THE COURTS.

Judicial Dissolution of a Firm of Young Forgers.

COMPLAINT AGAINST A POLICY SHOP.

Dr. Crosby's Society Resuming Its Raid on the Liquor Dealers.

The Court of General Sessions was occupied yesterday with the trial of Terence Donnelly, charged with forgery. It was alleged that two brothers, named Edward and William Reilly, in the employment of Edwin C. Litchfield, a retired physician and real estate owner, absconded with one Louis Carlin, a companion. After their departure Mr. Litchfield discovered forgeries on his account on the Corn Exchange Bank to the extent of $16,000. The young men fled the city, and were subsequently arrested in Barbados and brought back to this city, and when arraigned for trial pleaded guilty. They then claimed that the accused was implicated in the forgery; that he had lived with them and actually suggested the idea. The main charge on which the accused was arraigned for trial was that of forging the signature of Mr. Litchfield to a check for $9,990, drawn to the order of C. S. Peters. It was averred that the forgeries were skillfully executed and the checks were readily cashed on presentation. The two brothers had at different times occupied rooms with the accused in the boarding house kept by Carlin's parents, in Brooklyn, and became very friendly. The young men claimed that the accused had suggested to them the idea of working certain mines in Bogota, Columbia, from which large profits could be derived. Tools, he said, were necessary for carrying on operations, and it was alleged that in order to supply the need the accused induced them to bring him some of Mr. Litchfield's checks, to one of which for $100 he forged successfully the signature of Mr. Litchfield. This check was at once cashed, and it was claimed that, being thus successful, various other checks for large amounts were forged, the total amount obtained being $16,600. It was alleged by the Reillys that the accused received the greater part of the money, it being understood that he was to purchase the necessary implements for the mining enterprise and follow them to South America several weeks after they should leave New York. After the fugitives were arrested only $203 were found in their possession, but William Reilly said he had given $4,600 to the second mate and $3,360 to the steward of the vessel, $1,960 of which the latter subsequently returned. Detectives O'Connor and Field, of the District Attorney's Office, arrested the accused. During the trial Assistant District Attorney Rollins showed by Mr. William Savage, manager of the Brooklyn Improvement Company, that the $9,990 check was a forgery. Edward A. Reilly, seventeen years old, and William H. Reilly, aged twenty-two, detailed the various forgeries, the signature of Mr. Litchfield being made in every instance by the accused, who, they said, traced it from a cancelled check through a glass. On behalf of the accused, Colonel John R. Fellows, his counsel, examined numerous respectable citizens, who testified as to his excellent character and the esteem in which he was held by reputable citizens. Miss Kate Carlin, a sister of one of the prisoners and daughter of the lady in whose house the Reillys and the accused boarded, testified that during the time the forgeries were being carried on she had seen William Reilly at a table on which a number of Mr. Litchfield's checks were scattered, tracing the signature on tissue paper. The accused then took the witness stand and emphatically protested his innocence. He solemnly denied the statement of the Reillys. In summing up for the defence Colonel Fellows made a lengthy argument and Mr. Rollins responded for the prosecution. The jury, after nearly an hour's absence, returned a verdict of guilty. On motion the accused was remanded for sentence.

A QUESTION OF RENT.

The defence to an ordinary suit for rent brought by Julia C. Witthaus against Asabel Hawley Heath in the Superior Court is somewhat novel and interesting. The action is brought to recover $1,041 11, balance of rent claimed for two offices on the first story of No. 200 Broadway, the same having been leased to the defendant for five years by the executors of the late Gustav Heinrich Witthaus. The defendant in his answer states that the executors agreed that he should have quiet and peaceable enjoyment of the premises; that the same were leased by the defendant—who is a physician—for an office and for the keeping and sale of mineral water as medicine in connection with his practice. The requirements of his business the executors, he alleges, well knew were such that at all times during his business hours the first floor and hall of the premises should be kept "quiet and unobstructed, orderly and reputable," and that no disreputable business should be carried on there or disreputable persons allowed there. The defendant says, upon information and belief, that in violation of this express understanding the executors on the 1st of May, 1876, let apartments on the first floor to persons doing business in the name of Clute & Co. for a lottery and policy shop; that they have ever since allowed to be conducted there the notoriously disreputable business known as the lottery and policy business, and that since that time he has not been allowed "peaceably and quietly to have, hold, occupy or enjoy the said premises," but that on the contrary the lottery business has drawn to the building and into the hallway and entrance great numbers of disreputable characters engaged in and connected with such business, who have frequently and almost daily been drunk and turbulent, and who have constantly created disturbances in the building. The defendant says further that the police have made frequent raids and arrests there, and that the building has become notoriously and publicly known as a place where the lottery business is carried on, and that an espionage has been kept on the premises by the police, who stay there to watch and capture offenders against the law. He says, in addition, that these disturbances have greatly damaged his business and annoyed his customers; that the value of the apartments leased to him has been greatly reduced, and that he has been damaged in his business to the extent of $7,500, for which sum he asks judgment. To this answer the plaintiff replied, denying all its material allegations, and asserts that the apartments let to Clute & Co. were for the banking and brokerage business only. A motion was made to place the cause on the short calendar of the Superior Court for trial, and notice of trial has been filed.

THE LOST ANITA.

Like a foolish virgin, the Anita, a Swedish bark, left Portsmouth, Eng., on the 7th day of July, 1871, for one of the New Brunswick ports, with a short supply of lamp oil, and on the 25th of August she was struck abeam and sunk by the steamer Java, whose officers claim that she showed no port or starboard lights. Only one man of a crew of twelve all told live to tell the tale of the dreadful night when in a calm sea, after an awful shock, the Anita went to the bottom. The owners of the ill-starred Anita libelled the Java, her machinery and tackle, and the court found it well taken. From this decision an appeal was taken before Chief Justice Waite, sitting in the United States Circuit Court, who confirmed the decision of the Court below, maintaining the libel for $15,894 55 and interest at seven per cent from December 31, 1874.

JUDGE CHOATE ON FEES.

Judge Choate yesterday decided, in the matter of Vermeule, an important point concerning the fees to which the clerk is entitled for making and certifying a search for judgments and for petitions in bankruptcy. In this matter the clerk claimed for judgment decrees fifteen cents for each name searched against, and ten cents for each name searched against in bankruptcy proceedings for ten years, making in the last case $1 for each name searched against. The first part of this claim the petitioners concede, but objection is made to anything more than fifteen cents for each name searched against for petitions in bankruptcy, and the objection is sustained in the decision.

A DIVIDED RESPONSIBILITY.

In the case of the steamer Montana, injured by the screw of the steamer City of Paris while the latter was leaving her berth on the North River some time ago, Chief Justice Waite yesterday handed down a decision affirming the judgment of the District Court against the steamer Montana, holding that "while it is the duty of a large steamer on leaving her dock to take care that no unnecessary damage is done to other vessels lying in proximity to her, it is equally the duty of other vessels to take all reasonable precautions to protect themselves from the damage to which they will be exposed by her movements."

WAR ON LIQUOR DEALERS.

A large number of excise cases came up for disposition yesterday before Judge Sutherland, in the Court of General Session, the prosecution being at the instance of Dr. Crosby's society. Many of the indictments were for selling liquor on Sunday and others for selling without license. The counsel of the Society for the Prevention of Crime, Mr. David J. Whitney, was in attendance, and the following cases were disposed of:—Henry Schramm, of No. 256 West Nineteenth street, and Fras Ruppert, of No. 123 Bleecker street, pleaded guilty, and were fined $100 each. Peter Eurst, of No. 45 Third street, also pleaded guilty, and was sentenced to pay a fine of $10. It may be mentioned that twenty-seven of the proprietors of low liquor saloons having been indicted on complaint of Dr. Crosby's society, were notified by Detectives O'Connor and Field of that fact, and the majority of them appeared at the District Attorney's office yesterday and gave bail in $300 and $500 each to appear for trial.

SUMMARY OF LAW CASES.

Suit has been commenced by the United States against Homer B. Hawkins for $15,650 43 in gold and $13,425 34 in currency, as bondsman for Richard L. Robertson, late Collector of Customs at Brazos de Santiago, Texas.

J. W. Brount was yesterday sentenced by Judge Benedict for having in his possession unstamped cigars, with the intention of selling the same.

Suit was commenced yesterday against Louis de Bebian and William Morrison for $2,500 for forfeited recognizance of Morrison, who was indicted for sending forbidden matter through the mails and who, when bailed, fled to Canada.

In the United States District Court six suits were commenced yesterday against Emil Auguste Nerseheimer for sums aggregating $20,835 50 as follows:—For fraudulent entries at the Custom House, $7,500; unpaid duties, $675; debt for unpaid duties, $1,322 40; penalty for fraudulent entries, $188 10; unpaid duties, $1,200; penalty for false classification and undervaluation, $10,000.

Eliza Kelley has brought, through her counsel, Messrs. Howe & Hummel, a suit for divorce against her husband, John N. Kelley, on a charge of abandonment. She alleges that a few months ago he sold out her fancy goods store in Sixth avenue, pocketed the proceeds and, leaving her destitute, went to Connecticut, where he began a suit for divorce against her. Upon her statement Judge Lawrence granted an order of arrest against Kelley, he having meantime returned to this city. Kelley was arrested and gave bail in $3,000 to answer the charge.

There was commenced, before Judge Sinnott and a jury, in the Marine Court, yesterday the trial of the suit of Richardson against the Star Newspaper Company. The suit is brought to recover on a promissory note and the company defends on the ground that the making of the note was a private operation on the part of the absconding General Smalley and that it was never authorized according to the bylaws of the company. The trial was adjourned to Monday next.

William F. Hammond and John C. Bowen, executors of the will of William H. Hammond, in a suit which they have brought against Christian Schultz and Frida Schultz, state in their complaint that the will was duly admitted to probate, and that William H. Hammond on the 24 of March last was the owner of a large quantity of furniture and a number of valuable books, as also the book in which the deceased kept a record of the number and names of his customers, he being at the time in the business of repairing watches. The plaintiffs charge that the defendants wrongfully retain the possession of these articles, and they bring suit for $5,000 damages. An inquest was taken and judgment given in favor of the plaintiffs in the Superior Court. A motion was made to set this inquest aside, which motion Judge Sedgwick yesterday granted.

The complaint against Mr. Edward Arnott, the actor, who caned a young man named Montgomery Throop, Jr., was yesterday dismissed by the Grand Jury.

Henry I. F. Short, a clerk in the Astor Place Hotel, stole a diamond cluster pin, valued at $400, the property of Louis J. Jones, of Orange, N. J., from the hotel safe, in May last, and then pledged it in a pawn office. The accused was arraigned by Assistant District Attorney Rollins, in the Court of General Sessions, yesterday, before Judge Sutherland, and pleaded guilty. He was sent to the State Prison for three years.

COURT OF APPEALS.

ALBANY, N. Y., June 21, 1878.

In the Court of Appeals to-day the following decisions were handed down:—

Woodworth vs. Payne.—Judgment affirmed, with costs.

Roe vs. Conway; The Merchants' Bank of Canada vs. Livingston.—Judgment reversed and new trial granted, costs to abide event.

Bostwick vs. Frankfield; Parker vs. City of Cohoes.—Order affirmed and judgment absolute for the defendant on stipulation, with costs.

In re petition of George W. Mead.—Order affirmed, with costs.

In re petition of Roswell D. Hatch.—Appeal dismissed, with costs to Hatch against Bowes.

In re petition of Hebrew Benevolent Society to vacate, &c.—Motion denied, with $10 costs.

In re Department of Public Parks relative to laying out a road north of 155th street.—Ordered that the remittitur be amended so as to give costs to neither party in this Court.

GENERAL CALENDAR.

No. 292. Pomeroy P. Dickinson and others, appellants, vs. The City of Poughkeepsie, respondent.—Argued by H. A. Nelson for appellants, O. D. M. Baker for respondent.

No. 434. The People ex rel. John Murray, appellant, vs. The Justices of the Court of Special Sessions, of the Peace, &c., of New York.—Submitted.

Court adjourned to Monday, September 16, 1878.

A POST OFFICE ROBBER.

HOW GEORGE M. MARTIN'S QUIET AND PROFITABLE LITTLE GAME WAS RAIDED ON.

For months past frequent complaints have been made to Postmaster James that registered letters from distant points had been lost. For a long time the postal authorities were unable to locate the office at which the robberies were committed; but long watching convinced Mr. Charles Forrester, Jr., Superintendent of the Registry Department, that the leak was in his office. None of the letters lost were addressed to parties in New York, but came from Western post offices, addressed to Eastern offices mostly in Maine and Massachusetts. The records of the New York office gave no inkling of irregularity, for the number of letters sent out corresponded with that received. The press of business during the day and the presence of a large force of clerks made it impossible for any one to open letters and abstract money in the manner complained of. Suspicion finally centred on the night clerks who receive and receipt for packages of registered letters. Both the men employed on the night tour were old and efficient clerks and it was long before the authorities obtained confirmation of their suspicions. Watch was instituted, however, and for twenty-one nights the men on the night tour have been under surveillance. The conduct of George M. Martin, the captain of the tour, was particularly noted, and certain of his actions pointed him out as the man who was pilfering from the mails. It was noticed that he opened all the packages he received, and that shortly thereafter he left the office ostensibly to get something to eat. He was frequently seen to throw his handkerchief carelessly on the desk, always covering a letter with it. When returning the handkerchief, with deftness worthy a prestidigitateur he took the money from the envelope. He used to have a paper cornucopia of munchas in his pocket, and while handling the missive he managed to gum the flap with mucilage carried on his finger from the pocket. A number of decoy letters containing marked money were sent through the office, and yesterday morning he abstracted two of these from a package, and putting them into his pocket walked out of the office, as was his custom to get a matutinal cocktail. While he was gone the letters and books were examined, and it was found that while the lists of letters received agreed with that made out for transmission to another office two letters were missing. When Martin returned he placed the decoy letters—having meantime emptied them of the marked money—with the others and was proceeding with his business when he was arrested by Special Officer Sharrett. In conversation with Mr. Forrester Martin said he did not know how much money he had abstracted; that he had been pilfering for a long time; that he knew he was watched of late, but the temptation was too great for him to resist, and he continued in his evil way, though confident he would be detected. He ascribes his fall to a strong love for whiskey. He was taken before Commissioner Betts, who committed him for examination to-day at twelve o'clock.

A PEACEABLE OLD MAN.

A man, so old that he had to support himself on the railings, stood in the Jefferson Market Court yesterday afternoon arraigned on a charge of shooting. His name was Robert Stewart, and he was sixty years of age. The complainant was a boy, Charles Miller, of No. 551 West Fortieth street, who, by a mere chance, had escaped death at the hands of the aged prisoner, and whose injuries were pronounced by a physician to be much more painful than serious. He said he had often passed the house where the prisoner lived, and played about the neighborhood with boys of his own age, but had not done any mischief there.

"I'm a watchman," said old Stewart, "and I carry a pistol for them that means to do me harm. I'm a peaceable man, but I won't stand no fooling. This 'ere trouble all came about stealing chickens. I've kept some fowl and I've had lots of experience with these boys. A little while ago three boys came fooling round and sneaked away with some more chickens. I waited to catch them boys, but I couldn't do it. So I got my pistol, and when I see three boys coming round there again I jest pulled the trigger and fired it off."

"But," said Judge Murray, "were you sure that it was this boy who stole your chickens?"

"No," said old Stewart, "I wasn't sure it was him, but them boys stole the chickens, so I thought I'd set the pistol off anyway. It might frighten 'em, you know. I'm a peaceable man, I am," old Stewart went on, "and I wouldn't hurt nobody, but I won't have them chickens stole no more."

Judge Murray held the revolver-wielding old man in $1,000.

FOR CHARITY'S SAKE.

The following contributions have been received at this office for the poor widow at No. 126 Hester street and her two children.

Mrs. F. Clayborn	$5
"J."	1
Total	$6

A DESERVING CASE.

On the top floor of No. 225 East Twenty-fifth street Mr. and Mrs. Burroughs are in want of food. The man has been out of work for some time. He does not drink and tries hard to obtain work. He was in the late war and has colors that he carries throughout it. There has been sickness in the family and their two little children have not had any meat in ten days.

WRANGLING AND JANGLING.

Resumption of the Contest Over Vanderbilt's Millions.

LEGAL MALCONTENTS.

A Day of Interminable Argument and Dry Testimony.

The Vanderbilt will case was resumed yesterday morning before Surrogate Calvin. The day was rendered particularly unfruitful by the interminable arguments and objections of counsel, even after the Surrogate had rendered his decision on the point at issue. There was a great crowd of spectators present until late in the afternoon, when the heavy medical terms flung at the witnesses soon had the effect of thinning out the audience and even driving away both William H. and Cornelius J. Vanderbilt and Mr. Comstock. Mrs. La Bau was also absent during the medical evidence.

THE COMMODORE'S SUSCEPTIBILITY.

Mrs. Mary Van Pelt, of No. 181 Sixth avenue, was the first witness. She lived in the house adjoining the Commodore's residence and belonging to him; it was leased by a Mr. Pierce, from whom she sub-rented a portion of the premises. She said she frequently spoke with the Commodore, and then Mr. Lord asked her to state the conversations. Mr. Clinton objected and Mr. Lord explained that he desired to prove by Mrs. Van Pelt that the Commodore wanted to evict Pierce for the non-payment of rent, and that through her influence he was dissuaded from his purpose. Mr. Clinton declared that the Surrogate had already ruled out such testimony, but the Surrogate said Mr. Clinton was in error. Mr. Lord urged that it had been claimed by the proponents that Commodore Vanderbilt had an iron, inflexible will which nobody could influence, and that the Commodore, therefore, could not have been influenced in making this will. He wanted to show by the witness that the Commodore was a man just like others, that he would often talk violently and announce his will as though it would be inflexible, and that, just like other men, he could be influenced and would recede from his previously declared resolutions.

The Surrogate plumply asked whether Mr. Lord could point to a single syllable of evidence showing any exercise of influence over the Commodore in the making of his will.

Mr. Lord claimed, in the course of a long and discursive reply, that he could point to many facts in the direction of undue influence. "In the first place," he said, "we start with the opportunity"——

Surrogate Calvin (smilingly)—And with the strongest reasons for exercising it.

THE POINTS OF THE CONTESTANTS.

Mr. Lord continued that it was shown William H. Vanderbilt was a man who would not stand by the woman who bore and nurtured him, and would allow her to bear any indignity and to be sent to the lunatic asylum rather than offend his father; that thirty years ago William H. said he knew his father must be under the influence of some woman, and he was bound to control that woman's influence; that William H. was the only son who always lived with the Commodore and could exercise this influence; that the Commodore said William H. had told him his daughters and his son, Cornelius J., had wished him dead; that William H. was the only one who favored the second marriage; that William H. grew upon the favor of the Commodore by thirty years of fawning and servility, so that the Commodore gave him $20,000,000 during his lifetime and nearly all he had after life; that William H. allowed himself to be called a "damned fool," a "stupid fool," a "dotem head" and got all this fortune from favors and not by merit, for it was proven that William H. never was admitted to the confidential counsels of the Commodore; that William H. knew what the will was, for, coming back from the funeral, he told a brother and sister of his not to complain about the will when they heard it read, because he (William H.) would do justice to them; that the Commodore seven labored under the delusion that William H. was his only son, so that he wrote a letter alluding to Cornelius J. as a vagabond "calling himself his son;" and that when the thorne grandchildren were spoken of the Commodore said, "Ah, but they are not Vanderbilts," showing that he labored under a mania to accumulate his fortune and fame upon a Vanderbilt, in order that future generations should marvel at this man who had amassed the greatest fortune ever acquired by a single individual in this country.

BEGGING THE QUESTION.

Surrogate Calvin thought all this was "begging the question," and failed to recall to his mind an iota of proof that undue influence was exercised. The fact that the opportunity for such exercise existed and that the result coincided with it could not be taken for proof that such exercise of influence actually took place. The Surrogate thought the position that William H., whose mental capacity was so despised and deprecated by the Commodore that he did not admit him to his confidential counsels, was the very son who could influence the Commodore, was utterly inconsistent. He said this evidence of Mrs. Van Pelt must be excluded until a legal basis had been established for the assumption that undue influence was exercised by the proponent.

Mr. Lord, in order to put his exception on record, formally offered to prove that Mrs. Van Pelt went to see the Commodore three different times; the first time to stop the eviction of Mr. Pierce and allow her to pay the rent, the second to have some repairs made in the house and the third to have a new range put in; that upon all these three occasions the Commodore, in the bluntest and most violent language, rebuffed her and refused to accede to her demands, after which he receded and yielded to them all. All this was excluded by the Surrogate, as was also the subsequent offer of Mr. Lord to prove that William H. Vanderbilt visited every day Miss Crawford and her mother at the house of Mrs. Decker, Mrs. Van Pelt's next door neighbor, prior to Miss Crawford's marriage, thereby retaining the second wife of the Commodore under his influence from the time she first came to New York until she was married to the Commodore.

The Surrogate, in concluding this testimony, intimated that it might be competent at some future stage of the case. At this Mr. Clinton said the Surrogate had already decided that it couldn't be.

Surrogate Calvin—Suppose you argue the matter instead of throwing in my face a decision in which I may have been in error.

At this little "take down" Mr. Clinton looked somewhat discomfited, and said he thought it was not decorous to reargue questions already decided by the Court.

The matter then dropped, Mrs. Van Pelt left the stand and an hour's recess was taken for luncheon. In an hour and a half Mr. Lord reappeared, when Mr. Clinton pleasantly said to him in an undertone, "We've been waiting three-quarters of an hour for you." Dr. Thomas E. Satterthwaite was then called by Mr. Lord, but did not respond. After Mr. Feeney had been sent for him the witness finally appeared.

A LITTLE MEDICAL SCIENCE.

Mr. Lord wanted to ask him some questions in reference to the autopsy, which were vigorously objected to by Mr. Clinton, and a long and most tedious argument ensued. Even after the Surrogate's decision in favor of Mr. Lord had been given Messrs. Clinton and Comstock continued their protestations and arguments, and Mr. Lord retorted with his usual vehemence, and then read from a thick, great note book a long array of almost interminable memoranda of the autopsy of Commodore Vanderbilt, couched in the Latin medical phraseology, during which there was a good deal of smiling and tittering in the court room, for Mr. Lord often stumbled over the heavy scientific terms, and the witness had to correct him several times. All the memoranda were finally assented to as correct by the witness, and Mr. Lord then proceeded to establish upon the basis of the autopsy the effect of the Commodore's diseases upon his mind.

Dr. Robert L. Weir, of No. 37 West Thirty-third street, testified that he had been a physician since 1859. Mr. Lord asked him what the effect of chronic Bright's disease of the kidneys would have been upon the Commodore's mind if he had suffered from it. This question called forth a long array of objections and arguments from Mr. Comstock, whose leading objection was that, even if the Commodore was suffering from chronic Bright's disease of the kidneys at the time of his death, that would not prove that he had it at the time of the execution of this will, and even if he had it, that it by no means incapacitated him from making a will.

Mr. Lord urged that there was an old adage saying that no man who suffered from diseases below the diaphragm ever went to heaven, because there were no diseases so irritating upon the mind as these. Chronic Bright's disease of the kidneys would undoubtedly affect the mind and tend to monomania, and the contestants claimed that Commodore Vanderbilt undoubtedly suffered from the particular monomania in respect to the acquirement and transmission of wealth.

A DESIRABLE MONOMANIA.

The Surrogate (with sly humor)—Do you claim, Mr. Lord, that his monomania on the subject of the acquirement of wealth was caused by these diseases?

Mr. Lord, in a long, argumentative reply, said, the tendency of diseases below the diaphragm would undoubtedly be toward imbecility and senility of the mind. Mr. Lord launched into a denunciation of the other side in respect to the disappearance of the "conspiracy witnesses," saying that one of the detectives had been taken away to a long distance by a sham message, and that now sent him word that he had not signed the letter retracting the conspiracy revelations at all. The other side had claimed that Commodore Vanderbilt was a sort of Jupiter with all the gods attached, and that nothing could overthrow his will except the fiat of the Almighty. He (Mr. Lord) meant to show that this wonderful man was just like others, and that the diseases from which he was suffering and which must have antedated the will, impaired his mind and reduced it to a state of senility and imbecility.

After an hour has been spent in argument the question was allowed and the witness replied:—"Bright's disease of the kidneys sometimes indirectly affects the mind." Then came a question as to the effect of chronic cystitis upon the mind. Mr. Clinton would not allow Mr. Lord to ask any questions upon the basis of the autopsy as already testified to by Dr. Satterthwaite without embodying in it every word of the interminable memoranda of the autopsy. The Surrogate warned him that although he had a right to insist upon this manner of putting questions, it would prolong the case ten days at the very least. Mr. Clinton insisting, the Surrogate decided that his point was good, and then Mr. Clinton went on arguing.

A WARNING FROM THE SURROGATE.

Surrogate Calvin (humorously)—Now, don't quarrel with the Court, Mr. Clinton, when I am with you, or I'll beat you by and by.

Mr. Lord (quickly)—I have no doubt Your Honor will do so when you have come to the end of this case. (Laughter.)

Mr. Lord then had to read questions several pages long to elicit the answer of the witness that the conditions as shown in the autopsy would undoubtedly affect the mind. Dr. Weir thought from the symptoms that the cystitis must have been of fifteen or twenty years' duration.

Just before the adjournment there was a violent dispute between the counsel, Mr. Clinton telling Mr. Lord that it was about time for him to learn how to conduct a case, and Mr. Lord replying that he did not mean to learn from Mr. Clinton.

The Surrogate—Gentlemen, these exhibitions may be amusing to the counsel, but they are not instructive to the Court.

The Court, at half-past four, adjourned till Tuesday next.

NEWTOWN CREEK NUISANCES.

THE BOARD OF HEALTH WARRING UPON THE STANDARD AMMONIA COMPANY.

The Board of Health of Long Island City, spurred to a sense of duty, apparently by the oft-repeated complaints of the vile stenches arising from fertilizer manufactories and other offensive establishments within the city limits, have commenced proceedings with a view to their suppression. They have doubtless been incited to this action in some measure by the example set early in the spring by some residents of Dutch Kills, who made complaint to the District Attorney of Queens county and had a number of nuisances in the shape of fat boiling establishments, piggeries, &c., in that neighborhood abated through the action of the courts—some dozen or more parties being indicted and several of the offensive establishments being summarily demolished by the Sheriff and a posse. The Board have turned their attention toward the manifold nuisances of Newtown Creek and begun upon one of the alleged nuisances of that storied stream. Two or three years ago the Standard Ammonia Company, having establishments in Boston and Cincinnati, built a factory on the creek near the foot of East avenue, and a short distance from the Long Island Railroad depot. After the factory had got fairly in operation, complaints were made against it on account of the odors alleged to emanate from it, and the Board of Health ordered work stopped. The order was complied with, but the company having subsequently put in improved machinery, which they represented would entirely obviate the trouble complained of, permission was given to start work again, and the manufacture has since continued. Meantime the stenches of the neighborhood have in nowise been abated, and it is alleged by some people that the worst of all comes from the ammonia works, while the proprietors of that concern allege with equal positiveness that no offensive smell comes from their works, but that the peculiar odors complained of are from the garbage dumping grounds, fat boiling establishments and oil refineries further up the creek, and principally on the Kings county side, the misfortune of the ammonia works being that they are in direct range when the wind blows from that quarter, and thus get the discredit.

INVESTIGATION BEGUN.

Forced by persistent complaints against the ammonia works the Board of Health have commenced an investigation with a view to determining whether or not they shall be permanently suppressed, and two or three hearings have been had. Messrs. Tracy, Olmsted & Tracy, of New York, and Solomon B. Noble, of Long Island City, appear for the company, while ex-Judge Pearson and Corporation Counsel Burnett appear for the Health Board and the people. Considerable testimony on both sides has been taken, and one or two more hearings will probably determine the matter. A number of witnesses profess to have traced the offensive odors directly to the works, while others, and notably those doing business in the immediate neighborhood, have no complaint to make. David W. Marsh, of Cleveland, Ohio, president of the company, explained in detail the method of manufacture and was certain, with the improved appliances they had, there could be no just cause of complaint. Mr. Asa W. Wilkinson, assistant chemist of the College of New York, staked his professional reputation that nothing could escape from the works in the shape of noxious or offensive odors, and he believed all the stenches complained of came from other sources. There was other testimony in favor of the works almost equally strong, while the allegations against them were quite numerous, and some of them very positive. The proprietors denounce the movement against them as a piece of unwarranted persecution.

REAL ESTATE.

All the sales set for yesterday on the Exchange were adjourned or withdrawn, with the single exception of the St. Louis College building, with three lots, each 25x98.9, Nos. 228 to 232 (inclusive) West Forty-second street, south side, 325 feet west of Seventh avenue, which were sold by Van Iassell & Kearney in foreclosure to plaintiff for $55,000.

OFFICIAL REAL ESTATE TRANSFERS.

The following statement, showing the real estate transactions recorded in the Register's office June 21, 1878, is obtained from Augustus T. Docharty, Deputy Register:—

74th st., s. s., 275 ft. w. of Av. A, 25x102.2; Harriet L. Hubbard to William Mullen	Nom.
63d st., s. s., 70 ft. w. of Madison av., 18.9x100.5; Thaddeus R. Wakeman and wife to Theodore G. Thomas	$150
63d st., s. s., 70 ft. w. of Madison av., 73x100.5; Joseph Van Volkenburgh and wife to Robert Wilson	100
75th st., s. s., 240 ft. w. of 2d av., 20x102.2; E. M. Henry (referee) to Henry A. Bogert	300
1st av., e. s., 75.3 ft. n. of 51st st., 25x74; Frederick schuck and wife to Ludwig Reinhardt and wife	11,950
Madison av., w. s., 49.5 ft. s. of 30th st., 24.8x95; William Mullen to Henry P. Degraaf	2,500
47th st., s. s., 150 ft. w. of 9th av., 12.6x80; also 47th st., s. s., 162.6 ft. w. of 9th av., 12.6x80; Stephen P. McClave to Mary A. McClave	500
Delancey st., s. s., 25 ft. w. of Lewis st., 25x75; John H. C. Hinze and wife to Arthur Brusing	20,500
Madison av., n. e. corner of 38th st., 36.8x100.8; Henry P. Degraff and wife to Francis J. Cherron	15,000
126th st., s. s., 360 ft. w. of 3d av., 25x100; William J. Bryan and wife to Aaron G. Burr	3,000
Pearl st. (Nos. 184, 186 and 188, 1.5 parts); Mary K. Ashcroft and others to Frederick C. Linde	11,840
126th st., s. s., 500 ft. w. of 3d av., 25x100; Jas. M. Townsend, Jr. (referee) to William J. Bryan	1,500
63d st., s. s., 70 ft. w. of Madison av., 18.9x100.5; William C. Traphagen (referee) to Thos. G. Thomas	26,500
63d st., s. s., 88.9 ft. w. of Madison av., 18.9x100.5; same to same	26,500
63d st., s. s., 107.6 ft. w. of Madison av., 18.9x100.5; same to same	26,500
110th st., s. s., 406.3 ft. w. of av. A, 18.7½x100.11; C. D. Gale (referee) to Emma F. Pyne	2,300
3d av., n. w. corner 97th st., 100x100.11; same to Union Dime Savings Institution	10,000
Grand st., s. e. corner Allen st., 64x80xirregular; also West 3d st., s. s., 80 ft. w. of Mercer st., 20x75; Catharine B. Marx to Mary C. Marx	Nom.
40th st., s. s., 85 ft. w. of Lexington av., 20x98.9; same to same	Nom.
25th st., s. s., 230 ft. e. of 10th av., 40x98.9; Richard Brown to Joseph H. Snyder	Nom.
Lexington av., e. s., 22.2 ft. n. of 85th st., 38.1½x60; Isabella Brandon to Jane Darker	10,000
Lexington av., e. s., 82.2 ft. n. of 85th st., 30x87.0½x irregular; same to Clement S. Rose	3,500
123d st., n. s., 140 ft. w. of 4th av., 199.10x140; F. Karaman (referee) to Hayden Brown	6,000
76th st., s. s., 100 ft. w. of 11th av., 100x100; R. B. Gwilim (referee) to John Davidson (executor)	61,000
47th st., s. s., 240 ft. e. of 5th av., 20x100.5; A. Monell (referee) to Peter Goelet	8,500
56th st., s. s., 275 ft. w. of 9th av., 25x81.9xirregular; F. W. Loew (referee) to John Campbell	11,000
Av. A, s. w. corner of 106th st., 250x201.10 to 105th st.; also Harlem River, av. A and 105th st., irregular; also water lots, Harlem River and 105th st.; Wm. S. Kelley (referee) to Abraham Heller and others	34,500
Same property; same to same	250
Same property; same to same	250
3d av., e. s., 25.7 ft. n. of 11th st., 25x100; W. J. Kane (referee) to Michael Connolly	22,000
Millbrook and Harlem Railroad, 23d ward; S. D. Gifford (referee) to Mary Chisettie	1,000
LEASES.	
47th st., East (No. 221); Katherina Wiseman to Bertram Wiederwiesch 1 year	$1,200
MORTGAGES.	
Astor, Wm. B. and wife to Mary Archer, s. s. 125th st., w. of 4th av.; 3 years	$5,000
Brandon, Isabella, to Jane Darker, s. w. corner of 5th av. and 117th st.; 3 years	7,000
Bunn, Julia A. and husband, to Isaac Stern and others, s. s. of 46th st. (lot No. 727)	10,100
Fox, Charles and wife, to Edward Tatum, s. s. of 6th av., n. of 94th st.; 3 years	5,000
Heller, Abraham and others, to Morris Cuska, av. A, corner 105th st. to 106th st. and Harlem River; 2 years	25,000
Norton, Christian W. and wife, to Samuel M Purdy, Boston road (24th ward); 2 years	200
Schneermann, John, to Mary A. Wershaupt, s. s. of 17th st., e. of 1st av.; 4 years	1,600
Schoettle, Mary and husband, to James M. Briggs, Forest av. (23d ward), also Mill Brook (23d ward); 3 years	2,600
Shepard, Mary J. and others, to Cora S. Forbes, n. e. corner Mulberry st. and Chatham; 2 years	4,500
Same to Laura S. Forbes, n. e. corner st Mulberry st. and Chatham; 2 years	1,800
Stewart, Mary M., to George G. Lake (executor), e. s. of 5th av., n. of 74th st.	13,000
Thomas, Theo. G. and wife, to Jane M. Aspenwall (executrix), s. s. of 63d st., n. of Madison av.; 3 years	15,000
Same to Ambrose C. Kingland, s. s. of 63d st., w. of Madison av.; 3 years	16,000
Same to same, s. s. of 63d st., w. of Madison av.; 3 years	16,000
Travers, William R. and wife, to John Travers, Jr., w. s. of Bronx River (24th ward), 45 acres; 5 years	9,551
Same to same, same property; 5 years	5,933
ASSIGNMENTS OF MORTGAGES.	
East River Savings Institution to Mary A. Hayes	$2,028
Frans, John, to Myron C. Burton	Nom.
Graham, Catharine W. (executrix), to James M. Varnum (guardian)	1,500
Same to same	2,000
Hickman, Charles (executor), to Robert W. Albert and others	50,000
Kingsland, A. A., to Augusta C. Kingsland (executrix)	4,500
Pyne, Emma F., to Henry Rogers (administrator)	2,230
Slocum, William H. (executor), to Charles L. Slocum	4,000
Stetson, Francis L., to E. H. Cushman (trustee)	1,500
Travers, John J., to Mary L. Travis	9,551
Same to same	5,933

BUSINESS TROUBLES.

A BANKRUPT BUILDER'S SCHEDULES—FAILURE OF AN IMPORTING FIRM—COMPOSITIONS ACCEPTED BY CREDITORS.

John McCool, builder, has filed his schedules in bankruptcy before Register Dwight, and they state his liabilities at $2,757,391 59, of which $2,495,961 41 are secured by mortgages on real estate. The losses sustained by Mr. McCool commenced when he built the square blocks of dwellings on Sixtieth and Sixty-second streets, Madison and Fourth avenues. When they were finished he obtained from the North American Life Insurance Company a loan of about sixty per cent of the amount he had invested in them, and was subsequently compelled to relinquish them entirely without realizing another dollar. The money realized on that loan he invested in a row of houses in Sixtieth street, from Lexington to Fourth avenue, where he also suffered heavy losses. This, together with a large amount sunk in subsequent investments in real estate, completed the wreck of a large fortune. The following are the claims of the principal secured creditors appearing in the schedules:—Receiver of the North America Life Insurance Company, $1,571,000; New York Life Insurance Company, $315,000; Andrew G. Hammersley, $290 000; Manhattan Life Insurance Company, $91,000; Equitable Life Assurance Society, $18,000; Napoleon Bussell, $35,000; Mary E. Bogert, $25,000; M. E. & N. W. Thayer, $30,000; Henry Goldsmith, $13,500; Gideon Fountain, $14,000; P. A. Morgan, $10,000; Henry J. Furber, $7,000; S. Steinhardt, $1,971 28; Hirsch Koch, $9,048 13; Candee & Smith, $12,000, and A. C. & E. S. Quackenbush, $17,500. There are about one hundred unsecured creditors, among the number being the estate of A. T. Stewart, $29,307 88; Morris Steinhardt, $55,000; S. B. White, receiver, $12,118 67; Richard Kelley, $10,000; Peter B. Marks, $17,000; James McGovern, $7,068 77; Fifth National Bank, $2,121 60; Brainard & Burhans, $3,000; Samuel Welsh, $4,139 38; estate of Henry Goldsmith, $6,000; Nelson J. Tappen, $3,500; Patrick Golden, $4,500; William T. Blair, Sr., $6,800; Watson Crawford, $4,000; Max Marquezek, $3,000; Agnes Booth, $