MARINE AFFAIRS.

STEAMSHIP BALTIC.—The steamship Asia, at Boston, reports passing on the 9th inst. at 12 o'clock, twelve miles southwest of Holyhead, the steamship Baltic, which sailed from New-York May 30, bound into Liverpool.

OUTRAGE ON AN AMERICAN SHIP.

To the Editor of The N. Y. Tribune.

The bark Delawarian, on her arrival at Sagua La Grande, had one of her crew taken by the authorities of that place contrary to the wishes of her master. I was informed by Capt. Duncan (of the D.) that this man signed articles on the 16th of May and reported himself a native of Peru; he shipped for the voyage, but on the arrival of the bark at Sagua he said he was a Spaniard, and produced a passport dated May 18th. The Capt. showed the authorities that he was one of his crew, lawfully shipped, but they took him away from the vessel. Four days after the authorities came alongside again and demanded his clothes. Capt. D. refused to give them up; they then went on board and forcibly took possession of them. This is considered an outrage on the American flag.

JAS. E. COLE, Master of ship Saitello.

FIRES.

FIRE IN MARKET-ST.

About 2 o'clock on Saturday afternoon a fire broke out in the attic of the dwelling-house No. 89 Market-st., occupied by James C. Lightbody and others. The flames were soon extinguished, the premises being damaged to the amount of about $200 only.

FIRE ON BOARD OF A STEAMBOAT.

Yesterday morning about 2 o'clock a fire occurred on board of the steamboat Buffalo, lying at the foot of North Moore-st., North River. The fire appeared to have originated in the forward hatch and thence extended toward the bows on one side and the engine on the other. The firemen were early on the ground but experienced great difficulty in extinguishing the flames, as they did not appear above the deck, and in order to get at the fire portions of the deck had to be cut away. The hold was completely flooded with water. The damage by fire and water is roughly estimated at from $600 to $800; partly insured, but in what Companies we could not learn as the Captain was out of town. The Buffalo had been lying at the dock some months past and was undergoing repairs preparatory to the excursion season. The vessel was owned by Capt. Hancox. The fire was without doubt the work of design.

BRUTAL MURDER.

Mary Ann McQuade, a resident of No. 22 Jackson-st., died on Saturday from brutal treatment at the hands of Jacob Mitchell, a sailor, with whom she lived as his wife. It appears that late on last Thursday night he went home partially intoxicated and beat and kicked her so severely that death ensued. He then left the house and went on board a United States surveying schooner which sailed out of the port on Friday. A warrant for his arrest has been issued and will be served upon him when the schooner returns, which will probably be in two or three weeks. Coroner Hilton yesterday held an inquest upon the body of deceased, and the following is the principal evidence taken:

Catharine Jackson, of No. 22 Jackson-st., testified that Mitchell came into the house at about 12 o'clock on last Thursday night, and immediately ran at and kicked the deceased in the left side and chased her up stairs; after they got up stairs I heard him beat and knock her down; she cried watch, and he continued beating her for about 15 minutes without stopping; I heard him call her a b—h and threaten to break her neck; after the beating was over all was quiet; there was no one in the house at the time beside them, Amos Harvey and myself; Harvey went out before the beating was over; I retired at 12½ o'clock; slept in the next room to them and heard no noise except her crying; at about 1½ o'clock Mitchell went down stairs; he looked very angry; he soon went into the street, and I have not seen him since; when he came in the first time he was partially intoxicated and deceased was so also in the morning; her facew as very much swollen and she told me that he had knocked her down and beaten her and jumped upon her with his boots; she complained of great pain in her head; after remaining up about four hours and drinking three glasses of brandy, she went to bed and remained there until 11 o'clock P. M., when she rose and drank two or three more glasses of brandy; the next morning she was taken in convulsions and died at noon on Saturday; about two months ago she was grossly intoxicated and had a fit, which lasted ten minutes; I have heard that she was subject to fits; deceased appeared in good health up to the time of his beating her; I never heard her abusive to Mitchell, but have known him often to beat her.

Dr. Thomas C. Finnell testified to having made a post mortem examination of the body of deceased; he found the whole person much bruised; the lungs congested, a clot of blood on the right side of the brain and blood flowing from the mouth and nostrils; in his opinion death was caused by congestion of the brain, the result of injury to the head, and that the beating described would produce this effect.

The Jury rendered a verdict of "death by compression of the brain from effusion of blood, the result of injuries received on the night of the 21st inst., at the hands of Jacob Mitchell." Deceased was a native of Ireland, 24 years of age.

CITY ITEMS.

Mozart's *Don Giovanni* is to be given to-night at the Academy of Music with Madame La Grange as Zerlina, Madame De Vries as Donna Anna and Mr. Morelli as the Don, Mr. Mirate as Octavio and Mr. Revere as Leporello. To-morrow night Mr. Rossetti makes his debut in Donizetti's *Belisario*.

EXCURSION OF THE REPORTERS.—Several of the Reporters of the Press of this City on Saturday last, took an excursion to the Fishing Banks in the steamboat Golden Gate, Capt. Charles Anderson, and were handsomely entertained by the gentlemanly commander. Nearly all of the daily papers were represented and those of the reporters who were so fortunate as to be able to spare time from their duties to go on the excursion were well pleased with their trip. The day was fine, and fish were taken in large numbers. A band of music, which always accompanies the Golden Gate, and a party of ladies, afforded facilities for dancing, which were fully enjoyed. An excursion to the fishing banks is one of the pleasantest for a Summer day that our City affords, though those unaccustomed to the swell of the ocean, ladies especially, are liable to be a little sea-sick, as a tribute to old Neptune for trespassing upon his domains.

CITY MORTALITY.—According to the City Inspector's Report, there were but 322 deaths during the past week, showing a decrease of 31 on the mortality of the previous week. Of the whole number 212 were under ten years of age, and 36 inmates of the public institutions. Among the principal causes of mortality during last week, consumption carried off 33; dropsy in the head 20; cholera 1; typhoid fever 4; dysentery 7; diarrhea 7; inflammation of the lungs 13; inflammation of the brain 7; other inflammatory complaints 10; scarlet fever 25; convulsions (infantile) 21; croup 9; debility 10; marasmus (infantile) 15; measles 10, and cholera infantum 4. There were 9 premature births, 28 cases of stillborn, and 14 deaths from violent causes. The following is the classification of diseases: Bones, joints, &c., 3; brain and nerves, 69; generative organs, 6; heart and blood-vessels, 9; lungs, throat, &c., 70; skin, &c., and eruptive fevers, 43; stillborn and premature births, 37; stomach, bowels, and other digestive organs, 50; uncertain seat and general fevers, 29; urinary organs, 3; old age, 2; unknown, 1. The nativity table gives 231 natives of the United States, 56 of Ireland, 19 of Germany, 7 of England, and the balance of various European countries.

EXCURSION.—The Laight-st. Sunday School go on their annual Excursion on Wednesday next to Washington Park. This is one of the largest and most flourishing Schools in the City, and is situated in the lower part of the City where the influence of a well regulated and active Sunday School is desirable.

On and after to-day fifty cents will be paid for every live unmuzzed dog taken to the Pound.

COMPLETION OF THE CENSUS.—We have received the following Circular to the Census Marshals with a request to print it:

OFFICE OF SECRETARY OF CENSUS MARSHALS, No. 119 Chambers-st., New-York, June 23, 1855.

TO THE PUBLIC.—At a Convention of the Census Marshals, held at the Broadway House on Friday evening 22d inst., Mr. WILLIAM ARBUTHNOT, (of No. 86 West Broadway, Fifth Ward,) of the Committee of Inquiry, presiding, it appeared from the Reports of the Census Marshals of the several Wards, that they would complete their work and finish their copying by the middle of July. Some of the Marshals reported that they had subdivided their Districts in order to secure the prompt completion of the Census.

The Marshals have met with many obstructions in the performance of the task assigned to them, such as the removal of families into the country for the Summer, of whose statistics no reliable information could be obtained from their neighbors. The statistics of residents on shipboard, in lodging houses and hotels, and manufacturing statistics, have also occasioned the Marshals much trouble, and they have been obliged to make several calls at these places before they could obtain correct information on the required heads.

In case of any negligence or delinquency upon the part of any of the Marshals while in the discharge of their duties, citizens will please address a note to this office, and the attention of the Secretary of State will be promptly called to the subject.

A General Convention of the entire body of Marshals is hereby called to meet at the Broadway House on Friday, June 29, at 7½ o'clock, P. M. A full attendance of the Marshals is desired, as a unanimous memorial to the Common Council is to be presented for signatures.

The Marshals take this occasion to return their thanks to the Press for the many practical hints and useful suggestions they have made to heads of families and others in reference to the preparation of statistics. The Marshals have met with much kind treatment in consequence of these paragraphs in the newspapers, and in many instances have found all the statistical information required of families accurately prepared when the Marshals called. By order. D. C. HENDERSON, Secretary of Convention of Marshals.

City papers please copy.

FATAL ACCIDENT.—Mr. George Gibson, a contractor residing on Fourth-av., between One Hundred and Twenty-fifth and One Hundred and Twenty-sixth-sts., Harlem, met his death on Saturday last in the following manner: he was overseeing some workmen who were working a quarry at Upper Morris, Lima, and went under a large rock which projected out, when it fell and crushed him to death. He was about 65 years of age, and leaves a wife and daughter to mourn his loss.

DARING STREET ROBBERY.—A man named John Murphy, doing business at No. 108 South-st., while crossing Chatham-st. near the Park at 11½ o'clock on Saturday night, and slightly intoxicated, was attacked by five men, who robbed him of a wallet containing $2,000 in notes and drafts and $25 in money, with which they ran off, but were pursued by Policeman Gaughen of the Sixth Ward, who, with the help of a citizen, managed to capture four of them, the one with the wallet having escaped. The prisoners gave their names as Michael Fesney, Wm. Mulholland, Thos. Toomey and Benj. Durken, and were locked up by Justice Bogart in default of $1,000 bail each to answer. The one who escaped is known, and the Police are on the lookout for him.

CHARGE OF FORGERY.—August Cazavan, a Frenchman, was on Saturday arrested, charged with obtaining money by means of forged letters on several citizens from various individuals. The complainant is Mr. Adams of No. 360 Bleecker-st., who states that he paid Cazavan $41 on a forged letter purporting to have been written and signed by Mr. A. Pearcy of the Juvenile Asylum. The prisoner is also charged with being concerned in the late City Directory frauds. On his person several letters directed to some of the leading down-town merchants were found. These, it is supposed, he intended using to swindle with. He was taken before Justice Pearcey, and committed for examination.

GRAND LARCENY—RECEIVING STOLEN GOODS.—Mary Jane Brown was yesterday arrested charged with stealing a gold watch and jewelry to the value in all of $150 from the house of her late employer, Mr. Samuel Jackson of No. 140 East Nineteenth-st. Some of the property was found in her possession and the balance she said she had sold to L. Silverthan, a jeweler for a pair of earrings worth $3. Silverthan was also arrested charged with receiving stolen goods and both were committed by Justice Davidson to await examination.

CHARGE OF FALSE PRETENSES.—Barbeta Cook, a young woman, was yesterday arrested charged with obtaining five dress-patterns valued at $112, from Madam Teresa Quaiper of No. 10 White-st., by false pretences. It appears that she represented to Madam Q. that a lady, whose name she gave, sent her for the dress patterns to examine, as she wished to make a purchase of one or two of them. The accused failed to return the patterns or the money for them, and the statement she made is now charged to be false. She was committed by Justice Pearcy for examination.

DESCENT UPON A DISORDERLY HOUSE.—The Sixteenth Ward Police made a descent, late on Saturday night upon the disorderly house of James O'Rourke in Twenty-Fifth st. near Tenth-av., and captured the proprietor and several of the inmates, all of whom were sent by Justice Pearcy to the Penitentiary for the Summer.

HOTEL THIEVES.—Ed. Matthews and Wm. Clark were arrested early yesterday morning charged with attempting to break into the room of Mr. Richard M. Pell, at the Gollamore House, with intent to steal. They were committed by Justice Pearcy.

YOUTHFUL BURGLAR.—Daniel McGrath, a boy 17 years of age, was yesterday arrested, charged with having on Saturday night broken into the porter house of John Coley, No. 12 Roosevelt-st., and stolen from the money drawer 97 cents in change. A part of the stolen coin, which had been marked, was found on his person, and he was locked up by Justice Bogart for trial.

CHARGE OF FALSE PRETENSES.—Charles Grosbaum, a grocer of West Twenty-fifth-st., was yesterday arrested, charged with obtaining by false pretenses goods to the value of $38 from D. F. Wright of No. 140 Maiden-lane. It appears that he bought the goods for cash on delivery, and when the carman brought them to his store he told him that he had paid Mr Wright for them, which is not the case, as is alleged. He was held by Justice Davidson for trial.

[Advertisement.]
ENVELOPES AND WRITING PAPERS—For the people.
ENVELOPES and WRITING PAPERS for the Governments.
ENVELOPES and WRITING PAPERS for Merchants.
ENVELOPES and WRITING PAPERS for Banks and Insurance Companies.
ENVELOPES and WRITING PAPERS for Lawyers and Physicians.
ENVELOPES and WRITING PAPERS for Railroads.
ENVELOPES and WRITING PAPERS for Institutions.
ENVELOPES in endless variety, and of superior excellence for all classes.
WRITING PAPERS of every description.
CHARLES H. LYON & BROTHER, Manufacturers, No. 25 Beekman-st., N. Y.

[Advertisement].
Residents in Ague districts may all insure their health the coming season by using the new "Antidote to Malaria," called "RHODES'S FEVER AND AGUE CURE." It prevents or removes all traces of disease. Dr. Chilton's certificate accompanies each bottle. For sale by C. H. RING, C. V. CLICKENER & Co., and dealers generally.
J. A. RHODES, Providence, R. I.

[Advertisement.]
Entirely new Comic Piece at BARNUM'S Museum THIS EVENING, "The Muleteer of Toledo." Beautiful thing, full of life, fun and spirit. Two excellent pieces there THIS AFTERNOON. Bearded Infant, Bearded Lady, Maine Giantess, &c., all to be seen at same time.

[Advertisement.]
PLAIN AND DECORATIVE PAPER-HANGINGS.—CRATT & HARDENBERGH, Manufacturers and Importers, No. 360 Broadway, between Leonard and Franklin-sts., invite attention to their extensive stock, which is unsurpassed by any in this country. Faithful and accomplished workmen sent to any part of the city or country at short notice, and their work warranted.

[Advertisement.]
TEAS.—The best assortment of FINE TEAS will be found at the CANTON TEA COMPANY'S newly-erected and elegant store, No. 125 Chatham-st., (between Pearl and Roosevelt-sts.,) the oldest Tea establishment in the city. We assure our readers they can do better here than elsewhere, either at wholesale or retail. No branch stores.

[Advertisement.]
BALM OF THOUSAND FLOWERS—For beatifying the complexion and eradicating all tan, pimples or freckles from the face. PETRIDGE & Co., Franklin-square, New-York; for sale by C. H. RING, Broadway, and all Druggists.

[Advertisement.]
UPRIGHT GRAND PIANO, price $600, for sale at $350, or will be rented very low.
HORACE WATERS, No. 333 Broadway.

[Advertisement.]
BEST MOWING MACHINES.—Jamesburg, N. J., June 22, 1855.—Mr. R. L. ALLEN, New-York—Sir: I made a trial yesterday with the new MOWING MACHINE I purchased of you, and do not hesitate to say that the improved machine is the best I ever saw worked with—and I have seen a goodly number. I have a field of very heavy grass, and it had fallen down and lodged so I could not cut it with the old machine, and the grass was very wet, having rained nearly all day previous to my giving it a trial, I expected to see it choke up, but to my great surprise it choked up but very little, and that was owing to mismanagement. To be plain, Sir, I feel it my duty to inform you that the improved Mower works beautifully, and I am satisfied works nearly one-third lighter for the team than the Mower I used last year, and that was called one of the best in the market. Yours truly, JAMES BUCKELEW.

[Advertisement.]
SHAKER BONNETS
For sale by IDE, FELT & HALL, Nos. 9 and 11 Park-place.

[Advertisement.]
AT ONE FELL SWOOP!—An immense sacrifice of all the present stock of Messrs. CHARLES HEARD & Co., No. 361 Grand-st., comprising rich SHAWLS, plain and colored SILKS, BAREGES, printed JACONETS, LAWN, &c., as the early disposition of the entire Stock is a matter of absolute necessity. A few of the most important articles are quoted as a fair sample of the leveling process:
SHAWLS invoiced at $10 to $15 sold at.....$6 to $8.
MANTILLAS (Paris) invoiced at $9 to $13 sold at $4 to $6.
SILKS (heavy and wide) invoiced at 90 to 150 cts. sold at.....50 to 75 cents.
BAREGES (all wool) invoiced at 31 cts. sold at.... 12½ cts. ℔ yd.
JACONETS (Printed) invoiced at 31 cts. sold at.... 12½ cts. ℔ yd.
A realization of the general and apparently unwarrantable sacrifice of this Stock of rich DRESS GOODS can only be attained by a personal inspection.

[Advertisement.]
The Excursion on MONDAY, June 25, to that beautiful Summer Retreat Fort Hamilton, where there will be an Auction Sale of 115 splendid VILLA SITES, which command a full view of the Bay and Ocean for thirty miles, and also of Staten Island and the surrounding country. There is good bathing, fishing and boating. The Railroad, now in a state of completion, is to run directly to this property, and steamboats ply eight times a day to and from Fort Hamilton, making it only from 20 to 30 minutes from New-York. The sale is to commence at 2 o'clock P. M. The steamer NORWALK will leave Pier No. 3, North River, at 10 o'clock A. M., and 1 P. M. Free Tickets, Maps, and all particulars can be had of JAMES W. BARKER or J. T. MOULTON, No. 3 Nassau-st., N. Y.

BROOKLYN ITEMS.

THE LIQUOR CASES IN THE CITY COURT.—On Saturday last Judge Culver rendered his decision in the case of the People against Ezekiel Baldwin, indicted for selling liquor without license, on which a plea was raised by defendant's counsel as to the jurisdiction of the Court in the transaction of criminal business. The objections raised were that the Supervisors, sitting as Associate Judges, had no authority by the Constitution to act in that capacity, and that the Legislature had no right to invest them with judicial authority. It was also argued that there was a lack of uniformity between this Court and the Court of Oswego, which was the model or pattern Court. His Honor instanced Aldermen, Supervisors, the Chief and Captains of Police, all of whom were invested with judicial powers in certain cases, and yet they were not mentioned in the Constitution; their judicial powers were derived from the Legislature. He reviewed the action of the Legislature in regard to the organization of local Courts, and showed that four Courts of similar jurisdiction had been established previous to the Court of Oswego, which could not therefore be taken as the model. The Constitution required uniformity of organization, and he showed that all the City Courts in the State, those established before as well as those established after the Brooklyn Court, were similar in their mode of construction and jurisdiction, only differing in minor details. In regard to the City Court of Brooklyn, the Legislature had substituted Supervisors to sit as Associate Judges for Aldermen, which he thought a wise provision as far as representation went, the Supervisors representing a whole ward and the Aldermen but half a ward. He could take no other than the Legislative exposition, and could therefore see no reason why this was not a competent Court of criminal jurisdiction. As he understood the law it was, and he should so decide.

Ex-Judge Lott, for defendant, noticed his intention of taking exceptions to the decisions, when the District-Attorney moved that the defendant be arraigned to plead to the indictment.

Mr. Haddon stated that they had some more objections to make, and then moved that the indictment be set aside, for the reason that the Grand Jury had been improperly organized.

First: The Grand Jury which found these indictments was not drawn entirely from the Grand Jury lists required by law to be filed in the Clerk's office of this Court in October last, but were summoned by the Sheriff by order of this Court.

Second: A sufficient number not appearing an order was issued requiring three more, which were likewise not drawn from the lists.

Third: The lists of the Grand Jury from which the first drawing was made was composed exclusively of individuals who are inhabitants of the first eleven wards of the old City of Brooklyn, and were consequently not drawn from the City of Brooklyn as now constituted.

Fourth: A number of these Grand-Jurors are not qualified to sit as such by law.

The District-Attorney asked time to answer these objections, and by consent the argument was postponed until 2 o'clock on Monday.

MISSIONARY ANNIVERSARY.—The Seventh Anniversary of the Missionary Society of the Sands-st. M. E. Church Sabbath-School was celebrated last evening. Addresses were delivered by the Rev. W. H. Milburn, late Chaplain to Congress, and the Rev. C. Kidler. Missionary hymns were sung by the children of the School, who numbered about 600. The Annual Report was read by the Treasurer, W. J. I. Gascoigne. The amount contributed during the last year was $1,129 27, of which there was paid out $510 to the Parents' Missionary Society; for clothing and educating an Indian boy of the Oneida tribe for the ministry, $200; for supporting a minister at the Amosett Mission on Long Island, $150; to the Female Home Missionary Society, $75—leaving a balance in the Treasury after deducting incidental expenses of $140. The proceedings were highly interesting.

MILITARY FUNERAL.—The remains of Arthur Gilmartin, a member of Stewart's Band, who met with his death by falling from the scaffold of a building in Ryerson-st. on Friday last were interred with military honors yesterday afternoon. The procession formed at the City Armory at 3 o'clock in the following order: Shelton's Brass Band; the members of Stewart's Band in uniform without their instruments; City Grenadiers, Capt. Burdell, in full uniform; the National Guard, Capt. Sprague; and the Franklin Guard, Capt. Baldwin, in citizen's dress. The procession marched to the house of Wm. Brown in Ryerson-st., the late residence of the deceased, and after appropriate exercises the remains were consigned to their last resting-place, Greenwood Cemetery.

THE NEW BALANCE DRY DOCK.—This immense structure, on Saturday, took up the steamer Bay State, one of the largest of the Fall River line of steamers, for the purpose of giving her a new suit of copper. The machinery of the dock and the dock itself moved with great precision and steadiness. The result of this trial was entirely satisfactory to the officers of the Company, to Captain Jewett and those having charge of the repairs on the steamer, and the large number of ship-owners and ship-builders who were present. The successful termination of this trial, in which not one-third of the lifting capacity of the dock was used or required, is a matter of importance and interest to this city and particularly to the ship-owners and mechanics connected with the merchant marine of our port.

The dock is 325 feet in length, 100 feet in width and 40 feet deep from top to bottom, and without gates at the ends, which will enable it to take up vessels longer than itself. The dock (with the Bay State) lies moored at the pier adjoining the Tenth-st. Ferry at Greenpoint.

BROOKLYN CITY MORTALITY.—The number of deaths in this city for the week ending June 24, were males 28, females 27. Adults 15, minors 40—total 55. The principal diseases were Consumption, Inflammation and Fevers, *Diseases*—Bronchitis 1, Cancer of Breast 1, Congestion of Brain 4, Consumption 8, Convulsions 3, Croup 2, Diarrhea 1, Dropsy in Chest, 1, Dropsy in Head 2, Drowned 2, Dysentery 1, Bilious Fever 1, Scarlet Fever 5, Inflammation Bowels 1, Inflammation Lungs 4, Marasmus 4, Measels 3, Old Age 1, Premature Birth 2, Scrofula 1, Still Born 6, Ulcers 1—total 55.

ATTEMPTED HIGHWAY ROBBERY.—A bold attempt at highway robbery was made in one of the principal streets of the Eastern District about 1 o'clock yesterday morning. Mr. Charles Coleman, residing in Flushing-av., was accosted by three young men at the corner of Grand and Eighth-sts., and asked the way to South Fourth-st., while directing them he observed one of the party putting his hand under his vest, and on drawing it out the fellow aimed a blow at his head with a slung-shot. Mr. Coleman jumped back, thereby escaping the force of the blow which struck the side of his face and nose. His cries for help frightened the ruffians and they ran off. Officer Tice succeeded in arresting one of the party, who gave his name as Patrick Carroll. He was locked up to await examination.

POCKPOCKET IN THE MARKET.—A lady residing in Washington-st., while attending the Brooklyn market in James-st. on Saturday, had her pocket picked of $50.

ROBBERIES.—The house of Abraham Knot, corner of Bond and Bergen-st., was feloniously entered on Sunday morning about 2 o'clock, by breaking in the hall door, and entering the sleeping apartment of Mr. Knot, and stealing one gold watch and $16 in money.

Thomas Salager was arrested on Saturday by Officer Baird of the IIId District Police, on the complaint of William Cummings, a grocer in Hamilton-av., who charges him with stealing money while in his employ. $36 were found upon him, a portion of which was marked, and identified by the complainant. The accused was held to answer.

POLICE ARRESTS.—The Police arrests for the Fifth District during Saturday night reached 29 on the following charges: drunk and disorderly, 11; assault and battery, 7; violating City ordinances, 5; petit larceny, 2; perjury, 1; resisting officer, 1; fighting, 1; lodger, 1.

NEW-JERSEY ITEMS.

DEDICATION OF THE ROMAN CATHOLIC CHURCH IN HOBOKEN.

The new Catholic Church of St. Mary, in Hoboken, N. J., situated on the westerly side of Willow-st., opposite the public square, was dedicated yesterday, at 10 o'clock, A. M., by the Rt. Rev. Dr. Bayley, Bishop of Newark. The Church is called the "Church of St. "Mary, under the title of our Lady of Grace." The ceremonies were as usual on such occasions, and several priests and acolytes attired in their robes and vesture assisted at the celebration of Mass.

The edifice is of brick, and, externally, of the gothic style of architecture. In size it is fifty feet in width, ninety-five feet deep, and thirty-five feet high. It is surmounted by a cross, and upon the front are the words "Gratiarum Virgini," which signifies "To the "Virgin of Grace."

The interior of the church has a spacious and airy appearance. Its walls are painted, and the floor is occupied with seats constructed in plain style, which will accommodate a congregation of six hundred people. A gallery extends across the front of the edifice capable of seating about one hundred and fifty persons. An organ worth $1,250 has been placed in the gallery. In the rear of the church is the sanctuary, which is twenty four feet in width, twenty-two feet in depth, and twenty-six feet in hight. In this stands the main altar, and in its rear is a tasteful perspective in the *renaissance* style. This is richly ornamented with papier maché ornaments, and its arch is surmounted by a cross, under which are the words "Gratiarum "Virgini." The sanctuary is neatly carpeted, and enclosed by a railing a few feet in front of the rear wall of the main building. The sanctuary floor inside of the railing is raised about two feet, by which means the religious ceremonies are more fully in the view of the congregation. The rear side windows of the main building are of stained glass. They open upon the space within the railing. An altar, or chapel, will be placed near each of these windows. The perspective and the altar and its furniture are in the French style—white and gilt—and are of exceedingly neat appearance. In the center of the perspective, at the rear of the main altar, was suspended yesterday the costly and magnificent painting presented to the Rev. Mr. Caurin, pastor of this Church, three years ago by the late Duke of Genoa. It is a copy of the *Madonna of Foligno*, painted by Raphael. It was taken from the Royal Museum of Turin.

The sermon of the Bishop yesterday was based upon a portion of the last chapter of the Gospel according to St. Matthew, and was principally a defense of the soundness of the doctrines of the Catholic Church. During his remarks he dwelt at length upon articles which had appeared in one of the popular magazines of the day, in which Popery has been discussed in a manner which he pronounced incorrect and unjust.

Adjoining the church, on the southerly side of it, is the residence of the pastor. It is of brick, and in the same architectural style as is the church. This building is twenty-three feet in width by thirty-two in depth, and three stories high. The entire property has been erected at a cost of about $12,000. At 5 o'clock P. M. religious services were again performed by the Bishop.

The Sunday-School connected with the Presbyterian Church of Hoboken, to the number of 200, went on a very pleasant excursion to Glen-Cove on Thursday.

NEW-JERSEY ITEMS.

THE SCHUYLER FRAUDS.

SUPERIOR COURT—GENERAL TERM—JUNE 23—Before OAKLEY, C. J., and Judges CAMPBELL, BOSWORTH, HOFFMAN and STOSSON.

The Mechanics' Bank, respondent, agt. The New-York and New-Haven Railroad Company, appellants.

This is a decision on an appeal in this case. The suit was to recover the market value, at the time of taking it, (being 94 ℘ cent,) of eighty-four shares of the stock of the Company, pledged to the Bank by Alexander Kyle, Jr., together with some Harlem stock, in security for a loan of $12,000. $2,000 of the loan had been paid. The certificate of stock had been issued by Robert Schuyler, the authorized Transfer Agent, and signed by him. A regular power of attorney for the transfer of the stock accompanied the certificate in the usual manner. After the discovery of the Schuyler fraud application was made by the Bank to the Company to transfer the stock on its books, but the latter refused to transfer, alleging that it was false and forged on the part of Schuyler, and made for his private purposes, and also alleging that on account of the fraudulent certificates or over-issues which existed, the books had been closed. The Bank brought suit, and Judge Bosworth, at Special Term, considered that the Company was liable for the amount, and gave judgment in the par value of the stock; and the present appeal was made.

The whole five of the Judges on the Bench gave opinions at length. Judge Duer did not take any part in the decision.

STOSSON, J.—The plaintiffs claim to recover as the holders of the certificate pledged with them by Kyle the par value of the stock represented or purporting to be represented by the certificate with interest from the date of the loan as damages for the refusal of the defendants to permit a transfer of it on their books, whereby, as they allege, the certificate is rendered unavailable and valueless in their hands. That the certificate did not represent genuine stock, but that the stock limited by the charter was full and in the hands of *bona fide* holders is conceded, and it is also conceded that it was issued for an unlawful purpose and that the act of issuing it was a fraud on the part of Schuyler and that it was so issued for his own private benefit. The plaintiffs do not claim that it was competent for the defendants by their own act or by the act of their transfer agent to increase the amount of their original capital or the number of shares into which it was divided; nor do they ascribe to this certificate any such effect, nor claim that the defendants were bound to or had a right to issue a genuine certificate in exchange for this spurious one if doing so would cause the stock to exceed the legal limits; and they therefore concede that the defendants had a right to refuse to do this and were not bound to admit them as partners, to change the statute provision as to capital or the par value of shares; and in the view which I have taken of this case I shall assume that this position is the sound one; but they claim that for this refusal the defendants have become liable to make to them pecuniary compensation for their loss precisely as they would have been obliged to do had the stock been genuine. (Denny vs. Manhattan Company, 2 Hill, 220; Commercial Bank, Buffalo, vs. Kortright, 22 Wend., 348.)

The theory of the action is, that the defendants are bound by the act of Robert Schuyler, in issuing this certificate, though it was an abuse of his powers and a pure fraud on his part, and that the plaintiffs are entitled, as holders thereof and by virtue of its terms, to be admitted as shareholders, or if that be impracticable, as creating an excess of capital, that they are entitled to pecuniary indemnity from the defendants for being deprived of a right which the certificate on its face confers upon them.

It is not in form an action to recover damages against the Company, on the alleged ground that their agent in the course of his business as such, had committed a fraud by which the plaintiffs have been injured, and for the commission of which fraud the defendants ought to respond, but it rests on the assumption that the Company is, under the circumstances, bound in law by the act as though it had been their own, notwithstanding it was an act in abuse of the powers of the agent, and which the Company itself could not rightfully have done, and the question presented by the action is whether the defendants can be bound in favor of a party dealing *bona fide* with their Transfer Agent (which the plaintiffs confessedly were) by an act of his, which they themselves could not rightfully have performed, nor rightfully have deputed to him the power to perform, but which he has in fact performed while acting in the discharge of his office as Transfer Agent, for the performance of which he had general powers and within the apparent limits of his duties.

To make out a right of recovery in this action on the cause as made by the plaintiffs, it is incumbent on the plaintiffs to establish the affirmative of this proposition.

It is a question the solution of which depends after all on the correct application of a few simple and familiar principles, and were it not for the adventitious importance attached to it from the stupendous magnitude of the general fraud, of which the case at Bar forms but an inconsiderable part, and from the vast pecuniary interests to be affected by the decision, it would not, in my apprehension, be considered by the Profession as a question of very extraordinary difficulty. That the Company itself could not, without the sanction of the Legislature, have under the circumstances rightfully issued this certificate, treating it as the representative of stock; that it could not have issued it without an abuse of their lawful powers under their charter, may be conceded, but it is nevertheless true that they had the power in fact to do the act, as one coming within the range of their corporative powers, though in the particular instance it may be unlawful in itself as contravening the intent of the charter.

It is its capacity in fact to do the act, under the powers conferred upon it by the charter, which in relation to third parties, becomes of essential importance in determining the obligation of the Corporation.

Let it be supposed that this Company had never employed a transfer agent at all, but that all its certificates were issued by the direct action of the Board itself, and that the one in question had been issued under a resolution of the Board and with the seal affixed, though the act, in so far as it could operate to create new stock, or give to the purchaser the rights of a stockholder, might be a clear abuse of the corporate powers of the Company, and void, can it be doubted that, in favor of a bona fide holder of the scrip who has parted with value or the credit of it, the act would be binding on the corporation and uncredit of it, the act would be binding on the corporation and encredit of it, the act would be binding on the corporation and encredit of it, the act would be binding on the corporation and enc