STREET-CLEANING TRIALS.

THE MAYOR MAKING OUT A CASE.

EXAMINATION OF WITNESSES TO SHOW THE NEGLECT OF THE POLICE COMMISSIONERS TO KEEP THE STREETS CLEAN.

The trial of the Police Commissioners, charged by the Mayor with neglect to clean the streets, was continued yesterday morning. The first witness was Richard Oliver, a manufacturing jeweller at No. 23 John-st., who testified that that street was not cleaned from December 1 until March, and that it was covered with dirt and mud during that time. The drivers of the police carts had asked payment from him three times for removing the ashes from his store. He had complained to the Mayor in February of the condition of John-st., and it was cleaned in front of his store soon afterward.

Edward Lyon, a young man with a handsome light overcoat and a striking button-hole bouquet, wearing his hair parted in the middle, testified that he was the agent for seven houses, from No. 10 to No. 22 Rutgers-place. That street was filled in the winter with ashes, dirt, garbage and ice. The piles of this rubbish were in some places as high as seven feet. The houses were tenement-houses, and there was much sickness among their occupants. The Board of Health had made complaints against him on account of this accumulation of filth, and he had replied that he could not do anything unless the streets were cleaned. There were 120 families in those houses. An old man, who said he belonged to the Street-Cleaning Department, had come along one day and had broken all the ash barrels in front of the houses, scattering their contents into the street. The street was cleaned for the first time this year Thursday. No ashes or garbage was removed until then. The street was not yet clean, although the great bulk of the dirt has been removed.

Mr. Andrews—Was there anything in the street that could have been removed without taking away the ice?

At a rough estimate, twenty tons of ashes and garbage. There were three or four weeks at any time in which it could have been taken away."

Mr. Lyon had complained to a street inspector and had written to his father, who owned the tenement-houses, to see if he could bring suit against the Commissioners. He went once to Police Headquarters to see General Smith, whom he knew, but he was out. He was told there by an attendant that he could not see the other Commissioners. The counsel for the Commissioners then consulted together earnestly for a few moments.

Mr. Root—General Smith is your brother-in-law, is he not?

Mr. Lyon—Yes.

"You met General Smith many times this winter, and you never said a word to him about the condition of Rutgers-place?

"No sir."

P. McCollum, a funeral-looking person, who spoke with a strong brogue, and said he was a finishing undertaker at No. 234 Mulberry-st., next took the witness stand. The street, he said, was very bad.

Mr. Andrews—Could any of the dirt have been removed?

Mr. Bliss (bobbing up serenely)—I object. You are asking this witness's opinion. I take it for granted, however, that the objection is overruled. I enter an objection (nodding at the stenographer.)

William McCarthy, a bald-headed man, also undertaker at No. 21 Ridge-st., then appeared; carrying a suspicious looking bottle in his left hand, which he waved gracefully in the air. He proceeded to tell with great volubility about the dreadful condition of the street last winter, and as much more about matters in general and his family history in particular as he could. There was much dust in the street, he said, which was a great annoyance.

Mr. Bliss—Do you know whether this was caused by the fact that the Commissioner of Public Works has refused this year, contrary to the usual custom, to allow the residents of the city to sprinkle the streets in front of their houses?

The Witness—No, but if there had not been so much dirt there would have been no dust.

M. M. Govan, a bookkeeper at No. 8 Lafayette-place, testified that he had paid cart-drivers to have the ashes removed from that place. He thought that they were public carts, but he had not seen them himself.

Mr. Andrews—How much did you pay to the drivers of other than private carts?

Mr. Root—I object. How do you connect these drivers with the Police Department?

Mr. Andrews—Well, if I don't connect it, it will have no weight.

Mr. Bliss—I object to that principle. By a violent presumption, your Honor is supposed to be unbiased. Such testimony as this should not be received, as it is not connected with the Police Department in any way.

The Mayor—I overrule the objection. What (turning to the witness) did you pay these men for?

Mr. Vanderpoel—I object.

The Mayor laughed and said, after a pause, that he thought he should have to sustain the objection. The court then adjourned until 2:15.

At the afternoon session one of the witnesses, Terrence F. Doyle, of No. 127 Hudson-st., was asked what the condition of that street was during the last winter. "I have nothing," he replied, "to say against the Street-Cleaning Department."

Mr. Root—This gentleman evidently does not wish a place in the Park Department.

Mr. Bliss rewarded the witness with an approving smile.

Joseph Conway, an Inspector of the Board of Pilots, was next examined.

Mr. Andrews—Have you seen from May 8, 1880, to April 21, 1881, anything thrown into the North River or New-York harbor from the city scows?

Mr. Bliss—I object, because there is no specification covering this, and because such an act is a misdemeanor, upon which the Mayor is not competent to sit.

Mr. Andrews—That objection has been considered already.

Mr. Root—The objection, when made, was met by the Mayor with a statement that he had already considered the question. The Mayor has since stated that he is not a lawyer, having perhaps discovered that since these proceedings opened. There was then a temporary estrangement between the Mayor and his constitutional adviser. Now that communication has been once more established, perhaps the Mayor may see fit to change his mind.

Mr. Root then argued at length that the Mayor had no more right to try the Commissioners because their employes had thrown dirt into New-York Harbor than he had to try them for a murder committed by one of the employes of the Police Department.

Mr. Andrews—It has been decided by the Supreme Court that the Police Commissioners can try a policeman and remove him for an act for which he would be indicted by the proper authorities.

The objection was overruled.

Mr. Conway (answering Mr. Andrews's question put so long before)—Yes sir.

Mr. Conway then stated more fully that he had seen, almost daily, ashes, garbage, stones and bricks thrown into the harbor just inside a line from Coney Island to Sandy Hook.

Mr. Bliss—I object, because the Commissioners have no more authority over their employes, outside the city, than they would have had if your prize-fighting witness (addressing Mr. Andrews) had gone to Coney Island and had taken part in a fight.

The objection was overruled, and Mr. Conway stated that the scows were managed by Italians and were towed by the tug Destori. He had once seen a policeman on the tug.

The court then adjourned until 11 o'clock this morning.

ARRESTED ON BENCH WARRANTS.

TWO MEMBERS OF THE STREET-CLEANING BUREAU HELD TO BAIL.

James Elliott, foreman in the Street-Cleaning Department for the Twenty-ninth Precinct, and William H. Rightmeyer, captain of the tugboat Desori, employed in towing garbage scows to sea, were arrested yesterday morning by Officers Fields and O'Connor, of the District-Attorney's office, on bench warrants issued Saturday by Judge Cowing. These men had been indicted for perjury by the Grand Jury.

The indictment against Elliott sets forth that he was examined as a witness in reference to street-cleaning matters April 19 by the Grand Jury, and when he was confronted with several receipts for money paid by Charles H. Shelley, of the Park Avenue Hotel, for the removal of ashes and garbage, and alleged to be signed by him, he denied having either received the money or signed his name to the papers. He was admitted to bail in $2,000, Thomas Gibney, a liquor dealer, of No. 230 Ninth-ave., becoming his bondsman. Rightmeyer is charged with having sworn before the Grand Jury that for sixty days before April 23, 1881, no garbage or ashes were dumped in the bay from scows towed by the tugboat which he commanded, while the fact is that on April 14, 1881, and at several other times, he caused scow-loads of filth to be dumped into the waters of the bay. He was admitted to bail in $2,000, his bondsman being Joseph Gallo, of No. 14 Marion-st.

The indicted Police Commissioners did not appear in the Court of General Sessions yesterday, as was anticipated. District-Attorney Rollins said that they would appear to give bail to-day.

A NEGRO'S RIGHTS IN DELAWARE.

WASHINGTON, May 2.—A decision was rendered in the Supreme Court of the United States to-day, in the case of William Neal against the State of Delaware, in error from the Court of Oyer and Terminer for Newcastle County. Neal, who is a negro, was indicted, tried and sentenced to death by the State Court for the crime of rape. His appeal to the Supreme Court is based upon the fact that the State Court refused to grant a motion made by him that the indictment and panels of jurors be quashed, for the reason that colored men were excluded from the grand and petit juries by which he was indicted and tried. This Court holds that the exclusion of colored persons from the juries, which is complained of in this case, did not, as a matter of law, result from the constitution and laws of the State. The case therefore could not have been properly removed to the Federal Courts. Since, however, there was an improper exclusion of colored men on account of race from the juries by which Neal was indicted and tried, the State Court erred in refusing to grant the motion of the accused to quash the indictment and the panels of jurors. Its judgment is therefore reversed with costs, and the cause remanded with directions to set aside the judgment and verdict as well as the order denying the motions to quash the indictment and panels of jurors, and for such proceedings upon a further hearing of those motions as may be consistent with the principles of the opinion of this Court.

LETTERS FROM THE PEOPLE.

THE LATE EMMA BURT.

AN EARNEST AND HELPFUL LIFE BROUGHT TO A CLOSE.

To the Editor of The Tribune.

SIR: While the light of Easter Day was fading from the sunset sky, there passed into the new life of the other world the spirit of one whose name is familiar in literature, and dear to the hearts of many personal friends. Emma Burt was born and passed her early youth in a quiet home near Oswego, N. Y. So modest and shrinking was she, that, probably, none of her poems would ever have seen the light except for the influence of appreciative friends. Encouraged and stimulated by approval and words of cheer from some of our most noted poets, she became a frequent contributor to leading periodicals. Unfortunately, her delicate physical frame could not stand the strain which her enthusiasm in work and in thought laid upon it; and so it is that we have to mourn the early removal of one who, could she have lived and labored according to her heart's desire, would have been far more widely known. Laid aside from active work when her whole soul was fretting for the harness, with a song in her heart which she could not sing, she was always at "leisure from herself, to soothe and sympathize" in the joys and sorrows of others. Thus loving, and giving, and patiently enduring, she has come to "the end" and entered upon her reward. No volume of her poems has yet been published. A few of her earlier pieces, printed in pamphlet form, with the modest title of "Thoughts," were presented by herself to some of her friends. Of these no one so aptly expresses her aim in life as the shortest:

"Who's seen my day?
'Tis gone away,
Nor left a trace
In any place.
If I could only find
It's foot-fall in some mind—
Some spirit-waters stirred
By wand of deed or word—
I should not stand at shadowy eve,
And for my day so grieve and grieve."

No day ever spent with Emma Burt failed to leave its foot-fall. To many beside those who to-day are grieving over their irreparable loss, there will be a "poet's corner" in the Oswego Cemetery, while in the hearts of her friends her songs will never cease. MNEMOSYNE.

Oswego, N. Y., April 17, 1881.

FREEING A CONVICT.

To the Editor of The Tribune.

SIR: The recent decision of the New-Jersey Court of Errors and Appeals in the case of ex-Collector Hart Moore is important enough to the people of this State to justify me in asking you for a little space to set it before them. Mr. Moore had been Collector of Middlesex County for several years, during which time he managed to get away with some $13,000 of the public money, covering his deficiency with a bogus note for $10,000 and a receipt from the then Controller of the State, the Hon. A. L. Runyon, which that officer denied having given. Through the aid of members of the Board of Freeholders the defalcation was concealed and Mr. Moore went out of office and was succeeded by his son-in-law and former clerk. The affair would probably have gone out of sight altogether had this young man been able to keep sober. He, however, fell into loose habits, and made up a deficiency of his own of about $13,000 more. In looking up his accounts the investigators found that Moore's also were in disorder. But two years had elapsed since the fraud was committed, and the Grand Jury was only enabled to indict him by availing itself of the extension of the legal limit of time in the law of April, 1849, which provided that an indictment for embezzlement in certain cases could be found at any time within five years after the commission of the offence. Brought to trial Moore plead the statute of limitations as his only defence. The Court overruled his plea and he was convicted and sentenced to State Prison for two years, where his son-in-law had already preceded him. This decision was sustained by the Supreme Court, and has now, after Moore has been in prison about six months, been reversed by the Court of Appeals, by a vote of seven to four, on the ground that the Legislature had interfered with Moore's vested right to steal with impunity if he could conceal the fact over two years, by declaring that he might be indicted any time within five years after the theft. The law created no new offence, imposed no new penalty, changed nothing except the period of limitation, yet upon this ground only the court of last resort has released a convicted felon from the just penalty of his offence. This is "Jersey justice" in the year of grace 1881. A JERSEYMAN.

Kingston, N. J., April 18, 1881.

ÆSTHETIC STATESMANSHIP.

To the Editor of The Tribune.

SIR: The two most mistaken sorts of political dignity are posing and imposing. Neither dignity quite reaches that repose which is the first requisite to political elegance. Thus, no Senate representing fifty million free citizens, and engaged not primarily and chiefly on questions of import to the fifty millions, but in conning over one vote of one Senator and the various side issues of his personal character (considered in a Pickwickian sense) which that involves, is graceful. No man can stand on his dignity without going through; dignity stood on is no better than the stocks. There was an interregnum this spring in my subscription to THE TRIBUNE. I was deprived of this journal for some weeks. I noticed that when I left off the great question before the American people was Mahone's vote. I observe in resuming the journal that the great question before the people is the same. I suppose it is in the nature of such men as Senator Hill to attitudinize and multiply negatives of themselves; but if it is dignity they are after, they would really consult their advantage by adopting another method—by taking as a pattern, say, the colossal statue of Memnon, which in a continuous session of some thousand centuries has emitted only its musical "Ay—Nay," otherwise silent, the most majestic and dignified of statues. Moral dignity like Lincoln's, Emerson's, Gladstone's, has always a wonderful beauty to the private spectator; he feels that such men do not stand on it, they *are* it. How can a man be graceful whose feet go through the Capitol dome at the least provocation? How can a jumping jack be graceful, whether his string be called "Twine," or "Honor," or "Collectorship"? L. L. I.

Albion, N. Y., April 13, 1881.

A CHEAP LUXURY.

To the Editor of The Tribune.

SIR: Knowing the warm interest you take in the general welfare, I beg you will make known a valuable discovery I have made, which, if generally adopted, would sweeten the breath of society and tend much to preserve the public health. It is that a luxurious bath is within the reach of all, without the use or waste of an additional drop of Croton water, and without a cent of expense, by simply applying to the whole body, with the aid of a sponge or a piece of coarse sacking, the water in the basin used to wash face and hands on getting out of bed. From experience I know this to be a most luxurious bath, and commend it to all. *New-York, April 30, 1881.* CLEANLY.

[This is too revolutionary.—*Ed.*]

A ROMANTIC LAW SUIT IN HUNGARY.

From The London Echo.

A case of disputed claim to a very large property is being tried before the Hungarian Court. The preliminary history of the suit, as given by the counsel for the plaintiff, a young Russian lady, is exceedingly romantic. We find it at length in the *Hon* of Pesth, with much elaboration of detail, but a summary of its chief incidents may be soon stated. A very rich merchant of the Hungarian capital, Herr Stock, had an only son, a youth of good capacity, but wasteful habits, who angered his father by his enormous borrowings on the credit of his future expectations. The father could only think of one way of saving the prodigal. He paid off all his liabilities and compelled him to go into the army. In 1859 the young Lieutenant Stock was sent with his regiment into Italy, and fought in the Austrian Army against the French and the Italians. Being a romantic fellow, and caring nothing for the Austrian cause, the young Hungarian deserted, and placed his sword at the service of the Italians. At the next conflict with the Austrian troops, however, the Lieutenant was taken prisoner, and would have been shot as a deserter but for the fortunate accident that he was attacked with typhus, and he was hurried off with other victims of the same disease to the hospital at Magenta. In the same room, and in the next bed to his own, lay a Lieutenant-Colonel in the Austrian service, a Count Rodriguez, a nobleman of Spanish descent. On the day of the fateful Battle of Magenta all was confusion in the Austrian hospital. The retreat of the defeated Austrians was hasty, and the sick who seemed to give promise of recovery were hurried into wagons, while the worst cases were left behind, in full confidence upon the humanity of their Italian and French foes. The Count and the Lieutenant were among the patients whom the French found in Magenta, but the Count died before their arrival. His companion, who was fast mending, was seized with a daring conception. He determined to be Count Rodriguez, and to declare that the dead Count was Lieutenant Stock. Every necessary exchange was made, and the survivor possessed himself of the papers and the well-filled purse of the departed. After the conclusion of peace, the false Count received his liberty, and he made straight for Russia, where, as Count and Lieutenant-Colonel Rodriguez, he played a great part in St. Petersburg society. He fell in love with the daughter of a Russian Vice-Admiral, and they were married with the ready consent of her father. After a few months he and his young wife set out upon a visit to the castle of his ancestors in Spain. They only got as far as Hamburg. From this place he wrote a penitential and rueful letter to his father-in-law, confessed everything, and concluded with a request for money. The Vice-Admiral replied by starting at once for Hamburg, taking with him a thick stick. His son-in-law, however, never came into contact with it, for when the Russian arrived the false Count was a corpse. He had been carried off by smallpox. From his papers the aristocratic Russian learned, to his horror, that his daughter's husband was not only the son of a Pesth merchant, but that he was a Jew. Meanwhile, the merchant had died, and the property which should have gone to his natural heir (who was supposed to have lost his life at Magenta) had fallen to the hands of the next-of-kin. The Russian Vice-Admiral now claims it on behalf of his daughter, as the widow of the natural heir.

THE COURTS.

SUIT AGAINST A DIAMOND BROKER.

The trial of the suit of John Fay and Edward B. Rogers against John T. Lynch, impleaded with Marll S. Hasey or Mary Schoonmaker, to recover $5,000 which the plaintiffs advanced in 1879 on the security of alleged bogus diamonds, was begun yesterday in the Supreme Court before Justice Barrett. The suit is based upon the same cause of action relied upon in the suit by the plaintiffs against Mrs. Harey in which she recovered a judgment dismissing the complaint.

An advertisement appeared stating that Mary Schoonmaker wanted to borrow $5,000 on diamonds valued at $10,000. Mr. Fay and Mr. Rogers, who are fish-dealers at Fulton Market, communicated with Mrs. Schoonmaker, and in the end went with her to Mr. Lynch's office, where the diamonds were. The money was advanced, but the diamonds given the plaintiffs as security proved to be worthless. An action was begun against a woman supposed to be Mrs. Schoonmaker, and she was confined for a time in Ludlow Street Jail on an order of arrest granted in the action. On the trial, however, she proved an alibi, and the complaint was dismissed. The plaintiffs thereupon brought another suit against Mr. Lynch as an accomplice of the unknown woman. Mr. Lynch denies all complicity in the transaction. The case is still on.

A VERDICT FOR DAMAGES AFFIRMED.

A verdict of $2,000 against the New-York Central and Hudson River Railroad Company in favor of Mrs. Elizabeth Beattie has just been affirmed by the General Term. The amount awarded was for injuries caused by the careless driving of one of the company's wagons at Ninth-ave. and Forty-third-st. The case was tried last fall. Daniel S. Remsen appeared for the plaintiff and F. Loomis for the company.

UNITED STATES SUPREME COURT.

WASHINGTON, May 2.—The following business was transacted in the Supreme Court of the United States to-day:

No. 241—The Hopkins and Dickinson Mfg. Company, appellant, agt. O and T. Cottin et al; appeal from Connecticut—Decree affirmed with costs.

No. 281—Nelson Viall, faller, et al, agt. Lucius S. Pennman; in error from Rhode Island—Judgment affirmed with costs.

No. 264—William E. Clark agt. John G. Killian; appeal from the District of Columbia—Decree affirmed with costs.

No. 282—The Town of Thompson agt. Orlando Perrine. In error from New-York—Judgment affirmed with costs and interest.

No. 860—George R. Blake et al., executors, agt. John W. McKim, judge, &c. In error from Massachusetts. Judgment affirmed with costs.

No. 855—Wm. Neal agt. The State of Delaware. In error from Delaware. Judgment reversed and cause remanded for further proceedings. Justice Bradley delivered the opinion (the points of which will be found elsewhere.)

No. 517.—William S. Hart, appellant, agt. Amasa Sprague et al., and No. 518—Charles G. Francklin et al., appellants agt. Amasa Sprague et al.; appeals from Rhode Island. Decrees affirmed with costs.

No. 227.—The New-York Life Insurance Company agt. Edson C. Bangs; in error from Minnesota. The judgment of the Circuit Court that the insurance company must pay the loss affirmed with costs and interest.

No. 692.—The New-York Life Insurance Company agt. Edson C. Bangs and Elva Bangs; appeal from Minnesota.—Decree affirmed with costs.

No. 273.—The Saint Joseph and Denver City Railroad Company agt. Matthew Baldwin; in error from Nebraska.—Judgment reversed and cause remanded for further proceedings.

No. 1,136.—J. T. Wegner agt. the State of Virginia; In error from Virginia.—Judgment reversed with costs and cause remanded for further proceedings.

No. 406.—School District No. 56 of Richardson County, Nebraska agt. the St. Joseph Fire and Marine Insurance Company; in error from Nebraska.—Judgment reversed with costs and cause remanded for further proceedings.

No. 266.—William Adam et al. agt. J. R. Norris et al. In error from California. Judgment affirmed with costs.

No. 7.—John S. Williamson, et al. agt. the Board of Louisiana, et al. In error from Louisiana. The question presented by this case is the legality and validity of certain bonds of the State of Louisiana, issued under an act of the State Legislature of April 20, 1871, to the New-Orleans, Mobile and Texas Railroad Company. This Court holds that the bonds constituted a new debt, issued on a new consideration, under a new act, of the Legislature which was itself void because in conflict with the provisions of the State Constitution, and that the bonds are equally void as being in excess of the debt which the State could constitutionally create—Judgment affirmed with costs.

No. 265—Harrison Durkee et al., agt. The Board of Liquidation of the State of Louisiana. Appeal from Louisiana—Affirmed with costs.

No. 274.—James W. Schaunburg agt. the United States. In error from Pennsylvania. Judgment affirmed.

No. 275.—Joseph Golding, master, etc., agt. the Steamship Illinois. Appeal from Pennsylvania. Decree affirmed with costs.

No. 277.—Edmund D. McCready agt. the Union Paper Bag Machine Company, et al. Appeal from Pennsylvania. Decree affirmed with costs and damages at the rate of 10 per cent in addition to interest.

No. 287—The ship Circlita, etc., Casimir Casnlich, claimant, agt. Augustus B. Ferry et al.

No. 296—The steam tug Restless, &c., John G. Baker, claimant, agt. Augustus B. Ferry et al; appeal from New-York.—Decree affirmed with costs.

No. 280 Charles H. Wright, assignee, &c., agt. Stephen H. Crocker; appeal from New-York.—Decree affirmed with costs.

No. 285.—R. D. Whitney et al. agt. Alexander H. Cook et al. In error from Mississippi.—Judgment affirmed with costs and $250 damages against John A. Klein in addition to interest.

No. 8 Original ex parte The Connecticut Mutual Life Insurance Company.—Petition denied.

Ex parte in the matter of William Horton et al., petitioners.—Motion denied.

No. 60—John German agt. the board of County Commissioners of Pulaski County. Motion denied.

On motion of J. M. Wilson, of counsel for appellees cases Nos 1,180 to 1,202 and dismissed.

No. 1,095—George H. Williams et al. agt. Calvin Chase et al.; appeal from South Carolina. Supersedeas modified so as to allow of the sale of the wood.

The following new orders and amendments of rules were announced in the Court to-day:

Order—It appearing to the Court that a new allotment of the Chief Justice and Associate Justices of this Court among the Circuits, now existing, is now to be expected and is expedient by reason of the contracted circuit of Mr. Justice Clifford since the death or resignation of Mr. Justice Swayne, now, therefore be it ordered by the Court that the following allotment be made: First Circuit, Mr. Justice Harlan; second Circuit, Mr. Justice Strong; third Circuit, Mr. Justice Bradley; fourth Circuit, Mr. Justice Miller; fifth Circuit, Mr. Justice Waite; sixth Circuit, Mr. Justice Bradley; seventh Circuit, Mr. Justice Harlan; eighth Circuit, Mr. Justice Miller; ninth Circuit, Mr. Justice Field.

Amendments—It is ordered that the 32d Rule in Admiralty be amended by adding thereto the following paragraph, namely: "Third, hereafter in making up the record to be transmitted to the Circuit Court on appeal the Clerk of the District Court shall omit therefrom any of the pleadings, testimony or exhibits which the parties by their proctors shall in written stipulation agree may be omitted, and such stipulation shall be certified up with the record.

Also that Rule 8 be amended as follows: "Section 6, the record in causes of admiralty and maritime jurisdiction, when under the requirements of law the facts have been found in the court below, and our power of review is limited to the determination of questions of law arising on the record, shall be confined to the pleadings, the findings of fact, and conclusions of law thereon, the bills of exceptions, the final judgment or decree and such interlocutory orders and decrees as may be necessary to a proper review of the case.

Adjourned for the term.

THE COURT OF APPEALS.

ALBANY, May 2.—In the Court of Appeals Monday, May 2, 1881, the following business was transacted:

No. 183—Ann E. Acste, appellant, agt. Joseph Acste and another, executors, etc, respondent—Dismissed without costs.

No. 184—Caroline E. Hause, appellant, agt. Joseph Acste and another, respondent—Appeal dismissed with costs.

No. 193—Mary Wiseman agt. Catherine Wingrove. Argued.

No. 191—Isaac Vandervoort, Surrogate, etc., respondent, agt. Francis C. Hansen, appellant—Argued.

No. 192—Charles F. Parker and another, appellants, agt. Archibald Baxter and another, respondents—Argued.

The following are the calendars for Tuesday:

DAY CALENDAR—Nos. 194, 165, 171, 172, 180, 138, 182 and 195.

MOTION CALENDAR—Nos. 499, 439, 440, 481, 450, 461, 469, 500, 436, 486, 437, 475, 476, 466, 467, 468, 477, 478, 485, 487, 488, 489, 504, 486, 498, 490, 497, 492, 493, 507 and 501.

DECISIONS—May 2.

Supreme Court—Chambers.—By Judge Donohue—Dusenbury et al. agt. Dusenbury and others—See memorandum.

Special Term—By Judge Larremore.—Brun agt. Johnson—Judgment for defendant on the demurrer with leave to plaintiff to amend the complaint on payment of costs.

Circuit—Part 1—By Judge Donohue—Pene agt. Randall—Settled.

Superior Court—Special Term—By Chief-Justice Sedgwick and Judge Speir—The Madison Avenue Baptist Church agt. the Baptist Church in Oliver Street—See memorandum.

By Chief-Justice Sedgwick and Judges Freedman and Truax—Littlewood agt. the Mayor, etc.—Exceptions for plaintiff overruled and judgment for defendant ordered, opinion per curiam. Garner agt. Manseau et al.—Exceptions overruled and judgment ordered on the verdict with costs to the plaintiff; opinion by Truax, J. Sedgwick, C.J, and Freedman, J, concur.

By Chief Justice Sedgwick and Judge Truax—Trimble agt. Mars—Order affirmed with $10 costs; opinion by Sedgwick, C.J.

By Chief Justice Sedgwick and Judge Freedman—Armour et al. agt. the Transatlantic Fire Insurance Company—Judgment affirmed with costs; opinion by Freedman, J.

By Chief Justice Sedgwick and Judges Freedman and Truax—Herrmann et al. agt. Maxwell et al.—Exceptions overruled and judgments ordered for plaintiff on verdict with costs; opinion by Freedman J. Sevestre agt. the Mayor, etc.—Judgment reversed and new trial ordered with costs to appellant to abide the event; opinion by Freedman, J. Fleishmans agt. Carley, etc.—Judgment reversed and new trial ordered with costs to appellant to abide the event; opinion by Freedman, J.

Common Pleas—General Term—By C. P. Daly, C.J, and Judges J. F. Daly and Van Hoesen—Gibelins agt. Moodts—Judgment modified; no costs to either party; opinion by J. F. Daly, J, concurring opinion by Daly, C.J, and Van Hoesen, J.

Special Term—By Judge J. F. Daly—Messer agt. Porter and others—Motion granted; order to recite that the amount due with costs has been paid.

Marine Court—Chambers—By Chief-Justice Shea—Elits agt. National Hardware Company; Weisman agt. Leopold; Lehman agt. Maher; Dennig agt. Healey—Motions granted. Kuhnast agt. Herbert; McArdle agt. Bertsch; jr. Causes set for second Friday of May for trial. Beckwith agt. Mills—John Whalen appointed receiver. Meeks agt. Gulick; Inson; Waters agt. Marini; Kennedy agt. Barter—Orders of substitution.

By Judge Newburger—Ward agt. Muldoon—Reference ordered. Cassidy agt. Dinsmore—Judgment for plaintiff for $135, besides costs and an allowance of 5 per cent. Sedersky agt. Schnitzer—Motion denied with $10 costs; opinion filed. Baum agt. Finn—Motion granted; opinion filed. Hamberg agt. Connolly (2 motions)—See memorandum.

Trial Term—Part I.—By Judge McAdam.—Esser agt. Archer—Opinion filed.

Trial Term—Part II—By Chief-Justice Shea—Davis agt. Dunlap—Motion on minutes for new trial denied.

CALENDARS THIS DAY.

SUPREME COURT—CHAMBERS—Hold by Donohue, J.—Court opens at 10:30 a. m. Calendar called at 11 a. m.—Nos. 3, 11, 20, 41, 52, 61, 64, 68, 86, 87, 102, 115, 135, 145, 152, 153, 166, 173, 184, 186, 189, 191, 194, 195, 197, 198.

SUPREME COURT—GENERAL TERM—Held by Presiding Justice Davis and Judges Brady and Bacon. Court opens at 10:30 a. m.—Nos. 1, 43, 44, 58, 62, 63, 71, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 90, 104, 107, 108, 116, 117, 127, 130, 131, 132, 133, 138, 142, 143, 147, 148, 149, 152, 153, 154, 155.

SPECIAL TERM—Larremore, J.—Court opens at 10:30 a. m.—Demurrers—Nos. 302, 438, 439, 446, 448, 449, 450, Law and Fact—Nos. 540, 813, 479, 488, 489, 493, 541, 1041, 1042, 1060, 1053, 940, 936, 1060, 1062, 997, 1117, 1088, 1102, 398, 1030, 963, 1080, 1003, 699, 1020, 920, 1056.

CIRCUIT—PART I.—Barrett, J.—Court opens at 10:30 a. m.—Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120.

SPECIAL TERM—J. F. Daly, J.—Court opens at 11 a. m.—No day calendar.

EQUITY TERM—Adjourned for the term.

TRIAL TERM—PART 1—Van Hoesen, J.—Court opens at 11 a. m.—Nos. 1150, 242, 848, 1290, 440, 1060, 1139, 1155, 1100, 1215, 1200, 1196, 432, 500, 501, 188, 189, 493, 494, 495, 496, 498, 1290, 947, 1128, 105, 1228, 1057, 1161, 982, 820, 1259, 411, 1292, 1107, 1275, 907, 1173, 880, 486, 1122, 470, 806, 1093, 1072, 1167, 1018, 1019, 1172.

PART II—Adjourned for the term.

PART III.—Adjourned to Monday, May 16.

MARINE COURT—TRIAL TERM—PART I—Held by Nehrbas, J.—Court opens at 10 a. m. Held in Room 20, City Hall—Nos. 4448, 6182, 6150, 6172, 6259, 5068, 5020, 4939, 5017, 4966, 5086, 5013, 4815, 4988, 5092, 4975, 5037, 5029, 5157, 4970, 5088, 5001, 4973, 5095, 1342.

PART II—Hawes, J.—Court opens at 11 a. m.—Held in Room 19, City Hall.—Nos. 5112, 5113, 5107, 4560, 4631, 2851, 4906, 4891, 5151, 5152, 5153, 5154, 5158, 5159, 5160, 5162, 5165, 5166, 5169, 5170, 5172, 5173, 5174, 5175, 5176, 5177, 5178, 5181, 5182.

PART III—Gildersleeve, J.—The People agt. Patrick Toner, felonious assault and battery; Harry Smith, burglary; Edward Leroy, Frank Walters, burglary, George Harrison, perjury; James McLaughlin, larceny from the person; Augustus E. Pabst, false pretences.

REAL ESTATE.

NEW-YORK, Monday, May 2, 1881.

RECORDED REAL ESTATE TRANSFERS.

NEW-YORK CITY.

Beekman-st No 55, and 85 Ann-st; William W Stabey and another to Joseph P Wickham 45,000

Horatio-st, n s, lot 96, 23x84.3½; Mary I Pell and husband to William Mulready 10,000

20th-st, n s, 475 ft w of 8th-ave, 25x98.9; Charles Smith et al to John Lester Wallack 50,000

30th-st, n s, 450 ft w of 8th-ave, 25x98.9; Magdalena Bayley et al to J J Wallack 40,000

Leonard-st, No 10; Mary Rogers to William Thompson 12,500

Mercer-st, No 223, 21x70; Phebe Pearsall, executor, etc, and another to Robert and Ogden Goelet 15,000

Water-st to Front-st, lots 3 and 10, 21x146; I K Jessup to Thomas Hunter 8,000

92d-st, n s, 425 ft w of 3d-ave, 25x100; Catherine Sheehy and husband to Hamilton T Marrach 26,000

5th-ave, s s, 37.11 ft n of 124th-st, 19x80; Charles Weldo and wife to Chris. Brand 15,000

Bedford-st, w s, lot No 6, 25x70; Emma F Lyon to A Schriedmuller 5,000

Ridge-st, e s, 175 ft n of Stanton-st, 22x100; Anne Pettritch et al to Mich J Adrian 8,500

Norfolk-st, No 62, 22x70; Albert Lubrs and wife to Moses Kleinhoun 6,000

109th-st, n s, 433.4 ft e of 11th-ave, 22.4x100.11; J S Auerbach, referee, to Phebe Pearsall 1,000

127th-st, s s, 462 ft e of 7th-ave, 12.5x99.11; Annie Pettritch and husband to Samuel L Andrews 16,000

4th-ave, e s, 150 ft n of Walnut-st, 50x100; Mary A Goodhew and husband to J Wolf 300

8d-ave, n w cor of 119th-st, 50.5x100; F Allhous and wife to S W Weise and another 21,500

4th-ave, w s, 51.2 ft s of 74th-st, 25.6x100; W Mathews and wife to John Webb 10,000

Ave B, s e cor of 10th-st, 25.3x70; A Herber and wife to F J Reichardt 16,500

57th-st, s s, 100 ft w of 8th-ave, 20x100.5; P Starr to A H Tainter 1

57th-st, n s, 75 ft w of 10th-ave, 25x50.5; P S Howard and wife to William Rankin 5,000

22d-st, n s, 225 ft e of 4th-ave, 25x98.9; John W Kearney and wife to A Trowbridge 11,000

3d-ave, e s cor of 111th-st, 100x110; T McIntire and wife to Margt Cornelis 1

Same property; Margt Cornelis to P Brunner 40,000

2d ave, w s, 80.5 ft s of 51st-st, 20x80; E B Ecker and wife to S H Learoyd and another 12,500

127th-st, n s, 120 ft w of 7th-ave, 100x100.11; L Suydam to A A Teets 21,000

16th-st, n s, 275 ft w of 8th-ave, 25.4x92; Henry C Etter to E R Booth 30,000

37th-st, s s, 122.6 ft e of 8th-ave, 21.6x98.9; Mary Van Wagener to A R Heartgrove 20,500

54th-st, n s, 100 ft w of 3d-ave, 25x100.5; S B Wortmann and wife to G Harnish 14,000

75th-st, n s, 175 ft w of Madison-ave, 100x102.2; A N Beadleston and wife to C L Tiffany 84,000

85th-st, n s, 115 ft w of Ave B, 16.8x102.2; S W Smith J H Schel 6,000

125th-st, s s, 145 ft e of 6th-ave, 18.9x99.11; D S Paige to Sara F Hunce 8,800

54th-st, s s, 90 ft w of Lexington-ave, 25x100.5; S C Dorves and wife to L A Somes 9,800

2d-ave, w s, 80.5 ft s of 51st-st, 20x80; F R Walker and wife to E R Ecker 11,500

81st-st, 172.7 ft w of 3d-ave, 24.11x102.2; Cath Dinkhow to F Dowling 12,000

70th-st, s s, 100 ft e of 2d-ave, 112x102.4; M Donohoe and wife to J Dugan and another 26,000

126th-st, s s, 275 ft w of 7th-ave, 18x99.11; F McCabe and wife to James S Scott 14,000

127th-st, n s, 125 ft w of 7th-ave, 18.11x99.11; F McCabe and wife to James S Scott 15,000

Broadway, n w cor of Pearl-st, 30.2x150; Isaac Bernheimer and wife to the Central National Bank 335,000

Same property; Adolph Bernheimer et al to same 1

127th-st, n s, 268 ft w of 7th-ave, 14x99.11; Louisa S Trede and husband to Adam Forsyth 10,500

7th-st, 325ft e of Avenue D; Gustave Stark to Maria L Brown 1

Leonard-st, n s, 42 ft west of Broadway, 21.3x87; H Rubenstein and another, executors, etc, to Edw F Jaffray 42,500

Water-st, e s, 1 of No 331 Front-st, 25x70; James Corner to Beasley, Corner & Co 5

Waverly place, No 141, Louisa Roberg and another, executors, etc, to Chas J Goeller and another 14,500