THE COURTS.

The Shakespearian Conundrum, "What's in a Name?"

FINEST POLICE IN THE WORLD.

Penalties for Violating the Excise Law.

A somewhat curious suit was recently commenced by Isaac W. England, as assignee of Frank Leslie against The New York Publishing Company, Henry Leslie and the American News Company. Frank Leslie also being a party plaintiff. The action is brought to restrain the New York Publishing Company from using the name Frank Leslie as part of the title of a weekly journal published by them, entitled *Frank Leslie, Jr.'s, Sporting and Dramatic News*. It is alleged that there is no person of the name of Frank Leslie engaged in the publishing of the defendants' journal, and that the use of that name as part of the title tends to mislead the public into the purchase of it as one of the plaintiff's publications. The name of the plaintiff, Frank Leslie, as stated in the defendant's papers in the suit, was originally Henry Carter. His eldest son, now sued as Henry Leslie, was born in England in 1844 and named after his father, Henry Carter, and was registered by that name in England. After coming to this country the plaintiff assumed the name of Frank Leslie, and in 1857 his name was so changed by act of the Legislature. When the defendant was a boy his father told him he wished him to be named after him, and accordingly directed him to take the name of Frank Leslie, which he did, and was thereafter known as Frank Leslie, Jr. His father and other relatives addressed letters to him by that name, and in 1864 he was christened in the Episcopal Church at Elizabeth, N. J., by the name of Frank, and in the following year was married by that name in his father's presence. After his marriage he went to Chicago with the intention of going into the publishing business, and while there accepted a proposition from his father to conduct the Western editions of the latter's various publications. During his residence in Chicago his father began to address him as Frank H. Leslie, and upon asking him for an explanation of this change in his name he was informed by his father that he had rich relations in England who might leave him property on account of the name of Henry. He still continued, however, to be known as Frank Leslie, Jr., and after having been a year in Chicago he returned to this city, where he was employed in his father's establishment, and some time about the year 1867 was told by the latter that he must drop the name of Frank. This he refused to do, whereupon his father threatened to disinherit him. A short time afterward, as he further states, a lawyer called upon him and read to him what he was given to understand was an order of the Court prohibiting him thereafter from using the name of Frank Leslie, Jr. Supposed this to be a genuine and valid order of the Court he complied with the same, and thereafter assumed the name of Henry Leslie, which name he signed to receipts and bills while in his father's employ and by which name he became known to many acquaintances. In his domestic intercourse, however, he continued to be called Frank. In 1868 he commenced the publication of a journal, which was copyrighted by him under the name of Henry Leslie, which, as he states, he did supposing that he was prohibited by the order referred to from using his own name. He soon ceased this publication, and before commencing the publication of the journal sought to be restrained he saw his lawyer, who told him that the injunction was granted by Judge Garvin, of the Superior Court; that it was foolish on the part of his father to do such a thing; that it amounted to nothing, and that he had a perfect right to use the name of Frank Leslie, Jr. Upon making a search of the records no such order could be found, and he thereupon resumed his name and gave it to the title page of his new journal. The case came before Chief Justice Daly on a motion for a preliminary injunction, who yesterday rendered a decision denying the motion. The Judge held that Mr. Leslie's right to the name is clear and explicit and supported by most satisfactory evidence, and that no fraud or deceit having been proven, he is entitled to continue the publication.

OUR MODEL POLICE.

Considerable interest was attached to the trial of Police Officer Patrick Kelly yesterday in the Court of General Sessions, Part 2, before Judge Gildersleeve, the accused being arraigned by Assistant District Attorney Russell on the charge of assault and battery. The officer, who was in full uniform, sat beside his counsel, Colonel Spencer. Francis White, a machinist, testified that shortly after ten o'clock on the night of the 17th of March last, while walking down Eighth avenue with a friend, the accused approached him at the corner of Twenty fifth street and, without the slightest provocation, struck him a violent blow in the mouth with his club, with which he belabored him out into the middle of the street. He immediately proceeded to the Sixteenth precinct station and complained of the outrage, and Captain Allaire told him to return at midnight, when he would have an opportunity of seeing the men assembled, and he could then identify the officer who assaulted him. He accordingly did so, and when the men were drawn up in line he asked the Captain if all the men were present, and on being answered in the affirmative pointed out Roundsman Goulding as his assailant. When at the police court a few days later Officer Kelly was present, and Roundsman Goulding having meanwhile declared his innocence, the complainant at once identified the former as the man who had unjustifiably attacked him, alleging that Kelly was not in the station house when the men were drawn up in line, and that, Goulding resembling him so much, he was then convinced of his identity, more especially as he had understood all the officers were in attendance. James McInerney corroborated the testimony of the complainant and identified Kelly. The accused denied the charge, stating that on the night in question he had been detailed to attend a temperance meeting on Eighth avenue, near Twenty-fifth street, which he did not leave until half-past ten, reporting at the station house five minutes later and subsequently going on post near Tenth avenue. Roundsman Goulding proved that he was engaged in telegraphing at the hour of the alleged assault, and Captain Allaire, Sergeant Blair and several officers testified as to the complainant's positive identification of Roundsman Goulding. It was shown in rebuttal that the prisoner Kelly was not in line at the time Goulding was identified, but came in some minutes later. The jury after some deliberation returned a verdict of guilty, and on application the prisoner was remanded for sentence.

WAR ON THE LIQUOR DEALERS.

The court room of Part 1 of the General Sessions was crowded yesterday by a host of liquor dealers, who were doubtless attracted there by the fact that twelve cases of violation of the Excise law, brought at the instance of Dr. Crosby's Society, were on the calendar for trial. The prosecution was represented by Assistant District Attorney Bell, the accused being defended by ex-Judge Dittenhoefer, Mr. John O. Mott and Mr. William F. Kintzing. William Purcell, proprietor, and Michael Owens, bartender, of a liquor store, corner of Twentieth street and First avenue, pleaded guilty and were fined $75 and $25 respectively. John H. Greve, proprietor, and Herman Ahrens, bartender of another store at No. 108 West Thirty third street, were fined $100 and $50 respectively; William Harrison, bartender, at No. 320 East Thirty-second street, was fined $25 (William Carey, the proprietor, being unable to attend on account of illness); Michael J. Carroll and John Kearney, proprietor and bartender of a saloon at the corner of Houston and Crosby streets, and Edward Byrne, proprietor of an establishment at the corner of Houston and Mercer streets, pleaded guilty and were remanded for sentence until next Thursday; Edward McGurn and James Collins, No. 175 Greene street, did not respond when called, and their bail was forfeited. The hearing of several cases was adjourned until Thursday next. Judge Sutherland intimated that he was determined to enforce the law and that in future he would impose a sentence of imprisonment in cases where a second offence was proved.

A SACRILEGIOUS THIEF.

Emilio Caperali, the Italian, who was discovered by the Rev. Father Farrell while prowling about the rectory of St. Theresa's Church, in Rutgers street, and who, on finding escape impossible, drew a pistol and fired at the clergyman, but who shot himself instead, was yesterday arraigned for trial in the Court of General Sessions. Upon being discharged from the hospital the prisoner was lodged in the Tombs, where he was identified as the person who for a length of time had successfully carried on a series of well-managed thefts at the pastoral residences of several Roman Catholic churches. Two indictments were found against him for stealing several articles from No. 343 West Twenty-fifth street and a gold watch and two clocks from No. 230 East Twenty-first street. The prisoner, who had not altogether recovered from the effects of the wound inflicted on himself, pleaded guilty, and gave his residence as No. 404 Sixth avenue and said he was last employed at the Union square hotel. Judge Sutherland sent him to the State Prison for two years and six months.

A CLEVER CAPTURE.

While Captain Byrne and Detective Slevin were going their rounds in the Fifteenth precinct they found that Sandford's theatrical agency at No. 9 West Third street, had been broken open and robbed. Learning that a wagon containing three men had just left the premises the captain and the detective jumped into a coach and drove quickly to a place said to be the resort of thieves in the vicinity of Mott and Bayard streets. Their promptness was rewarded, for in a few moments they saw a suspicious wagon approaching, and without much ado the captain pounced upon it and arrested its three occupants, one of whom proved to be John Allen, alias "Scotch Jock," a well known thief, and two Italians. In the wagon were three large trunks, a tin box and a valise, all filled with valuable theatrical costumes, which proved to be the property of Miss Nellie Sandford and Mr. J. L. Sandford, and which was soon afterward returned to them. It appearing that the Italians were merely innocent dupes they were discharged, but Allen was held for trial and on being arraigned for trial yesterday by Assistant District Attorney Bell in Part 1 of the Court of General Sessions pleaded guilty and was sentenced by Judge Sutherland to two years and six months in State Prison.

USE OF TELEGRAPH LINES.

In 1852 the New York and Western Union Telegraph Company leased a portion of its lines to the New York and Erie Railroad Company, the agreement being for five years, with a privilege of five years' renewal, and $3,000 a year being the amount to be paid. Before the ten years expired the railroad company was reorganized under the name of the Erie Railway Company. Suit was brought to ascertain whether the new railway company assumed the obligations under the agreement named, and Philo T. Ruggles, to whom the matter was referred, reported that such was the case and on this report $11,000 was paid by the Erie Railway Company, since which time nothing has been paid. The Western Union, through ex-Judge Van Cott, its counsel, applied to Judge Donohue for an order to compel Mr. Hugh J. Jewett, receiver of the road, to pay $38,000 claimed now to be due under the old agreement. Mr. Bacon, of Buffalo, opposed the application on behalf of Mr. Jewett, claiming that the amount claimed to be due should be paid, if at all, out of the surplus after the sale of the road. Judge Donohue took the papers for examination.

SUMMARY OF LAW CASES.

Mary L. Anderson, who was married in 1867 to John Anderson, charges him with adultery, and has brought a suit for divorce. No answer having been made to the complaint or demurrer Judge Potter yesterday appointed Frederick A. Bunham referee to take the testimony in the case.

In the case of Jaser Speelman and Isaac J. Edelstein, recently convicted in the Court of General Sessions of obtaining goods through false representations of Messrs. H. B. Claflin & Co., a writ of habeas corpus was yesterday obtained by Mr. John O. Mott, their counsel, from Judge Potter. The writ was made returnable to-morrow.

Hugh Massey, some time since appointed on the police force, was dismissed on the ground that he was over thirty when appointed. Mr. Lewis J. Grant yesterday obtained from Judge Donohue a writ of certiorari to review the proceedings of the Police Commissioners in the case. The writ was made returnable before the Supreme Court, General Term.

Charles Jennings has brought a suit for divorce from his wife, Sarah Jennings. They were married in 1869 and lived together until December last. Mrs. Jennings is charged with various adulteries, and no answer or demurrer having been put in to the complaint Judge Donohue yesterday appointed William A. Boyd referee to investigate the facts.

Application was made yesterday to Judge Potter by Wyllis Blackstone to be relieved from further duty as receiver of the North American Fire Insurance Company and to have his accounts passed. James Mathews was appointed referee to examine his accounts and to report upon the proper distribution to be made of $5,913 still in the hands of the receiver.

Judge Potter yesterday approved the bill of costs presented in the matter of acquiring lands for a public parade ground. As will be remembered no land has been taken, but for all that a nice bill of costs has been entailed, such bill aggregating $4,485 50. Of this sum there is paid to the Commissioners, William C. Traphagen, John McClave and William A. Seaver, $1,000 each, and a like sum to Jasper T. Kane, the surveyor. The clerk, George H. Purser, gets $200.

Joseph Briller, a boy, who was arrested and locked up one night in a station house on suspicion of being one of a gang of youths who threw stones at the windows of Josiah T. Miller's house, obtained yesterday, before Judge Van Hoesen, a verdict of $40 damages. The suit was for $5,000 damages.

Three suits for damages for loss of life and personal injuries were tried yesterday. Before Judge J. F. Daly the widow of Henry Koster obtained a verdict for $4,000 against Bartholomew Noonan on account of his death from reckless blasting. J. B. McGarrell, who was severely injured by a blast, obtained a verdict for $500 against Beemer & Coym in the Supreme Court, before Judge Donohue. Patrick O'Hagen, before Judge Sanford, in the Superior Court, obtained a verdict for $40 against the New York Floating Elevator Company on account of injuries from using an imperfect tackle.

In a suit tried yesterday before Judge Speir, in which John C. Donnelly was plaintiff and R. L. Bergen defendant, the jury gave as its opinion that carrying on the carpet shaking business in a house is not a nuisance.

COURT CALENDARS—THIS DAY.

SUPREME COURT—CHAMBERS—Held by Judge Potter.—Nos. 14, 17, 54, 76, 77, 78, 80, 82, 83, 96, 113, 121, 155, 156, 161, 165, 177, 178, 205, 206, 207, 208, 209, 210, 212, 215, 216, 217, 218, 219, 221, 222, 224, 232, 236, 241, 249, 250, 254.

SUPREME COURT—GENERAL TERM.—Adjourned until April 23, 1878.

SUPREME COURT—SPECIAL TERM.—Held by Judge Van Vorst.—Nos. 242, 245, 302, 391, 290, 427, 428, 429, 445, 217, 24, 25, 414, 420, 421, 431, 432, 433, 436, 438, 375, 365, 366, 201, 406, 411, 435.

SUPREME COURT—CIRCUIT—Part 1—Held by Judge Van Brunt.—Nos. 1468, 1468, 1033, 1513, 786, 1509, 1516, 919½, 798½, 821, 3218, 1708½, 462, 424, 3133, 3005, 2960, 2647, 1503, 3230, 2543, 3334, 646, 1179, 1538. Part 2—Held by Judge Donohue.—Nos. 953, 969, 1344, 1364, 1379, 1355, 1498, 1421, 1466, 2057, 1569, 1576, 1590, 1592, 1595, 1598, 1602, 1604, 1605, 1606, 1607, 1608, 1609, 1614, 1615, 1617, 1625, 1626, 1645, 1648, 1579, 405, 1651, 1664, 1666, 1667, 1671, 1672, 1566, 1541, 1680, 1682, 1685, 1687, 3289, 1583, 1594½, 3339, 1674, 1494, 1657, 1668, 3090, 1677, 1627. Part 3—Held by Judge Lawrence.—No. 1225. No day calendar.

SUPERIOR COURT—GENERAL TERM.—Adjourned *sine die*.

SUPERIOR COURT—SPECIAL TERM.—Held by Judge Sedgwick.—Issues of fact—No. 1. Issues of law—Nos. 7, 39, 64, 65, 68, 54, 55.

SUPERIOR COURT—TRIAL TERM.—Part 1—Held by Judge Freedman. Nos. 499, 252, 678, 646, 647, 648, 317, 819, 821, 822, 866, 851, 652, 753, 370. Part 2—Held by Judge Speir.—Nos. 512, 471, 172, 770, 849, 853, 859, 104, 60, 855, 310, 857, 870, 538, 536. Part 3—Held by Chief Justice Curtis—Nos. 760, 885, 162, 289, 831, 861, 655, 254, 686, 730, 815, 846, 883, 862, 863.

COMMON PLEAS—GENERAL TERM.—Adjourned for the term.

COMMON PLEAS—EQUITY TERM—Held by Judge Larremore.—No. 31.

COMMON PLEAS—SPECIAL TERM—Held by Chief Justice C. P. Daly.—No day calendar.

COMMON PLEAS—TRIAL TERM—Part 1—Held by Judge J. F. Daly.—Nos. 629, 1328, 1292, 900, 2585, 2586, 2375, 1426, 2377, 938, 909, 1438, 264, 1176, 1769, 2568, 449, 195, 2278, 2130, 1490, 1675, 1118, 451, 519, 520, 1431, 272, 1288, 1060, 263, 294, 878, 880, 881, 2678, 3394, 644, 1838, 399, 229, 654, 688. Part 2—Held by Judge Van Hoesen.—Nos. 824, 1312, 1040, 1370, 1840, 1406, 1468, 1470, 1471, 1477, 1478, 1946, 2695, 1419.

MARINE COURT—TRIAL TERM—Part 1—Held by Judge Sherman.—Nos. 3,131, 2,953, 3,228, 3,059, 3,267, 2,491, 2,899, 3,237, 3,291, 4,510, 2,817, 3,165, 1,330, 2,802, 2,998. Part 2—Held by Judge McAdam.—Nos. 3,700, 3,728, 3,738, 3,771, 3,709, 3,812, 3,642, 3,413, 3,825, 3,873, 3,874, 3,889, 3,940, 3,927, 3,935, 3,940, 3,942, 3,944, 3,946, 3,948, 3,989, 3,987, 4,123, 4,126, 4,127, 4,128, 4,129, 4,130, 4,134, 4,138, 4,139, 4,140, 4,144, 4,145, 4,148, 4,149, 4,150, 4,151, 4,153, 4,157, 4,159, 4,160, 4,165, 4,166, 4,167, 4,168, 4,170, 4,171, 4,172, 4,174, 4,175. Part 3—Held by Judge Shea.—Nos. 4,773, 1,890½, 4,441, 4,218, 3,084, 4,421, 1,661, 3,549, 4,146, 1,138, 3,246, 3,575, 3,419, 1,345, 2,340.

COURT OF APPEALS.

ALBANY, N. Y., April 17, 1878.

In the Court of Appeals, April 17, 1878:—

No. 192. Rodman Wood vs. Wellington Tunnicliffe et al.—Argued by Samuel Hand for appellants and C. J. Adams for respondent.

No. 173. Joseph Agate vs. Samuel S. Sands.—Argued by C. Bainbridge Smith for appellant and Albert Matthews for respondent.

No. 191. Rosers Ridell vs. New York Central and Hudson River Railroad Company.—Argued by W. H. Adams for appellant and submitted for respondent.

No. 158. The National Bank of Schuylerville vs. George H. Lasher et al.—Argued by A. Pond for appellant and Charles S. Lester for respondents.

No. 59. The National Bank of Schuylerville vs. Isaac Vanderwater et al. impleaded—Argued by A. Pond for appellant and Charles S. Lester for respondents. Case still on.

CALENDAR.

The following is the day calendar for Thursday, April 18, 1878:—Nos. 195, 171, 209, 182, 183, 398, 177, 190.

UNITED STATES SUPREME COURT.

WASHINGTON, April 16, 1878.

The following cases were heard to-day:—

No. 263. Wheeler vs. Union National Bank—Error to the Court of Appeals of New York.—This was an action on two bills of exchange drawn on Wheeler, as treasurer of Brady's Bend Iron Company, and accepted by him, payable in New York. The defence was that the plaintiff, at a national bank, discounted the drafts at nine per cent, which was contrary to law and usurious, and that the charter of the Iron Company prohibited its issuing bills of exchange at a rate of interest greater than seven per cent. The Court ruled that the bank should recover the amount of the drafts, with interest. It is here insisted that under the National Banking act the bank had suspected itself to a forfeiture of the interest by the usury practised, and that the judgment below should have enforced the penalty. This, it is argued, has been held by this Court in the case of Bank vs. Dearing (91 U. S., 29), and that the judgment will be reversed for the error committed. T. M. Wheeler for plaintiff in error; Anderson & Dixon for defendant.

No. 264. Laflin & Rand Powder Company vs. Burckhardt—Error to the Circuit Court for the District of Massachusetts.—In this case one Dittmar agreed with the company to manufacture an explosive compound out of materials to be furnished by it, and having the materials in his possession, as alleged, Burckhardt attached and sold them, among other property of Dittmar. The company thereupon claimed the property as belonging to it, but the judgment was against it, and the writ maintains that the Court erred in giving effect to the evidence and in the judgment rendered. F. W. Hurd for plaintiff in error; George Bennott for defendant.

OUR COMPLAINT BOOK.

[NOTE.—Letters intended for this column must be accompanied by the writer's full name and address to insure attention. Complainants who are unwilling to comply with this rule simply waste time in writing. Write only on one side of the paper.—ED. HERALD.]

MILITIA DRILL.

TO THE EDITOR OF THE HERALD:—

Why is it that company B, Twelfth regiment, is compelled to drill two nights each week when the code calls for only one night? COMPANY B.

THE TELEGRAPH POLES.

TO THE EDITOR OF THE HERALD:—

Will you kindly call attention to the unsightly telegraph poles around Madison square? Cannot Mr. Allan Campbell, under the new law, prevent the disfiguring of the streets and avenues in this way? In nearly every second rate city in Europe the wires have been or are being placed underground. S. P. H.

THE ORIENTAL SAVINGS BANK.

TO THE EDITOR OF THE HERALD:—

I would like to make an inquiry in regard to the "Oriental" Savings Bank now. The depositors have been quiet, but instead of even paying seventy-five per cent as they promised, and for which they said they had money enough in the bank when it closed, they now hope, if they can raise $6,000 more, to be able to pay twenty per cent. A POOR WORKING GIRL.

TEACHERS' PAY.

TO THE EDITOR OF THE HERALD:—

Can you tell me (and many other anxious inquirers) why the teachers did not get their money to-day (Monday)? We wait six weeks and then get paid for only four, and now, after waiting six weeks, we are told "there is no money, nor need we expect it for a week or ten days." I for one need my money when due. I am treated where I board as though I was not a person of my word, when really it is not my fault. Cannot some investigation be made into the cause of the delay? Really, I think it is a shame, and the public ought to know it. TEACHER.

THE WYOMING MASSACRE.

TO THE EDITOR OF THE HERALD:—

One of your correspondenet, writing from a town in Pennsylvania recently, gave some particulars of a plan for observing the "centennial" of the Massacre of Wyoming, and incidentally asserted that the Indians who aided the British and tories in that terrible affair were under the command of Brant, the celebrated Mohawk chief. This has been disproved many times, and should not be repeated. Brant was not present, and had no part, near or remote, in the horrors of that occasion. See Stone's "Life of Brant;" also note to Campbell's "Gertrude of Wyoming." I am no admirer of the Indian character, but let justice be done to Brant. JAMES W. RIGGS.

MUSIC AT THE BATTERY.

TO THE EDITOR OF THE HERALD:—

Please say a word for the benefit of the downtown residents of New York as well as for some of us of Brooklyn, who cannot afford to trot up to the parks to listen to the music the forthcoming summer. While sitting on a bench Sunday evening at the Battery and admiring its beautiful promenade it occurred to me that if an orchestra could be erected there means would very soon be found to support a good band. What could be finer after the toils of the day than to receive the cool ozone on a summer's evening and listen to the strains of good music? If through your influence such a scheme can be started I shall be pleased to start the list with a subscription of $25. RICHARD C. GURNEY.

THE ASSAY OFFICE FLAG.

TO THE EDITOR OF THE HERALD:—

At the foot of the flagstaff on the roof of the United States Assay Office, in Wall street, a United States flag has for many weeks past been flying like an inglorious dishcloth, rotting in the rain and sun, instead of flying from the staff as in days of yore. I have been waiting patiently for its removal, but patience has ceased to be a virtue, and I now indignantly ask, as an offended patriot, why in the name of the Assay office and the great American people is this thus? Uncle Sam should see that this once proud emblem of all his country's glories is raised from its lowly estate and again flung to the breeze, so converting an eyesore into a thing of beauty to lookers-on from the opposite windows. K. C.

AN INTELLIGENT CONDUCTOR.

TO THE EDITOR OF THE HERALD:—

I wish to bring to the notice of the public in general and workingmen in particular a case of hardship and insolence I experienced from the conductor on car 120 of the Seventh avenue line. I was in a hurry going to my work on Monday morning and got on the car at Nineteenth street. When the conductor came for his fare I tendered him a genuine fifteen-cent currency stamp. He refused to accept it, and in a bullying manner ordered me off the car, and threatened if I did not go quietly he would throw me off. As it is pretty well known tradesmen in these times are not overburdened with cash I had no other money in my possession, and I was obliged to get off and walk down town to my work. Of course I was behind my time and came near losing my job. Now, sir, have I any remedy for such treatment? A CARPENTER.

HOW POLICE JUSTICE IS ADMINISTERED.

TO THE EDITOR OF THE HERALD:—

I desire to call your attention to a scene which may be a common occurrence enough, and may have been a very enjoyable diversion for some of the participants, but which struck me, as well as a hundred others, as a scene of the most revolting brutality and heartlessness in all its phases.

Among the passengers on the boat which left Clifton, Staten Island, at six o'clock last Sunday was a party of six or eight men, well dressed and apparently gentlemen. They were evidently bemuddled with liquor, and determined to have a good time. Their victims were two Norwegian sailors, also a little under the weather. One of the gentlemen initiated the "sport" by laying the taller of the sailors, a fine specimen of robust, honest manhood, a wager that he could not climb the flagstaff in the bow of the vessel and touch the ball at its top. The sailor attempted the feat, as also did his companion, but they were promptly repulsed by the deck hands. This gave the others occasion to taunt them with their lack of courage and goad them again and again to attempt the feat, but with the same result. Then one of the gentlemen (I use the term only to distinguish them from the sailors) commenced a series of petty indignities toward the weaker of the sailors, pulling his ears and pushing him about, which the taller tried hard to resent. He warned the aggressors that he would not allow his "partner," as he styled him, to be made a fool of; but they persevered in their assaults. This could not last long, and the leading tormentor struck one of the sailors a blow. In a moment there was a general *mêlée*. Just then the boat entered the slip, and several policemen rushed into the party with drawn clubs (a necessary precaution enough, I dare say), and separated the participants, taking particular pains to arrest the two sailors, who were at this time bleeding and shirtless. A number of gentlemen who had viewed the occurrence and had vainly endeavored to prevent it in its incipiency followed the officers and their prisoners to the station with the intention of stating the case in its proper light to the authorities there. It was a characteristic scene when the New street police station was reached. A burly officer blocked the door and allowed only the officers with their prisoners and the real offenders, who, without a doubt, entered as accusers against the poor sailors, access to the room. At least a score of gentlemen were that day, to their utter disgust and indignation, treated with a most beautiful exhibition of the most abandoned rowdyism and police justice. I am sure that all of them will cheerfully corroborate my version of the affair. ROMMY.

ANSWERS

THE MORRISANIA STEAMBOAT LINE.

TO THE EDITOR OF THE HERALD:—

Your complainant "College" thinks the Morrisania steamboat Shady Side does not carry enough steam. If he would only take the trouble to remain on the dock at either end of the route for one day he would find the Shady Side there when due on time. It is a pity that "College" and others are not treated daily to the spectacle of a steamboat race for six and a quarter cents. GEORGE STEELE.

THIRD AVENUE SAVINGS BANK.

TO THE EDITOR OF THE HERALD:—

In your issue of the 9th inst. Mr. S. H. Hurd, receiver of the Third Avenue Savings Bank, in answer to a communication from "A Working Girl," says:—"The time having elapsed for the trustees to make good their bond, and all the parties save one having refused to pay, he commenced suit." I would respectfully ask Mr. Hurd through the columns of your paper to give the depositors the name of the trustee who paid, as it will be a slight gratification to know there has been one honest man connected with the institution who, when he gave his bond, intended to make good his obligation if called on to do so—not like his associates, who have taken advantage of every legal quibble to establish their dishonest interest in giving their bond. This bond was given either for an honest or a dishonest purpose. If given honestly it should be paid, and if given dishonestly, which seems to have been the case (with one exception), the honest man should be publicly known. DEPOSITOR.

THE FERRY TICKET WAR.

The suit of Samuel Clark against the Union Ferry Company was tried in the Brooklyn City Court, before Judge McCue, yesterday, to recover $1,000 damages. It was alleged by the plaintiff that he, on January 24 last, presented a ferry ticket and passed into the ferry house, from which he was thrust out by some of the employés, who kept the ticket and would not permit him to cross on the boat New York. The ticket was an old one, according to the testimony of the plaintiff. The defendants claimed that the ticket was a new coupon and ought not to have been detached by the plaintiff. There was also evidence that it had been bought from a boy on the street. If any damage resulted to the plaintiff it was alleged that he received it from his own negligence, carelessness and ill behavior, and that no force was used other than necessary to remove him from the premises. The jury rendered a verdict in favor of the plaintiff in the sum of $250.

BUSINESS TROUBLES.

FAILURES OF BOX MANUFACTURERS—PROCEEDINGS IN BANKRUPTCY.

J. S. Taylor & Co., proprietors of the Metropolitan packing box factory at Nos. 98 and 100 Norfolk street, made an assignment yesterday for the benefit of their creditors to Charles G. Saxe. The assignment was occasioned by a disagreement in the firm, D. Procapiadi, the partner who furnished $14,000 to carry on the business, being dissatisfied with the management of affairs; the latter also telegraphed to parties in Williamsport, Pa., to come on and get their lumber. Their assignment was predicted some time ago by Bradstreet's as the only way to settle up the disputed affairs. They were estimated worth upward of $30,000, but had only fair credit. The present firm succeeded Taylor & Co. in October, 1877, which was originally Taylor & Smith.

Spencer C. Cary, manufacturer of boxes at Nos. 5 and 7 Hudson street, has been pressed by his creditors, who entered judgments against him for about $1,800, and in order to prevent their execution has applied for relief in bankruptcy. He has also called a meeting of his creditors, to be held on April 30, in order to arrange a settlement if possible.

Thomas Willis, dealer in furniture at No. 263 Bowery, has gone into voluntary bankruptcy before Register Dwight. His liabilities amount to about $12,000, and the assets, which consist of book accounts, are nominally $3,000. The principal creditors are George W. Snyder, $1,800; Michael Burke, $1,850, and L. L. Woll, $975.

The application of Francis S. Wynkoop, retired varnish dealer, for his discharge from bankruptcy, came up before Register Dwight yesterday, and as none of the creditors appeared in opposition his petition will be granted. He went into bankruptcy in January, with liabilities amounting to $282,000.

Isaac S. Lawrence, of the late firm of Priest, Lawrence & Fuller, formerly doing business as jewellers in Maiden lane, has filed a voluntary petition in bankruptcy before Register Dayton. The liabilities amount to $31,000, principally debts contracted by the firm. The largest creditors enumerated in the schedules are the following:—Rosalie Salomon, $5,000; S. K. Priest, $6,100; Jacob Morch, $2,039 28; Hartman, Schulz & Co., $2,740 19; Fellows, Holmes & Clapp, $1,143 92. His assets consist of real estate at Corry, Pa., in which the equity is $75, and a life insurance policy for $5,000, hypothecated. The firm of which he was a member failed in November, 1875, and he says there is not money enough in the hands of the assignee to pay even a small percentage.

Register Allen has adjudicated Israel A. Barker, formerly of the firms of D. E. Wood & Co. and Maxwell & Barker, a voluntary bankrupt on his own petition. The liabilities amount to about $12,000, of which the following creditors have the largest claims:—James L. Bromley, $2,206 93; Sarah A. Pearsall, $3,409 15; Charles Kellogg, $2,206 93; Oliver A. Wood, $1,086 14; George N. F. Barker, $1,855. A meeting of the creditors has been called to be held on May 6.

A warrant in bankruptcy has been received by Register Allen against John Nichol, Jr., who has been adjudicated a bankrupt on the petition of his creditors, and a meeting of the creditors has been called for April 30.

NOYES STILL HELD.

In the case of Benjamin Noyes, the Connecticut Insurance president, who is held in Newark, N. J., on a charge of fraud and conspiracy, and for whom was argued some weeks ago a motion to quash the indictment of perjury upon which he was extradited from Washington, Judge Depue rendered a decision yesterday. He denied the motion to quash, holding that the indictment was regularly drawn, that Noyes' own testimony in a police court was proper matter for Grand Jury consideration, and that the police justice before whom Noyes gave the testimony which led to his indictment was competent to administer oaths and take such testimony—matters which ex-Secretary Robeson and District Attorney Keasbey laid great stress upon in behalf of Noyes. The Judge said the courts had no power to reverse the act of the Governor in the matter under consideration. Noyes' counsel urged a speedy trial and the Court said it, also, was ready as soon as the prosecutor called the case.

Meanwhile application has been made for a writ of habeas corpus to Judge Nixon, of the United States District Court, for the accused to be brought from Trenton, on April 24.

EX-GOVERNOR MOSES.

A Central Office detective yesterday took ex-Governor Moses, of South Carolina, to the Tombs, requesting the judge to recommit him for another day, as preparations for his departure to South Carolina were not completed. Judge Bixby said that this was beyond his power, as the ex-Governor had already been taken from his jurisdiction by the requisition from South Carolina. After much deliberation it was decided to take the prisoner back to Columbia yesterday afternoon.

AN EXPENSIVE DOG.

A case of considerable interest was tried in the County Court, at White Plains, on Tuesday last. The plaintiff was David Sandman, a pedler of jewelry, spectacles, &c., who, on the 27th of July last, while passing along the highway in front of the premises of Charles Baxter, a farmer, in the town of North Salem, was attacked by a small yellow dog belong to the latter, that bit the plaintiff in the calf of the leg. Dr. Minor testified that he attended the plaintiff in the course of half an hour after the occurrence and found that the flesh had not been entered; that only the skin had been broken. In his cross-examination Dr. Minor admitted that hydrophobia might remain dormant in the system for years. Dr. Huntington, of New Rochelle, testified that he had treated the plaintiff a month after the injury was inflicted, and then found a large ulcer on the wounded part. The plaintiff in the course of this cross-examination was asked whether he was a Jew, which question he answered in the affirmative. The defendant's counsel thereupon urged that fact against his credibility. The jury, however, after half an hour's absence found a verdict in favor of the plaintiff for $600.

A DOG KILLER.

A man named Dennis Hickey was arraigned in the Fifty-seventh Street Court yesterday on a charge of cruelty to animals, an officer of the Eighteenth precinct having arrested him while in the act of knocking out the brains of a dog with a club on the corner of First avenue and Twenty-second street. In his defence Hickey swore that the dog was mad and had snapped at several school children, and in corroboration of his statement produced several witnesses, among them the reputed owner of the dog. He was nevertheless held in $300 bail to answer at Special Sessions.

A BRIEF HONEYMOON.

Only three men he have passed since John and Eliza Redican were wedded, but in that short space of time domestic difficulties caused the pair to seek peace in estrangement, and of late they have been living apart. Eliza located at No. 127 East Broadway and John quartered himself at a hotel. On Tuesday night he remembered having left a bunch of keys at his wife's house, and thither he went to secure them. His reception there was not particularly friendly, and words passed between him and Eliza. Then, it is alleged by the lady, Mr. Redican drew a revolver and threatened to take her life, for which offence she had him arrested. In the Essex Market Police Court yesterday he denied the charge, and said that he had only accused her of intimacy with a boarder in the house, to which she rejoined by a query of what could he look for from a woman he had deserted and left without support? Judge Flammer held John in $1,000 to keep the peace for six months, making an imprisonment of bail that time the alternative of his failing to furnish bail.

MUNICIPAL NOTES.

Comptroller Kelly yesterday paid $1,248 to the Children's Fold for January, February and March, and $841 43 to the Institution of Mercy for March.

The carmen's ordinance, which now goes into force, compels all owners of business wagons to take out licenses. Non-residents cannot procure licenses. The scale of charges permitted under the new law has been already published.

The opening of bids for paving Fifth avenue, from Fifty-ninth to Seventy-second street, with Macadam pavement, was again postponed yesterday by the Commissioner of Public Works until the 22d inst.

Mayor Ely has returned without signature or disapproval the Aldermanic resolution requesting the officers of the Elevated Railroad to report their reasons, if any, for not extending their road on the west side above Fifty-ninth street to Kingsbridge. Under the laws of 1873 this action of the Mayor operates in the adoption of the resolution.

THE GARBAGE WAR.

Health Inspector Cronin, of Jersey City, was notified early yesterday morning, that during the night four barge loads of garbage had been sent from New York to the South Cove and that gangs of men were then engaged in dumping the refuse at the head of Barrow street. The inspector hurried to the place, but was unable to get the men to stop work. He sent word to Police Headquarters and a squad of officers were sent to his assistance. The men on the scows were driven off and notified that if they returned all of them would be arrested.

REAL ESTATE.

The following are the details of yesterday's sales on the Real Estate Exchange:—

BY R. V. HARNETT.

Public auction sale of the two story frame house, with plot of land 50x100x50x78.6x100x174.7, on 157th st., s. s., 300 ft. w. of Washington av. (23d ward), to E. M. Garner	$3,325
Also, foreclosure sale, by order of the Court of Common Pleas—R. B. Martine, referee—of three lots, each 25x98.11, on West 147th st., n. s., 625 ft. e. of 10th av., to plaintiff	2,000

BY C. J. LYON.

Supreme Court foreclosure sale—J. L. Stein, referee—of the three story brown stone front house, with lot 19.7x98.9, No. 540 West 42d st., s. s., 455 ft. w. of 10th av., to plaintiff	7,000

BY LOUIS MESIER.

Foreclosure sale—Court of Common Pleas—Messrs. C. Ruston, George A. Pelsey, P. L. Vanderveer and Wylly Hodges, referees—of a plot of land, 100.4x423, on av. A, s. e. corner of 69th st., to plaintiff	16,000
Also Supreme Court foreclosure sale—John M. Knox, referee—of the three story and basement brown stone front house, with lot 18x100.11, No. 67 East 128th st., s. s., 298 ft. e of Madison av., to plaintiff	1,500

BY H. N. CAMP.

Foreclosure sale—Court of Common Pleas—John J. Mcturk, referee—of the four four-story brown stone front buildings, with lots each 25x75, Nos. 721 to 727 10th av., n. w. corner of 49th st., to plaintiff	40,750

BY E. E. WARREN AND CO.

Foreclosure sale, by order of the Court of Common Pleas—Stephen H. Olin, referee—of the three story and basement brown stone front house, with lot 16.8x100.11, No. 176 East 104th st., s. s., 176.8 ft. w. of 3d av., to plaintiff	4,500
Total	$75,075

OFFICIAL REAL ESTATE TRANSFERS.

The following statement, showing the real estate transactions recorded in the Register's office April 17, 1878, is obtained from Augustus T. Docharty, Deputy Register:—

Macdougal st., w. s., 121 ft. n. of Bleecker st., 25x100; Catharine Kobbe to A. M. Muller	$8,000
Spring st. (No. 183), 25x65; Catharine M. Kobbe to Anna M. Meier	8,000
10th av., s. w. corner of 58th st., 100x100.5; R. L. Leggett and wife to A. Hatfield	24,000
Sheriff st., w. s., 100 ft. n. of Rivington st., 25x100; also Sheriff st., w. s., 125