WAYS IN THE ENGLISH COURTS

PHILADELPHIA LAWYER'S OBSERVATIONS IN LONDON.

Thomas Leaming Tells in a Book Just Published of Differences Between American and English Legal Practice —Process of Being Called to the Bar.

Thomas Leaming, whose book "A Philadelphia Lawyer in London Courts" has just been published, has many interesting things to say concerning English barristers, Judges, solicitors, &c. Mr. Leaming utilized successive holiday visits for his personal observation and investigation of English courts.

Barristers and solicitors are, as is well known, engaged in different branches of the practice of law, the former being restricted to court pleading and receiving only solicitors for clients, while the latter may seek and do business as they will. Traditionally the sons of gentlemen alone are admitted to the bar, but Mr. Leaming points out that this tradition has lost much force since the old days of Thomas Smith, who three centuries ago defined a "gent'leman" somewhat doubtfully thus: "They be made good cheap in this kingdom; for whosoever studieth the laws of the realm, who studieth in the universities, who professeth the liberal sciences, and, to be short, who can live idly and without manual labor, and will bear the port, charge and countenance of a gentleman, he shall be called master and shall be taken for a gentleman."

"Representatives of the best names in England," says Mr. Leaming, "are to be found on the barristers' benches side by side with selfmade men, some of whom have become ornaments of the bar, and with men of divers races, such as swarthy East Indians and Dutch South Africans. The same diversity of origin exists among the solicitors, for they are now in part recruited from those who formerly would have condescended to nothing less than the bar.

"Candidates for the bar are mostly university men, more mature in years than our graduates. Some take a full course in theoretical law at Oxford or Cambridge before beginning practical training as a student in one of the inns of court, which are peculiarly British institutions.

"Physically an inn of court is not a single edifice, nor even an enclosure. It is rather an ill defined district in which graceful but dingy buildings of diverse pattern and of various degrees of antiquity are closely grouped together and through which wind crooked lanes, mostly closed to traffic but available for pedestrians. The four inns of court, as distinguished from the Inns of Chancery and Serjeant's Inn, all of which are now obsolete, are the Middle Temple, the Inner Temple, Lincoln's Inn and Gray's Inn, but the last is of minor importance in these modern days, having fallen out of fashion.

"The halls of inns were once the scenes of masques and revels, triumphs and other mad orgies, in which the benchers, barristers and students took part. In these halls occur the stated dinners, to which in the Temple, at least, the porter's horn still summons. The members and students of the inn, arrayed in gowns, attend in procession and, entering the hall, seat themselves on long benches before oaken tables, the governing body, the benchers, being placed at one end where the floor is elevated.

"At the luncheon hour, when the courts take a recess, the most noted English advocates may be seen strolling in without removing their silk hats, sometimes without even having dispensed with wig and gown, when, seating themselves on the uncompromising oak, they call for a chop and beer and relax into jolly sociability.

"All of the barristers have their chambers in the obsolete little dwelling houses facing upon the open squares or narrow lanes of the inns, which are merely offices, but very unlike those of an American lawyer in one of our skyscrapers.

"Entering the front door by a low step, or climbing two or three flights of a rickety staircase in one of these houses, the visitor finds a door on which, or on a tin sign, are painted the names of one or more gentlemen, without stating their occupations, which would be superfluous in this small world of barristers. Ushered into the barrister's sanctum, one finds a meagrely furnished room, the walls masked with rows of books, the table, chairs and windowsills littered with papers. Amid all this a modern telephone looks quite out of place, and the American tries to avoid detection when his eye unconsciously steals to a wig hanging on a hook back of the barrister's chair and to a round tin box lying on the floor, which is for the transportation of the tonsorial armor when its owner travels on circuit.

"To the embryo barrister these inns possess lively interest, for he must enter one of them and not only thus gain access to the bar, but must ally himself to his choice for the balance of his life and look to it chiefly for future advancement. Formerly he had only to attend a single function, a dinner, during each term, and having 'eaten twelve dinners' he ipso facto became entitled to be called to the bar no matter how inadequate might be his knowledge of the law.

"In these less aristocratic and more prosaic days, however, he is obliged to apply himself to study and to pass from time to time regular and strict examinations prescribed by the Council of Legal Education. The term of study is not less than three years, and twelve terms, four in each year, must be kept at the inn, the evidence of which is still the fact of dining in the hall six days during each term, although members of the universities of Oxford and Cambridge need dine but three days in each term.

"The total fees payable by a student amount to about £140, and women, be it observed by progressive ladies, are not eligible for the bar in England.

"Having passed the necessary examinations the young barrister is finally 'called to the bar,' a ceremony which consists in his attending court on a certain day, where, seated with other neophytes, he is addressed by the Judge, who has of course been posted in advance, as follows: 'Does Mr. ——— move?' To this the young barrister bashfully assents, though naturally he has no real motion to make. By this brief colloquy he has at once been translated from the student to the barrister.

"Solicitors are created by entirely different methods, as there are no inns nor any similar organizations for students. There is a preliminary examination to determine whether the boy who desires to become a solicitor has sufficient general education. If so, he is apprenticed for a period of five years to some practitioner, for which privilege he pays a sum of money, say from 100 to 400 guineas. There are official fees too amounting to about £130, so that, as he receives no compensation during his five years apprenticeship and meantime must be supported by his people, the cost of entering the solicitor's calling is not inconsiderable.

"He begins by copying papers and at the same time pursues his legal studies. His progress as a law student is ascertained by an intermediate examination held under the direction of the Solicitors' Incorporated Law Society, and a final one determines whether he has acquired sufficient knowledge of the law to be admitted to practice. If shown to be qualified he is admitted by the courts, and is thereafter subject to the discipline of the society and to that of the courts themselves."

The young barrister, recounts Mr. Leaming, must first become a "devil" to some junior barrister, the regular and serious appellation of a young barrister who, in cap and gown, serves for from five to seven years without compensation or fame, for his name never appears. He studies up the case for the junior, in general supplying the ammunition. The junior, who has graduated from the rank of "devils" and has his own clientele of solicitors, generally has one or more conferences with the solicitor, occasionally sees the person he is to represent, and, very rarely, an important witness.

If a K. C. (King's counsel) is employed the junior at the trial merely opens the pleadings as briefly as possible, for the K. C. really opens the case, usually at great length. Then he lets the junior call the witnesses while he may go away to conduct another case elsewhere. A busy leader, as a K. C. is called, may thus have several cases going on at once, visiting one and another to cross-examine important witnesses.

After a "devil" gains some identity with the solicitors, "on his own," he becomes a junior himself, taking cases. When he reaches a certain degree of prominence the next step is to "take silk," a term given to the process of becoming a K. C., from the fact that a King's counsel's gown is made from silk instead of cotton.

"Whether or not to 'take silk' is a critical question in the career of any successful barrister," says Mr. Leaming. "As a junior he has acquired a paying practice which must be abandoned because the etiquette of the bar does not permit a K. C. or leader to do a junior's work, and he must therefore hazard the fitful fancy of the solicitors when selecting counsel in important cases. Some have taken silk to their sorrow, and many strong men remain juniors all their lives, trying cases with K. C.s and leaders much younger than themselves.

"They tell this story in London: A certain Scotch law reporter, recently dead, noted for his shrewdness and good judgment, having been consulted by a barrister whether to 'apply for silk,' advised him in the negative but declined to go into particulars. The barrister renewed his inquiry more than once, finally demanding the Scot's reason for his advice.

"The latter reluctantly explained that the barrister had a good living practice which he would be foolish to give up. Being further pressed he finally said:

"'In many years observation of the bar I have learned that success is only possible with one or more of three qualifications: that is, a commanding person, a fine voice or great ability, and I rate their importance in the order named. Now, with your wretched physique, penny trumpet voice and mediocre capacity I think you would surely starve to death.'

"The barrister did not 'apply,' but never spoke to the Scotchman again."

Attention has often been called to the statement that England has a much smaller proportion of lawyers than the United States, but Mr. Leaming is not so sure on this point.

"We have no national bar with which to institute a comparison," he says. "The English bar is small and the business very concentrated, but no statistics are available, for many are 'called' who never practise. It seems that the legal business of the kingdom is handled by so small a number as from 500 to 800 barristers, although the roll of living men who have been called to the bar now includes 9,970 names.

"An enumeration of the solicitors' offices would exclude individual solicitors employed by others. The aggregate of these two uncertain elements would be, however, about 27,000. The legal directories give the names of something like 95,000 lawyers in America, of whom 27,000 appear in fifteen large cities, New York being credited with over 10,000, Chicago with over 3,500 and San Francisco with about 1,500. These tentative suggestions rather indicate that the proportion of lawyers may not be very unequal in the two countries.

"The fees are matter of guesswork. At the fireside in chambers in Lincoln's Inn one may hear a discussion as to how many earn £2,000, and a doubt is expressed whether more than three men average £5,000. The fees of common lawmen, while larger, are equally matter of guesswork.

"One hears of the large earnings of Judah P. Benjamin a generation ago, and R. Barry O'Brien in his life of Sir Charles Russell quotes from his fee book yearly showing that the year he was called to the bar he took only £117, while thirty-five years later, in 1894, just before he was elevated to the bench, his fees for the year were £22,517. For the ten years preceding he had averaged £16,842 and for the ten years before that £10,903. It seems to be the general opinion of those well informed that the most distinguished 'leader' may at the height of his career take 20,000 to 25,000 guineas.

"Barristers' fees are of course for purely professional services and do not come within the same category as the immense sums one occasionally hears of being received by American lawyers, as a rule for success in promoting, merging or reorganizing business enterprises. The fees of English barristers are practically all gain, as there are no office expenses worth mentioning.

"Partnerships, which are common between solicitors, are unknown to barristers, and anything approaching them would be the subject of severe discipline. In order to appreciate the abhorrence of partnerships it is necessary to bear in mind the fact that the great science of the law is to the barrister strictly a profession, having no affinity to a business or a trade. No barrister can have the slightest personal concern in the interests which he advocates, his fees never being contingent, nor is he ever permanently retained by salary or otherwise.

"Solicitors are not hampered by the same considerations of delicacy and etiquette, but may seek employment. The profits of a large firm of solicitors are very great. Much of the money, however, is made in the transaction of business which is not of the profession at all, such as the promotion of enterprises, the flotation of companies, just as there is a class of American lawyers pursuing the same lines."

The dress of barristers is rigidly prescribed, even to the "weepers" of leaders, a six inch white lawn cuff dating back before the days of handkerchiefs, and the coat worn beneath the gown, that of a K. C. being a court coat or morning coat cut, fastened with hooks and eyes, while the junior's is a frock coat. And of wigs Mr. Leaming has much of interest to say:

"The barrister's wig for his ordinary practice in the high court has a mass of white hair standing straight up from the forehead as a German brushes his. Above the ears are three horizontal, stiff curls and back of the ears four more, while behind these are five finished by the queue, which is divided into tails reaching below the collar of the gown.

"There are bright, shiny, well curled wigs; wigs old, musty, tangled and out of curl, some are worn jauntily, producing a smart and sporty effect; others look like extinguishers. So grotesque is the effect that it is difficult to realize that these men are not mummies in some pageant of modern London but that they are serious participants in grave proceedings.

"When arguing a case in the House of Lords the barrister has recourse to an extraordinary headdress which is precisely the shape of a half bushel basket with the front cut away to afford him light and air. This hanging below the shoulders has an advantage over the Lord Chancellor's wig in being more roomy, so that the barrister's hand can steal inside of it if he has occasion to scratch his head at a knotty problem, whereas his Lordship in executing the same manœuvre inevitably sets his awry and thereby adds to its ludicrous effect.

"To the unaccustomed eye the wig at first is a complete disguise. Individuality is lost in the overpowering absurdity and similarity of the heads; the bar seems composed exclusively of old gentlemen of identical pattern. By degrees differences between individuals emerge from the first impression, such as blond hair above a sunburned neck peeping between the tails of a queue and suggesting the trout stream and cricket field.

"Wigs were introduced in the courts in 1670 and were formerly made of human hair. About 1822 a wigmaker, who may be regarded as a benefactor of the profession, invented the modern article, composed of horsehair in the proportion of five white strands to one black, so made as to retain its curl without grease and requiring no powder."

The bag of an English barrister which, large enough to hold wig and gown and briefs, suggests a clothes bag, is also an important adjunct. It is always borne by his clerk and its color is of deep significance.

"Every young barrister starts with a blue bag," says Mr. Leaming. "At last he succeeds in impressing a venerable K. C. by his industry and skill in some case, whereupon one morning the clerk of the K. C. appears at the junior's chambers bearing a red bag with his initials embroidered upon it, a gift of the great K. C.

"Thereafter he may be pardoned for having his clerk follow him closely for a while so there may be no mistake as to the ownership. Custom requires him to tip the K. C.'s clerk with a guinea, and further exacts that the clerk shall pay for the bag, which costs nine shillings and sixpence; thus, by this curious piece of economy, the clerk nets the sum of eleven shillings and sixpence and the K. C. is at no expense.

"Solicitors wear no distinctive dress, except a gown when in the county court, but attire themselves in the conventional frock or morning court and silk hat which is indispensable for all London business men. They all, however, carry long and shallow leather bags, the shape of folded briefs, which are usually made of polished patent leather."

The Philadelphia lawyer describes one curious custom at the Central Criminal Court, popularly known as the Old Bailey, which survives the far from amusing conditions there in the days of Newgate and Fleet Prison.

"The visitor's eye," he says, "will first be arrested by a small heap on his desk of dried aromatic herbs and rose leaves. He will discover similar little piles on the desks of the presiding Judge and sheriffs, and will also observe that the carpet of the dais is thickly strewn with the same litter.

"Vaguely it is suggested that the court room has been used over night for some kind of a horticultural exhibition and that the sweeping has been overlooked. Later his astonishment is redoubled when enter the sheriffs and the Judge, each carrying a bright colored bouquet of roses or sweet peas bound up in an old fashioned stiff perforated paper holder. The visitor is informed that in the former times these herbs and the perfume of fresh flowers were supposed to prevent the contagion of prison fever and that the ancient custom has survived the use of disinfectants and the modern sanitation of prisoners and cells.

"At lunch time the sheriffs again escort the Judges from their seats and all the Judges, sheriffs and under sheriffs and any guests they may invite assemble in the dining room of the court house for an excellent substantial luncheon served by butler and footman in blue liveries with brass buttons, knee breeches and white stockings. The luncheon table looks odd with the varied costumes, the rich blue, the bright scarlets and the wigs of the party, who, no longer on duty, relax into jolly sociability. Indeed one cannot escape the impression that he has in some way joined a group of 'supes' from the opera who are snatching a light supper between the choruses.

"While enjoying a cigar after luncheon the voice of the common sergeant or recorder is heard at the door of the smoking room. Robed and armed with his bouquet, he smilingly inquires if there are no sheriffs to escort him into court. A hasty buckling on of sword, a snatching up of his bouquet and a little dusting of cigar ashes from his velvet knee breeches prepares the under sheriff for the function and preceded by the sheriffs in their blue gowns, his Lordship bringing up the rear, the little procession starts along the corridor and enters the door leading to the Judges' dais. The under sheriff shortly returns to finish his cigar."

Real Estate Notes.

Pease & Elliman were the brokers in the sale of the dwelling at 145 West Seventy-third street for T. Bringhurst of Brandywine, Del., reported yesterday.

Henry Barnett & Co. were the brokers in the sale of the dwelling at 66 East 126th street for the Goodman estate to Miss M. Blake reported yesterday.

Hobarty, the art dealer of 156 New Bond street, London, is the lessee of the store in Henry Clews's building at 650 Fifth avenue, between Fifty-first and Fifty-second streets.

Marday & Mullally Bros., general advertising agents, have removed their offices from 25 Broad street to the Knickerbocker Trust Company Building, at 60 Broadway, corner of Exchange place.

Leo Hess has secured for the Hammerstein Opera Company a first mortgage of $300,000 on the Manhattan Opera House, at 311 to 323 West Thirty-fourth street, through to Thirty-fifth street, fronting 125 feet on each street. The property is under lease for a long term to the Shubert Theatrical Company.

Sales by the Windsor Land Company.

The Windsor Land and Improvement Company has sold at Floral Park, to Eva Goetz, a plot 40x100, on Spruce street; to John Mulcahey, a plot 40x100, on Sycamore street; to Charles McConnell, a plot 80x100, on Carnation avenue; to Oscar Gustafson, a plot 40x100, on Belmont street; to Margaret Brand, a plot 40x100, on Willow street.

The same company has sold at Valley Stream, to Clarence Kay, a plot 40x100, on St. Mark's place; to M. E. Smith, a plot 40x100, on Carpenter street; to A. K. Laurent, a plot 61x100, on Franklin street; to John McArdle, a plot 40x100, on Cottage street; to Isaiah Rice, a plot 40x100, at Elmwood and Lincoln avenues; to Timothy D. Murphy and Isidore Werner, each a plot 40x100, on Melrose street; to J. E. Goodnow, a plot 40x100, at Grove and Mauier streets; to Robert Campbell, a plot 75x103, on Merrick road; to Joseph Trunk, a plot 120x100, at Merrick road and Bismarck street; to Mary Callahan, a plot 40x100, on Victoria place.

At Rockville Centre, the company sold to Henry S. Davidson and F. J. McCarty, each a plot 40x100, on New York avenue; to C. L. Knopp, a plot 60x100, and to Mary Abell, a plot 40x100, on Cumberland street; to Henry D. Van Hoit, Jr., a plot 40x100, and to Henry D. Wisch, a plot 80x100, on Chestnut street; to John E. Brady, a plot 40x100, corner of New York avenue and Chestnut street; to John E. Chappell, a plot 40x100, on Concord street; to Adolph Feldhus, a plot 100x100, and to Charles F. Schuler, a plot 40x100, on Kensington avenue; to Frederick Meyer, a plot 50x100, on Forest avenue; to Martin Kraker, a plot 60x100, corner of Fox avenue and Jackson street; to Louis Wilson, a plot 40x100, on Washington avenue.

Building at Elmhurst.

The building boom which has struck Queens borough this season is being felt in full force at Elmhurst and it is estimated that two hundred or more houses will be completed there before January 1. A notable addition to this settlement will be the twenty semi-detached brick and stucco dwellings being built on Forley street just south of Roosevelt avenue by the Charles E. Currier Company of Boston. The same company has well under way eighteen two family houses on Twenty-fifth and Twenty-sixth streets east of Roosevelt avenue, and it is their intention to begin work on others within the next few weeks. These houses are on the Queensboro Corporation's Barclay-Dugro tract.

Pennsylvania Railroad Buys Tract on Newark Meadows.

Joseph P. Day reports the sale of a tract of land on the Newark Meadows to the Pennsylvania Railroad. The property is located in that part of the meadows known as tract 8 and lies between the main line of the railroad and the Newark turnpike. The Pennsylvania will run a spur from its main line into the plant of Swift & Co., which is located in this same tract, and from this spur sidings will be run into the different sections of this tract.

THE REAL ESTATE MARKET

TRADING CONTINUES TO FAVOR BIG PROPERTIES.

Most Spectacular Week the Market Has Had in Months—Seventh Ave. Hotel Project the Feature—The Clarendon Deal Another Investment Purchase.

Deals involving large capital continue to be a feature of the current trading. For several weeks past this class of business has been increasing in volume, until now there are almost as many transactions involving six and seven figures as four and five. Last week was one of the largest the market has had in some time. Not a day passed without announcement being made of a big sale.

Probably the largest and most interesting of the week was the sale of the former Marshall property at Seventh avenue and Thirty-seventh street for improvement with a hotel. This deal is the most interesting because it will result in the improvement of a plot that has long been idle and in that way attract attention to this thoroughfare, which has been the most backward in the Pennsylvania zone.

The plot, which measures 100x244, is covered with a stable which was formerly occupied by a transport company. It has been in the market for some time, but nobody wanted it. According to the plans of the new owners, who are bankers, the plot will be improved with a twenty-four story hotel which has been leased to a prominent hotel man of this city for eighty-four years. The lessee, whose name has not been made public, will pay $350,000 a year rent for the structure for the next twenty-one years. After that the rental will be based on a 5 per cent. basis. For the eighty-four years it is estimated that $30,000,000 in rent will be paid over to the syndicate which is to erect the building for investment.

How this building, which will cost $4,000,000, and will be exceeded in size only by the Greeley Square Hotel, which will be twenty-five stories high will affect Seventh avenue is not difficult to see. It will, according to those familiar with the situation there, result in the transformation of this street into one of the most important business thoroughfares in the city.

The transaction is the most important announced since the Pennsylvania let it be known in 1902 that it was behind the buying movement in Seventh avenue and that it proposed erecting a station on that avenue. This was a great improvement, but until now it has not resulted in any great structural improvement along this thoroughfare. It was thought the opening of this station would see this avenue entirely transformed. Why it has not improved as rapidly as some of the side streets is a question to which everybody has a different answer.

Traffic from this station has increased steadily since the station opened and it is now estimated that upward of 60,000 persons use it daily; yet owners have shown no inclination to improve their holdings with modern structures. It is thought that the reason for this is that owners have not been certain what sort of buildings to erect. Now that the Marshall is to be improved with a building that would not be out of place on Fifth avenue and the Sires have filed plans for a loft building on Twenty-seventh street near Seventh avenue which is to be extended over the avenue frontage there doesn't seem to be any more excuse for delay and there will not be any, according to real estate men in that section.

There has been more buying along Seventh avenue in the last few months than has been noticed for some time. The National Cloak and Suit Company, one of the most consistent buyers in that neighborhood, recently increased its holdings there by the purchase of eight houses on Twenty-fifth street. The company now has one of the largest plots available for improvement along the avenue, with the exception of that held by William Chesebrough and his associates in the Alliance Realty Company, who have gathered within a year a large plot across from the Marshall plot.

Next to this deal the trade involving the Clarendon Building on Fourth avenue and the old Aberdeen Hotel at the southwest corner of Broadway and Twenty-first street, until recently occupied by Park & Tilford, was the best.

The properties affected by the deal represent an investment of over $4,000,000. The Clarendon Building was valued by Henry Corn at $2,500,000 and was bought by the Lelands as an investment. This is probably the largest investment deal that has been announced in some time.

The Aberdeen, which was given in part payment, was owned by the sellers since 1876. As a hotel it did not prove a paying venture and a few years after it was erected it was leased by Park & Tilford for a store. The property has been vacant since this firm moved to the Brunswick Building last fall. It has an area of 8,000 square feet and was valued at $900,000 by the sellers.

In disposing of this property the Lelands made no mistake, for the longer they held it the less valuable it was getting as an investment. Since Park & Tilford left the building the property has not returned a cent of rent, while on the other hand the taxes have increased. To Mr. Corn, however, the property will be no burden, as he proposes to improve it with a twenty story building. This improvement might stimulate trading in that section, which has been the most inactive part of Broadway. It is a couple of years since the last building was erected, and probably not more than half a dozen sales have been made between Union and Madison Squares in five years.

Several downtown lace houses have taken space just north of Union Square, which seems to indicate the establishment of a centre for this industry in this section. William Mayer & Co. and several other lace dealers have leased the Sloane building at Broadway and Nineteenth street for a long term of years, and the old Forsythe building at Eighteenth street has been taken by Klauber Bros. & Co for ten years. Both of these firms are among the leaders in their business, and no doubt others will find it advisable to locate in that section.

Another deal relating to the midtown section was that of the Brearley School in Forty-fourth street near Fifth avenue. More is to be heard about this property, which has been bought by a speculator, who is offering it for resale.

It would be no surprise to hear that the Calumet Club had secured the property, as the club is looking for a new home and it is known that this property has been offered to it. It is a club block, which makes it even more desirable to the Calumet than otherwise.

The club has sold its lease on the building at Fifth avenue and Twenty-ninth street for $85,000 to the Lawrence estate, which owns the property. There seems to be only one conclusion for this, and that is that this corner is soon to be improved with a business building.

Upper Fifth avenue furnished a deal, which was the only transaction affecting that avenue put through. This deal concerns the five story American basement dwelling at 1071. It was purchased by Philip Livingston for use as a home. The house was sold by the Penniman estate and is the first of the modern structures to be erected in that part of Fifth avenue. The property was held at $300,000. Most of Mr. Livingston's holdings are big apartment houses along Riverside Drive.

Besides the Clarendon transaction the Fourth avenue section was represented by the sale of the loft building at 114 and 116 East Twenty-eighth street. Like the Clarendon deal, this was also a trade. The property was sold by a Western investor, who took in trade an apartment house on Eighty-third street, near the Drive. This sale involved about $350,000, and it and the corner of Amsterdam avenue and Seventy-fourth street, which is to be improved with an apartment house, and a plot on Seventy-second street, were the only deals of any consequence reported from the West Side.

The Heights also were not as active as usual. The Dyckman tract, however, furnished two deals in which Max Marks figured in both as the buyer. They are the triangular blocks near the 207th street subway station owned by the Dyckman estate. On the one facing the entrance to the station a bank will be established.

The refusal of the Board of Estimate to permit the New York Central to have Park avenue as an open cut north of the station is of much importance to owners along Park avenue. Many plots have been bought along Park avenue recently for improvement with apartment houses, because it was the general belief that the avenue was to be closed. Had the city permitted the company to open this avenue even for a part of its width there is no telling what effect it would have had on values in this thoroughfare.

The announcement that the Board of Estimate is arranging with the Interborough company for the removing of the elevated structure on Forty-second street from Third avenue to the Grand Central Station may cause a stir in those blocks, which have been held back by this structure. The spur is not being patronized to any great extent and its removal would not be missed by the general public.

The subway situation is one more step closer to a solution. Before the tubes will be started, however, Mr. McAneny's reports will have to be accepted by the Interborough and the Brooklyn Rapid Transit Company and by the Board of Estimate. There seems to be much opposition to the report, and before it reaches the board many objections will be filed against it. The Fort Hamilton section is opposing the report because it provides for an elevated through that district instead of a subway. From other parts of Brooklyn protests are being made because the subway is not to be run through this street instead of that, and in Manhattan the cry is being raised that the entrance of the B. R. T. will cause removal of many people to Brooklyn.

Harlem and Bronx property owners are vigorously protesting against the entrance of the Brooklyn company, and according to a statement issued yesterday will hold a mass meeting in Cooper Union on Tuesday if the Board of Estimate refuses to give them a hearing for next Wednesday. The statement continues:

"While Harlem and The Bronx object strongly to the placing of the city's credit at the disposal of the Brooklyn lines in order to guarantee earnings, they are aroused mainly over the plan to build a Brooklyn subway through Broadway, Manhattan, as far north as Fifty-ninth street. This line winds around the rich business district and then goes to Long Island without touching the great home centres north of that street. It would result in an immense outflow of population to Long Island, thus draining the Manhattan and Bronx territory. Such a big loss of tenants would reduce the income returns upon realty and decrease values, thus wiping out equities and bringing on a large mass of foreclosures. If a subway is to be built under Broadway at this time which the Manhattan and Bronx owners as a rule declare to be unnecessary in view of the lines to be run down the avenues close to Broadway on each side—they demand that it shall be continued northward to the city limits and that it shall have single fare connection with all other parts of the greater city subway system."

Yesterday's Private Sales.

EIGHTY-NINTH STREET.—Laura S. Heilner has sold to Irene M. Madden 311 West Eighty-ninth street, a three story and basement dwelling, on lot 20x100.8, between West End avenue and Riverside Drive, for $27,500.

TWENTY-SECOND STREET.—The Marmac Construction Company, Hubert B. McLellan president, has sold the new twelve story store and loft building, on plot 82.6x98.9, at 150 to 154 West Twenty-second street, between Sixth and Seventh avenues. The site was acquired by the sellers from the Reliant Holding Company about a year ago and the new building erected from plans by Brown & Alnerary. The buyer in the present deal is understood to have given jersey property in part payment.

158TH STREET.—A. Offenberg & Son have sold for the Melvin Construction Company (Friedman & Feinberg) the new six story elevator apartment house known as Horenzo Court, at 540 to 546 West 158th street, on plot 100x99.11, adjoining the northeast corner of Broadway.

PARK AVENUE.—John J. Cody has sold for Augustus Allen to the Glen Realty Company, William H. Corbitt president, 1078 Park avenue, a four story and basement dwelling, on lot 20x70, adjoining the southwest corner of Eighty-sixth street. This property has been in the possession of the Allen family for about thirty years.

120TH STREET.—The Melvin Construction Company (Friedman & Feinberg) has sold 325 and 327 East 120th street, a five story new law tenement, on plot 50x100.11, between First and Second avenues.

SEVENTY-SEVENTH STREET.—The Mosvicar, Gaillard Realty Company has sold for Otto Grimmer to the New York Real Estate Security Company 66 to 72 East Seventy-seventh street, three five story apartment houses, covering a plot 100x102.2, just east of Madison avenue. The property was held at $250,000.

THIRTY-SIXTH STREET.—Robert Spencer Finney has purchased the three story and basement dwelling at 147 West Thirty-sixth street, on lot 20x98.9. Mr. Finney is owner and builder of the twelve story commercial building adjoining and has made the purchase of the dwelling for the purpose of insuring permanent light for the larger structure.

171ST STREET.—Paul Halpin has sold his residence at 503 West 171st street, a three story and basement dwelling, on lot 25x100, adjoining the northwest corner of Fort Washington avenue, to a buyer who will occupy it.

215TH STREET.—J. D. Carter, the marine artist, has sold a plot, 50x99.11, on the north side of 215th street 100 feet east of Ninth avenue.

PROSPECT AVENUE.—H. Schmidt has resold for the Broadway Cathedral Parkway Company the plot, 50x121 irregular, on the west side of Prospect avenue 300 feet north of 156th street. The purchaser will improve the property with a five story apartment house.

KELLY STREET.—Stanley Holcombe Molleson has sold through Sharrott & Thom to Dr. Julius Weiss for occupancy 748 Kelly street, a three story brick dwelling, on lot 25x100.

UNION AVENUE.—Julius Trattner and Sussmann & Heller have sold for Henry Gundlach the plot, 100x100, on the east side of Union avenue 60 feet south of Westchester avenue.

HUGHES AVENUE.—Julius Trattner and Sussmann & Heller have sold for a Mr. Caruso the southeast corner of Hughes avenue and 181st street, a five story flat with stores on plot 51x100.

176TH STREET.—Alexander Selkin has sold for W. J. O'Brien the plot, 50x191, on the south side of 176th street 50 feet west of Prospect avenue.

BAYCHESTER.—The Loeb-Hill Realty Company has sold sixty-six lots located at the Baychester avenue station of the New York, Westchester and Boston Railroad, now being constructed. Fridolin Weber negotiated the sale. The same company has also sold twenty-one lots on Ely avenue adjoining the above property through the same broker.

HEATH AVENUE.—Shaw & Co. have sold for A. Anderson the three story brick two family dwelling at 2898 Heath avenue, on lot 20x100, to a client for investment.

Recent Buyers.

Marion and Eleanor Hague of Stockbridge, Mass., are the buyers of the stable at 161 East Seventieth street, reported sold recently by Payson McL. Merrill. A dwelling will be erected on the site.

Patrick J. McGuire is the buyer of the flat at 645 Lexington avenue, reported sold yesterday by the Llewellyn Realty Company.

Jacob Lipman is the buyer of 19 and 21 Christopher street, reported sold recently by Lillie G. O'Brien and Mary T. and Angelo M. Brosman through the Duross Company.

Leases.

J. Arthur Fischer has leased for J. Walter Rosenberg of Philadelphia to Joseph H. Joubert the four story building at 135 West Forty-fifth street for a term of ten years at an aggregate rental of $45,000. The tenant will make extensive alterations for his restaurant business.

J. Arthur Fischer has leased for E. B. Katz to Michael J. McBride the five story dwelling at 317 West Thirty-third street for a term of years.

Suburban Deals.

J. Arthur Fischer has sold for Everett, Heaney & Lawrence the two story garage, on lot 60x100, on Mermaid avenue, Edgemere, L. I., to George Stumpp, who has leased the property through the same broker to the Union League Garage for a term of ten years.

Auction Announcements.

On Wednesday Bryan L. Kennelly will sell at auction in the Vesey street salesroom a tract at Hempstead, L. I., consisting of forty acres on Prospect avenue, south of Front street, with over 500 feet frontage on Prospect avenue. This acreage property is desirably located in this well known suburban section and it is now ready for sub-division or investment.

The Jere. Johnson, Jr. Company will sell at auction on Tuesday, June 27, in the Brooklyn Real Estate Exchange 220 lots located on Seventeenth and Eighteenth avenues from Fifty-third to Fifty-ninth street, adjoining Borough Park, in the Thirteenth ward of Brooklyn.

Bryan L. Kennelly will sell at auction on Saturday, June 24, at Belle Harbor 419 lots and four cottages. The sale takes place at 1:30 P. M.

On Saturday, July 1, Mr. Kennelly will sell at Ostend eighty lots and three dwellings.

Joseph P. Day will sell at auction on Saturday, July 1, at Holland station, Rockaway Beach, five cottages and two large plots. The sale will take place at 2 P. M.

On the same day in Rockaway Park Mr. Day will sell three cottages. This sale will take place at 3 o'clock.

Coming Auction Sales.

[At 14 Vesey Street.]

MONDAY, JUNE 19.

By Joseph P. Day.

149th street, south side, 100 feet east of Eighth avenue, 100x99.11, vacant; Title Guarantee and Trust Comapny vs. Worcester Construction Company et al.; Harold Swain, attorney; J. G. Saxe, referee; due on judgment, $27,951.38; subject to taxes, &c., $402.21.

By Herbert A. Sherman.

Barnes avenue, northeast corner of Burke avenue, 100x200x irregular, Wakefield; E. A. Hall vs. Stern Wolf Realty Company et al.; P. E. Connell, attorney; James Oliver, referee; due on judgment, $4,108.75; subject to taxes, &c., $8,535.20.

By Samuel Marx.

Pilgrim avenue, 1066, east side, 175 feet north of Mildred place, 25x100, Throggs Neck; Arthur Hempel vs. Giovanni Troiano et al.; Neier & Neier, attorneys; Mark Goldberg, referee; due on judgment, $1,018.32; subject to taxes, &c., $34.79.

TUESDAY, JUNE 20.

By Joseph P. Day.

104th street, 404 to 412, south side, 93.4 feet east of First avenue, 219.4x100, and six story loft building; J. J. Brady vs. William Haupt mann et al.; W. J. Leitch, attorney; M. J. Egan, referee; partition.

142d street, 353 and 355, north side, 267.11 feet east of Alexander avenue, 37.4x100, six story flat; Frederick Matheslus, Jr., vs. Haase-Lippman Construction Company et al.; action 2; Edward Miehling, attorney; F. C. Hunter, referee; due on judgment, $10,729.48; subject to a first mortgage of $32,000.

By D. P. Ingraham & Co.

Southern Boulevard, west side, 193.8 feet south of 142d street, 139.11x135.10x182.2x90.2, five story apartment house; M. S. Croxson vs. Katonah Construction Company et al.; G. G. Dutcher, attorney; Phoenix Ingraham, referee; due on judgment, $91,412.48.

By Samuel Marx.

138th street, 520, north side, 430 feet west of Amsterdam avenue, 25x99.11, five story tenement; Jacob Levin vs. Tautog Realty Company et al.; Marcuson Bros., attorneys; A. H. McMahon, referee; due on judgment, $12,697.35; subject to taxes, &c., $178.55.

By Charles A. Berrian.

142d street, 349 and 351, north side, 230.7 feet east of Alexander avenue, 37.4x100, six story tenement; Frederick Matheslus, Jr., vs. Haase-Lippman Construction Company et al.; action 1; Edward Miehling, attorney; J. J. Marrin, referee; due on judgment, $10,045.30; subject to a mortgage of $32,000.

WEDNESDAY, JUNE 21.

By Bryan L. Kennelly.

Eighty-third street, 133, north side, 475 feet west of Columbus avenue, 20x102.2, five story flat; executor's sale; estate of Emil Crustus, deceased.

Sixty-fourth street, 209, north side, 150 feet west of Amsterdam avenue, 25x100.5, five story tenement; executor's sale; estate of Michael Egner, deceased.

Twenty-ninth street, 213, north side, 170 feet east of Third avenue, 15x98.9, four story dwelling; voluntary sale.

Tract of forty acres on Prospect avenue south of Fulton street, Hempstead, L. I.; voluntary sale.

Davidson avenue, west side, 150 feet north of 184th street, 50x100, vacant; H. U. Singh vs. Gustave Blass et al.; S. S. Terry, attorney; P. H. Gregory, referee; due on judgment, $8,204.50; subject to taxes, &c., $91.31; subject to a prior mortgage of $3,500.

By S. De Walltearss.

Fifty eighth street, 227 to 229, north side, 250 feet west of Second avenue, 25x100.5, two three story dwellings; voluntary sale.

By Charles A. Berrian.

Greenwich street, 514, southwest corner of Spring street, 16.4x40, four story tenement and store; E. S. Avery et al. vs. M. G. M. Walters; Wilmer, C. & S., attorneys; C. C. Martin, referee; due on judgment, $17,241.49; subject to taxes, &c., $187.48.

By D. P. Ingraham & Co.

Chambers street, 143, north side, 20.1 feet east of Hudson street, 25x76.5, leasehold, five story loft and store building, Twelfth Ward Bank et al. vs. William Ferris et al.; A. W. Ashbrook, attorney; A. A. Gullck, referee; due on judgment, $15,175.92; subject to taxes, &c., $5,218.50.

By Samuel Goldsticker.

Hoe avenue, 1163, west side, 247.3 feet south of Home street, 25x100, five story tenement and store; E. H. Hoar vs. Eastern Crown Realty Company et al.; L. S. Tenney, attorney; C. P. Macks, referee; due on judgment, $15,281.86; subject to taxes, &c., $426.46.

By Samuel Marx.

Fifty-fourth street, 432, south side, 285.4 feet east of Tenth avenue, 16.5x58.8x16.5x92.2, six story store and dwelling; Metropolitan Savings Bank vs. C. N. Shurman Investing Company et al.; A. S. & W. Hutchins, attorneys; S. H. Cohen, referee; due on judgment, $1,477.32; subject to taxes, &c., $97.88.

THURSDAY, JUNE 22.

By Joseph P. Day.

Second avenue, 1882 to 1886, east side, 25.2 feet north of Ninety-seventh street, 75.9x74, three four story tenements, with stores; voluntary sale.

147th street, 502 and 504, north side, 100 feet west of Eighth avenue, 30x99.11, two three story dwellings; voluntary sale.

Clay avenue, 1398, east side,