TO PUT CONVICTS AT WORK

THE ASSEMBLY SUBSTITUTES THE FASSETT BILL FOR THE YATES BILL.

THE PASSAGE OF THE FASSETT BILL DELAYED BY A MISUNDERSTANDING—IT WILL PROBABLY PASS TO-DAY—MR. SAXTON'S PLEA FOR IT.

[BY TELEGRAPH TO THE TRIBUNE.]

Albany, April 24.—The Assembly has at last resolved that a law shall be passed putting the State Prison convicts at work. Senator Fassett's excellent Prison Reform bill was adopted substantially to-day, and would now be on its way to the Senate but for an unfortunate step taken by General Husted just as the bill was about to be passed. General Husted was in a hurry to catch a train for New-York, and moved the previous question, which was declared carried by Speaker Cole. A large number of the country members who favor the bill thought the appropriation of $1,000,000 to carry out its provisions unnecessarily large.

They had intended to offer an amendment, which would undoubtedly have been adopted, reducing the appropriation to $750,000. They were indignant at General Husted for shutting out the amendment, and therefore joined the real opponents of the bill, and apparently defeated it. But this vote will be reconsidered to-morrow, the bill amended as desired, and the bill passed—for it is clear that its friends are in a large majority in the Assembly. The defeat of the bill is only an apparent one; it was not really defeated.

The credit for putting Senator Fassett's bill in the favorable position which it occupies in the Assembly belongs to Assemblymen Saxton, Acker, Ainsworth, Crosby and Husted. They spoke with great plainness in behalf of the taxpayers of the State in support of the bill. The Republican members, with few exceptions, supported it, while the great mass of the Democrats opposed it. Assemblymen Yates, Peck and Hamilton parted company with their fellow Republicans on the measure, and attempted to kill it with objectionable amendments. Mr. Hamilton, of New-York, surprised every one by making himself the champion of demagogical labor agitators: offering an amendment to the bill prohibiting the use of any labor-saving machinery in the State Prisons. This amendment he pushed with all the energy he possessed. One would have thought that, instead of representing a large proportion of the taxpayers of New-York, he actually spoke for a district in New-York exclusively occupied by Socialists.

When the Assembly met, it had under consideration Judge Yates's bill extending the present system of idleness in the State Prisons to the penitentiaries, workhouses, county jails and reformatories of the State, and adding to that system the barbarous one of employing chain-gangs of convicts on the public roads of the State.

Mr. Ainsworth moved that Senator Fassett's bill should be substituted for that of Judge Yates. Mr. Hamilton opposed the adoption of the motion, unless an amendment should be made to the Fassett bill prohibiting the use of machinery by convicts when they should be put at work. This amendment limited the convicts to hand labor, and practically continued the present unprofitable labor of the convicts, under which the State prisons are entailing a yearly burden of $400,000 upon the taxpayers, and the penitentiaries and reformatories $200,000. The Assembly looked upon Mr. Hamilton's amendment unfavorably, disregarded his advice, and adopted by a vote of 62 to 51 Mr. Ainsworth's motion that Senator Fassett's bill, "pure and simple," should be substituted for that of Judge Yates.

Mr. Peck, of Cortland County, who represents farmers chiefly, has somehow imbibed the ideas of labor agitators since coming to Albany, and is perfectly content, apparently, that the farmers of Cortland County, by their hard labor on hot summer days, shall support State prison convicts in idleness, or at least in a condition of unremunerative labor. Mr. Peck proposed to amend the bill by limiting the labor of the convicts to six hours a day. In his opinion, convicts should not compete with "honest labor."

Mr. Acker, of Steuben County, made a fiery and manly speech in denunciation of Mr. Peck's suggested amendment. It instantly won the attention of the Assembly. "This idea," said Mr. Acker, "that the convict should work only six hours a day is a most mistaken idea of kindness to the workingmen of the State. Upon the contrary, let the convict work twelve hours a day, and let him work so as to relieve the taxpayer and the workingman of the necessity of laboring to feed, clothe and guard him. Nay, more, let the convict work so hard that he will make money, and give our workingmen a holiday. That is what I would do with the convict. Why, gentlemen, I meet a hundred taxpayers and citizens who favor keeping the convicts at work profitably to the State to one that favors keeping them in idleness."

Mr. Blumenthal, of New-York, said that Mr. Peck's amendment "savors of demagogism." The amendment was rejected by a large majority.

Mr. Yates offered an amendment, not only prohibiting the use of machinery by the convicts, but also declaring that none of the products of their labor should be sold. He truly declared, on offering the amendment: "Here the issue begins." All the Assemblymen saw at a glance that if none of the products of the labor of the convicts were to be sold, the taxpayers of the State would permanently assume the burden of feeding, clothing and guarding the convicts, at an annual expense of $400,000.

Mr. Saxton, on behalf of the taxpayers of the State, grappled with Mr. Yates and his amendment. Mr. Saxton never made a finer speech, nor showed himself more worthy of his position as one of the leaders of the Republican party in the Assembly. He argued that it was almost impossible to make any article nowadays without the use of machinery. In limiting the convicts to hand-labor, Judge Yates therefore would practically provide that the convicts should be idle. In any case, such a provision would seriously embarrass the Superintendent of Prisons in his effort to give the convicts employment. Moreover, the Legislature should pass prison laws to put the convicts at work in callings which would train them to earn their livelihood when released. Mr. Yates's proposition that the convicts should be put at work on the public roads in chain-gangs could not be entertained for one moment. All civilized people were agreed that the exposure of convicts upon public highways degraded and brutalized the citizens who saw them as well as the convicts.

As for Mr. Yates's idea that he was going to prevent the competition of convicts with other laborers, that also was a mistake. Nothing could prevent that competition in some form. Mr. Yates provided that the convicts should make the clothing, shoes and other necessary articles for the inmates of the State prisons, reformatories, penitentiaries and State charitable institutions; but did he not perceive that when he did this he provided a competition of the deadliest nature for the clothing manufacturers and shoemakers, who formerly supplied the State prisons, penitentiaries and State charitable institutions with clothing and shoes? Competition could not be avoided, but the Republican party was trying to make it as small as possible, by providing that only a small proportion of the convicts should be kept employed at any trade. Mr. Yates's suggestion that the convicts should make articles, and that then those articles should be destroyed, could not be accepted. No man would chop wood all day with the back of his axe. Every man, convict or freeman, desired to see some result of his labor.

Mr. Crosby, also, denounced Judge Yates's amendment. "We have millions of taxpayers on one side," said he, "and on the other a few labor agitators. Mr. Yates is trying to satisfy the labor agitators. He says that the convicts shall not use any machinery. Next year he will be here with a bill forbidding the convicts to use any tools, and the year following that with a bill saying that convicts shall use only one arm; and, I presume, the year following that he will come with a bill saying that they must work with their feet."

Mr. Yates's amendment was rejected by a vote of 43 to 66.

Mr. Hamilton then offered the following amendment in behalf of the labor demagogues: "No labor-saving machinery, as distinguished from machinery necessary to manufacture, shall be used in such manufacturing; and no more machinery than is necessary to produce uniform and marketable goods." This was a considerable retreat from his position that no machinery whatever should be used by the convicts, but the Assembly, recognizing that the amendment was adverse to the interest of the taxpayers of the State, rejected it by a large vote. The Assembly then had a large number of the sections of the bill read to it, and adopted some unimportant amendments.

General Husted then, as stated in the beginning of this dispatch, ordered the previous question when the country members desired to reduce the appropriation from $1,000,000 to $750,000. Offended by this act of General Husted, many of the country members who actually favor the bill refused to vote for it; as a consequence, it received only fifty-two votes, and fifty-three were recorded against it. The vote will be reconsidered to-morrow, and the bill passed.

The Senate Prisons Committee gave a hearing to-day on the Fassett Prison bill. Moses W. Dodge and Monroe S. Wolverton, of Albany, spoke in opposition to it. The committee decided to report the bill for the consideration of the Senate, Messrs. Sweet and Arnold in the affirmative and Mr. Russell in the negative.

WORK OF THE LEGISLATURE.

FOUR IMPORTANT BILLS TO BE PASSED BY THE SENATE THIS WEEK—BUSINESS IN THE ASSEMBLY.

Albany, April 24 (Special).—The prospects now are that the Excise Commission bill, the Saxton Electoral Reform bill, the Rapid Transit bill, and the Canal Appropriation bill, will pass the Senate before the adjournment for this week. Both the Excise Commission and Electoral Reform bills are now on the order of third reading, and are special orders in the Senate for to-morrow. The Excise Commission bill was sent to a third reading on a motion made by Senator Fassett, and will be discussed and passed immediately after the Electoral Reform measure has been sent to the Governor to-morrow morning. The Commission bill held a good position in general orders, and the moment that order of business should be announced it could have been sent to the first Committee of the Whole, and from there to the position it now occupies, by a majority vote. The concession which the Democrats made was simply a saving of time to them, because they knew that this was inevitable.

There will be two sessions of the Senate to-morrow, one beginning at 10:30 a. m. and the other at 4 p. m.; and before the day's work is over both these important bills will have been passed. The amendments to the rules will prevent any useless discussion by the opponents of these bills.

Senator Fassett announced that the Rapid Transit bill would be taken up on Friday, if the Saxton Electoral Reform and Excise Commission bills should have been passed by that time. Senator Ives, for the members of the minority, agreed to this.

The annual Canal Appropriation bill came up in the Senate for discussion to-day. Senator Laughlin, of Buffalo, led the fight against the bill as it now stands, appropriating $600,000 for canal improvements; but he was beaten, and the bill was set down for a third reading on Friday morning, when it is likely to be passed. Mr. Laughlin was the only Senator who made any argument against the bill as reported from the Canal Committee. He moved to increase the amount appropriated to $750,000. This was the important point of attack, and he was beaten by this vote:

Yeas—Messrs. Cantor, Coggeshall, Collins, Foley, Grady, Ives, Langbein, Linson, Laughlin, McNaughton, Murphy, Pierce, Stadler and Ward—14.

Nays—Messrs. Arnold, Erwin, Fassett, Hawkins, Hendricks, Kellogg, O'Connor, Raines, Robertson, Russell, Sloan, Sweet, Van Cott, Vedder and Walker—15.

Senator Laughlin gave notice after the bill had been read through that he would move a call of the Senate on Friday morning to pass the bill.

Ex-Premier Mowatt, of the Province of Ontario, Canada, came into the Senate chamber this morning, accompanied by his wife. He had a letter of introduction to Senator Pierce from Erastus Wiman. Senator Pierce made a neat little speech explaining who Mr. Mowatt was, and requested the privileges of the Senate floor for the latter during his stay in this city. To this Senator Murphy, of New-York, objected, and declared that he wanted the rules respecting the admission of visitors to the Senate floor rigidly observed. "Besides enforcing this rule, I object to paying court to any dependant of the Crown of England," he exclaimed.

The ex-Premier and his wife listened with amazement to this outburst of feeling, and quietly withdrew from the Senate chamber. Many of the Senators, although desirous of enforcing the Senate rules, were yet willing that a prominent visitor from another country should receive all the courtesy appropriate. Senator Erwin, however, said that the rules should be enforced, even though the Queen of England were a visitor.

Senator Grady's bill compelling electric light companies, gas companies, etc., to pay for the use of the streets of New-York, under the provisions of the Cantor Railroad act, passed the Senate.

Mr. Crosby's bill prohibiting the sale of pool tickets, except at race-tracks, was included in the report of the Assembly Sub-Committee of the Whole, which was received and ordered printed, in the Assembly this morning. No action was taken on the report. Meanwhile, it has been discovered that Mr. Sullivan has put into the report an amendment, which was unanimously adopted, which, if it should become a law, would have the effect of repealing the Pool Law itself.

Anthony Comstock was before the committee yesterday, and described the evil effect of the recent opening of pool-rooms in New-York. It was under the influence of Mr. Comstock's speech that the committee amended Mr. Crosby's bill as described. Letters were read to the committee yesterday from jockey clubs, asking that the sale of pools at places other than race-courses should be prohibited.

The bill of Mr. Hamilton, which is similar to that of Senator Vedder, abolishing the present Board of Police of New-York, and substituting for it a non-partisan Board of two members, one a Republican and one a Democrat, was reported favorably by the Committee on Cities of the Assembly this morning, and was sent to the Committee of the Whole. An attempt may be made to-morrow to have the bill considered in Committee of the Whole, since the term of Police Commissioner French expires a week from to-day, and Mayor Grant, in the absence of any other law, will feel inclined to appoint a Tammany Democrat as Mr. French's successor, giving the Democratic party three representatives in the Board, and the Republicans only one.

The Child Commitment bill, which was introduced in the Assembly by Robert Ray Hamilton, passed in the Assembly to-night. It allows the judge of any court of record to review the evidence on which a child has been committed to an institution, and, if he thinks best, to order the release of the child from such institution. The present law does not allow this. The vote stood 74 to 18.

The bill authorizing the construction of an exterior street along the East River also passed the Assembly, as did a measure providing for the erection of a monument of John Ericsson, in Central Park.

TO MAKE COLONEL EMMONS CLARK A BRIGADIER.

Albany, April 24.—In the Assembly to-day Mr. Husted offered a resolution, which was unanimously adopted, requesting the Governor to confer on Colonel Emmons Clark, of the 7th Regiment, the rank of Brevet Brigadier-General. Mr. Husted spoke highly of Colonel Clark's soldierly and disciplinary qualities, and Mr. Crosby heartily concurred, saying that he had served seven years under Colonel Clark, and that the latter would confer honor upon the title rather than the title conferring honor upon him.

The Senate concurred in the Assembly resolution relative to Colonel Clark.

In response to inquiries of a Tribune reporter who called upon him at his home, No. 59 East Sixty-seventh-st., last evening, Colonel Clark said: "Of course I regard it as a very great compliment that the Legislature should pass a resolution of this kind without my knowledge or solicitation. Heretofore when elected to the office of brigadier-general I preferred to decline the honor and to remain the commandant of the regiment with which I had been so long and pleasantly associated. I suppose that the passage of the resolution at this time is due to the fact that I am about to retire from the regiment, my term of twenty-five years as colonel being nearly completed. My service in the regiment began in January, 1857, over thirty-two years ago. My reasons for retiring from the regiment are the long period of service, the remarkable prosperity of the regiment at the present time, and the belief that this prosperity will continue under the leadership of any of the officers who are mentioned as my successor. At no time in the history of the regiment has its numerical strength been so great, its esprit du corps so marked or its drill and discipline more perfect."

THEY WANT TO STRING WIRES FOR THE PARADE

At the meeting of the Board of Electrical Control yesterday there was a discussion in regard to the request of the Centennial Committee for permission to allow wires to be strung in Broadway and Fifth-ave., to supply electric arc lights and to establish telegraphic communications for the transmission of orders along the line of parade. Commissioner Gibbens advocated the granting of the application. Mayor Grant, however, entered his protest. "If we do this," he said, "I might as well revoke my order of yesterday regarding the Broadway poles and wires. I don't want to interfere with the celebration, but I shall oppose granting the privilege to the companies which have resisted the execution of the law, especially those which have been putting up fresh wires illegally and clandestinely since April 15."

The representatives of several corporations present denied that they had been stringing new wires since the date mentioned by the Mayor, but Mr. Grant had proof, he said, that the poles in First and Third aves. were jointly owned by the Brush, Manhattan and East River Companies, and that wires had been strung by some of them without permission. Bogus permits, he said, had in some cases been used. He was particularly severe upon the Brush Company for its defiance of the regulations and orders of the Board, and for its recklessness in maintaining a powerful electrical current, endangering the lives of the city's employes when engaged in the work of removing the poles and wires. Mr. Wheeler, the expert, was directed to report to the Board to-day what companies have been putting up wires without permits. It is said that the Mayor will give the sole right to put up poles for the Centennial to the company found to have respected the rules.

The work of removing poles was carried on vigorously yesterday. Contractor Busby started out early with his force of men, and under the directions of Inspectors Reilly and Roth thirty poles were removed between Forty-fifth and Fifty-first sts., in Broadway. Contractor Hess's gang, under Inspector Fitzpatrick, removed twenty-five poles in Broadway, between Fifty-first and Fifty-eighth sts. To-day the work will begin with the removal of twenty poles between, Twenty-third and Fourteenth sts., and when that has been accomplished, an attack will be made on poles and wires from Fourteenth-st. to Park Place.

THE RACES BEGUN AT IVY CITY.

THE WINNERS WERE TIPSTAFF, BURCH, BESS, ROMP AND HERCULES.

Washington, April 24.—The annual spring meeting of the National Jockey Club began at the Ivy City race-track to-day. The favorites generally came out first, and none of the pools paid phenomenally large returns. Backers of place horses fared best. Only one ticket was sold in the mutuals on Harambourе for a place, and the fortunate owner reaped a reward of over $100. The steeplechase was the most exciting event of the day.

Among the prominent people present were Senators Beck, Butler, Hampton, Reagan and Eustis, ex-Senators Palmer and Mahone, ex-Secretary Bayard and two of his daughters, Count Arco Valley, the German Minister; Mavroyeni Bey, the Turkish Minister, and S. S. Howland, of New-York, with Miss Margaret Blaine and a party of young people in a tally-ho coach. The officers of the day were Colonel R. W. Simmons, judge; Walter Gratz and F. M. Hall, timers, and J. F. Caldwell, starter. The winners were Tipstaff, Burch, Bess, Romp and Hercules. The details of the races were as follows:

First race—Five furlongs for all ages; purse $500. The starters were: Carnot, 3, Taylor, 99; Meade, 3, J. Lewis, 95 1-2; Biggonet, 6, Hamilton, 115; Tipstaff, 3, Whyborn, 108; Tom Hood, 5, Martin, 115; Fannie H., 4, J. Jones, 102; Haramboure, aged, Anderson, 107, and Duke of Bourbon, 5, Barton, 107. Tipstaff was the favorite in the betting at 4 to 5. Biggonet took the lead at the head of the stretch, with Tipstaff second and Haramboure third. It was a hard, driving finish, but Tipstaff, after a beautiful race, passed under the wire a head in front of Haramboure second, Tom Hood third. Time—1:03 1-2. Mutuals paid $8 85.

Second race—One mile for three-year-olds and upward; purse $400, $75 to second horse. The starters were: Aunie Claire, 4, J. Jones, 95; Laugar, 4, Hamilton, 108 1-2; Barrister, 4, Whyborn, 112; Pocatello, 4, Martin, 104; Burch, aged, Anderson, 106, and Panama, aged, F. Littlefield, 111. Burch was a hot favorite at 1 to 2. Burch got the lead at the start, and increased his lead to four lengths at the head of the stretch, crossing the line an easy winner, three lengths ahead of Panama second, the same distance in advance of Barrister, third. Time—1:44 1-4. Mutuals paid $6 75.

Third race—A handicap sweepstakes of one mile, with $500 added, of which $100 to second horse. The starters were: Brait, aged, Whyborn, 113; Frank Ward, 5, Hamilton, 109; Bess, 6, Anderson, 109; Boaz, 6, Bergen, 108. Frank Ward and Boaz sold even at 7 to 5 each, while 4 to 1 was offered against either Brait or Bess. Bess showed in the lead in the stretch, and finished half a length in front of Brait, who was a head in advance of Boaz, third. Frank Ward last. Time—1:46 1-4. Mutuals paid $22 80.

Fourth race—Six furlongs, for three-year-olds and upward; purse $400, $75 to second horse. The starters were: Dave S., 5, Murray, 102; Leander, 4, Anderson, 104; Letrecia, 6, Douglass, 109; Wynwood, 4, Martin, 107; Romp, 5, Hamilton, 107; and Maia, 5, Taylor, 107. Maia was the favorite in the betting at 6 to 5, with Letrecia a good second, at 8 to 5. Against Dave S., Leander and Romp, 10 to 1 each was offered. Romp captured first place at the furlong, and won with Letrecia second, Maia third. Time—1:17.

Fifth race—Handicap steeplechase over the regular course for a purse of $400, $75 to second horse. The starters were: Hercules, 6, Chandler, 155; Elphin, 6, Billings, 147; Killarney, aged, Downing, 146; Mentmore, aged, Updyke, 138; and Lighthouse (late Diablo), 5, Green, 135. Some bookmakers barred Hercules altogether while others offered to bet at from $3 to $6 against $5 that he would not win. Of the other horses, Elphin was favorite at 2 1-2 to 1. The steeplechase proved the most exciting race of the day and furnished a fine exhibition of jumping on the part of Elphin and of good riding by Chandler, Hercules's jockey. Mentmore refused to jump and was out of the race, and Lighthouse soon bolted the course. At the head of the stretch Elphin was four lengths ahead, but Hercules came down the flat rapidly and steadily gaining on Elphin, passed him about fifty yards from the finish, and won by half a length. Mutuals paid $10 65.

THE CZAR BREAKS BEN ALI'S RECORD.

San Francisco, April 24.—In the Pacific Derby yesterday, the Czar made a mile and a half in 2:36, the fastest Derby ever run in America, beating the record of 2:36 1-2 made by Ben Ali at Louisville in 1886 and that of C. H. Tod at Chicago in 1887.

THE PARADE CAUSES A LAWSUIT.

A BOARDER SAYS HIS WINDOW IS WANTED, AND HE IS TO BE TURNED OUT.

From present appearances Gilbert C. Tracy, his family and friends, whom he has invited to view the great parade from the front windows of his apartments on the first floor of No. 17 Waverley Place, will have to find some other place for seeing the spectacle or go without seeing it. Mr. Tracy, whose place of business is at No. 15 Broad-st., engaged the rooms with board for himself, his wife and four daughters from December 1, 1888, at $65 a week. He says he was to have the accommodations until May 15, 1889, with the privilege of renewal for a year from that date. On the allegation that Wilson Bell and his wife, Mrs. Mary Bell, who keep the boarding-house, had warned them on April 19 that they must vacate the rooms, and that no board would be furnished them after April 20, and that her object was to obtain the rooms so that she could let the front windows at high prices to persons wishing to look at the procession, Mr. Tracy obtained an injunction restraining Mr. and Mrs. Bell from interfering with his occupation of the rooms.

Argument on a motion to continue the injunction was heard by Judge Bookstaver in the Court of Common Pleas yesterday. The defendants in affidavits set forth that the rooms were engaged for no specified time and that they had demanded possession because they had learned that Mr. Tracy had failed to pay his board bills in other houses and was dilatory in paying them. They further stated that their boarders had been annoyed by the visits to Mrs. Tracy of a process-server who had talked loudly and had threatened to nail his papers on her door. The Judge vacated the injunction.

SEEKING A SHARE OF THE PROFITS.

Thomas H. Burchell, the broker, appeared in the Court of Common Pleas yesterday for examination in the suit brought against him by Vernon K. Stevenson, in which $25,000 is demanded as a commission on stock transactions, in which he said they had mutually engaged on "points" supplied by the plaintiff. After some preliminary questions had been put to Mr. Burchell he was requested to produce his books and papers showing certain transactions in Cottonseed Oil Trust and Lake Shore Railroad shares in December, 1885. This he declined to do without an order of the court, and Judge Bookstaver made an order requiring him to do so.

WHICH IS THE GENUINE WIDOW?

On behalf of Mrs. Annie Plath an application for letters of administration on the estate of Charles A. Plath was filed yesterday by her lawyer, Herman Joseph. Another woman claiming to be his widow, and the brother of Plath, have previously asked for letters. The last applicant says she is the genuine widow and her child eight months old is the offspring of the dead man. She says she lived with him in Allen-st. up to the time of his death.

BITS OF LEGAL NEWS.

Justice Beach, of the Supreme Court, yesterday granted to Frank H. Chase a decree of separation from his wife, Mrs. Kittie Chase. They were married in January, 1882, and in January, 1888, she packed her trunks and left his house, saying that she was going on the stage. She has ever since refused to return to him. The case was tried before a referee and there was no defence.

Patrick Horrigan says his child, Mary Horrigan, was committed to the care of the Society for the Prevention of Cruelty to Children in 1877, and that he cannot obtain any information as to where she is at present. On his application Justice Ingraham, of the Supreme Court, yesterday granted a writ of habeas corpus, requiring the society to take the girl into court.

Ignatz Ott, as administrator of his brother Joseph, employed Walter R. Leggett as his attorney, and he says that Leggett collected for him $1,291 33, and has appropriated it to his own use, although his fees amounted to only $100. Ott declares that the lawyer has not been at his office for six months and is about to start for Europe to avoid his creditors. Justice Ingraham, in the Supreme Court, yesterday gave Ott an order requiring Leggett to pay him $827 56, or go to Ludlow Street Jail.

UNITED STATES SUPREME COURT.

Washington, April 24.—The proceedings in the Supreme Court of the United States to-day were as follows:

No. 269—George G. Dent and others, appellants, agt. Isaac A. Ferguson and others. Argued.

No. 272—W. W. Crehore, plaintiff in error, agt. the Ohio and Mississippi Railway Company. In error to the Circuit Court of the United States for the District of Kentucky. Judgment reversed and cause remanded, with directions to remand to State Court.

No. 273—The United States, plaintiff in error, agt. John L. Haynes and others. Submitted.

No. 275—George S. Smith and others, appellants, agt. A. Overton. Appeal from the Circuit Court of the United States for the Southern District of Iowa. Dismissed with costs.

No. 276—Henry Wagner and others, appellants, agt. J. G. Lemen and others. Appeal from the Circuit Court of the United States for the Southern District of Iowa. Dismissed with costs.

No. 277—Calvin Young and others, appellants, agt. Charles L. Sheldon and others. Appeal from the Circuit Court of the United States for the Northern District of New-York. Dismissed with costs.

Nos. 278 and 279—Jesse Spalding, collector, etc., plaintiff in error, agt. Louis Manasse.

Nos. 280 and 281—Jesse Spalding, collector, etc., plaintiff in error, agt. Joseph Vanacker. Submitted.

THE COURT OF APPEALS.

Albany, April 24.—In the Court of Appeals to-day the following cases were argued:

No. 262—Angeline Stanley, respondent, agt. the National Union Bank and Leonard S. Eaton, appellants. Submitted.

No. 487—Mary Cullen, administratrix, respondent, agt. the Delaware and Hudson Canal Company, appellant.

No. 263—Dennis Buckley, by guardian, respondent, agt. the Gutta Percha and Rubber Manufacturing Company, appellant.

No. 240—Hezekiah Peck, appellant, agt. Julia F. Kirtz, administrator, respondent.

No. 229—Charles B. Myers, administrator, respondent, agt. James Cronk, administrator, appellant.

No. 1,116—Mary M. Reamer, administratrix, respondent, agt. the Long Island Railroad Company, appellant.

No. 178—Louisa Webber, administratrix, agt. Herbert L. Bridgman, respondent.

No. 214—Rosie Rydzinskie, administratrix, appellant, agt. Staten Island Rapid Transit Railroad Company, respondent. Dismissed under rule 21.

The day calendar for Thursday is as follows: Nos. 234, 265, 266, 267, 268, 269, 271, 279.

In the Second Division the following case was argued:

No. 413—Cecelia B. O'Reilly, appellant, agt. city of Kingston, respondent.

The day calendar for Thursday is: Nos. 422, 464, 467, 440, 470, 385, 483 and 484.

COURT CALENDARS—TO-DAY.

SUPREME COURT—GENERAL TERM.—Recess continued.

SUPREME COURT—CHAMBERS—Before Ingraham, J.—Motion calendar at 11 a. m.

SUPREME COURT—SPECIAL TERM—PART I.—Before O'Brien, J.—Nos. 1475, 1275, 1237, 1483.

SUPREME COURT—SPECIAL TERM—PART II.—Before Beach, J.—Nos. 1306, 1320, 1427, 1360, 1144, 66, 950, 1304, 900.

SUPREME COURT—CIRCUIT—PART I.—Adjourned for the term.

SUPREME COURT—CIRCUIT—PART II.—Before Patterson, J.—Nos. 2835, 1805, 3374, 3092, 3484, 3492, 3506, 3452, 3192, 3510, 3293, 3201, 3202, 3545, 3547, 3361, 3473, 3533, 3540, 4505, 3315, 3499.

SUPREME COURT—CIRCUIT—PART III.—Before Barrett, J.—Nos. 3114, 2876, 3213, 3158, 3113, 4723, 4520, 3181, 2606, 2883, 3418, 3419, 3420, 3167, 3296, 3170, 3413, 3242, 5133, 3128, 3431, 2808, 3187, 3111, 3112.

SUPREME COURT—CIRCUIT—PART IV.—Before Lawrence, J. Nos. 2350, 2348.

SURROGATE'S COURT—Before Ransom, S.—Wills of Felix Horn, at 10 a. m.; J. D. Brodek, 10:30 a. m.; John H. Fricke, 2 p. m.

For Probate—Wills of Catharine H. Bees, Peter Hermann, A. A. Ellison, Maria Gucker, C. F. Livermore, Jacob Malthus, M. L. Van Woert, Sarah W. Meeks and F. E. Bean, 10 a. m.; Henrich Weiss, Margaret Henry, Bernard Egbert and Jane McK. Major, at 10:30 a. m.

SUPERIOR COURT—GENERAL TERM—Adjourned for the term.

SUPERIOR COURT—SPECIAL TERM—Before Truax, J.—Nos. 441, 528, 518, 536, 525-5, 444.

SUPERIOR COURT—EQUITY TERM—Adjourned for the term.

SUPERIOR COURT—TRIAL TERM—PART I.—Before Dugro, J.—Nos. 1366.

SUPERIOR COURT—TRIAL TERM—PART II.—Adjourned for the term.

SUPERIOR COURT—TRIAL TERM—PART III.—Adjourned for the term.

COMMON PLEAS—GENERAL TERM—Before Larremore, C. J. and Bookstaver, J.—Appeals from District Courts.

COMMON PLEAS—SPECIAL TERM—Before Bookstaver, J.—Motions.

COMMON PLEAS—EQUITY TERM—Adjourned for the term.

COMMON PLEAS—TRIAL TERM—PART I.—Before Daly, J.—Nos. 1079, 816, 157, 1160, 1488, 1273, 1405, 1159, 732, 921, 1463, 1466, 1410, 805, 640, 1490, 1491, 158, 1258, 1260, 1261, 1262, 1265, 1274, 1277, 1283, 1285, 1286, 1288.

COMMON PLEAS—TRIAL TERM—PART II.—Before Van Hoesen, J.—Nos. 1219, 1561, 1563, 1029, 1402, 1443, 1450, 1598, 1602, 1369, 1369, 1143, 1417, 1455, 1526.

CITY COURT—SPECIAL TERM—Before McAdam, C. J.—Motions.

CITY COURT—TRIAL TERM—PART I.—Before Ehrlich, J.—Nos. 938, 434, 1973, 731, 591, 2077, 2073, 2078, 823.

CITY COURT—TRIAL TERM—PART II.—Before Nehrbas, J.—Nos. 3639, 3640, 793, 1276, 1530, 3612, 19, 2377, 2378, 2380, 2382, 2385, 2388, 2390, 2391.

CITY COURT—TRIAL TERM—PART III.—Before McGown, J.—Nos. 39, 769, 343, 2358, 2357, 2360, 2363, 2364, 2365, 2367, 2371, 2372, 2373, 2374, 2375.

COURT OF OYER AND TERMINER—Before Andrews, J. and Assistant District-Attorney Fitzgerald.—Nos. 1 to 0 inclusive.

COURT OF GENERAL SESSIONS—PART I.—Before Martine, J., and Assistant District-Attorney Bedford—Nos. 1 to 43 inclusive.

COURT OF GENERAL SESSIONS—PART II—Before Gildersleeve, J., and Assistant District-Attorney Jerome—Nos. 1 to 14 inclusive.

COURT OF GENERAL SESSIONS—PART III.—Before Cowing, J., and Assistant District-Attorney Goff—Nos. 1 to 6 inclusive.

FOURTH-CLASS POSTMASTERS APPOINTED.

Washington, April 24.—The Postmaster-General to-day appointed the following fourth-class postmasters:

William S. Arnold, Adams Basin, N. Y.; M. W. Wade, Arcade, N. Y.; J. H. Phillips, Atlanticville, N. Y.; E. S. Williams, Bigelow, N. Y.; F. E. Blacker, Brentwood, N. Y.; August Schmalzkuche, Breslau, N. Y.; Archibald Robertson, Brodalbin, N. Y.; N. B. Garwood, Canaseraga, N. Y.; F. E. Stephens, Cedarville, N. Y.; W. S. Brown, Elizabethtown, N. Y.; J. A. Seward, Florida, N. Y.; R. E. Gardiner, Ischua, N. Y.; F. S. Simmons, Medway, N. Y.; Wynkoop Kiersted, Mongaup Valley, N. Y.; J. H. Stright, Clarks Mills, Penn.; Lary B. Kearney, Crossingville, Penn.; J. D. Neely, Dorry station, Penn.; Thomas Hurst, Elk Creek, Penn.; William C. Weimer, Pleasant Hill, Penn.; William G. Van Leer, Village Green, Penn.; C. H. Harriman, Oakdale station, N. Y.; C. L. Baldwin, Pitcher, N. Y.; Mary C. Hitchings, Randallsville, N. Y.; George A. McCoy, Sagerville, N. Y.; H. G. Wyman, Steamburg, N. Y.; Franklin Owens, Steuben, N. Y.; W. J. Toor, Sodus, N. Y.; E. N. Curtice, Spring Water, N. Y.; S. Bennett, Tri States, N. Y.; J. H. Meaver, Vienna, N. Y.; Charles Lyman, Westmoreland, N. Y.; J. S. Chase, Windsor, N. Y.; C. G. Van Brocklin, Worthville, N. Y.; B. W. Pearson, Wyoming, N. Y.

SALE OF THE BIG ROCKAWAY HOTEL.

The big Rockaway Hotel that was erected several years ago on Rockaway Beach at a cost of over a million dollars, by a number of capitalists who expected to have their money doubled in a year, was sold in the Real Estate Exchange yesterday by Richard V. Harnett for $29,000. The purchaser was C. H. Southard, of C. H. Southard & Co., dealers in second-hand building materials at Fourteenth-st. and Second-ave. By the terms of the sale, Mr. Southard must remove the hotel from its present site before April 24, 1890, and he must begin within ten days from the purchase.

F. C. Candee, jr., who is associated with Mr. Southard in the business, said yesterday to a Tribune reporter, that one end of the big hotel would be torn down at once, but that they should not be in any haste to complete the task of demolition. The purchase was not made with any specific object in view, but as an ordinary business speculation, and the materials will probably be sold in comparatively small lots, on the ground. It is estimated that over 3,000,000 feet of good lumber can be obtained from the building, and although it is a frame structure, there are said to be at least 1,000,000 brick in the foundation and ovens and the big chimney.

GRAIN AND PRODUCE MARKETS.

FEATURES OF NEW-YORK DEALINGS.

The general tone of the speculative wheat market yesterday did not show such pronounced weakness as on Tuesday, but on the other hand there was nothing in the character of the dealings to warrant much encouragement. The amount of wheat on passage was a surprise to dealers. A substantial increase had been expected, but the figures showed a decrease of 1,000,000 bushels. The local shorts became timid and covered to a fair extent, which caused momentary firmness, but the weakness of the cable advices and continued liquidation in the May option fully offset that temporary feature. Another factor which tended to prevent any advance in prices was the absence of export orders. The trading aggregated over 10,000,000 bushels, the bulk of which was in the May, June and July options. Toward the close prices showed some irregularity, May and June being unchanged, while the distant months were 1-4@1-2 cent higher. The late firmness was attributed to good buying by a few prominent Chicago houses. May opened at 82 7-8, a decline of 1-8 cent, and subsequently dropped 3-8 more, after which the decrease in the amount on passage caused an advance of 1-2@3-4 cent to 83 3-8, closing steady at 83. On the curb May sold at 83 1-8@83 1-4, and closed at the former figure. Options closed as follows: April, 82 3-4; May, 83; June, 84 1-4; July, 85 1-4; August, 84 7-8; September, 85 3-8; October, 86 1-2, and December, 88 5-8.

Spot wheat was held somewhat stronger, shippers taking 12,000 bushels, while 46,000 bushels were taken by millers for home consumption.

Corn options were stationary throughout the entire day, the fluctuations being between 1-8@1-4 cent, and closed steady after light business at the following figures: April, 43 1-2; May, 42 1-4; June, 42 1-8; July, 42 5-8; August, 43 3-8, and September, 44 1-4. Cash corn was less active, only 88,000 bushels being taken for export at steady and unchanged prices.

Oats were without any special feature all round, and the dealings were less active, closing with insignificant changes at about Tuesday's last quotations, as follows: April, 29 7-8; May, 28 7-8; June, 28 7-8; July, 29 1-8, and August, 29 1-4.

Lard was extremely dull and a trifle lower, with no export business. The options closed as follows: April, $7 12; May, $7 12; June, $7 17; July, $7 20; August, $7 23, and September, $7 25.

The receipts at New-York, Philadelphia, Baltimore and Boston reported yesterday were as follows: Wheat, 11,011 bushels; corn, 139,052 bushels; oats, 152,293 bushels; total grain, 282,956 bushels; flour, 23,460 packages. At Chicago, Milwaukee and St. Louis the arrivals were: Wheat, 22,334 bushels; corn, 213,872 bushels; oats, 132,530 bushels; total grain, 478,736 bushels; flour, 30,945 barrels.

THE TRADE IN CHICAGO.

Chicago, April 24 (Special).—The big men were in wheat to-day. Ream at one time bid 78 1-4 cents for 500,000 bushels of July wheat. At another time he bid 78 5-8 cents for any part of 2,000,000 bushels, and announced that he would give the men in the pit two minutes to get out and get their orders. The "option" was a little too short. Thirty minutes later the price was off 1-2 cent a bushel. The market did not act as if all the buying was genuine. Cudahy, who was a considerable seller, declared that he was short the market, and people believed him. Early, under 78 cents for July, Hutchinson was a large buyer. There was a fair demand for cash wheat, 66,000 bushels being chartered. July wheat opened at 78 1-8 cents, sold between 77 7-8 and 78 3-4, and closed at 78 1-2. May opened at 80 1-4 cents, sold between 80 and 80 1-2 and closed at 80 1-4. Corn was steady within 3-8 cent range. Oats were steady within 1-4 cent range. Provisions were enlivened by the covering of some good sized short lines. Ream took in his line of short ribs. Kent was credited with doing the same. Prices closed about where they opened. On the curb, July wheat sold at 78 1-2@78 5-8 cents.

OIL MARKETS.

OIL CITY, April 24.—National Transit