

0000

**BOX:**

481

**FOLDER:**

4394

**DESCRIPTION:**

Isaacs, Morris

**DATE:**

05/03/92



4394

POOR QUALITY ORIGINAL

Witnesses:

Counsel,

*Isaac Foster Cohen*  
*261 Broadway*

Filed

day of *May* 189*8*

Pleads,

*in equity*

THE PEOPLE

vs.

*Morris Isaac*

DE LANCEY NICOLL

District Attorney

A TRUE BILL

*March 25/98*

*Bail discharged*

*Julius Cohen*  
*Foreman*

*Part I*

*CR*

*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 recognisance.*  
*Robertson Houley, D.A.*  
*4 March 1898.*

*I enclose *John P. M. Dwyer*  
*Suit Dist. Atty.**

0010

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 recognisance.

Robertson Bailey, D.A. 47  
 4 March 1898.

Deputy Sheriff  
 Wm. P. Mc. Kelly  
 Asst. Dist. Atty.

Counsel  
 Filed  
 Pleads

261  
 day of May 1898

THE PEOPLE  
 vs.  
 Morris Isaac

DE LANCEY NICOLL,  
 District Attorney.

TRUE BILL.  
 March 25/98.  
 Bail Discharged.  
 Julius C. Carter  
 Foreman.

Part I Dec. 20. 73  
 J. J. [Signature]

Midway  
 1866, 1867, 1868  
 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 Fely

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

ASA BIRD GARDINER, District Attorney.

*Make affidavit if not found.*

0012

F Westcott  
Piercy & Co.  
Wm. J. ...

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.

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

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 that testimony secret, and you are hereby enjoined not to disclose the fact.

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

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

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.

Joe Stampfield

49 ...

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

0014

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*

*[Signature]*

Police Justice.

00-15

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. 108-200.

*3rd*  
District Police Court.

CITY AND COUNTY OF NEW YORK, ss

*Morris Isaacs*

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

Question What is your name?

Answer *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 87th 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 *Sept* 19*34*

*[Signature]*

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 Lewis

of No. 4 E. Bleeker Street, that on the 30 day of January

1891 at the City of New York, in the County of New York, Morris Isaacs

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 1891  
Henry Morrison POLICE JUSTICE.

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

Wm 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.

When 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. Linnal St

Q. What was that building?

A. A two-story house.

Q. What were they doing?

A. Adding an extension of 2, 2 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  
again?

A. I did several  
times

Q. What did you  
find?

A. I found five (5)  
families above the  
store, the building  
was five stories  
high covering 46  
feet leaving four  
ft 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?

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

A. I cannot

say that. Was there any Re-direct. Permit for the construction of that house?

Objected to by Judge Gold-  
man, on behalf of  
Defendant.

Q. Do you know if one was issued?

Objected to, I received no Permit.

Re-cross. The ventilation and light is first class in that house

0022

5

Q It is, it is four  
rooms deep

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

Price 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-

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

A.

1891

Q.

What did he say?

A.

He showed me through  
the house, he said  
nothing, I saw (5)  
five families there.

Q.

Know how

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

A.

Q.

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

A.

Yes Sir, none  
before.

4

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

8

Pattick Golden of No  
106 East 52<sup>nd</sup> Street  
being duly sworn

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. July 15<sup>th</sup> and  
August 25<sup>th</sup> 1890

Q. Did you see  
Mr Deacon 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 tenement  
house, the numbers  
were there on one  
two floors, and out  
lets for the kitchen  
sink and gas pipes,

Q. What did Mr. Isaac  
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  
 Q. 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 the extension. 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 denied  
Goldfogle - He waive further  
examination

Sworn to before me }  
this 25<sup>th</sup> day of May 1941 }

Police Justice

Defendant held in eye  
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 *200* 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 25* 18 *91* *John Ryan* Police Justice.

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

Dated *March 16* 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  
272 ~~Bluestone~~ St  
Morris Isaacs  
221 ~~Bluestone~~ St

2  
3  
4

Office  
No four leads

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

Dated Feb 2 1891  
Meade Magistrate.

Wick Officer.  
Sau Precinct.

Witnesses Patrick Galt  
No. 106 Street.

Jacob  
No. officer Street.

No. 1000. 25 St. Street.  
\$ Mea to any 18 St.

March 13. 8:30 PM  
March 11. 2 PM

March 10. 2:30 PM



0031

Court of General Sessions.

THE PEOPLE

vs.

Morris Isaacs

City and County of New York, ss :

J J Donovan 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 foreman for Purcys express Co. that the company he works for has occupied the ground <sup>of said premises at 42 Bleeker St.</sup> front for steps 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 steps 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 Donovan  
Subpoena Server.

0032

**Court of General Sessions.**

THE PEOPLE, on the Complaint of

vs.

*Miss Isaac*

Offense:

ASA BIRD GARDNER,

vs. JOHN R. FELLOWS,

District Attorney.

Affidavit of

*J. J. Breckin*

Subpoena Server.

**Failure to Find Witness.**

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, these streets,*  
*to wit: then erected upon a certain lot of*  
*land in the South Ward of the said City*

as 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 ever 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 Lanceyville,

Plaintiff