



Mrs. Harriet Lehman and Daniel Levy.

The principal characters in the sensational case which was dramatically ended yesterday by the sudden dismissal of the jury.

NICOLL ACCUSED BY JUROR STETSON?

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that while I have no opinion, that I, and others of the jury, think that when you saw the case going against you you instigated these people to approach the jurors, so as to end the case this way, leaving an imputation that there was a fact conference of the court. At least this was the interpretation which Justice Bookstaver placed upon it, and styled it contempt of court.

De Lancy Nicoll was found at his home, No. 123 East Thirty-eighth street, last evening. He related his version of the story as follows: "When I entered the courtroom at 1:30 o'clock this afternoon, after recess, it was with the expectation that the case would be closed shortly and would go to the jury the same day. Justice Bookstaver called me to the bench and, to my great surprise, told me that, according to his recent information, Juror No. 5, Mr. Henry Spreen, had been approached.

put the statement you have just made to me in the form of an affidavit, and I will sign an order and place it in the hands of the Sheriff, directing Stetson to appear before me to-morrow and explain his conduct." "I drew up the affidavit and signed it in accordance with His Honor's instructions, whereupon His Honor signed the order for Stetson's appearance in court. You may depend upon it that I will be in court to-morrow morning to push my charge of contempt against Mr. Stetson.

last night was very much wrought up over his jury experience. He told his story as follows: "As I was coming out of the courtroom on Tuesday I was jostled by a short, thick-set, youngish man. He was smooth-faced, his features were of a Hebraic type, and his coat collar was up under his ears.

State of New York, County and City of New York, ss.:

I, Albert Stetson, being duly sworn, depose and say: I was a juror in the case of habeas corpus in behalf of Mr. Levy. After the jury had been dismissed, and before we had left our seats, a fellow juror at my back attracted my attention and said to me: "Nicoll knew that he had lost the case, and has taken these means to prevent a decision." As I came by Mr. Nicoll I repeated to him in an entirely quiet and a pleasant tone of voice what the juror had said.

Remember, his slanderous statement was made to me in the Supreme Court of the State of New York, while Justice Bookstaver was actually sitting on the bench. If he had uttered it anywhere outside the court room I would simply have kicked the stuffing out of him. Made as it was in open court, it reflected not only upon plain De Lancy Nicoll, but on the Supreme Court, the highest tribunal of the metropolis. Therefore, in my humble opinion, it should be dealt with as criminal contempt of court and punished as a grave offence.

NO REFLECTION ON THE JUDGE. Juror Stetson last evening, when told what Mr. Nicoll had just said about him for publication, became very angry and said the former District Attorney was grievously mistaken, to say the least. His remark to Mr. Nicoll, he declared, was made purely in a friendly spirit and included no possible comment upon the conduct of the Court.

Albert Stetson City of New York, County and State of New York. On the nineteenth day of February, 1896, before me, personally, came Albert Stetson, to me known and known to be the person who executed the foregoing affidavit, and he has acknowledged that he executed the same.



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positive that no conspirators could ruin my name. That's all, but I'm sorry it's that much, and that I was ever in a position to get into such a mess."

with him, and they all at once formed opinions as to which side was represented by the smooth-faced man who approached Spreen.

been in such constant evidence. However, I can forgive all that, but I cannot overlook the imputation as Mr. Nicoll tells, that the court connived with the attorney, or connived at all to bring the case to a close. This imputation has an insular and a reflection on the court, and virulent contempt of court.

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