

THE COURTS.

Verdict of Not Guilty in the Shugrue Assault Case.

Mandamus on Comptroller Upton—Other Legal Business Transacted Yesterday.

The criminal case was continued for the greater part of yesterday with the trial of Samuel Heesler and Charles Collins for assault with intent to kill Patrick Shugrue on Sept. 8, 1883, on North Capitol and P streets. The defendants claim that the assault was made in the first instance against Samuel Heesler, and the defendants, by the prosecuting witness Shugrue. The mother and father of the defendant Heesler testified that the assault was first made against their son, and that Shugrue made a motion as if to shoot, whereupon they heard their son exclaim: "I'm shot." It was then that Collins went to his help. After hearing the testimony his honor Judge Wylie remarked: "It seems, Mr. Taggart, you have indicated the ground of the defense, after which his honor allowed the case to go to the jury, who after a half hour's deliberation, returned a verdict of not guilty."

WILLS FILED.

The will of Byron A. Kidder was filed with the register yesterday. He leaves the bulk of his property to his two sisters, Christina E. Kidder and Lucy W. White. Mrs. Kidder shares alike. Upon the death of his sisters, the balance of real estate to be sold and the proceeds all are carried to, to be known as the Kidder charity fund of Friendship lodge, No. 1, I. O. O. F. Thomas Greer is appointed sole executor.

Sarah Kibby's will, also filed yesterday, leaves to Mary Martin, Mary Kirby, and Mary Casey, servants, \$400 each. All the rest of her property goes to her grand daughter, Jessie J. Kibby, upon condition of her paying to her two grandsons, William B. Kibby and John DeW. Kibby, the respective sums of \$2,500. John P. Franklin is appointed executor.

The will of the late Dr. W. G. H. Newman, after devising personal property not otherwise willed to his wife, and the residence, No. 2403 Pennsylvania avenue northwest, after a bequest of \$5,000 to Annie E. Newman, his daughter, is left to his son, H. Newman, who is also to receive the real estate situated near Princess Anne, Somerset county, Maryland. After Mrs. Newman's death twenty-five acres of land in Somerset county are to become the property of the deceased's grandson, W. C. Gwynn.

MANDAMUS ON COMPTROLLER UPTON.

A peremptory mandamus was granted the plaintiff yesterday, by the court in general term, in the case of United States ex rel. James H. Elgin vs. W. W. Upton, second comptroller of the treasury, requiring him to examine and state the account of the relation, a resident of Maryland, as certified to him by the third auditor of the treasury for the sum of \$3,000 due Elgin on account of the use and occupation of the premises at 1219 1/2 Washington street, Md., during the war. The second comptroller declined to examine or state the account upon the ground that he had no authority to do so. Mr. A. L. Merriman represented the plaintiff.

THE WHELAN-LOWE CASE.

Before Judge Hagner, the case of W. T. Whelan vs. E. M. Lowe and others, was heard and continued until to-day, after the bill as to co-defendant Nathan Reeve, had been dismissed, and the answers of F. A. Darnelle and E. M. Lowe filed. The bill charges the defendants with having made and offered to dispose of the two notes through him, and Whelan, at an appointment made through Reeve, agreed to cash them at a discount of 50.

Mr. Lowe denies the allegations made against him of misrepresenting the value or extent of his business, or of collusion between Mr. Darnelle and himself, or that any fraud was practiced.

GENERAL NOTES.

The suit of Paul Jones against the Baltimore and Annapolis railway company occupied the attention of Justice McArthur in the circuit court yesterday. This is an action for \$30,000 damages for the loss of his right arm, occasioned, as the plaintiff claims, by being struck by the track of the Metropolitan branch of the Baltimore and Ohio railway while it was in motion. The defendant company claim and offer testimony to the effect that the plaintiff was under the influence of liquor, and that any damage was caused by the condition and negligence of the plaintiff himself.

The chief justice having, on the fifteenth instant, received a communication from the attorney general calling attention to the fact that the clerk of the supreme court of the District of Columbia had not made his emolument return, as required by statute. Having called the attention of the clerk to this fact, he is informed that the accounts were not now before the auditor of this court for adjustment. Upon the whole matter the court then ordered the auditor to proceed to state the emolument account of the clerk and report the same to the court.

UNITED STATES SUPREME COURT.

The proceedings of the United States supreme court yesterday, were as follows: No. 127, W. J. Smith et al. vs. plaintiffs in error, vs. Malcolm McEn et al.; argument concluded. No. 128, Oakley Paul, plaintiff in error, vs. The Baltimore and Ohio railway company; argued. No. 129, Virginia Young, appellant, vs. A. B. Duval and Wm. F. Holtzman; argument concluded. Adjourned.

THE JURY RECORD.

Chief Justice and Justice Carter and Justice Cox and Justice—United States on relation of James H. Elgin vs. W. W. Upton, second comptroller of the treasury. In an order to employ mandamus issue to respondent calling upon him to examine the account of James H. Elgin, referred to in the proceedings, and enter the balance, if any, to the secretary of the department in which the expenditure was incurred. Thomas Bonner vs. Attorney General. Decree: That the order and decree below be reversed; that the return of the defendants, and the account rendered by them, be set aside, and the case remanded to the court below for a new trial. In re John Golden, son of John Golden, deceased. Order of the court: That the order and decree below be reversed; that the return of the defendants, and the account rendered by them, be set aside, and the case remanded to the court below for a new trial.

United States vs. John Golden, son of John Golden, deceased. Order of the court: That the order and decree below be reversed; that the return of the defendants, and the account rendered by them, be set aside, and the case remanded to the court below for a new trial.

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DISTRICT REAL ESTATE.

A Large Sale on Columbia Heights—Several Smaller Transactions.

The real estate market has been firm and active the past week without any extraordinary or spasmodic activity. Business is running in a healthy groove, and sellers, buyers, and agents are alike satisfied. During the week there have been many inquiries for eligible lots, with a view to building in the spring. The season for active building has almost closed, and but little more in that line will be done until next April. The indications are, however, that then will come the busiest season that has been known in this city. Conviction of this fact renders purchasers quietly eager to secure good lots at the present time at prices far less than will rule next year.

The most prominent sales of suburban property during the week were made by Parker & Townsend, real estate brokers, who sold for Senator Sherman \$32,000 worth of ground on Columbia Heights. The gentleman purchasing this ground proposed to improve the same by erecting a model for Congress. This firm also made the following sales: Lot 17, block 30, north grounds Columbia University, for E. Key Buchanan to Hon. S. P. Bonds for \$1,500; lot 19, block 30, same grounds, to Key Buchanan for \$1,500; lot 20, block 30, same grounds, to Key Buchanan for \$1,500; lot 21, block 30, same grounds, to Key Buchanan for \$1,500; lot 22, block 30, same grounds, to Key Buchanan for \$1,500; lot 23, block 30, same grounds, to Key Buchanan for \$1,500; lot 24, block 30, same grounds, to Key Buchanan for \$1,500; lot 25, block 30, same grounds, to Key Buchanan for \$1,500; lot 26, block 30, same grounds, to Key Buchanan for \$1,500; lot 27, block 30, same grounds, to Key Buchanan for \$1,500; lot 28, block 30, same grounds, to Key Buchanan for \$1,500; lot 29, block 30, same grounds, to Key Buchanan for \$1,500; lot 30, block 30, same grounds, to Key Buchanan for \$1,500; lot 31, block 30, same grounds, to Key Buchanan for \$1,500; lot 32, block 30, same grounds, to Key Buchanan for \$1,500; lot 33, block 30, same grounds, to Key Buchanan for \$1,500; lot 34, block 30, same grounds, to Key Buchanan for \$1,500; lot 35, block 30, same grounds, to Key Buchanan for \$1,500; 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lot 308, block 30, same grounds, to Key Buchanan for \$1,500; lot 309, block 30, same grounds, to Key Buchanan for \$1,500; lot 310, block 30, same grounds, to Key Buchanan for \$1,500; lot 311, block 30, same grounds, to Key Buchanan for \$1,500; lot 312, block 30, same grounds, to Key Buchanan for \$1,500; lot 313, block 30, same grounds, to Key Buchanan for \$1,500; lot 314, block 30, same grounds, to Key Buchanan for \$1,500; lot 315, block 30, same grounds, to Key Buchanan for \$1,500; lot 316, block 30, same grounds, to Key Buchanan for \$1,500; lot 317, block 30, same grounds, to Key Buchanan for \$1,500; lot 318, block 30, same grounds, to Key Buchanan for \$1,500; lot 319, block 30, same grounds, to Key Buchanan for \$1,500; lot 320, block 30, same grounds, to Key Buchanan for \$1,500; lot 321, block 30, same grounds, to Key Buchanan for \$1,500; lot 322, block 30, same grounds, to Key Buchanan for \$1,500; lot 323, block 30, same grounds, to Key Buchanan for \$1,500; lot 324, block 30, same grounds, to Key Buchanan for \$1,500; lot 325, block 30, same grounds, to Key Buchanan for \$1,500; lot 326, block 30, same grounds, to Key Buchanan for \$1,500; lot 327, block 30, same grounds, to Key Buchanan for \$1,500; lot 328, block 30, same grounds, to Key Buchanan for \$1,500; lot 329, block 30, same grounds, to Key Buchanan for \$1,500; lot 330, block 30, same grounds, to Key Buchanan for \$1,500; lot 331, block 30, same grounds, to Key Buchanan for \$1,500; lot 332, block 30, same grounds, to Key Buchanan for \$1,500; lot 333, block 30, same grounds, to Key Buchanan for \$1,500; lot 334, block 30, same grounds, to Key Buchanan for \$1,500; lot 335, block 30, same grounds, to Key Buchanan for \$1,500; lot 336, block 30, same grounds, to Key Buchanan for \$1,500; lot 337, block 30, same grounds, to Key Buchanan for \$1,500; lot 338, block 30, same grounds, to Key Buchanan for \$1,500; lot 339, block 30, same grounds, to Key Buchanan for \$1,500; lot 340, block 30, same grounds, to Key Buchanan for \$1,500; lot 341, block 30, same grounds, to Key Buchanan for \$1,500; lot 342, block 30, same grounds, to Key Buchanan for \$1,500; lot 343, block 30, same grounds, to Key Buchanan for \$1,500; lot 344, block 30, same grounds, to Key Buchanan for \$1,500; lot 345, block 30, same grounds, to Key Buchanan for \$1,500; lot 346, block 30, same grounds, to Key Buchanan for \$1,500; lot 347, block 30, same grounds, to Key Buchanan for \$1,500; lot 348, block 30, same grounds, to Key Buchanan for \$1,500; lot 349, block 30, same grounds, to Key Buchanan for \$1,500; lot 350, block 30, same grounds, to Key Buchanan for \$1,500; lot 351, block 30, same grounds, to Key Buchanan for \$1,500; lot 352, block 30, same grounds, to Key Buchanan for \$1,500; lot 353, block 30, same grounds, to Key Buchanan for \$1,500; lot 354, block 30, same grounds, to Key Buchanan for \$1,500; lot 355, block 30, same grounds, to Key Buchanan for \$1,500; lot 356, block 30, same grounds, to Key Buchanan for \$1,500; lot 357, block 30, same grounds, to Key Buchanan for \$1,500; lot 358, block 30, same grounds, to Key Buchanan for \$1,500; lot 359, block 30, same grounds, to Key Buchanan for \$1,500; lot 360