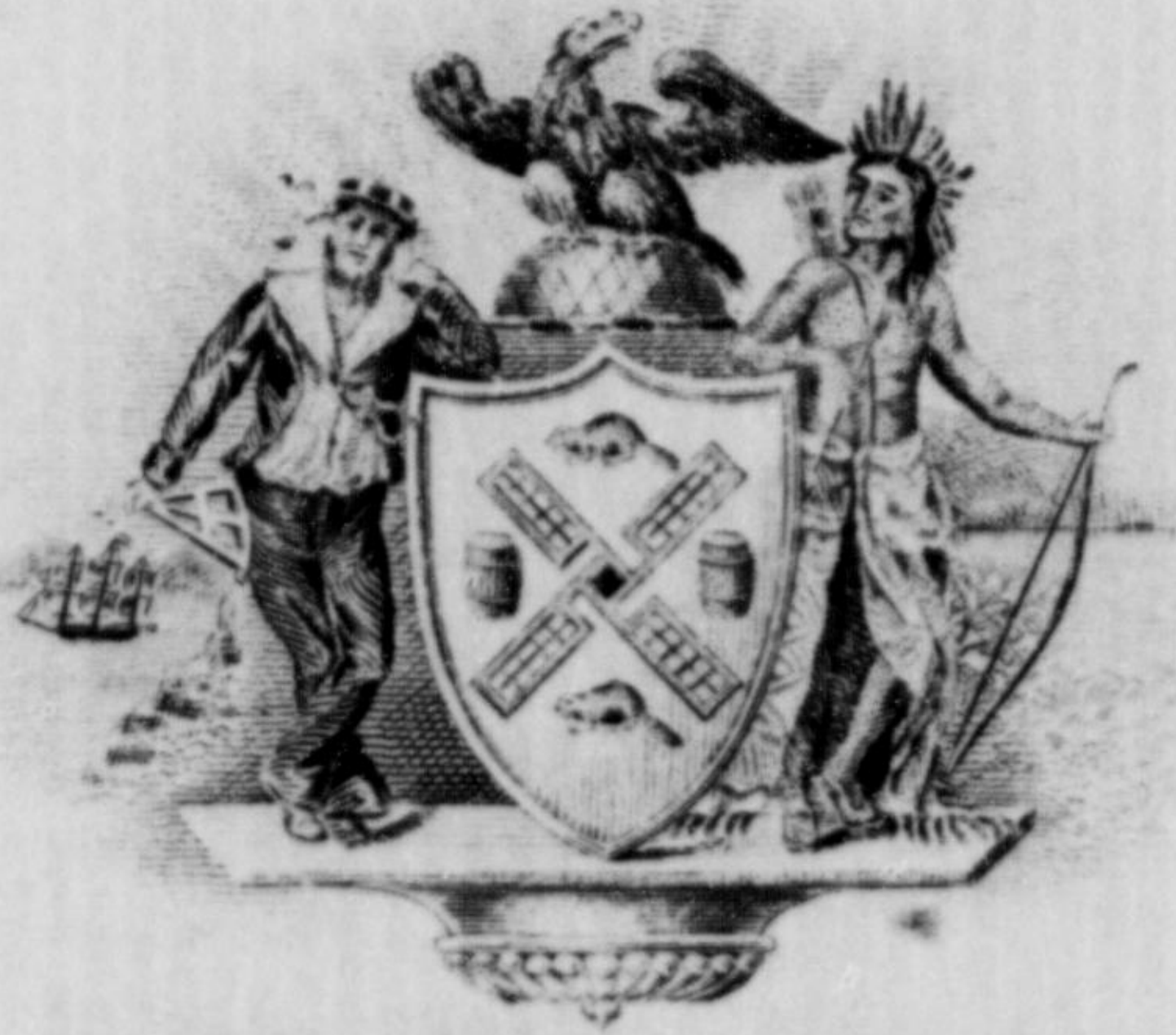
Under the provisions of Section 147 of the Municipal Court Act the plaintiff was entitled to judgment and the presiding Justice awarded judgment accordingly.

I return herewith the letters of Horstman to the Mayor.

Yours Truly,

  
President, Board of Justices.





JUSTICES CHAMBERS  
JOHN HOYER, JUSTICE

Municipal Court <sup>OF THE</sup> City of New York  
Borough of Manhattan  
First District  
54-60 Lafayette Street  
New York

New York, March 22nd, 1911.

Hon. John M. Tierney,  
President, Board of Justices,  
Municipal Court of the City of New York

Dear Sir:-

Replying to your letter dated March 21st, 1911 in reference to the complaint made to His Honor the Mayor by a Mr. Charles Horstmann in reference to the matter of "Michaelson against Horstman" after making inquiries I am able to report as follows:

On the morning of the 21st, of February the Justice presiding in part one was delayed and the attache of that part assigned for that purpose called the Calendar. All cases in which Judgments was to be taken was marked for a second call. When this case was reached ~~the~~ defendant requested an adjournment of two weeks and the plaintiffs attorney objected to the request and demanded Judgment on his verified pleadings. As is customary when any such question arises or any other dispute the case was marked for a "Second Call" and the defendant so informed. On the second call after the arrival of the Justice the defendant did not answer to his name and the plaintiff on his verified complaint was given his Judgment.

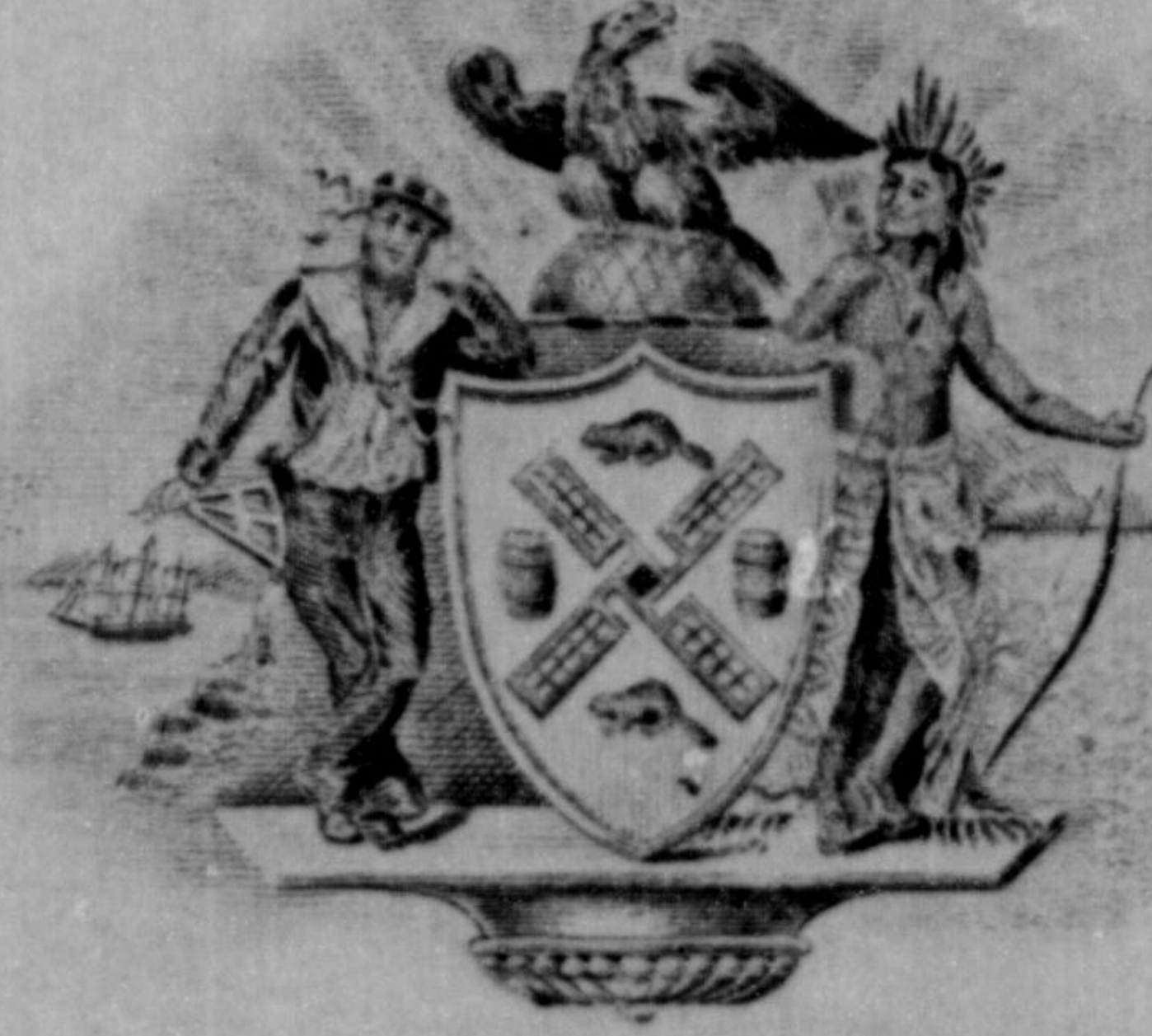
Trusting that this letter explains what you desire I am

Respectfully,

*Thomas Connell*  
Clerk



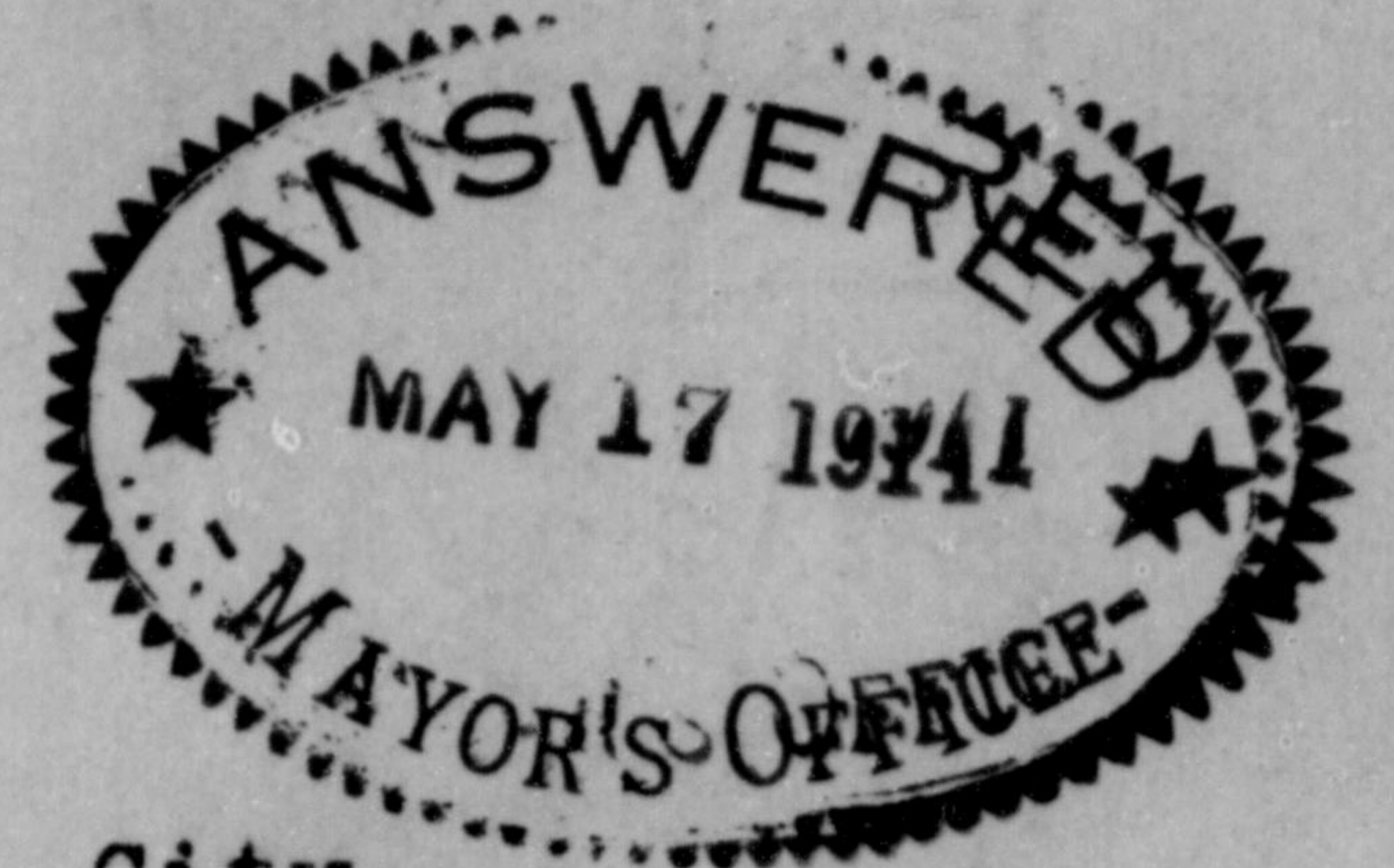
JOHN M. TIERNEY  
PRESIDENT



MUNICIPAL COURT  
OF THE CITY OF NEW YORK  
BOARD OF JUSTICES

JAMES J. DEVLIN  
SECRETARY  
264 MADISON STREET  
BOROUGH OF MANHATTAN

May 9th, 1911.



Robert Adamson Esq.,

Secretary to the Mayor, City Hall, City.

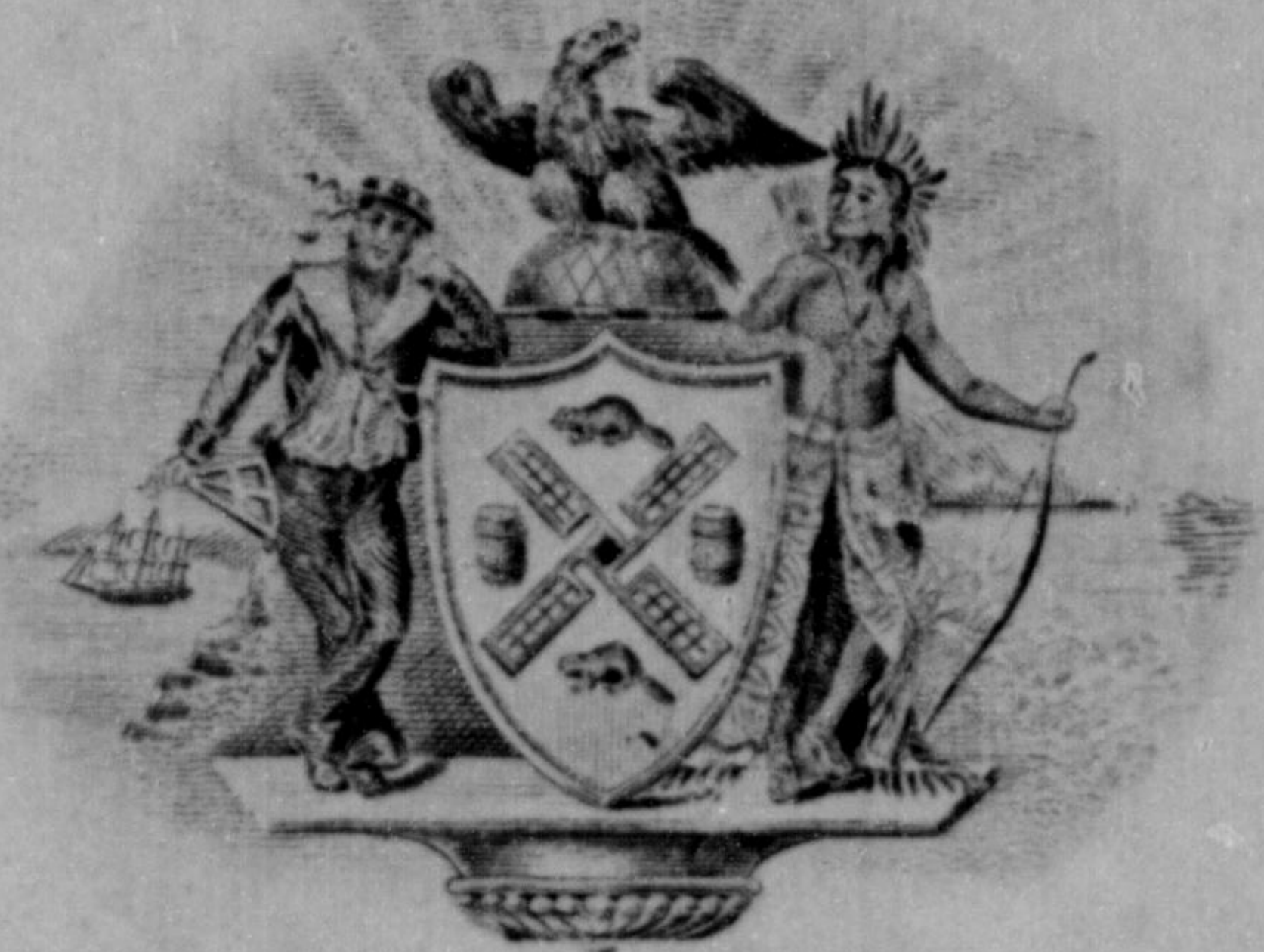
My Dear Mr. Adamson:-

I have your letter of May 6th on the subject of the abuse by pretended City Marshal's of Precepts issued by the Municipal Court in Summary Proceedings and suggesting that the Municipal Court Act be amended to provide that this process should be served only my Marshals. In answer I beg leave to say that I fear such an amendment would not be productive of any good results. The Precept simply initiates Summary Proceedings and is similar to a summons which initiates actions and which may be served by any person (See Sections 36 and 302 of the present Municipal Court Act).

It would seem to be better when a person not a Marshal should pretend that he were, that he should be apprehended and dealt with under criminal procedure for impersonating a public officer. A conviction in such a case would, in my judgment, do more to prevent such practices than the amendment suggested by your letter. Indeed, it would be impossible for Marshals to serve all the Precepts in these proceedings issued by this Court. Under the law they have authority to process in serve all five boroughs and you can realize how difficult it would be for a Marshal located in the lower part of the Borough of Manhattan to personally serve a Precept in the upper part of The Bronx while he might have a number to serve in various parts of Manhattan. You will



JOHN M. TIERNEY  
PRESIDENT



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MUNICIPAL COURT  
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BOARD OF JUSTICES

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I am sure appreciate this when you remember that in the course of the year more than seventy-five thousand of these Precepts are in these two Boroughs. issued. I have talked with some of the other Justices of the Municipal Court on this subject and they agree with this view.

The Corporation Counsel has recently drawn a new Municipal Court Act taking out of the Charter all of the provisions relating to that Court and making them the subject of one Act. I understand that this Bill was to be introduced in the Legislature yesterday. It might be suggested to him that he add this amendment so that it may come up for discussion before the Committees to whom the Bill should be referred. All the Justices of this Court will be glad to co-operate in any way toward curing any evil which may exist.

Sincerely Yours,

President, Board of Justices.





*John J. Walsh, Justice.*

*Municipal Court of the City of New York,*  
BOROUGH OF BROOKLYN,  
*First District,*  
*N.W. Cor. State & Court Sts.*

June 2, 1911

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Hon. William J. Gaynor,

Mayor, City of New York.

Dear sir:-

Your favor of the 25th ult., to the Hon. Cornelius Fergusson enclosing a letter from William T. Detviller, has been forwarded to me with the request that I look into the matter and report the result of my investigation to your Honor. I have caused a search of the court records to be made in the case of Detviller vs Cunningham and they disclose the following facts:

On April 12, 1911 a summons was issued out of the 6th Dist. Municipal Court in the case of William T. Detviller vs Michael Cunningham, made returnable on April 24, 1911. On that day, Justice Farrar, then presiding, dismissed the action because of the non-appearance of the parties. Subsequently, on the 27th of April another summons was issued out of the same court in an action entitled, William T. Detviller vs Patrick Cunningham, made returnable on May 9, 1911. On the return day of that summons the parties appeared before Justice Bayliss, then presiding, issue was joined and the cause set over for trial on May 23, 1911. On May 23 I was presiding; when the case was called the plaintiff failed to appear on either the first or second call of the calendar and on motion of defendant's counsel the action was dismissed because of plaintiff's failure to appear.

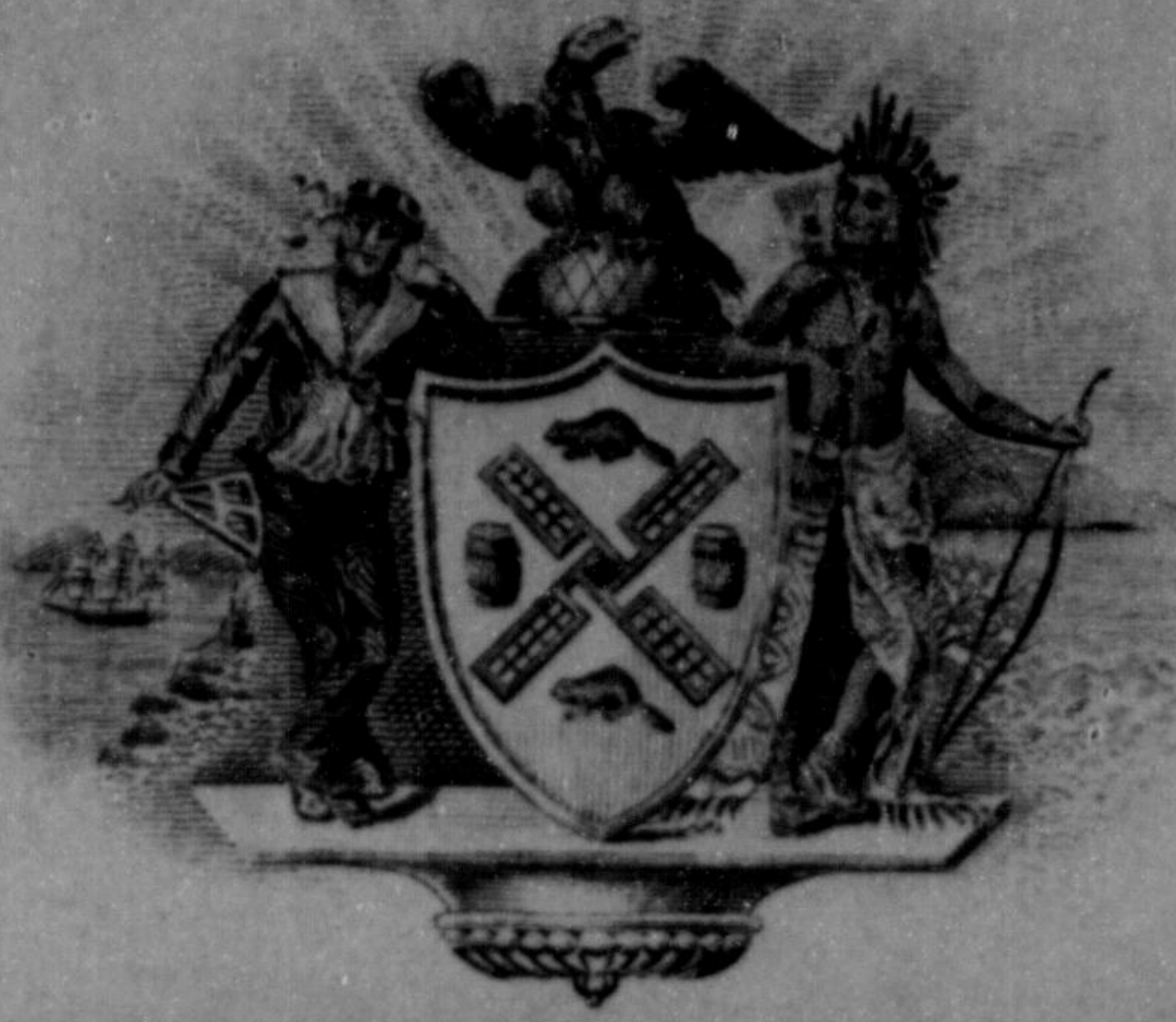
All of these facts appear by the original papers in the two actions and the daily calendars of Justices Farrar, Bayliss and myself, which I have directed Mr. Fagan the Clerk of the 6th Dist. Court, to present for your Honor's inspection at the same time that he hands you this letter.

Very respectfully yours,

*Philip D. Meagher*  
J.M.C.



JOHN M. TIERNEY  
PRESIDENT



MUNICIPAL COURT  
OF THE CITY OF NEW YORK  
BOARD OF JUSTICES

JAMES J. DEVLIN  
SECRETARY  
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BOROUGH OF MANHATTAN

October 3rd, 1911.

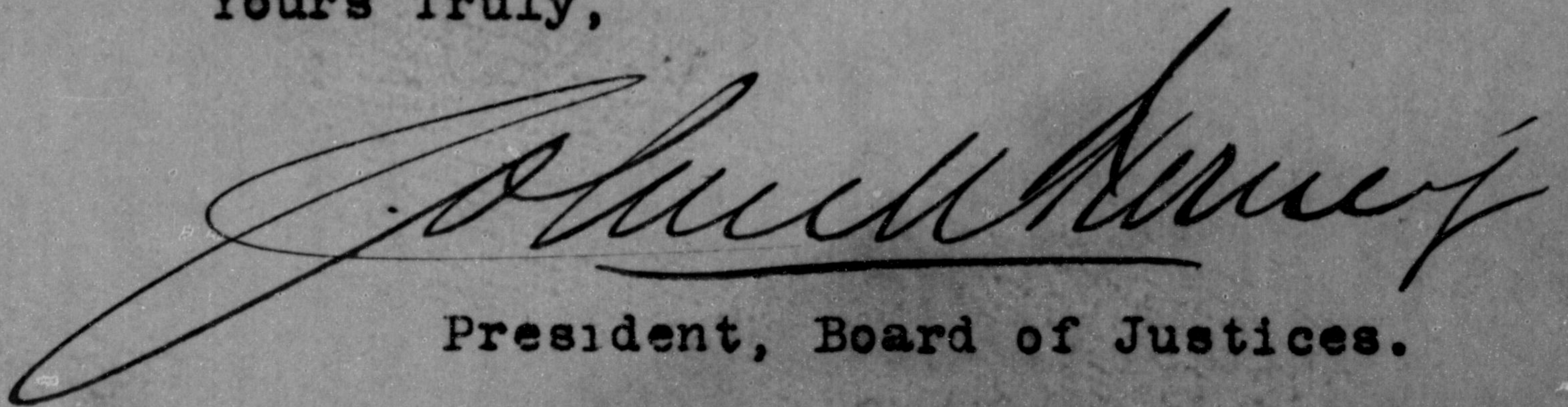
Robert Adamson Esq.,

Secretary, Office of the Mayor, City Hall.

Sir:-

I beg leave to acknowledge receipt of your letter of September 27th inclosing various reports made by the Commissioners of Accounts on examinations of the accounts of the Clerks of the several branches of the Municipal Court. I have notified the Clerks wherever shortage exists to comply with the recommendation of the Commissioners to balance their accounts.

Yours Truly,



President, Board of Justices.



CITY OF NEW YORK  
MUNICIPAL COURT FIFTH DISTRICT.  
5220 3RD AVENUE  
BOROUGH OF BROOKLYN.  
CORNELIUS FURGUESON, JUSTICE.  
JEREMIAH J. O'LEARY, CLERK.

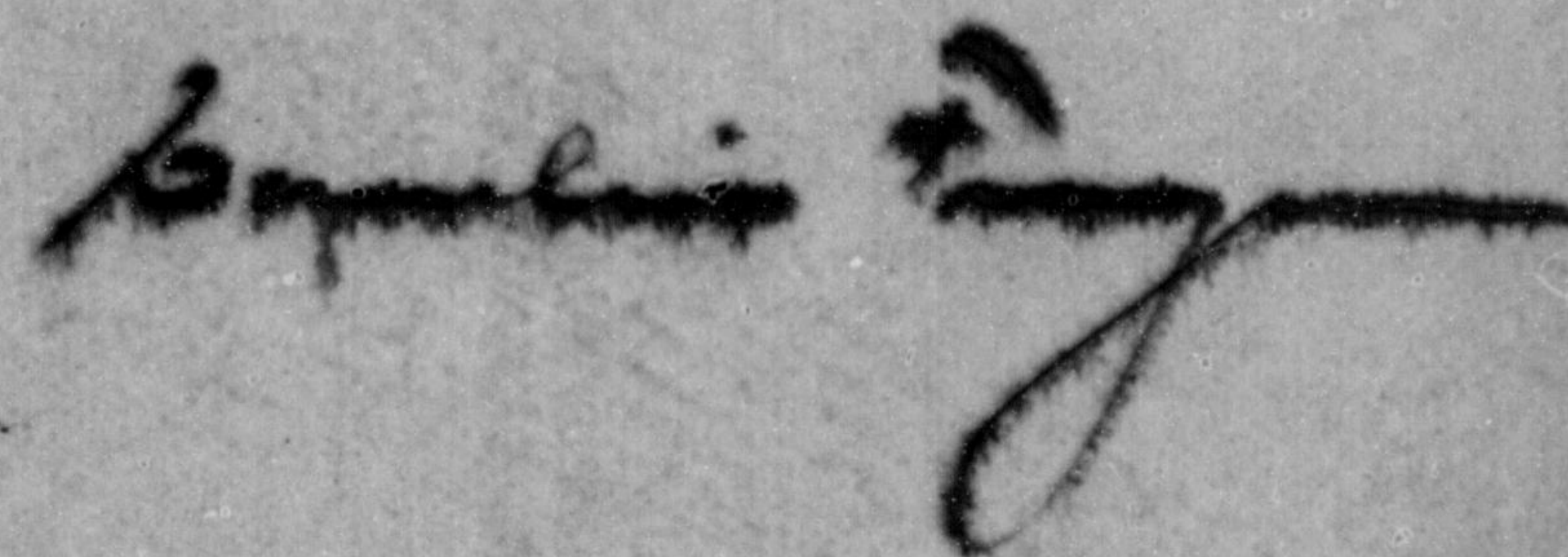
October 4th, 1911.

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

My dear Mayor:-

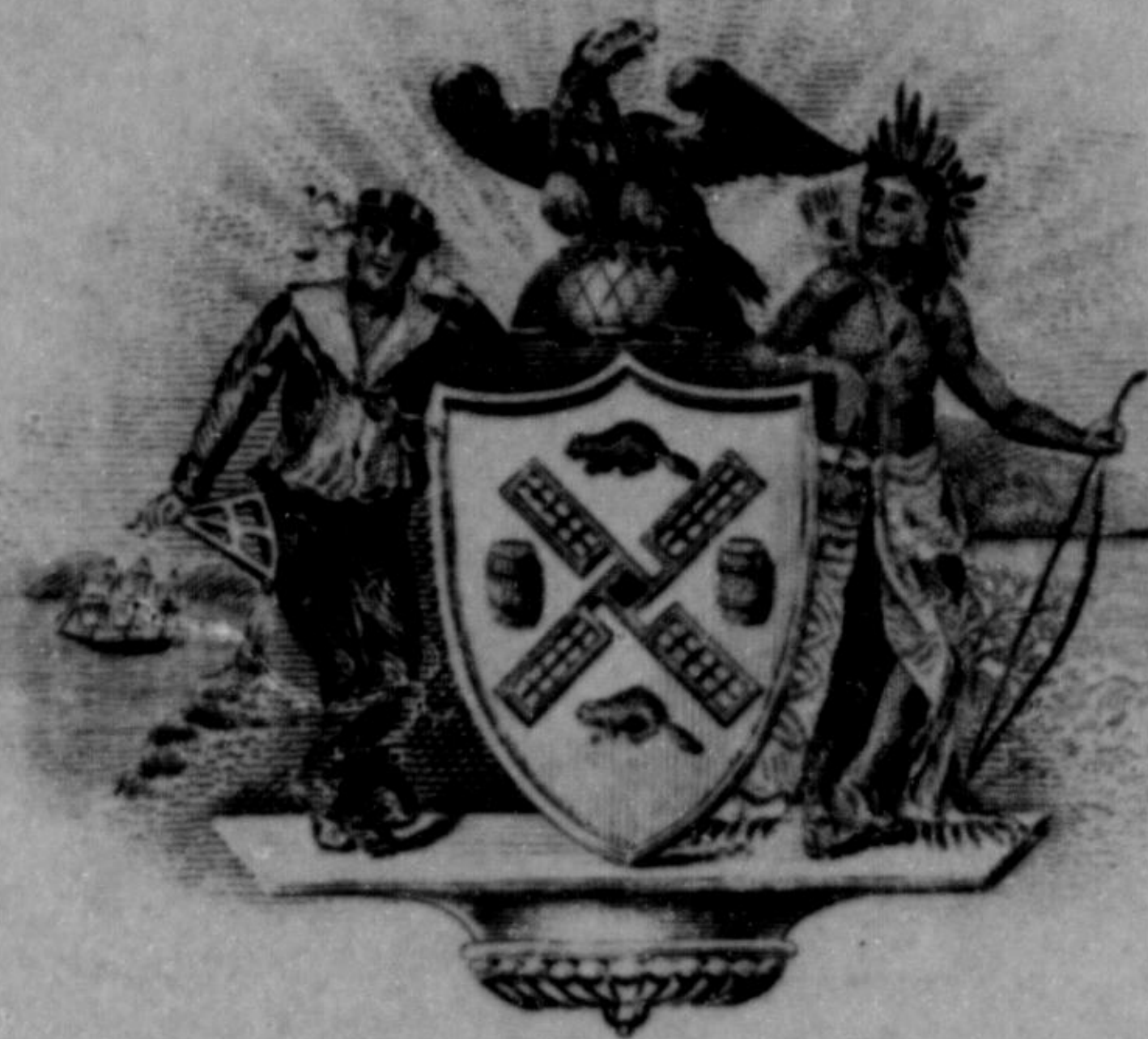
Yours of September 27th., enclosing reports of the  
Commissioner of Accounts covering the examination of the Fee and  
Trust Fund Accounts of the Municipal Court, Sixth District, Borough  
of Brooklyn, came duly to hand. I have forwarded the same to John  
M. Tierney, President of the Board of Municipal Court Justices.

Very truly yours,





JOHN M. TIERNEY  
PRESIDENT



MUNICIPAL COURT  
OF THE CITY OF NEW YORK  
BOARD OF JUSTICES

JAMES J. DEVLIN  
SECRETARY  
264 MADISON STREET  
BOROUGH OF MANHATTAN

October 16th, 1911.

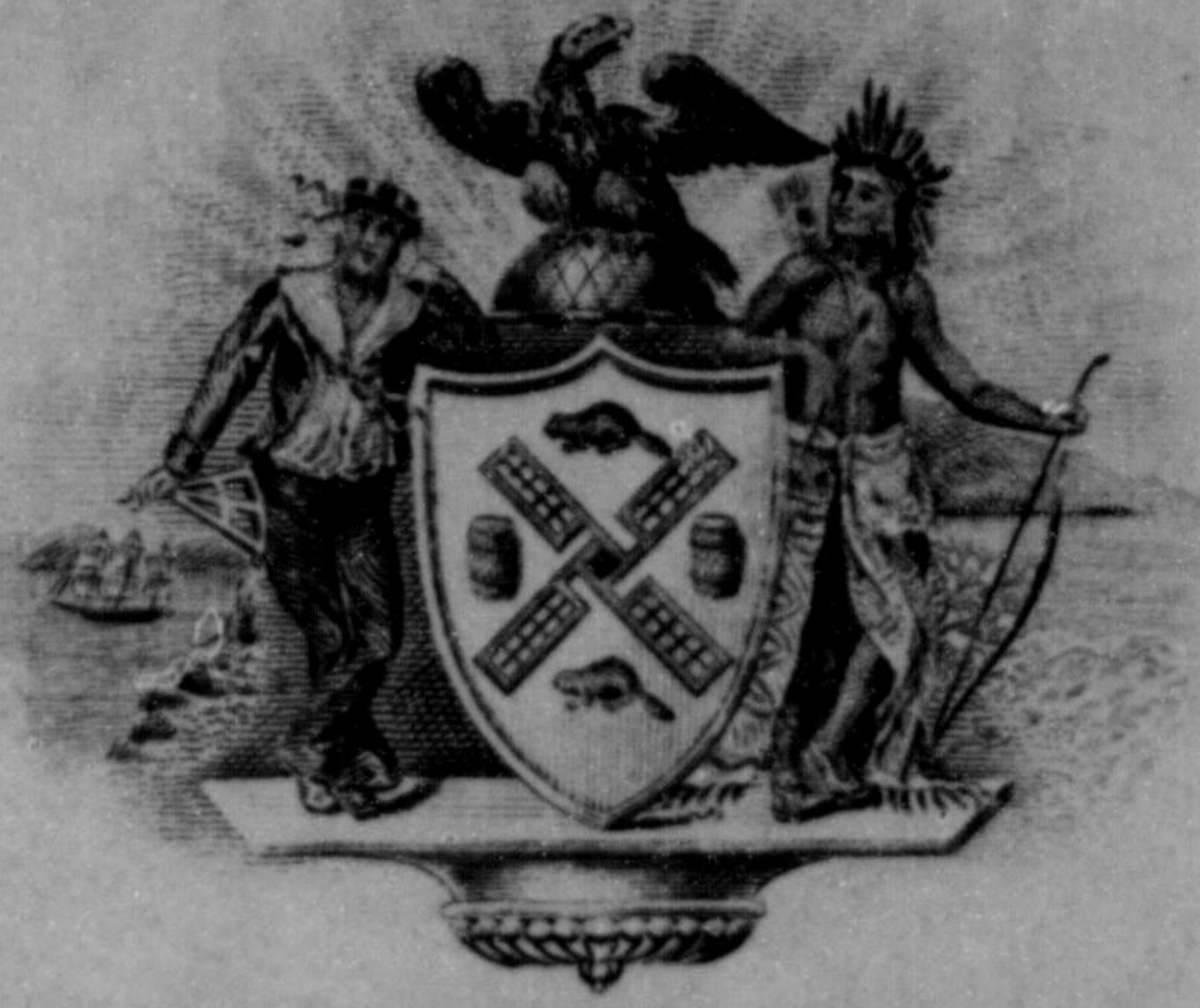
Hon. Wm. J. Gaynor, Mayor,  
City Hall, City.

Sir:-

I hope I may not be transgressing propriety in writing you respecting the application made by John F. Walsh, who lives at 654 East 163rd Street, in this Borough, for re-instatement as a Patrolman in the Police Department, which office he held up to February 2nd, 1911, when he was dismissed. I am informed that the application is before you. His dismissal was in association with that of Captain John F. Tappen who has been reinstated and is now performing duty in the Police Department. My reason for writing you is that I have known Walsh for more than twenty years. I have had occasion to observe his conduct while a member of the police force in this Borough, the Station House of which immediately adjoins the Court in which I preside, and have found him to be polite, attentive to his duties and a model Policeman. His dismissal has resulted in very great distress to himself and his family. He has a wife and eight children, the youngest being four years old, nearly all of whom depend upon him absolutely for food and shelter. His oldest son has tuberculosis and is now in the northern part of this State in the attempt to regain his health. Walsh has always been a splendid citizen and is highly esteemed by all those who know him in this Borough. I shall not discuss the merits of his case. I am



JOHN M. TIERNEY  
PRESIDENT



JAMES J. DEVLIN  
SECRETARY  
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BOROUGH OF MANHATTAN

MUNICIPAL COURT  
OF THE CITY OF NEW YORK  
BOARD OF JUSTICES

-2-

sure, however, if he shall be reinstated the City will get the benefit of the services of a conscientious and intelligent man and he and his family will be restored to happiness and contentment.

With assurance of high esteem I have the honor to be

Sincerely Yours,

*John M. Tierney*





Eugene Conran, Justice.

Municipal Court <sup>OF THE</sup> City of New York.

BOROUGH OF BROOKLYN.

First District,  
N.W. Cor. State & Court Sts.

Nov 27th 1911

Robert Adamson, Esq.,

Dear Sir:

Your letter of the 25<sup>th</sup>  
received. I wish to thank  
you for the interest you  
have taken in sending  
my application for return  
to the Board of Estimate  
and the notice of the same.

Respectfully.

Edward Moran.



MARSHALS OFFICE

MUNICIPAL COURT, SECOND DISTRICT, BOROUGH OF QUEENS..

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Robert Adamson, Esq.,

Secretary

Dear Sir:

Your communication of April 5th, 1911 regarding the dismissal of charges against me brought by Messrs. Kellogg & Rose and also the Mayors desires will be I assure you, be followed out to the letter..

I wish to thank the Mayor and also yourself for the manner in which you have conducted my case and also for the past favors..

I assure you that henceforth I will have a complete understanding with the Plaintiff beforehand as to charges etc. and I also will assure you that I will conduct the business of my office in an upright, honest and business like way..

Respectfully Yours,

*Thomas F. Maguire*

CITY MARSHAL..