NOISE IN SMITH'S LAWSUIT.

BACON SLANGS ROOSEVELT—EX-MAJOR CALLS COYNE COWARDLY LIAR.

Law Point at Issue Was: Can the Courts Review the Dismissal From the National Guard of Clinton H. Smith, Who Was Major of the Seventy-first?—Decision Reserved.

Deputy Attorney-General E. P. Coyne moved before Justice Giegerich of the Supreme Court yesterday to set aside a writ of certiorari issued by Justice McAdam of the Supreme Court a few days ago to review the action of the Examining Board appointed by Gov. Roosevelt, which found that Clinton H. Smith, formerly Major of the Seventy-first Regiment, was unfit to serve in the National Guard of the State of New York. Major Smith was relieved from service by Gov. Roosevelt on this report. The proceeding gave Col. Alexander S. Bacon an opportunity, of which he availed himself, to make more of the flings at Gov. Roosevelt, which have characterized the litigation of Major Smith.

Mr. Coyne said that certiorari could not issue to review the acts of the Governor and the removal was his act. The Examining Board had been appointed to enlighten the conscience of the Governor, so that he could act advisedly, but the act of removal was the Governor's as Commander-in-Chief of the military forces of the State.

Col. Bacon raised the preliminary objection that the writ of review was made returnable in Albany county, where the papers to be reconsidered would have to be filed with the clerk of the Supreme Court and that the motion would have to be made in that department. He also made the point that the writ could not be quashed until the return of the writ.

Mr. Coyne said that the motion could be made where the writ was issued, regardless of the writ being returnable in Albany. The writ was comprehensive and required the filing of all testimony, evidence, rulings, offers, exceptions, decisions and proceedings of the Examining Board. That record, he said, would cost between $4,000 and $5,000, and there is no appropriation for such an expenditure.

"The only reason I can assign for the motion to set aside the writ," said Col. Bacon, "is delay. This officer, Major Smith, was dismissed by a star-chamber proceeding. The court that reported against him held only one meeting. It lasted but fifteen minutes. It was a secret hearing. We want to know with what we are charged. The tribunal took no evidence. It acted from its inner consciousness. If that kind of a proceeding is legal and is to be sustained by the courts we may as well move to Russia. We are willing to meet men in the open, but we object to being shot in the back. We object to being shot at from ambush. We object to the bushwhacking methods which we have been subjected to in this case. We have been shot at from ambush long enough and now want our foes to come out in the open and we will meet them."

"I don't know what Col. Bacon means by this diatribe," said Mr. Coyne. "We will supply the records at any time if it is so held, and we will abide by the decision of the Supreme Court. But if Col. Bacon insists on his technical objection we cannot meet him on the merits. We want to know whether we can be compelled to file documents in court which have been filed in the office of the Adjutant-General in Albany and in a kind of proceeding which the courts have already held to be invalid."

Justice Giegerich asked if Col. Bacon would waive his technical objection and he refused, so the Judge said he would not hear the merits of the motion, but would reserve decision on the objection. Counsel went out into the hall and returned in a few minutes saying the technical objection of Col. Bacon had been waived. Mr. Coyne then said in part:

"I do not belive the time has come when the civil courts are going to issue orders to interfere with the action of the military courts in the performance of their regular and lawful acts in dealing with military affairs and military offenders. I do not believe that the civil courts will attempt to interfere with the Governor as Commander-in-Chief of the military and naval forces of the State. It would be a serious matter for the civil courts to interfere with military tribunals."

Col. Bacon said that he did not contend that discretionary acts of the Governor can be reviewed, but he held that the Governor's acts can be considered when they are based on improper evidence or on no evidence at all. In reply to a question of Justice Giegerich, Col. Bacon said:

"What we seek is to nullify the action of this board and thereby nullify the action of the Governor in dismissing Major Smith. It is a mistaken idea that the Governor can arbitrarily dismiss an officer. It is a mistaken idea that the President of the United States can remove a military officer without the instrumentality of a court-martial. A military officer under the State or United States Government has just as fixed a position as has your honor. The Seventy-first Regiment did its duty at San Juan Hill. Unlike other regiments, they did not have a staff of newspaper reporters with them to chronicle their glorious action and boom them. They did not send an Adjutant back to exploit the acts of their Colonel and Lieutenant-Colonel. Contrast the showing made by the Seventy-first and that of the Rough Riders. Which is the best?"

Mr. Coyne objected to this line, but Col. Bacon took a fresh breath, saying he was confining himself to his affidavits, and launched out further against Gov. Roosevelt and the Rough Riders. When he spoke of Gov. Roosevelt as his "august Majesty," he was called down by the Judge.

"Major Smith and the Seventy-first Regiment were shot at, and did not hide behind hills as did the Rough Riders. We are told of the valor of the Rough Riders at the famous charge of San Juan Hill. Was it a brilliant charge? Hidden behind two hills, out of range of the bullets, it took the Rough Riders hours to capture a beer-handful of Spaniards. The Rough Riders were shot at. Oh, yes, but the Spaniards had to shoot at them through two hills. The Rough Riders did not come to the front until the soldiers of the Regular army had put the enemy to flight. Major Smith did what he was ordered to do at San Juan Hill. He was shot at for many hours, a soldier fell dying from the enemy's shot on Major Smith's breast, yet he does not wear a hat turned up on one side."

Col. Bacon said that his client had not been permitted to give evidence before the Examining Board. He continued:

"After its report was ready we were allowed to go to Albany and let the glorious Governor talk to us for an hour—sent to come to Albany on a fool's errand." At another time he said:

"I am reminded that the report is said to have been made by honorable men, but I am reminded, too, that Brutus was an honorable man, yet Brutus stabbed Cæsar."

Mr. Coyne said he was sorry that Col. Bacon was not better informed about the case. He said the prior Court of Inquiry had been appointed at the request of Major Smith "after he had been branded as a coward by the officers of his regiment, a charge that had been given to the world. The Court of Inquiry in its report found that the men of the Seventy-first Regiment, had they not been led by cowardly officers, would have fought as honorably and bravely as did the other soldiers of our army on that occasion. The Court of Inquiry, appointed at the request of Major Smith, exonerated the men of the Seventy-first Regiment, and found that officers of that regiment were cowards."

"That is not so," broke in Mr Smith, who sat near his counsel, "and I defy you to show me anything of that sort in the findings or report of the Court of Inquiry."

"It's all there," said Mr. Coyne.

"And you are a cowardly liar when you say so," replied Smith.

Justice Giegerich hammered for order and Mr Smith, rising said he begged the Court's pardon. Mr. Coyne, without heeding the remarks of Smith, proceeded:

"I believe that this entire proceeding was begun for the express purpose of affording to Col. Bacon an opportunity to utter his vile, slanderous and cowardly accusations against honorable men, against men whom the country loves to honor for their valor at the battle of San Juan Hill."

Col. Bacon said that this sounded like another stump speech of Gov. Roosevelt, and again referring to the Brutus episode said, "They are all honorable men." He was cut off by Justice Giegerich, who reached for the papers, saying he had heard enough. He reserved decision.

Mr. Smith said afterward that he had told Mr. Coyne that he would hold him personally responsible for saying that the Court of Inquiry had found that officers of the Seventy-first Regiment were cowards.

DEATH OF AN OLD ENGINEER.

The Blowing of a Safety Valve in a Cellar Discovered It to Other Employees.

John Bowles, 58 years old, of 15 Mill street, Brooklyn, was found dead in the sub-cellar of the building at 44-46 Crosby street yesterday, at the foot of a ladder which he had climbed several times a day for the last twenty years. Some of the other employees heard the sound of escaping steam, and on going into the sub-cellar they found Bowles, who was the engineer in the building, lying dead at the foot of the ladder. The steam was blowing from the safety valve. Bowles had complained of attacks of dizziness for several weeks, and it is supposed that he fell to his death as he was climbing the ladder.

FARMER FARGO BUNCOED.

He Bought a Worthless Check for $450 of a Stranger for $25.

ROCHESTER, Aug. 1.—Joshua C. Fargo of Cuba, N. Y., did not have any gold brick in his hand, but he had every other evidence of having consulted with a bunco steerer when he approached M. E. Wolf, a prominent insurance man, at the Four Corners this afternoon. He held in his fingers a check for $450, which he said he had just bought from a man he did not know for $25. The check was drawn on the Traders' National Bank, was signed by Kiley, Sterin & Co. and made payable to Ellis V. Stewart. Mr. Wolf knew instantly that the old man had been swindled, and so it proved. Fargo came into town this afternoon and Stewart met him near the station. Fargo had his money in a satchel.

"I aint goin' ter let any feller pull this away f'm me," he told Stewart confidentially.

The bunco man told Fargo about selling out a sawmill, and how he needed a little money to tide him over. So glibly did he talk that when they halted for a few minutes at the Four Corners, the most central spot in the city, Fargo stood entranced.

"I've got a check here for $450 that I'll give as collateral security for $25," said Stewart. "You stand here and I'll come back in a few minutes and pay you back, and a good bonus besides."

Fargo counted the money out and stood about the entrance to the Powers block for an hour, but Stewart did not appear. Fargo was hunting for the Traders' Bank when he met Mr. Wolf. The insurance man saw what was up and invited the old man into his office while he sent a clerk to the bank. Kiley, Sterin & Co. had no account there. The police were notified, but the man took a fast train for the East before officers could be detailed. Fargo is 70 years of age and is a retired farmer. He is wealthy. He says he "wan'ts ter invite thet feller into a hoss trade and git even."

PRIVATE EAST RIVER TUNNEL

Backed by London Capital—Rapid Transit Commission Objects.

The application of the New York and Brooklyn Union Transportation Company and the New York, Brooklyn and Jersey City Rapid Transit Company for permission to construct a tunnel under the East River was again up before the State Railroad Commission at its session in the Fifth Avenue Hotel yesterday. No decision was reached, owing to the request of Albert B. Boardman, counsel of the Rapid Transit Commission, for time to enable Alexander A. Orr, President of the Commission, to prepare an affidavit setting forth the plans of the commission with reference to a tunnel to Brooklyn to be built by the city. Mr. Boardman argued against the granting of the application, because the Rapid Transit Commission had not yet determined what to do.

George Wilson, managing director of the Eastern Contracting Company of Dublin, Ireland, made a statement concerning the financing of the scheme. The Eastern Contracting Company is back of the New York corporations making the application. Mr. Wilson said it was capitalized for $9,000,000. One of its directors was Lord Aldenham of the London banking house of Gibbs & Co., and a director in the Bank of England. Mr. Wilson's estimate of the cost, including terminals, was $30,000,000, $20,000,000 for the Brooklyn side and $10,000,000 for the New York side. He thought the tunnel should be completed in five years.

At the afternoon session of the commission the application of the Metropolitan Street Railway Company for the new Elm street branch to its Madison and Fourth avenue lines came up. Brian G. Hughes and Thomas A. Fulton opposed it. The hearing was postponed.

To-day the commission will hear the application of the Fifth Avenue stage line for an extension of its route over streets not occupied by car lines.

MILK WAR REVIVED.

Five States' Association Threatens to Cease Sending Milk Here.

It was said yesterday that a crisis is imminent in the disagreement between the Five States' Association of milk producers and the New York milk dealers. The threat of the Five States' Association not to send milk to this city unless it obtained the adoption of permanent and satisfactory prices, it was stated, was to be carried out immediately. The dealers declared that they were ready for the boycott, as they call it, and expressed confidence in their ability to procure all the milk they need from dealers not in the Five States' Association. The association's agents in turn declare that the dealers will find this impossible, as a number of the larger independent producers had about decided to engage in the manufacture of cheese, finding it more profitable to do so under offers recently made by the cheese commission merchants than to send milk to this city at the prevailing rates.

William Graves of Flint & Co., the New York representatives of the Five States' Association, said yesterday the association had notified the dealers that unless its demand for a 2½ cent a quart rate for August was complied with the association would withhold its supply. Mr. Graves declared that the supply of milk was less now than when on May 1 the association first asked for an adjustment of rates. At that time 7,000 cans a day were withheld from the city by the association. Weather conditions had greatly reduced the output, he explained and the supply was further decreased by the large purchases of milk condensing factories. Another reason he gave for the comparative scarcity of milk was the fact that the State Board of Health has been unusually active against milkmen who water their supply.

Former Pulp and Paper Mills of Singerly Sold.

ELKTON, MD., Aug. 1.—The Singerly Pulp Mills, situated in Elkton, and owned by the Southern Pulp Company of Delaware, were to-day purchased by the Kensmore Pulp and Paper Company of New Jersey. The price is $150,000. The Singerly Paper Mills in Providence, four miles north of Elkton, owned by the Elk Paper Company, were also purchased by the Kensmore company. The price paid is said to have been $200,000.

REAL ESTATE NEWS.

A suggestive feature of yesterday's brokerage news was the number of transactions involving constructional work in the common type of flats and tenements. Possibly, however, this was merely a fortuitous circumstance. At any rate one day's dealing is not sufficient to establish a new tendency in the market, and any considerable immediate increase of activity in building loan and speculative building operations of the kind reported yesterday is not generally looked for.

The announcement that George E. Wilson, who recently bought the northeast corner of Broadway and 112th street, a plot 100x100, will build, at a cost of $250,000, from plans by Neville & Bagge, a high-class seven-story apartment house without stores is very gratifying in its bearing on the future development of the Morningside Heights section of the Boulevard. The one modern apartment house in the section contains stores, which have not proved an unqualified success, and it is becoming apparent that the avenue is to be developed along exclusively residential lines. Agents say that the demand for private dwellings and high-class apartments justifies some building on Morningside Heights. On the Boulevard itself the only possible disadvantage of building at the present time is the fear that the excavations for the underground railway, which have already been begun at 116th street, may keep away prospective tenants. But, as a matter of fact, very little actual inconvenience is likely to result from the construction of the tunnel, inasmuch as excavations may not exceed 200 feet in length and may not be kept open for more than thirty days. The Riverside and Morningside Heights Property Owners' Association, which has been very active in matters of local concern, may be trusted to see to it that the terms of the construction contract are strictly observed, particularly as the Secretary of the association, Charles E. Schuyler, has a professional interest to conserve. The President, Prof. Burdick, represents the interests of Columbia University, which will be a further assurance of much weight.

Janpole & Werner have sold to a builder five lots on the south side of 101st street, between First and Second avenues, on which five six-story tenements will be erected. This transaction completes the sale of the plot of thirteen lots bought a year ago by Janpole & Werner from Edmund Coffin.

The plot 100.11x100 at the northwest corner of Park avenue and Ninety-eighth street, with four unfinished five-story flats, has been sold by Henry Russell for Sonn Brothers and Adler & Hermann to a firm of builders.

St. Matthew's Lutheran Church has sold to Gordon, Levy & Co. the block front, 200.3x50, on the north side of Canal street, between Forsyth and Eldridge streets, with old three, four, and five-story brick buildings.

No. 125 Columbia street has been sold by Morris P. Joachim to Ida Goldman.

John R. Davidson has sold for Mrs. S. J. Witherell to Charles H. Benner the five-story single flat No. 88 West 103d street for $23,000, taking in part payment the three-story private dwelling No. 136 Manhattan avenue.

The Borough Realty Company (Boehm & Boehm) has sold to John J. Steinman for improvement the plot on the west side of Third avenue, between 173d and 174th streets, 50x128, and to Frank Mezger the plot on the west side of Brook avenue, just south of Wendover avenue, 100x40.

No. 346 West 121st street, a three-story and basement brownstone dwelling, on a lot 15x100.11, has been sold by Porter & Co. for Edward S. Simon.

The southeast corner of Wall and Hanover streets, conveyed yesterday by a referee's deed to the Wall and Hanover Street Realty Company, at $875,000, was sold some time ago in partition of the estate of James Brown, and comprises the antiquated banking quarters of Brown Bros. & Co. The property, it was understood at the time of the sale, was bought in by the heirs, who probably constitute in whole or in part the Wall and Hanover Street Realty Company, concerning which no particulars could be obtained last night from the referee, Charles A. Runk. Possibly a new building may be contemplated. A mortgage to secure $440,000 in bonds, expiring in 1910, was given by the realty company to the Commercial Trust Company of New Jersey.

Auction Sales.

BY BRYAN L. KENNELLY.

Washington avenue, Nos. 1681 to 1687, northwest corner of 173d street, 100x90, four four-story brick flats; to Solomon Littenberg for $67,146; due on judgment, $5,474; subject to taxes, &c., $150; subject to mortgage, $65,000.

BY WILLIAM L. KENNELLY.

Robbins avenue, east side, 79 feet north of Dater street, 150x100, vacant; to Iram Fobes, for $16,137; due on judgment, $10,604; subject to mortgages, $11,000.

BY PETER F. MEYER.

Emerson street, northeast corner of Post avenue, 100x100, vacant; to the defendants, Max Marx et al, for $4,400; due on judgment, $4,124; subject to taxes, &c., $94.

142d street, No. 619, north side, 260 feet west of Boulevard, 14.6x99.10; three-story stone front dwelling, to the plaintiff, J. J. Mayer, for $8,000; due on judgment, $9,370.99; subject to taxes, &c., $25.

Amsterdam avenue, No. 2112, southwest corner of 165th street, 27.11x100, five-story brick flat; to the plaintiff, German Savings Bank for $38,000; subject to rights of Fannie L. Strouse, &c.; due on judgment, $36,274; subject to taxes, &c., $1,214.40.

To-day's Auction Sales.

BY D. PHŒNIX INGRAHAM.

Lexington avenue, No. 636, northwest corner of Fifty-fourth street, 20.5x70, five-story brick flat; Michael L. Begley vs. John J. Buckley et al.; William H. Stockwell, attorney; Adrian H. Larkin, referee; due on judgment, $26,440; subject to taxes, &c., $514.12.

BY PETER F. MEYER.

112th street, Nos. 4 to 12, south side, 100 feet west of Fifth avenue, 150x100.11, five five-story brick flats; William H. Busk vs. David Seglin et al.; Edwards & Bryan, attorneys; John B. Rogan, referee; due on judgment, $59,560; subject to prior liens, taxes, &c., $28,629.94.

Real Estate Transfers.

DOWNTOWN.

(South of Fourteenth st.)

13th st, n s, 219 e 1st av, 25x103.3; Francis Marx to Jennie Goldstein, r s 50c. $1
Stanton st, n s, 33.4 e Cannon st, 66.8x75; Hyman Adelstein and ano to Hulda Wittner, r s $30, mtge $69,000. 1
Henry st, s e cor Jefferson st, 23.10x75; Abraham J Dworsky to Martin Engel, r s $18, mtge $40,000. 1
Leonard st, 159 161, 43.1x irreg; John A Deraismes and ano to John Simmons, q c, r s 50c. 1
Lewis st, 111, 20x100; Morris Stern to Rachel Shapiro, r s $5, mtge $14,450. 17,500
Allen st, 123, 25x87.6; Simon Engel to Esther Phillips. 26,000
Houston st, 366, 20x51.4; Louis Schott to Sussman Volk. 1,900
7th st, s s, 318 e Avenue B, 25x90.10; William and Julius Bachrach to Julius and Max Wyndsteit, r s 1, mtge $15,500, recorded. 1
Chatham sq, 22, 17.3x60.10x16.2x63.3; H J Morris to M B Philipp, r s $4, mtge $12,000. exch
Avenue D, n e cor 13th st, runs n to 14th st x e to e s Tompkins st x s to 13th st x w; Charles A Runk, referee, to East River Realty Co. 200,000
Wall st, s e cor Hanover st, runs e 57.8x s w 114.1x w 7.5x n 1.2x w 4.10x s w 4.11x n 0.4x w 35.2x n Hanover st x n 127.3; Charles A Runk, referee, to the Wall and Hanover St Realty Co. 875,000
Monroe st, 76, s s, 25x82.3x25x82.1; Esther Levin and ano to Bernhard Mayer and ano, r s $10, mtge $5,000. 1
Rutgers pl, 34, e s, 25.7x125.5x25.7x125.11; Jonas Weil and ano to Esther Levin and ano, r s $21.50, mtge $35,000. 1
Allen st, 20, e s; William Johann to Louis Reichow, ½ part. 1
Same property; Rose Johann to same, ½ part. 1
Same property; Louis Reichow to William Johann and wife, ½ part. 1
Eldridge st, 70, e s, 19.2x50.8; Edward Kochkeller to Benjamin Kutner and ano. 16,000
Ridge st, 56, e s, 25x100; Ann Warner to Walter E Warner, r s $18. 1
Avenue C, n e cor 11th st, 26x83; Mariane Reich and ano to Albert J Robertson, r s $2. 1
West Broadway, 471, 25x100; Meyer J Wohlgemuth to Charles A Chesebrough, r s $30. 100

EAST SIDE.

(East of Fifth av, between Fourteenth and 110th sts.)

87th st, 110 E, 28x100.8; Bessie Auerbach to Frederick W Wichmann, r s $5, mtge $25,000. $1
53d st, 238 E, 20x100.5; Hulda Wittner to Hyman Adelstein and ano, r s $2.50, mtge $10,000. 1
Beekman pl, w s, 38 n Mitchell pl, 19x80; Hulda Wittner to Hyman Adelstein and ano, r s $2, mtge $11,000. 1
103d st, 220 E, 25x100.9; Nellie Sturman to Sarah Katz, r s $5, mtge $8,000. 1
87th st, 103 E, 28x100.8; Bessie Auerbach to F W Wichmann, r s $3, mtge $22,000. 1
30th st, n s, 214.5 e 3d av, 14.3x68; Charles A Chesebrough to Meyer J Wohlgemuth, r s $9. 100
2d av, 656, 24.8x100; also 34th st, 338 340 E, 46x98.9; Sarah Corcoran to Martin Diehl et al. 12,000
89th st, s s, 225 e 2d av, 25x100.8; Maria Pries to Herman Loden and wife. 17,350
87th st, 554 E, 17.2x59.7x17.2x59.4; Hannah S Kenny to Joseph Blumenthal, r s $2.50, mtge $4,000. 100
73d st, 155 E, 17x102.2; Joseph N Goldbacher, exr and trustee, to William Goodman, r s $9. 9,000
Madison av, s e cor 99th st, 100.11x100; Joseph C Levi, referee, to August Oppenheimer, mtge $50,000. 5,000

WEST SIDE.

(West of Fifth av, between Fourteenth and 110th sts.)

84th st, n s, 119 e Columbus av, 18x102.2; Ella A Gregg to Eliza E Madigan. $24,100
87th st, n s, 162.6 w Amsterdam av, 31.3x100.8; Rachel Axelrod to Joseph W and A Alonzo Teets, r s $7, mtge $36,000. 1
87th st, n s, 193.9 w Amsterdam av, 31.3x100.8; Thomas Allen to Joseph W and A Alonzo Teets, r s $9, mtge $36,000. 1
81st st, s s, 100 w Amsterdam av, 37.6x102.2; Robert Sanford to Emma C Smith, r s $90. 1
9th av, w s, 40 n 47th st, 25x85; Caline Senn to Emma M Schurr, 1-6 part, all liens, r s $1. 1
Amsterdam av, n w cor 103d st, 75.11x100; F F Woodward to James N Smith, r s $63, mtge $10,000. 1
31st st, 361 W, 18.9x98.9; Gilbert Kuh to George W Thomson, r s $14. 100
103d st, 88 W, 20x100.11; Susan J Witherell to Yale D Benner, r s $4, mtge $19,000. 1
101st st, s s, 303 e Amsterdam av, 25x100.11; 10th av, e s, 60.3 n 49th st; Elizabeth Marx et al, exers, to George Krumwiede. 1
21st st, s s, 270 w 5th av, 25x92; Sarah K Cowdin to John E Cowdin, r s $45. 100
88th st, n s, 153.4 e Amsterdam av, 16.8x100.4; Julia A Fox to Helen J Erickson, r s $4, mtge $14,000. 1
16th st, s s, 263.1 e 8th av, 19.7x103.3; August J de Kantstein to Robert B Roosevelt, Jr. 28,000
101st st, s s, 303 e Amsterdam av, 25x100.11; Charles Gruninger and ano, exers, to George Krumwiede. 20,500
Same property; Charles Guninger et al to same, r s 50c. 1
55th st, 357½ W, 15x100.5; City Real Estate Co to George W Thomson, r s $12.50. 100
98th st, s s, 290 e Amsterdam av, 20x100.11; William J A McKim, referee, to John Casey. 21,500
98th st, s s, 270 e Amsterdam av, 20x100.11; William J A McKim, referee, to John Casey. 21,500
106th st, n s, 200 w Manhattan av, 20x100.11; John H Rogan, referee, to D Willis James. 28,000
106th st, n s, 220 w Manhattan av, 30x100.11; same to same. 8,000
Manhattan av, 136, e s, 17x70; Yale D Benner to Susan J Witherell, r s $4, mtge $10,100. 1

HARLEM.

(Manhattan Island, north of 110th st.)

116th st, 116 E, 25x100.11; Francis Marx to Gussie Hessberg, all liens, r s 50c. $1
Park av, e s, 21.11 s 128th st, 25x70; Francis Marx to Gussie Hessberg, r s 50c. 1
3d av, 2091, 25x100; Solomon Abrahams to Abraham Greenberg. 26,000
121st st, 348 W, 15x100.11; Philip Teets et al, exers, to Rachel Axelrod, r s $105. 1
113th st, 310 E, 16.8x100; Salvatore Barone to Dominico Romano, r s $1, mtge $4,000. 1
2d av, e s, 60.10 n 115th st, 20x80; Sarah Katz to Mollie Weinberg, r s $2, mtge $10,000. 100
175th st, s s, 17 w Audubon av, 16.6x50; William D Sporborg, referee, to Frederick Bachmann. 7,000
111th st, n s, 479 w 5th av, 91x100.11; Maurice A Bursin and ano to John T Martin. 120,000
132d st, n s, 155 w Park av, 20x99.11; M Teresa McColgan to Sarah A Stembler, mtge $6,000. 1
Lot 108, map Van Nest Park; Ernest Diele to Eugenia F Diele, r s 50c. 1
148th st, n s, 125 e Brook av, 25x100; Julius Wolf to August D Krahmer. 5,000
164th st, n s, 166.8 w Edgecomb road, 25x139x25.3x136.1; Augustus Van Wyck, referee, to Herman Kountze et al, trustees, &c. 24,000
150th st, 527 W, 17x99.11; Howard A Crampton to Bernard Loth, all liens, r s $1. 1
150th st, n s, 400 e Boulevard, 36x99.11; 150th st, n s, 472 e Boulevard, 53x99.11; Henry A Loth to Bernard Loth, r s $1. 1
142d st, n s, 225 e Boulevard, 16.8x99.11; Walter L Day to Joseph Walker, Jr, r s 50c, mtge $12,000. 125
111th st, n s, 158.4 w 8th av, 33.4x100.11; Dora Scheer to Morris Kramer, r s $11.50, mtge $30,000. 1

BRONX.

(Borough of The Bronx.)

Lot 475, block P, amended map Mapes estate; William Nagle to Clifford Agan, r s $1, mtge $16,000. $2,500
Eagle av, 703, 19x99.3; Louis and John Brandt to Simon K Simpson, r s $1, mtge $5,500. 1
Burnside av, widened, s w cor Aqueduct av, runs s 445.8x w 812.5x n w 499.8 to av x e 92.2 to Aqueduct shaft x s 153x e 100x n 162.11 to av x e to beg; Charles Strauss, referee, to William F Havemeyer et al. 132,007
Brook av, 461, 24.11x99; John D Hassinger to Emma L Fraser, r s $5, mtge $15,000. 1
155th st, new, s s, 175 w Courtlandt av, 25x99.3 x25x99.4; Sadie Hyman to Adolph M Baumann, r s $7.50, mtge $13,500. 1
155th st, s s, 17.5 w Courtlandt av, 25x99.3; Adolph N Baumann to Columbia Mutual Building and Loan Association. 20,000
160th st, 578 E, 25x99; Philip Euler to Martin Klett and wife, r s $4, mtge $9,000. 1
Boulevard Lafayette, w s, 155.5 n centre 159th st, 32.1x46.7x26.7x39.11; Morell B Beals to Mary H Beals. 20,000
4th st, s e s, 240 n e Union av, 20x100; 4th st, s e s, 180 n e Union av, 60x100; Henry Kellus to Augusta Weller, all liens, r s 50c. 1
4th st, s e s, 160 n e Union av, 20x100; 4th st, s e s, 240 n e Union av, 20x100; Louis Cohen to Annie Campion, r s $6. 1
Aqueduct av, w s, 221.6 from a curve in said av, runs w 145x s 75x e 145 to av x n 75; Mary E Arnold et al, devisees, to Henry W Vogel and wife, r s $5. 3,000
Bradhurst av, e s, 25 s 148th st, 25x75; Lottie E Zwisler to Sarah Johnston, r s $2, mtge $11,500. 1
Beech av, 176, n e cor Dawson st, 20.3x81.7x19.10x77.8; Rose Wahlig to Hulda Hoppe. 10,800
Alexander av, w s, 85 n 136th st, 15x75; Henry Brown to James S Bryant, r s $1.50, mtge $6,000. 1
3d av, w s, 65.3 s Wendover av, 25x100; Claus Bosch to William Scheeff, r s $10.50, mtge $16,000. 100
151st st, n s, 400 w Morris av, 33.8x63.6x61.4x59.3; Sarah Johnston to Nellie A Murphy, r s $4, mtge $3,050. 1
4th st, s e s, 160 n e Union av, 20x100; Emily Van Meter and ano to Charles F Brooks, all liens, r s $3. 1
Road from Williamsbridge to West Chester, south of Bronx and Pelham Parkway; Margaret S Humphreys et al to Charles B Pearsall and Elizabeth A G Pearsall, partition deed, r s $250. 1
3d av, 3416, 26.6x100.7; Helen W DeRonde to Ernest E and Elizabeth Bohlen, r s $8, mtge $18,000. 1
Prospect av, 1342, 25x100; William T Lavelle to Patrick A Meehan. 8,000
114th st, s s, 140 e 2d av, 20x100.11; Charles Ehrlinger and ano to Maria A Forliano. 8,700

Recorded Leases.

11th st, 420 E; Hulda Friedman to Giuseppe Zaccaro, 5 yrs. $1,770
Third st, 70, Hungarian Congregation Beth Hamadrosh to Joel Berkowitz, 5 yrs. 800
Tremont av, 744; Joseph H Mahan, trustee, to Jacob Schwartz, 5 yrs. 900
6th av, 454 456; Helen R Astoin to Mouquin Restaurant and Wine Co (Ltd), 10 yrs. 4,000
3d av, 3091; Moses Barnett to Morris Alexander, 5 yrs. 600
Greenwich st, 68, store, &c; Nathan Laufer et al to Samuel Berger, 2 9-12 yrs. 720
75th st, 422 E; Vclav Nemeck to Charles Hartz, 1 yr. 240
107th st, 326 E, store; Michele De Santis to Carlo Totaro, 5 yrs. 360
71st st, 406 E; Hermina Beck to Anton Zastera, 5 yrs. 420
10th av, e s, 60.3 n 49th st, 20.1x64; Henry I. Morris et al, trustees, to Dorothea Grunlager, 20 yrs. 350
Southern Boulevard, n e cor 136th st; Ann Murtaugh to George Murtaugh, 5 yrs. 1,000

Recorded Mortgages.

DOWNTOWN.

(South of Fourteenth st.)

Avenue A, 109; Franciska Muller to William I. Flanagan, as managing director, saloon lease, demand. $2,000
Avenue D, 45 47; Meyer London to the Greenwood Cemetery, 5 yrs. 40,000
Avenue D, — to 14th st x — to Tompkins st; East River Realty Co to Coleman E Ristan, 5 yrs. 25,000
Rutgers pl, 18; Esther Levin and ano to Bernhard Mayer and ano, installs. 11,500
Fulton st, s w cor Greenwich st; Eliza C Fessenden et al to The Bowery Savings Bank, 5 yrs. 17,000
11th st, 811 E; Thomas Adelson and ano to American Mortgage Co, 3 yrs. 26,000
Same property; same to same, 1 yr. 3,000
Ewest, Cathrine, to Martin Steinthal. 34,000
Pearsall, Charles B, and wife to Anna M Hughes. 4,000
Hopkins, Ferdinand T, and wife to John F Schroeder. 7,500
Kruessler, Ludwig, to David Mayer. 7,000
Mehleiser, Emanuel, to Bernhard Schendlig. 1,000
McLoughlin, John F, to Gottlieb and Herman F Epple. 2,300
Pearsall, D'Anjou, and Nora F B Bergmann to Augustus Van Cortland. 5,000
Schaefer, John, to Mount St Vincent Cooperative Building and Loan Association. 5,500
Macdonald, Allan G, to Jacob Wicks. 5,000
Peyerl, Anton, to Louise Peyerl. 5,000
Hynes, Mary and Michael, to George D L and William Harrison. 10,000
Gragy, Annie E, to Hibbert B Roach. 1,600
Hartmann, Max, and wife to F J Middlebrook. 2,500
Jacobs, Elias, to Baron de Hirsch Fund. 14,000
Offenberg, Adolph, and wife to Alfred T Swain. 2,000
Knapp, Samuel T, to Dilinpha Grace Richardson. 10,000
Maurer, Bernhard, to Charles A Post. 16,000
Drechsel, Charles, and wife to Germania Life Insurance Company. 12,000
Drechsel, Charles, and wife to Germania Life Insurance Company. 12,000
Smith, Frank Leon, and wife to Matilda Ludlam. .....
Melaster, Johann Ludwig, and wife to Henry Chauncy. 15,000
Stevenson, Margaret S, to Mutual Life Insurance Company. .....

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		1	52	37
		10	23	91
		9	29	330
		7	31	273
		7	110	161
		10	24	414
		10	23	483
		2	99	262
		4	46	9
		6	74	198
		9	19	222
		4	31	142
		2	12	328
		5	90	185
		10	29	25
		A D	24	110
		11	39	409
		A D	23	105
		5	72	155
		9	32	346
		10	32	432
		5	70	60
		2	8	213
		1	54	155
		9	16	158
			2,156	280
			1,669	400
			1,669	396
			2,545	446
			2,198	331
			1 382	5

Wales av, s cor 145th st, new line; Charles H Zuck to Christian Paff, 5 yrs. 4,500
Cedar st, s e cor Forest av, new line; Wilhelm Stellwagen to John C Heintz and ano, excrs, &c, 1 yr. 2,500
Tinton av, w s, 344 n 165th st; Annie E Grady to Alice Biglin, 1 yr. 2 000
138th st, s s, at west bank of Mott Haven Canal; Olin J Stephens to Bowery Savings Bank, 1 yr. 34,000
Trinity av, 1045; Henry V Williams to Bowles Colgate and ano, trustees, 2 yrs. 3,500
Bradhurst av, e s, 25 s 148th st; Sarah Johnston to Nellie A Murphy, 1 yr. 1,500
Southern Boulevard, n e cor 136th st; George E Murtaugh to Bernheimer & Schmid, saloon lease, demand. 1,000
3d av, 3416, Ernest E Bohlen and wife to Enoch C Bell, 3 yrs. 5,000
3d av, w s, 65.3 s Wendover av; William Seiberff to Claus Bosch, 5 yrs. 8,000
Harrison av, w s, 100 s Mota av; Christina Paff to Philip Paff, trustee, 3 yrs. 1,500
Road from Williamsbridge to West Chester, e s, 1671 s Bronx and Pelham Parkway; also e s of said road, 3053 s Bronx and Pelham Parkway; also said road, w s, opposite above, and being known as Pearsall homestead, contains 6 257-1000 acres; Margaret S Humphreys et al to Max Erlanger, 3 yrs. 48,000
Road from Williamsbridge to West Chester, e s 1671 s Bronx and Pelham Parkway; Charles B Pearsall to Josephine A Thibout, 3 yrs. 25,000

Assignments of Mortgages.

Murphy, Joseph, Jr., to John F Kaylor. nom
Hellman, Myer, to American Mortgage Co. $8,000
Frisbie, Benjaminn F, to Oscar H Child, trustee. 3,000
Engel, Martin, to Hannah Leipziger. 1,750
Title Guarantee and Trust Co to North River Savings Bank. 27,000
Same to same. 25,000
Stewart, David, to Carl Kinkeldey. nom
Shepard, Burritt H, to Joseph C Levi, trustee. 10,000
Glauber, Emanuel, to Siegfried Wittner. nom
Knauth, Louise C, extrx, &c, to Charles F Bauerdorf. 3,500
Same to same. 1,500

Discharges of Mortgages.

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Allen, Thomas, and wife to Emma S Hahn	$3,000	4	67	178
Brothers, Mary, to Frederick J Middlebrook	5,500	1	41	228
Beals, John D, and wife to Carl Kindeldey	4,000	8	23	98
Beals, Morell B, to Carl Kindeldey	4,000	8	22	62
Beals, Morell B to Carl Kindeldey	4,000	8	23	30
Fishel, Aaron A, and wife to Helen Sonnborn	22,000	5	50	312
Lowenfeld, Pincus, and another to American Mortgage Company	1,000	1	58	83
Lowenfeld, Pincus, and another to American Mortgage Company	9,000	1	58	75
Rosenberg, Joseph, and others to Hyman Adelstein	6,000	2	101	298
Lopez, Berta, and others to August Ruff	.....	3	49	50
Rosenberg, Joseph, and others to Hyman Adelstein	6,000	2	101	95
Raymond, Gussie B, to Edgar Logan	500	7	109