

14 Vesey Street: Genealogy of an Address Part 3

Ancestral tenants of present day 14 Vesey Street

by K. Jacob Ruppert, J.D.

12 Vesey Street

One of the earliest tenants of what is now the eastern third of NYCLA's building was Binger & Cozzens, which, according to advertisements in the early 1850s, was a wine and mineral water distributor and the sole agent in the eastern U. S. for Longworth's Ohio Wines. Another tenant was Moulton, Plimpton, Williams & Co., importers and jobbers of dry goods. Formerly at 47 Broadway, it had moved in on May 15, 1853 and occupied the ground and second floors of 12 Vesey all the way through to 6 Barclay Street. It boasted stock numbers and price tags on all items and a sales slogan – "one man's dollar is as good as another's." It was perhaps the largest dry goods store in the downtown area with 10,000 square feet and eight departments: print and gingham, dress goods, woolen goods and menswear, domestic goods, carpet and oil cloth, white goods and embroidery, hosiery and gloves, and Yankee notions. The store signed a six-year lease but within a year it found itself advertising for subtenants to help pay the rent. By October of 1854, it had vacated the building and subsequently advertised frantically for lessees. The space still lent itself to dry goods as the Cooperative Dry Goods Store began advertising at that address in the *Brooklyn Daily Eagle* by March of 1869.

12 Vesey Street also had its share of woes. Fire had badly damaged part of it in June of 1890 when the top floor, in the offices of cane makers, Schlichting & Rendsburg, caught fire. The fire had burst through the skylight and ignited the tar on the roof of the Astor House Hotel, sending top-floor guests into a panic. Other tenants of 12 Vesey who suffered damage were Isaac Somers & Company, an international wine and liquor merchant, and E. B. Benjamin & Company, a

chemical supply dealer and owner of 12 Vesey and 6 Barclay Streets. Isaac Somers & Company was founded by its namesake in 1866 after he arrived from his native Germany in about 1848. Edmund Burke Benjamin (1828-1894) was a Canadian who had moved to San Francisco in 1854 in the wake of the Gold Rush and developed a successful business in wholesale merchandise. He returned to New York City in 1857, where he quite successfully engaged in the retail sale of specialty chemicals under the name of E. B. Benjamin & Company. The German Electric Agency moved in on May 1, 1892 selling "electric belts and appliances" that claimed to cure dyspepsia, kidney disease, constipation, rheumatism, sciatica, "falling of the womb" and "suppressed menses," to name a few.

More dramatic stories of 12 Vesey include "The Vesey Street Catastrophe," which occurred at 5:00 p.m. on April 23, 1853. Stephen Kennedy, a 20-year-old Irish immigrant who had arrived in America two months earlier, was painting the façade of the building from a scaffold when a rope failed. Mr. Kennedy and two of his co-workers fell 50 feet. The young Irish immigrant died upon impact; his co-workers died shortly after. The event was covered by *The New York Times* and the *New York Illustrated News*.

14-16 Vesey Street

This address, encompassing the western two thirds of the present building, was primarily a retail space for dry goods and foods during the mid-19th century. Besides the Washington Market, the anchor store on the block was the Great Atlantic & Pacific Tea Company, now known as A&P, the world's largest grocer. Perkins, Stern & Company, a large distributor of California wines (and a subsidiary of Kohler & Frohling & Company), was a tenant at this time. "[T]ake the pure juices of the native grape," it urged, "and you will promote the truest temperance!" By the 1880s, the first block of Vesey Street turned toward the printing and bookbinding industries that supported the

growing publishing empires of Park Place. Vesey Street was dominated by this industry until 1900. A few of the publisher-tenants that called 14-16 Vesey Street home during the Gilded Age were Grogan & Murtha, Thitchner & Glastaeter, S.T. Miis, Rogers & Sherwood, Central Press & Publishing (at 12 Vesey) and the Architectural Record Company, whose monthly *Architectural Record*, later bought by McGraw-Hill, is still published today.

Started in 1862, Thitchner & Glastaeter was a printing company whose co-owner and artist, James Glastaeter, was known for making improvements in roller boxes and job presses in the industry. He apprenticed with Thomas E. Sutton in Morrisania and, like many other Vesey Street merchants, lived in Rutherford Park, New Jersey. While rushing to catch the midnight elevated train at "Bleecker-street and South Fifth-avenue," he fell to his death. The bookbinding firm of S. T. Miis had a comparable employee mishap when, in August of 1883, 23-year-old Henry Grace was loading books onto the dumbwaiter (surely not physically far from the one now within the walls of NYCLA). He climbed into it to better arrange the cargo and the cable broke, whereupon he fell and dislocated his left hip and broke several ribs.

As in 1873, the great economic depression of 1893 caused many tenants of 12-14-16 Vesey Street to fail. Canda & Kane, dealers in building materials, folded in October of 1893, as did many of the smaller publishing operations in the area. One example was the notable publisher J. W. Lovell. Born in Montreal, John Wurtele Lovell (1853-1932) came to Manhattan in 1878 to open his publishing firm and moved to 14 Vesey Street in 1882. In an effort to make classic literature affordable, he created Lovell's Library, a literary classics series in paperback that he sold for 10 to 30 cents each. Lovell was the first American publisher of Rudyard Kipling and J.M. Barrie. At the crest of his business in the 1880s, he was selling 7,000,000 books annually and his 14 Vesey Street store had 4,000 titles on hand. Gradually, his interests expanded and he founded many subsidiary firms that were absorbed into the U.S. Book Company, for which he served as president. The U.S. Book Company failed in the panic of 1893 and thereafter he devoted himself to his real estate interests. A new tenant of a completely different character moved into the former Lovell space in the summer of 1895. The Vesey Street Cycle Company offered a retail bicycle shop and riding school to complement its "uptown" location at Lexington Avenue and 43rd Street.

Kindly vacate the premises...

William Nelson Cromwell Purchases 12, 14 and 16 Vesey Streets

In February 1924, William Nelson Cromwell, who was a NYCLA Vice President (1921-1927), told the NYCLA Board that he would contribute \$125,000 to the building fund. In December 1924, Cromwell modified his pledge and said he would increase it by \$5,000 if the Board agreed to the condition that the building the Association purchased would never be used for "business, restaurant, ... or commercial purposes." At the December meeting, NYCLA's Immediate Past President, Charles Strauss (1921-1923), said that he would contribute \$100,000 to the building fund in four annual installments of \$25,000. Subsequently, at the May 1926 Board

meeting, directors read a letter from Cromwell, who announced that he was purchasing 12, 14 and 16 Vesey Streets for \$450,000 and offered to sell 14 Vesey Street to the Association at his cost, provided that the NYCLA Board agreed to the condition that "the plans, design, architect and the like respecting the law building, if erected on this site, be subject to my approval." The Board accepted Cromwell's proposal and in August 1926, Cromwell closed on his purchase of the Vesey Street properties. He selected Cass Gilbert, one of the most prominent architects in the world at that time, to be the architect for the Home of Law. Then, in February 1927, the Board exercised its option to purchase 14 Vesey Street. In May 1927, Cromwell became NYCLA's 12th president.

Meanwhile, in 1926, tenants had been given their walking papers and were starting to look for other addresses. Goodenough & Woglom (G&W), dealers in history learning aids and Sunday school supplies, moved from 14 Vesey to 296 Broadway. G&W had been doing business in lower Manhattan for nearly 80 years. Progenitor Edward Goodenough at the time of his death was the oldest bookseller in New York, having begun his apprenticeship in 1823 with the Methodist Book Concern (still in operation at 150 Fifth Avenue). He worked for the Methodists until he partnered with H. Frank Woglom in 1850 and opened Goodenough & Woglom at 122 Nassau Street. The firm focused primarily on religious publications but branched out in the early 1880s when Goodenough's son-in-law, William Harris, joined the firm and started a monthly magazine called *Woman*. The firm continued until the 1940s.

Another notable ousted tenant was Keeler's Art Gallery and Auction Rooms, which occupied the first floor and basement of 12 Vesey. For more than 50 years, it had been a resort for the business class, who were interested in art and antiques of all kinds – from cigar-store

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Remembering Gladys Glickman, longtime NYCLA member

In 1939, Gladys Glickman graduated from college; 20 years later, she graduated from law school and subsequently joined NYCLA. She was a Sustaining Member, solo practitioner and author of *Franchising* (published by Matthew Bender), first published in 1969 and updated three times a year. Ms. Glickman died recently and, in her will, made a generous bequest to NYCLA. A former vice president in the legal department of Gruner & Jahr U.S.A. Publishing, Ms. Glickman had also previously served as general counsel to *Parent's Magazine* Enterprises before starting her own law practice.

An expert on franchising law, Ms. Glickman researched and wrote much of her franchising law treatise in NYCLA's Library. Among the NYCLA committees and sections to which she belonged were the Cyberspace Law and Foreign and International Law Committees and the

Entertainment, Media, Intellectual Property and Sports Law (EMIPS) Section. Ms. Glickman was an active member of NYCLA's Trade Regulation Committee, participating in forums and researching reports issued by the Committee. She was also a member of the American Bar Association's Business Law and Intellectual Property Sections and its Subcommittee on Franchising.

In 2004, as a member of the Illinois State Bar Association's Standing Committee on Women and the Law, Ms. Glickman wrote (in the Standing Committee's newsletter): "The greatest challenge to women today appears to be balancing career ambitions and the desire to raise a family. This was easier to do in the 30s and 40s when law was more of an entrepreneurial calling. Women were able to keep their hands in by helping the neighbors and communities with their legal problems and gradually building a new practice."

14 Vesey Street

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wooden Indians and marble statues to oil paintings of the greater and lesser masters. George W. Keeler began and ended the business at this address and was 85-years-old when the building went up for sale. The gallery had many important patrons, including publishers William Cullen Bryant, James Gordon Bennett and Henry J. Raymond. Horace Greeley, who established the *New York Tribune* in 1841, used to inspect the stock of old books and fall asleep in a chair while reading. The regulars of the gallery grew to know one another and formed "The Nut Club," a salon of sorts of collectors and armchair antiquarians.

Mitchell-Rand Manufacturing Company, manufacturer of electrical insulation and part of a triumvirate of local Mitchell-Rand companies, bought the building at 51 Murray Street in 1929 when demolition of the Vesey Street building was imminent. The business remained on Murray Street until 1955 and, ultimately, the building was sold in 1963.

Without doubt, the most popular tenant of 14-16 Vesey was the Real Estate Exchange, the heart of the commercial auction profession of the day. Owned by the Auctioneers' Association, nearly all real estate auctions, both private and public, were conducted here. Formerly located in the "stuffy" quarters at 161 Broadway between Liberty and Cortlandt Streets, the Exchange moved to 14-16 Vesey Street in 1905, lured by bigger and brighter auction rooms. The move nearly five blocks north was a gamble as the real estate market was concentrated farther down Broadway. As hoped, the real estate market followed and the building quickly became known as the Vesey Street Salesroom. Of course, when 14-16 Vesey was bought by Cromwell, the Exchange

had to begin its search for quarters anew. However, fortune smiled again as the Exchange found space on the next block at 56 Vesey, on land now occupied by the U.S. Post Office. The Exchange had moved out by September 1, 1926 (about three months after the sale to Cromwell) and remained down the street until May of 1931, when its building was bought by the federal government to build the post office, a WPA project. Its later successive addresses were 18 Vesey (1931) and 20 Vesey (1941). The Exchange remained on Vesey Street until the mid 1950s.

Of course, the rich history of 12-14-16 Vesey Street did not end in 1926. On May 26, 1930, the Home of Law was formally dedicated, with President Cromwell presiding over the ceremony. NYCLA has contributed exponentially to the glory and history of New York City for nearly 100 years and will certainly continue to be the nucleus of the legal profession in lower Manhattan and beyond. I am honored to have served the Association and, in a small way, to have contributed to the anthology of memories of these three patient and plain plots of property.

K. Jacob Ruppert, Esq. is the judicial law clerk to Hon. Stephen B. Beasley of the 11th Judicial District Court of the State of Louisiana and served as senior program attorney for the New York County Lawyers' Association's CLE Institute from 2001-2004. Born in New Orleans, he comes from a deeply rooted New York family and is an ardent historian of lower Manhattan and Yorkville. His current writing projects include articles on the late Justice Fred J. Cassibry of Louisiana and the forgotten estates of Point View in Rumson, NJ and Linwood in Rhinebeck, NY. Mr. Ruppert can be reached at jacob@jacobruppert.com.

Petition filed on behalf of Danish workers

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plane wreckage for shipment to the U.S. Danish civilian workers at Thule were invited to volunteer for "clean up" operations but were not supplied with protective clothing or warned of possible radiation hazards.

Subsequently the U.S. monitored the health of all U.S. personnel involved in the "clean-up" task for radiation exposure. Denmark did nothing.

By the 1980s these Danish workers started to contract radiation-related cancers and illnesses. Many died but Denmark still did nothing to ensure the health of the Thule survivors. As a result, the former workers formed an association and sued the Danish government in Copenhagen using Danish counsel. During discovery proceedings, however, Denmark refused to hand over records of radiation levels at Thule taken at the time of crash, citing national security. Since these records were essential to establishing the evidentiary link between the health injuries and radiation from the Thule crash, the case was withdrawn.

In 1996 the EU updated its radiation/protection policy in a complex directive of the European Atomic Energy Community (EURATOM), which was established by the 1957 EURATOM Treaty. In Directive 96/29, which became effective in 2000, member states were required to identify population groups potentially exposed to radiation in the past and initiate continuous medical monitoring for the early detection and treatment of radiation-linked conditions. The directive also required the monitoring physicians to have access to records of radiation levels to which the population group(s) were exposed.

Denmark refused to comply with the directive. Accordingly, I moved to enforce the directive against Denmark before the EU Parliament in Brussels. Under the rules of the EU Parliament, any EU citizen or resident can bring member state violations of EU law to the attention of the Parliament by petition procedures.

In 2002 the petition was filed with the EU Parliament's Petition Committee. Thereafter a complex legal argument ensued on Denmark's EURATOM Treaty liability for



Greenland in the 1960s

the 1968 incident. The issue was whether Denmark was liable under Directive 96/29 for a radiological incident that occurred before its accession to the EURATOM Treaty. I argued for the petitioners that Denmark was liable under the directive to monitor the current effects of past radiological incidents, irrespective of when they had arisen. The Petitions Committee referred this to the EU Parliament's Legal Service. The Legal Service lawyers offered two opinions, both of which supported the petitioners' argument.

In an unusual move, the Petitions Committee appointed an investigative rapporteur to compile a report. This report and a resolution calling for Denmark to comply with the directive were subsequently referred by the Petitions Committee to the EU Parliament in a plenary session for a vote on Denmark's liability. Following the resounding victory on May 10, 2007 finding Denmark liable for not implementing medical monitoring of former Danish workers, the report and resolution were sent to the Danish government for a formal response. Seasoned political commentators in Brussels have suggested that if Denmark fails to comply with the EU Parliament's resolution, a supranational political solution may be imposed on it where before only legal issues were involved.

Mr. Anderson is a former co-chair of NYCLA's Foreign and International Law Committee.

NYCLA issues three reports on Housing Court Reform

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Resources Report

The Resources Report contains recommendations in three targeted areas: establishing guidelines when Guardians *Ad Litem* are assigned to

cases of people with diminished capacity, improving coordination between various governmental agencies and the Housing Court and expanding use of computer technology and resources in the Housing Court.

The Report also makes recommendations for improved coordination among various governmental agencies and the Housing Court and expands the use of computer technology in the Court.

Guidelines for Guardians *Ad Litem* (GAL)

Under the leadership of Hon. Fern A. Fisher, Administrative Judge of the Civil Court of the City of New York, the Housing Court has made a significant commitment towards developing and monitoring the Guardians *Ad Litem* (GAL) program. Among the Report's recommendations is "increasing the number of competent, well-trained GALs and providing adequate support, training and supervision to ensure that they perform their services in an appropriate manner." Another recommendation is that "Court procedures should be standardized to ensure the preservation of due process rights of litigants with diminished capacity." The Report further recommends specific procedures to be followed by the GALs and the Housing Court judges.

NYCLA intends to maintain its leadership role by pursuing the implementation of recommended reforms and initiatives in the Housing Court.

Copies of the reports are available on NYCLA's homepage (www.nycla.org) and can be downloaded.

Protecting Judicial Independence

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When drafting the United States Constitution, our founding fathers created an independent judiciary to specifically uphold the values upon which our country was founded. In his keynote address, Hon. George Bundy Smith, Chair of NYCLA's Justice Center, NYCLA Board member and partner at Chadbourne & Parke LLP, stressed the significance of an independent judiciary in this nation's history and the need to protect it in the future. He said, "Make no mistake, the judiciary is threatened today as it has never been.... The independence of the judiciary is in your hands

and in mine."

Hon. Francis T. Murphy, Of Counsel for Kelley Drye & Warren LLP, the luncheon speaker, expanded on the conference theme, saying "One truth never changes: You, the independent judiciary, represent the hidden soul—the conscience of America."

More than two centuries after our forefathers created separate branches of government, changing times and technology have presented new obstacles to judicial independence. Throughout the conference, attacks on the character and decisions of the judiciary were discussed, along with misrep-

resentation by the media and a growing lack of respect for the institution of the judiciary. The NYCLA Task Force will review recommendations made for ways NYCLA can preserve and protect judicial independence and report to the NYCLA Board on possible projects and activities. The speeches of Judge Murphy and Judge Bundy Smith appear on page 8 and are also available on NYCLA's website, in the News & Publications section, under Speeches.

Ms. Siegel is the Communications Assistant at the New York County Lawyers' Association.