

## Judge Wilmot M. Smith Not to Try the Montauk Land Case.

HE SAYS HE'S DISQUALIFIED.

Once Counsel for the Indians in Another  
Suit—Judge Maddox May Take Testi-  
mony — School Commencements at  
Various Points—Lutheran Ministers in  
Session at Middle Village—Dr. A. C.  
Bunn's Son Saves Two Lives at Rich-  
mond Hill.

(Special to the Eagle.)

Patchogue, L. I., June 24—Judge Wilmot M. Smith of the Supreme Court has decided that he is disqualified to act in the case of the Montauk Indians against the Long Island Railroad Company to recover possession of the Montauk lands upon which the railroad company recently extended its lines and in which the title to 6,000 acres is to be decided. The hearing in the demurrer to the complaint was orally argued before Judge Smith on Saturday last, both sides agreeing to submit oral arguments pending Judge Smith's decision as to his qualifications to determine the case.

The ground upon which Judge Smith says he is disqualified from acting on the Indians' case is that he was counsel for them in the celebrated partition suit of Grinnel against Baker, tried in 1878, and in which it was supposed the right of the Indians to Montauk were fully determined. The case will now be continued before another judge of the Supreme Court, probably Judge Samuel Maddox.

Clipped By:



admin510

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