

0000

**BOX:**

481

**FOLDER:**

4394

**DESCRIPTION:**

Isaacs, Morris

**DATE:**

05/03/92



4394

0009

POOR QUALITY  
ORIGINAL

Witnesses:

I have investigated this case and have issued subpoenas for all witnesses whose names appear in connection with the case. The officer whose name is associated with the matter is no longer on the force and no witness can be found. I recommend that the defendant be discharged on his own recognizance.  
Robertson Houley, D.D.A.  
4 March 1898.

I enclose Mr. P. M. Doyle  
Asst. Dist. Atty.

Counsel,

Filed

day of

189

Pleads,

THE PEOPLE

vs.

Morris Grace

DE LANCEY NICOLL

District Attorney.

A TRUE BILL.

March 25/98.  
Bail discharged  
Julius Cohen  
Foreman.

Part I  
C.R. Jones

0010

POOR QUALITY  
ORIGINAL

Witnesses:

I have investigated this case and  
have issued subpoenas for all witnesses  
whom name appears in connection with the  
case. The person whose name is associated  
with the matter is no longer on the force  
and no witness can be found. I  
recommend that the defendant be  
discharged on his own recognizance.  
Robertson Wiley. D.D.A.  
4 March 1898.

Severus John P. M. Wiley  
Sist. Dist. Atty.

Counsel

Filed

Pleas

261  
day of May 1898

THE PEOPLE

vs.

Morris Isaac

DE LANCEY NICOLL,

District Attorney.

TRUE BILL.

March 25/98.  
Bail Discharged.

Julius Cohen  
Foreman.

Part I Dec. 20/93

OK

vide memo  
(866, 2nd Edition)  
ad.

0011

**DIRECTIONS**

The Grand Jury Rooms are in the third story of the New Criminal Court House, on Centre Street, between Franklin and White Streets.  
When you arrive at the witness room, hand this Subpoena to the officer or Clerk at the desk.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

**SUBPOENA FOR A WITNESS TO ATTEND THE GRAND JURY OF THE COURT OF GENERAL SESSIONS.**

In the Name of the People of the State of New York at 10<sup>30</sup> o'clock A. M.  
To John Lewis  
of No. 42 Bleeker Street.

YOU ARE COMMANDED to appear before the Grand Jury of County of New York, at the Grand Jury Room, in the third story of the New Criminal Court Building on Centre Street, between Franklin and White Streets, in the City of New York, Borough of Manhattan, on the 3 day of March 1898, at the hour of 10 in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York against Morris Isaacs Felt

Dated at the Borough aforesaid, the first Monday of Feb in the year of our Lord 1898

ASA BIRD GARDINER, District Attorney.

*Make affidavit if not found.*

0012

F. W. Wacker  
Piercy & Co.  
Attorneys

ASA BIRD GARDNER,  
District Attorney.

A witness is entitled to fifty cents for each day's attendance; and if he resides more than three miles from the Court House, to eight cents for each mile, going to the place of attendance.

The proceedings of the Grand Jury are to be kept secret, and you are hereby enjoined not to disclose the fact that you have received this Subpoena or what testimony you may give or have given before the Grand Jury to any person whatever, under penalty of the law.

If the Grand Jury adjourn, and you have not been called without explanation, inquire of the Chief Clerk in the District Attorney's Office if you are wanted again, and when.

If other witnesses in this case are called, and another case taken up, you may know—unless otherwise advised—that the Grand Jury do not care to examine you; and you may then retire, mentioning your withdrawal to the Officer or Clerk.

If you are ill when served, send timely notice of that fact to the District Attorney.

If you do not obey this Subpoena, or do not explain your absence, the Court will enforce your attendance by attachment, and fine you.

If it is very inconvenient for you to attend on the day designated, let the District Attorney's Officer or Clerk in the witness room know this at an early moment.

The Grand Jury calls witnesses in whatever order its Foreman pleases. The Foreman knows best for the public good. If you wait patiently on the day of attendance until your turn comes, it may save you waiting hereafter.

Stampfield  
Jas

49-100000

State of New York

City and County of New York, ss:

John Lewis, of 42 Bleecker Street in the city of New York, being duly sworn, says: that he is over the age of 21 years, is an Inspector of the Health Department of the City of New York especially detailed to the inspection of tenement and lodging houses, and of other new buildings in course of erection in the city of New York, and of the light and ventilation, drainage and plumbing work of such buildings; that on the 30<sup>th</sup> day of *January* 1891, and at divers times prior thereto, during the erection of the *Extension and addition to the* rear tenement house hereinafter mentioned, one Morris Isaacs of 213 East 87th Street, being then the owner of the tenement house and lot of land belonging thereto situated at No. 81 Canal Street, in the city of New York, said tenement house being about 25 feet wide and 24 feet deep, and said tenement house lot extending to the rear of said tenement house a distance of about twenty five feet of clear open space of ground or yard, did unlawfully alter and diminish the said lot of land of said tenement house, the same not being a corner lot, by erecting thereon a five story building about twenty <sup>two</sup> feet deep and extending across the width of the lot, thereby leaving a space of ground of only four feet ~~three inches~~ in depth between said tenement house and the rear line of said tenement house lot and did thereby unlawfully cause the said tenement house to cover more than 65% of the said lot of land, to wit, about 90% of said lot, without a permit



from the Board of Health of the said Health Department, in violation of the laws relating to tenement houses and especially section 661 of the New York City Consolidation Act of 1882, being Chapter 410 of the Laws of 1882 passed July 1st 1882, as amended by Chapter 288 of the Laws of 1887, passed May 6th 1887; and that the said violation of said law existed on the 15th day of April 1891 and continued each and every day thereafter to and including the said 30<sup>th</sup> day of January 1891, and still exists.

Deponent further says that by the aforesaid illegal acts of said Morris Isaacs, the light and ventilation for the said Tenement House will be greatly diminished and the occupants thereof will not have the light and air which would have been secured to them if the said Laws had not been violated.

Sworn to before me this

30<sup>th</sup> day of Jan'y 1891.

*John Lewis*

*Henry J. [Signature]*

Police Justice.

0015

W

Police Court, District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*John Lewis*  
against

*Morris Lewis*

**Affidavit, Violation of the Laws  
Regulating the Construction of  
Tenement and Lodging Houses.**  
*Chap. 410, of Laws of 1882. &c.*

*Magistrate.*

*Officer.*

*Sanitary Squad.*

Witnesses,.....

No. ....

No. ....

§ ..... to answer.....



0016

Sec. 198-200.

3<sup>rd</sup> District Police Court.CITY AND COUNTY  
OF NEW YORK, { ss*Morris Isaacs*

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

Question What is your name?

Answer *Morris Isaacs*

Question How old are you?

Answer *45 years*

Question Where were you born?

Answer *Russia*

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

Answer *213 East 87<sup>th</sup> Street - 3 yrs*

Question What is your business or profession?

Answer *Retired*

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; if held -  
I demand an examination.  
M. Isaacs*

Taken before me this

2

day of

Police Justice.

0017

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* John Lewisof No. 4 E. 12th St Street, that on the 30 day of January1891 at the City of New York, in the County of New York,

*being the owner of tenement house and lot of land no 81 Canal St. did unlawfully alter and diminish the said lot of land of said tenement house by erecting thereon a five story building without a permit from the Health Department in violation of section 661. Chapter 10. Laws of 1890.*

**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 30 day of January 1891Wm. J. Brown POLICE JUSTICE.

New York March 25<sup>th</sup> 1891  
 Third District Police  
 Court  
 Hon John J. Ryan  
 Presiding Justice

John Lewis of No 221  
 East 21<sup>st</sup> St, being  
 duly sworn deposes  
 and says

Q.

You are  
 one of the Health  
 Inspectors?

Q.

I am,  
 On or about  
 April 1890 you  
 were Inspector in this  
 District?

Q.

I was,  
 You were familiar  
 with that building?

Q.

I was  
 What did you  
 discover,

2

Q That they were erecting an extension in the rear of the old building, they had the side wall up of St. Germain St

Q What was that building?

A A two-story house

Q What were they doing?

A Adding an extension of 22 feet and raising it one story, making it a five story house suitable for eight families.

Q Did you see Mr. Isaacs?

A Not till after the building was

2

3

Q. Gen Inspected it

A. Again? I did several

Q. times What did Gen

A. find? I found five (5) families above the store, the building was five stories high covering 46 feet leaving four (4) feet in the rear of the lot, the lot is 50 feet deep, it is an inside lot it fronts on the street

Q. How far from the corner,

A. I should say 50 feet from either corner  
Cross Examination

3

4

Q. This house is well lighted and ventilated?

Q. I believe it is. As well as any house in that part of the City?

A. I cannot say that. Was there any Permit for the construction of that house?

Objection by Judge Gould - People, on behalf of Defendant -

Q. Do you know if one was issued?

Objection to, I received no Permit.

Recross - The ventilation and light is first class in that house



0022

5

Q It is, it is four  
rooms deep

I know to before me }  
this 25<sup>th</sup> day of Nov }

Oliver D. Justice.

5

6  
 Jacob Wiche any  
 Officer attached to the  
 Health Department  
 New York City, being and  
 duly sworn deposes and  
 says

Q. Did you inspect  
 this house N<sup>o</sup> 81 Canal  
 St?

A. Yes Sir,  
 Q. Have you also seen  
 Mr. Prince in reference  
 to it?

A. He said, he was  
 the owner, I explained  
 the violation I told  
 him I would use  
 force, the violation

Q. What date was  
 that?

A. I made a mem-  
 orandum of it

Q. Can you now  
 testify without refresh-

4

ing your memory  
from the memorandum,  
look at that, is that  
your memorandum  
Yes Sir, during

1891

Q. What did he say?  
A. He showed me through  
the house, he said  
nothing, I saw (5)  
five families there.

Q.  
[Cross Exam]

When you had  
this conversation with  
Mr. Denace, the house  
had been finished  
and the alleged  
violation existed?

Q. Yes Sir,  
that was the time  
you had the con-  
versation?

A. Yes Sir, none  
before.

Sporn to before me  
this 25 day of March 1891 Police Justice

8

Patrick Golden of No  
106 East 52<sup>nd</sup> Street  
being duly sworn  
deposes and says,

Q. Did you inspect that  
house, and when?

A. The indorsement  
on the paper will  
show that

Q. Can you not  
tell without refer-  
ring to the indorse-  
ment

A. Only 15<sup>th</sup> and  
August 25<sup>th</sup> 1890

Q. Did you see  
Mr Deane there?

A. On one occas-  
ion I did, and I  
told him there was a  
violation on the  
building which he  
knew, he said some-  
thing about putting (8

9

up a building for  
two families, & told  
him he made an  
affidavit saying it  
was to be the poorest  
house. The numbers  
were there on one <sup>and</sup>  
two floors, and out  
lets for the kitchen  
sink and gas pipes.

Q. What did Mr. Dancer  
say?

A. I told him  
about the violation  
and affidavit.

Q. Are you  
familiar with this  
building?

A. Yes Sir,  
Q. You heard Mr. Lewis  
testify?

A. Yes Sir,  
Q. What is the building?

9

10

Describe it, How  
deep is it? A Lot 50

Q. feet four inches  
A. How much was

Q. The building increased  
A. by addition of an  
extension and they  
made a five story  
building.

Over Examination. I will  
Judge Goldfogle. I move  
to dismiss, on the  
ground that it does  
not appear that the  
defendant is guilty  
of any offense, or  
that he has violated  
the provisions of the  
Act referred to in the  
affidavit or informa-  
-tion on which the  
Warrant was issued

10



11

If you have any  
 doubts I will sub-  
 -mit a memorandum  
 Court Motion perried  
 Goldfogle - He waive further  
 examination -

Sworn to before me }  
 this 25<sup>th</sup> day of May 1891 }

Police Justice

Defendant held in the  
 thousand dollars to  
 answer

0029

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.....

*McFadden*  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *100* 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 *Mar 26* 18 *91* *John Ryan* Police Justice.

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

*deposant*  
Dated *March 26* 18 *91* *John Ryan* 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..... 18..... Police Justice.

0030

Police Court--- 3--- District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

John Bewie  
1/2 Oliver St  
Morris Isaacs

2  
3  
4

Office  
No four cents

Dated Feb 2 - 1891  
Weade Magistrate.

Wicks Officer.  
Sca Precinct.

Witnesses Patrick Galt  
No. 106  
Jacob Wright  
No. officer  
RECEIVED  
52  
MAR  
1891  
CLERK  
OFFICE

No. 1000. 25 Gt. 2. St.  
\$ Meb to any  
March 13. 2.30 PM  
March 11. 2 PM  
March 3. 2.30  
March 10. 2 PM

BAILED,

No. 1, by Nathan Marcus  
Residence 98 Canal Street

No. 2, by  
Residence Street

No. 3, by  
Residence Street

No. 4, by  
Residence Street

The Magistrate presiding  
at 3rd Dist. Police Court  
will hear and determine  
the within case. by  
reason of my absence

C. W. Meade  
Police Justice

0031

## Court of General Sessions.

THE PEOPLE

vs.

Morris Isaacs

City and County of New York, ss:

*J J Donohue* being duly sworn, deposes and says: I reside at No. 366 Broome St Street, in the City of New York. I am a Subpoena Server in the office of the District Attorney of the City and County of New York. On the First day of March 1898, I called at 42 Bleeker St.

the alleged residence of John Lewis the complainant herein, to serve him with the annexed subpoena, and was informed by James

Stanfield for man for Purcys express Co. That the company he works for has occupied the ground <sup>of said premises 42 Bleeker St.</sup> for 3 yrs and in that time no one by name of John Lewis was hired or worked there. Deponent further says he inquired of F. Meeker & Sons furrier who <sup>then</sup> occupied all of upper parts of said premises for 3 yrs and was informed by them that they never knew any boy or man by the name of John Lewis. Deponent further avers that he made further inquiries among persons in the immediate vicinity but was unable to ascertain anything that would lead to the identity or whereabouts of the said John Lewis. wherefore Deponent says that after due & diligent search & inquiry he has been & is unable to serve the said John Lewis with the annexed subpoena.

Sworn to before me, this 2nd day

of

March

1898

William H. Borden  
Notary Public  
N.Y.C.

*J J Donohue*  
Subpoena Server.

Court of General Sessions.

THE PEOPLE, on the Complaint of

vs.

Mrs. Grace

ASA BIRD GARDNER,

JOHN R. FELLOWS,

District Attorney.

Affidavit of

J. J. Graham

Subpoena Server.

Failure to Find Witness.

0032

0033

(522)

COURT OF GENERAL SESSIONS OF THE PEACE OF THE CITY AND COUNTY  
OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Morris Isaac*

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this

indictment, accuse

*Morris Isaac* of

*misdeemeanor,*

~~of the crime of~~

committed as follows:

The said

*Morris Isaac,*

late of the City of New York, in the County of New York aforesaid, on the  
*thirtieth* day of *January*, in the year of our Lord one thousand  
eight hundred and ninety-*one*, — at the City and County aforesaid,

*did unlawfully enlarge and alter a certain*  
*then existing tenement house, there situate,*  
*to wit: then erected upon a certain lot of*  
*land in the South Ward of the said City*



of the size of twenty five feet long  
 and nine feet, so that the said  
 tenement house, so enlarged and  
 altered, occupied more than sixty five  
 per centum of the said lot, the same  
 not being a corner lot, and no permit  
 for such alteration and enlargement  
 having first been obtained from the  
 Board of Health of the Health Department  
 of the said City; 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

De Lancey Hall,

Attorney