Lawrence Hotel, was marked by a series of ludicrous perplexities.

The trunks, four in number, are moved over; the bears constituting the floor are drawn close together in the center of the room, so as to accommodate the cooking stove, which we are hourly expecting. Alice and myself are sewing up a mountain of coarse, unbleached cotton to be filled with prairie hay and used as mattresses to our lounges when we have the promise of tonight. We sit a while upon our extra bunk, then try another, hoping it may be more comfortable; then we mount the old blue chest; but we cannot in either position event ourselves into the belief that we find rest to our backs. This leads us into another "comfort of the whole," upon the question of indulging luxuries of the table. We price them but can find nothing cheaper than $2.75 for a most frightfully painted wooden rocking-chair, and $1 each for ordinary kitchen chairs, not enough easier to sit in than the chairs of baggage to justify the expense.

Meanwhile, sewing at the sacks, we take a peep at the cracks and crevices of the cabin. The day is intensely hot; flies are having a boisterous frolic, up and down in the room and numbers more than ever I saw in one room before. They do not, however, seem inclined to interfere with us their happiness being complete in the warmth of the day and the merry commotion of the space between us and the rafters. Soon I see coming down the beam near me a cricket-looking body, only large as a half dozen home crickets. I move suddenly, but say, very quietly, "Ned, what larger is this?" He is intimately acquainted with them, for he points to quite a small army of them in another direction, and says, "Only crickets. Everything grows large in this country. They won't hurt you. Why, they lived here by right before we came." Verily the boy is more of a philosopher than his mother. Will she ever get rid of her fear of bugs?

Now comes the man with two narrow frames for beds, into which I have cords laced, after the manner of a bedstead, believing they will be softer than the bare of wood laid across. We get them in readiness, hunt out the two blankets and one pillow, which we brought along in a trunk for any emergency. The "Bay State shawls" are fastened up and turned into tapestry against the walls, back of the lounges. Two quilts of stripped up dresses, some by your hard, dear mother, are brought from the chest, and with them sheets, too, with the New England clean odor still in their folds! What nice little beds they seem, if they are not prairie grass. Now, just as we light a candle, comes a dried, mottled little man, with the stove. He is equal to most undertakers, and soon puts it in the right place, with the long funnel poring out above the roof. He kindles a fire to make sure his work is well done, and spreads himself upon the floor to watch the result, and our house. I stand with the candle in a Japan candlestick of curious pattern, having a tube for matches, a dinner-plate-like bottom, from the centre of which rises a spy-glass set of tubes which push the candle up or down as may be desired. The little man warms his begrimed hands by the open stove doors. What a picture we make in the fantastic grouping of the light and candle-light, bright, clean little beds, heavily-corded trunks, a pleasant child's face, the dark, barn-looking roof, into which we can only trace objects dimly and fitfully, as the fire buries up brightly or takes through want of fuel; and, standing in the back ground, the carroty-haired youth, with gray clothes, who felt hat drawn down over his eyes. The little man seems loth to go. We want our supper, and he wants sympathy, and asks it, creeping closer to the fire, for the nights are damp. He must tell me, in tedious detail, how sick he has been in his shop, with no one to care for him; and, child-like, goes back to his native home in Ohio, tells me all his little troubles, and how he always told his mother, in his letters home, that his health was very good, it would make her so unhappy to hear anything else. Out into the darkness went the little man, with a pleasant "Good night" from those who gladly made a light supper, and put themselves into a right position.

How much like sleeping out doors it seemed! the cabin so small and thin. On on the main street there were all manner of discordant noises—loud and angry talking, with an occasional report of fire-arms; nearer, even close to the cotton door, were the tinkle of cowbells and the lowing of cattle. I call to Ned to explain their uneasiness. He says an ox was shot close by yesterday, and the skin hangs not far distant upon a fence, around which the cattle paw the ground, and moan, after the fashion of an Irish "wake."

This is too novel a position to be wasted in sleep. The moon comes in through the cot on windows. I watch the mice (not less than a dozen) pay over the bridge of a floor, race over our baggage, climb up our nice shawl curtains; and, growing strong with the necessity for it, I drive them away only when they come too near the quilt. Morning comes, with no bread for breakfast, and no bread store or baker to fall back upon in such an emergency.

The following domestic picture gives a speaker of the simple pathos which often marks the volume:

Our life is a November day, tearful, lowering, and uncertain; promising fairly, and never renewing earnestly our faith in a clear and genial sky. My little Alice is not so well. It does not seem to be the result of a cold, or in any way a relapse. There is an entire change of symptoms. For three weeks past she has simply been laid aside with some fever. She has had bright red cheeks a portion of the day, and no appetite, together with a total loss of her usual animation. The getting up was, like her going down, very crooked; but she went out to look after her pet lamb with some of her former interest. I do not think I have ever told you aught of a dog which came here quite of his own accord. One day a Mountain caller with his market cart, to sell apples and potatoes. He had a fine dog with him, which, as he was hot, walked into the next cabin, which was quite unfinished, and lay down to sleep. That cabin is owned by a wicked-looking man from Alabama, and occupied by another fellow of much less capacity, from Illinois. The last-mentioned man was the one who came and finished out the floor, which I think I wrote you about. This man took possession of the dog till Missouri had gone home, or, to use his own words, he "stole him." The dog would not, however, acknowledge him as master; for, as soon as he was turned out, came and joined himself to Alice. I seemed a genuine *first love* on both sides. Wherever she went, he followed; and at night lay himself down close to the cabin door of cloth, and kept faithful watch till morning. No creature could come near without his giving the alarm, in a deep and terrible growl. He is very large, marked from nose to the end of his tail in rings of two shades of tan color, most beautifully shaded. So we gave him the name of "Tiger."

In process of time Alabama came to live with Illinois, and as they were in the habit of slaughtering cattle, he took up Tiger and tied him near the meat to protect it. All night long the poor fellow howled so as to disturb the whole house. The greatest cruelty was shown to the dog, because he would not stay with them, as though there was a royal road along which love and devotion could be driven! Ten days since Alabama turned himself east as far as the old home of Illinois, they having made an exchange of some property, and our loving, beautiful, brave Tiger was tied into the wagon and transported also. Alice has never talked about him since he was hopelessly gone. But now my little mountain daisy is very sick; she cannot turn herself in bed; and I watch by her, fearing as though I had brought her into this strange country to wither and die! In her fever-turns, her mind wanders back to old and pleasanter objects, and she says continually, "Please take me home, oh, I want to go so much!" At times it seems quite impossible for her to recover; but then, again, she brightens up, seems more comfortable, and the utter impossibility to conceive of myself trudging along in the world without her gives me temporary faith to believe that she will recover.

For two months we have slept upon straw, with our skirts folded at night to make pillows, and every garment within reach spread about us to keep off the pecking winds, which, from the non-arrival of our boxes, put our lives in peril.

The kind physician comes in often and sits awhile, but gives no medicine. She has taken nothing but the crops of water for nine days; and all her requests are, "Please take me home; please take me home." Mr. C——, slowly recovering, sits down by her, and promises to take her home before Christmas. She believes in him. Man is ever a gospel to woman from her earliest youth. But how shall he redeem his promise?

In the next extract from these familiar letters, a more impressive view is given of the fears and sufferings of the Free-Soil emigrants than could be furnished by pages of labored description. It is dated the fifth of last December:

Mother of mine, I can hardly settle down to the details of our own matters. Everything over the town, and every rumor borne in to us from outside of it, is more and more dark and fearful. We now have an armed force of five hundred men, who are under the command of Dr. Robinson, now commander in chief, and Col. Lane, both of whom have had experience in actual battle, in Mexico and California. Out of my south window I can see them drilling; far off it is, on the prairie, but you know we have a wide scope of observation. There is not a tree anywhere to be seen; and, as I look, the expected Indian tribe rides in single file, at full gallop. How well they ride! It is difficult to image to them man and horse. They seem to me one, so closely does each rider cling to the well-trained animal he loves so well and passes so much of his life with.

The sun is just putting on his night-cap, and smiles back on the terraced hills ere he sinks to rest. Now the miliots march back into the little town which they have come to defend. Alice is asleep; Ned busy at the door. I put on my hood, and slip across to a nearer point, that I may see better. It is the first time out doors since she sickened; or rather, since I went to see William Dillon. I enter the little hotel where Dillon died. The landlady takes me by both hands, with a pocket full of questions, drawn out one after another in quick succession, giving me no time to answer. Her young heart is fluttered with fear and kindness, too! She does not want anybody hurt, and she does not want her house torn down over her head. She believes, I'll believe in my hands. I can settle the matter for her; which is in a measure done by pleasant joke on homely laugh at her fears (opposite that I am, feeling at the same moment my own troubled and faint heart), and, best of all, by reference to the better guidance which does not forget or forsake us in the hour of need, but, if trusted in, puts us in the hollow of His hand, and guides us with His eye. We draw close to the window as the soldiers pass by to the tune played long ago by the military band in our native village, far off from this; but not farther than the woman who writes to you is from the little girl who used to hang out of her bed room window and listen to the match, believing it the finest music in the world. Mother, how fast I am carrying up to you! almost as our own—can't you see? We will live together when we are old, won't we? But what a long line of men it is! Not heavy, and there is no rabble of boys at the roadsides. Boys there are in the ranks; but the soberness of manhood is upon them, and the determination of "Seventy six" in their step. The blood warms in my veins as I look. The commander and his aids (one of whom is Grove L——, as brave and noble a heart as ever stood a force for battle) look well. And now—yes, it can be no other—passes the prophet-head and flowing beard. I accept it as a good omen, slip out of the door in the side of the "ton," and I am at home in a moment. L—— is close upon my path, with another officer, by the name of Deitzler. C—— is sitting with Alice; Ned is cutting up a pumpkin for the cow's supper. But my presence states them all up, with the remark, "Shall we have any supper?" "To be sure you shall have some supper, in fifteen minutes." My tea-kettle is in my hand as I speak, and filled and placed in the stove before I take off my hood, a pan of biscuits thrust into the oven as I unpin it, and, when it is laid aside with my shawl, I uncover my wash-boiler, and draw up from its capacious cellar a piece of corned beef. Tins is cut then, and a pate of butter and a sheet of gingerbread are brought out, and your cups are spread out on the back walnut boards. The tea-pot is steaming on the top of the stove, and a pot of cocoa. My fifteen minutes are not out; but the family are ready and the officers in haste. There is to be a council of war at 7 o'clock; and they say every token indicates action.

Teams coming up from Kansas City to-day, loaded with freight for our merchants, have been stopped by the mob twice near Franklin and looked over; all bags of powder and other ammunition taken out, receipted for and the teams allowed to go on; and teams of provision—apples, flour, and potatoes—stopped entirely. You see, mother, Lawrence is a very forbearing fellow, not to go down to Franklin and drive the brutes home about their business. But our people all pray, we prepare for a *defensive* war, not an aggressive one.

So, then, supper is over. L—— takes up his constant companions, his belt with pistols and his rifle; he lingers in the cabin-door for a moment, comes back to say, "Good night; everybody sleeps on their arms tonight in the hall."

"Take your buffalo, then."

"Yes, thank you, good night. Sleep the first part of the night; you may be called."

I shut the door. C—— is already nodding in his chair. I rouse him, send him up to his buffalo. Sleepy as he is, he does not forget to say, "Call me if there is a drum-roll. I want to have a hand at the thrashing of those rascals if they pounce upon us in the night."

"Ah, Uncle Jeff, you won't say your prayers, I fear. You were cut out for a cruel soldier."

Uncle Jeff mounts up the wall-slate, saying, "I've written to my mother, that I can't say them, and she must keep saying them for me!" Little Daisy is slipping herself out of her shoes and stockings; saying, she is "so tired, so very tired; can she ever ride all the way to St. Louis? and will I make a calico bag for her cakes, so that they will not soil her carpet-bag? and how soon do I think Uncle Jeff's brother will be back to go home with her? If she could only get there before Christmas!"—"Before Christmas!" Oh, where will this persecuted people be before Christmas! Daisy does not know the creeping chill coming over me. She did not hear my question. She is fast asleep. Everybody is asleep. It is a long time since I undressed really. My dressing gown bears me company nights, now, instead of days; because I like to be ready. Lucky that I am to night. The door opens, and I open my eyes from my final nap. It is L——'s cheerful voice, asking me as he strikes a light to help him off on a very dangerous express ride, to present a letter to Governor Shannon, at Westport. I am up in a moment. L—— looks sober, and as though the weight of years had rolled over him in one week. But he speaks up brightly, showing his fine teeth, which of themselves are a smile. I put him up a big paper of luncheon, for he is to pass into the heart of the enemy's country, who would see him die before they would give him a crumb of bread or a cup even of "cold water." He tells me of the council of war; how nobly all the wise and great men of the Territory had assembled; and how firmly they stood by each other. The first step to be taken was to address a letter of inquiries to Governor Shannon, to know why these tents of armed men were infesting our borders, committing depredations upon our people and harassing travelers who were going about their business; and requesting him to order their removal. The commander in chief appointed L—— to be the bearer of this dispatch; and Barcock, the Postmaster, goes with him, probably with other dispatches.

It is nearly twelve; a cloudy, lowering night, with gusts of chilly winds sweeping over the country. Our out-posts bring in word that our enemies are in a cruiket row at Franklin. L—— must go past them. He knows their password; but it is a dangerous trip. Perhaps no better person could have been chosen. But he seems like my own boy, and my selfishness wishes they had chosen some one I did not know. I have this satisfaction, he will do himself honor wherever he goes and whatever is the result. I give him my *blessing*; while he says, quite in *short-hand*, "You will write to them all, if I do not return." I promise, and he passes out into the starless, moaning night.

Every one in the cabin has slept through it all; but my eyes are set open for the rest of the night. I hear the mounted guard ride round our cabin, with slow steps, as though they did not wish to wake the inmates. I listen as they advance out into the now dreary country. I hear distant firearms, and then more near. I know, now, that Missourians are just mean and cowardly enough to creep in upon us in the night; or to fire, as they have done, upon our watch, riding off as soon as they have done it. I wish Frank Pierce had to stand on an open prairie and take his chance with better men. But that is not a good spirit to go to sleep on—so I counter it.

No one can read the unpretending accounts of domestic life in the midst of civil war, which this volume sets forth, without a fresh sense of the atrocities of border aggression, and a glow of sympathy with the unprotected families which have been the victims of political iniquity.

The Gentleman's Magazine.—Some new arrangements have recently been carried into effect in the publication of this famous old London magazine, and hereafter, we understand, the monthly numbers will be issued at the time of their date by Dix & Edwards in this city. The survivor of numerous literary generations, and far the oldest of his living contemporaries, Sylvanus Urban, the name with which the magazine has been long identified, was born on the first of January, 1731. The projector of the work was the celebrated printer Edward Cave, a man of many crotchets, but of great energy and perseverance. Cave was the inventor of the name of the magazine, but not of the thing itself, although most of the monthlies which had enjoyed a brief success had become defunct before the appearance of the Gentleman's Magazine. This sprang at once into a palmy state of prosperity, and now, in a green old age of a hundred and twenty-five years, modestly challenges competition with the swarm of current periodicals. As an entertaining collection of literary and personal gossip, brief miscellaneous essays, and free-and-easy discussions of the topics of the day, it is not without interest to the impatient readers of the present generation. In the obituary department it is particularly rich and valuable.

FIRES.

FIRE IN SECOND AVENUE—ARREST OF A MAN AND WIFE FOR ARSON.

Yesterday morning about 3 o'clock a fire was discovered in the grocery and liquor store and boarding house No. 562 Second avenue, occupied by Thomas Deming and wife. The alarm given by the tenants occupying the upper part of the house soon brought the firemen and police to the premises, when the flames were subdued before much damage was done. On examination of the premises evidence clearly appeared that there had been a deliberate attempt on the part of some party or parties to destroy the building by fire. In various parts of the store shavings saturated either with camphene or turpentine had been packed. A hole was found bored in the floor, directly under which, in the cellar, was a box filled with old rags and straw, saturated with turpentine. From appearances fire must have been applied through this hole in the floor to the inflammable stuff in the box. No account appeared as to the wilful firing of the building and suspicion pointed to Thomas Deming and his wife, both of whom were arrested by Sergeant Forbes and Officer Wares of the Twenty-first Ward.

The accused parties were taken before Justice Flanigan, who committed them for examination. Deming is 26 years of age, and his wife Mary 40. Some $40 was found in her possession. The stock in the store was fully covered by insurance.

CITY ITEMS.

THE NEW PAVEMENT—THE WAY THE WORK IS DONE.—As we stated some days since, this is to be an endless job, without a remote prospect of completion before the snow falls to aid in the blockade. Not one block of all those between the Brick Church and Union Square is yet finished. There is at this moment, in front of THE TRIBUNE office, a gang of six men at work, where there is ample room for sixty. But the rate at which the work is done, is not the worst. It is not well done. The true theory of this kind of pavement is to use perfect cubes; so that it would not matter which side up they were laid in place, and so that by-and-by, when the upper surface becomes worn and rounded, so as to be too much like cobble-stone, the cubes could be turned over, presenting a new flat surface. Now, look at the blocks of which the new pavement is formed. We ask the Street Commissioner, the Mayor, the Alderman or some official person not interested in the job, to look at these blocks. See if they are cubes, or even right angular blocks. Some of them are very nearly triangular; many are wedge shaped; many are set with sharp points driven down into the loose earth-bed prepared to make the setting easy for the pavers—just as mad, instead of lime-mortar, is prepared for the mason to bed his rough brick in by which walls are built so worthless in this city. It is impossible for some of these blocks to maintain their places; it is idle to expect it—perhaps it is equally idle to expect that any authority will arrest the evil. An inspector should go on the street and overhaul the piles of block and throw out a very large per centage. If these wedge-like, sharp-pointed and three-cornered stones are set, they will be driven down below those adjoining in less than one year, and the pavement will be full of holes and worse than the cobble-stones. If such blocks are used at all, they should be set the other end up. Again, the spaces between many of the blocks are shamefully wide, which of course saves work and saves material. The contractor takes good care to have the work covered up as fast as it is laid down with a good thick coat of loam that will resolve itself into a consistence like porridge when it rains, and run down and fill up all the interstices, and would be all very well if it would harden into a substance as firm as the blocks, and remain so; but, unfortunately for the stability of the pavement, the same cause that liquefied it at first will liquefy it again till it oozes out, leaves the blocks in a shaky condition, and allows one to work up while another goes down. To make this a good pavement the work must be honestly done; and if not, it never will become popular in this city. The owner may make "a good job" of his contract, but without improvement in the work, he will find himself in the same boat with him of the Russ pavement. Every body will cry out that the plan is a failure, when in fact the plan is a good one—the execution is what is in fault. If good material had been used by Russ—material that would not glaze and throw down horses, worse than glare ice, he might have gone on till he had paved the whole city. Hech se to "make a good job of it," and paved one street and departed amid the execrations of the people. From present appearances, the contractor of Chatham street and the Bowery is following in the footsteps of his illustrious predecessor. The pavement, unless the material is improved, will prove a failure. Will somebody look to it? Is it the official duty of anybody to look after the interest of the city? We suppose Fernando the First would at end to it if he could make any political capital thereby. If not, not.

BENEFITS.—*The Summer Garden*.—Mr. T. B. Johnston, the well known and favorite comedian, has a benefit to night at the Summer Garden. Ever since the opening night of the season Mr. Johnston has been one of the most efficient and popular members of this company, and now for the first time claims an acknowledgment from the public that his labors have given satisfaction. The pieces are "Victor and Hortense," in which Mr. Bouncicault and Miss Agnes Robertson will appear; and the farce "All the World's a Stage."

Mr. Antoine Ravel takes a benefit at Niblo's Garden this evening, on which occasion he will for the first time this Summer appear in a speaking part in "The Three Faced Frenchman." Other most attractive entertainments are announced.

The best-laughed-at man in the country will see his friends and be laughed at more than ever at Niblo's this (Saturday) evening. Antoine Ravel, the funniest of all funny fellows, whose white face is death to blue devils and green monsters; Antoine, whose feats of dexterity, blundering, wit, stupidity, courage, fear, or whatever the action requires, are done "as if he didn't know any better;" Antoine, the prince of merry fellows, the pantomimist par excellence, has a benefit tonight. If the house could be trebled in capacity, there would be no danger of vacant seats.

The Committee appointed from the Delegates of the Fremont and Dayton Central Club of the City and County of New-York to make arrangements for attending the Republican Mass Meeting at Newark on the 11th inst. will meet at the Broadway House on Saturday evening, the 6th inst., at 8 o'clock, to confer as to the best means for effecting the object of their appointment.

FOURTEENTH WARD REPUBLICANS.—The Republican Committee of this Ward met last night at No. 93 Elizabeth street. Sandford L. Macomber, Presiding. After arranging for the election of delegates to Syracuse on Monday next, the Committee adjourned. A Club was then formed under the title of the Fourteenth Ward Fremont and Dayton Union Club, and the following officers were elected: Wm. Palmer, President; Henry Seidend, Th. Kaufmann, Vice Presidents, Daniel Dawson, Recording and John Fitch, Corresponding Secretaries. Spirited addresses were made by William Palmer, S. L. Macomber, George Terwilliger and others. The Fourteenth Ward is wide awake.

FIFTEENTH WARD GERMAN REPUBLICANS.—A number of the German citizens of the Fifteenth Ward met last evening at Clinton Hall for the purpose of forming a Republican Club. Mr. Wm. Heine, the artist, was chosen Chairman pro tem., and Mr. S. Lazar, Secretary. Provisional Delegates were chosen to the Central Committee, and the meeting adjourned to Thursday evening next.

SEVENTH WARD REPUBLICAN ASSOCIATION.—A meeting of this Association was held last evening at Betanie Hall, No. 68 East Broadway, ARCHIBALD HALL, President, in the chair. After the transaction of some business matters the meeting was addressed by Chauncey Shaffer.

The Board of Aldermen last evening concurred in reports to increase the pay of foremen in cleaning sewers from $1 50 to $1 75, and that of corporation laborers from $1 25 to $1 50 per day, by a vote of 13 to 6, viz: Affirmative—Brown, Corwin, Healy, Hoffmore, Clancy, Griffiths, Steers, Jackson, Monaghan, Fulmer, Herrick, and Drake; Negative—Tucker, Voorhis, Ely, Valentine, Fox, and Varian.

The Montezuma Society meets this evening, at Cozzens's Hotel, to make arrangements for the celebration of the entry of the City of Mexico on the 15th.

THE BROADWAY THEATER.—Nothing was done at this theater yesterday, and the walls remain as the first crash left them. The following is the statement of Mr. Marshall, the lessee of the theater:

The published given, through the city press, to the *ex parte* and incorrect statement of Messrs. Bowen & McNamee, regarding their cruel and reckless attempt to destroy the Broadway Theater, compels Mr. Marshall, in order to put himself right with those of his fellow citizens who may not know either or both parties, to tell the true state of the case. He will endeavor to do this in as concise a manner as possible, simply giving the leading facts of the case.

Some few days prior to the 27th day of May last, when the workmen of Bowen & McNamee were making preparations for storing up the south wall of the theater, an interview was had with one of the contractors, when he explained the manner in which he proposed to do the work. He was told that he could not be permitted to do it in the manner proposed, for the probable consequence would be to break up the business therein conducted, and deprive Mr. Marshall of the benefit of any useful occupancy of the building.

On the 27th of May Mr. Marshall received a note from Bowen & McNamee which, after referring to a previous letter from their architect, offered to store up the wall at their own expense. To this letter Mr. Marshall replied, under date of June 4, stating the result of the interview with the contractor, and the effect of doing the work in the manner proposed, and at the same time expressed his willingness to comply with any proposition that indicated a reasonable regard to his interests, as well as the convenience of Messrs. Bowen & McNamee. After various letters on both sides, an interview took place between Mr. McNamee and the agent of Mr. Marshall at the theater. The premises were examined, the extent of injury which Mr. Marshall would suffer was explained, and the manner in which the wall could be protected without exposing him to such injury was pointed out, and leave to do it in such manner was given. Mr. McNamee then expressed a desire to receive a statement of the damages which would result to Mr. M. during the period it was supposed would be required to do the work.

Mr. Marshall immediately after furnished such statement, in which he simply enumerated the actual expenses, with not any charge for interruption of business or loss of profits. To this statement no reply was ever received from B. & McN., except a verbal answer to the effect that they would not pay a cent. This was followed by the note of the 26th of June, referred to as follows, in Mess. Bowen & McNamee's published statement:

"On the 26th of June Messrs B. & McN. gave Mr. Marshall notice that such had refused the necessary lies as they should expect him to unload the walls of the theater, and that they should not be responsible for the result if he did not."

To this Mr. Marshall made the following reply:

NEW-YORK, June 26, 1856.

MESSRS. BOWEN & MCNAMEE:

GENTLEMEN: The income necessary to enable you to go as far down into the earth as you may choose alongside of and under the south wall of the Broadway Theater, has been already given, so far as I had the power to give it. It is now too late if you claim in the exercise of this the privilege of not only closing up my business (which you have already done) but to order the people out of my premises, preparatory to tumbling the building down by undermining it, which you deliberately threaten to do. It is entirely true that I have refused any power to license you to keep up and maintain the wall you threw on to everything. You say you do not mean to be responsible for the result if your unwarrantable threat, as the result of it may be not only to endanger limbs, but life, in the exercise of a pretended right. I wish you to understand, and I hereby give you notice, that if any such result shall happen, I shall hold you criminally as well as civilly responsible. I have yet to learn whether your wealth is to furnish you a protection which the law hitherto has not thrown around the less prosperous.

I have once told you all that the law warrants and pointed out to you how the wall can be supported by you without danger to any one and furnished you with a practical and respectable builder, who will do the work and guarantee its perfect success, without the outrageous encroachments upon my rights which you seem to desire; and because you think it a little expensive to do it, to save your dollars you intend to risk human life in your unholy effort further to injure me. I must content myself with this notice, and hold you to the dreadful consequences your threats will impose if any life should be sacrificed which may be most certainly avoided in the manner I have suggested, by the use of proper means.

Respectfully yours, E. A. MARSHALL.

By C. S. MARSHALL, Agent.

In their published statement Messrs. Bowen and McNamee assert that Mr. Trimble "refused to do the job" of supporting the wall upon the plan suggested by Mr. Marshall, and "denied that he had offered Mr. Marshall to do it." This part of the statement simply raises a point of veracity between the parties, which the following note from Mr. Trimble may throw some strong light upon:

NEW-YORK, Sept. 5, 1856.

MR. E. A. MARSHALL—*Dear Sir*: In reply to your note of this day, I beg to say that in the early part of June last your brother called upon me in relation to the best mode of shoring up and underpinning the south wall of the Broadway Theater, and also desired to know if it was necessary to insert needles, when I stated to him that the safest mode of doing it was by the use of hydraulic presses, introducing granite columns in sections of about eight feet apart, and that I was willing to undertake the job and guarantee its success, and give good security for the performance of my contract.

I subsequently had several interviews with Bowen & McNamee, who agreed to do it; but subsequently discovering an evident disposition to impede the building down, I resigned, by the advice of my friends and counsel, to have nothing to do with it, as I was unwilling to have my hard-earned reputation sacrificed to malice. (Signed) J. M. TRIMBLE.

As an evidence of the correctness and fairness of Mr. Marshall's proposition, the following statement of well known responsible and experienced architects, civil engineers and builders is annexed:

NEW-YORK, June 21, 1856.

MR. E. A. MARSHALL—*Dear Sir*: At the request of your agent, Mr. C. S. Marshall, we have examined the southerly wall of the Broadway Theater, adjacent to the premises of Messrs. Bowen & McNamee. We are of opinion that the said wall can with perfect safety, be supported and protected with or the use of needles or otherwise, which can be done without interfering or interfering with your business carried on in the theater. (Signed) THOMAS DAVEY, Architect and Builder.
R. R. TSHUDY, Civil Engineer.
J. M. TRIMBLE, Architect and Builder.
JNO. B. SNOOK, Architect.
ADDISON ALGER, Builder.

For obvious reasons the principle one of which is brevity—I shall not refer to other issues and evidences relating to the case, as they will all duly appear in the course of time, preferring to give this simple statement in reply to the misstatement of the leaving facts heretofore published. With this, alone, Mr. Marshall is willing for the present to submit the case to the judgment of public opinion.

We understand that an arrangement between the parties will probably be made very soon.

CARD FROM MR. THOMPSON.—We publish the annexed card from Col. S. C. Thompson that he may be placed right before the public. We can the more readily believe his assertion that the witnesses could not have seen the commencement of the fight, as, from many years' acquaintance with Mr. Thompson, we know him to be a young man of too much good sense and amiability of character to be capable of throwing himself into an affray in the manner stated:

To the Editor of The N. Y. Tribune.

SIR: From the testimony of Mr. Livingston and Col. Kane, in regard to the assault on me by Warren Leland of the Metropolitan Hotel, it would appear that I struck the first blow. These gentlemen must see readily could not have seen the commencement of the affair, as until Mr. Leland struck me I had been conversing in a quiet manner, and never entertained for a moment the thought of any violence on either side.

I met Mr. Leland in a friendly spirit, having previously boarded at the Metropolitan Hotel and been on good terms with them all, and although knowing the Valley Bank a subject not pleasant for him to converse upon, still I was taken most unexpectedly by his violent and sudden attack upon me.

After I was assaulted I do not hesitate to say that I defended myself to the best of my ability, although the odds were greatly against me owing to the superior size and strength of Mr. Leland. Although thus unexpectedly and violently assaulted I am free to assert that I did not come out "second best" as reported in some papers. Yours, SAML. C. THOMPSON.

New-York, Sept. 5, 1856.

CORRECTION.

To the Editor of The N. Y. Tribune.

SIR: Your article in this morning's paper, headed Alleged California Ticket Swindle, does me great injustice. In order to set myself right with the public you will please insert in your paper the following true facts of the case: I left in my office with the clerk some California tickets for sale. During my absence Mr. O'Connor came in and agreed to purchase cabin tickets for two and a half, paying at the time $100 on account, for which he took a receipt, leaving a balance due of $400. He returned again on the following Monday (not being the first time I saw him), and stated that he could purchase tickets cheaper elsewhere, and he wanted me to return him the $100 without any receipt, which I refused to do. In your paper you state that by false representations I induced him to part with his money. That is false, as I did not see Mr. O'Connor until the third day after he paid his money.

ALEXANDER MASON.

New-York, Sept. 5, 1856.

DEATH OF A NEW-YORK PHYSICIAN.—William Henry Tucker, esq., M. D., died in the Parish of St. George, on the 12th of August, leaving a widow, three children, and many near relatives and friends to lament his departure. The late Dr. Tucker was highly respected both here and abroad. He had recently returned to these islands from New-York, where he had commenced a successful practice, and was known as one of the contributors to a medical journal of that city. [Bermudian, Aug. 23.

FATAL RAILROAD ACCIDENTS.—An inquest was held yesterday at the Bellevue Hospital upon the body of Francis Guffey, a native of Ireland, 21 years of age, who died from injuries received on the 15th ult. by being run over by a train of cars on the New Jersey Central Railroad. The Jury rendered a verdict of accidental death.

An inquest was also held at the Fourth District Police Court upon the body of an unknown man who, on Thursday evening, was run over by a train of New Haven cars and instantly killed. It appears that deceased had blown off while he was upon the Eighty-fourth street bridge, and in endeavoring to regain it, he fell from the bridge upon the track, a distance of 25 feet, and at that moment the train came along and crushed him. He was dressed in blue overall, white felt hat, red flannel shirt, &c. The Jury of Inquest rendered a verdict of accidental death.

SUDDEN DEATH OF AN UNKNOWN MAN.—Coroner Ferris held an inquest yesterday at Bellevue Hospital upon the body of an unknown man, about 40 years of age, who died from the effects of intemperance. The deceased was found ill in the street and taken to the Hospital, where he refused to give his name. He was about five feet ten inches in height, very stout built, and was dressed in black cloth pants, Marseilles vest, and short tap boots. He had no coat on when found. Verdict as above.

ARREST OF PATENT SAFE SWINDLERS.—Two men, named Thomas Jackson and Geo. R. Jones were arrested yesterday on board the steamboat City of Hartford, lying at Peck slip, for endeavoring to swindle greenhorns by means of a patent safe. They, however, managed their operations in so adroit a manner that no one was taken in by them. Officers Ketchum and Myers of the Second Ward Police were sent for, and arrested the two men in whose possession they found the patent safe. Instructions operations by a false bogus checks and other gambling apparatus. The prisoners were locked up by Justice Connolly for examination. Jackson is supposed to be the man who robbed a countryman at Greenwood Cemetery some time ago.

[Advertisement.]

A MATTER OF FACT SET RIGHT BY MR. JONES,

ONE OF THE PROPRIETORS OF THE DAILY TIMES.

OFFICE OF DAILY TIMES,
NEW-YORK, Wednesday, Sept. 3, 1856.

My attention has been called to a gross attack made in the September number of a Medical periodical, upon Dr. Robert Hunter of this city, in which the "Cure" so happily effected in my case is disparaged; although the Editor, who is guilty of such dishonesty, admitted on handing a copy of his Monthly into the office of the Daily Times, that he knew nothing about my case.

Enjoying as I now do the blessing of uninterrupted health—after enduring seventeen years of suffering—I should be recreant to every sense of justice, to every feeling of gratitude, and to every consideration of goodwill toward those who are suffering as I have been, if I "remained silent" while the physician to whose skill and kind attention I am already indebted under Heaven for so great a blessing as health, is so grossly misrepresented in my own case. And while I am said to "remain silent."

For seventeen years I was the victim of Asthma in its worst form. About two months ago I consulted Dr Robert Hunter, of No. 315 Broadway, who put me on a course of treatment by the fumigation of such medicines as he prescribed. A few weeks convinced me that I was in the right hands. I persevered with confidence, gradually and steadily improving under the treatment until six months had elapsed, when I found myself completely relieved. I have had since and am now, in the enjoyment of good health, gaining flesh and feeling well, with not any old medical adverse could never hold out to me the least hope of such happy results under their treatment.

I deem some months since to make a public statement of my case, believing it due to Dr. Hunter and the practice he advocates, but he declined for the reason that he considered the practice sufficiently well established on its general results without the publication of isolated cases. I have reason to know that before the publication of this article, I had alluded to the case in a paper in answer to a former attack upon Dr. Hunter by this same medical editor, was never published by Dr. Hunter himself.

The statement has been called forth only by the impossible misrepresentation of facts to which I have alluded, and I shall merely add that my previous suffering and present good health are known to hundreds—many of whom daily congratulate me on the evident and great improvement in my health.

GEO. JONES.

[Advertisement.]

Persons stopping at the hotels down town will find the place to get the genuine AMBROTYPE Portraits at BRADY'S, No. 205 Broadway, corner of Fulton st., a few steps below the Astor House. BRADY'S upper Gallery is at No. 349 Broadway, over Thompson's saloon. PHOTOGRAPHS and AMBROTYPES taken for travelers and others at short notice.

[Advertisement.]

The AMBROTYPE has now lived down all opposition, and is one of the institutions of the age, of course, we mean the genuine AMBROTYPE, taken only by BRADY at his Gallaries, Nos. 205 and 349 Broadway. Call and see specimens, too of Plain and Colored PHOTOGRAPHS which are beyond competition.

[Advertisement.]

J. GURNEY would respectfully announce to his friends and the public, that he continues his PHOTOGRAPHIC and DAGUERREOTYPE business at his old gallery, No. 349 Broadway, corner of Leonard st., and that he has NOT removed any branch of his establishment to any part of the city, nor does he intend so doing. He has, however, made important alterations and improvements in the PHOTOGRAPHIC DEPARTMENT, and is now enabled, with the advantage of superior assists, to produce finer pictures than have heretofore been made in this country.

J. GURNEY, No. 349 Broadway, cor. Leonard st.

[Advertisement.]

MR. C. D. FREDRICKS, late Gurney & Fredricks, would respectfully announce to his former patrons and friends that he has removed the PHOTOGRAPHIC DEPARTMENT to No. 585 Broadway, opposite the Metropolitan Hotel, and that all the Parisian artists which he introduced to this country still remain with him. Pictures taken in every style DAGUERREOTYPES, PHOTOGRAPHS, AMBROTYPES, &c. The rooms are open free for the reception of visitors at all hours.

C. D. FREDRICKS,
No. 585 Broadway, opposite Metropolitan Hotel.

[Advertisement.]

BELLS—BELLS.—MENEELY'S celebrated BELLS of all descriptions for sale, at Factory Prices, by

FAIRBANKS & CO., Agents, No. 152 Broadway.

[Advertisement.]

LAW SCHOOL.—HENRY CLAY'S OPINION OF THE STATE AND NATIONAL LAW SCHOOL, Poughkeepsie, N. Y.: "The system pursued is unrivaled," "the effects upon the students are wonderful." Next Term begins on 8th September. Send for Circular to J. W. FOWLER.

[Advertisement.]

TEAS.—THE CANTON TEA COMPANY have on hand every variety of TEAS for Grocers, Tea Dealers, and private families—Souchong, Oolong and Young Hyson, from 50c to $1; Gunpowder and Imperial from 50c to $1—all other qualities equally low. Also, N. Y. Super Fine Family Tea for one dollar. Call and examine—No. 125 Chatham st., between Pearl and Roosevelt st.

[Advertisement.]

GAS, GAS.—A new Benzole Gas Works, the best and cheapest in the world, with Fixtures to suit. Gas Fixtures—several new and beautiful designs—just completed for the Fall trade. No loss of spelter fixtures will be as formerly by the new Company at BARNUM'S MUSEUM. Nothing could be more charming. It will be given there this afternoon and this evening.

[Advertisement.]

VALUE RECEIVED.—The sufferer from a cough or cold, or the confirmed consumptive even, gets full value for his money in buying a bottle of the WILD CHERRY BALSAM. The value of Dr. Wistar's discovery cannot be overestimated.

[Advertisement.]

TO NERVOUS SUFFERERS.—A retired clergyman, restored to health in a few days after many years of great nervous suffering, is anxious to make known the means of cure. Will send (free) the prescription, with directions, addressed to the Rev. John M. DAGNALL, No. 50 Fulton st., Brooklyn, N. Y.

BROOKLYN ITEMS.

FREEMONT BANNER STOLEN IN GREENPOINT.—A large and beautiful Fremont and Dayton banner was stolen from Mr. Simonson's loft on Wednesday night. The window shutters were broken open and the banner taken out. The burglars were traced to the d