CABLE ROAD GRABBERS WIN.

MAYOR GRANT'S BILL TAKEN FROM THE CITIES COMMITTEE.

Mr. Crosby Vainly Protests Against Sending the Bill to the Committee on Railroads, Which Has Already Favorably Reported the Cable Road Bill.

ALBANY, March 20.—By almost a two-thirds vote the Assembly to-day took away the consideration of Mayor Grant's Rapid Transit bill from the Committee on Cities and gave it to the Committee on Railroads. The Committee on Railroads wanted charge of this bill, although the Chairman had previously said that he had no desire to take charge of it, and although Mr. Creamer, the New York member of the committee, opposed taking it from the Committee on Cities. The object in taking this bill from the Committee on Cities may be surmised from the fact that the Railroad Committee is in favor of the Cable Road bill, and that the promoters of the cable road are opposed to the Mayor's plans, just as the Mayor and city authorities are opposed to the cable road in its present shape, and in any other shape in which it now seems likely to appear. It was remarked on in the Assembly that the motion to take the bill from the Committee on Cities was made the same morning that Mr. Jay Gould's letter in favor of giving the Manhattan Railway Company charge of rapid transit in New York city appeared.

Corporation Counsel Beekman appeared yesterday before the Committee on Cities in favor of the Mayor's Rapid Transit bill. The only man who appeared in opposition was Charles P. Shaw, who said that he represented the cable road. As Mr. Hamilton, who introduced the Cable Road bill, said that he was in favor of the Mayor's Rapid Transit bill, Mr. Shaw's objections to the bill did not prevail. The bill had been thoroughly discussed in the newspapers and elsewhere. After the arguments the committee decided to report the bill. Mr. Crosby had it on his desk this morning ready to be reported. As soon as it was reported it would have got a place on the calendar. Some members of the Assembly were evidently interested in preventing the progress of the Rapid Transit bill. As soon as the Assembly went into the reports of committees, and before the Committee on Cities had handed in its report, Mr. Kimball, Chairman of the Committee on Railroads, moved that the Committee on Cities be discharged from the consideration of the Mayor's Rapid Transit bill and that the bill be given to the Committee on Railroads. Mr. Kimball added that it was undesirable, unjust, and wrong for the bill to be in the Committee on Cities.

Mr. Sheehan raised the point of order that the ninth joint rule took precedence over Mr. Kimball's motion. The Speaker ruled out the point of order.

Mr. Crosby said that no affront whatever was intended to the Committee on Railroads when he asked to have the bill sent to the Committee on Cities. "It was eminently proper," he said, "that the bill should go to the Committee on Cities, as it applies only to the city of New York. The committee has given a hearing on the bill, and no one appeared to argue against it except Charles P. Shaw, who appeared for the cable road. Four Assemblymen from New York city are members of the Committee on Cities, and they favor the bill."

Judge Yates, who is a member of the Committee on Railroads, asked that the bill be sent there.

Mr. Fish said that as a hayseed member he wished to give the people of New York whatever kind of a rapid transit they desired. All the authorities were in favor of the Mayor's Rapid Transit bill, and if the people of New York wanted it they should have it.

Mr. Hornidge objected to Mr. Fish's statement that the city authorities are in favor of the Mayor's bill. "The Board of Aldermen has taken no action in favor of it," said Mr. Hornidge, and the Assembly laughed. "It may be at times that the Board of Aldermen is in peculiar odor, but they are the representatives of the people of the city."

Mr. Fish replied that he would be sorry to advocate some measures of the Board of Aldermen. He would prefer to take the opinion of the Mayor then the opinion of the Board of Aldermen.

Mr. Connelly favored the Rapid Transit bill and eulogized Mayor Grant and his administration. He said that the plans of the Mayor's bill are the best yet devised for rapid transit in New York city, and the Assembly should do all in its power to give the people of New York city what they reasonably want.

Mr. Bucephalus Longley of Brooklyn called Mr. Crosby's action a snub and insult to the Railroad Committee.

Mr. Fish wanted to know why the Railroad Committee did not act on the bills of the Railroad Commissioner, and why they tried to get other bills when they had not disposed of the bills they already had.

Mr. Longley replied that the committee was ready to report the Railroad Commission's bills whenever anybody asked them to.

Mr. Connelly then asked the Railroad Committee to report the bills at once.

Mr. Blumenthal charged the Railroad Committee with deliberately killing the bills of the Railroad Commission by holding them back. He described the Mayor's Rapid Transit bill, told the Assembly what it does, and gave reasons for its adoption.

Mr. Mase made one of his droll speeches. "This seems to be a question of etiquette," he said. "This is my first year on the Railroad Committee. I am told that I am insulted. I suppose that I should believe that I am insulted if the rest of the committee insist upon the fact. I did not know that Mr. Crosby had insulted me by having this bill referred to the Committee on Cities, but the rest of the Committee on Railroads tell me that he did. (Laughter.) If Mr. Crosby insulted me he must apologize for it. If he did not insult me, he need not apologize. I should have been in favor of referring the bill to the Committee on Cities. The Railroad Committee should be reprimanded for its inactoriness in not acting on the bills before it this session. There are not many bills before it, as far as I have seen."

Mr. Crosby and other Assemblymen gave a well-deserved praise to the Committee on Cities for its trustworthiness and the high character of its members.

After this the roll was called, and the bill was taken from the Committee on Cities and given to the Committee on Railroads. The New York members voted against the change. With them were such prominent Assemblymen as Mr. Sheehan and Gen. Husted.

Mr. Creamer of the Committee on Railroads, who voted against the transfer of the bill, asked that the committee be instructed to report by April 5. Mr. Hamilton suggested that the reference be changed to April 1 to make the reference in the Assembly coincide with the reference in the Senate. Mr. Creamer accepted the amendment. Chairman Kimball acceded.

Mr. Tefft introduced a bill incorporating the New York and Hudson Valley Aqueduct Company, with a capital stock of $1,000,000, to bring water from the Adirondacks to the Hudson River towns, including New York and Brooklyn.

Senator Murphy's bill for a $250,000 soldiers' and sailors' arch at the entrance of the Park at Fifth avenue and Fifty-ninth street passed the Senate.

Senator Worth's bill for a bridge across the East River from Grand street, New York, to Williamsburgh, Brooklyn, came up on third reading. Fault was found with the bill because the names of the incorporators were not stated, and because the act of incorporation of the company was too general. The bill was sent back to the Committee on Judiciary for investigation into the points of law involved.

Senator Sloan's bill to prevent the Land Commissioners leasing or allowing people to encroach on the lands of the Adirondack forest preserve, the Niagara reservation, and the Coney Island concourse was considered in Committee of the Whole in the Senate. Senator Erwin opposed the bill because it excludes the Adirondack Railroad from crossing the forest preserve. Senator Sloan said that his object was to protect the forest preserve. The State is spending $30,000 a year to protect it, and there is no reason why railroads should be allowed to destroy it. Senator Kellogg opposed all attempts to allow hotel keepers and railroads to go into the forest preserve and destroy the forest.

Senator Langbein's bill to change the qualifications for jurors, so that their having read evidence or newspaper reports shall not disqualify a juror, was considered. Senator Grady opposed it, and Senator Arnold made an able legal argument against the bill, as interfering with the rights of suitors and prisoners. The bill went over.

The Republican Assemblymen to-night met in caucus at the Capitol and discussed various important measures now before the Legislature. It was decided to accept the amendments to the Excise Commission bill suggested by the committee of which was appointed to perfect it, and to make the bill a party measure. The amendments are numerous, and include an increase in license fees over those proposed in the bill as first reported. The caucus also voted to make party measures of the Saxton Electoral Reform bill and the Weder Liquor Tax bill. An informal discussion was had on prison legislation, but no action was determined upon.

IS CARLE SHAW A BIGER MAN THAN YOUNG GRANT?

Mayor Grant was greatly astonished at the report of the action of the Assembly on his Rapid Transit bill, and characterized it as a remarkable step. He could not say any more until he had more particulars, but he thought that if the city were to be restricted to existing legislation the problem would be a very difficult one. But the authorities would have to do the best they could.

Mary Anderson's Company to England.

The thirty or more members of Mary Anderson's English theatrical company sailed for Liverpool yesterday on the Inman line steamer City of New York.

GALLAGHERS OF LONDONDERRY.

Philadelphia Descendants of the Refugee John M. Sue—Pacific Coast Descendants.

A curious case, the moral of which is that it pays to keep your family tree in the house, was before Judge Beach and a jury in Part III. of the Supreme Court yesterday. It was a suit to oust John McKnight and Ann McCabe, lessees and tenants of the property at 34 Scammel street, this city, and to prove the title of the plaintiffs as against Susan Crooks and John Crawford, the landlords, who live in San Francisco. It was one of several actions relating to various properties owned by the late James D. Gallagher, a sea Captain. The story of the plaintiffs, as gathered from the papers and from the statements of their counsel, Col. O'Byrne, in court yesterday, is as follows:

In 1798 John M. Gallagher, a stalwart Irishman, was engaged in the Irish insurrection. After the battle of Vinegar Hill he and his comrades were pursued by the English soldiers. He found refuge in a house in his native town, Londonderry. For some hours the pursuit was so hot that he had to hide up the chimney. He got away on a fishing smack and came to America. He married a Catharine Gallagher, not a relative. They had two sons, James D. and John N. The former married a Catholic and the latter a Protestant.

The children of the latter, Rebecca, John N., Catharine L., and Thomas R. Gallagher, now of Philadelphia, are the plaintiffs in the present action. Capt. James D. Gallagher, their uncle, was a sailor and had no children.

Capt. Gallagher died in January, 1845, at Canton, China. He had two years previously made a will whereby his wife Ellen was to have a life estate in his property, and after her death it was to be equally divided between the heirs of John Grady and all the testator's relatives in the United States at the time the will was made, with the exception of John N. Gallagher, his wife, and her heirs and relatives. John N. was to receive a small annuity in case he was in want. His wife and children were cut off because they were not Catholics. The Grady's were relatives of the Captain on his mother's side.

Under this will Susan Crooks and John Crawford came into the Scammel street property. The plaintiffs' claim to it was based on allegations that they were the only relatives of Capt. James D. Gallagher on his father's side; that the refugee grandfather had no brothers or sisters, and that the Gradys mentioned in the will were dead. They charged the defendants with being interlopers.

The latter asserted that John M. Gallagher, the refugee, had among other relations a brother named Patrick, and that Patrick had come to America and married, leaving two sons and three daughters. One of the sons was the father of Susan Crooks, and Crawford alleged descent from one of the daughters.

A number of the plaintiffs were put on the witness stand yesterday, but could not testify very clearly upon the vital question whether John M. Gallagher had brothers or sisters. The Court ruled that they could not quote their father or mother on the subject, the former being dead and the latter interested.

At the close of the presentation of the plaintiffs' side, Judge Beach dismissed the complaint, holding that the provisions of the will disposed of the pretensions of the plaintiffs. The latter will appeal.

PLEASE SEND YOUR SCALP BY MAIL.

Did the Spellbinders Really Think that Johnson Would Do It?

Charles F. Johnson, the corresponding secretary of the Delmonico Spellbinders who pocketed the organization by having it incorporated while the members were in Washington tooting for Harrison and Morton, does not seem inclined to resign by request. He called on President Depew, a few days ago, and prayed for that full-blown Spellbinder's protection from the foles who want to turn him out of his $100-a-month place. Mr. Depew, Secretary J. F. Baker, Treasurer Elwell, and others had just signed this request and sent it to Johnson's Washington home:

Your resignation of the office of Corresponding Secretary of the Republican National Spellbinders' Association is hereby requested. Please put it in writing at once, and deliver all papers, lists, documents, correspondence, or other details in your hands connected with the affairs of the association to Mr. John F. Baker, or to Mr. Delmore Elwell, who have been this day appointed a committee from the Executive Committee to receive such documents pending the appointment of your successor.

Johnson disappeared after the Depew interview, and early in the week Mr. Elwell hazarded this telegram to Johnson at Washington:

Your immediate resignation is demanded by Messrs. Depew, Barker, Godwin, Baker, myself, and the other members of the Executive Committee. We give you three days to deliver all papers and settle accounts. My advice is to do it quickly and quietly.

Mr. Elwell said yesterday that Johnson had not replied to either the letter or the telegram. Mr. Elwell will go ahead and get the genuine Spellbinders incorporated.

Brennan's All Right.

Some one has started a story that "big Tom Brennan is in the soup," meaning that President Thomas S. Brennan of the Department of Charities and Correction will not be reappointed on the expiration of his term on May 1. There is nothing in the story. There is a little fun in the situation, however, as far as the big Commissioner is concerned, and he is being gently waved by his friends. It was noted after Tammany Chief Croker went South for his health that it was announced that Mrs. Brennan's physician had ordered her to seek the balmy breezes of the same region. She did not look as if there was anything the matter with her, but her husband must have been anxious about her, for he went down to see her very promptly. The message sent to Mr. Croker at Aiken, S. C., was thus to all appearances merely incidental. Yet there are those among the Commissioner's friends who tell him that they guess not, and ask him if he was uneasy about his office.

Jersey City Trying to Pay Its Taxes.

The Jersey City Board of Finance held a secret meeting yesterday morning to devise a plan to meet the demand of the county authorities for $500,000 back taxes. There is no money in the city treasury to meet the demand. It was agreed to issue bonds bearing interest at 4 per cent., but another meeting will be held to-night.

Real Estate Exchange Sales.

By R. V. Harnett & Co.:

Vesey street, 40, south side, 175.1 feet west of Church street, the three-story and four-story brick buildings, with lot 8x100. $40,000.

Beach street, 13, northwest corner of St. John's lane, the four-story brick dwelling, with lot 20x80. $14,000.

Vesey street, 18, north side, 231.3 feet west of Broadway, the five-story marble front store, with lot 25.1x100.9. $100,000.

Vesey street, 20, north side, 50 feet east of Church street, the five-story stone-front building, with lot 24.2x75.8. $70,000.

Barclay street, 19, south side, 263.9 feet west of Broadway, the five-story stone-front building, with lot 30x irregular 82.4x irregular. $164,500.

Barclay street, 12, a similar building as foregoing, with lot 25x100.10. $85,000.

Leonard street, 60, north side, 40 feet east of Church street, the five-story brick building, with lot 25x95. $70,250.

Church street, 251, east side, 40 feet north of Leonard street, similar building to foregoing, with lot 25x49. $55,000.

Charles street, 10, north side, 236.2 feet west of Green street, the four story brick dwelling, with lot 22x95. $14,000.

Madison avenue, 133, northwest corner of Thirty-first street, the four story stone-front dwelling, with lot 25x60.5x irregular. $67,500.

Nineteenth street, 116, south side, 200 feet east of Fourth avenue, similar house to foregoing, with lot 20x100.5. $32,000.

By William Kennelly & Brother:

East Seventeenth street, 214, south side, 170 feet west of Rutherford place, the two-story brick house, with lot 22x-0, foreclosure, $18,200.

By J. J. Smith:

Broome street, 195, south side, 80 feet east of Ridge street, the two-story brick dwelling, with lot 20x80, $7,000.

Third avenue, 735, east side, 40 feet north of Fifteenth street, the five-story tenement, with lot 19.10x45. $30,000.

West Fifty-sixth street, south side, 275 feet east of Tenth avenue, two lots, each 25x100.5, $7,775 each.

West 45th street, south side, 130 feet east of Eleventh avenue, four lots each 25x100.5, $8,750 each.

East 112th street, 127, north side, east of Fourth avenue, the three story dwelling, with lot 25x100.11, $8,250.

Also New Jersey property, comprising a two-story frame house, with six acres of land on road from Scotch Plains to Fanwood, $6,000.

By A. H. Muller & Son:

West Thirty-second street, 569, north side, 95 feet east of Ninth avenue, the four story stone-front dwelling, with lot 20x98.9, $17,200.

East Eighty-first street, 237 and 239, between Second and Third avenues, the two-story four story brown stone apartment houses, $17,000 each.

Edgecombe avenue, corner of 140th street, four lots, each 25x100, $4,000 each.

By J. Thomas Stearns:

East 170th street, southeast corner of Fulton avenue, the one-story frame house, with plot of land 114x110x irregular, $12,750.

East 172d street, 748, south side, 120 feet east of Washington avenue, the two story frame house, with lot 17.6 x irregular, $8,250.

West Forty-third street, 133, south side, 383.4 feet west of Sixth avenue, the four-story brick dwelling, with lot 20.10x98.9, to J. J. Phillips, $27,000.

Second avenue, 310 and 312, west side, 19.7 feet south of Twenty-eighth street, the five story brick building, with lots each 19.3x60.9, $65,100.

Court Calendars This Day.

SUPREME COURT—GENERAL TERM.—Recess continued. Chambers.—Motion calendar II. A. M. SPECIAL TERM.—Part I.—Case unfinished. Nos. 1395, 1207, 1036, 1402, 1403, 1404, 1405, 1406, 1407, 1408, 1409, 1410, 1411, 1412, 1413, 1414, 1415, 1416, 1417, 1418, 194, 1408. Part II.—Clear. Nos. 1428, 767, 1180, 1344, 1311, 1262, 1385, 1328, 1223, 1148. Adjourned until Monday, March 25.

SUPREME COURT—TRIAL TERM.—Motions. Equity Term.—Part I.—Case unfinished. Nos. 2211, 2174, 2541, 1524, 2308, 2344, 2414, 476, 2368, 979, 2461, 2137, 2139, 2140, 2141, 2142, 2143, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184,