BOX
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FOLDER
142
Disdrict Attorney's Office
1911

Fred. G. DeWitt,
District Attorney.

District Attorneys Office
Queens County, N.Y.

Long Island City February 2nd, 1911.

Hon. William J. Gaynor,
Mayor,
City Hall, N. Y. City.

S i r :

As requested in yours of January 26th, 1911, I beg leave to submit the following facts in regard to the investigation of irregularities in the Borough of Queens.

In addition to Mr. Train the following were employed in said investigation:

Augustin Derby, 31 East 49th Street, N. Y. City, Attorney,		
October 10th to Nov. 7th, 4 weeks @ $50.	$200.	
Nov. 7th to Jan 1st, 1911, 8 weeks @ $75.	600.	$800.00
Milton A. Mills, 405 West 18th St., N. Y. City,		
Attorney & Investigator;		
October 10 to Oct. 24th., 2 weeks @ $15.	$30.	
October 24th to Jan. 12, 1911, 11½ weeks @ $25.	$287.50	
		317.50
Mason Trowbridge, Port Washington, N. Y. Attorney;		
October 26th to December 31st, 1910, 9 weeks 2 days		1232.50
John O'Neil, 320 Broadway, N.Y., Attorney;		
Nov. 1st to Nov. 14, 2 weeks @ $50.		100.
Miles Vickery, 145 West 10th St., N.Y., Stenographer;		
October 13th to Nov. 22nd, @ $25. per week,		159.83

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Hon. W. J. G. #2.

Harold Cunningham, 514 West 145th St. N.Y. Stenographer;
October 13 to Nov. 24 @ $25 per week, $163.
Nov. 24 to Jan 9, 1911, @ $35 per week, 299.50 $462.50

Philip Clague, 35 Cooper Square, N.Y., Stenographer;
October 17th & 18th, 10.00

Edith Carlson, 550 Cumberland St., Westfield, N.J.
Stenographer, December 2 to 16th, @ $16 per week, 32.

George P. Connor, 55th St. Brooklyn, N.Y. Stenographer;
December 6 to 21, @ $4 per day, 67.

William Duggan, 234 East 124th St., N.Y. Investigator;
October 13 to Dec 24 @ $25 per week, $204.43
Disbursements, 76.16 280.59

John Doheny, 5220 Broadway, N. Y., Investigator;
Nov. 4 to Nov. 22, @ $25 per week, 82.83

Frank L. Stevens, N.Y.City, Stenographer;
November 18 to 22nd, 32.

Harry J. Hunt, 121 School Street, Buffalo, N.Y.
Investigator;
November 14 to December 19 @ $45 per week, $225.-
Disbursements, 53.15 278.15

Fred. G. DeWitt,
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District Attorneys Office
Queens County, N.Y.
Long Island City

Frank F. George, 216 West 149th St., N.Y., Office Boy;
October 24 to Jan 12, 1911, @ $18 oer week $207.00

Disbursements,	18.26	$225.26
Petersen's Detective Bureau, N.Y. City,		77.25
Supplies, Law-Books, Printing, Photographers, Expert Accountants etc.,		1085.99

These are all the bills received to date.

The Grand Jury found 95 indictments under Mr. Train's direction against 20 defendants. Of these indictments 12 against John M. Cragen, 2 against Robert Kreuscher, 5 against Patrick E. Leahy and nine against John M. Phillips were indictments superseding indictments found by the May 1910 Grand Jury, and found for the same crimes and upon the same facts as those found by that Grand Jury. This would mean that 62 new indictments were found by the October Grand Jury

Cornelius J. Jordan was brought to trial on December 15th, 1910, on indictments charging Grand Larceny in the Second Degree. There were 14 indictments against this defendant found by the May Grand Jury; 10 for Grand Larceny Second Degree and 4 for Petit Larceny. At the close of thePeople's case on the trial on December 15th, Jordan plead guilty to Petit Larceny on the indictment for which he was on trial on the understanding that all the other indictments should be dismissed.

I enclose herewith copy of a report prepared by Mr. Train, showing work done by him.

Yours respectfully,
Fred G. DeWitt
District Attorney

Feb 2/1911

re to Jan 26/11

Rep - re to investigations by Mr Train with the Boro of Queens

District Attorney's Office
County of New York

CHARLES S. WHITMAN
DISTRICT ATTORNEY

February 7, 1911

HDS

Hon. William B. Meloney,

Executive Secretary to the Mayor,

City Hall, New York City.

Dear Sir:-

I beg to acknowledge the receipt of your letter of February 2nd, enclosing a letter received by His Honor, the Mayor from Harry Goldman now confined in the City Prison.

The letter has been referred to my assistant having charge of the case.

Respectfully yours,

Charles S. Whitman

District Attorney.

WB

Dict. H.D.S.

Feb 7/1911
re. to Feb 2/11
ac Letter of
Harry Goedman

District Attorney's Office
County of New York

CHARLES S. WHITMAN
DISTRICT ATTORNEY

February 14, 1911.

Dear Mr. Mayor:

Your attention may perhaps have been called to the criticism of Magistrate Murphy published in a recent issue of "The Call" which states that Murphy convicted an innocent married woman of being a prostitute, and somewhat irrelevantly, I submit, declares that this error establishes the charge that "night after night perfectly respectable girls and women are arrested, dragged to the night-court for women and on the unsupported testimony of a policeman, convicted of prostitution."

I know you have abundant machinery of your own to investigate any matters of importance, but I trust that you will not regard it as gratuitous if I inform you that I happen to have read over the entire testimony in this particular case. I do not know what weight the Magistrate gave to the officer's testimony, but the testimony of the defendant herself would, I am sure, have satisfied you that the Magistrate made no mistake; furthermore, the woman admitted her character and record to the probation officer. In spite of her knowledge of the defendant's testimony and of the admissions to the probation officer, I note that the writer to "The Call" who is, I believe, one of the associate editors, repeats her declaration

District Attorney's Office
County of New York

CHARLES S. WHITMAN
DISTRICT ATTORNEY

that the defendant was a virtuous woman.

It has seemed to me that Mr. McAdoo has exercised great care in assigning to the night-court for women, men who would not be hysterical, but would sanely and soberly judge according to the law, tempering justice with mercy whenever it was in the public interest to do so. I therefore gladly submit to you the results of my investigation in this particular case, and my experience in the night-court for such weight as you may think it to be worth.

Very truly yours,

James Bronson Reynolds.

Assistant District Attorney.

The Mayor,
City Hall,
New York.

163-1-10(BT) 5000

District Attorney's Office,
Kings County,
N.Y.

Brooklyn, New York City.

February 27th, 1911

Robert Adamson, Esq.,

Secretary to the Mayor,

Mayor's Office, City Hall,

New York.

Dear Sir:-

In reply to your letter enclosing letter of Mrs. Patrick Herrity, which I herewith return, will say that Albert Laux was indicted for Manslaughter in the Second Degree on May 20th, 1910. The indictment was dismissed by Mr. Justice Stapleton on the 11th of November, 1910.

Respectfully,

John F Clarke

District Attorney,

Kings County.

Feb 27/1911

up on Letter of
P. Harrity - re
to mr St Laux

Harrity & Harrity
Attorneys
Kings County

District Attorney's Office
County of New York

CHARLES S. WHITMAN
DISTRICT ATTORNEY

April 17, 1911.

HAS

Hon. William B. Maloney,

Executive Secretary to the Mayor,

City Hall, New York City.

Dear Sir:

I beg to acknowledge receipt of your letter of April 13th, enclosing letter from Harry Goldman, a prisoner in the Tombs. Goldman was indicted by the Grand Jury, and his case was called for trial in Part I of the Court of General Sessions early in February of this year. On that occasion he refused to submit to the Court placing him on trial, used abusive language and conducted himself in a generally disorderly manner in the court room. Thereupon, upon the Court's own motion, the defendant was committed to the City Prison for sixty days for contempt of court. The order committing him stayed all further proceedings in regard to the trial of the indictment until the expiration of the sentence in the contempt proceedings. The sixty days' sentence having expired on April 7th, the indictment was restored to the calendar and will be reached for trial in the regular course.

I might add that Goldman has written me a great many letters also.

Respectfully yours,

Charles S. Whitman

HDS/LLL

District Attorney.

Apr 17/1911

re to Apr 13/11

ac Letter of a
Harry Goldman
a prisoner in
the Tombs

District Attorney's Office
County of New York

CHARLES S. WHITMAN
DISTRICT ATTORNEY

April 17th, 1911.

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

Dear Sir:

Yours of the 14th containing letter from E. Greenstein at hand, for which kindly accept our thanks. I have turned it over to Mr. Bostwick, who has charge of the fire investigation, and am sure it will be given proper consideration.

Very truly yours,

Charles S. Whitman

District Attorney.

JRR/fcb

April 17, 1911.

Acknowledging ours of April 14, in re letter from E. Greenstein.

District Attorney's Office
County of New York

CHARLES S. WHITMAN
DISTRICT ATTORNEY

April 29th, 1911.

Hon. William J. Gaynor,

Mayor of the City of New York,

City Hall.

Dear Sir:-

I am in receipt of your communication of the 26th inst., referring to one Harris Bronstein, of #407 East 60th Street.

My investigation shows that Mr. Bronstein called to see my assistant, Mr. DuVivier, on April 12th, and that his complaint was fully investigated. Mr. DuVivier submitted to me a report of the matter, a copy of which I herewith enclose. The complainant was treated with every possible courtesy, and gave no indication of being displeased with the interview at the time of his departure.

Very respectfully yours,

Charles S. Whitman

District Attorney.

JDuV-Z

Encl:

New York, April 13, 1911.

THE PEOPLE ETC. EX REL HARRIS BRONSTEIN

against LOUIS WEXLER.

Hon. Charles S. Whitman,

District Attorney.

Sir:

On April 12, 1911, I had an extended interview with Harris Bronstein, the complainant herein. After talking with Mr. Bronstein I found the facts to be as follows:

On December 17, 1909, Bronstein was arrested on a bench warrant, issued on an indictment filed in the United States District Court for the Southern District of New York, charging him with Concealing Assets. He was committed to the City Prison for 5 days. He and his friends then entered into an agreement with one Louis Wexler, a professional bondsman, whereby Wexler agreed to furnish bail to the amount of $3500., upon the payment of $125, and the giving of an additional amount, as security, in the form of cash and notes aggregating some $3000. Wexler's bail was acceptable to the authorities and Bronstein was released.

In April, 1910, Wexler surrendered his surrender piece, whereupon Bronstein was re-arrested in Jewett City, Connecticut, and from there taken to Hartford, Connecticut, where he was incarcerated for 16 days, by reason of the fact that the United States District Judge

sitting there was away and there was nobody to accept bail. He was then brought to New York City and committed to the City Prison again for some 3 or 4 days. Wexler thereupon stated that he would refuse to continue on Bronstein's bond until he and his friends paid an additional sum of $125., which amount was raised and paid to Wexler. According to the story of Bronstein, a police officer, who made the second arrest, at the instigation of Wexler received $10., and Wexler's attorney received another $10., as his fee for arranging for the additional security.

Bronstein was released for the second time under this arrangement.

Later Bronstein pleaded guilty to the indictment for Concealing Assets and received a sentence of 6 months in the penitentiary. He states that he was innocent of the charge, and did so to protect two members of his family who were guilty of perjury. From my conversation with Bronstein, and after consultation with Mr. Moskowitz, who was familiar with the case against Mr. Bronstein, (Bronstein having come to the office of the District Attorney with a charge of conspiracy against certain witnesses in his own case in the United States District Court, for the evident purpose of discrediting their testimony); it is clear that Bronstein pleaded guilty because of the overwhelming character of the testimony against him. After serving four months in the penitentiary he received a pardon from President Taft.

Although the conduct of Wexler, in exacting an

additional $125. from Bronstein, cannot be justified, it is difficult to see just how, in so doing, any crime was committed. As a bondsman he had the legal right to surrender his surety at any time and pay him back the money he had received as security. It may be that the overwhelming character of the testimony against the complainant, and the fact that he had left the jurisdiction and was living in Connecticut, led Wexler to believe that he was running too great a risk under the circumstances. In any event, the second arrest was legal, and the failure of Wexler to live up to his original contract with Bronstein, that he would furnish bail for not more than $125., was amere breach of contract, not justifying a criminal prosecution. It is also apparent that the case principally depends upon the testimony of Bronstein, who is a self confessed thief.

Very respectfully submitted,

Joseph DuVivier,

Deputy Assistant District Attorney.

Apr 29/1911

Rec'd to Apr 26/1911

Upon Letter of Harris Bronstein

Very respectfully yours,

Joseph Dalitzel,

Deputy Assistant District Attorney.

Hon. Joseph Dalitzel,
Deputy Assistant District Attorney,
Bronx County.

Dear Sir:

Your letter of the 24th inst. has been referred to me for reply.

Mr. Bronstein's statement is a brief one, and I do not know how far it may be correct. If he is also observant that the case bringing about the indictment of Bronstein, who is a very respectable citizen, is a very serious one, I feel that the case should be carefully considered before any action is taken.

Very respectfully yours,

Joseph Dalitzel,

Deputy Assistant District Attorney.

DISTRICT ATTORNEY'S OFFICE
KINGS COUNTY
N. Y.

BROOKLYN, NEW YORK CITY,

May 10th, 1911

ANSWERED
MAY 16 1911
MAYOR'S OFFICE

66-74 COURT ST.

Hon. William J. Gaynor,

Mayor, City of New York.

Dear Sir:-

I have your letter of the 8th inst. referring to indictments against Inspector O'Brien, Sergeant Hugh Reynolds, and a number of patrolmen for neglect of duty.

About the time these matters were considered by the Grand Jury, charges, involving the subject matter of the indictment, were preferred against Inspector O'Brien by the Police Commissioner. The hearing on the charges covered some months and I am informed that 3750 pages of testimony was taken. This testimony is now being considered by the Police Commissioner.

Mr. Morgan, Counsel for Inspector O'Brien, strongly urged that defendant should not be put on trial while he was defending himself on similar charges before the Commissioner. His contention was reasonable and I acquiesced in it.

It was my intention to wait until the Commissioner had passed upon the question of defendant's guilt and be guided in my future action largely by the record before the Commissioner.

Trusting this course will meet with your approval, I am

Respectfully,

John F Clarke

District Attorney, Kings County.

Filed Jan 1911

Albert Bryan

Letter to Justices

Warrant Certificate

Prosecution of Police

Department

District Attorney's Office
County of New York

EJMcG.

CHARLES S. WHITMAN
DISTRICT ATTORNEY

May 11, 1911.

Hon. William J. Gaynor,

Mayor of The City of New York,

City Hall, New York City.

Sir:

I desire to acknowledge receipt of the letter of your Executive Secretary, transmitting a letter of Thomas Taylor, who is awaiting trial on an indictment for assault in the second degree. His case has been on the day calendar several times, and at the request of his counsel on its appearance last Monday was set for trial on May 12. The case is ready for trial, and will be disposed of as soon as it can be reached in the regular order.

I shall have the statements in the letter inquired into and communicate regarding them as soon as possible.

Yours very truly,

Charles S. Whitman

District Attorney.

EJMcG/LLL

May 11/1911

Letter of
Thos Taylor
who is awaiting
Trial

Yours very truly,

Yours very truly,

Yours very truly,

District Attorney.

and communicate to Department given as soon as possible.

163-2-11(B)5000

District Attorney's Office,
Kings County,
N.Y.

Brooklyn, New York City,

May 18th, 1911

Hon. William J. Gaynor,

Mayor, City of New York.

Dear Sir:

I have your letter of May 16th in reference to the indictment against John J. O'Brien and others. I will see that this indictment is moved for trial next month. I have this day written to Commissioner Cropsey requesting the record of evidence taken on the hearing of these charges before the Commissioner. It will greatly aid us in preparation for trial.

I am

Respectfully yours,

John F. Clark

District Attorney

Kings County.

May 18/1911

Rec'd May 16/11

ad Mayors Letter
re to indictment
against J J O'Brien
& others

Hyde County.

District Attorney

163-2-11(8)5000

District Attorney's Office,
Kings County,
N.Y.

Brooklyn, New York City,

May 26, 1911. 191

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

Dear Sir:

In the case of the People vs. John J. O'Brien, Hugh Reynolds, Frederick Brickley, Giuseppe Caravetta, Samuel Rabau, Ernest T. Enck, William J. Nammack, Francis Gilmartin, James Dooley, William A. Mulligan, Stanislaus Taczowski, and Walter Raleigh, police officers, who were indicted October 3, 1910, for willful neglect of duty, I moved dismissal of the indictment before the County Court this morning. The indictment was dismissed.

I have written a letter to Police Commissioner Waldo and to Deputy Police Commissioner Booraem to this effect.

I am,

Respectfully yours,

John H Clancy

District Attorney,
Kings County.

May 26, 1911.

In re dismissal of indictment in case of People vs. John J. O'Brien, et al, police officers indicted Oct. 3, 1910 for wilful neglect of duty.

Notice of this order to Mayor was sent to City Hon. William J. Gaynor.

Rec'd 26 May 1911.

Bug to Dept. Police Commissioner Borden of this office.

District Attorney's Office
County of New York

CHARLES S. WHITMAN
DISTRICT ATTORNEY

July 17th, 1911.

Hon. William J. Gaynor,

Mayor, New York City.

Dear Mr. Mayor:--

I am apprised by the public press that an investigation into the alleged violations of law on the part of various ice companies in this county has been made by the Police Department under your direction, and that a report of such investigation and evidence of alleged violations of the statutes are in your possession.

If you have such information it is highly important to the investigation now being conducted by my office that it should be in the possession of the District Attorney immediately, to the end that if the investigation develops a violation of the Penal Code or of the Anti-Trust Act, it may be prosecuted promptly and vigorously in the courts.

I should be obliged if you will furnish me a transcript of the report, together with a detailed statement of the names and addresses of persons who furnished the information which it contains.

Very truly yours,

Charles S. Whitman

District Attorney.

C.S.W.
F.E.M.

July 17, 1911.
In re alleged violations by ice companies.

District Attorney's Office
County of New York

CHARLES S. WHITMAN
DISTRICT ATTORNEY

July 17th, 1911

Robert Adamson, Esq.,

Secretary to the Mayor,

City Hall, New York City.

Dear Sir:-

I beg to acknowledge the receipt of a communication sent to His Honor, the Mayor, by Police Commissioner Waldo, in regard to his investigation into the question of the supply of ice, together with several affidavits of ice dealers, and a letter from the President of the Knickerbocker Ice Company. These documents, you say in your accompanying note, "comprise the complete result of the Police Commissioner's investigation as transmitted to the Mayor to date."

Yours truly,

Hugh J. Bright

H.J.B.-hho

Private Secretary.

July 17/1911

Re to July 17/1911

as Receipt of Findings of the Police Comr re to Supply of Ice

Yours truly,

Thomas Cocoran.

Yours truly,

Thos. Lynch

The Report of the Police Commissioners Investigation on Assignment of Ice Co

Fred. G. De Witt,
District Attorney.

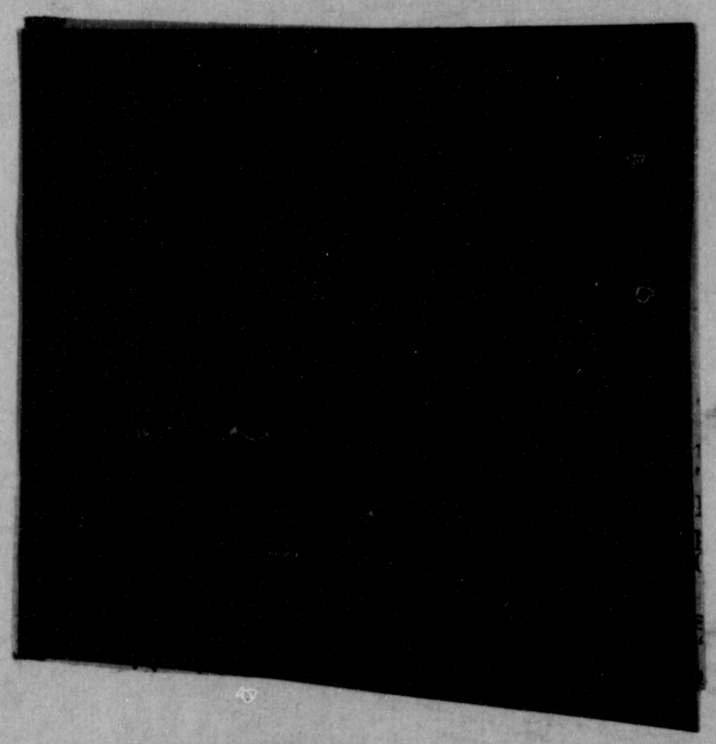
District Attorneys Office
Queens County, N.Y.
Long Island City

November 3, 1911.

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

S i r:-

The "SUN" of this morning contains the following article:



District Attorney Frederick G. De Witt of Queens County and District Attorney Charles S. Whitman of New York County, are at present engaged in Queens County, in conducting an investigation before the Hon. Townsend Scudder, a Justice of the Supreme Court of the State of New York sitting as a Magistrate, for the purpose of ascertaining whether certain persons are guilty of illegally paying a sum of money to promote and procure the nomination of one William Willett for Justice of the Supreme Court for the Second Judicial District, by the Democratic Party <u>or any other party.</u>

If you are correctly quoted by the "SUN" in the article to which we here call your attention, will you please be good enough to

I live over there in Brooklyn and feel much interested. It is said that the nominee, who lives in Queens county, Willett by name, paid the Hearst league and Leader Cassidy for their nomination of him. Why did the Hearst league nominate him?

All this talk of "Tammany," as it is called, nominating him will throw dust in no one's eyes. The Hearstites and Cassidyites in Queens county—a disgusting lot of grafters—nominated him. For any one to vote against Mr. Ketcham and Mr. Callahan for that reason would be stupid and wrong. They are men of the highest quality, like my friend Fowler over here (who was appointed Surrogate at my request) and his associates on the judicial ticket in New York county.

Why are newspapers concealing that Willett is Hearst's nominee? Can we not have common honesty in such matters?

immediately advise us by letter of the sources of your information, that is to say, of the names of the persons who said "that Willett paid the Hearst League and Leader Cassidy for their nomination", or any information whatsoever that you may have that will lead to the discovery of the truth of the matter which the District Attorneys referred to are at present investigating.

If you are misquoted by the "SUN" in the article to which we call your attention, we will be greatly obliged to you if you will immediately so advise us.

If you are not misquoted by the "SUN", in the article to which we call your attention, but cannot give us the names of the persons who said the thing which you repeat, or the information which we ask, will you please be good enough to immediately so advise us.

It is important to the purposes of the investigation, that an immediate answer to this letter be received from you, for the reason that Mr. Justice Scudder is anxious to conclude this inquiry at the earliest possible date.

Believe us,

Very respectfully and sincerely yours,

Arnold G. Hewitt

District Attorney of Queens County.

William H. Ford

Assistant District Attorney, New York County.

Nov. 3. 1911

Veto Mayors
Statement on
Nesbitt Case

Fred. G. DeWitt,
District Attorney.

District Attorneys Office
Queens County, N.Y.

Long Island City December 21 1911.

Honorable William J. Gaynor,

Mayor of the City of New York,

City Hall, New York, N. Y.

Dear Sir:

An acquaintance and association of some twenty years with Mr. John Anderson Leach, whom you have just appointed one of the City Magistrates, enables me to say that no mistake has been made, and that the citizens and Bar are to be congratulated on the selection of so well qualified a man for the office.

The fact that you are selecting men for office on account of their fitness and qualification is appreciated by all who desire a high class and representative government. It was what we expected, of course, but our hopes have been so often blighted that when at last we have a fearless Chief Executive trying to do what is right, it is a matter for comment.

I regret your decision, expressed at our Business Men's dinner here a short time ago, not to again give the people a chance to show their appreciation by their votes, for I had hoped that you might in turn bring a new standard of administration to our gubernatorial and presidential chairs, as you have to that of the mayoralty.

With best wishes for your health and the season's compliments, I have the honor to remain, with high regard,

Most respectfully yours,

John Leetherington
Asst Dist Atty.