#### GREAT NEW YORK FAMILY LAWSUIT.

The Budley Will Case. Troy, October 12,-One of the most interesting lawsuits now in progress through the courts of this State is the Dudley Will Case at Albany. Legally, morally, socially, and financially, it secures attention from all who have any knowledge of it, as well as from the numerous and highly respected parties interested in the disposition of a large estate.

The eminent counsel arrayed before the Surrogate, the questions involved, and the amount in controvery, as well as the private history of family rivalries and jealousies excited by the hapless condition of the testatrix, an aged and infirm lady, burdened with property and worn out by the entreaties and importunities of anxious relatives, the influence brought to bear by her servants and agents in the production of the will in controversy, the growth of her colored servant from being a waiter at her table to be her "man of business," with free charge and entire management of her estate of \$600,000, and how he managed it, and who has got possession of most of it; the mental congot possession of most of it; the mental condition of the lady, who lived alone in her house with her servants for twenty years after the death of her husband, the late Charles E. Dudley, at one time Mayor of Albany and United States Senator, contemporary with Martin Van Buren; the extensive family connections among the old Dutch; indeed, all the surroundings of this case tend to make it

surroundings of this case tend to make it notable in the legal annals of the State.

The case is now in the Supreme Court, on appeal from the order of the Surrogate of Albany county, Hon. Israel Lawton, admitting the will to restrict the surrogate of the surrog the will to probate. From the records of the Surrogate's Court and the two thousand folios

Surrogale's Court and the two thousand folios of testimony taken before him, I am enabled to present some of the leading features of the case.

Blandina Dudley, the testatrix, died at her home in Albany, on the 5th day of March, 1863, aged nearly eighty years. She left a will (the one in controversy), dated December 20th, 1859.

In it Robert J. Hilton and Edward E. Kendrick were nominated eventors. In it Robert J. Hilton and Edward E. Kendrick were nominated executors. By a codicil dated the 24th of August, 1860, Robert H. Pruyn, the Democratic caudidate for Lieutenant-Governor, was also nominated an executor. Seven years before Mrs. Dudley's death, the estate was shown to be worth \$650,000, when it passed from the hands of her regular agent, Hon. Thomas W. Olcott, of Albany, and went under the control of the colored servant spoken of, William A. Dietz. At her death the estate was found to consist of real estate in Albany mostly, valued at only about \$120,000. What had become of the estate was the question.

Mrs. Dudley was known to have given liberally, and to have graven her name on the "Dudley Observatory" by an endowment. She was known to yield easily to the entreaties of her numerous relatives, some of whom were her numerous relatives, some of whom were in moderate circumstances, but her annual income could do all that without depleting the estate—and the question still recurred, Where had the property gone to? The colored agent, Deitz, and the counsel, Hilton, appear to be the only persons who knew, and they are the principal witnesses to establish the will. I shall not attempt even a synopsis of the testimate of the color of the synopsis of the testimate. shall not attempt even a synopsis of the testimony. But it appears from the summing-up of counsel before the Surrogate that, by some means or other, about \$350,000 had been given away by Mrs. Dudley to two branches of her family—her nephews and nieces—namely, the Millers, of Oneida county, and her nieces, the Tibbitses, of Albany and Troy; and that a third branch of her family, namely, the Brinkerhoffs, of Albany, had been entirely overlooked and forgotten, both in her gifts and in the will before the Court.

It also appears that the colored servant and agent Deitz had received, over and above his regular pay and salary, as a gift, \$15,000 in one item, and in several others, enough to make a total of about \$25,000.

Dettz is said to be a good business man, of radical politics, and interested in the elevation of the colored race; and his connection with this case would seem to show that it is better to

this case would seem to show that it is better to be agent than principal, administrator than

heir, as the world goes.

But where is the balance of the property? By the will now in controversy, Mrs. Dudley gives her silver and plated ware to her nephews and nieces, except R. B. Miller, of Utica, and Sarah B. Tibbits, of Troy, who are cut off for some reason, or by reason of some of the innumerable whims, oddities, idiosyncracies, and insane delusions which the old lady is shown to have been possessed of in her latter days; also her apparel, diamonds, and personal ornaments, with the same exceptions as above. \$20,000 to John B. Miller, of Utica. \$10,000 to Mrs. Milson, of New Jersey.

\$5000 to Rev. Henry Stanley's children. \$4000 to Isabella Forbes, her servant. \$1060 to Elizabeth Van Vrooman, her servant, \$3000 to William A. Deitz, colored servant and

\$12,000 to several churches and societies in Albany.
\$30,000 to the Dudley Observatory.
The remainder of the estate is divided between
The remainder of Albany, and Mrs.

Mrs. Elizabeth Tibbets, ot Albany, and Mrs. Horatio Seymour, of Utica, In April, 1863, the executors offered the will for probate to the Surrogate of Albany county, counsel for the proponents being R. J. Hilton, Clark B. Cochrane, John K. Porter, now of the Court of Appeals bench; Hamilton Harris, and

Samuel Hand, of Albany.

Mrs. Elizabeth Brinkerhoff, of Albany, survi-

Mrs. Elizabeth Brinkerhoff, of Albany, surviving sister of Mrs. Dudley, one of the contestants appeared by her counsel, James Forsyth, of Troy; Lyman, Tremain, and Henry Smith, of Albany, the able District Attorney.

Mrs. Sarah B. Tibbits, also one of the contestants, now abroad in Europe, appeared by her counsel, William A, Beach, of Troy.

Ira Shaffer, ex-Senator, of Albany, is counsel for the evarding of minor children in the case.

for the guardian of minor children in the case. About three years were consumed in this case before the Surrogate. It now passes up. The next argument of the case will be before the General Term, on the appeal, and will take place

at Albany next winter.

The estate is now in the hands of a special administrator, Mr. Bancroft, pending the litigation, which promises to be as long as the estate will pay lawyers.

I notice that Robert H. Pruyn and Edward E. Kendrick have qualified as executors, and that the records show a recent judgment against them in favor of the colored servant and agent, Deitz, of over \$5000, and that the special admin-istrator and the executors have difficulty as to who is entitled to the possession of the property while the case is pending and undecided in the courts. But the administrator, Mr. Bancroft,

Seems to have it at present.

There is in the case a fine chance for forensic display of ingenuity in argument, sitting and collating of testimony, and marshalling of authorities.

The proponents produced a written memorandum of bequests to be made, in the hand-writing of the testatrix, and rehed upon that as conclusive evidence that the instrument was her will, and drawn as she desired.

will, and drawn as she desired.

The contestants, however, regarded that paper as additional evidence that Mrs. Dudley was incompetent to make a will, and so considered by her counsel and those in charge of her, and they held that she was instructed and her hand guided in writing the paper, with a view to silencing all questions of her intention and competency on the trial, which they anticipated and began to provide against four years before and began to provide against four years before the death of the testatrix.

Like most cases of tais magnitude, the entire tour of the courts will be made before the par-ties litigant will be satisfied. Indeed, it seems that the testimony was printed with a view of reaching the Court of Appeals as the last resort.

-A bold assessor in Michigan notified an amateur midwife to pay for her license; she answered that whatever she did in that way was to "accommodate" her neighbors, and heaped 'coals of tire upon the official's head by offering to bring him through gratis if he should ever be "in that precarious situation."

CITY INTELLIGENCE. For Additional City Intelligence see Fifth Page.]

OUR FIREMEN.—There will be a fine turn-

out this aiternoon to meet the Rolla Fire Company, of Elizabeth, N. J., at 2½ P. M. They will be escorted through the city, and then be the guests of the Kensington Hose Company.

The Weccacoe Fire Company are having a new truck built in this city. It will be ready for service in a few weeks. The Perseverance Hose Company left town

The Perseverance Hose Company left town last evening, for the purpose of participating in the firemen's parade in Jersey City.

The West Philadelphia Hose Cempany have sent their steamer to its builder for the purpose of having it thoroughly overhauled.

The Hope Hose Company are also having their steamer put in order and painted white,

The steamer built for the Humane Fire Com-

The steamer built for the Humane Fire Com-pany, of Pottsville, will remain on exhibition at the house of the Hope Hose Company until to-

morrow.

The Mechanic Engine Company, at a recent meeting, adopted a resolution against fast driving, and giving instructions to that effect to the driver of their engine.

The convention of fire companies for the resolution of the United States Hose Company, on

ception of the United States Hose Company, on their return from Lancaster and Reading, on the evening of the 24th inst., elected the follow-ing Division Marshals:—C. M. Brown, Shiffler Hose Company, of Camden, First Division; T. G. Dagney, of the Hope Hose, Second Division; James G. Welden, Independence Engine, Third Division; R. Winters, Taylor Hose, Fourth Divi-

AN INTERESTING PRESENTATION.—There was a presentation of a splendid baton to Mr. Hoffman, the drum-major of the Invincibles, at their headquarters, on Saturday evening.

Colonel William McMichael, President of the Club, stated that the club had gathered together for the purpose of closing their labors as a campaign ctub, with the understanding that they would come together again whenever the cause of liberty should require their services. His heart was full of rejoicing and enthusiasm over the great victories the American people had so recently achieved at the ballot-box. After some further patriotic remarks, he introduced the Hon. Charles O'Neill, who was received with paign ctub, with the understanding that they

oud applause.

Mr.O'Neill, after referring to the result of the
late election on Tuesday last, said he would congratulate his hearers, and the people every-where, that the viciory which had been won was a victory of the people over an attempted usurper. (Great applause.) A victory that nad been won against as great odds as ever a battle had been fought. It had been fought amidst the blandishments of power and all the seductions of Government patronage; yet in spite of all this, and every art and device that could be brought to bear, Philadelphia had dared to roll up a majority of more than five thousand against "My Policy." Col. J. W. Forney also made some very happy

remarks, which were received with enthusiasm.

After speeches by Gen. Owen and Major Colhoun, Col. McMichael, in an appropriate speech, presented Drum-Major Hoffman a gold plated

CASE OF HOUSE ROBBERY .- A few weeks ago, two men were seen coming from a house in Arch street, near Broad, with bundles under their arms, and being joined by a third man on the outside, made off down the street. Two lads who saw the men, and suspected them to be thieves, gave information to the police, and pursuit was given. One only of the three were caught, and he proved to be a burglar who had been a short time before pardoned out of the County Prison, known as Shoey Miller. On Saturday two young men who were arrested the day previous had a hearing at the Central Station, on the charge of being concerned with Miller in the robberies—there having been several-and one of them was identified by a lad as the person with whom the two with bundles met on the sidewalk. When arrested, a 'jimmy" was found in the pocket of one of them, which fitted impressions of shutters that had been opened by such a tool. The defendants were committed by Alderman Beitler for a further hearing.

RESULTS OF INJUDICIOUS INTERFERENCE. -Some persons either do not heed or forget the good advice given by those who have written on the subject, not to interfere between man and wife, and Francis Swingle seems to be one of the number. Last evening he was passing along South street, above Thirteenth, and had his attention attracted by the screams of a woman. He rushed into the house, and found a man beat ing his child, and some persons say he had already beaten his wife. Francis interfered, whereupon the husband and he wrestled, and a pistol iell from the pocket of Francis, the con-tents of which took effect in his groin. He was removed to the Pennsylvania Hospital, where he stated that he was a private watchman, and resided in the vicinity of Nineteenth and Commbia avenue.

A REMARKABLE OCCURRENCE.-There was a singular explosion took place yesterday morning about four o'clock in the vicinity of Ninth and Arch streets. Investigation showed that the large plate glass window of Vankirk & Co., No. 912 Arch street, had been shivered to atoms. The private watchman of this and the adjoining stores was passing at the time, and was blown into the middle of Arch street. The watchman of the building, who was near by was uninjured. The loss in glass, etc., will amount to about \$600. The cause is supposed to have been a leakage of gas that accumu-lated until it reached one of the burning jets.

A HANDSOME IMPROVEMENT .- The interior of St. Mary's Cataolic Church has been thoroughly renovated. The whole of the inte-rior has been refurnished in modern style. With the exception of the magnificent centre-piece in the ceiling, the walls have been repainted and frescoed in a very high style of art. A new altar in the form of a sarcophagus has been adoed, and has decorations reterring to the maryrdom of St. Philomena, to whose memory the altar has been erected and dedicated. The service of High Mass was held in the

church for the first time since its renovation, yesterday.

WRECK OF THE BRITISH SHIP "SHOOTING STAR."-Captain Parker, of the barque Venus, at this port from London, reports on the 16th September falling in with the British snip Shooting Star, bound from Liverpool to Eastport, Maine, with a cargo of salt, and in a sinking condition. Captain Parker took from her the crew of twenty-four men. Ten of these were subsequently transferred to the barque Deta, of Granville, N. S., bound to Ireland, and the remaining fourteen to the ship Ann Gray, for

INQUESTS BY THE CORONER.—The Coroner held an inquest on the body of James D. White, aged fifty-two years. The deceased was found yesterday in a dying condition at Water and Arch streets. He was removed to the Sixth Ward Station House, where he died. Verdict,

death from exposure.

An inquest was held yesterday on the body of Ann J. Johnson, who died suddenly at 424 German street. Verdict, death from heart disease.

A MAN HANGS HIMSELF.—Henry Walters shuffled off this mortal coil by suspending him-self from one of the beams in the cellar of his nouse, at No. 612 Carpenter street. The deceased was married, and his self-destruction is attributed to depression of spirits caused by sickness in his

A BAD FALL,-On Saturday, Sarah Ashman, aged twenty-two years, residing at No. 669 South Second street, fell down a flight or stairs, at her residence, and fractured one of her wrists. The sufferer was removed to the

CHILD BURNED.—George Sheppard, aged four years, was scriously burned last evening by his clothing taking fire, at his residence, No. 1835 Tatlow street.

In Honor of General Geary.—Saturday night the Republicans of the Second Ward fred a salute of one hundred guns, in Jefferson Square, in honor of the election of General Geary and the Republican Congressional, Legislative, and City ticket. An immense crowd gathered on the outside of the square, and the enthusiasm was unbounded.

CRUSHED TO DEATH .- On Saturday afternoon, about 5 o'clock, Thomas Loughlin, nine years of age, was crushed to death in Shippen street, near Front. The deceased was a cripple, and, while passing a pile of heavy iron posts, on the sidewalk, one of them, weighing about one thousand pounds, slipped from its place and crushed him to death.

EFFECTS OF LAST WEEK'S STORMS .- On Saturday, the Schuyikill, contrary to expecta-tions, gave evidence of an impending freshet; but although there was a slight rise of water, the current was very raoid, and the volume of water great. The Delaware threatened to overflow some of the wharves, owing to the heavy tide, but no damage has resulted.

IMPROVING.—Harry Hoppin, a member of the "Republican Invincibles," who was badly injured during the attack on the "Invincibles" some time since, at Ninth and Walnut streets, and who was reported to be mortally wounded, is slowly improving. It is leared, however, that he will be blind, as it seems that the optic nerve s more or less injured.

HAND CRUSHED .- Richard P. Price, em ployed at the Richmond coal wharves, had one of his hands crushed on Saturday by having it caught between the cars on the Reading Rail-The injured man was conveyed to the

SALUTE IN HONOR OF GEN. MCCAND LESS,-The Democrats of the Second Ward fired on Saturday evening a satute of 100 guns, n honor of the election of General McCandless

## 1866.

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Specifications will be printed immediately, and Specifications will be printed immediately, and deposited at there several places.

Scaled proposals for the erection of the building, including all work and materials, are invited, and will be received until the 30th of October instant, at noon, at the office of Brevet Brigadier-General G. H. Crosman, Assistant Quartermaster-General, Philadelphia, where they will be opened in presence of such bidders as choose to be present.

present.

Le cost of the whole work complete, and the time at which it will be finished should be stated in it e proposals, which should be accompanied by the guarant e of two responsible persons, in the amount of ten thousand dollars, that the bidder will enter into contract with good and sufficient security, within ten days after being notified of the same.

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