THE COURTS.

Contesting Claimants to Life Insurance Dividends.

A FORGER'S FATE.

Discharged Police Officials Seeking Reinstatement.

There was commenced yesterday before Judge Lawrence, without a jury, the trial of a suit brought by Mrs. Eleanora Wondra against Emil Magnus. The plaintiff alleges that she owns two paid up policies of insurance on the life of her husband for $6,000 in the Germania Life Insurance Company, and that as such owner she is entitled to the dividends declared on the same. She alleges that the company refuse to pay the dividends to her because notified by the defendant that he is entitled to the benefit of the policies, and that they were issued to her by exchanging policies primarily issued to her husband in his own name, such policies having been assigned to the defendant as security for a loan. The defendant claims that the original policies were taken by Mr. Wondra ostensibly to be transferred to his name as security, but that in fact Mr. Wondra, having got possession of them, took out new policies in the name of his wife. He claims, therefore, that his equity should follow the new policies. The plaintiff denies that the original policies were held by the defendant subject to any lien, and therefore that her policies are free from the claim made by the defendant. Mr. Algernon S. Sullivan appears for the plaintiff and Governor Solomon for the defendant.

AN INGENIOUS FORGER.

Francis A. H. Smith was an agent for the Lycoming Insurance Company. He received moneys for policies to the amount of $450, which he appropriated to his own use. He was sued by the company and a judgment was obtained against him, the result being his incarceration in prison. While there he offered to make good the amount providing the company would consent to his release. This was agreed to, and he gave them a check for $500, payable to his wife, on the First National Bank of Wabash, Indiana, purporting to be signed by Mrs. Julia Kruger. Smith was accordingly released, but the check was discovered to be a forgery and that the certification was false. Smith was arrested at the Southern Hotel, and in his possession was found a check book of Mrs. Kruger, with a rubber certification stamp of the bank mentioned. It was further learned that Smith had victimized several persons by this process, and three indictments were found against him. He was arraigned yesterday in the Court of General Sessions and pleaded guilty to two indictments. Recorder Hackett sentenced him to the State Prison for three years and six months on each indictment.

DISCHARGED POLICE OFFICIALS.

The Supreme Court, General Term, yesterday remitted to the Special Term the hearing in cases of writs of certiorari obtained in behalf of various officers and clerks dismissed from the Police Department. The cases came before Judge Van Brunt, the first one taken up being that of ex-Warden Liscomb, who alleges that he was dismissed without any cause being assigned, but whose removal was, as Commissioner Cox avers, in consequence of his extending unwarranted liberties to the late William M. Tweed while a prisoner in the Penitentiary. A motion was made by Assistant Corporation Counsel Dean to quash the indictment. This was resisted by Mr. Lewis J. Grant, and, after quite a lengthy argument, Judge Van Brunt took the papers. The cases of Captains Foley and Lowery, Sergeant Larkin, Roundsman Haggerty, and Adolph Waldman and Peter Thompson, former clerks in the Police Department, were postponed until next Wednesday.

SALES ON APPROBATION.

In the case of Altman & Co., manufacturers of furniture, against John Lynch, of which a report appeared in the HERALD of May 11, an action wherein the plaintiff claimed a sale of certain goods and the defendant alleged that the goods were not sold but delivered on approbation, to be paid for when sold, the jury rendered a verdict for the plaintiff. On the trial the plaintiff testified, under objection, that during eleven years in which he carried on business he never sold goods as claimed by defendant. Mr. Michael Jacobs, of counsel for defendant, moved yesterday for a new trial on the ground that the admission of that testimony was error and calculated to mislead the jury. Judge Goepp, before whom the case was tried, in setting aside the verdict and granting the new trial asked for, says:—"It was clearly error to allow the plaintiff to testify that he never dealt on the terms on which the defendant claims he dealt in this case. The error was not cured by the direction of the jury to disregard that testimony. It may well have affected the result." Motion granted. Morris J. Hirsch appeared for plaintiff, and Michael Jacobs and James C. Quinn for the defendant.

SUMMARY OF LAW CASES.

A suit for divorce brought by Collins B. Cole against his wife, Cora L. Cole, was yesterday referred by Judge Donohue to A. F. Hammersley.

George Carson, one of the four persons alleged to be implicated in the theft of $100,000 worth of securities from James H. Young, was yesterday admitted to bail in the sum of $3,000.

John H. Payne, a bookkeeper, indicted for embezzling $423 30 from C. J. Johnson & Son, publishers, on being arraigned before Recorder Hackett for trial yesterday, in the Court of General Sessions, pleaded guilty. It was claimed that between April, 1876 and 1878, he had appropriated to his own use money belonging to his employers amounting in all to about $11,571 42. He was sentenced to the State Prison for five years.

Letters of administration were applied for yesterday in the Surrogate's Court on the estate of Charles R. Lohman, husband of the late "Madam Restelli." The object of the application is to appoint Mrs. Carrie Shannen an executor in the place of Mr. Joseph Trow, who declined to act.

H. Buckner was brought yesterday before United States Commissioner Shields by Deputy Marshal Bernhart charged with unlawfully packing manufactured tobacco in larger quantities than that designated by the statute. He was held in $1,000 bail to await the action of the Grand Jury.

A suit for limited divorce was recently brought in the Supreme Court by Charles Maronde against his wife, Ella Maronde. The latter made counter charges and also asked for a limited divorce. After the case had been sent before a referee the parties became reconciled. A motion was argued yesterday before Judge Donohue to compel the payment of counsel fee to the wife's lawyer. After hearing Colonel George H. Hart for the motion and M. E. Goodhart in opposition Judge Donohue took the papers.

There was to have been argued, in Supreme Court, Chambers, yesterday, before Judge Donohue, a motion in the suit of John H. Brown against the Erie Railway Company, to set aside the late sale of the road in the foreclosure suit of the Farmers' Loan and Trust Company. For the same time there was also set down for argument a motion to compel John H. Brown and T. H. Isaacson, in their suit against the Erie Railway Company, to file security for costs. After a brief conference, however, between counsel the argument on both motions was postponed until to-day.

John A. Matthies has sued his wife Lena to obtain a divorce from her on the ground of her alleged adultery. The wife denies the charge and has applied to Judge Curtis, of the Superior Court, to grant her alimony for her support during the continuance of the suit and a counsel fee to aid in defending it. The Judge yesterday, in Superior Court, Special Term, made an order directing her husband to pay her $2 a week alimony and a counsel fee of $40.

The assault and battery suit brought by Widow Mary McCauly against Gustave Meyer and his wife, Hulda, already noticed in the HERALD, and in which there was much conflict of testimony, was concluded before Judge Sinnott in the Marine Court, yesterday, by a verdict in favor of the plaintiff. Her injuries were estimated by the jury at six cents which carries with it the same amount of costs and the honor to the Widow McCauly of being a credible witness.

Louis Eridenburg asserts that his son Louis Simon, eight years of age, had a leg broken by a heavy piece of timber falling from the track of the Gilbert Elevated Railroad, for which he is entitled to $5,000 damages. The father made application in the Court of Common Pleas yesterday for an order appointing him guardian ad litem of his son for the purpose of bringing suit to recover the damages he claims he is entitled to. Judge Joseph F. Daly granted the motion.

As already published in the HERALD, Dr. Emil F. Flies and his wife, while standing on the rear piazza of No. 89 Amity street, owned by Mrs. Sarah L. Endicott, where they had gone on October 5, 1875, to look at the house with a view of renting it, were severely injured by the sudden falling of the porch. Both brought suits against Mrs. Endicott for damages. The suit of Dr. Flies was tried recently, and resulted in a verdict for $750 in his favor. The trial of the suit brought by Mrs. Flies took place yesterday before Judge Lawrence, and terminated, on substantially the same evidence as that given on the former trial, in a verdict in her favor for $3,500. Messrs. Townsend & Weed appeared for the plaintiff and Messrs. Stewart & Townley for the defendant.

In the slander suit of Winters against McEvoy, already noticed in the HERALD, Judge Goepp, of the Marine Court, has rendered a decision of interest in relation to the question of slander. The plaintiff charged defendant with having applied to him the word thief; but it further appeared by the plaintiff's testimony that the word was used in a dispute in relation to a stationery bill and had reference to its nonpayment by plaintiff. On this state of facts Messrs. Brown and Rabe, who represented the defendant as counsel, moved to dismiss the complaint, claiming that it was apparent from the testimony that the defendant in applying the word thief to plaintiff did not mean thereby to charge him with the commission of a felony, and no special damages having been alleged in the complaint the action could not be sustained. The Judge concurred in this view of the case and dismissed the complaint.

COURT CALENDARS—THIS DAY.

SUPREME COURT—CHAMBERS—Held by Judge Donohue.—Nos. 21, 58, 70, 94, 98, 99, 101, 107, 108, 112, 132, 133, 137, 175, 177, 178, 186, 192, 193, 194, 195, 197, 198.

SUPREME COURT—GENERAL TERM—Held by Judges Ingalls, Daniels and Potter.—Nos. 170, 171, 29, 27, 28, 30, 31, 37, 38, 45, 46, 48, 50, 51, 54, 58, 59, 61, 64, 67, 72, 73, 74, 76, 77, 80, 5, 6, 7, 12, 13, 16, 17, 36, 43, 52, 62, 68.

SUPREME COURT—SPECIAL TERM—Held by Judge Van Brunt.—Nos. 355, 370, 39, 160, 50, 391, 429, 134, 105, 392, 71, 453, 201, 56, 458, 459, 460, 462, 167, 189, 418, 472, 473, 475, 476, 480, 481, 487, 489, 496, 491, 498, 500, 502, 504, 506, 508, 512.

SUPREME COURT—CIRCUIT—Part 1—Held by Judge Barrett.—Case on—No. 1179. No day calendar. Part 2.—Adjourned until Monday next.—Part 3—Held by Judge Van Vorst.—Short causes—Nos. 3428, 3100, 3415, 3456, 3518, 3435, 3492, 3512, 3461, 3396, 3272, 3375, 3411, 2525, 1965, 2133, 3222, 3336, 3322, 1068, 2568, 3104, 2790, 3430, 2870, 3305, 2294, 3381, 3472, 2377, 1444.

SUPERIOR COURT—GENERAL TERM.—Adjourned until the fourth Monday of June.

SUPERIOR COURT—SPECIAL TERM—Held by Chief Justice Curtis.—No day calendar.

SUPERIOR COURT—TRIAL TERM—Parts 1, 2 and 3.—Adjourned for the term.

COMMON PLEAS—GENERAL TERM.—Adjourned until the first Monday of June.

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

COMMON PLEAS—CHAMBERS—Held by Judge J. F. Daly.—No day calendar.

COMMON PLEAS—TRIAL TERM—Part 1—Held by Judge Van Hoesen.—One hour causes—Nos. 2776, 2050, 2235, 2753, 2275, 2783, 2240, 2518, 2641, 2494, 2765, 2875, 2472, 2525, 2713, 2841, 2845, 1555. Part 2.—Adjourned for the term.

MARINE COURT—TRIAL TERM—Part 1—Held by Judge Alker.—Short causes—Nos. 4427, 2550, 4520, 7272, 4449, 4450, 4701, 4702, 4753, 4754, 4286. Part 2—Held by Judge Goepp.—Short causes—Nos. 4298, 1919, 4603, 4587, 2666, 4552, 4330, 4611, 4606, 4327. Part 3—Held by Judge Sinnott.—Short causes—Nos. 4480, 4479, 4590, 4591, 4669, 4303, 1749, 4675, 4741, 4727, 4761.

COURT OF GENERAL SESSIONS—Part 1—Held by Recorder Hackett.—The People vs. John Tierney, robbery; Same vs. William Heffin and David Clinton, robbery; Same vs. Nelson L. Gordon, felonious assault and battery; Same vs. Thomas McMahon, felonious assault and battery; Same vs. Joseph Wagner, felonious assault and battery; Same vs. John Meehan, assault and battery; Same vs. William Oates, burglary; Same vs. Charles Henry, burglary; Same vs. William Carroll, larceny from the person; Same vs. Adolph Essig et al., excise; Same vs. John Logan et al., excise; Same vs. Thomas Eagan et al., excise; Same vs. John McCarthy, excise; Same vs. Felix Donnelly and William Harris, excise. Part 2—Held by Judge Gildersleeve.—The People vs. John J. Thompson and Robert Thompson, felonious assault and battery; Same vs. Eugene McCarthy, burglary; Same vs. William Harris et al., grand larceny; Same vs. William Dempster, grand larceny; Same vs. John Creagh and Joseph Callahan, grand larceny; Same vs. Annie Donovan, grand larceny; Same vs. Ellen Hall, grand larceny; Same vs. James Preston and Thomas Preston, misdemeanor; Same vs. Edwin Clark, misdemeanor.

COURT OF APPEALS.

ALBANY, N. Y., May 23, 1878.

In the Court of Appeals May 23, 1878. Present, Hon. Sanford E. Church, Chief Justice, and Associates.

No. 157. Richard Hiscock et al., appellants, vs. Lucy M. Harris et als., respondents.—Argued by O. Porter for respondents; submitted by appellants.

No. 205½. Elias W. Curtis, respondent, vs. The Delaware and Lackawanna Railroad Company.—Argued by Hamilton Odell for appellant and Edward Mackinly for respondent.

No. 149. Beekman J. Burnham et als., appellants, vs. Matthew T. Brennan, respondent.—Argued by Nelson Smith for appellants and Robert S. Greene for respondent.

No. 225. James McMahon, respondent, vs. Peter H. Walsh, appellant.—Submitted for appellant; argued by Nelson Smith for respondent.

No. 226. Noah D. Cornish, respondent, vs. The Farm Buildings Fire Insurance Company, appellant.—Argued by Samuel Earl for appellant; submitted for respondent.

CALENDAR.

The following is the day calendar for Friday, May 24:—Nos. 163, 210, 13, 216, 227, 231, 233, 2356.

WEDDED FOES.

The judges presiding at the Fifty-seventh Street Police Court have listened on several occasions during the past year to the complaints of Mrs. Esther McSpedon against her husband, Thomas B. McSpedon, ex-alderman and ex-fire marshal. About a week ago Mrs. McSpedon made a complaint of assault and battery against her husband, and had him bound over to keep the peace. On Tuesday last Mr. McSpedon appeared before Judge Duffy, now sitting at the Fifty-seventh Street Court, to prefer a charge of assault and battery against his wife. The warrant was granted, and Mrs. McSpedon was brought up for examination yesterday afternoon. Mr. McSpedon first took the stand. He said that on the 13th of May his wife assaulted him, and he locked himself in his room; she then went out on the balcony, broke the window and threw the glass at him; she afterward threw a kerosene lamp at him.

"Has this been going on for some time?" asked the Judge.

"It has been going for thirty-eight years, and it is about time it was put a stop to."

"When you were locked up in the room did she ask to get in?" queried Mrs. McSpedon's counsel.

"I guess she did," replied Mr. McSpedon. "She was hallooing and bellowing so that you could hear her a mile off. I ought to have left the house years ago, but she would follow me wherever I went."

Miss McSpedon, the daughter of the parties, said she knew of the trouble between her parents, but she thought that "Ma was to blame."

Judge Duffy held Mrs. McSpedon in $300 bail to keep the peace for six months. The bail was furnished by Mrs. Elizabeth Von Holland, of No. 217 East Eighty-third street.

UNWILLING TO PERJURE HERSELF.

Henry Heffernan and James Evans were remanded by Judge Murray till yesterday on a charge of stealing a sealskin sacque and muff worth $100 from Peter Heffernan, the father of one of the prisoners. The complainant, it appears, was not understood at first to implicate young Heffernan, and when his complicity in the offence appeared the family made an effort to withdraw the charges. Yesterday the servant girl, Annie Johnson, was put on the stand to state that she was not positive whether anything was stolen by the boys or not.

"Put your hand on the Bible," said His Honor, preparatory to swearing her.

"Oh, Judge," the girl blurted out, "I was told to say that to you, but I could not swear to it."

Inquiry showed that Heffernan the elder had told her to act as she did, and the girl very flatly told that gentleman she would not swear her soul away for any one, on which he was put on the stand himself and swore that the stolen property was worth only a quarter of what he had previously said.

On this Judge Murray told the party that he was in doubt who to believe, but dismissed the prisoner for want of evidence.

EVIL FOR GOOD.

Frederick Redlein, driver of a vegetable wagon, was charged at the Tombs Police Court yesterday with assaulting Mrs. Alice Swift, residing on Sixth avenue. From the evidence of the complainant it appeared that the prisoner stopped his wagon in front of her door and asked her if she would change a two-dollar bill? She gave him the change, but he refused to hand her the bill and tried to drive off. She seized him by the coat, when, according to her statement, he assaulted her. Judge Morgan held him in $500 bail.

BROUGHT TO GRIEF.

James McCauley and William McGibney, two youths living at Nos. 213 and 310 East Sixteenth street, on Wednesday night hired a team and drove in the direction of Harlem River. As they passed the store of Henry Meyer, at No. 1,210 Third avenue, McCauley checked the horse, and grasping a bundle of brooms belonging to Meyer started off again at high speed. The ruse proved unsuccessful, for on looking back the lads saw an immense crowd in pursuit, with Officer Geary at the head. The horse was put to the highest speed, but the opposition was in earnest, and the fugitives soon began to regret their little irregularity. They slept in the Eighty-eighth street police station, and were yesterday committed for trial by Judge Wheeler, in the Harlem Police Court.

THE NOYES TRIAL.

General N. N. Halsted, a director of the New Jersey Mutual Life Insurance Company for eight years, gave evidence yesterday in the Noyes trial, at Newark. He was one of a committee which advised reinsurance. His committee unanimously recommended such a course. Mr. Henry D. Walker, of this city, testified to the reinsurance proceedings, all of which have been already described. Other witnesses were called to prove Noyes' good character, and the trial was adjourned for the day.

THE DIFFERENCE IN NAMES.

NEW YORK, May 23, 1878.

TO THE EDITOR OF THE HERALD:—

There appeared in a recent edition of your paper, under the head of "Business Troubles," an announcement of the failure of William Davidson, coal dealer, No. 111 Broadway. As this name is so similar to mine, and my business and address the same, in order to avoid any misunderstanding, will you be good enough to publish the explanation that it is not

WILLIAM M. DAVIDSON, Coal Dealer,
Room 70, Trinity Building, No. 111 Broadway?

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.]

DANGEROUS PAVEMENT.

TO THE EDITOR OF THE HERALD:—

Please call the attention of the Commissioner of Public Works to the wretched condition of the pavement in Fifth avenue above Thirtieth street. SUBSCRIBER.

A FILTHY STREET.

TO THE EDITOR OF THE HERALD:—

I write to call the attention of the proper authorities to the miserable condition of North Moore streets between Greenwich and Hudson streets. The pavement is full of holes and covered with mud and dirty water, creating a terrible stench, which, of course, is very injurious to health. RESIDENT.

STEAMBOAT INSPECTION.

TO THE EDITOR OF THE HERALD:—

As the excursion season is at hand would it not be judicious to call the attention of the local inspectors of Steamers to their duty in respect to the equipment of steamers running on excursions? I doubt whether there is one out of fifty boats that will comply with the law in respect to life preservers, boats, axes, hose, &c. It is time the local inspectors were a little more careful of the lives of the travelling public. EXCURSIONIST.

CUSTOM HOUSE REDUCTIONS.

TO THE EDITOR OF THE HERALD:—

We had again to-day (Tuesday) an "Ohio" visiting commission in the appraisers' department of the Custom House, and from what we can learn its sole object is a reduction of the salaries of the laboring men in that department. Now, is it not about time that the laboring men of the department, at salaries of $2 to $3 25 a day, should be let alone? It seems to be the rule at headquarters whenever a reduction is required to make the hardest worked men suffer most. Is there no relief? WORK.

A SHIPPER'S COMPLAINT.

TO THE EDITOR OF THE HERALD:—

Last Wednesday evening I went to the Inman steamship office to get my bills of lading signed and was told that the clerk who signed the bills would be in in fifteen minutes. I waited one hour and thirty-two minutes and missed three trains for home. There were others in the same fix, who protested loudly against such conduct. Cannot Mr. Dale arrange matters so that when one clerk is out some other one can sign bills, particularly when the steamer goes at an early hour the next morning? A SHIPPER.

BASEBALL IN THE STREETS.

TO THE EDITOR OF THE HERALD:—

Some boys were recently arrested for playing ball on Sunday afternoon. If a policeman would take the trouble to walk through Leroy street, between Hudson and Bedford, he would see the boys playing ball all the afternoon and evening on Sabbath days, and in addition from fifteen to twenty-five children singing at the top of their lungs until ten o'clock at night, disturbing the whole neighborhood. The children live in the tenements on the south side of the street. The police say they can do nothing. Where is our redress? What can we do? LEROY STREET.

THE BROOKLYN BRIDGE.

TO THE EDITOR OF THE HERALD:—

A committee of the Brooklyn Bridge trustees has under consideration the question of making the bridge available for rapid transit. For some inexplicable reason the engineer of the bridge does not seem to see his way clear to solve the problem. In other words, the taxpayers of our city and yours have so far paid some $8,000,000, and will have to pay $6,000,000 more, for a structure which when completed will be of particular benefit to no one except some "Bridge Transit Company." Will the HERALD find the hiding place of that colored gentleman in the woodpile? INQUISITIVENESS.

BLOCKADING COLLEGE PLACE.

TO THE EDITOR OF THE HERALD:—

Permit me to inquire whether that part of College place which lies between Chambers and Warren streets is the property of the public or of Messrs. Acker, Merrall & Condit? If the latter, then the public is under great obligations to Messrs. Acker, Merrall & Condit, but could stand a still further expenditure of gratitude for further concessions from that firm. If, as is possible, the street is not the private property of that firm, but is a public thoroughfare, then all will, I think, admit that the patient public has suffered long enough the inconvenience of Messrs. Acker, Merrall & Condit's daily marshaling of wagons and trucks. NO THOROUGHFARE.

A BAD LAW.

TO THE EDITOR OF THE HERALD:—

While I was sitting in the office of Professor Going, yesterday, word was sent to him that a youth and his companion, who were placing a post in front of the former's veterinary hospital, at No. 255 West Forty-seventh street, were arrested for a violation of the law in not having obtained a permit. I accompanied Dr. Going to the station house, near Ninth avenue, when the Sergeant remarked that the young men were "good till morning," but still he was humane enough to say to his assistant, "Let these gentlemen see the two men who were locked up." Is it not too bad that where it is plain that there was no criminal act or intention respectable citizens should be placed on a level with the vilest classes? Why not, in a case like the above, release the offender upon the owner giving bail for his appearance? Something should be done. F. W.

INEFFICIENT CONDUCTORS.

TO THE EDITOR OF THE HERALD:—

Cannot something be done to remedy the annoyance which so frequently occurs when riding in the cars of being taken past the street at which one desires to stop? My sight is so impaired that I cannot distinguish the names of the streets when riding in the cars, and I am consequently at the mercy of any person who may be sitting near me to tell me where I am, for it is useless to rely upon the conductor. Yesterday morning an important matter required me to go to Thirty-sixth street and return as quickly as possible, and I specially charged the conductor to stop at Thirty-sixth street. Very anxious not to lose a moment or run any risk I asked a gentleman if we were down to Thirty-sixth street, and he informed me that we were approaching Thirty-third street. On my reproving the conductor for his carelessness he replied, "Oh, I cannot think for everybody," or to that effect. It seems to me some means should be employed by which passengers who, like myself, cannot distinguish the streets may prevent themselves from being carried beyond their stopping place. BEYOND ENDURANCE.

TOO MANY WRITS.

TO THE EDITOR OF THE HERALD:—

You must have remarked the frequency of the application for the writ of habeas corpus. Indeed, the return of these writs in the Supreme Court Chambers each day is a nuisance to the Court in its present crowded state of business. I am afraid the only remedy is to change some of the politicians at our police courts, and in their stead place able lawyers. These remarks are prompted by the charges against the eccentric man-woman Tom-Ri-Jon, who appears to be in a fair way to be committed by Judge Morgan as a nuisance. Yesterday was the second time she was arrested on the complaint of the authorities of St. Paul's Church and discharged with a caution. She of course, pursuant to the caution, will again parade, be arrested and committed. Now comes the writ of habeas corpus, and we lose half a day of the Supreme Court's valuable time in passing upon the right of her committal. Why do not these police judges get together and try and explain to their associate, Judge Morgan, that this woman has a right to walk in her peculiar garb unless it be for an immoral purpose. As a lawyer I suggest to the otherwise intelligent judge that he will find, if he study the question, that neither the common law, the statute law of municipal law takes away from this eccentric woman the right to support her children in the way chosen by her—the feelings of the authorities of St. Paul's Church to the contrary notwithstanding. BARDOZE.

THE FIFTH AVENUE STAGES.

TO THE EDITOR OF THE HERALD:—

I beg leave to avail myself of your "Complaint Book" to complain of the conduct of the Fifth Avenue line of stages in stopping at corners for the purpose of picking up passengers, who, late at night, emerge from theatres. An announcement which is conspicuously posted in all the stages of this line invites passengers to inform the proprietors if any of the drivers "loiter at corners or drive too fast or slow." Having often suffered from these practices I have in compliance with this invitation written to the proprietors, but they have not paid the slightest attention to my protest. On Monday night I had occasion to take one of their stages, and on arriving at Fourteenth street the driver stopped for about five minutes, and I requested him to go on. He returned some impudent answer, and upon my renewing my request told me that I might report him. The number of the stage was 66. I then attracted the attention of a policeman, who refused to interfere, declaring that he had no power to make the driver proceed. I told him that he had the power, and he wanted to know how. I replied, "Arrest him for obstructing the streets," and asked him his number. Says he, "My number is 1,468. Wouldn't you like it on a card?" After waiting a while he said to the driver, "Johnny, hadn't you better go on?" and Johnny, thus encouraged, went on. I have only to add that I had a lady with me who was ill, and that every moment of delay was agony to her. I beg leave to enclose my card. K.

THE SITTING BULL QUESTION

INTERVIEW WITH MAJOR WALSH ON THE CONDITION OF THE EXILED SIOUX—THEIR RELATIONS WITH THE AMERICAN AND DOMINION GOVERNMENTS—THE KANUCKS ANXIOUS TO SEND THEM BACK.

In an account of an interview with Major Walsh, of the British Northwestern Police, the Chicago *Times*, May 21, says:—

Knowing how excellently well conversant was Major J. M. Walsh, of the Northwestern mounted police force, with all the phases of the Indian question, as affecting the interests of the two countries, a *Times* representative had a conversation with the distinguished officer on yesterday, previous to his departure for the north to assume command of his police force. Since leaving the northern country Major Walsh has been in constant communication with the officers of his command, and has been kept well posted upon all the movements of the redskins. This officer has already shown a marvellous capacity in dealing with the Indians, and possibly there is no man in either the American or Canadian service better acquainted with all the methods and characteristics of the savages. He has displayed a wonderful influence in dealing with them, and by pursuing a careful policy has won the personal confidence of all the leading chiefs. He has become known in all the camps of the savages, and could undoubtedly accomplish a great work in securing a return of all the main bands to this country.

THE RETURN OF THE INDIANS DESIRED.

After conversing in a general way upon the prospect of another summer campaign the Major was asked:—

"Do you think it would be the policy of either of the governments to negotiate for the return of the savages?"

"I think that every means should be taken to have the tribes return to the United States. If they can be induced to return and be disarmed all danger of hostilities on the frontier would close and the Indian question would approach nearer a settlement."

"Have you any idea that they could be induced to return to this country under such conditions—would they consent to be disarmed?"

"The Sioux, I believe, can be induced to return to this country, but not in one week nor in one month; but a great deal could be accomplished in a year. It would not be possible to get a satisfactory reply to any proposition that might be laid before them in one or two days. A proposition must be made to them in council—that is, a council of their head chiefs, and by them the proposition is carried to their respective bands. Where it is certain to be thoroughly debated and objections made to it. These objections must be satisfactorily explained away before any answer could be secured. It would be slow work at first, but I have plenty of faith that it would succeed in the end and do away with a dangerous element on the border."

The Major said, in illustrating the theory, that it was necessary to have a subject thoroughly discussed in camp before any action is taken by any of the bands.

"Indians are independent of each other," said he. "Supposing that Sitting Bull had said to General Terry during the conferences at Fort Walsh, 'I will go back,' when the proposition was made to him, and he should have gone back to his village and told the Indians that the Americans had made a proposition which he had accepted. The savages would probably have replied, 'All right; you can go back.'"

"Would it be possible to secure the removal of all the Sioux at once?"

"No," he replied, "the Sioux commenced coming into our country in small bands, and if they ever return they will commence returning in small bands. They would probably send a few families across the line as 'feelers,' and wait until they see how they are, and accordingly as they are treated well or badly it will so encourage or discourage the others."

WHY IT WOULD BENEFIT THEM.

"What would be the result of a return of these Indians?"

"If the return of the Sioux could be accomplished in two or even five years it would not only be a blessing to them, but would prove an agreeable thing for the people on the frontier, and would cause a happy termination, to both Canada and the United States, of the hostile question. If they should return they will necessarily be dismounted and disarmed, and once dismounted they are conquered. I assume that the United States will never again permit the return of any armed body of savages."

"What sort of a proposition would it be necessary to offer the savages, in your opinion, to secure their return?"

"I think the proposition which was originally made to Sitting Bull would be accepted—that they should be allowed to go upon their reservations and that, with the proceeds of the sale of their ponies and arms, cows and all necessary articles will be purchased. The question which would possibly cause the greatest dispute would be in the location of their reservations. The Indians, I am positive, would object to going further south than Red Cloud agency."

"Is it the policy of the Canadian government to get rid of the Sioux?"

"The Canadians do not want the Sioux, and think that the proper place for them is upon the reservations in the United States, and they would unquestionably use all the persuasion at their command in securing this end. It should be remembered," continued the Major, "that the Sioux outnumber all the other Indians on the northern frontier. The nation is very numerous, and is well supplied with arms. The other tribes do not number over three or four hundred to each tribe and, if they are kept from forming a confederation, can be easily managed."

"Can a confederation of all the savages north of the line be formed—is such a thing possible?"

"It is not natural to suppose that the Sioux and Blackfeet could become allies, but the Sioux are one family, and their tribes could easily be induced to form one body. The policy of treating with the Sioux is owing, therefore, to the great strength of this particular tribe."

POSSIBILITY OF A SOUTHWARD MOVEMENT.

"What would be the probable result if the Indians should once attempt to move southward?"

"The entire American army could not prevent the Sioux from moving upon American territory if they made a concerted movement, owing to the great extent of the frontier."

"Would not your government be held responsible for any incursions of the savages south of the line?"

"I do not consider that our government could be held to account for any movement of the savages. The government will do all in its power to stop any movement of this character, and would advise the American government as early as possible of any contemplated raid. Beyond this I cannot believe that anything more would be required of our government."

"What will be the effect if the Nez Percés Indians now in the Dominion return to their reservation?"

"It will have a good effect upon the other savages, and will probably induce others to think of returning."

SITTING BULL DETHRONED.

"What do you hear of any movements on the part of Sitting Bull?"

"Sitting Bull," said the Major, "as a chieftain has fallen from power for some cause. He has continued to lose caste among the savages since the interview with the Americans, and to-day he has no following. From a letter I received a few days ago I am told that all the Uncpapa Indians have joined the village of Spotted Eagle, and that that warrior is now the head man among the hostiles. Sitting Bull is still located a little south of the Cypress Hills, and has with him only five lodges, which are mainly made up of his own family and relatives. Sitting Bull has consequently lost all his former greatness."

"In case these tribes could be induced to come back, would not a large number of the warriors refuse to return for fear of being punished?"

"A few might hold back, but in case the main body returned to the reservation they would be sure to follow."

"And now, Major, what is the prospect of a sudden campaign with the redskins?"

"I told you two months ago, that, in my opinion, there would be no trouble, and I still think that there will be none, unless some great change has taken place since I left the northern country. From all the reports which I have received there is no prospect of any change."

In conclusion, Major Walsh said:—"I claim, however, that until the two governments get these hostiles off the frontier, for so long will they remain a menace to a peaceable condition of affairs on the border."

Major Walsh will take charge of a large body of recruits for the police service at Duluth, and will proceed with them direct to Fort Walsh. He will probably not return to civilization, unless urged to do so by some untoward event, during the next two years.

CUSTOMS COMMISSION.

A large number of witnesses were cited to appear before the Customs Commission yesterday to testify in regard to values of silk importations, but only the following presented themselves:—Messrs. Thomas N. Dale, of Stokes, Caldwell & Co.; Hammill, of Hammill & Booth, No. 461 Broome street; A. B. Strange, No. 32 Greene street; John M. Stearns, No. 451 Broome street; C. I. Palgram, Paterson, N. J., and Robert Swain, Union, N. J. Several of these gentlemen were questioned as to the nature of their testimony, but they declined to say anything, as they were pledged to secrecy.

THE KID GLOVE EMBARGO.

Collector Arthur did not render his decision yesterday on the report of General Appraiser Ketchum, Appraiser Dutcher and the merchant appraisers in the numerous cases of reappraisements on the kid gloves held by the government on a charge of undervaluation. He hopes to do so, however, in a few days. In the meantime the duty of the kid gloves have been withdrawn on the payment of a special deposit covering the margin between the entered and the raised valuation of the goods.

CORONERS' NOTES.

Patrick Barry, of No. 228 East Twenty-fifth street, while alighting from the front platform of a Third avenue railroad car at Twenty-fourth street, last Tuesday, struck against one of the pillars of the Elevated Railway, was knocked down and run over. He was removed to Bellevue Hospital, where he died yesterday.

Charles Montague, a carpenter, died at Roosevelt Hospital yesterday from tetanus, which was produced by a scalp wound.

The body of the man found floating in the East River the 27th ult. has been identified as that of Owen Lynch, of No. 347 East Forty-eighth street.

RAPID TRANSIT.

THE OPENING DAY ON THE GILBERT ROAD POSTPONED FOR A WEEK—PROSPECTS ELSEWHERE.

The opening day of the Gilbert Railway is like the stone of Sysiphus—every time you have brought it down (to a certain date) it rolls back again (into the future). First the road was to have been opened on May 1, then on May 10, then on May 15, then on May 20, then on May 25, and now the word is that the opening is to take place June 1. That would be a week from to-morrow, but the probabilities are that the road will not actually be opened to public traffic until June 3, or a week from Monday next. The officers of the construction company have hurried on the great work with the utmost energy and speed, but of late they have been obstructed by the excessive slowness and tardiness of the contractors for the stations. These contractors have so wasted the time that even now no wooden railings have been placed around the platforms of most of the stations, such as are necessary to prevent people from tumbling down to the sidewalk. Considering that every day's delay in opening the road represents no trifling pecuniary loss to the company, it may be regarded as tolerably certain that if there is not a considerable amount of hard swearing in the Gilbert road offices it is only because the officers of the road are gentlemen who are not addicted to that failing.

Mr. Van Brocklin, the superintendent, is still engaged in perfecting the time table. The running time from Morris street to Fifty-eighth street—visitors to the Park will have to walk a block—will be twenty-three minutes to begin with. By and by this time will probably be reduced, but for the present and until the capacities of the road and all the running arrangements are thoroughly tested it is deemed safest not to exact the maximum of speed. What the road can do in point of speed has already been illustrated by the trial trips, which were accomplished in eleven minutes from Morris street to Fifty-eighth street—of course without stoppage. In reference to the frequency of trains it has been already settled that between half-past five and half-past six A. M. they will be run every five minutes, and then every three minutes until half-past five P. M., when the five minute intervals will be resumed until nine o'clock. Then there will be trains every five or ten minutes—as often as the traffic requires—till about half-past eleven, or after the theatre traffic is over. From half-past eleven P. M. till half-past five A. M. night trains will be run half hourly. Being started at the same time from both ends of the line the trains going in opposite directions will pass each other in the centre of the road, which is at the Clinton place station. There being an abundant number of engines and cars to meet the highest exigencies of the traffic the time table will be experimented with until it meets the demands of the public.

THE TICKETS AND FIVE CENT CARS.

The tickets are being printed now. They will not be taken up by the conductor on the car, but be delivered by the passenger at his exit. There will be no separate fare for children. All children above a certain age—not yet agreed upon—will be charged full fare; the others will ride free. At present forty cars and fifteen engines are here ready for use, and twenty additional cars, as well as ten more engines, are expected to arrive this week. It is expected that the smoking or commission cars, on which only five cent fares will be charged, will prove almost, if not quite, as popular as the saloon cars. The cool rattan seats of the cheaper cars, and the solid wooden shutters, keeping out the heat of the sun more effectually than the rep blinds of the saloon cars, will probably be preferred during the summer by many who could afford to pay ten cents. The difference in the two cars is mainly one of ornamentation. After issuing from the smoking cars with their light rattan seats and plain ceilings, and entering the saloon cars with their rich, red morocco upholstery, and their delightful decoration, the effect is naturally rich, warm, pleasing. So light and simple in construction are the smoking cars that the seats, their backs and the matting may be taken up in a minute and a hose turned upon the interior to give it a quick and effectual cleansing.

SWITCHES AND SIGNAL APPARATUS.

The system of switches and signals adopted by the Gilbert road affords some novel points of interest. The road is divided into so many sections, the design being that no train shall enter upon a section until the train ahead has effectually cleared it, and of this fact the engineer of the train following behind is accurately informed by an automatic electrical signal, which raises a red disk before his eye. This is to prevent any train from running into that preceding it or from bringing the undue pressure of too many trains upon any one portion of the track. At the upper and lower end of the road there is an interlocking switching and signal apparatus, worked by one man, with a series of levers so arranged as to render it impossible to set a wrong signal or a wrong switch.

The work on the Third avenue elevated road continues with its wonted slowness, and on the Bowery the recent frightful accident has even increased it, from the gingerly caution which has now taken the place of the former recklessness of the contractors. Unless the directors hurry up the contractors the prospects of having rapid transit on the east side, even to the Grand Central Depot, this summer will continue "growing beautifully less" all the time.

BUSINESS TROUBLES.

ADJUDICATIONS IN BANKRUPTCY—CREDITORS' MEETINGS AND OTHER PROCEEDINGS.

Henry A. McI