

March 3, 1932

Calvin E. Cohen

Samuel Liebman

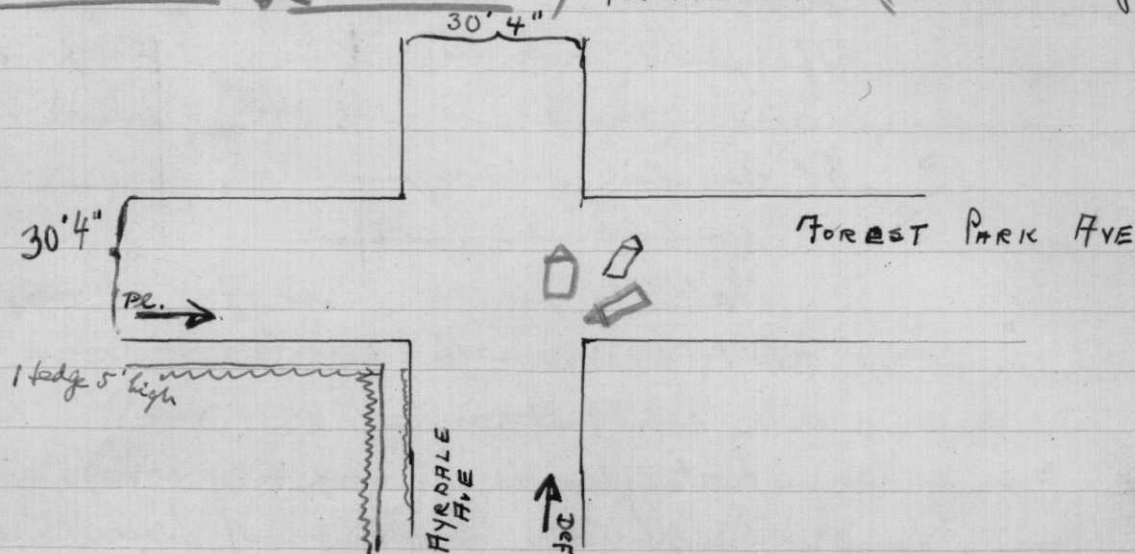
Ex. 9/18/31

Advt. 6/14/31

Re Delicta

allow H. Fisher

E. St. Young
Howard Bergel



Calvin E. Cohen

Pl. Atty. at law - Cases 31. Md. Did but does

not drive auto. Datum advt, 8⁴⁵/_{min} going to visit
one T. on F. Ph. Ave, - to keep engagement 9¹⁵
3 or 4 blks E. I had stopped @ Tr. St. @
Garrison - & approaching Ayredale Ave.,
going slowly - high hedge @ south side -
@ edge hedge, could see S. and saw circ
40'-50' was def's car. I proceeded across
@ no change of speed, 2'-3' from S. curb -
& when practically across A. Ave back
of my car struck. Def's speed same
as mine until he got close to me when
he started suddenly forward and
hit n. rear of my car. 2 marks
in my n. rear fender. I saw
def's speed increase suddenly as I
was almost into other side of F Ph
Ave.

My car swung, fell on its l. side -
My wif was sitting on n. s. my car.
When stopped, my car was facing W.
Def was driving his own car. His

wf was with him.

My injuries - My ^{left} hand very badly -
crippled shown to jury - practically cut
off three palm. Taken ad hospitalum -
conscious. I who later ^{in det} one finger amputated.
Operation with admission, 2nd op. 2 wks
later - thumb moved over + sewed to palm.
3^d operation still required.

In hosp. 25-26 days.

Retd to practice law fully only ~~in~~ circ
Feb 1, 1932 - tho did part work circ after
DEC 15, 1931.

Lost 18 lbs in hosp - now regained. Pain
tremendous - shock great. Under morphine
for 1st 2 wks in hosp. Wrist motion
also impaired. A really terrible wreck of a
hand exhibited to jury.

Damage to auto? I got estimate - but
disposed of the car.

Pd Hosp. Bills = \$ 341.45

Impd. Dr. Bernheim = 10.

Surgeon's bill. = 250.

First Aid, Dr. Kichner = 20.

Dr. Ostro - X Ray = 10.

Nobody to attend to my law practice while I
away from office.

Earnings 6 mos. Auto. axct. - shown by office

book - Were Jan ¹⁹³¹ \$ 204.75 gross

Feb 656.

Mar 180.42

Apr 174.56

May 131.25

1-14 June - 113.50

1460.48

4.00

~~Over paid with July~~

\$1,000 net.

Average monthly xp. \$75 -

~~14-30 June~~

Auto Photod - Offered - PX 1,2,3,4

PX1 Right rear of my car
 PX2 Right side " " "
 PX3 L. rear " " "
 PX4 Rear " " "
 PX5 L. side " " "

Has no grasp at all in l. hand. Needs help even in dressing.

(Temp. withdrawn)

Dr. A. A. Sandheimer - 2311 Eutam Pl. Surgeon in charge

Tells surgical details very well to family.

Still needs baking + massage - + maybe a 3^d operation to give him thumb + hand grasp.

Prognosis - May recovery circ 20% use of hand.

My charges to date = \$250⁰⁰. Amno bal for future

XQ None.

Calvin E. Cohen (recalled) Details of dressings + treatments in hosp. + since. Gangrene odor, sickening, etc etc.

XQ Fixes time of acct causa watch stopped @ 8⁵⁵ - but I knew anyhow it was auct 9 p.m.

(Withdrawn)

Dr. J. E. Gickner Sr. ^{@ my office.} First aid man, Describes the hand + his treatment. Took hour. Pretty badly shocked. Sent him to hosp. with surgeon. My bill \$20.

XQ Saw him in eve circ 6-7 p.m. Supper time.

C. E. Cohen (recalled) XQ (Contd) Domus mens, 3311 Taney Rd - circ 1 mi. beyond Pindico. Left home circ 8³⁰ p.m. 5 or 6 couples to keep @ 9¹⁵ p.m. engagement. Sunday eve.

First saw def's car 40' - 50' from 7. Pk.

Avr - I just at W. sidewalk. 7 Pk


Avr is circ 30' wide, curb to curb. A. Av. Domus


I cud not see over hedge. My car a Ford Coupe. Def's a large car. Dunno if Sedan or four car - size like a Buick Sedan. Since I've learned what it was. Def's lites were on yellow - like those on old Fords - dim - did not shine out into F. Pk. Ave. - cast no beam.
~~I did not~~

I saw L's car as I was @ hedge - then 50' to S. - + I saw it keep coming n., until impact. I was 3' from S. curb on F. Pk. Ave. Def was on n.s. or east side A. Ave. My speed approaching A. Ave ~~12-15~~¹⁶⁻¹⁸. Slowed down a little crossing St - Crossing @ 12-15.

Def's speed @ first 12-15 - I + sputted when 8'-10' S. of S. Curb line.

I did not turn n. auto impact.

My car's back swung around to n. then to E. in a semicircle 

When it came to rest it was to E. of E. Curb line - 10'-15'. - Thus  - 10'-15' E. of A. curb - dunno position in F. Pk. Ave. After taken outa the car, I ran couple steps w. + was in intersect Airedale.

Dunno what became of Def's car.

From June 14 1931 to Dec 15, there came in from business done auto that

I dunno what part of ~~semi~~ receipts from Jan 1 to June 14 was for work done in 1931. I began practice Nov 1926 -

Also taught school until 2³⁰ p.m. till June 1930

RD Income June 14 1931 to Dec 15, from business done auto that was

June 14 - June 30.	\$ 223.61
June 14 - July 13 - July 31 / Aug	\$ 250.45

Sep \$ 133.70
 Oct 68.50
 Nov 59.71
 Dec. 1 - Dec 15. 104.40

RXQ Kept Secretary only after June 14. Exp. same as auto

David Chesses Auto mechanic. Xand pl's car
 Reasonable cost to repair \$114⁵⁰

XQ None

Ruth Emanuel 3023 Orlando Ave. Tr. Nurse - Pl's
 nite nurse @ hosp. Sufferings great. Lotta
 nervousness + shock. Treatments described.
 Continuous soak @ nite until he lost too
 much rest there by - then hourly irrigations

XQ None

Mrs. C.E. Cohen Pl's wife. Cam sibi tempore axdt.
 Fixes time of engagement as 9+ p.m. Left
 home 8³⁰ p.m. Stopped @ drug store @ Gar. +
 L.H. Early for appt. axdt circ 8⁵⁵ p.m.

I'm a driver. ^{4 yrs} Our speed ~~approa.~~ after
 leaving Gar. Ave., - approaching A. Ave -
 passed hedge - then cud see to s. + did
 so. Saw def's car some distance away -
 circ width this room (which is 40'+)
 Its lites were dull. We kept going
 slowly. I don't recall whether I could
 to look @ def's car. Think I did
 not. I expected no axdt - having
 confidence in Vir's driving. Tho I
 looked ahead, I cud still see def's lites -
 + they seemed to jump into us @ end.

Our car was struck behind me.
 When I came to my senses we were
 lying on side, facing W. Def's car

was large. I think closed. Did not see def. -
but did see + hear him @ Tr. Ct.

Post axdt - vic was helped outa car -
groaning - thru s. window. To Dr. G's -
highly nervous.

Corroborates that he did not practice law
until circ Dec 15.


General health, strength, + nervousness impaired.

XQ

Both of us into drug store auto axdt - got drink + bot "life-
savers". Parked car on s.s. traffic lite auto. Another
tr. lite @ 9. + 7 Ph. - stopped there too. Clear mkt. Dark, before
we left house. Speed de G. Av. down 7 Ph not very - say
12-15-18. in no hurry. I did not look @ speedometer.

Def not going much if any faster than us when
I 1st saw him. I did not continue to look @
def - but cud see lites approaching de side.
Nix coming s. or w.

The 2 avcs. not as wide as this room.

Post axdt, def's car, was in front of
ours - a little to n.s. 7 Ph. Ave - @
circ . Not much, but a little n. of centre of
7 Ph. Ave. - just a part of it over centre line
of 7 Ph. Ave. - probably. Less than length of itself
w. of our car. Our car, when over, was
in 7 Ph. Ave, ~~circ~~ e. of e. curb line
of A. Ave. Circ 15' e. Def's car $\frac{1}{2}$ in $\frac{1}{2}$
out of projected line of sd e. curb line.
Our car when turned around + over was
close to s. curb line. ~~Circle~~ Our turn around
circ 180°.

James K Bephardt 3408 Calloway. Bldg. Was going
to same party with pl. Went right ad scenam
axdt. I got to party house @ circ 8⁵⁰
p. m. - + heard of axdt - + got ad
scenam circ 9¹⁰. Found def's
car lying still on its side - Facing n - toward

L. H. Ave - E. of E.S. of A. Ave - circ 15'-20' E.

Pl. @ Dr. G's some time - thence ad hospitalem -
whither close to 11 p. m.

First saw def. @ Tr. Ct. Did't notice his car
particularly - nor pl's car damage

XQ When I reached scenam pl already @
officio Dr G. I met Mrs. Cohen @ scenam - &
she went with us to Dr. G.

~~Pl's~~ Pl's car was heading N. E. when I got
there Places pl's car circ \square when he got there -
lying on its l. s.

Mrs. Cohen recalled + questioned by Court.

Sepphard et al came @ my call. Acc to
had not been moved when they
arrived.

Henry G. Weis 2321 Longwood St. Fern. bus. Was summoned de
domo Tiefenbrun. Got ad scenam 9:10-9:15 -
drove there on phone call.

Found pl's car lying on its l. s. - circ
15' E. of intersec - front facing ~~west~~ -
corrects this to S. W. - i. e. - he just
reverses ends of car as shown by
Sepphard.

I ad Dr. G. - not ad hospitalem. Dummo
& did't see def.

XQ Had been @ Tiefenb's circ 5 min. when
teleph call came. We 3 ad scenam in auto.
Pl. already @ Dr. G's - Mrs. Pl. @ scena.

Dummo where def's car was - ~~no~~
no other car sitting out in St when
we arrived. Several parked @
curbs. Dummo which was def's - not pointed
out to me so far as I recall.

Mr. T. + I were there when pl's car
was moved after I rtd de Dr G's

office. I saw no cars moved before I went ad Dr. G's.

Closed

Samuel Liebman Def. ³⁹¹⁸ Norfolk Ave. My car a 1926 Lexington - Sedan. Had been home, left circ 9 p.m. - Drove circ 2 blocks, ad scenam axdt. Going n. on Airedale Ave.

Wx or et ich in auto. No tr. lites @ Aired. + G. My speed on Aired circ 18 m.p.h. @ highest. Approaching F.Pk. Ave I saw pl coming de w. I then just about middle of F.Pk. Ave. Pl. then coming toward me from w. - way on other side of A. Ave. - toward G. Ave to w.

My lites good. Blue. Same there now. Elec. bulbs.

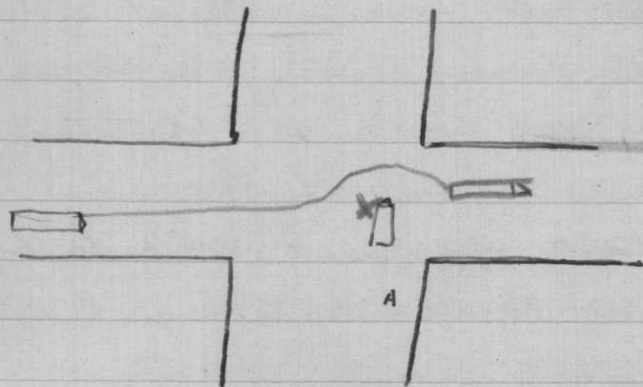
Pl coming fast as possible - cud'nt stop fast enough to avoid hitting me - pulled around to pulled off my left front bumper - ^{n.s. 7} middle of his car hit me. My car stopped - heading n. (?) After axdt pl's car on its side, facing east, same way it had been going.

Post axdt, I tied my handkerchief around pl's hand + took him to Dr. G. Then I took sick + after better to drug store - + had druggist send for polizei - whom I met cum a crowd @ scena. Walked to Dr with Pl. My wif + Mrs. Pl. remained @ scena.

XQ

Memory woult serve for his Norfolk Ave house #. Tho he lived there some time, Had hotel + restaurant @ 5207 Reist Rd -

I now work for its ^{owner} ~~owner~~ - @ time axdt was 'nt exactly a partner either.



When @ A I looked r. - then l. First saw pl when I @ Pl. then @ which was circ 25' from corner. I had 15' to go to reach n. s. 7. Ph. - so Pl. went @ least ~~25'~~ 25' + 15' = circ 40' before he hit me. Point impact was @ - + he pushed me over to r.

My speed circ 18. From time I saw him I tried to stop - saw him coming, expected hit in my centre - but he turned around + hit ~~my~~ front. Pl's car came to rest @

I sure I took pl ^{afout} toward - but not to Dr's. Somebody took him away from me. Pl. did not drive to Dr's.

I did not testify in Dr. Ct. Pressed, I did.

Transcript read to him - It seems to be not a claim that he took pl to Dr - + withn says that's what he says today. Too sick to take pl. to Dr - causa the hit, + causa pl's severe injuries.

I didn't think of stopping - ~~tho I~~ Had I seen pl I cudda stopped within 2:3. My brakes were OK.

I tried to stop causa I got scared, seeing pl flopping into me.

Did not see pl @ s. curb line or when 1st
in F Ph Ave - I looked fr. - then r. -
looked left when almost $\frac{1}{2}$ way across
& then saw pl who was already hitting me.
My car was @ a stop when pl tried
to run in front of me.
Estimate speed pl? Won't do it - won't say
if 60-70-20-30-80 m.p.h.

RD None

Mrs Liebman Uxor de def. 4003 Kark Ave.

Corroborates vis - our speed not over 15
approaching F. Ph. Ave.

Our front @ centre intersec. when I
saw Pl. coming - I hollered "Watch out" -
Vis turned a little to r. - to avoid. D. of
of our car was damaged - I think by
back of Pl's. Our car stopped - Pl's
passed us & turned over - after
passing us a few ft. I was kinda
stunned. I remained in our auto - Vis
got out. I saw him tie pl's hand with
handkerchief - & both disappeared. Mrs Pl
stood in mid. street. Nobody else present
then that I saw.

Our car post axdt remained there.
Fund took us away in another car

XQ I too frightened (stunned) to
get outa our car.

I think pl coming very fast -
not 60 - but I dunno about 40.
I a driver 12 yrs. I looked r. first -
& when I looked l. too late to
avoid crash.

Our car cudda been stopped in
2:3' When I first knew of
Pl's coming head of our car was

circ centre of F. Ph. Ave.

Closes

Calvin Cohen I was taken ad Dr. Co in an auto by a young fellow with curly hair to Dr. Co's office @ circ 1 blk away

XQ I dunno who - mebbe ~~def~~ def - wrapped my hand in handkerchief. Got in his auto rite @ intersec. I did not walk with def any distance at all.

Eds Sandler Stenoq who took notes @

Tr. Ct - emp'd by pl. I identifies same

XQ My notes have been ~~had~~ destroyed - but the write up is OK. Pl. moved 1 Sep from 459 Calvert Bld to 215 N. Calvert St
Crem. Jos. Schlessinger.

I took @ Tr. Ct. testimony of Mr. & Mrs. Def + Mr. Pl. - @ request Pl.

1073-43

March 4, 1932

My Predict
Pl. \$15,000⁰⁰

Jury
Def.

J. Edw. Schley +
Wm L. Richardson

VJ

Penn. Rr. Co.

7d 6.20.29

Barnes

Port - freight
loss

Shipment 7-18-28.

Hargest
Duckett

Deposition Reat Shipper says shipment of melons made by him - melons OK when loaded; shudda been packed in straw in car, - loaded p. m. of July 18; have departure 1st train after loading, 1³⁰ p. m., attached

RECORD

21

Dec. 1, 1931

to

March 10, 1932

67 $\frac{5}{8}$
R

500