

SUIT TO SELL SHARE IN PEW.

Townsend Boy Owns One-fifth of One in St. Bartholomew's Church.

For the purpose of selling a pew in St. Bartholomew's Church, at Madison Avenue and Forty-fourth Street, without partitioning the pew, an action was brought yesterday in the Supreme Court by William T. Cox for Ingersoll Day Townsend, a nine-year-old boy who resides at Oyster Bay, and who is a member of the Townsend family of Long Island. The proceedings were brought to allow the boy to sell his share in the pew, which represents a one-fifth interest in it willed to him by his grandfather, Edward M. Townsend.

If the boy is not permitted through his guardian to sell his one-fifth interest the others holding an interest in the pew will bring a suit to partition the pew. The boy is a son of Louise J. Townsend, and with four other relatives, including his uncle, Edward M. Townsend, owns the pew. At present it is said the value of the pew is \$4,000 for the reason that this sum has been offered for it by Frances M. Hoyt, who will purchase it if she gets a clear title to it.

Edward M. Townsend, the uncle of the boy, says that if the pew is sold now the boy will receive \$800, which he might not receive if he held his interest any longer. In the event of the destruction of the church by fire it is argued that the boy's interest in the church pew would be wiped out.

MRS. DARRAGH SUES FOR CHILD

Alleges That Husband Is Not a Fit Person to Care for Ruth.

Ruth Darragh, the fourteen-year-old daughter of Thomas A. Darragh, whose father built the Waldorf Hotel, and who is himself a contractor, was again brought into the Supreme Court yesterday on habeas corpus proceedings instituted by Darragh's wife, Mrs. Mary Darragh, who alleges that the child is restrained of her liberty.

Counsel for Mrs. Darragh told Justice Giegerich that the Darraghs were married in 1882 and separated in 1902. Since then the Gerry Society has taken a hand in the fight to get possession of the couple's fourteen-year-old daughter, but the Children's Court refused to interfere in the case, for the reason that an action for divorce brought by Darragh against his wife is pending in the Supreme Court.

Mrs. Darragh asked for the custody of the child, alleging that Darragh was not a fit person to have the custody of the child. Counsel added that the child had lived with her mother after Mr. and Mrs. Darragh separated, but that one day when she went out to search for her husband to obtain an allowance of \$10 a week, which had been allowed her, her husband induced the child to leave her home and go away with him.

The child since then has lived with her father.