LAW INTELLIGENCE.

SUPREME COURT—SPECIAL TERM—MARCH 9.—Before Judges MITCHELL, ROOSEVELT and DAVIES.

THE CREDITORS OF THE EMPIRE CITY BANK NOT REMEDILESS.

In the matter of the Empire City Bank.

Some time ago an order was granted by the Supreme Court, appointing Stephen Cambreling referee to apportion the debts of the Empire City Bank among the stockholders, so that the amount yet due on those debts might be collected of them in proportion to their respective shares of stock. The statute provides that such apportionment, in the case of an insolvent bank, shall be made within a certain specified time, which may be extended for ninety days. The Court is also authorized, in case of a pending litigation, to suspend the apportionment for one year.

In this case two suspensions for six months having been made, and the time for the referee's report having been extended the specified period of ninety days, Jonathan Purdy, Isaac O. Barker and other stockholders moved, on the ground that all power under the statute was exhausted, for an order in the nature of a writ of prohibition, restraining the referee from further proceedings to apportion the debt among the stockholders.

Judge Davies, at Special Term in January last, delivered an opinion which was published in THE TRIBUNE at the time, granting a perpetual stay of proceedings. He regarded the naming of the time within which the apportionment was to be made, not as directory, but as a limitation of authority, which limitation had, in his opinion, been transcended in the present instance. The order to this effect was granted on the 17th of January.

On the 13th of February, Judge Peabody, on the application of John Orser, late Sheriff, and other creditors, made an order requiring the receiver to appeal to the General Term, and a notice to that effect was served upon the respondent.

The cause coming on to be heard last week, the Court unanimously entered an order reversing the judgment at Special Term, in consequence whereof the referee will now go on to complete the apportionment among the stockholders. No written opinion was delivered. The term of ninety days expires this week, we understand.

John M. Mason for the United States Trust Company, Receiver; Harrison, Burrall & Waring and John E. Burrill, for John Orser and others, creditors of the Bank, appellants.

J. W. Edmonds and J. D. Sherwood for respondents.

SPECIAL TERM.—Before Judge DAVIES.

THE JERSEY PIRATES.

The five river-thieves, whose arrest we recently chronicled, were this morning brought up on a writ of *certiorari* from Justice Connolly, before whom the proceedings are pending. The prisoners were discharged, but were immediately rearrested in compliance with a requisition from the Governor of New-Jersey. A second writ of *habeas corpus* was at once sued out, returnable before Recorder Smith, on Wednesday.

HABEAS CORPUS—FRANCIS AND MARY CAN'T LIVE TOGETHER.

Francis and Mary Kavanagh were married five years ago. They have been separated four several times—each accusing the other of a violent temper. Francis took their young child with him into the country, the last time that they parted company, which was about a year ago, and to punish Mary's misconduct, refused to let her see it for some time.

Having lost her patience at length, she sued out a writ of *habeas corpus* in obedience to which her lord and master appeared in Court this morning. He was alone, however, not deeming it prudent for a girl of only two and a half years of age to come out in such a driving snow-storm.

Both parties told the story of their married life, from which it appeared that "incompatibility of temper" had been the rock on which their happiness had split. Judge Davies ordered that the father keep the child, who appeared to be in good and capable hands, on condition that he allow the mother to visit it once a week and pay her a stated sum weekly from his wages. An order to that effect was entered, in the face of Francis's protestations that it would be taking half his wages, and Mary's tearful remonstrances against being robbed of her little girl.

Wm. D. Salisbury et al. agt. Martin McDonald.

Motion to vacate order of arrest denied with costs.

Patrick McCafferty agt. Hugh McCabe et al.

Defendant entitled to $5 costs as for proceedings before notice of trial.

Thomas White agt. Washington T. Romaine.

Motion to vacate judgment granted without costs.

Before Judge ROOSEVELT.

CONSIDERATION OF NOTE—EXCEPTION TO CHARGE TO THE JURY MOTION FOR NEW TRIAL.

John Rye agt. Luke Harrington, jr.

ROOSEVELT J.—The defendant Harrington is sued as maker of a promissory note. In his answer he sets up two defenses: 1st, He denies that he made the note for a valuable consideration; 2d. He says—and in this he shows what he means by consideration—that the note was made for the purpose of being deposited with the plaintiff temporarily, until Searle (the payee and indorser), who had become indebted to the plaintiff for goods sold, should procure and deliver three other notes, which plaintiff had agreed to accept in its stead, as payment for the goods; which three notes, he says, Searle accordingly did procure and tender to the plaintiff, who refused to accept them and deliver up defendant's note, and that Searle still holds those three notes subject to plaintiff's order; and he, the defendant, therefore insists that the plaintiff has no right to the note sued on, and has given no consideration for the same.

As this answer is under oath, the law requires that, like any other sworn statement, it should be so construed as to make all its parts, if possible, harmonize with and not contradict each other. When, therefore, in the first branch of the answer, the defendant says he made the note without consideration, he must be under stood as meaning that in his view of the law, the matter, as subsequently explained by him, was no consideration. The Judge at the trial, however, took and, I think correctly, a different view of the law; and as no evidence was offered to support the averment that the three substituted notes were ever procured or tendered, the whole defense failed, and there was no alternative but a verdict for the plaintiff.

The judgment rests on two propositions, namely, that the first branch of the answer, interpreted by the whole, is no defense in law; and that the second branch if a sufficient defense in law, is not sustained by the proofs offered at the trial.

Motion for new trial denied with costs.

I have examined this case as if it were regularly before me. It is proper, however, to add that the practice is not perfectly clear. As to the *usefulness* of a single Judge sitting to review upon the rulings of another single Judge of the same Court, there can be no doubt. The Superior Court in 1851, to prevent such an occurrence, provided, by an express rule, that no alleged errors of law, in the trial before the jury, would be considered at Special Term, that is, by a single Judge, "unless by the express direction of the Justice before whom the case was "tried." And in the next year, when the Legislature had the Code under consideration, an amendment was introduced seemingly to give greater effect to the suggestion of the Superior Court. Prior to that time motions for new trials on exceptions were required "in the first instance to be heard and decided at "a Special Term," unless the Judge trying the cause should send the case directly to the General Term. But by the amendment of 1852, it is declared that such motions "must in the first "instance be heard and decided at *the* Circuit or Special Term, "unless" &c.—Code, § 265. Why was this change from the indefinite to the definite article, unless to prevent "an appeal "from one Judge to another in the same Court,"—a proceeding which, as the Superior Court had very justly observed, in 4 Sandford, 701, "should never be permitted where it can be "avoided."

UNITED STATES DISTRICT COURT—MARCH 9.—Before Judge BETTS.

The Bark White Squall, John J. Boyd, &c., respondents, agt. John Gardner et al.

This was a motion on the part of the respondents to stay execution issued by the libelants on the decree rendered in their favor Jan. 5, 1857.

An appeal was taken thereto on the 15th of January, pursuant to the standing rules of this Court. The libelants contend that the appeal was improperly taken and void.

Held. That the rules of this Court in respect to appeals are not in contravention of the practice prescribed by the 22d, 23d and 24th sections of the Judiciary Act or the Act of Congress of February, 1803, section 2 (1 Stat. at Large, 244). But if they were so, they have since been affirmed and rendered the law of practice in the case by rule 46 of the Supreme Court, established by authority of the Act of Congress of August 23, 1842, section 6 (5 Stat. at Large, 516).

That if the decision of the Circuit Court in this district, in the case of Griffin agt. Hayford, rendered in September, 1853, extends or varies the rule of that Court in relation to the practice on appeals, it does not control proceedings in the District Court antecedent to the vesting of the appeal in the Circuit Court; it devolves upon the Court to determine whether it is brought there in conformity to law, and to receive or reject it accordingly.

The motion to stay the execution issued by the libelants is granted, the respondents having duly entered their appeal in this Court before the process was sued out. Ordered accordingly.

E. Seymour for libelant; Bernard & Williams for respodent.

KINGS COUNTY COURT OF OYER AND TERMINER.—MARCH 9.—Before Judge STRONG, Justices EMMONS and SCHOONMAKER.

TRIAL OF JOSEPH JACKSON AND JOHN DIXON FOR RAPE.

The prisoners were arraigned for trial this morning. They are charged with having, in August last, violated the persons of two emigrant girls named Catherine Sullivan and Jane Muldoon. The girls arrived in New-York on the ship City of Brooklyn, from Liverpool. Jackson and Dixon were stevedores, and employed to unload the vessel. The captain asked them to get a boarding-house for the girls. They took them from one place to another plied them with liquor and then brought them to Brooklyn. The vessel was lying at Pike Slip. In Brooklyn they procured a carriage, and took them to Sheep's Head Bay, where they committed the outrage, as complained of, with the aid of one Richard Lewis. The girls, who were strangers in a strange land, were brought back to Brooklyn by a colored man and placed in charge of Capt. King of the Second District Police, who, with his officers arrested the accused parties. The accused were subsequently admitted to bail, while the girls were confined in jail until the trial. Catharine Sullivan, who gave testimony, is a modest, fine-looking girl. She is the daughter of an Irish clergyman, and resided most of her life in England, whence she sailed to meet her uncle in Baltimore, her parents having died. She became acquainted with Jane Muldoon on shipboard. The accused were requested to find them a boarding-place by the captain of the vessel, but instead of doing so, as alleged, abducted them, drugged the liquors they drank, and violated their persons.

The following Jury was impanneled, after a number of challenges:

Luke W. Thomas, Jacobus S. Voorhies, Benjamin Rockwell, George Lake, Henry Van Pelt, Andrew F. Carpenter, Joshua Carhart, Curtis Noble, Jeremiah Terry, Erastus W. Phelps, Abraham Vandeveer, Charles Wood.

The District Attorney, J. G. Schumaker, esq., opened the case for the prosecution. He said it needed no words from him to inform the Jury that he had a very unpleasant duty to perform. The manner in which this matter had been brought forward, and the notoriety given to it, must lead the Jury to believe that it was a case of great criminal importance. The charge was that some time in August last Joseph Jackson, the prisoner at the bar, committed a rape in the town of Gravesend, in Kings County, upon the person of a poor friendless girl who had lately arrived in this country. Her name is Catharine Sullivan. Her father had left Ireland some years ago and settled in Baltimore, where he was employed as foreman of the Vulcan Iron Works. He had written to her to come to America. In her company was Jane Muldoon, and they started together on a long, tedious and perilous voyage. The accused, Joseph Jackson, is a stevedore, whose business it is to unload ships. He is jointly indicted with a young man named John Dixon. When the ship "City of Brooklyn" arrived at her dock in New-York they made some arrangement to conduct these girls to an economical boarding house, or procure them some employment. They applied to the Captain to ascertain if it was safe to go with them, and who, supposing they were decent men permitted them to go. They took them into a carriage, after having been scarcely twenty-four hours in the country, and conveyed them to Brooklyn and thence to Gravesend where they had forcible connection with them. They not only used force, but plied them with liquor containing drugs, and he (the District-Attorney) thought he would be able to prove it by the evidence. They gave them porter to drink which was drugged, and took them within a stone's throw of Jackson's own house, where his wife was, to Sheep's Head Bay. Catharine Sullivan was sick when they arrived at the house where they stopped at Gravesend, and Jane Muldoon sat up with her; and sick as she was, Dixon came into the room, dragged her out, and Jackson forcibly ravished her. This man Jackson, with an arm as thick as a horse's leg, puts his hand to her mouth, holds her, and ravishes her. On the subsequent morning they implored these persons to take them back to New-York, where their injuries could be redressed, and they left them, promising to make arrangements to do so. They came back, took them out into a wood, under pretense of taking them back, and there by working on their fears, and telling them that they were in danger of bandits, again violated their persons. They went to Flatbush, where the girls refused to go further, and Dixon had the manliness to strike one of them in the face. Here a black man, a man with a black skin, but with a heart whiter than that of Dixon, took them to Brooklyn, and gave them in charge of the Captain of the Second District Police. Afterward the accused managed to have them removed from the County of Kings. By means of money they obtained a person to become their bail before the County Judge, representing that they had procured a place for them to stay in York street, but it was found that no such number as they had given existed. The girls were then taken to Jersey City by Frank H. Dikeman their counsel, and there sent to Baltimore. The mate of the vessel, named Newell, was sent to go after them, in order to assist in keeping them out of the way. Catharine Sullivan came back to Philadelphia. She had seen the papers containing an account of the transaction and she was determined to come back, notwithstanding she met Dikeman and Newell again in Philadelphia, and they told her that if she did not leave she would be sent to the State Prison for five years. But she came back, and that poor, little, weak girl has been confined in jail ever since for the purpose of telling her story to you (the Jury). She will tell her story, and she will be corroborated by Jane Muldoon and Dr. Palmedo, an eminent physician of this city, who examined her and will state to you the result. These circumstances, corroborated as they will be, make a plain case of rape against the defendants.

Henry L. Clinton and Alex. Hadden, esqrs., appeared for Jackson and Dixon, and R. M. Huntley, esq., for Richard Lewis, who is indicted as an accessory.

The following is the evidence taken:

Catharine Sullivan sworn—Testified to residing in Brooklyn at the present time; knows the prisoner Jackson; saw him first on board the ship City of Brooklyn, then lying at a wharf in New-York City; at the time she saw him he told the Captain that he would get them—Catharine and Jane—a good place to board; the Captain said that we three, viz: Catharine, Jane and a servant girl, we were going to live with the Captain's family, could all stay together till Monday, and that Jackson would find us a place to board; Jackson then introduced Dixon as a friend of his; there was another person in company with him; witness sailed from Liverpool and came over in the ship as a cabin passenger, as also did Jane; she left the ship in company with Jane, Jackson and the other girl; after leaving the ship they went in search of a boarding-house, Jackson and Dixon accompanying them; this was about 5 o'clock p. m.; they were taken to several houses, but Jackson made excuses for their not stopping at them, stating that they were too much crowded; the servant girl of Capt. Mitchell, the commander of the City of Brooklyn, was accommodated at the second house they stopped at; Jackson then took the girls Catharine and Jane to a hotel in New-York, where they had some supper; witness could not state where the hotel was, but said that they passed through a great many streets before they came to it; witness then wanted to go back to Castle Garden to the Emigrant Office, where she expected to receive a dispatch from her father in Baltimore, but Jackson said that place was crowded and he would take them to a quiet place and be quiet and he would take them to a quiet board; after supper, Jackson, Dixon, Jane and witness all left the place together to go to Castle Garden; this was some time after 6 o'clock, but not yet dark; after going some distance they came to a ferry, and they said they were going to show witness Brooklyn; witness and Jane said they would rather go to Castle Garden, and asked why they did not take them there; Jackson said he would take them to Castle Garden after showing them Brooklyn, and then take them to their boarding-house; they then got into a carriage which they stated was their own, and said they were going to drive around Brooklyn; about five minutes after witness got into the carriage she felt sick and asked to be taken to New-York; Jackson said they would be there directly; he said it was very early yet, and he would take them back to where they were to stop; witness complained of being very sick, when Jackson said he would stop at the nearest place; they stopped a great many times to drink; after driving about for some time they stopped at a house to stay all night; here a girl showed them—witness and Jane—to a room where they were to pass the night; here she undressed, with the help of Jane, and went out into bed; while Jane was undressing Jackson and Dixon came into the room and asked Jane to come out; she refused, as she wanted to stay with witness; Jackson and Dixon then pulled her out of the room; Jackson came back again into the room, locked the door, and put out the light; he then undressed and got into bed with her; she tried to get out of bed, but he prevented her from doing so; when he got into bed she tried to get away from him and tried to scream, but could not as he placed his hand over her mouth to prevent her; she did scream, but not very loudly, as he prevented her from doing so; he tried to cover her face as much as he could by putting his body over it; he stayed in the room all night; he had violence, and violated her person; he had connection with her, as a husband would with his wife; this was not with her consent, and she resisted him as much as she was able; she tried to push him away and get out of the bed, but could not as he held her; she had taken some brandy-punch at the hotel in New-York, and some porter which Jackson gave them.

Being cross-examined by Mr. H. L. Clinton, she said that that was all she drank that night; while on the board the hotel the drinks were brought to her carriage several times, but the girls only tasted of them; witness left Liverpool to come to this country, and got acquainted with Jane on board the ship; they landed late on Thursday night, and stopped at the Rainbow Hotel in Beekman street on Friday; Saturday was the first she saw of Jackson and Dixon; John Wilson, who came over in the vessel with them, went down to Castle Garden with them the day after they landed; she came back at 11 o'clock, but neither of the others came back with her; she stopped at the hotel till the next morning, but Jane stopped with her from time in some other boarding house; next Saturday morning Jane, the other girl and witness came to the ship together; witness wanted to see Captain Mitchell; stayed aboard the ship till about 5 o'clock in the afternoon; saw Captain Mitchell about two hours before; was on the deck near the cabin, when she first saw Jackson; he was engaged in unloading the ship; asked Jane and witness where they were going to stop, and said he knew some fine places out West, and he could get them one; the Captain asked Jackson to get a boarding-house for them; Jackson said he is responsible for the board of his servant girl, but said nothing about being responsible for complainant's board; saw Dixon soon after; when they get off the ship into the street, Jackson, Dixon, and another man, walked ahead and they followed after; Jackson told the Captain before they left that he would get a respectable boarding place, upon which the Captain told him to get a respectable place for us too, which he assured the Captain he would do; Dixon was on board the ship more than half an hour before they all left; Jackson was at this time unloading the ship; had a book, and told the men to take out the cargo; after they left the ship, the first thing they stopped was a place for lager; Jackson said something to the woman who came to the door; heard her say there was no room; did not hear what Jackson said; at this time Dixon was with Jackson; when they went to the second place, they left the girl of the Captain's, and heard Jackson say he would call and see her again; heard no conversation about Capt. Mitchell's girl; saw the Captain's girl go into the house; Jackson said there were too many people there, and he would get us a more respectable house; went up the street when they left his boarding-house; recollect going into the hotel, where we were to get supper; don't recollect hearing Dixon say much or anything; went into a private room at this hotel, where there was a waiter to attend us; had some eggs and bread and butter; don't recollect anything else except what it was we had to drink; were there half an hour or more; did not ask for porter; do not recollect that either Jane or witness asked for porter; the men called for the punches; Jane and witness drank about half of what was given them; don't know whether the men drank or not; there was considerable conversation in the room; Jackson asked witness what countryman she thought he was; she said he was an Englishman, and had no idea; nothing was then said about taking a ride; were talking in the rooms, but don't think we laughed much; there was nothing said about my being the new wife of one of the parties, nor anything said about sleeping at that time; they said nothing at all about sleeping with the girls at this time, nor did they propose anything wrong then; after leaving there we were under the impression that we were going to Castle Garden; we walked to the ferry, and passed in on the boat; went in the cabin and sat down; the boat started immediately after, and we came to Brooklyn; where they said the stables were; we got in the carriage; were merely talking pleasantly, not joking or laughing; went nowhere else before we got in the carriage; am certain we went into no place where liquor was sold before we went into the stable to get the carriage; had nothing to drink in Brooklyn before we went into the carriage; Jane and me were talking together in the stable, and Dixon came up and talked with us; Jane and myself were perfectly sober at the time; did not take the arm of either of them before we went into the carriage; Jackson sat with me and Dixon sat with Jane; I objected to riding in that way, and wanted to sit with Jane; up to that time Dixon had not said an insulting word, but Jackson had; I recollect now that Jackson tried to kiss me in the hotel; he put his arm around my neck and did kiss me; I told him not to do so again; they were quite respectable after that until after we got into the carriage; not a word was said about sleeping together at this time.

The Court here adjourned till to-morrow morning at 10 o'clock.

COURT CALENDAR—THIS DAY.

UNITED STATES DISTRICT COURT.—Nos. 50, 59, 35, 48, 65, 66, 36, 67, 68, 69.

SUPREME COURT—CIRCUIT.—Part I.—Nos. 687, 717, 134, 365, 1176, 77, 698, 691, 679, 247, 250, 256, 713, 589, 824. Part II.—779, 1045, 867, 1069, 1071, 1073, 1075, 1077, 1089, 1081, 1085, 1095, 1099, 1097, 1099, 1091, 1092, 1093, 1095, 1097, 1099, 1100, 1101, 1103, 1142.

SUPREME COURT—SPECIAL TERM.—Nos. 17, 22, 23, 24, 84, 99, 103, 123, 138, 139, 145, 235, 236, 242, 248.

SUPERIOR COURT—Nos. 306, 834, 757, 802, 896, 147, 903, 814, 691, 569, 874, 521, 186, 378, 939, 945, 42, 613, 812, 789, 882, 954, 955, 956, 957, 958, 959, 961, 962, 964, 965, 967, 968, 969, 970, 522, 836, 145.

MARRIED.

FOSMIRE—MACKEY—In Brooklyn on Thursday, Feb. 26, by the Rev. Cesar Rodney, Mr. John T. Fosmire of Troy, N. Y., to Sarah E., eldest daughter of Jas. Mackey, esq., of Brooklyn.

DIED

BALLARD—On Sunday morning, March 8, Lawson, son of James and Sarah Ann Ballard aged 20 months.

The friends of the family are invited to attend her funeral on Tuesday, 10th inst., at 1 p. m., from No. 25 Fifth street, without further notice.

BURNHAM—At Cobourg, Canada on Wednesday, March 4, the Hon. Zacheus Burnham. He entered Canada from New-Hampshire in 1798. Has filled many offices, civil and military, and was an extensive farmer. The value of his property is estimated at $800,000.

BENTLEY—At Sandy Creek, Oswego County, N. Y., on Monday morning, March 2, Elizabeth Helen, eldest daughter of Elias and Sarah Seymour Bentley of that place, aged 27 years.

BAXTER—On Sunday, March 8, at the New-York Orphan Asylum, Ellen Baxter, aged 12 years.

BUTMAN—On Monday, March 2, at sea, by falling from aloft in a gale, Avery Butman of Providence, a Seaman on board the bark W. H. Chandler.

CHILD—At Morristown, N. J., on Sunday, March 8, Charlotte A., youngest daughter of the late Francis Child, esq., in the 21st year of her age.

Funeral services from St. Peter's Church, Morristown, on Wednesday at 12 m.

CLEARMAN—At the house of his son John, in Morristown, N. J., on Monday morning, March 9, Mr. John Clearman, aged 92 years. He had been for a long period a resident of this city. He was, during the struggles of our Revolution, an active volunteer on the side of American Independence.

His relatives and friends are particularly invited to attend his funeral at the above named place, on Wednesday, to-morrow, at 2 p. m.

COSTAR—On Sunday, March 8, Henry R. Costar, aged 33 years and 3 days, son of the late Henry Costar of this city.

The relatives and friends of the family are respectfully invited to attend his funeral from the residence of his mother, Mrs. Alida Costar, No. 9 East Eleventh street, near Fourth avenue, this (Tuesday) afternoon at 3 o'clock, without further invitation.

CROSBY—At Weldon, N. C., on Saturday, March 7, of paralysis, Darius S. Crosby of Jersey City, in the 36th year of his age.

Notice of the funeral will be given in the papers of Wednesday morning.

CROW—On Saturday evening, March 7, Mr. Daniel Crow, in the 62d year of his age.

DUNN—On Sunday evening, March 8, very suddenly, Alexander Dunn, the beloved son of Alexander and Margaret Dunn, aged 11 years, 8 months and 6 days, at No. 292 West Thirty-first street.

Their friends and acquaintances are requested to attend the funeral at 1 o'clock on Wednesday, precisely as he will be taken to Greenwood from No. 292 West Thirty-first street.

DUNHAM—In this city, on Sunday, March 8, Allie Virginia, youngest daughter of William H. and Caroline Dunham, aged 15 months.

DIXON—On Sunday, March 8, Edward N. Dixon, after a short illness, aged 4 months and 26 days.

FLANNERY—In Brooklyn, on Saturday evening, March 7, Margaret Flannery, a native of Scarrif, County Clare, Ireland, aged 80 years.

GOADBY—At New-Rochelle, on Wednesday, March 4, Ellen A., wife of James H. Goadby, and daughter of the late John Stroud of New Orleans.

The relatives and friends of the family are invited to attend the funeral from the residence of Mrs. William Goadby, No. 76 Second avenue, on Wednesday, the 11th inst., at 2 o'clock precisely. Train leaves Harlem at 11 a. m.

HASTINGS—On Friday, March 6, of consumption, Maria, wife of Charles Hastings, in the 47th year of her age.

HOAG—On Saturday, March 7, Parthenia, widow of the late John Hoag aged 72 years.

JAQUES—Near Rahway, N. J., on Sunday, March 8, Wm. H., jr., only son of William H. and the late Martha A. Jaques, aged 8 years and 8 months.

The friends of the family are invited to attend the funeral on Tuesday, 10th inst., at 2 o'clock p. m. Trains leave foot of Cortlandt street for Rahway at 11 a. m. and 12 m., upon the arrival of which, carriages will be in attendance.

JONES—In Brooklyn, on Saturday evening, March 7, Margret Ann, infant daughter of John and Jane Jones, aged 10 months and 7 days.

JUNG—In Brooklyn, on Saturday evening March 7, at 8 o'clock, of inflammatory rheumatism, John W. Jung, in the 42d year of his age.

KENNEDY—On Sunday, March 8, Miss Sarah Kennedy, aged 53 years, 4 months and 13 days.

LANDERS—On Sunday, March 8, Mrs. Henrietta Landers, wife of James Landers, in the 51st year of her age.

McGINN—On Sunday, March 8, of concestion of the brain, William Thomas McGinn, aged 10 months and 18 days, only surviving son of Thos. and Jane McGinn.

McCORMICK—On Saturday evening, March 7, Elizabeth, wife of Patrick McCormick, in the 43d year of her age.

McMENOMY—On Sunday, March 8, after a long and painful illness, William McMenomy, aged 27 years.

MARTIN—On Sunday, March 8, Theodore Thomas Martin, third son of Malachi and Kate Martin, aged 3 years and 8 months.

MESCHENDORF—On Saturday evening, March 7, aged 45 years, 11 months and 13 days, Mr. Hermann Diedrich Meschendorf.

NORTHRUP—On Sunday, March 8, Lucy Amelia, youngest daughter of Chauncey B. and Lucy A. Northrup, aged 6 years, 2 months and 2 days.

The friends and acquaintances of the family are requested to attend her funeral this (Tuesday) afternoon at ½ o'clock, from the residence of her parents, No. 78 Attorney street. Her remains will be taken to the Cemetery of the Evergreens for interment.

NESMITH—On Sunday, March 8, John Andrew, only son of Henry and Ellen Jane Nesmith, of croup, aged 1 year, 6 months and 20 days.

O'DONELL—At Bristol, Penn., on Sunday, March 8, Mr. Richard O'Donnell.

PETERSON—On Monday, March 9, Mrs. Dorothy Peterson, widow of the late John Peterson, aged 71 years and 2 months.

The friends of the family are respectfully invited to attend the funeral on Wednesday, March 11, at 1 o'clock, from the residence of her son-in-law, John Berdan, No. 17 Warren place, (Charles street), without further notice.

REEVES—On Thursday morning, March 6, after a short and severe illness of croup in the stomach, Maria Reeves, in the 17th year of her age.

ROYCE—On Saturday, March 7, after a severe illness, George S. Royce, aged 49 years and 20 days.

STRIPE—On Saturday, March 7, Frederick C. Stripe, in the 35th year of his age.

The friends and relatives of the family are respectfully invited to attend his funeral on Tuesday afternoon, the 10th inst., at 2 o'clock, from his late residence, near the Reformed Dutch Church in Bergen, N. J. His remains will be taken to Bergen Cemetery.

TRELFORD—On Sunday, March 8, Cornelia, only daughter of Henry and the late Charlotte Trelford, aged 7 months.

THORN—In this city, on Saturday, March 7, Mr. Benjamin Thorn, in the 50th year of his age.

WARD—At New-Rochelle, Westchester County, N. Y., on Monday morning, March 9 Elizabeth, wife of Isaac B. Ward of Brooklyn, and daughter of the late Thomas Disbrow of East Chester, in the 27th year of her age.

The friends of the family are invited to attend the funeral from the residence of her brother-in-law, Geo. J. Penfield, New-Rochelle, on Wednesday, the 11th inst., at 2 o'clock p. m. Cars leave the New Haven Railroad Depot, Canal street, at 12 o'clock m.

WHIPPLE—On Saturday, Feb 28, on Staten Island, Capt. Barnum Whipple, in the 77th year of his age. Capt. W. was born at Sunderland, in Vermont, but for nearly sixty years was a resident of Albany. He was engaged in the commercial marine, on the river and coast, and was captain of a vessel upon the Hudson River before the age of steam, and when that river was the great avenue of commerce and travel.

WORTHINGTON—At his residence in Dorchester, Mass., on Friday, March 6, William Worthington, esq., one of the oldest and most respected merchants of Boston.

WINCHESTER—At Philadelphia, on Saturday, March 7, Mrs. Mary Winchester, in the 64d year of her age.

COMMERCIAL MATTERS.

Sales at the Stock Exchange—MARCH 9.

3,600 Virginia 6s	92	1675 Reading R. R.	s3 81½
5,000 Missouri State 6s	84½	400 do.	b3 81½
500 Louisiana State 6s	87½	200 do.	81½
15,000 City 5s '98	b15 92	200 do.	b30 82
500 N. Y. Cen. R.R. 6s	89½	1400 do.	b60 82½
2,500 do.	90	160 La Crosse & Mil. R.R.	75
2,000 N. Y. Cen. R.R. 7s	102	250 do.	b60 75½
500 do.	b14	250 Harlem Railroad	14½
5,000 Erie R. R. 20 Mortgage Bonds	96	50 Mich. Central R.R.	e 96
5,000 Erie R. R. Convt. Bonds '71	80	55 do.	96½
1,000 Harlem RR. 1st Mtg.	82	100 do.	s3 96½
1,000 do.	81½	100 do.	b60 76½
3,000 Mich. So. S'n F'd 8s	79½	100 do.	s3 76
12,000 Ill. Cent. RR. Bds.	100½	15 Panama Railroad	96
3,000 Clev. & Pitts. Div. Bs.	65½	50 do.	s3 96½
5 Bank of Commerce	116½	100 Cleve. & Pitts. R.R.	s3 55½
15 Bank Commerce Scrip	104½	1000 do.	s3 55½
5 American Ex. Bank	114½	1500 do.	b60 54½
20 Bank of N. America	107	5 Galena & Chicago R.R.	104½
50 Park Bank	100	50 do.	105
5 do.	105½	12 do.	105½
54 Clev., Col & Cin. RR.	101½	9 do.	105½
100 Canton Company	b60 23½	500 Cleve. & Tol. R. R.	b30 75½
265 N. Y. Central Railroad	90½	200 do.	b60 75½
80 do.	s3 90½	100 do.	75½
100 do.	s30 90½	100 do.	b60 75½
300 do.	b30 90½	100 do.	s10 75½
450 do.	b60 91	550 do.	75½
150 do.	b5 90½	200 do.	s60 75½
100 do.	b60 90½	50 Chicago & Rock Island Railroad	60 105
100 do.	s60 90½	100 do.	105½
600 Erie R. R.	s3 58½	40 do.	105½
100 do.	b60 58½	50 do.	im 105½
700 do.	b30 58½	10 Milwau. & Miss. L. R.	75½
50 do.	b10 58½	10 do.	75½
1150 do.	b5 58½	100 do.	75½
500 do.	e 58½	24 Del. & Hud. Canal Co.	121
140 do.	58½	36 do.	121½
7 do.	58½	50 do.	b60 122
100 do.	s10 58½	46 Pennsylvania Coal Co.	93
500 do.	s60 58½	50 Ward Coal & Iron Co.	34

SECOND BOARD.

1,000 Missouri 6s	84½	50 N. Y. Central RR.	b60 91½
10,000 Erie RR. Bs.	75.b30 81	5 Mich. So. & N. Ia. RR.	78
3,000 do.	93½	10 do.	b5 78
8,000 Hud. Riv. Conv. Bs.	64	150 Chicago & Rock Isl. R.	105½
15 Bank of Commerce	105½	300 Erie Railroad	58½
7 Galena & Chicago RR.	105½	500 do.	b5 58½
30 do.	105	500 do.	b60 58½
50 Illinois Central RR.	137½	50 Hudson River RR.	s3 29
25 La Crosse & Milwau. R.	75	100 do.	b60 29½
100 do.	b60 76½	100 Milwaukee & Miss. R.	75
100 N. Y. Central RR.	b3 90½	50 do.	b30 75
50 do.	s5 90½	200 Cleve. & Toledo RR.	75½
100 do.	b3 90½	100 do.	75½
50 do.	b30 91½	100 do.	b30 75½

MONDAY, March 9, P. M.

There was a moderate business at the Stock Board this morning with some firmness, although the market was irregular. At the Second Board, however, there was some weakness shown, and the market after the Board was heavy. The transaction on sellers' option were not numerous, while buyers option were in good demand. The changes from Saturday were not important.

The Exchange market is not active for the Wednesday steamer, and rates are nominally as before. Sterling 7¼@8¼ ⅌ cent; Francs 5.23¾@5.21¼.

Freights are firmer for grain and heavy for other merchandise. To Liverpool the engagements include 600 bbls. Flour at 1s. 3d., Grain at 4¾@5¼d., Cotton at ¼@5-32d., 300 boxes Bacon at 15s., 350 bbls. Lard at 15s. To London, 3,000 bbls. Turpentine at 2s. 3d., 500 bbl. Spirits do. at 6s., 500 bbls. Rosin at 2s., Grain at 6s. 7d., 400 bbls. Lard at 20s., 10 tuns "Graves" Talow at 20s.

The business of the Sub-Treasury for March 9 was: Receipts, $296,170 84; Payments, $391,630 53. Balance, $15,180,844 26.

The commercial world will be glad to learn that Mr. Cisco, United States Sub-Treasurer at this city, will retain that position at least until the end of his term, a year from next May. Mr. Cisco has been desirous of retiring, and tendered his resignation to Mr. Buchanan, but at the request of that gentleman reviewed his determination and consented to remain. Mr. Cisco has filled this very responsible office with great ability and courtesy, and the President would find it difficult to supply a satisfactory substitute.

We hear of about $200,000 in gold bars going to Boston for the Wednesday Cunarder.

The Weekly Bank Statement is unexpectedly favorable in the specie reserve, which is some half-million larger than was generally anticipated—being $11,707,346, against $10,645,254 last Monday—an increase of $1,062,000. The specie line is now larger than by any report since Dec. 6, with one exception. The increased specie strength has induced an expansion by the Banks, mostly on call, the loans having increased some $762,000. In deposits there is a nominal increase of $3,685,000, but allowing for the increased operations of the Clearing-House, the increase of undrawn deposits is only $268,000. The line of undrawn deposits is $64,895,000, against $64,027,000. Last year at this time the undrawn deposits were $67,900,000. The comparison with last week is:

	Loans & Dis.	Specie.	Circulation.	Deposits.
Feb. 28	$111,137,717	$10,645,254	$8,149,275	$92,173,250
March 7	111,899,649	11,707,346	8,465,497	95,858,222
Increase	$761,932	$1,062,095	$316,222	$3,684,972

The statement was looked upon as favorable in the street, but appeared to have but little influence at the Second Board. The enlargement of the business of this city is fully shown by the operations of the Clearing House, which at this time last year reached $125,000,000 to $128,000,000 per week against $165,000,000 to $185,000,000 this year.

The movement of the Banks since Nov. 1, 1855, has been as follows:

	Loans.	Specie.	Circulation.	Deposits.
Nov. 24, 1855	$92,312,403	$11,715,259	$7,779,667	$74,075,154
Dec. 29, 1855	95,114,060	10,793,099	7,841,511	80,436,827
Jan. 5, 1856	96,968,990	11,667,290	7,903,656	83,504,995
Feb. 26, 1856	100,745,449	15,935,874	7,664,888	87,880,478
Mar. 1, 1856	102,652,235	15,640,686	7,754,392	88,694,377
Apr. 12, 1856	107,840,435	12,636,994	8,281,705	91,091,956
May 31, 1856	102,481,275	14,021,289	8,269,151	86,775,310
June 21, 1856	105,626,998	17,071,958	8,273,002	85,715,439
July 5, 1856	109,267,522	16,829,206	8,637,471	90,140,426
Aug. 9, 1856	112,192,322	13,270,608	8,678,778	92,220,966
Aug. 16, 1856	111,406,756	12,806,672	8,564,486	92,013,222
Aug. 23, 1856	110,188,084	12,914,732	8,562,413	90,127,223
Aug. 30, 1856	109,373,911	12,963,236	8,549,746	87,776,246
Sept. 6, 1856	109,568,694	12,906,948	8,496,018	89,348,464
Sept. 13, 1856	109,572,776	12,281,827	8,741,064	88,944,074
Sept. 20, 1856	109,713,436	12,270,685	8,760,389	90,562,988
Sept. 27, 1856	108,992,205	10,873,220	8,665,198	88,453,798
Oct. 4, 1856