BALTIMORE.

WEDNESDAY, APRIL 7, 1858.

The New York *Tribune*, in a recent editorial, ascribes the passage of the Lecompton bill by the Senate to "the predominance of lawyers" in that body, and thereupon indulges in a philippic against the profession of the law, and all its ministers and practitioners. "Jefferson," says this *sans-culotte* philosopher, "always considered the courts and the lawyers as an old aristocratic English inheritance—the natural enemy of democracy and of the rights of the people. He saw in their influence and predominancy, and the power which they exercised, not only in the interpretation and application of the laws, but in their very formation, the greatest danger to democratic institutions and popular government." The jacobinical sentiment thus attributed to Thomas Jefferson is in perfect keeping with the general views of the *Tribune*, and of the radical school to which it belongs. Social reform is a pet hobby of the *Tribune*, and the way in which it proposes to bring about that reform, is by loosing all the bonds by which society is held together. It is *par excellence* the organ of the party of Progress and of Freedom, but its ideas of what constitutes real progress, and of the nature of true liberty, are somewhat peculiar, and if reduced to practice, would rather startle staid and sober citizens who have been accustomed to associate both with the existence of stable government and just laws, well and strictly administered.

The *Tribune's* hostility to lawyers is shared in common with all reformers of the same school, from Jack Cade to Horace Greeley. "The first thing we do, let's kill all the lawyers" cries Dick the butcher. "Nay, that I mean to do" replies the *Tribune*, adopting the sentiment, if not the language, of the Kentish rebel; and accordingly that journal does not scruple to charge the profession with "the daily habit of accepting fees and retainers, wholly irrespective of the merits of the causes of which their advocacy is thus secured, of arguing for pay on either side of a case, without once stopping to inquire of themselves to which side truth and justice do really incline, nay, when satisfied that truth and justice are against them, struggling all the harder to blind the eyes of Judge and Jury to that fact, and to obstruct the course of justice by the aid of fictions, presumptions and technicalities." "The tolerance for quibble, artifice and finesse" of which the *Tribune* thus accuses the legal profession *en masse*, is in Maryland applicable only to the lower and more disreputable class of attorneys and solicitors, and not to the great body of high-toned and honorable gentlemen who constitute the majority of the profession. In New York, the former class, it seems, is numerous enough to have given rise to the necessity for a new word, in order properly to express the peculiar degree of rascality attained by a certain sort of legal practitioners. To meet this want, the word "shyster" has been coined, and from the possible preponderance of "shysters" at the New York bar, the *Tribune* may have drawn its by no flattering estimate of the moral character and tendencies of the whole profession. At the same time, it must be confessed, that even here, the standard of personal character at the bar is gradually falling to a lower level, and that the decline in professional morals if suffered to go on unchecked will finally reach the point when the strictures of the *Tribune* may become justly applicable. This, we believe to be in great part attributable to the facility with which the courts grant admission to the bar, without the slightest scrutiny into the qualifications, either moral or intellectual, of candidates. Men notoriously corrupt and criminal, with the very brand of a conviction upon them for violations of law involving moral turpitude and actual dishonesty, have yet found members of the bar to move for their admission, sponsors to swear to their "good moral character," and judges to qualify them as attorneys of their courts. If the good name of the profession suffers in consequence of the conduct of these unworthy members, and the innocent many are thus involved in the odium that should properly attach only to the guilty few, surely it is time that some steps should be taken by those who really honor their vocation, and feel an honest pride in belonging to a profession which has in all ages numbered among its followers the best and wisest of men, to purge its ranks of fellows whose character is a stain to their order. Just such a movement we observe in another quarter, and we commend the example to the imitation of the Baltimore Bar. In the Boston *Courier* of Monday we find the following paragraph, headed "*Purging the Profession:*"

Recently, at the present term of the Court of Common Pleas, at Lawrence, James C. Peabody, of Georgetown, was expelled from the bar, upon charges of very gross abuses of the processes of the Court, preferred by the Essex Bar Association.

Why have we not a "Baltimore Bar Association," and why are some of the notorious rogues who at present disgrace the profession, suffered to remain upon the rolls of the courts?

Another ruffian has met with the only retribution which justice seems to have in reserve for criminals in this city. At an early hour yesterday morning, the notorious Archy McAleese was shot by the not less notorious Erasmus Levy, and is since dead of his wounds. The particulars of the affair we publish in another column; and as the Levy family appear to have taken out a license to shoot and kill within the corporate limits, it is some consolation to observe that in the present instance the exercise of their sportsmanlike propensities has resulted in the shooting, not of an innocent unoffending citizen like Imhoff or Brown, but of a fellow of whom the best that can be said is that he was no worse than themselves. It is also observable, that for this fresh deed of blood, as well as for many others, Mr. State's Attorney Whitney is in some measure responsible, since, if that functionary had performed his duty with zeal and fidelity, this case of homicide could never have occurred, inasmuch as both the slayer and the slain would, at the present time, have been occupying apartments in the State Penitentiary.

[*From the Missouri Republican.*]

THE INDIANS LEAGUED WITH THE MORMONS AGAINST THE UNITED STATES.

FORT GIBSON, CHEROKEE NATION, Monday, March 15.

SIR—As all information relative to the movements of the "Saints" is at present interesting to the public, I send you the following, which is reliable:

A party of Cherokees, six in number, that left the nation in November last, on a trading expedition to the Plains, returned last week, and report that 23 days' travel south from the Salt Plains they came on a large number of Camanche, Kiowah, Waco and Witcheta Indians assembled in council, who received them very friendly and traded with them freely for the goods they brought out. *The council had under consideration the best method of resisting the United States, and informed the Cherokees that they had just been visited by a party of "Mormons and Mexicans," from whom they had received a large quantity of presents, and had made a treaty with them for their mutual protection against the encroachments of the Gentiles.* The Mormons have impressed upon those tribes the necessity of uniting with them and taking a decided stand against the United States, if they wish to retain their hunting grounds, stating that as soon as the whites are in possession of Utah, they will then spread all over the plains, and drive the Indians from their present homes. No doubt the hostility of those tribes will be principally directed against this frontier wherever they can find it most exposed.

The Cherokees who made this trip brought in with them about thirty horses and mules, are very reliable men, and have engaged to meet those tribes again this year at a certain point on the plains agreed upon between them, for the purpose of trade.

Mrs. Swisshelm, the editress of the St. Cloud (Minnesota) *Visiter*, has been treated very scurvily by a band of ruffians, who took some offence at her editorial strictures.

On the 24th ult. they broke into her office, and seized her type, scattered it through the streets, and threw a portion of it into the river. The "men, women and children" of St. Cloud turned out *en masse* and held an indignation meeting. They passed strong resolutions condemning the ruffians who committed the outrage. They resolved that the St. Cloud *Visiter* should be sustained, and they would sustain it. The editor of the St. Paul *Daily Times* placed his office at the disposal of Mrs. Swisshelm, so that she could continue her paper without interruption.

The fisheries in Caroline county, (Md.) are said to be doing but a moderate business. The Denton *Journal* says that very few herrings are being caught, and shad are sufficiently scarce to command a high price—twenty-five cents a pair. Herrings are selling at $1 a hundred. In connection with this we take the following from the Washington *Star*: "Mr. Carson, of Alexandria, who is fishing below Maryland Point, made a haul, the like of which was never before heard of. In hauling for shad his men drew out upward of 100,000 alewives; they filled the seine to overflowing, and rendered it necessary, lest the netting should be broken in hauling, to raise it up, allowing a considerable number to escape. Old fishermen say that the presence of these fish at this early season of the shad fishing bodes no good, and that the shad will leave early.

LATEST NEWS.

TELEGRAMS

RECEIVED AT THE OFFICE OF THE DAILY EXCHANGE.

CONGRESSIONAL PROCEEDINGS.

WASHINGTON, April 6.

SENATE.

Mr. Slidell having filed with the Secretary on Friday last a written declaration that he intended to reconsider his vote to disagree to the House amendment to the Kansas bill, which yesterday and to-day he renewed verbally without taking any action, claiming the right to keep back the bill three days for that purpose, Mr. Stuart moved to enforce the order of the Senate, no single senator having power thus to obstruct business.

Mr. Slidell referred to the rule, and insisted on his right.

Mr. Bayard explained the custom in such cases, expressing the opinion that it must be left in the discretion of the officer.

Considerable parliamentary fencing took place, but finally the whole subject was laid on the table.

The Minnesota bill was taken up as the special order.

Previous to the commencement of the discussion, Mr. Iverson read from the *Globe*, in vindication of some remarks which he exchanged with Mr. Douglas recently, implying the latter's luke-warmness in respect to Minnesota. Some warm remarks were made by both gentlemen.

The bill was then discussed. The words "in pursuance of said act of Congress" being omitted from the preamble, the bill was ready to be reported to the Senate, no amendment being pending.

Mr. Kennedy made a strong speech against the bill.

Mr. Johnson, of Tennessee, replied.

The Senate then adjourned.

HOUSE OF REPRESENTATIVES.

The House went into Committee of the Whole on the Deficiency Appropriation bill.

The debate was strictly confined to this measure.

After some time spent, without coming to a conclusion on the subject, the House Adjourned.

IMPORTANT FROM UTAH.

COL. JOHNSTON'S EFFECTIVE FORCE—DETERMINATION TO ATTACK SALT LAKE CITY, &C.

ST. LOUIS, Monday, April 5.—The Utah mail which left Camp Scott March 1, has arrived. The troops continued in fine health, and were awaiting the determination of their Commander to proceed to Salt Lake. Col. Johnston had a regular effective force of 1,800 men, and a thousand animals in good condition, with a large volunteer force, and the general impression was that he would not wait for reinforcements before making the attack. Communication with Salt Lake City was entirely prohibited, and little or nothing was known of the intentions or preparations of the Mormons to resist the entrance of the troops. Col. Johnston's dispatches will be forwarded immediately to Washington.

FROM WASHINTON.

WASHINGTON, April 6.—Judging from present indications, the Deficiency Bill, embracing about $8,000,000 for the army, will be defeated in its present form.

There is an increasing disposition in Congress to check the further movements of the Utah Expedition. The entire military force contemplated to be thrown into Utah is about 5,000 men.

Senator Davis' physical condition has become more critical.

MUNICIPAL ELECTIONS.

CINCINNATI, April 6.—The municipal election held yesterday in this city resulted in the anti-Lecompton candidates receiving 3,900 majority. Thirteen out of seventeen councilmen elected are opposed to the Lecompton Constitution.

ST. LOUIS, April 6.—An election was held here yesterday for municipal officers. The entire Free Democratic ticket was elected by a majority of from eight to twelve hundred.

DREADFUL OCCURRENCE.

WATERTOWN, N. York, April 6.—The dwelling of Daniel Comstock in Leroy county, was burnt on Sunday night, and himself and four children perished in the flames.

SHIP NEWS.

NORFOLK, April 6.—The United States surveying steamer Bibb, from New York for North Carolina, has put in here for repairs. The ship Sally Magee from Rio has gone up the James River.

EUROPEAN MAILS.

NEW YORK, April 6.—The steamer City of Baltimore sails on Saturday with the mails for Europe. The Steamer Persia leaves on the 14th at 7½, A. M.

CONNECTICUT ELECTION.

HARTFORD, April 6.—The Republicans have doubtless elected their candidate for governor by 5,000 majority. Both Houses are Republican by a large majority.

THE EXPECTED STEAMER.

HALIFAX, April 6, 9 P. M.—Up to this hour we have no tidings of the expected steamer America now due here from Liverpool. A dense fog is now prevailing.

UNITED STATES SLOOP OF WAR LEVANT.

BOSTON, April 6.—The United States sloop-of-war Levant from Hong Kong has arrived.

MARKETS.

NEW YORK, April 6.—Cotton is quiet—sales of 1,000 bales; market generally unchanged. Flour is dull—sales of 7,500 bbls. at a decline of 5 cents on State and Ohio; common to good State $4.25@$4.35; Ohio $4.75@$4.90. Wheat is dull—sales of 7,500 bushels at 135@145 cents for Southern white. Corn is firm—sales of 15,000 bushels at 73 cents for white. Beef is firm. Pork is steady—prime $13.85@$14. Lard is firm at 10@10½ cents. Whiskey has advanced ½ cent—sales of Ohio at 22@22½ cts. Sugar closed buoyant—Muscovado 3¼@7¼ cents; Havana 6½@8⅜ cents. Coffee is steady—sales 1,000 bags at 10@11 cents. Naval stores are dull.

INTERESTING FROM NORTHERN MEXICO.

PREPARATIONS FOR WAR IN TAMPICO AND MATAMORAS—VICTORY BY VIDAURRI'S FORCES—MATAMORAS DECLARED A FREE PORT, ETC.

By the arrival of the steamship General Rusk at New Orleans from Brazos Santiago, we have received Brownsville papers to the 24th ult. The General Rusk brought $45,253 in specie on freight. The Brownsville *Flag* of the 17th says:

"Affairs with our neighbors seem approaching a crisis, judging from 'the signs of the times' as manifested in Matamoras and Tampico, the two extremes of the State of Tamaulipas, which lies just opposite to us. We have seen a 'bando' or decree from the commander of the reactionist forces, dated at Tampico on the 5th inst., in which every citizen between the ages of 17 and 50 is called upon to take up arms to repel the 'opposers of order,' as Gen. Moreno is pleased to designate the forces under Gov. Garza. From this we should judge that the constitutionalists are near the city of Tampico, and that the commandant at that place did not feel quite safe. The same decree holds out an invitation to foreign residents to form themselves into companies for the defence of the town, with the promise of arms from the arsenal of the commandant. On the other hand in Matamoras enlistments are constantly going on for the ranks of the liberals.

Our last advices from Monterey contain news of a victory gained by a division of Vidaurri's forces at some point between Monterey and San Luis, in which many were killed and several important officers of the enemy captured, among whom were Generals Almonte and Cruz. Vidaurri's forces were commanded by Col. Martin Sayas, whose magnanimity prompted him to relieve the two Generals named above on their parole of honor. General Cruz, it is said, embraced the first opportunity to break his parole, and sought safety in flight.

Puebla, it is said, has been taken by the Liberalists.

The *Flag*, of the 24th, says:

"On Sunday evening last, the people of Matamoros were made exceedingly joyful by the return of their commission with the welcome decree that the hitherto neglected city of Matamoras had been declared a free port, for the introduction of every species of merchandise free of all impost duties. We have as yet been unable to gather the particulars. Beyond the fact that such a decree has been sanctioned, we are wholly in the dark. We are ignorant of the source from whence the all-important decree originated or by whom conceded—whether it is intended to apply alone to our fair sister, Matamoras, or whether it extends beyond, or how far. It is the prevalent opinion, however, that it embraces the whole frontier, from the mouth of the Rio Grande to Piedras Negras, through the two States of Tamaulipas and Nuevo Leon y Coahuila.

By this decree a more fatal blow has been struck at Tampico than can be done by the combined forces of the Liberals, which are now marching against it. This single paper missile is more potent than thousands of lead and iron; because by means of it the life of Tampico—its commerce—will be withdrawn from it and attracted hitherward, leaving the adherents of Zuloaga in defence of a worthless carcass, a city with no resources. We believe also that instead of injuring, this decree will be a very great advantage to our frontier towns, because it will attract the merchants of the frontier, who, though they will eagerly avail themselves of its liberal invitation to introduce their wares, will be cautious in doing so to any great extent until they become convinced of the permanency of the movement.

We are credibly informed by gentlemen just arrived from the scene of warfare, that Gov. Garza and Gen. Garcia were encamped with their forces between Altamira and Tampico. They were waiting the arrival of about 600 men then on the march to join them.

The purser of the General Rusk, in reference to the decree declaring Matamoras a free port, informs the New Orleans *Picayune* that on the 21st, Pete Carazos, Commissioner from Gov. Garza, arrived at Matamoras with the decree. Whether the same privilege is extended to the other towns along the frontier, he says, was not known when the Gen. Rusk left.

Letters from Monterey, the purser says, arrived at Matamoras on the 24th, stating that Vidaurri had issued a proclamation declaring that all persons owing on property sold by the Church, (which is sold frequently on five or six years' credit,) should pay him 25 per cent. of the amount due on it, which would put him in in possession of some $150,000 to $200,000. The letters further stated that a battle was expected soon to take place between the Constitutionalists and Zuloaga's party at San Luis Potosi, at which place about $2,000,000, en route for the frontier, was shut up.

RATHER MYSTERIOUS.—The Worcester *Spy* say, that on Saturday last a gentleman belonging to Auburn, found in the woods, near the side of the roads between Worcester and Millbury, a box containing fifty dollars in silver and gold, and a bundle of bank notes. The cover of the box jutted over the side about two inches, upon it was a flat stone, and the whole was so covered with leaves that its discovery was entirely accidental. How the money came there, or to whom it belongs, is a matter of conjecture.

CITY INTELLIGENCE.

KILLING OF ARCHIBALD MCALEESE—CORONER'S INQUEST—TESTIMONY OF WITNESSES AND VERDICT OF JURY.—About half past four o'clock yesterday morning, a party of five persons, viz:—Archibald McAleese, Leonard *alias* Ennis Wolff, Michael *alias* Micky Clark, Andrew Gise, and John Barron *alias* "Dead Rabbit," attempted to enter the drinking house, No. 11 Holliday street, kept by Erasmus Levy, by forcing the window nearest Fayette street. Levy, who was sleeping in an apartment in the rear of the bar, was awakened by the noise, and says that several attempts were made to force the door; that the window was raised, and there being only a venitian blind between him and the party outside, and no other egress except by the front door; that fearing if an entrance were once gained, his life would be forfeited, he seized a horse pistol, and discharged it in the direction of the window, where some of the party were then trying to get in. The pistol was heavily loaded, containing eight balls, three of which entered the forehead of McAleese, who was in a stooping position, two penetrating to the brain. Barron and Gise, who were both by the side of McAleese, were struck, the former receiving two balls in the left arm below the elbow, one of which passed through into the stomach, and the latter one ball in the right arm below the elbow. Information of the affair was conveyed to the Central Station House by Clark, who first stated that a man had been shot on Holliday street, but he did not know who it was; afterward, while accompanying sergeants Davis and Hewitt to the spot, he said that the party shot was McAleese. When they arrived in front of Levy's house, they found McAleese lying upon the pavement, and with the assistance of three of the police officers, removed him to the Station house, where he lay in an apparently unconscious state up to 25 minutes to one o'clock, when death closed his career.

There was found lying by his side when taken up by the officers a stick about two feet in length, mounted with a heavy piece of lead, and upon his person a dirk knife with a blade nearly a foot long.

Barron was arrested by Sergt. Hewitt and officer Malloney at the office of Dr. Willis H. Baxley, on Fayette street, near Eutaw, whither he had gone to have his wounds dressed. Gise was arrested by the same officer at his father's residence, on Josephine street, near Arch, while at breakfast; Clark by Sergt. Davis, near the Station house, and Wolff by Malloney, on Holliday street, near where the occurrence took place.

The whole party were committed to jail by Justice Mearis, on the charge of attempting to break into the house of Erasmus Levy. Levy gave himself up to Sergeant Davis and was committed to jail by the same Justice to await an investigation of the affair. As soon as it became known that McAleese was dead, Coroner Stevens was sent for, who summoned the following persons to serve on the Jury; John H. Woodward, A. McKenzie Pittman, J. Bond Jarrett, Andrew F. A. Harrigan, John T. Delcher, Jas. P. Bishop, John Sullivan, Hickman Belt, Michael Boland, Dennis McClennan, W. K. Mitchell, J. Conway, George D. Phelps, and William Boone. The Jury adjourned soon after being called together, to four o'clock, at which hour they re-assembled to hear the testimony of the witnesses, the first of whom were the parties charged with attempting to enter the dwelling of Levy. Their statement was in substance as follows:—They had been to the ball at Reben Hall, on Fayette street, near Harrison, in the early part of the evening, previous to which a party whom they had been with got into trouble, and one of the number, named John Gamble, taken to the station house.—On his way up town towards morning, McAleese proposed to try and get Gamble out. Two or three of the party went to the station house, saw their friend and were requested by him to go to Levy's and get him to intercede. They went to his house, making no noise, rapped at the door, and then raised the window to converse with Levy; no harsh words being spoken by either party during the time they were there, which did not exceed five minutes; that in answer to a request from McAleese to go to the station house and stand security for Gamble, Levy said, "he is nothing to me; I shan't go;" and immediately afterwards the pistol was fired.

In direct contradiction to the above, was the statement of Mrs. Frances Martin and her daughter, Mrs. Emily Wallace, who reside a few doors from the place of the occurrence. Mrs. M. stated that towards five o'clock, for some time, perhaps a quarter of an hour, she heard the sound of kicking at a door, got up, raised the window, saw several persons standing in the street, talking loudly, and making a great deal of noise; left the window and immediately after heard report of pistol.

Mrs. Wallace stated that she had been unwell for sometime; was up the greater part of the night; about the hour stated, heard great noise, as of some one kicking and knocking against a door; had heard same noise twice before during the night; heard sound of quarreling; also heard remark made "We'll put your light out for you," and then heard report of a pistol.

The Jury thereupon rendered the following verdict, viz: "That the deceased, Archibald McAleese, came to his death from a pistol-shot wound, fired by the hands of Erasmus Levy."

The body of McAleese was given in charge of his father, who removed it to his residence, Saratoga street, near Park.

BURGLARIES.—Sometime between 12 and 3 o'clock yesterday morning, the clothing establishment of Mr. Asbury Jarrett, on the corner of East Baltimore and Front streets, was broken open and robbed of a large quantity of valuable goods, consisting of fine black cassimeres, fancy silk, and black satin vestings, and several pieces of fine silk serge, amounting in value to between six and seven hund red dollars. The yard of the building fronts on a four foot alley, running from Front street to Jones' Falls; the burglars having scaled the fence, gained access to the store by prizing open the shutters of the back window, with a small crowbar or chisel. They took from the shelves large quantities of goods, selecting those of the best quality, and it is evident they had not got half through with their work when they left the premises, which from appearances was done precipitately, leaving a piece of silk in the yard, and another piece on a pile of dirt in the Falls at the end of the alley; from the latter fact, the thieves must have carried off their booty in boats. It is thought that the burglars were frightened off by seeing the gas suddenly lighted in one of the chambers of the dwelling, which was done by a lady of the family, who had occasion to wait on one of her children, and who heard the footsteps of a man walking backward and forward on the front street pavement, which at that hour seemed to her singular. Some parties stated yesterday morning that they had observed, between 9 and 10 o'clock on Monday night, two or three boats on the Falls above the Baltimore street bridge.

ROBBERY.—The counting-room of Messrs. Pendergast Brothers, 77 Smith's Wharf, was burglariously entered on Monday night and their safe broken open and rifled of its contents. Fortunately, however, the thieves succeeded in getting nothing of value to themselves as there was but 56 cents in the drawer, though they took most of their books, a lot of expired insurance policies, notes to the amount of $2,000, and a lot of insurance scrip valued at $500. It is supposed they became alarmed, and made their escape from the window facing the alley in the rear, as there were a package of unexpired Marine Insurance policies and other articles of considerable value found on the floor by the window. The books of Messrs. Pendergast were found this morning by two boys in a boat, floating on the water between the receiving ship Alleghany and the shore, and all the other articles of value recovered except the promissory notes.

FIRES AND ALARMS.—Between 2 and 3 o'clock yesterday afternoon, an alarm was given, occasioned by a great smoke being seen south of the city. It is supposed, it arose from the burning of brush.

The alarm at 4½ o'clock, arose from the partial burning of the back building of a house on Gay st., above Mott. It caught from sparks from the chimney. Damage slight.

The alarm last night, about 8 o'clock, arose from the burning of a pile of lumber in the Cabinet making establishment of Mr. Thomas Muller, corner of Fayette and Gay streets. It was extinguished before much damage was done.

A few minutes after 10 o'clock, on Monday night, an alarm of fire originated from the burning of a small unoccupied office on Eutaw street, near Spring Gardens. The building was set on fire, and was soon destroyed. No insurance.

Officer Short, upon going his twelve o'clock round on Monday night, discovered fire in an unoccupied frame house on Hughes street. He entered the premises by forcing the front door, and succeeded, with a few buckets of water, in extinguishing the flames. Damage trifling.

THE DETECTIVE POLICE.—In the early part of the present session of the City Council a proposition was made to dispense with the five detectives connected with the present police system. Nothing was done with the matter by the Committee to whom the subject was referred, and last evening when the ordinance came up for consideration in the Second Branch, at the instance of Mr. Herring, it was so amended as to abolish the present detective police, and a clause inserted authorizing the Mayor to appoint and commission from time to time as he may think proper, any number of men not exceeding five to act as a secret police under the exclusive control of the Mayor. This plan is similar to that adopted by the authorities of New York and is reputed to work much more effectually in the detection of crime than where the officers are known to the community.

CHARGE OF CRUEL PUNISHMENT.—A man by the name of John Finch, mate of the ship Therese, has been arrested on the charge of maltreating a seaman named William Smith. An examination was had before U. S. Commissioner Hanan yesterday, which resulted in the committal of the accused for a further hearing to-day.

ARRESTS.—John Hahn was arrested yesterday by officer Chaffinch, of the Eastern District, on the charge of assaulting and beating Samuel E. Chaffinch. Held to bail for trial before the Criminal Court by Justice Audoun.

Mary Johnson and Mary Whalen, were arrested yesterday by officers Chaffinch and German, for disturbing the peace. Committed to jail in default of bail by Justice Audoun.

AN ADDITIONAL ARREST.—Officer Daman, of the Southern Police, yesterday arrested a person calling himself John *alias* Buck Mason, who stands charged with being a party to the attempt at the robbery of the schooner Eliza A. Johnson, lying at Hughes' Quay. Justice Boyd committed the accused for court.

THREATENING TO SHOOT.—David F. Connolly was yesterday arrested by constable Toulson, upon the charge of assaulting and threatening to shoot Ernest Luke. Justice Boyd committed him to jail in default of security to answer at court.

KILLED BY LIGHTNING.—A young man named Hall, residing on the Philadelphia road, about nine miles from the city, was on Monday night last struck by lightning and instantly killed. He was the eldest son of Samuel Hall, Esq., a well known farmer of Baltimore county.

FOUNDLING.—A white male child was left at the door of the Catholic Infant Asylum, corner of Pratt and Eutaw streets, about nine o'clock on Monday night, where it was discovered by the inmates who took it in and provided for it.

PEDDLING WITHOUT LICENSE.—Officer Wisebaugh yesterday arrested Edward Woods on the charge of peddling brass rings without a license. Justice McKinley held the accused to bail for a further hearing.

THE MCDONOGH ESTATE.—The Mayor yesterday submitted to the first branch of the council, a communication from the agents for this city, setting forth that, as the Supreme Court of Louisiana had refused a re-hearing of the suit for partition of the McDonogh estate, the property now stands divided between the two cities of New Orleans and Baltimore.

HOLLIDAY STREET THEATRE.—The patriotic drama of "Jessie Brown, or the Relief of Lucknow," was the chief entertainment at this establishment last night, and will be repeated this evening. This drama is founded on a well known incident in the recent struggle between the English forces and the Indian Sepoys, which has been wrought into a play of stirring interest. The piece is well calculated to display the peculiar powers of Miss Maggie Mitchell, who personates with marked effect the part of the heroine, Jessie Brown. It is produced with all the auxiliaries of appropriate scenery and proper stage effects, and cannot fail to prove a source of great attraction. The excellent comedy of "Charles the Second" will succeed the play, Mr. Charless Bass appearing as Captain Copp. In the rendition of this character Mr. Bass is unsurpassed, and we advise all who are fond of witnessing a capital actor and a capital piece to be present.

PROCEEDINGS OF THE CITY COUNCIL.

TUESDAY, April 6, 1858.

FIRST BRANCH.—Branch met. Present John T. Ford, Esq., President, and all the members except Messrs. McComas and Beacham.

Mr. Wood presented a petition from Isaac R. Trimble, setting forth that he was subject to an unequal amount of expense for the dredging of his property, on the north-west corner of Lee and Light streets, and also that, by the arrangements of the Harbor Master, he was subject to loss on his water fronts at that place. Referred to the Committee on the Harbor.

The President submitted a communication from the Mayor, relating to the McDonogh bequest. Referred.

Mr. Dukehart called up ordinance No. 23, to levy a tax of 2 cents on the $100 for the redeeming of the jail stock. Passed.

He also presented a resolution from the Committee on Ways and Means, appropriating $500 for the aid of the "Aged Women's Home." Laid over.

Mr. Clark, from the Committee on Health, presented a resolution appropriating $500 for the defraying of the expenses of the Sanitary Convention to be held here during this month. The rules were suspended, and the resolution read a second time and adopted.

Mr. Talbott presented a petition from Messrs. Barnum & Co., asking permission to lay a pipe from their hotel to the sewer on Calvert street. Referred to the Committee on Police and Jail.

Mr. Glanville, from the Committee on Claims, reported adverse to the petition of Col. R. A. McAllister, relative to a claim against the First Rifle Regiment. Adopted.

Mr. Harvey, from the Committee on Highways, reported an ordinance to change the grade of Saratoga street, at the intersection of Republican.—Read and laid on the table.

Mr. Harvey offered a resolution authorizing the Market Master of the Lexington market, to purchase two hundred and fifty feet of hose for that market, and appropriating $175 for defraying the cost thereof. Adopted.

After the reading and adoption of a number of revised ordinances, the Branch adjourned.

SECOND BRANCH.—The Branch met pursuant to adjournment. John B. Seidenstricker, Esq., President, in the chair, and all the members present.

A communication was received from the Mayor certifying his approval of sundry resolutions.

A communication was received from the Comptroller, stating that a difference of opinion existed between himself and the Auditor in relation to the provisions of the ordinance providing for the collection of the arrearage taxes—the Auditor contending that the interest accrued is a portion of his commission, and recommending the subject for the decision of the Council. Referred to a special committee.

The several ordinances providing for the levy of the present year, were received from the first branch. All of them were laid on the table, except those providing for the levying of a State tax, and the redemption of water stock, which were passed.

The ordinance establishing a police for the city of Baltimore was taken up, amended and passed.

Adjourned until this afternoon.

LAW INTELLIGENCE.

SUPERIOR COURT.—Before Hon. Z. Collins Lee, Judge. The following business was transacted yesterday:

John Copenhaver *vs.* Henry C. Jahn and others. Injunction issued to restrain the defendants from taking possession of certain property. Snyder for complainant.

William and James McGowan *vs.* The Baltimore Fire Insurance Company. An action to recover on an insurance policy issued by the defendant. On trial. R. J. Brent and Israel for the plaintiffs; Schley for the defendant.

CIRCUIT COURT FOR BALTIMORE CITY.—Before Hon. Wm. Geo. Krebs. The following business was transacted yesterday:

Domicil Society, No. 4 *vs.* D. C. Brown and Jacob Standemeyer. Petition filed by the purchaser of property to have the sale rescinded on the ground of the failure of title. Argued by J. P. Poe for the petitioner and Ing for the defendants. Petition granted

COURT OF COMMON PLEAS.—Before Hon. Wm. L. Marshall, Judge. The following business was transacted yesterday:

Durham and Kearfoot *vs.* Loeb Stern. Allegations of fraud against an insolvent debtor. Verdict of guilty. McLaughlin for plaintiff; R. C. Barry for defendant.

George B. Johnson *vs.* James E. Davis. An action to recover a lien claim on twelve houses. Not concluded. Reynolds for the plaintiff; G. M. Gill for defendant.

CIRCUIT COURT OF THE UNITED STATES.—There was no business transacted in this Court yesterday.

COURT OF APPEALS OF MARYLAND.

DECEMBER TERM, 1857.

ANNAPOLIS, April 6th, 1858.

Nos. 113, 114, 115, 116, 117 and 118, continued.

No. 135. Thos. R. Johnson, Administrator of Rinaldo Johnson, *vs.* Farmers' Bank of Maryland and others. Appeal from the Circuit Court of Prince George's county. Chief Justice Le Grand, delivered the opinion of the Court. Order affirmed.

UNITED STATES SUPREME COURT, April 5, 1858.—Present—Hon. Roger B. Taney, Chief Justice; Hons. Jno. McLean, Jas. M. Wayne, Jno. Catron, Peter V. Daniel, Samuel Nelson, Robert C. Grier, John A. Campbell, Nathan Clifford, Associate Justices.

The commission of William Selden, Esq., as marshal for the District of Columbia, was filed and read by the clerk in open court.

No. 70. Francis Warner, plaintiff in error, *vs.* Cephias H. Norton *et al.* This cause was argued by Mr. Dickey for the plaintiff in error, and by Mr. Badger for the defendants in error.

Ajourned until to-morrow at 11 o'clock.

COURT OF CLAIMS, April 5.—Judge Gilchrist being still detained from his place on the bench by sickness, the Court to-day took up the case of Elliot Woodbury and Ezra Foster *vs.* The United States, No. 155, law docket.

The petitioners state that they were the owners of the brig "Casket;" that on the 5th day of August, 1846, whilst engaged in the performance of a lawful contract between her master and a citizen of Brazil, off the port of Kabenda, on the western coast of Africa, she was seized by the United States sloop-of war Marion, commanded by Lieutenant Lewis E. Simonds, an officer of the United States Navy, under the allegation that she was engaged in the slave trade in violation of the laws for suppressing the same; that a libel was filed against said vessel by R. M. Rantoul, Jr., United States District Attorney, but upon a trial of the cause in December, 1846, the said suit was dismissed; that they (the petitioners) sued the said Simonds for damages on account of said seizure in January, 1847, in the District Court of Rhode Island; that Mr. Justice Woodbury pronounced the judgment of the Court, and whilst recognizing the right of the petitioners to the compensation demanded, held that the cause of action lay against the United States, and not against the defendant, Simonds, who was only their officer and executed their laws and orders, that petitioner should seek relief from Congress; that accordingly the petitioners presented the claim to the House of Representatives in 1852, and again in 1853, through the late Hon. Robert Rantoul, of Massachusetts, and the same was referred to the Committee on Claims, but that no report was made or action had upon it so far as they know, and with Mr. Rantoul's death the proceedings stopped. The petitioners claim that the United States, as the aggressors and actors by their authors, are liable to them in the premises for damages for the seizure and detention of the vessel, repairs for injuries done her by the seizure, the penalty of forfeiture by non-performance of her contract, insurance, costs and counsel fees, personal damages, &c., &c., amounting in all to $17,061.85, together with interest.

The case was argued by Mr. Rockwell for the claimants, and Mr. Blair for the government.—*Nat. Intel.*

On Thursday morning, the 1st instant, the quiet little borough of Conemaugh, Cambria county, Pa., was thrown into a state of intense excitement, by the perpetration of a most murderous assault. The particulars are as follows: A man named Baker, residing in Conemaugh, in a house belonging to Frederick Kammacher, who lives near Indiana, Pa., was about to remove, and being in arrears for rent, Kammacher called upon him for his money. Angry words passed between them, and Baker, seizing a gun loaded with buckshot, deliberately shot Kammacher. The wounded man fell instantly—the shot having penetrated the cavity of the chest, in the region of the heart. Amid the consternation which followed, Baker managed to make good his escape. At last accounts Kammacher was still living, although but little hope was entertained for his recovery. He was a man of some fifty-five or sixty years of age.

PRICE OF LIVING.—Statistics in the *Tribune* show that in the cost of furnishing a table in New York, the increase from 1850 to 1853 was 20 per cent., and from 1853 to 1857, 50 per cent.—making 70 per cent. in 7 years. The present rate is 27 per cent. less than last year at this time, when the highest point was reached. Yet it appears that the present rate is 43 per cent. higher than it was in 1850, and that the rate of house rent is full one-third higher now than then. Clothing and house-furnishing articles range in comparative cost with the table expenses, so that the cost of living in a plain, economical way in New York may be set down at about $500 a head for each member of a small family.—*Worcester Transcript.*

Judge McClure, of Pittsburg, is as severe on highwaymen as Judge Russell, of New York, is on garroters. On Friday George Cooly, David Porter, and Patrick Mullen, the three young men who were convicted of knocking down and robbing a farmer named Smail, on Friday night of the previous week, were brought into court, and each sentenced to undergo an imprisonment in the penitentiary for the period of eight years.

The Common Council of Cleveland, Ohio, has appropriated $6,000 for the preparation of a monument in honor of Commodore Perry. It is to be completed by September, 1859.

DECISION OF JUDGE KREBS IN THE CITY CIRCUIT COURT.

In the case of Henry Yeatman *vs.* Richard H. Stevens, Judge Krebs recently delivered the following opinion, involving points of some general interest:

The principles of equity law, upon which the action of this court was founded, upon the case stated in the complainant's bill, and which will regulate its decision upon the case made at the hearing are to be found, clearly stated, in the decisions of the courts of this State, and of other tribunals of high authority. In Drury *vs.* Roberts, 2 Md. Chan. Dec. 159, the chancellor says, "These parties having been partners in trade, it is very clear that, upon the dissolution of the connection, each partner was entitled to assist in collecting the assets, and paying, and in winding up the affairs of the firm, and that any interference with this mutual right, or the exclusion by either partner of the other, from the enjoyment of it, would justify this court in taking the management of the concern into its own hands."

In Harding *vs.* Glover, 18 Ves. 281, Ld. Eldon says, to authorize the appointment of a receiver upon dissolution of a partnership, "There must be *some* breach of the *duty* of a partner, or of the *contract* of partnership." And in Wilson *vs.* Greenwood, 1 Swanston, 480, he says, that "if in the course of winding up the affairs after the determination, any of the partners seek to exclude another from taking that part in the concern which he is entitled to take, the court will grant a receiver." Collyer on partnership § § 190, 335; Const *vs.* Harris, 1 Turn. & Russ. 496. And in Speights *vs.* Peters, 9 Gill, 479. The Court of Appeals of this State quotes the above extract as setting forth the law upon this subject, and states further that "whenever a dissolution has taken place, if one partner behave unrighteously against the interest of the others, or in any other manner excludes his co-partner, from that share to which he is entitled in winding up the concern, it presents a case for a receiver." Blakeney *vs.* Dufaur, 15 Beav. 40.

In the State of New York it is regarded as the settled practice that the Court, as a matter of course, will appoint a receiver, where the partnership is dissolved, and the agreement between the parties makes no provision for closing the concern, or they cannot arrange the matter between themselves. 2 Paige, 310; Law *vs.* Ford, 4 Paige, 480; Martin *vs.