PEARL BUTTON DECISION.

IN FAVOR OF A GREAT INDUSTRY.

GENERAL APPRAISERS DECIDE THAT A SHARP PRACTICE MUST BE STOPPED.

General Appraiser Sharretts made yesterday a decision, in which his colleagues concurred, which saves to the American workmen the pearl-button industry. The decision was the outgrowth of an effort on the part of the importers to evade the provisions of the tariff law and to import pearl buttons which were ready for use with the exception of the work of punching eyeholes or inserting the steel eyelet. This work, of course, entered little into the real cost and value of the button. The importers held that the buttons "unpierced and unshanked" were simply mother-of-pearl manufactures, and as such should pay a duty of 40 per cent ad valorem. On this account a new trade name for them was coined; it was "button blanks."

The case on which the decision of yesterday was handed down arose on the appeal of Strauss, Sachs & Co. to the Board of Appraisers against a decision of Collector Erhardt. The goods were received on the steamship Elder on February 12, 1891. The Appraisers have taken a large amount of testimony, and the decision which has been reached sustains the Collector. Appraiser Sharretts's finding is in part as follows:

The goods in question are small, highly polished pieces of mother-of-pearl, plain in the back, with grooved rings or hollowed out in front, with rounded edges, and with a small cavity in the centre, through which one or more holes are to be pierced. Except that they are not pierced nor shanked, the articles exactly correspond in appearance with the ordinary superfine pearl buttons of commerce. The merchandise was returned for duty by the appraiser as pearl buttons. He reports that the articles are buttons in a completed state, except the drilling of the holes. The character and use of this merchandise is clearly defined, notwithstanding the absence of this one element, which is omitted for the purpose, with the intention of evading the payment of the correct rate of duty.

There is abundant evidence, documentary and otherwise, to show that goods similar to those under consideration have been commercially known among manufacturers in this country as buttons. Some of the most reputable domestic pearl button-makers testified that they "carried large stocks of these buttons to be pierced or shanked as the trade ordered," and that it had been their practice for years to inventory goods similar to these as so many gross of buttons. It has also been shown that these articles have been designated by the importers as buttons in arrangements for future business.

At the hearing of this case exhibits were made of articles of wearing apparel ornamented with mother-of-pearl "buttons" like those in question, without shanks or holes in them. Tailors dealing in buttons testified that these articles are known to them as buttons, and are fastened to the garment by cement.

It will be seen from this standard (Spon's Encyclopædia) that the knot or ball or other special form of mother-of-pearl fashioned by skilled labor is, in fact, the button, and that shanking or piercing the button is simply an auxiliary process, to be performed at the option of the purchaser.

From the testimony taken and authorities cited we find the following facts:

(1) That the articles are small, round masses of mother-of-pearl, or shell, which have reached such a stage of manufacture that they are unsuitable for use except as buttons.

(2) That the articles are neither shanked nor pierced, but technically, and among manufacturers, they are known as buttons.

(3) We find further, regarding the importers' claim, that the goods are button blanks dutiable only as manufactures of mother-of-pearl; that articles known as pearl button blanks are rough discs as they are sawed out of the shell.

We are of the opinion that the articles are buttons within the meaning of the law. Admitting that the question is one of some doubt, the doubt is insufficient to justify a reversal of the decision of the Collector, and his action is hereby affirmed.

The Tribune has frequently detailed the interests which were at stake in this decision. It was a clear case of an attempt to evade the Tariff law, and import into this country articles which were within a slight degree of completion, as an entirely different article and under a low rating.

A QUEEN'S PATHETIC APPEAL.

NATALIE'S REMONSTRANCE AGAINST BEING EXILED FROM SERVIA.

History has seldom had to record so pitiful an appeal as that addressed to the President of the Servian Regency by Queen Natalie. It will be remembered that her husband, King Milan, who enjoys a pretty bad reputation, forcibly abdicated the throne of Servia and divorced from his wife. It was understood that Milan and ex-Queen Natalie were to leave Servia until their son, the young King Alexander, now fourteen years old, shall have attained his majority. Milan consented to this arrangement upon the payment of a round sum of money. But the Queen resisted, even after the Governmental majority in the Skuptschina, or National Chamber, had ordered her to leave the country. It is known also that the people of Belgrade sided with her, and that a bloody riot ensued. But finally Natalie was expelled by force from Servia. Some days before her departure she addressed the following letter to the President of the Regency:

Belgrade, May 8.

Mr. President: I have received your letter, advising me of the resolution of the National Assembly, and asking me what I intend to do in the matter. If your question purported to know whether I can approve the motives quoted in the resolution, I regret to have to inform you that I cannot admit that my presence in Servia might injure the country's interests any more than those relative to the prestige of my son's throne.

You may, all of you, be very devoted to the young King, but not a single one of you can wish him as much good as his mother does.

From the day when my son was so cruelly snatched from me at Wiesbaden I have had but one idea, one desire—that of being again with him. It is now nearly three years that I have fought single-handed against all our governing men, who, each in his turn, attempted to block for me the way to the heart of my son. Having lost my faith in the goodness of men, I have preserved intact my faith in the justice of God, the Supreme Judge of all. It is in that only that I hope still; it is that justice alone which I invoke to-day. I do not doubt that a time will come when His voice will be heard, and will put an end to the persecutions crushing me, and confound those who forcibly oppose my sentiments and my maternal rights.

I do not ask any longer anything from anybody. I have no longer exigencies, the realization of which I expect from the country, or from those who rule over it. I had only one desire—a natural, just and modest wish—that of seeing my son. It has been denied to me. It was denied for motives, the nature of which I refrain from mentioning. I have restrained my heart; and, now I do not ask anything from anybody.

Being resigned to endure to the end the injustice done to me, and patiently to wait for the desired day of reparation, I use the right which the country's Constitution grants to all Servians without any distinction, that of living in my country.

I thought that while I obeyed the laws my presence here would not embarrass anybody. But I have been awakened from that error, without any pity, by the resolution of the Assembly, indicated in your letter of day before yesterday. It has been hard for me to learn that the cup of bitterness was not full, and that a last drop had to be poured in it. After having torn from me the only child whom God gave me, they want now to deprive me of the happiness of breathing the same air which he breathes. Divine laws having been broken, it was to be expected that the violation of human laws would follow naturally.

I do not want to examine the political reasons which have dictated these resolutions of the National Assembly. I do not care to point out in whose interest they have been voted. But what I know, and what I assert before God, and before the country from which they want to drive me, is that they have not in view the welfare of Servia, any more than that of the King, my son.

If, unfortunately, I am compelled to leave the country where my son is King, I want him to know, at least that I did not leave it willingly, and that I did not carelessly give up my maternal duties. Force has torn me from my child; force will have to tear me from my country. NATALIE.

THEY WANT TO BE MASTERS OF TUGS.

Captain Lester A. Beardslee, Commander George W. Sumner and Lieutenant-Commander A. R. H. Lillie will meet as a special board at the Navy Yard this morning to examine candidates for two vacancies as masters of tugs. Of the eight who have filed their applications, giving their home addresses in this city and Brooklyn, the names and addresses of only three can be found in the directories. The examination is "open to all persons who can give evidence of experience for such employment, and who are citizens of the United States; and no person will be appointed unless he is a qualified tug captain, a first-class New-York and Hell Gate and Atlantic coast pilot from the Capes of the Chesapeake to Portsmouth, N. H.

POSTAL OFFICIALS OFF FOR WASHINGTON.

Postmaster Cornelius Van Cott and E. M. Morgan, superintendent of the city delivery of the Postoffice, went to Washington yesterday afternoon, to be gone for several days. Mr. Van Cot is a member of the committee appointed to examine house letter boxes, with a view to having the Postoffice Department indorse one of them. The committee has examined a large number of patents, and will select the one which they regard to be the best. Mr. Van Cott will attend a meeting of the body in Washington.

COMPROMISING WITH THE BROKERS.

The trouble at the Appraiser's Stores over the brokers who have recently been kept on the sidewalk by a decision of the Collector and Deputy Collector Burr, has finally been adjusted. The deputy collector has turned over the old invoice-room to the ten chief clerks, and the brokers are to have access to this room. Here they will find a register explaining in what condition the goods held for appraisement are in, together with a schedule showing what cases are to be taken up each day.

FOR AN EAST SIDE ROUTE.

RAPID TRANSIT COMMISSIONERS BUSY AT WORK.

The meeting of the Rapid Transit Commissioners yesterday afternoon was devoted to a consideration of the route for the East Side. In the early part of the afternoon Mr. Steinway and the other commissioners took a drive over a part of the eastern side of the city. The engineers did not accompany the commissioners, as they are busily engaged in making borings, drawings, surveys, etc., of the route on the West Side.

Although the report on the route for the East Side will not be ready for some time, the commissioners have made considerable progress with their work. In speaking of the problem before them, one of the commissioners said yesterday that the eastern route would not be so difficult to outline as that on the west side of the city. The road would be easier to build also. The parts of the city to be studied most carefully were those above Central Park and west of Third-ave. A person living in the district between One-hundred-and-tenth-st. and the Harlem River to-day was obliged to walk a long distance before reaching an elevated station. The people of that district, said the commissioner, must be relieved as soon as possible.

Although the commissioner would not say whether the downtown station had been decided upon definitely, he acknowledged that the proposal to place it near the City Hall had been considered. A route up Elm-st. and Lafayette Place on to Fourth-ave. had been discussed by the commission also.

The commissioners cannot say as yet in what form the road will be constructed. The viaduct, however, will not be used, in all probability.

THE COMMISSIONERS AGAINST IT.

FREE LODGING-HOUSES STOPPED BY THE DEPARTMENT OF CHARITIES.

The cry for free municipal lodging-houses filled the ears of the members of the Board of Estimate yesterday. It was supported by many philanthropic and liberal-minded persons interested in charitable organizations who asked the Board to appropriate $15,000 to begin the building and establishment of these places for the homeless and indigent. Killaen Van Rensselaer explained the plan devised, and told the Board that efforts had been made every year since 1886, until the Legislature had been prevailed upon to pass a statute, mandatory in its provisions, which the Governor had vetoed. The act was renewed, substituting a permissive clause instead of the mandatory one, and this received the Governor's approval. Now, he said, the friends of these much needed charitable appliances were met with objections from the Commissioners of Charities, in whose hands the law vested the power of carrying the scheme into effect. Mr. Van Rensselaer earnestly advocated that the appropriation be made regardless of the Commissioners' opposition.

Jeremiah Fitzpatrick, president of the St. Vincent de Paul Society; I. S. Isaacs, representing the United Hebrew Charities; John A. McKim, of the State Charities Aid Society; Dr. William F. Rounds, of the New-York Prison Association; Dr. H. E. Champion, of the Association for Improving the Condition of the Poor; Mrs. E. B. Grannis, of the Women's Christian Temperance Union, and Mrs. S. C. Ostrom, of the Ladies' Health Protective Association, supported the views expressed by the first speaker.

President Porter, of the Board of Charities and Correction, opposed the application. He said that the proposed lodging-house system would prove simply an immense and beautiful bonanza for tramps and other idle and vicious persons. With such delightful inducements offered them they would literally swarm into New-York from all parts of the country.

Mr. McKim told how successful the lodging-house experiment had been in Boston, where the lodgers had to saw wood to pay for their entertainment. President Porter replied that food and shelter were freely extended to all persons in need.

Mayor Grant said that the Board of Estimate could take no action until the Commissioners of Charities made the request. As the latter have declared their opposition to the lodging-houses after due consideration, the only course apparently for the persons interested in them to pursue will be to induce the Legislature and the Governor to substitute a mandatory for a permissive clause in the law.

THE BARON AND HIS FRIEND ASSAULTED.

THEY SAID THERE WAS TOO MUCH FROTH ON THE BEER, SO THEY WERE BRUTALLY BEATEN.

Baron Henry Van Oldennel, a nobleman, said to be a descendant of one of the oldest families in Holland, and his friend and companion, Ernest de Laporte, a wealthy young Frenchman, were assaulted at an early hour yesterday morning in a liquor-shop in Clinton Place. Both were badly beaten and are now confined in bed at their boarding-house, No. 45 Clinton Place. Their assailants were not arrested.

The family of Baron Van Oldennel lives near Maastreckt, Holland. The Baron came to this country about five years ago. He is connected with the New-York Life Insurance Company as an interpreter. He is about thirty-five years old. Ernest de Laporte is the son of a wealthy Parisian. He came here about a year and a half ago to travel. He is about twenty-seven years old. The Baron and de Laporte are fast friends and spend much time in each other's company.

After dinner on Monday evening they went to see a friend who is employed in Brentano's in Union Square. They made a night of it and about 3 a. m. they stepped into Eagan's liquor shop at Clinton Place and University Place. Here they became involved in a scrimmage and were set upon and badly beaten. A friend of theirs said yesterday morning that they had called for a couple of glasses of beer, which the bartender gave them. The Baron complained of the poor measure and said there was more froth than beer. His companion, de Laporte, also complained and the bartender attacked them, it is said with an iron bar. Half a dozen men in the place went to the bartender's assistance. Baron Van Oldennel and de Laporte were knocked down, kicked and beaten. They finally escaped into the street, both cut and bleeding. They found Policeman Reidy on the opposite corner and told him of the assault. They were take nto the McPcer-st. station, where an ambulance surgeon dressed their wounds and they went to their boarding-house.

Although the assault was committed in a liquor-shop which was open in violation of the law at 3 o'clock in the morning, no arrest was made. The police version of the affray is that either the Baron or his companion insulted a woman who was in the "family entrance" and that her escort with several of his friends assaulted them.

The police report of the affray at headquarters states that the trouble occurred in front of No. 42 Clinton Place and makes no mention of Eagan's liquor-shop.

SENDING AMERICAN EAGLES TO ENGLAND.

Superintendent Conklin, of the Central Park menagerie, who is also a corresponding member of the Zoological Society of England, received two bald-headed or American eagles from the Philadelphia Zoological Society lately for the purpose of having them forwarded to the London Zoological Society. The National Line Steamship Company offered to take them over free of cost, and they were put on board the steamship Europe yesterday, and the British lion will soon have an opportunity to study the king of birds. Both birds are fine specimens and are in fine plumage. Shortly after 1 p. m. yesterday the numbers in the menagerie were increased by the birth of a fallow deer. The little one is fawn colored on the back, prettily dotted with white spots, the legs, chest and stomach being pure white. It is expected that there will be a further addition of some three or four more to this herd in the course of the month.

TO BLAST AWAY A MOUNTAIN LEDGE.

There will be a novel sight afforded to the persons who go to South Bethlehem on the West Shore road next Tuesday. Sixty thousand tons of rock—an entire mountain ledge—will be blown away by dynamite under the direction of the Edison Electric Company in the limestone quarries of P. Callanan. It will be the most extensive blast in the records of mining history and a big crowd of spectators is looked for. The West Shore will run a special train to the place, leaving this city at 10 a. m. and arriving at South Bethlehem at 2:36 p. m. The train returning will leave South Bethlehem at 6 p. m.

LUTHERAN CONFERENCE ENDED.

The Eastern District of the Missouri Synod of the Lutheran Church finished its conference in this city yesterday. The afternoon session was devoted to election of officers and committees, as follows: President, Pastor Brandt, of Pittsburg; vice-president, Pastor Walker, of York, Penn.; secretary, Pastor Pechtold, of Allegheny City; treasurer, Charles Spillman, Baltimore. The mission committee is composed of Pastors Senne and Sieker and Mr. Langer; auditing committee—Messrs. Singerwald, Thiemeyer and Trincke; visiting committee—Pastors Walker, Senne, Dubberwell, Stutz, Sieker and Abner; board of directors of high school—Pastors Beyer, Steub and Sieker, Messrs. Morch and Hanschild. The synod adjourned to meet in June of next year at such place as the president shall designate.

THE COURTS.

HOW DID HE GET THE CHILD?

CHARGES AGAINST A LAWYER REGARDING A HABEAS CORPUS CASE.

Philip J. Clarkin, a lawyer, will be asked to explain to Judge Lawrence, in the Supreme Court this morning, some alleged sharp practice on his part in connection with a proceeding to secure the release of some children who were in charge of the Society for the Prevention of Cruelty to Children. Last fall the society's agents found a Mrs. Mulligan and her three small children in a destitute condition. Two of the children were sent immediately to the Sisters of the Third Order of St. Francis. The third child, a girl of five years, was first sent to a hospital, in consequence of her having the scarlet fever, and subsequently she, too, was sent to the Sisters of St. Francis. After they had been in charge of the Sisters for some time Thomas McAdam secured a writ of habeas corpus in an attempt to secure the release of Mary, the oldest girl. Judge Patterson dismissed this writ. On May 5 last Philip J. Clarkin called at the office of the society and asked where the oldest girl was confined. He was told that she was in charge of the St. Francis Sisters, and Clarkin declared his intention of securing a writ of habeas corpus to secure the girl's release. The officers answered that when he did so they would be prepared to contest the writ. That was the last they heard of the affair until they learned from the Sisters of St. Francis that Clarkin had been at the receiving-office in this city, served a writ of habeas corpus upon the Sisters and taken the child away with him. Mr. Gerry investigated the affair and learned that Clarkin went to the receiving-office and served a writ of habeas corpus requiring the Sisters to produce the child in court. The girl was brought down from the institution in Yonkers the next day, and when Clarkin called at the receiving-office in this city the girl was there. He took her away with him and the officers of the society have not seen her since. She was not brought to court.

Mr. Gerry thereupon secured an order requiring Clarkin to show cause this morning why he should not be punished for contempt of court. Clarkin told a reporter yesterday that the Sisters had requested him to take the child, and further than that he had nothing to say.

COURT OF APPEALS DECISIONS.

SEVERAL HANDED DOWN IN EACH DIVISION—CASES ARGUED.

Saratoga, N. Y., June 9.—In the Court of Appeals to-day the following decisions were handed down:

The People agt. Ballard. Re-argument ordered, and the case transferred to the Second Division for the re-argument.

The People agt. Wyman. Judgment affirmed.

The Porous Plaster Company of Sing Sing agt. Seabury. Appeal dismissed, with costs.

The People agt. Jugiro. Motion for re-argument denied.

Curtis agt. Murphy. Motion to advance granted.

Bradley agt. De Gorcourla. Motion for judgment of reversal granted.

The following cases were argued:

No. 17—Ambrose Thompson and others, appellants, agt. John B. Simpson and another, executors, etc., respondents.

No. 19—Hannah Cohen and another, administrators, etc., respondents, agt. the Mayor, etc., of New-York, appellants. Submitted.

The calendar for to-morrow is: Nos. 26, 36, 37, 39, 44, 48, 49 and 50.

In the Second Division the following decisions were handed down:

Berger agt. Vasselmann; Lewis agt. Andrews; McNally agt. the city of Cohoes. Judgments affirmed, with costs.

In the matter of the application of Bingham, receiver, etc. The judgment of the Supreme Court and the Surrogate's decree, so modified that the specifically devised real estate described in the latter be mortgaged for no greater portion of the deficiency remaining after the sale of the residuary lands than would have been its proportion if the farm in Steuben County, mentioned in the petition, valued at $2,162 50, had been charged by this proceeding with liability to pay its portion at such valuation, with such modification. Judgment affirmed, with costs to the respondent, Smith, payable out of the estate.

Mansfield agt. Hyland. Judgment modified by striking out so much thereof as provides that the sheriff shall deliver certificates of sale to the purchasers, and that the owners of the lands and holders of liens thereon shall be permitted to redeem within the time provided by law for the redemption of lands sold on execution, and by inserting, in lieu thereof, that said sheriff shall execute and deliver to the purchaser or purchasers at said sale, on compliance with the terms thereof, a deed or deeds of the lands so sold, and, as so modified, the judgment is affirmed, with costs to the plaintiff.

Hotchkin agt. the Third National Bank of Malone. Order affirmed and judgment absolute rendered against appellant, with costs.

Read agt. the Bank of Attica (motion to correct remittitur). The remittitur should be amended by charging the amount directed to be deducted from the judgment, in the event of the plaintiff consenting thereto, from $1,845 54 to $829 23, with $10 costs of this motion.

These cases were argued:

No. 354—Catherine F. Palmer, appellant, agt. the Commercial Travellers' Accident Association.

No. 382—John Clark, respondent, agt. Thomas H. Stewart and others; Frank H. Clergue, appellant.

No. 230—James Sweeney and others, appellants, agt. Phoebe Jane Warren and others, respondents.

The Second Division day calendar for to-morrow is: Nos. 313, 314, 371, 323, 342, 260, 638 and 352.

ARGUING IN AN ELECTRIC PATENT SUIT.

Judge Coxe heard argument in the United States Circuit Court yesterday in the suit of the Brush Electric Company against the Electrical Accumulator Company, for alleged infringement of a patent for a storage battery. The case has been in the courts for four years, and is one of importance to the electrical world. Witter & Kenyon appeared for the complainant, and Betts, Atterbury, Hyde & Betts for the defendant. The decision will not be handed down for some time.

BITS OF LEGAL NEWS.

Judge Bookstaver, in the Court of Common Pleas, yesterday directed a verdict in favor of the defendant in the suit of Nicholas Damm against St. Kilian Gegenseitiger Kranken Unterstuetzungs und Nachlass Verein, a benevolent organization. Damm was a member of the organization and was expelled in 1887 because he refused to pay for some tickets to a concert. He was afterward reinstated by an order of the Supreme Court and he brought a suit to recover damages.

G. T. McCormack is suing the executors of the estate of John H. Shoenberg to recover $156,000, which he declares Shoenberg held as trustee under the will of McCormack's grandfather. McCormack alleges that Shoenberg was the nominal trustee and that Algernon A. Bell took charge of the money and transacted all the business in connection with the trust. Bell, he says, squandered the money.

COURT CALENDARS FOR TO-DAY.

Supreme Court—General Term—Before Van Brunt, P. J., Barrett and Patterson, JJ.—Nos. 45, 46, 56, 65, 66, 73, 77, 90, 91, 92, 96, 100.

Supreme Court—Chambers—Before Andrews, J.—Motion calendar, Nos. 1 to 36, called at 11 o'clock.

Supreme Court—Special Term—Part 1—Before O'Brien, J.—Nos. 1940, 1543, 966, 1808, 1907, 1326, 2554, 2918, 2970, 2980, 2981, 2350, 2816, 2753, 1060, 2391, 2332, 2333, 2384, 2385, 2386, 2387, 2388, 2389, 2354.

Supreme Court—Special Term—Part II—Before Lawrence, J.—No. 247. Law and fact: Nos. 2226, 2061, 2213, 2231, 893, 2820, 2327, 2330, 2218, 2228, 2229, 2280, 2355, 2360, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374.

Supreme Court—Circuit—Part I—Before Beach, J.—Nos. 3441, 3227, 3723, 5725, 5726, 5727, 5784, 5782, 5783, 5734, 5735, 5749, 3071, 3200, 3132, 3147, 2902, 3235, 3124.

Supreme Court—Circuit—Part II—Before Childs, J.—Nos. 3590, 2703, 3165, 2095, 3576, 1416, 3622, 3626, 5776, 5777, 5705, 3632, 5633, 5634, 3635, 3636, 3638, 3639, 3640, 3642, 3643.

Supreme Court—Circuit—Part III—Before Truax, J.—Nos. 3022, 2850, 5006, 2029, 5635, 2453, 2378, 2961, 5413, 1371, 1884, 1171, 4138, 2960, 2970, 2927, 5659, 1670, 5710, 5707.

Supreme Court—Circuit—Part IV—Before Ingraham, J.—Case on, O'Brien, etc., vs. the Mayor, etc.

Surrogate's Court—Before Ransom, S.—Will of William C. Hurd, 10:30 a. m. For probate: Wills of Josephine Pinnow, S. A. Hidden, M. R. Babcock, R. C. Stout, Maria Jungbecker, A. F. Tonnet, A. de B. Coiro, Ellen Kennedy, Elizabeth Stagg, Eugenia Clark and William Redding, 10:30 a. m.; William H. Atkinson, Charles Buch, M. J. O'Connor, David A. de Lima and Henry Meyer, 10:30 a. m.

Superior Court—General Term—Adjourned until July 2.

Superior Court—Special Term—Before McAdam, J.—Nos. 1004, 128.

Superior Court—Trial Term—Part I—Before Sedgwick, C. J.—Nos. 528, 524, 1167, 1341.

Superior Court—Trial Term—Part II and III.—Adjourned for the term.

Common Pleas—General Term—Adjourned until June 22.

Common Pleas—Special Term—Before Bischoff, J.—No. 4.

Common Pleas—Equity Term—Before Allen, J.—Nos. 23 to 30.

Common Pleas—Trial Term—Part I—Before Bookstaver, J.—Nos. 359, 780, 198, 724, 607, 557, 598, 609, 484, 49, 758, 676, 676, 820, 467, 541, 32, 230, 279, 849, 1190, 674, 220, 828, 833.

Common Pleas—Trial Term—Part II—Before Pryor, J.—Cases to be sent from Part I.

Common Pleas—Trial Term—Part III—Before Daly, C. J.—Cases to be sent from Part I.

City Court—Special Term—Before McGown, J.—Motions.

City Court—Trial Term—Part I—Before Ehrlich, C. J.—Nos. 3251, 686, 3232, 3208, 5034, 1843, 3286, 3721, 3734, 2640, 3179, 1550, 3191, 3403.

City Court—Trial Term—Part II—Before Fitzsimons, J.—Nos. 3778, 1984, 3362, 3326, 2830, 3383, 3679, 3301, 645, 3457, 3394, 3465, 3466, 3512, 3492, 750.

City Court—Trial Term—Part III—Before McCarthy, J.—Nos. 3833, 3845, 2766, 3846, 3028, 1598, 3683, 3856, 1703, 2974, 3520, 3760, 3858, 2095, 2522.

City Court—Trial Term—Part IV—Adjourned until June 22, 1891.

Court of General Sessions—Part I—Before Cowing, J., and Assistant District-Attorney Wauhope Lynn—Nos. 1 to 28, inclusive.

Court of General Sessions—Part II—Before Smyth, R., and Assistant District-Attorney Davis—No. 1.

Court of General Sessions—Part III—Before Martine, J., and Assistant District-Attorneys Wellman and Simms—No. 1.

ENEMIES UNITE IN A GOOD CAUSE.

Aldermen Flynn and John Morris "buried the hatchet" yesterday and joined hands in support of the effort made in the Common Council to drive the elevated railway structure out of Battery Park. Their united efforts, however, did not prevail. At yesterday's meeting the member from the VIIth District asked to have the Battery Park resolution recalled from the Committee on Railroads and passed forthwith. The member from the 1st magnanimously supported the demand of the member from the VIIth.

"I can prove," said Mr. Flynn, "that the original permission accorded the elevated road to enter the park was illegal. Jay Gould can't have one inch of the land down there if I can help it. My friend Morris and I are together on that point."

Tears stood in the eyes of Alderman Morris as he arose to express his pleasure at the position assumed by Alderman Flynn. "If I have anything to say about that railroad in the Battery," he announced in his tremulous tones, "it will be ordered out right away."

The resolution was neither recalled nor passed.

THE ELECTRIC CHAIR AWAITS HIM.

JAMES E. MINNAUGH FOUND GUILTY OF MURDER IN THE FIRST DEGREE.

James E. Minnaugh was convicted of murder in the first degree with surprising quickness in Part II of General Sessions yesterday, the jury being out only twelve minutes. On December 21 last Minnaugh and Edward Moran had a fight in Downing's barroom at Forty-fourth-st. and Second-ave., and Minnaugh was soundly thrashed. The next morning he bought a pistol, went back to the barroom, where he found Moran and shot him twice. One wound was in the thigh and the other in the stomach and Moran died. John Joseph Foy, a milk-dealer at No. 306 East Forty-fourth-st., was called to the witness-stand yesterday to testify to Minnaugh's good character. His evidence was a decided boomerang for the defence, for he declared that he had never taken much stock in Minnaugh.

The prisoner's mother then said that he was a good son, and counsel summed up. Joseph Moss, for the prisoner, argued that Minnaugh was insanely drunk when he committed the crime. Assistant District-Attorney Stapler, who handled the case well all through it, made a strong speech for a conviction. Recorder Smyth charged the jury and it retired. In twelve minutes the foreman announced in court that a verdict of guilty had been reached. Minnaugh was remanded for sentence. His conviction means death in the electric chair unless a higher court saves him.

FANNING'S DEFENCE AN ALIBI.

HE TAKES THE STAND IN HIS OWN BEHALF, DENYING HIS ROOM-MATE'S TESTIMONY.

Henry C. Fanning testified in his own behalf in Part III of General Sessions yesterday, and his coolness was remarkable in a man whose life was at stake. He had a way of casting his eyes on the ground when Assistant District-Attorney Wellman asked him a question that hardly tended to prejudice the jury in his favor. In the morning the prosecution finished its testimony. Fanning was arrested at the Harlem Hotel two or three days after Mrs. Emily Taylor's throat was cut at Ninety-sixth-st. and Park-ave. Detective Doyle, one of the two men who made the arrest, said that Fanning did not ask what the charge against him was until the next morning in the station house.

Mr. Mayer, in opening for the prisoner, said that he would prove an alibi by a number of witnesses, and would show that Albert McMullen, Fanning's roommate and the prosecution's chief witness, was a drunkard and a liar. Fanning then took the witness stand. He corroborated McMullen's testimony, except that he denied telling McMullen that he had killed Mrs. Taylor. He said that on the night of the murder, April 18, he was with his wife until about 9:30 o'clock. Then he went to his room in the Harlem Hotel. He admitted having gone to live with Mrs. Taylor a week after her husband committed suicide.

Mr. Wellman subjected the witness to a long and searching cross-examination, and then Judge Martine asked him a number of questions. The trial will go on to-day.

TROUBLES OF BUSINESS MEN.

THE ASSIGNMENT OF RUSSELL & CO.—FLOUR MERCHANTS GO UNDER.

Russell & Co., the China merchants, of No. 60 Wall-st., made an assignment yesterday to Henry Hannah, being unable to meet their liabilities in full. The deed, which is signed by John Murray Forbes, the New-York partner, on behalf of the firm, says the firm is composed of William Howell Forbes, of Hong Kong, John Murray Forbes, of Morristown, N. J., Samuel Wyllys Pomeroy, of London, Charles Vincent Smith, of Shanghai, and Charles Alexander Tomes, of Hong Kong, general merchants at No. 60 Wall-st., also in Shanghai and Hong Kong, and at Nos. 5 and 7 Fenchurch-st., London. Preferences are given for $18,401, as follows: Gisborne & Co., Calcutta, $15,000; New-York Marine Underwriters, $2,443. Indemnity Mutual Marine Assurance Company, $564. London Assurance Corporation, $394. At the office of Evarts, Choate & Beaman, the firm's attorneys, it was said that the affairs of Russell & Co. were still in such a condition that no definite idea of the assets and liabilities could be given.

Alfred A. Freeman, Henry Koper and Effingham C. Haight, composing the firm of Charles Haight & Co., flour commission merchants at No. 24 State-st., made an assignment without preferences yesterday to Parker P. Simmons. The business was established many years ago by Charles Haight and A. A. Freeman, who admitted Mr. Koper as a partner September 1, 1876. They did an extensive business, and shipped considerable flour to Europe. They made a specialty of Freeman's superlative flour, which was made in Wisconsin. Mr. Freeman was also a partner in the firm of A. A. Freeman & Co., of La Crosse, Wis., and in Freeman & Ruyter, of River Falls, Wis., both large flour mills. The mills at La Crosse were burned last August and completely destroyed, but were covered, it is said, by insurance. Charles Haight, the founder of the firm, died July 26 last, but his will provided for the continuance of the business without charge for five years. The firm claimed a capital of $400,000. Deputy Sheriff Murphy yesterday served an attachment which was obtained against Robert Gregg & Co., millers, of Cannon Falls, Minn., by the Chemical National Bank, for $6,300 on drafts dated January 30. It was supposed that Haight & Co. had flour belonging to Gregg & Co. in their stores.

Maurice Mayer the assignee of Rudolph G. Lexow, banker and broker, of 906 Third-ave., said yesterday that he thought the liabilities were about $10,000, and actual assets in sight about $200. A friend of Mr. Lexow said that the liabilities were about $14,000 and actual assets $113, and he thought the assets would pay about 1 cent on the dollar.

POTTER, WHITE & BAYLEY'S AFFAIRS.

Boston, June 9.—The creditors of Potter, White & Bayley, boot and shoe manufacturers, held a meeting this afternoon. The total liabilities were given as $1,048,800. The nominal assets are $740,400, and the assignees' valuation thereon $362,470. It was stated that the real estate of Mr. Potter was probably worth $60,000, but that it was encumbered by the wife's right of dower. A committee of investigation was appointed, and the meeting adjourned subject to their call.

A NEW POLICE COURT ASKED FOR.

The Board of Police Commissioners yesterday resolved to petition the Mayor for a new police court somewhere in the neighborhood of West Fifty-ninth-st. The Mayor is invested by law with authority to provide an additional police court on the West Side whenever the public need shall demand it. Complaints from the police force regarding the great delay that arises in the transfer of prisoners from precincts on the West Side above Twenty-third-st. At present Jefferson Market has the only court third-st., have been numerous. At present Jefferson Market has the only court on the West Side between the Battery and Yonkers.

Officer William Whispill, of the Tenth Precinct, who on the day of General Sherman's funeral procession assaulted C. D. O'Connell, brother of Assistant United States District-Attorney O'Connell, was dismissed from the force.

HOW A DIAMOND CHANGES OWNERS.

From The Cincinnati Times-Star.

"A diamond is like a man." Observed a philosophil jeweller the other day. "Let them rise to whatever proud heights they may, and let the whole world gaze enraptured upon their dazzling brilliancy, they must both return and begin a new life in a simple casket.

"Here is a jewel that illustrates my point exactly. Twenty-three years ago last February, as I was about to close up one terrible stormy night, a shabby young man entered my shop and offered to sell me a gold ring containing this stone surrounded by a ring of sparklers. He asked $150 for the ring, saying it was all he had in the world. Ordinarily, I would have flatly refused to deal with such a person, fearing to buy stolen property, and, indeed, I put him off that night with a lame excuse, although I admitted the value of the stone and asked him to call around the next day. He declared that he must dispose of it that night, and his anxiety made me more fearful, and at last I firmly refused to have any thing further to do with him until the next day. On the morrow he came to me, saying he had pawned the ring for a trifling sum, as he was forced to do so to get accomodations for the night, but desired me to go with him to the pawnbroker's shop and examine the stone more closely. I did so, and struck a bargain with him, and, paying him the difference between my price and the pawn debt, carried off the jewel. I was strictly a business man then, and asked no questions, although the fellow could probably have told an interesting story about the stone.

"Well I reset the stone in a lady's ring, and a month later it was carried off by an exultant lover and it sparkled on the hand of a blushing bride in high life soon after. We jewellers keep track of a fine stone for years, for we realize the ups and downs of fortune. Well, to give you the facts of the case without the romance, ten years I paid a half-starved, shivering woman exactly what her lover had paid me for the ring a week before her marriage, and as she led away her golden-haired girl she felt she was rich with what she would have thrown aside a decade before.

"The next purchaser was a portly old gentleman, who gave it to his young wife, whom he had taken from her school books to assume the management of a grand old mansion. It was just two years ago that the old gentleman, still hale and hearty, entered my shop leading by the hand a bright-eyed little fellow whom he introduced as his son and heir. Then he stated the object of his visit. He said the ring reminded him too much and too painfully of the fair young mother who never saw the face of her baby boy. He offered it to me at a bargain, and now for two years it has lain in this simple casket waiting for another adventure."

ABOUT PERSONS AND POLITICS.

Mr. Croker's expressed determination to send Grady, of the "silver tongue," to the State Senate this fall is causing a commotion in the Vth and VIth districts. Mr. Ahearn, who was sent to Albany from the VIth as a County Democrat, went over to Tammany last winter. He was promised a nomination for his services, but the Big Four it appears are not united on his candidacy. Gilroy appears to favor the claims of Assemblyman Roche, who is bent upon succeeding Ahearn, while Croker is for Grady. Even the Mayor is giving Ahearn only a languid support, while Cochran is thought to be with Croker in supporting Grady. Grady, however, is unpopular in this and every other downtown district. Ahearn knows this and takes courage from the fact. It is an open secret that if Croker forces Grady's nomination, Ahearn will run as an independent candidate, thus jeopardizing the election of a Tammanyite and making the election of a Republican possible.

All this has been explained to Croker and, it is said, the Boss has been led to consider seriously the question of running Grady in some other district than the VIth. The VIth is now represented by Colonel Brown, of "The Daily News." He wants a renomination or something equally as good. The idea of stepping aside for Gady is naturally distasteful to him, but if the suggestion that he be sent to Congress as successor to the late General Spinola in the Xth District be carried out he would probably abandon his State Senate aspirations with alacrity. Three serious obstacles are in the way of carrying out this programme. First, State Senator Ives was to succeed Spinola, and no one denies that his claims for the honor are strong and well founded. Second, W. E. D. Stokes wants to go to Washington even more than does Mr. Ives, and Mayor Grant desires to help him to get there. Third, "Dry Dollar" Sullivan is ambitious to shine in the State Senate, and spurns the thought of giving away for, as his friends express it, "a chump like Grady." So the situation is one that perplexes Croker exceedingly, but he is still emphatic on one point, and that is Grady's return to Albany.

Vernon H. Brown, the urbane agent of the Cunard Line, will sail for Europe on Saturday, accompanied by Mrs. Brown and three daughters. He expects to be away about two months.

A meeting of the executive committee of the Republican League of New-York State will be held at the Fifth Avenue Hotel this afternoon at 2 o'clock. The League is preparing to take an active part in the fall campaign, and to-day's meeting is for the purpose of discussing plans for organization and effective party work.

A letter was sent to the Secretary of the Treasury by a well-known Republican business man of this city yesterday calling attention to the importation of ribbed furnaces for boilers as ribbed flues and tubes. "These imported ribbed flues or ribbed tubes," says the letter, "are imported to take the place of corrugated furnaces, and are not to be sold unless they are made especially for the boiler of which they form a part. Therefore they should be assessed at 45 per cent instead of 2 1-2 cents per pound. The appraiser of the Ninth Division at the Public Stores, Joseph C. Biglin, says the tubes could not pass him at 2 1-2 cents a p