A FIGHT MRS. CROSBY WON.

A WOMAN BEATS OFF A BURGLAR IN A MIDNIGHT SCUFFLE.

Helped by her Little Son to Defend her House—A Cap Picked Up Leads to the Arrest of Private Allen, U. S. A., of Fort Schuyler.

Private George Allen of Battery K, Fifth Artillery, U. S. A., stationed at Fort Schuyler, on Throgg's Neck, is in the lockup at West Chester awaiting trial on a charge of burglary and felonious assault. The warrant was issued on the affidavit of Mrs. M. A. Crosby, wife of H. B. Crosby, who lives on the old Stilwell homestead, Throgg's Neck.

Mrs. Crosby told a SUN reporter yesterday that she was awakened at 11½ on Friday night last by the house dog's barking, and got up to see what was the matter. Her five children, the oldest 10 years old, were asleep. Going down stairs, she found the dog running around the front rooms of the house. Just then the door bell rang. "Who's there?" she asked. There was no distinct reply. She repeated the question, and then a man's voice said: "I want to come in; I want to see the master."

"You can't see him," she replied; "what do you want?"

He retorted that she would repent it if she did not let him in. With that he went around to a side door and tried it. Then he went to the conservatory at the back of the house, broke a glass in the door, and, reaching in, unlocked the door.

Mrs. Crosby, meantime, had opened an upper window and was ringing a large hand bell and calling for the gardener and the hostler, who live in cottages about two hundred feet back of the house. Looking up at her the man said as he went into the conservatory: "I'll John and Tom you. I'll kill you if you don't keep still."

John and Tom are the names of the servants she was trying to arouse. In the conservatory he jumped on a table and opened a large window through which he could step to the first landing of the stairway. As he did this the dog, a monstrous but overpetted Siberian, jumped on him, knocking him down. The children in the nursery above were calling for the dog, and the man was left alone. He came up the stairs with a croquet set in his hand that he had picked up in the conservatory. He was met at the head of the stairs by the nurse, Marin. She struck him, she says, under the left ear with a smooth, heavy cane. The blow broke the cane. Then she ran into the nursery and locked the door.

Mrs. Crosby had picked up a gun that was standing in a bedroom. She supposed it was loaded until she snapped it at the man as he was kicking in the lower panels of the nursery door. Seeing that the man had kicked in the door panels, and meant to crawl through, she ran around through another room and into the nursery. As the man got his shoulders through the door she clubbed the gun, and struck him on the shoulder, breaking the stock of the gun short off. Then, thinking the gun useless for a weapon, she dropped it.

As the man arose she caught him by the neck and shoulder, and hit him a blow in the right eye with her fist. He seized her by the face, his thumb in one corner of her mouth and his fingers spread from her right ear down under the jaw. Then he threw her across the foot of a bed. She wrenched his hand from her face, seized him off, and, catching him by the collar, shoved him through the door and sent him tumbling down the stairs.

During this struggle Willie, a lad of seven years, manfully helped his mother by kicking, pounding, biting the man, and pulling his hair vigorously, saying as he did so: "Oh, mamma, he'll kill you! he'll kill you! but I'll help you." Mrs. Crosby is positive that the boy scratched the man on one side of his nose.

When she had sent the man rolling down the stairs she thought of a pair of pistols in a case in the front room. She found the case locked, but pried it open with a knife. As she got to the head of the stairs with the pistols the man saw her and ran for the door. He reached the conservatory door, near the foot of the stairs, and pulled the door knob off in an effort to get out. Then he ran up to the stair landing and jumped out where he had come in.

All through this fight the nurse and the children had screamed continually, but unsuccessfully, for John and Tom. They had also kept the dog in a side bedroom, so that he was not able to help Mrs. Crosby. After the man had got away from the house the two servants woke up, but could not find him.

The next day, Saturday, Mrs. Crosby went before Justice Bible at West Chester and swore out a warrant. She described the man as tall and slender, with light moustache and light, small side whiskers. He was dressed in dark clothes. Constable Bradley arrested a villager, but Mrs. Crosby said he was not the man. In the course of the day the dog was found playing with a soldier's cap in the yard. Constable Bradley, having been notified of the find, went to Fort Schuyler Sunday afternoon and laid the case before Major Jackson, who is in command. Four soldiers had been out of the fort on a spree Friday night. George Allen was one of them. He came back without his cap, and with a black eye, a wound two and a half inches long and a half inch wide under his left eye, a cut on the left forefinger, and a scratch that had stripped the skin from one side of his nose. He was in the guard house for leaving the fort without permission. With one other soldier he was taken by Capt. Morris to the house of Mrs. Crosby. She promptly cleared him of the other man, but hesitated over Allen. The nurse was called in, and at once said Allen was the burglar. Allen was returned to the fort, and yesterday Constable Bradley with a new warrant took him before Justice Bible. He pleaded not guilty, and was taken to the lockup.

Allen stoutly protested his innocence yesterday. He said that with some of his comrades he was drinking at the quarters until after 9½ Friday night. Then, with Tom Reilly of Battery E, he went up to the saloons at West Chester. They there met Garrison and Higgins of Battery E. They took mixed drinks until after 11 o'clock, and then set out for home on the road leading past Mr. Crosby's. The next he knew he woke up on the deck at Union Port. He walked around for some time before finding a house at which he could learn the way home. He reached the fort before 6. He had lost his cap. He says the cap he lost was not the one found in Mr. Crosby's yard, and that he can prove it is not by certain cuts in it for fastening on the brass ornament worn by the artillery men. He says he could not have been shaved since a week ago Monday. He has not enough beard on his face to be noticed ten feet away in daylight. He says he can prove that he wore his fatigue uniform Friday night. Mrs. Crosby told a reporter she was positive her assailant had on civilian's clothes, because she noticed the buttons.

Allen, in accounting for his wounds, said that Higgins boasted at the barracks Saturday morning of having "knocked out Allen" on the way home, and that the others will testify to the fight. Sergeant Winnington examined Allen at the fort Monday for the bruise which the blow from the gun would have made. No bruise was found. The wound on his neck was not black and blue. The skin was broken in ten places. He said the wound on his hand was made by a saw while he was sawing wood under guard on Sunday. He was born in Massachusetts, and is 22 years old.

Mrs. Crosby lost a finger nail and the skin on her neck was slightly torn in the fight. She was not at all nervous over the encounter, but told of it in a laughing way. She is a black-haired, broad-shouldered lady, of medium height, and is probably 30 years old. She speaks with a slight foreign accent. The house is an ancient mansion about one hundred feet from the road. It is surrounded by beautiful grounds, and is beautifully furnished.

Allen said that a comrade named William Brown, who deserted from the fort Friday night, answers to Mrs. Crosby's description. He was punished for going through the married quarters while drunk last summer. The turnkey, Joseph Bible, confirmed this story.

THURLOW WEED'S WILL.

His Estate Divided in Equal Shares Among Nine Children and Grandchildren.

Thurlow Weed's relatives have not yet decided when to present his will for probate. The will was drawn two years ago by Mr. Frederick W. Seward. Mr. Seward, Miss Harriet A. Weed, Gen. James Bowen, and Mr. William Barnes are the executors. Ex-Alderman John J. Morris is one of the three witnesses of the will.

Mr. Weed's estate is divided into nine equal parts, and bequeathed, share and share alike, to his three daughters, Miss Harriet A. Weed, Mrs. Emily Weed Barnes, and Mrs. Maria Weed Alden, and the six grandchildren, Miss Emily Weed Barnes, Miss Catherine Weed Barnes, Miss Maria Alden, William Barnes, Jr., Miss Harriet Weed Barnes, and Mr. Thurlow Weed Barnes. To his daughter Harriet Mr. Weed leaves the Twelfth street residence in this city with its library and all the furniture. The house was purchased many years ago for $55,000. There are some minor bequests to friends and legacies to charitable institutions here and in Albany.

Mr. Thurlow Weed Barnes said, yesterday: "None of us knows how much grandfather's estate is worth. He did not know himself, and the executors have not yet made any inventory. It is worth somewhere near $1,000,000. It is chiefly in railroad and Government bonds. There is but little real estate—the house here, a house at Croton, near Pierre Van Wyck's place, some land in Iowa, and some property on Staten Island."

The Hudson River Railroad Censured.

POUGHKEEPSIE, Nov. 28.—The jury in the inquest concerning the death of James Maxwell, who was killed in the recent accident at Peekskill, rendered a verdict to-day exonerating the engineers of the two locomotives (the baggage man, and the switchman, and censuring the New York Central and Hudson River Railroad Company for not employing a sufficient number of men to protect trains at the Peekskill depot.

AMUSEMENTS.

Christine Nilsson.

It might be hard to find in the artistic world of to-day a more striking and suggestive contrast than that offered by the two adjacent stages—the Academy and Steinway Hall—during the present week. At the one the woman who, in technical aspect, is the acknowledged queen of the lyric stage—the one who, more than any other, has the skill to use the human voice as an instrument, governing all its wondrous stops and registers with exquisite delicacy and absolute command, able to do with its subtle resources all that ever has been done or may be done, except to stir the imagination or rouse emotion. On the other side, a singer hardly less skilled in mechanical facility, equal in physical endowment, and immeasurably superior in that imaginative and emotional power which alone can make the artist truly great.

The Germans have an expressive phrase, which in the present case it would be convenient to translate. Of a person or event which in any department man has opened new horizons or set new standards of excellence, they say it is *epoch-making*. Such is Christine Nilsson in the history of musical culture in America. Of other great singers our recollections are vague or traditional; the echoes of Malibran and Sonntag and Grisi are faint in the opera houses and concert rooms of modern New York. But Nilsson is fresh in all our memories. Few are so young in life or musical experience as not to have some recollection of the effect she produced at her first appearance in Steinway Hall twelve years ago. To those who heard her then she was in the full sense of the word *epoch-making*—an epoch from which to date a keener enjoyment of artistic reality, a broader view of artistic possibility and achievement.

To the friends and admirers she won for herself then—and their name was legion—the prospect of her return this winter brought delight, but much doubt and anxiety as well. Time is pitiless, and neither seasons nor singers may stay in their course. Neither is it possible ever to exactly renew a fine experience once past. A greater joy or a less we may have, but the same, never. Would the great singer come back to us unaltered, and, if changed, then for the better or the worse?

Five minutes after Mme. Nilsson took her stand on the platform last night the question was satisfactorily laid at rest. We have Nilsson back again unchanged, or, if changed, perceptibly to her gain and our own. The first two or three bars of declamation in the opening of Handel's "Angels ever bright and fair" told the audience that the noble voice had not more of its splendid power and sonority, but had distinctly gained in both. Her singing of the air was broader, more majestic, and more impressive than ever, and it was easy in listening to her to forget the years which have gone by since she first sang the same air in the same place. Her duo, "Là ci darem," with Del Puente recalled the arch and mischievous grace which in lighter parts has always been at her command. But the climax of her success was reserved for the "Jewel Scene" from "Faust," given with a wealth of pure, elastic, brilliant tone, a facile execution, and an imaginative dramatic color which made it a triumph of vocal art.

To describe the storm of enthusiasm which broke forth at the conclusion of the air is almost impossible. Already the stage, in anticipation of her coming, had been decked as for a fête with rhododendrons and ferns and flowering plants in bowery profusion. At her first appearance a shower of bouquets rained from the auditorium on every hand and fell in heaps at her feet, and throughout the evening an almost continuous line of panting ushers brought more, and yet more such masses of gorgeous blossoms that the smiling singer stood walled in with flowers which she must step over and put aside to face her audience. And so standing she made a singularly attractive picture—the tall figure, now in her prime, grown more stately and majestic than in her younger days; the broad brow and deep, serious gray eyes, just touched with a smile of pleased recognition; the white and massive throat still swelling with the musicular effort with so deftly governs her splendid tones; and before her the packed audience, uniting in one tempest of delight and enthusiasm at the grand and perfected art with which she grasps and sways the feelings as no woman has done in New York since she first set its key.

More minute comment on her further performances—on her beautiful and pathetic rendering of the "Suwanee River" and her playful and dainty little Swedish ballads—may be for the time dispensed with. The main fact it is gratifying to record that Christine Nilsson returns to us grander, stronger, more majestic than ever, unworn in voice or person, and, so far as could be judged last night, a broader and riper artist than in the elder time.

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The New Organ at St. Francis Xavier's.

The new and as yet unfinished Church of St. Francis Xavier, in West Sixteenth street, threw its doors open to the public for the first time last night, the occasion being the exhibition of Messrs. Hook & Hastings's large and fine organ. The boardings which conceal the entrance, and through which the visitors had to pass, gave but little mental preparation for the sight which greeted them when once within the building. A few words upon it may not be amiss.

Dry figures give but little idea to the general intellect, but statistical minds may be interested in learning that the church is 186 feet in length, that the breadth of the nave and the aisles is 178 feet, and that the transepts are 45 feet by 20. The ground plan of the building is cruciform, with an apsidal chancel. The architecture may best be described by calling it Romanesque. It really follows no recognized style, yet forms in itself a complete and satisfactory whole. The ornamentation is profuse, without giving the effect of being overloaded. The general impression of color is of varying shades of cool and restful grays. From monolith pillars of gray marble spring round arches, which support a massive triforium, the openings of which are square, a false arch being simulated in the wall decorations. These decorations are more sculpturesque than chromatic, the principal effects of absolute color being in the pictures which line the walls of the aisles and which are let into the chancel walls and ceiling as panels. The compact massiveness of the architecture, added to the height and open breadth of the nave and transepts, gives to the building a mingled air of solid grandeur and of freeness of space, this latter effect being assisted by the absence of those modern church abominations known as "pews." In brief, the church impresses the beholder much as do the smaller European cathedrals, not so much with a feeling of awe as with the sensation of personal insignificance, which may easily be turned to awe.

For this fine building the Messrs. Hook & Hastings have built (at least in size) a worthy instrument. It is said to be, and probably is, the largest organ in this city. To judge by what was heard of it last night, it bids fair to be one of the finest.

An unfortunate accident to the hydraulic motor by which the organ is blown yesterday morning necessitated the hasty substitution of hand power for last night, and the consequences were somewhat disastrous. The pneumatic action was thrown so completely out of order by the loss of certain reserve powers in the bellows that the swell organ was rendered useless, the keys sticking and sputtering badly. As a result, Mr. John White, who was to have played four times, after struggling manfully through a Fantasie by Guilmant and some Variations by Dudley Buck, was forced to abandon all ideas of playing the A minor fugue of Bach or the Chromatic Fantasie of Thiele with which he was accredited on the programme; while Mr. Geo. E. Whiting, who succeeded him, had to close after playing three of the five numbers for which he was down, and only arrived safely at the end of those by means of a skilfully improvised registration which enabled him to get along without using the rebellious swell manual. Under these circumstances any attempt to describe the organ or to decide upon its merits would be manifestly unfair, and any criticism upon the players equally so.

Two vocal numbers relieved the monotony of continued organ-playing. Of one it will be kindest not to speak; of the other, a Litany for chorus, composed by the Very Rev. Dr. F. Witt, it may be said that a rather monotonous composition in ancient ecclesiastic style was beautifully sung by the chanted choir of the church, composed of boys and men, and that the effect of the voices was such as to place beyond doubt the fact of the excellent acoustic properties of the building.

As soon as the necessary repairs in the motor have been made, another performance will be arranged, on which occasion a full description of the organ and a consideration of its merits or demerits will be thoroughly in order. At present it is only possible to speak of its excellence in parts; its balance as a whole cannot even be guessed at.

The New Play, "The Rantzaus."

The twelfth regular season of the Union Square Theatre was opened last evening by the production of "The Rantzaus," a translation of "Les Rantzeau" of Messrs. Erckmann-Chatrian, and the occasion drew a large and critical audience. It has been a part of Mr. Palmer's policy to select a play for an opening night that has been favorably received previously, generally in Paris, and when his selection of "Les Rantzaus" was announced his judgment was questioned. Parselle was selected to play the part assumed by Coquelin, and Stoddart for that by Got, and the success of the play depends on them. Their efforts last evening were duly appreciated, but it is doubtful if the play can reach the popularity of "The Two Orphans," or even "The Lights o' London." It is a simple, domestic drama, but the motive is not one that appeals strongly to an average audience. Hate, intense hate, flashes and scorches through the scenes. Except where a neat turn of expression, or a pleasant bit of by-play by Parselle, is recognized, there is nothing to relieve the deep interest in the movements of the principal characters.

In the first act the schoolmaster in the village of Chaunes, in Alsace, tells of the terrible, unnatural hatred of *James Rantzau* and *John Rantzau*, brothers, for thirty years, because their father did not divide his property equally. One brother has a son, and the other has a daughter. They outwardly appear to encourage the hatred of their parents, but, having been children and schoolmates together, they in their hearts love each other. Neither of the parents will listen to such an attachment, and in the second act the daughter is urged by her father to marry his chief forester. She refuses, and is stricken to the floor in the blind passion of the father. Remorse afflicts him when the girl is very ill, and, going to his brother's house, he knocks, and asks to be admitted for the sake of saving his daughter's life by giving her hand to her cousin. In the fourth act an agreement is reached, but it is so unfair that the young man denounces the spirit of hatred in which it was drawn. The scene is in the room of their mother, and by playing upon the memory of the heart strings of his father and his uncle, the young man brings about a reconciliation.

The first act dragged somewhat wearily while Mr. Parselle, as the schoolmaster, was telling of the hatred of the brothers, but he responded to the requirements of the platform fairly and amiably that tediousness was overlooked. Mr. Walden Ramsey, as the son of *James*, was energetic and thoroughly in earnest throughout. His attempt to keep pace with his father in the family hatred was that of a manly lad, and his rich, noble voice had not much of its splendid power and sonority, but had distinctly gained in both. Her singing of the air was broader, more majestic, and more impressive than ever, and it was easy in listening to her to forget the years which have gone by since she first sang the same air in the same place. Her duo, "Là ci darem," with Del Puente recalled the arch and mischievous grace which in lighter parts has always been at her command. But the climax of her success was reserved for the "Jewel Scene" from "Faust," given with a wealth of pure, elastic, brilliant tone, a facile execution, and an imaginative dramatic color which made it a triumph of vocal art.

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WRECKED ON WOLF ISLAND.

The Sufferings of the Crew of the Wearmouth, Nearly All of Whom were Lost.

HALIFAX, N. S., Nov. 28.—Robert Hutchinson, the chief engineer and only surviving officer of the wrecked steamship Wearmouth, who arrived here with the other four survivors, makes the following statement of the disaster. He says the steamship, commanded by Evan Evans, and laden with phosphate, sailed from Montreal the 3d inst. for London. She had fine, clear weather until the 19th, at 7 o'clock, the morning of which day Cape Rozier was passed. Then a gale and a snow storm came up, and the steamship went ashore. The whole crew took shelter in the houses above deck. About 2 A. M., the seas, which all the time had been sweeping over the deck, broke in front of the chart room and drove those who had sheltered themselves there into the sail room on the bridge. Two hours afterward a tremendous wave swept across the ship, carrying away the galley, and compelling the whole twenty men on board to seek protection in the sail room. Between 4 o'clock and daylight the hatches were torn by the furious gale from their fastenings and carried away, and the contents of the hold were placed at the mercy of the waves.

At daybreak the steamer was seen to be fast breaking in two, just forward of the bridge, and, before being abandoned, the forward portion broke off and went to pieces. The vessel continued to pitch about, and her bottom was evidently being fast broken in. Just before 11 o'clock the upper bridge, on which the wheel was situated, began to break away, and the pieces to fall on those in the sail room underneath. The Captain gave orders to make ready the boats, and all hands started out on deck. The chief engineer secured a life preserver and descended to the deck. Here he found all hands, except the Captain and the second mate, in the starboard lifeboat. He observed the Captain trying to lower his jollyboat, and went to his assistance, followed by the second mate. On getting in they found that the boat contained three oars, two broken and useless, and the other split. The Captain, who was afraid the jollyboat would get caught in the fracture of the almost parted stern and be crushed, cried out to catch oars and shove her off. The next moment the men were being tossed about by the raging sea. The Captain in the boat took the only useful oar and tried to scull the boat, having its head to the sea; the second mate and the engineer bailing it out.

Two mountainous breakers were safely passed over by the light boat, but the third caught it as if it were a feather and knocked it broadside to the sea, and the fourth swamped the boat and sent its three occupants out of sight. When the engineer rose to the surface he could not see his companions, and, striking out for land, succeeded in reaching it, very much exhausted. When he had attained a place of safety he observed another man (McLachland, the boatswain), who also gained the shore. Both proceeded to the nearest house, where two other men—John Townsend and John Martin—were discovered.

The house was the station of a telegraph operator, who returned to it in the evening, and from him Hutchinson learned that the Wearmouth had struck on Wolf Island, about twenty miles long, and a mile east of Point du Loup. McLachlan told the engineer that after the Captain had left, while all were attempting to clear the lifeboat from the davits, one man cut the painter and tackle with an axe and caused the boat to swing on board and strike the boat-chocks. The result was that it capsized, threw its seventeen occupants into the water, and tumbled in itself, bottom up. The scene which ensued was one of horror, each being the nearest companion in his struggle for life, thus preventing almost all from making successful efforts, and their final disappearance, one by one, beneath the water, was heartrending. McLachland, Townsend, and Martin managed to steer some of those about them and swam for the shore. Before they started a Frenchman arrived at the house, accompanied by one of the steamer fireman's mates, named Magro, who, after gaining the land, had spent the night in the bushes, and was in a very weak state from exposure and hunger. Leaving him behind to rest, Hutchinson and the mates made a thorough search through the lumber, now washed ashore and strewn over the beach and through the bushes, but failed to discover any traces of the remaining members of the crew. Marks of blood were found on some of the lumber, but not a sign of a human body was discovered. That day it was determined to proceed and take the mail steamer for Pictou.

The following is as accurate a list of those lost in the disaster as can be ascertained: Evan Evans, captain; George Thomas, first mate; Richard Travellock, second mate; E. E. Saunders, second engineer; Francis Callender, third engineer; Lee, steward; Joseph Woodcock Presser, carpenter; Thomas Derby, donkey man; Frederick Merritt, fireman; Jacob Morsenbauer, George Bear, and John Purvis, firemen; William Mayfield and James Harris, seamen.

ECCENTRIC MISS BURR.

Queer Stories by her Grocer and Others who Had Business with Her.

The contest over Miss Sarah Burr's $3,000,000 will was resumed yesterday in the Surrogate's Court. Ex-Judge Pierrepont, Mr. Franklin Bartlett, and Mr. Clifford A. H. Bartlett appeared for the contestants, and ex-Surrogate Calvin and Mr. John S. Parsons for the proponents.

Mr. Frederick Kimble, who for many years lived at 26 University place, opposite Miss Burr's house, testified to her eccentric behavior. The blinds of her windows were rarely raised, and the house had a gloomy and deserted appearance.

John H. Muller, a grocer, served Miss Burr with stores, and thought her conduct irrational. She bought partly rotten and always bad and cheap articles, asking for them, and taking them in preference to good things offered to her. She was very stingy, and dressed usually in a black gown that was neither clean nor tidy. He asked her, jokingly, if she did not intend to remember him in her will, and at one time she replied that she probably would. On another occasion she said she had no property and could leave him nothing. She had the appearance of a very poor woman. She was very forgetful, and after paying his bill in the store she would ask him again and again if she had settled with him. She would also ask the prices of articles in the stock, and repeat her question half a dozen times after it had been answered. She never examined the bill presented to her or counted her change. She did not spend more than from $4 to $6 a month in the store, and a barrel of decayed potatoes would last her about a fortnight. The witness had many conversations with her in her own house, where he used to do small jobs in repairing for her. She usually received him in a dirty untidy kitchen, containing only a table and two chairs. She never paid him for the work he did there.

James Smith, a tinsmith, had known Miss Burr for twenty-five years. He often worked in her house, repairing stoves and furnaces. He did not like to see her, for she always invited him to call again. Once, about eighteen years ago, she ordered a range from him, and two weeks afterward, when he had completed his arrangements to put it into place, he called at her house and found that she had purchased a range, and it was already put in. When reminded of her order to him she said she had forgotten all about it, and gave him $5 for his trouble. It always took her a long time to find the money to pay his bills. Once she was two hours looking for her purse to pay him $40, and then, as she told him, she found it in her bed. She could not distinguish bad work from good, but she always wanted to be served at the lowest possible price. He worked half a day for her, and she gave him 75 cents. He said it was not enough, and she replied that she had paid him no more for a similar job before the war, and she saw no reason why he should increase his prices.

Mr. Bartlett offered in evidence a number of letters written by Miss Burr, James H. Titus, and others, and the hearing was adjourned.

Court Calendars This Day.

SUPREME COURT—CHAMBERS.—Nos. 29, 34, 41, 42, 53, 59, 68, 82, 83, 84, 85, 87, 91, 99, 101, 102, 108, 109, 158, 163, 167, 204, 210, 222, 223, 226, 229, 230, 234, 238, 239. TAX CASES. GENERAL TERM.—Recess continued. SPECIAL TERM.—Case on. No calendar. Part I.—Clear. Nos. 2166, 2236, 1119, 1983, 1427, 2274, 2298, 1861, 289, 2180, 2201, 3117, 2234, 1947, 2116, 2167, 2124, 715, 955, 1849, 3726. Part II.—Case on. No calendar. Part III.—Case on Blocked. Special Term cases.

SURROGATE'S COURT.—Estate of Seabury Treadwell at 10 A. M. contested will of Frederick Grote at 10 A. M.; Sarah Burr at 11 A. M.

SUPREME COURT—SPECIAL TERM.—No day calendar. Part I.—Case unfinished—probably all day. Nos. 537, 396, 251, 404, 439, 399, 483, 485, 472, 307, 245, 392, 400, 621, 622, 2131.

COMMON PLEAS—SPECIAL TERM.—No day calendar. Part I.—Clear. Nos. 2230, 1966, 2565, 1774, 2131, 1874, 2135, 2087, 2207, 1207, 2118, 2198, 2078, 1801, 2724, 1142, 2022, 2131.

MARINE COURT—GENERAL TERM.—Appeals from orders.—Nos. 1 and 3. Appeals from judgments—Nos. 5, 8, 9, 10, 12, 13, 14.

Don't Die in the House.

"Rough on Rats." Clears out rats, mice, roaches, bedbugs, flies, ants, moles, chipmunks, gophers. 15c.—Adv.

Dr. C. W. Benson of Baltimore, Md., prepares a skin cure that is the best thing for skin diseases ever known. It cures eczema, tetter, ringworm, and all rough and scaly skin diseases in the shortest time. Sold by all druggists at $1 per package. New York office, 115 Fulton st.—Adv.

Drill and Review of the Ninth.

The Ninth Regiment had a drill last night in its armory in West Twenty-sixth street. Col. William Seward, Jr., was in command. Brig. Gen. William G. Ward and staff reviewed the regiment, which numbered about 300 rank and file.

JOHN DEVOY TESTIFYING.

The Circumstances that Preceded his Attack on Mr. Belmont.

John Devoy testified in the General Sessions yesterday on his trial for libelling August Belmont that he was a Fenian in Ireland, and was arrested there for treason. He was convicted and sentenced to imprisonment for fifteen years. After he had served five years he was released upon the condition that he would come to the United States. When he came here he found that the Fenian Brotherhood had been almost wholly absorbed by the Irish Nationalists. He joined the Nationalists, and was elected to several offices. He declined to say what the offices or the duties were.

On Nov. 13, 1881, he established the *Irish Nation*, partly with his own money and partly with money furnished by leading Irish Nationalists. He first became aware of the existence of the O'Mahony fund in Dublin, before his arrest. The police seized one of the drafts drawn against it, which was found in the Kingston railroad depot by a boy. There was much talk among the leaders of the Fenian organization, and the newspapers referred to the matter of the drafts. The drift of these discussions and references was not favorable to Mr. Belmont. The witness was appointed on a committee to secure the restitution of the fund, believed to be retained by Belmont & Co.

"Were you instructed," Mr. Beach said, "to adopt any means to restore it to the order?"

Mr. McFarland objected. Mr. Beach said that he asked the question with a view to showing that Devoy believed that the publication of the article complained of would have the effect of inducing Mr. Belmont to restore the fund to the organization. Further argument was deferred, and adjournment was had.

ERIE'S REPORT FOR THE YEAR.

Mr. Jewett Deposits the Entire Vote Cast at the Election—The Dividend.

The annual meeting of the stockholders of the New York, Lake Erie and Western Railroad Company for the election of directors, which was held yesterday in the Coal and Iron Exchange, was remarkable for the vote polled and the manner in which it was cast. The entire vote was cast by President Hugh J. Jewett, and was the largest ever polled in the history of the company. He voted upon 733,390 shares of stock, and his vote upon the bonds, one vote for each $100 par value, was 196,747, a total of 930,137 votes. The amount entitled to vote is: Stock, 851,161 shares; bonds, 247,796; a total of 1,098,957 votes. The votes cast by Mr. Jewett were unanimously for the following ticket:

Theron R. Butler, Charles Dana, Thomas Dickson, Harrison Durkee, R. Suydam Grant, Hugh J. Jewett, John Taylor Johnston, Eben D. Morgan, William L. Strong, Jacob H. Schiff of New York city; F. N. Drake, Corning; Solomon S. Guthrie, Buffalo; Cortlandt Parker, Newark; Homer Ramsdell, Newburgh; J. Lowber Welsh, Philadelphia; James J. Goodwin and John Frederick Pierson, New York.

All of the new directors except the last two served last year. Messrs. Goodwin and Pierson take the places of the late Col. Henry G. Stebbins and of William Mertens, resigned.

President Jewett's annual report showed the gross earnings for the year ending Sept. 30, 1882, to have been $19,975,773, and the net earnings, $6,887,680. Receipts from other sources bring the total net income of the company up to $7,227,040, out of which have been paid for rentals, guaranties, taxes, and expenses, $1,741,030; interest on funded debt, $4,316,368; leaving a balance of $1,166,642, out of which $49,480 was paid for interest on the income bonds, $464,340 as a dividend on the preferred stock, and the remainder added to the surplus, making it now $6,470,377. The working expenses were 65½ per cent. of the earnings, or 1½ per cent. greater than for the previous year. This was due chiefly to the reduction in rates.

The bonds outstanding secured by the third mortgage, which matures March 1, 1883, are $4,852,000. They bear 7 per cent. interest. Arrangements have been made to extend these bonds for forty years at 4½ per cent., which will result in an annual saving of $121,300. The management "believes that it will be able to extend the outstanding mortgages as they mature, at reduced rates of interest, corresponding with the reductions already made, and thus effect such a reduction of the fixed charges as will enable the company, at no very distant day, to provide for quarterly or semi-annual dividends on its preferred stock, if the law will permit, and also to make some provision for its common stock."

The Chicago and Atlantic Railroad, now being built from Marion, Ohio, on the New York, Pennsylvania and Ohio road to Chicago, 269 miles, will be ready for business early next January, and give the Erie an independent line to Chicago. The line is directed to avoid from grades and curves. It was built under contract for the entire proceeds of its mortgage bonds, $8,500,000, and its entire capital stock, $10,000,000. All of the proceeds of these securities, together with all subsidies received from the city of Chicago, are to be placed with the President of the Erie in trust to be disbursed by him for the construction. He is also to hold in trust 90 per cent. of the stock, with the irrevocable proxy to vote upon it during the thirty years that the bonds are to run. This secures to Erie the control of the new road for that period. The traffic contract between the Chicago and Atlantic, the Erie, and the New York, Pennsylvania and Ohio provides for a representation of both of the last named in the direction of the new road. The only obligations assumed by the Erie are those relative to the proper application of the construction trust fund mentioned, to provide for the money that may be necessary in addition to it to complete the road. In return the Erie has a first lien upon the surplus earnings of the Chicago and Atlantic after the payment of interest upon its bonds. If the new road fails to earn the interest on its bonds, then the Erie and the New York, Pennsylvania and Ohio companies are to pay it out of the earnings realized by them upon the business given or received from the road. The arrangement is considered most advantageous to Erie.

In order to prevent the Cincinnati, Hamilton and Dayton system of roads (350 miles) from being controlled by interests adverse to Erie, an arrangement was made with the holders of $2,000,000 a majority of the stock of that company, by which Erie purchased the same for $1,500,000 beneficial certificates, agreeing to pay semi-annual dividends of 3 per cent. upon the stock purchased, providing the Cincinnati, Hamilton and Dayton fails to do so. This is regarded as a very valuable acquisition, since it secures to the Erie absolute and indefinite control of this lateral system.

Before the election the old Board authorized the payment of the interest on the income bonds and a dividend of 6 per cent. on the preferred stock for the year 1882.

TEALL—BISSELL.

Dresses of the Bride and Bridesmaids at a Marriage in St. Thomas's.

At noon yesterday Mr. Oliver Sumner Teall and Miss Florence Sanford Wolcott Bissell were married in St. Thomas's Church. The officiating clergymen were the Rev. Dr. Degan and the Rev. Dr. W. F. Morgan. The bridesmaids were Miss Waite, daughter of Chief Justice Waite; Miss Annie Teall of Syracuse, and Miss Sadie Lawrance and Miss Wells of this city. The best man was Mr. Frederick Wickes of Syracuse. The ushers were Mr. Frank S. Witherbee, Mr. Allen Evarts, Lieut. Babcock, U. S. N., Mr. Henry Eggleston, Mr. Richard Panoscaya, and Dr. Stephen Ely.

The bride wore a white satin petticoat covered with point lace, with court train and corsage of white embossed velvet, a point lace veil fastened to the hair with a diamond crescent, solitaire diamond earrings, and necklace of pearls. She carried a large hand bouquet of roses. The bridesmaids wore dresses of white satin merveilleux trimmed with lace, lace bonnets with aigrettes—two pink and two tea color—and carried bouquets of Catharine Mermet and Marechal Niel roses.

The wedding reception and breakfast were in the parlors and large dining room of the Buckingham Hotel. Among those present at the church and the reception were Col. and Mrs. McLean, Maj. and Mrs. E. V. Sumner, Miss Evarts, Mr. and Mrs. John Wilmerding, Mr. and Mrs. Alfred Davenport, Miss Davenport, Mr. and Mrs. George Floyd-Jones and Miss Floyd-Jones, Miss Hecksher, M. and Mme. de Meissner of the Russian Legation, Mr. and Mrs. Charles Peabody, Jr., Miss Roosevelt, Mr. and Mrs. Frederick Satterlee, Mr. and Mrs. Dudley Saltonstall, Mr. and Mrs. Theodore Sailtus, Mr. C. Wyllys Betts, Mr. and Mrs. Phenix Remsen, Miss Tillinghast, Mrs. W. Robison, and Mr. and Mrs. T. B. Musrave.

The married couple will go to Tucson, Arizona, returning to live here.

One Misfortune After Another.

In going to serve a dispossess warrant upon Mrs. Oskner at 118 Sumpter street, Brooklyn, yesterday, a constable found that she had both feet badly scalded, and was without food or fire. When she was first injured, she said, her husband employed a good-looking young woman to take care of her, but after a time she deserted her and went to Flatbush to live with the young woman.

MARINE INTELLIGENCE.

MINIATURE ALMANAC—THIS DAY.

Sun rises..... 7 03 | Sun sets..... 4 34 | Moon rises.. 9 23

HIGH WATER—THIS DAY.

Sandy Hook 11 50 | Gov. Island 11 28 | Hell Gate... 1 17

Arrived—TUESDAY, Nov. 28.

Ss Arizona, Brooks, Liverpool Nov. 18, and Queenstown 19th.
Ss Bermuda, Owen, Trinidad.
Of Jersey City, Evans, Bristol.
Ss Ler