DEAD MEN'S MONEY.

Surrogate Calvin Advocates Certain Reforms in the Surrogate's Office.

PROTECTION FOR WIDOWS AND MINORS

Prohibiting Allowances from Estates to Unsuccessful Contestants.

The magnitude of the interests confided to the Judiciary, and dependent exclusively on their action, is perhaps greater in the United States than in any other civilized country. Citizens, therefore, naturally look with a jealous eye upon the mode in which the trust is discharged, and expect those who hold responsible positions on the bench to be at all times ready to render a full and satisfactory accounting to the people. Of late years the office of the Surrogate of the city and county of New York, always a great and responsible trust, has derived additional consideration and unwonted attention from the fact that the property of noted millionnaires and merchant princes has come within its purview. This fact, coupled with prolonged contests in several well known instances, has excited a legitimate public curiosity as to the inner workings of the office and a desire to ascertain the cause of what appears to be an unnecessarily tedious and vexatious delay in the final arbitration of important causes. Apart from the interest which the general public takes in following the course of litigation where the estates of men like Stewart and Vanderbilt are involved, prudent and thrifty citizens in all stations in life, and of every degree of wealth, are keenly interested in the fate of whatever accumulations they have been fortunate enough to make for their families and dependents. A widely prevalent impression is that the estates of most decedents are devoured by lawyers in causeless contests, and that these lawyers are secretly encouraged in creating and fostering dissensions by the action of the officials connected with the Surrogate's office. Allowances to counsel seem to afford a premium for litigation of this character, while on the other hand the condition of the records and frequent complaints of their inaccessibility apparently lend color to the suspicion that proper investigation would disclose many needless shortcomings in the administration of the office. For this purpose the HERALD representative was deputed to call upon Surrogate Calvin and ascertain the exact condition of affairs within his jurisdiction, and whether these suspicions were well or ill grounded, and if legislation was needed to correct evils or remedy inevitable embarrassments in the discharge of his functions. The reporter found the Surrogate in his sanctum at the close of business hours, and informed him of his mission. Surrogate Calvin expressed himself as perfectly willing to give the readers of the HERALD a full and frank exposition of all things connected with his office. The question of the increase of will contests suggested itself as the most important query, and the HERALD representative accordingly propounded this preliminary question:—

WILL CONTESTS DECREASING.

REPORTER—Judge, the HERALD has instructed me to ascertain from you if there is any serious increase in the contestation of wills, and if so it would like to know if you can suggest some practical remedy whereby the evil can be stopped.

SURROGATE—In my opinion there is no serious increase, but rather a decrease in the contestation of wills in this county, as evinced by the following statement of wills contested since I entered upon the duties of my office, 12th April, 1876:—For the remainder of the year 1876, 48; for 1877, 68; for 1878, 67; for 1879, to November 12, 48. This decrease may be due to the inflexible rule established when I entered the office, to deny allowances to unsuccessful contestants out of estates, unless it should appear that the contest was made in good faith in a legal sense, evinced by the testimony given, substantially overcoming that of the subscribing witnesses. It there has been created in the public mind a belief that the contests of wills has increased it is doubtless due to the fact that during my term several wills disposing of unusually large fortunes, made by persons conspicuously known, have been contested in a manner calculated to excite popular attention and interest. The number of wills contested during my term has been about six per cent of those offered for probate, of which about ten per cent have been rejected, and those were quite unimportant as to the amounts attempted to be disposed of. I am of the opinion that there is little or no excuse for at least half of the contests now made, and that they would be materially reduced by a statute refusing allowances to an unsuccessful contestant, except he be a special guardian appointed to protect the rights of minors, or an executor or legatee contesting a will on the ground of a later will in which they shall be named as such. I procured such a bill to be passed by the last Legislature, but it failed to receive the Governor's approval. It is my purpose to renew the effort next winter. The maximum amount of allowances under the present law is five per cent on the amount of the estate to all the counsel.

LAWYERS SUPERIOR TO LAYMEN.

REPORTER—Are the drawing and execution of a will so difficult that it cannot be safely intrusted to an ordinary business man without danger of its being set aside or its provisions avoided?

SURROGATE—The drawing and execution of wills are matters needing legal learning and experience, rendering it very hazardous for a layman to undertake, greatly increasing the danger of invalid provisions and the difficulties of probate.

REPORTER—Does not the present law permitting allowances to be made out of a testate estate to unsuccessful contestants offer a premium for such contests?

SURROGATE—The habit of granting allowances to unsuccessful contestants through their counsel does, to my opinion, materially encourage contests, as the experiment is thus permitted at the expense of the estate rather than the client.

REPORTER—Would a clause in the bill prohibiting contest under penalty of a loss of all claim or legacy thereunder remedy the difficulty.

SURROGATE—Such a condition contained in a will would undoubtedly discourage a contest on the part of the legatees; but such contests are not as common as is supposed. But such a penalty would, in my opinion, in cases work great injustice?

REPORTER—Is it your opinion that the existing authority in this State upon the subject of making wills should be restricted, and if so, to what extent?

SURROGATE—While I have not given the subject such careful consideration as will justify an expression of opinion as to the detail of a necessary amendment to the law concerning the making of wills, I am clearly of the opinion that the right to make a will under some circumstances should be restricted, and that the present law often works great injustice. A law should be passed by which a man should not be able to disinherit his wife, as to her personal property so to speak, unless she shall be possessed in her own right of a reasonable support. A widow should be secured at least one-third of her husband's personal property, after the payment of debts, unless such one-third should prove to be more than sufficient to yield her an annual income of $2,000, and up to that amount she should be absolutely entitled to one-third of such surplus.

ONE HUNDRED MILLIONS PER ANNUM.

REPORTER—Can you give me an idea what amount of property passes under the supervision of the Surrogate of this county accounted for before him in one year?

SURROGATE—The property of some estates passes under the supervision of the Surrogate several times before final distribution. First, it may be on probate in a testate case; then again on inventory, perhaps several times on compulsory accounting, for the purpose of paying debts or legacies, and finally for ultimate distribution. So in intestate cases numerous proceedings may be taken—first, to fix the amount of security to be given by the administrator; again, an increased security on accounting for payment of debts, on mortgage, lease or sale of real estate to pay debts, and then on final distribution. I think it would be safe to say that the amount of the estates passing under the supervision of the Surrogate of this county since April 12, 1876, has averaged not less than $100,000,000 per annum.

REPORTER—About what proportion of this amount is distributed without contest?

SURROGATE—If you mean without contest of the wills on probate, two-thirds, if you include contests on final accounting in both testate and intestate estates, probably less than half.

REPORTER—Are there any amendments to any laws governing the Surrogate's Court which if made would benefit the public and assist in removing any of the troubles complained of?

SURROGATE—If you mean by amendments any changes or additions to the present statutes, I answer that changes might be made, in my opinion, which would greatly benefit the public and facilitate the due administration of the Surrogate's office. I do not know of any troubles complained of unless it be the multiplicity of contests, the remedy for which I have already suggested.

THE LAW'S DELAY.

REPORTER—Are not the jurisdiction and powers of the Surrogate's Court so restricted that a quick and inexpensive distribution of estates are in a measure prevented?

SURROGATE—They are restricted, and, in some respects, inconveniently, and in my opinion unnecessarily so, preventing a quick, inexpensive and complete distribution of estates; but some delays and expenses must needs occur so long as the Surrogate shall not possess general jurisdiction over matters pertaining to estates, as resort must be made to a court with general equity powers to accomplish the result; but to confer such general jurisdiction would materially change our present judicial system, and I should hesitate to advise such a change; but the act I procured to be passed last winter would, in my opinion, greatly facilitate such ultimate distribution without infringing upon the necessary prerogatives of the Supreme Court.

REPORTER—Are there any suggestions which you can make as to the workings of your court, or the laws under which it is governed, which, if adopted, would facilitate you in the despatch of business, and prevent the delays which seem to exist in your court?

SURROGATE—The act I procured to be passed last winter would, if it had become a law, in my opinion, have greatly facilitated the despatch of business in the Surrogate's office, and subserved the rights of those interested in estates. In brief, that act provided:—First—That the chief clerk of this Court might consider and pass upon the petitions and proofs for the issuing of letters testamentary, of administrations and guardianship in cases where no contests occurred and issue such letters. Second—That the Surrogate might consider and pass upon the true construction of wills when necessary for final distribution, the absence of such power having greatly obstructed such distribution, in order that parties might procure such construction in the Supreme Court. Third—That the Surrogate might send certain will contests to the Court of Common Pleas for trial by jury. Fourth—Prohibiting allowances to unsuccessful contestants, as above stated. Fifth—For adequate security on appeal from decrees and orders, directing the payment of money, &c., the present statute staying such proceedings requiring but $100 security. Sixth—Authority to direct the mortgaging or leasing of real estate, to pay taxes, assessments and interest on encumbrances, in order to avoid sacrifice by compulsory sale. Seventh—To appoint referees to pass upon disputed claims on consent of the respective parties, the Court of Appeals holding that under the present statute consent would not confer jurisdiction. Eighth—Providing for reduced securities by administrators or guardians on the deposit of the estate securities under the order of the Surrogate, and also to issuing restricted letters or modified security. Ninth—Authorizing parties interested to object to and contest the accounts of executors, administrators, guardians and trustees, though the petition shall pray only for such accounting; the old Court of Chancery having held that under the present law, there was no power to contest or examine as to the correctness of an account in such cases. Your question seems to imply that the disposition of cases in the Surrogate's Court in this county is unusually delayed. This is an error, for investigation will show that there is no court of record in this city wherein the work is so well up as in this court, notwithstanding the immense amount of it and the great demand upon the time of the Surrogate for the past three years in having some unusually important and long contested will cases.

NO SINECURE.

REPORTER—How many hours a day are devoted by you to your official duties, and the hearing of what matters are necessarily delegated to referees, and why are they so referred?

SURROGATE—Since my entrance upon the duties of this office I have devoted on an average about nine hours per day to the discharge of my official duties. All issues of fact, except upon probate, are necessarily referred to take the testimony and report, subject to confirmation, for the reason that the Surrogate's other duties are so numerous and pressing that he cannot give the time necessary to the taking of such testimony; besides such references are often more convenient to counsel and litigants.

REPORTER—Would it not facilitate the despatch of business in your court if you did not accompany most of your decisions with written opinions?

SURROGATE—Undoubtedly it would; but a judicial officer cannot conscientiously or satisfactorily decide a case until he has acquired a clear understanding of the facts and the law applicable thereto. Indeed, such an application of the law in stating the reasons for the decisions often shows that first impressions are wholly erroneous, besides parties and their counsel when beaten always desire to know the reasons which induced the decision, and those reasons are often valuable in determining the propriety of an appeal. Moreover, it has seemed to me not to be an unworthy ambition to leave some well considered opinions, properly reported, for the benefit of the profession. When I entered upon the duties of my office I found that there had been no entry of the accounts therefore kept by the Surrogate with the respective estates for a period of three years, and the only mode of ascertaining the amount of trust funds in hand or invested was to examine the respective bank books and the several securities on hand, there being no list of the latter, some of which were largely in arrear for interest, and insurances had expired, and taxes were unpaid, and several of which on foreclosure proved to be inadequate security, resulting in considerable deficiencies; but this condition of things was immediately corrected, and accounts were written up and balanced, and since then all entries have been promptly made. A full and particular list of all securities has been made, with a statement of the amount of insurance, when to expire, when renewed, when interest will fall due and when paid, and attention has been given to the subject of a prompt payment of taxes. The recording of regular wills was in arrear over eleven months, now reduced to less than two; the recording of foreign wills was in arrear five years and has been brought up to date. Minutes, orders, &c., were unrecorded for four years, and have been brought up to July, 1878, and decrees on final accounting were unrecorded for five years, and have been brought up to about one year. But the condition of the records or papers deposited in the office was most deplorable and disgraceful; bushels of valuable papers were found lying under desks and tables upon the floor in utter confusion, making necessary searches expensive, inconvenient, dilatory and vexatious. All this has been corrected. These papers have been assorted, arranged and labelled, put in due order and indexed, embracing a period from 1726 to present date, and requiring the examination of upward of a hundred thousand documents. Where formerly a search often occupied weeks and sometimes proved utterly futile it may now be made in a few hours. These are a few of the improvements that have been made in the Surrogate's office, calculated to preserve valuable documents and subserve the convenience of the public, and all in spite of limited space and materially reduced appropriation. On my application the Board of Apportionment has kindly devoted $2,500 to enable me to employ a suitable law clerk to assist in the disposition of cases, which will materially aid in the despatch of business. The Board of Aldermen has been pleased, on my application, to assign to this Court the first and second floors of the new addition to the Court House, which will afford an ample, convenient and wholesome court room, and permit the removal of the records from their present inadequate and cramped quarters to the present court room, which will be ample and convenient and afford suitable opportunity for holding references without disturbing the current business of the office. I might speak of other improvements and legislation procured to promote orderly and efficient administration of the Surrogate's office; but enough has been said, it is hoped, to apprise our people of the importance of this department to them and to excite their interest in its faithful and efficient administration.

BOARD OF APPORTIONMENT.

PAYMENT OF JUSTUS SCHWAB'S JUDGMENT AGAINST THE CITY RECOMMENDED BY CORPORATION COUNSEL WHITNEY.

A special meeting of the Board of Apportionment was held in the Mayor's office yesterday afternoon. Mayor Cooper, the Comptroller and Tax Commissioner Wheeler were present. Several transfers of moneys from one bureau to another in the various city departments were authorized. The sum of $2,159 71 was directed to be paid to the Ladies' Deborah Nursery and Child's Hospital from the excise fund. The Comptroller was also authorized to issue new County Court House stock to the amount of $20,000. It will be recollected that Mr. Justus Schwab, keeper of a lager beer saloon and somewhat famous in communistic circles, was arrested several months ago, between the hours of twelve and one o'clock of a Saturday night, for breach of the Excise laws. Mr. Schwab claimed that he was arrested illegally and brought suit against the patrolman who arrested him and Sergeant Rooney, of the Seventeenth precinct, who happened to be at the station house desk when he (Schwab) was locked up. The case was tried in the Marine Court, a verdict being given in favor of Schwab for the sum of $358 58. The Police Department asked for a transfer from the Board of Apportionment to pay this judgment. The matter was referred to the Corporation Counsel for his opinion.

AN EXPOSITION OF THE LAW.

This official concluded that the city was responsible, and yesterday sent in a lengthy opinion to the Board of Apportionment which concludes as follows:—

I think that as a matter of equity this judgment should be paid by the city, and not by the police officers, against whom it was recovered. It appears that there was a general rule of the Police Department which had always been strictly enforced prior to this case, that places where liquor was sold should be closed at twelve M. on Saturday, and kept closed until five A. M. on the following Monday. Sergeant Rooney and Patrolman Mayforth, therefore, acted in obedience to the orders of their superior officers, and really had no option in the matter. The failure to enforce such rules would have rendered both officers liable to dismissal from the Police Department, and even if they had supposed the rule was based upon an erroneous interpretation of the law it would not have been their duty to disobey the orders of their superior officers. It would seem, however, that it was not supposed by any one connected with the Police Department that there was any doubt as to the right and duty of the police to keep liquor saloons closed on Sunday morning between twelve and one o'clock. The Commissioners in making the rule and the officers of the force in carrying it out, doubtless acted under a misapprehension in regard to the law. Equitably, therefore, it is very clear that the judgment should be paid by the city rather than by the police officers.

I am also of the opinion that the Board of Estimate and Apportionment, under existing statutes, can lawfully make the transfer asked for in order to provide means to pay the judgment. I think that the broad powers conferred upon the Board of Estimate and Apportionment to make appropriations and transfers for the various purposes of the city government are amply sufficient to cover a case of this character. It will, of course, be understood that my opinion is not intended to go beyond the facts of this particular case or to open the door to the payment of all judgments which may be recovered against policemen. Where such judgments are recovered on account of acts done without any color of law, or in disregard of the orders of their superior officers, or on account of any violation of duty, such judgments cannot properly be paid from the city treasury.

The old claim of Mr. John Foley for salary as Supervisor was presented to the Board. The application was referred to the Corporation Counsel for his opinion.

CAPITAL PUNISHMENT.

DR. HAMMOND CONDEMNS ELECTRICITY AS AN UNCERTAIN AGENT OF DEATH.

TO THE EDITOR OF THE HERALD:—

With reference to the subject of the best means of inflicting capital punishment it appears to me that one such case as that recorded in the following history is sufficient to prevent the adoption of electricity as the death-dealing agent. The spectacle of a criminal running about naked or lying with his limbs broken after a deputy sheriff had performed on him with a galvanic battery would be even more disgraceful than the scenes which now sometimes occur at executions. What the tremendous power of nature cannot invariably do is not likely to be always accomplished by the comparatively ridiculous means for generating electricity at the command of man. Probably the most effectual kind of electricity would be that known as statical, which is identical with atmospheric lightning; but the machines for generating it will not work in wet weather, and if an instrument could be constructed powerful enough under favorable circumstances to kill a man, the execution would probably have to be deferred from day to day till the hygrometric state of the air was suitable:—

CASE IN WHICH A MAN WAS STRUCK BY LIGHTNING.

Dr. G. Wilks contributed this case to the Clinical Society of London:—On June 8 last four men at work in Romney Marsh were compelled by the violence of the rain to seek shelter. Three of them retired into a lodge, the fourth (J. Orman) remaining under a willow tree by the window of the lodge to pass urine. Almost instantaneously the building was enveloped in a blaze of lightning. The three occupants, having recovered from their terror, ran to seek their companion. They saw that the tree had been struck, that Orman's boots lay at the foot of the tree and his clothes scattered in a line for several yards along the field, while he himself was stretched upon his back six feet away, stark naked, calling to them for aid. The man himself said that he felt himself violently struck across the chest and shoulders, hurled through the air and dashed upon the ground, and was sure that he never lost consciousness. His clothes were all blown off him except one sleeve of his flannel undervest; the leather straps which fastened his trousers were rent like tinder and his new strong boots torn like paper, while his watch and chain were partly fused. Upon admission to the Ashford Cottage Hospital the man was found to be burnt all over, more or less. His eyebrows and whiskers were gone; the burns on the back and chest were superficial, those on the abdomen and pubes more deep; down each leg ran a broad three-inch ribbon-like scar, terminating at the left heel in a small roundish hole; at the right, in a large lacerated wound, through which the os calcis might be felt fractured into several pieces. There was also a compound comminuted fracture of the right tibia and fibula, which bones were protruding through the skin in the course of the ribbon-like burn. The deepest burns were about where the buckles of the waist belt and garters and the watch must have been, but from the knee to the heel on the right leg the whole thickness of the skin in the ribbon-like track was destroyed by the burning. The man was deaf, but singularly placid and cheerful, showing no signs of shock. He made an excellent recovery (though the burns about the fractures and the sloughy state of heel were complications of some moment), walking across the room ten weeks after the accident. He was now (October) earning his living, with a leg shortened from a half to three-quarters of an inch. The following facts were noted:—First, the course of electrical action was from above downward; second, the clothes being very wet, their conductivity had been probably heightened; third, where the flannel was next the skin the burns were more superficial; fourth, where the cotton shirt and trousers touched him the burns were uniformly deeper; fifth, wherever there had been a piece of metal—*e. g.*, waist belt, jacket buckles, watch, shoes—there had been an explosion, or at least a development of great heat; sixth, the man was aware that he usually raised his right heel from the ground during micturition, which might have caused the fierce explosion on that side; seventh, the nervous system had an almost complete immunity from injury; this was attributed to the wet clothes being good conductors.—*British Medical Journal.*

There, I think your readers will agree with me that the possibility of such an occurrence as that above described is not to be thought of.

WILLIAM A. HAMMOND, M. D.,
No. 43 West Fifty-fourth Street.

NEW YORK, Dec. 10, 1879.

A NEW JERSEY CORRESPONDENT ADVISES SUFFOCATION BY CHARCOAL AND OCCASIONALLY VIVISECTION.

TO THE EDITOR OF THE HERALD:—

To facilitate the final exit of criminals whose lives are forfeit to the law allow me to suggest the following plan as both simple and feasible:—1. Let each jail be provided with "condemned cells" so constructed that their ventilation will be controlled by the Sheriff. 2. Communicating with these cells let small furnaces be provided, adapted to the combustion of charcoal. 3. Let the execution of the sentence be prescribed to occur within a definite limit of time; but let the selection within this limit of the precise moment of execution be left at the discretion of the Sheriff or be fixed by the Court, but be unknown to the party interested. 4. The selection of this fatal moment can be made at night, when the condemned is sleeping. The time having come, all needed will be for the executive to light the furnace, turn off the ventilation and turn on the charcoal gas. Next morning the corpse can be inspected and removed to some medical college, where in all cases the law should consign the body for dissection.

As interesting physiological problems may yet be solved by vivisection, it might also be provided by law that crimes of special enormity should be thus punished unto death. To be butchered in detail for the advancement of science would be certainly not worse than the butchery often witnessed under our present system. It might also possibly be consoling to the sincerely converted criminal to reflect that, having done all the harm to humanity he could in his life, he was thus legally enabled to be of especial benefit to his fellow creatures in his death.

VINELAND, N. J., Dec. 10, 1879. A. W. P.

SOLITARY CONFINEMENT IN A LIVING TOMB RECOMMENDED, WITHOUT HOPE OF PARDON.

TO THE EDITOR OF THE HERALD:—

The communications that you are publishing from physicians about capital punishment all appertain to reducing the effects and not to preventing the causes of capital offences. They all try to find the easiest way to cut the tumor and not how to prevent the formation of it. Civilization to-day repulses capital punishment, which is nothing else but a judicial murder, for society repulses and cannot admit any murderer into its bosom. Enlightenment and education by themselves are reducing the number of homicides. The majority of murderers have not received a solid, substantial education, which would have restrained them from their rash acts. Duplicate or quadruplicate, if necessary, the number of our public schools; make education compulsory, banish the rum shops by imposing on them so heavy a taxation that the evil luxury they afford shall be only within the reach of the wealthy class; and, then, as for those who are unfortunate enough to give way to their passions and commit a murder, seclude them from society by solitary confinement, with a law that a pardon cannot take place, and the education on one side and the dread of a living tomb on the other will do away altogether with the rope.

E. C., No. 204 East Fourteenth Street.

NEW YORK, Dec. 9, 1879.

A SIGN OF THE TIMES.

THE COMING OF CHRISTMAS HERALDED BY A GREAT INCREASE OF POSTAL BUSINESS.

Never in the memory of the oldest official has there been such a busy week in the Post Office as that just finished. In every branch of the service the work has increased wonderfully. This is occasioned by the near approach of the holidays, the mails being freighted with money orders and registered letters. There has been a constant stream of money orders flowing in from all parts of the United States to the Post Office to be certified for payment in foreign countries. In order to promptly despatch by the first steamers this great influx of orders Postmaster James has found it necessary to keep the entire force of the money order division, composed of forty-six men, each day until the work is completed. There are nineteen men engaged in the international bureau, but, notwithstanding they are mostly all rapid penmen and experienced clerks, it has required the services after office hours of the twenty-seven men employed in the domestic bureau, in addition to theirs, until ten o'clock, and later in some instances, before each day's work was finished. Looking at the large pile of money orders which had been certified in descriptive lists to be sent to Europe, and running over the names of the remitters and payees, one realizes the vast number of Christmas presents sent by residents of this country to relatives abroad. The British money orders run all the way from ten shillings to £10 sterling; but the average order is about £2. It is astonishing to see the rapidity with which the amounts in money orders are reduced to foreign moneys by the clerks. So proficient have some of them become at this business that they carry the equivalent of United States money in foreign moneys from $1 to $50—the limit of a single order—in their minds and have litt e or no occasion to refer to the tables kept for that purpose. The great demand for international money orders will soon subside, giving place to the usual domestic wave, which remains at its height until about the 15th of next month. Superintendent Plimley's report to Postmaster James for the past week shows that 6,915 money orders were certified for payment in Great Britain and Ireland, amounting to $83,623 78, and that 4,076 were despatched for payment in the German Empire, representing $51,819 55. There were 769 money orders sent to Switzerland and Italy, which aggregated $13,891 69.

ONE HOUR IN A DRESS SUIT.

HOW A STREET CAR CONDUCTOR DIDN'T GET MARRIED AND TRIED TO SELL HIS CLOTHES.

The following advertisement in yesterday's HERALD suggested to all thoughtful readers the outlines of a whole drama. It read:—

DRESS SUIT—COAT, SATIN LINED; PANTS, WAIST measure, 42; leg, 31½ inches; best city maker; worn one hour; price $35. Address PERFECT ORDER, Herald Uptown office.

To learn the particulars of the story that was suggested by the advertisement was the labor which occupied a reporter a large part of the day. Obviously the first thing to do was to find the advertiser and question him. He at least would know, even if he would not tell, whether it was a tragedy or a comedy that led to his offering for sale such evidence of wealth as a full dress suit. He would know whether he had bought it for his wedding and been disappointed in the matter of his bride's dowry, or whether, bewildered by a run of luck at cards, he had invested a slice of his winnings in clothes that he had no use for, or whether he was in the habit of buying dress suits as the Prince of Wales buys gloves—by the quantity, to be worn once only.

The advertiser, however, proved a shy bird, for whose letters a messenger came and whose messenger was an artful boy who could neither be coaxed nor bribed into answering questions. The difficulty grew, and the reporter was obliged to inquire in all sorts of places in the hope of finding a clew. The thought of a clew naturally suggested Captain Williams as an authority on clews. The Captain read the advertisement through carefully and said, "Well, what is it all about?"

"It's about a dress suit. Have you any information that would lead to the convic—— the identification of the perpetr—— the advertiser?"

"No. Haven't heard of any larcenies of dress suits—at least none in which the suit had only been worn an hour. The fellow's in a good deal of a hurry, isn't he?"

A Central Office detective was next applied to. He read the advertisement and then asked promptly, "What's the reward?"

"None," said the reporter. "But how would you work it up if you were going to?"

"H'm! Well, the man is a fat man. I'd arrest a fat man first and find out who his tailor was. Well, no, I suppose that wouldn't do in this case. It would be the ordinary mode, but this isn't exactly an ordinary case. It's possible that the man may be honest. It looks suspicious, though. What would a fat man want to sell his clothes for?"

The reporter wasn't answering questions, so he applied next to a gentleman who keeps a sort of livery establishment, letting out dress suits for hire. This letting out is not a matter of seams. As Hamlet says, "No! not seams. 'Tis not alone my inky cloak, but customary suits of solemn black;" only, as the commentators all agree, the word should be spelled "customery," in reference to the "customers" who take the suits. The seams are not let out, but the suits.

This gentleman did not seem surprised in the least when he read the advertisement. "My dear," said he, "I haf many gases shoost like dose. Dot man he vas haf a goat made for hees vedding may be. Shtop a leedle. I know dot man. He vas gome here two times already to sold me dot suit of glothes. He vas a shtout man, pooty thick in der pody und pooty good height man likevise. He come here last veek, unt he say, 'How mooch you gave me for dot glothes?' I looked at 'em pooty gareful unt I dell him I gif him $13 20. 'Mein Gott in himmel!' he says. He vas a fery egsitable man. 'I gif mein dallor $73 for dot glothes.' 'Vell,' I said, 'you vas vore 'em already.' 'So help me, gracious,' he says, 'I vas vore dot glothes only vonce, unt den it vas shoost an hour—shoost long enough to got married.' Vell, I vas mooled at dot man's egspressions, unt I offered him sefendeen dollars for dot glothes, 'unt ven he game dot second time I vas offer him sefendeen dollars und a kivarter. He doled me about dot wedding, unt I feel sorry for heem. He vas a gar gonductor on dot afenue B line, unt he vas smashed mit a mighty nice leetle gal vot rode dem gars on ail der vile pooty much efery day. She vas a pooty gal, he said, unt I reckon he knew. He skervezed her mit her hant, unt he gatch a holt mit her arm ven she get his gar on, unt she shmiled like a house a fire mit him. Vell, I don't know apout it, but he doled me dot she vas bromise to marry him, unt her volks vas akreeable. He doled 'em he vas vealthy, unt vas a gar gonducting for his health. He used to do pooty much all dot sparkin' on dot shtreet gar, unt he vas happy as a clam. But he doled me dot it vas only a proef dream, for he vas in a hurry to get married because dot girl vas vealthy likevise. So der vedding day vas put righd avay pooty kervick unt dot man he shcraped up all der monish vat he could, unt he puys glothes. Unt den, ven he vas put on dose glothes und go to der house vere dat gal she leef, she vas run avay mit a partender. It vos a pooty tough dings. I dink dot man vas pring dot glothes pack here after some days," he continued. "He vas get nopoddy vas gif him so mooch, unt he vas got to sell 'em. He vas discharged mit dot shtreet gar."

REAL ESTATE.

The following sales were made yesterday at the Merchants' Exchange:—

BY RICHARD V. HARNETT.

Foreclosure sale of 3 story brick tenement and land, e. s. of road leading from West Farms to Hunt's Point, adjoining lands of J. O. Whitehouse (24th ward), to plaintiff	$2,500

BY JOHN T. BOYD.

Foreclosure sale of the two story frame dwelling, with lot 25x100.4 (No. 419 East 69th st.), n. s., 238 ft. e. of 1st av., to John Kane	3,200

OFFICIAL REAL ESTATE TRANSFERS.

The followig is a statement showing the real estate transactions recorded in the Register's office, December 13, 1879:—

Washington square, South (No. 73): also s. s. of 4th st., 42 ft. w. of Wooster st., 10.3x9; Victorine L. Pierce and husband to Joseph R. Nones	Nom.
17th st., n. s., 127.7 ft. n. of 4th av., 40.0½x92; Cora and Myra Moffat to Richard Arnold and another	Nom.
34th st., s. s., 217 ft. w. of 1st av., 23x98.9; F. F. Miller (referee) to Paulina Sands and another, as trustees	$9,500
77th st., s. s., 70 ft. e. of Madison av., 12.6x102.2; James V S. Wesley and wife to Mary A. Barnes	13,000
124th st., s. s., 225 ft. w. of 6th av., 75x100.11; Joseph Corbit and wife to Matilda Culver	12,250
Broadway (No. 55); Caroline Cruger to William V. Douglas and others	Nom.
75th st., n. s., 205 ft. w. of 2d av., 25x102.2; Jacob J. Rosenstein and wife to Morris Keller	15,000
5th st., n. s., 115.3 ft. e. of av. C, 22.7x97; Laughlin Dooley and wife to Thomas J. Dooley	Nom.
Same property; Thomas J. Dooley to Catherine Dooley	Nom.
144th st., n. s., 100 ft. w. of 10th av., 99.11x100; Martha M. Davies to Joseph R. Patterson	4,500
145th st., n. s., to s. s. of 146th st., 8th to New av., 199.10x225; William Thompson and wife to N. Hobart	Nom.
126th st., n. s., 399.3 ft. w. of 5th av., 18.9x99.11; Matilda Culver and husband to Joseph Corbit	13,000
116th st., No. 117 East; Johanna Lalor and husband to Peter J. McCoy	10,500
145th st., s. s., 100 ft. w. of 10th av., 100x99.11; Euphenia S. Coffin and husband to Joseph W. Patterson	9,000
West st., No. 21; Richard F. Kemble to Edward A. Le Roy	Nom.
6th av., No. 1,400; Robert M. Taylor to Emma B. Kearney	12,000
14th st., s. s., 444 ft. e. of 1st av., 55.1x29.10x38.8x25; A. C. Farnham (referee) to Mary Savage	1,010
9th av., s. e. corner of 60th st., 6.6x75.5; Fanny Maguire to Patrick J. Burke (half interest)	4,000
42d st., n. s., 416.8 ft. e. of 2d av., 16.8x100.5; James Kennedy to James Martin	1,000
3d av., e. s., 60.3 ft. n of 44th st., 40.3x80; Same to same	5,000
Lexington av., No. 876; Ed. Kilpatrick and wife to James S. McGovern	11,000
9th av., e. s., 50.5 ft s. of 52d st., 25x100; F. B. Van Vorst (referee) to Samuel McMillan	10,100
Broadway, No. 55; R. E. Robinson (referee) to Henry H. Houston	64,000
Desbrosses st., n. s., between Greenwich and Washington sts., 20x85; Daniel H. Pierson to Edward S. Allaire and another	8,600
106th st., s. s., and n. s. 105th st., 263 ft. e. of 1st av., 201.10x100; C. W. West (referee), to Germania Life Insurance Company	11,000
126th st., s. s., 200 ft. e. of 3d av., 20x99.11, and also s. s of 115th st., 75 ft. e. of 2d av., 25x100.10; Felix Gottschalk to Jeanette Mehrback	Nom.
Cedar st., n. w. corner of Lafayette place, to Fordham av., 550x250 irregular; Francis Braynard and another to Maria B. Evans (executress, &c.)	500
3 lots in 24th ward; Nathaniel Jarvis, Jr., and wife to Harriet B. Evans and others	Nom.
2d av., n. e. corner of 97th st. to 1st av. to 98th st., 650x201.10 irregular; also n. s. of 26th st., 126.8 ft. w. of Lexington av., 23.4x98.9, and also s. s. of 24th st., 214 ft. w. of 3d av., 26x98.9; Felix Gottschalk to Jeanette Mehrbach	Nom.
57th st., s. s., 125 ft. w. of 9th av., 125x100.5 irregular; Benjamin P. Fairchild and wife to William E. Stewart	Nom.
Same property; Myron P. Bush and wife to William E. Stewart	36,250
Mott Haven Canal, at lock gate thereof (right of way); Daniel Whitney and another to W. E. Greene and another	675
66th st., s. s., 175 ft. e. of 2d av., 18.9x100.5; also s. s. of 66th st., 156.3 ft. e. of 2d av., 18.9x100.5; and also No. 21 West st.; Thomas O. Le Roy (trustee), to James Kent, Jr. (trustee)	Nom.

LEASE.

150th st., n. w. corner of River av., 493.1x irregular, to Cromwell av., and 150th st. and Harlem River, 150x irregular; Henry L. Morris to Edwin A. Gallindo; 21 years	800

THE CENTAL SYSTEM.

DEFEAT OF THE GRAIN TRADE IN THEIR EFFORTS TO HAVE IT RESCINDED—A CLOSE VOTE.

Very little business was done at the Produce Exchange yesterday, the members being engaged in voting on the question whether the exchange should rescind its adoption of the cental system so far as it relates to grain and flour. The polls were open from eleven o'clock in the morning until half-past two o'clock in the afternoon, and the greatest excitement prevailed. A large majority of the grain trade are in favor of rescinding the cental, but there are a few prominent operators who have always thought well of it. Among the latter are David Bingham, of Bingham Brothers, and Mr. Armour, of Armour, Plankington & Co., both of whom worked hard to have the cental retained. Among the more prominent opponents of the system were David Dows, of David Dows & Co., and Mr. Hazeltine, of Jesse Hoyt & Co. They contended that they were not opposed to it *per se*, but they thought its introduction at this time was improper. They claimed that before its introduction an act of Congress should be passed compelling all exchanges and boards of trade throughout the country to adopt it, and that sufficient time should be given to post farmers and others in the new method of buying and selling produce. They said that if the cental was enforced here the grain trade of the Produce Exchange could not compete with the boards of trade that refused to adopt it. Through the efforts of these parties a very large vote was polled, aggregating 1,273 out of 2,500.

AWAITING THE RESULT.

After the closing of the polls the members remained on the floor discussing in groups the probable result. The friends of the cental system had very long faces, and to inquiries made replied that they expected to be beaten. The grain trade, on the other hand, were jubilant and confident of victory. Every few minutes messengers were despatched to see how the vote stood, and when the inspectors reported that the friends of the cental system were twelve votes ahead, with only one box of ballots to be counted, it was agreed on all sides that the result would be uncommonly close. At half-past three o'clock the tellers handed in their report, which was read by Superintendent Grant to a large and excited audience. It showed that of the 1,273 votes cast 668 had been in favor of retaining the cental and 605 in favor of rescinding it, making the majority 63 votes. The grain trade were much excited at this result and threatened not to abide by it. They said that they would hire a room outside of the Exchange and transact their business to suit themselves, and that they would not recognize the "call" on the basis of the cental system.

MARRIAGES AND DEATHS.

ENGAGED.

BAUMANN—BUCKMAN.—ROBERT BAUMANN to NANCY BUCKMAN, both of this city. No cards.

KESNER—LEVY.—Miss PHOEBE KESNER, of New York, to Mr. HARRY LEVY, Jr., of Brooklyn. No cards.

LEIDERDORF—BAUMANN.—In New York, D. H. LEIDERDORF to POLIN BAUMANN, both of this city. No cards.

MARRIED.

CALKIN—HAINES.—On November 25, by the Rev. J. J. Browner, F. BRANT CALKIN to CLARA P., youngest daughter of Napoleon J. Haines, Esq., all of New York city.

COFFIN—LEAKE.—On Wednesday evening, December 10, at the residence of the bride's parents, Jersey City Heights, by the Right Rev. Mgr. Seton, WILLIAM H. COFFIN, Jr., of New York, to LAURA ADELAIDE, second daughter of R. & C. Leake, Esq. No cards.

EBERHAM—MERCHAM.—December 11, by Rev. Dr. Millett, at bride's residence, JOSEPH EBERHAM, of Philadelphia, to CAROLINE MERCHAM, of New York.

FARLEY—RUGGLES.—In this city, December 12, by Rev. E. H. Chapin, I. ALVIN FARLEY and ADDIE M. RUGGLES.

HENRIQUES—WERNER.—Wednesday, December 10, by Rev. Dr. Mendes, E. B. ST. JOHN HENRIQUES to LOTTIE, daughter of Maurice Werner, Esq.

MAILLOT—CLASS.—On Wednesday, Decembes 10, by the Rev. Mr. Buel, JOHN M. MAILLOT to KATE L. CLASS, of Philadelphia.

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NELSON—CLOW.—On Thursday, November 13, at Imlaystown, N. J., by the Rev. George W. DuBois, D. D., JOHN P. NELSON, of Imlaystown, to ELLA J.,