New-York Daily Tribune

SPIRITUALISM vs. BYLES.

To the Editor of The N. Y. Tribune.

Mr. Byles has been so good as to inform us (and they know a thing or two in and about Boston) that "*the ghosts are desperately dull dogs.*" How he found it out he does not inform us, but we should be inclined to agree with him were it not that there are strong grounds for supposing that most of the latent dullness in the universe had finally got itself incarnated in certain mundane worthies, who assimilate the species *grassy* rather than ghost, and belong to that numerous and highly respectable class of philosophers who build conclusions without premises, and when it rains *facts*, do one and all hold their dishes bottom up. *Vide* the well preserved specimens recently "on show" at Cambridge.

We stand ready to make a cheerful renunciation of our share in the territory beyond Jordan, if Mr. Byles can match those earthly specimens of dullness by a manifestation of it from beyond the clouds which brood over that modern depot of science and philosophy, where they manufacture it to order. We enter our humble protest against this charge of Mr. Byles. Coming, too, from a section of our glorious Union where dullness is indigenous, and, notwithstanding the backwardness of the season, has put forth a growth this present year which promises the richest harvest that has been realized since the days of Salem witchcraft, it looks as though he may have already secured a small portion of the green crop for home consumption. We think he was slightly under its narcotic influence when he made that last prescription for the prevention and cure of Spiritualism.

To be sure, the drug he recommends is well known to the theological Materia Medica, and its virtues have been thoroughly exemplified in many desperate cases; but, strange to say, Mr. Byles can't take it *himself*. He knows whole "villages where Spiritualism was furiously epidemic for a while, but from "which it has entirely departed," through the efficacy of his panacea, while not one grain of the blessed balsam finds its way down *his* throat; but instead, he goes on from month to month spreading the infection, for no other apparent reason that we can see than the rather barren glory of letting the world into the secret of how easily the disease may be cured if it will only take his medicine. Mr. Byles further informs us that the drug which cures Spiritualism is known to the vulgar by the name of "BEING TREMENDOUSLY LET ALONE."

For ourselves, we doubt both the practicability and the value of that drug. We doubt its practicability because, first, Mr. Byles himself *can't* swallow it; and secondly, from what indications we can gather of the condition of the public stomach most other people *will not*. It seems adapted only to such unfortunate patients as are in the collapsed state of dullness, and they, being past all hope of resurrection, don't need it. We are dubious concerning its value, for the reason that, on the authority of history, it creates a disease worse than it cures. *Why* this is so we can't say. Whether, as the profound Mrs. Nickleby remarked of the St. Crispin suitides in France, it must be "something in the leather," or whether it be a perverse tendency in human nature to confound all science, we are unable to tell; but so it is.

Exemplum: We learn from an old book, often read, but little understood, that once upon a time "a delusion like Spiritualism," very like it, we may say, infested certain villages, as well as some large towns, in that portion of the Eastern continent known as Asia. In one of these rural districts, called Galatia, we believe, they made trial of the remedy in so early a stage of the disease, that its effect was observable during the lifetime of the historian, and so "*tremendously*" has it been applied since, that it not only swept the "*delusion*" from the infected districts, but the towns and villages along with it, so that the modern traveler, instead of finding these once-renowned places on the face of the *earth*, finds only their names on the pages of *history*.

Again: We learn from the same old book that, a few years prior to this Galatian administration of Mr. Byles's antidote to Spiritualism, a somewhat conspicuous member of the fraternity of what he styles "*dull dogs*" made his appearance one morning by the "sea of Tiberias" to some fishermen, and bawled (as Mr. Byles would probably say) to one of them, three separate and distinct times, this ponderous message, "*Feed my sheep!*" Now, it is a well-settled fact that this silly affair, together with many others in the same series, soon began to be "*let alone;*" and so "*tremendously*" have they been "*let alone*" of late by certain Christian gentlemen of Boston and other places that now the religious current sets in favor of *selling* his "sheep" in place of *feeding* them—with what result we may partly guess.

Moreover, if Mr. Byles can muster the courage to consult the ecclesiastical department of his "library"—and we admit it requires a man of nerve to do it, by reason of its being the very *kennel* of "dull dogs"—he may glean the information in a roundabout way, that soon after Christianity became thoroughly cured of the "*delusion of spiritualism*," it became afflicted straightway with every possible *ism* that inverted ingenuity could devise or imagine. So dire was the affliction that it was found necessary in extreme cases to saw the patient in two, in order to save his life. Some doctors essayed the pinching of the disease out with a pair of red hot tongs. At one time roasting and boiling was a very fashionable prescription. From these data and a thousand others at hand, we have drawn our conclusion that Mr. Byles's panacea does not work well, and that, had it been taken a little less "*tremendously*," or better not taken *at all*, such a medley of absurdity, dullness, cruelty and disaster as causes the student to blush and set his teeth while endeavoring to master the philosophy of church history, never could have existed.

The picture of a sick monkey administering "*Nux*" to a dying dog, might be suspended from the walls of our libraries as the faithful exponent of a thousand years of the reign of ecclesiasticism. Nor are its effects yet passed away. Christianity, with its bowels tortured by the stale nostrums of Œcumenical Councils, "Thirty-nine Articles," and "Saybrook Platforms," is rapidly passing into the *coma* of materialism as to *faith*, and as a necessary consequence, to every conceivable abomination as to practice. Mr. Byles's drug is no new discovery; it has been "well shaken and taken" over and over again, but it somehow has the trick of operating the wrong way.

But we wish to be serious for five minutes or so, and while in the mood, we will take a friendly seat with Mr. Byles in that same library of his, and, by his permission, propound a question or two. For instance, we would respectfully ask, whether Nature, through her own impulses within the soul of man, does not suggest certain grave questions which *that library* can never answer? One may feel tolerably safe, we think, in the conclusion that Nature would not suggest a problem and then withhold the necessary elements for its solution; nor ask a question that *ought* not to be answered as soon as we can make it convenient. Nature is an incessant "Spirit rapper," and she does daily rap out questions which, if the library can not solve, perhaps experience may. She does gently insinuate by rapping now and then on a mahogany box, generally from two to about six feet long, that Mr. Byles with the rest of us is hastening to the grand parade of "dull dogs" which he so deprecates in the distance. Is it not pertinent therefore, to inquire how dull a "dog" he will be? and would it not be wise, though not apparently agreeable, seeing his books shed nothing but darkness upon that question, to take a nearer view for himself, if for no other reason than just to ascertain whether or not they have been correctly represented?

It is beautiful, no doubt, to make the voyage from one's easy chair, to "the enchanted island of Miranda," or to feel on one's cheek the breath of Juliet's passion as it mingles with the night air beneath "the silver-tipped trees of old Capulet's garden;" but would not a knowledge of the law that will explain to us *Shakespeare's self*, be more beautiful as well as useful? The law by which the "*vagabond*" of the sixteenth century could sound the very depths of the human soul, and lay bare its mysterious passions in their varied phases of gentleness and power, with a hand so steady and an eye so *true*, that the far-off thinker will stoop from the mountain top of the ages yet to be, to accept his formulas and do reverence to his truth!—*that law*, my brother, can your library furnish it?

When Spurzheim had introduced the new science of mind to the *savans* of Edinburgh, you may recollect a pilgrimage to the grave of Burns, to interrogate the inanimate skull with respect to the mystery of his genius, and to gather from it the needed elements wherewith to solve that miracle of song. They have not solved it. Their science is based on facts, but its domain is too narrow to explain the wonder. Can you? And yet the light that can reveal to us Shakespeare and Burns will show us so much more that is of vast importance. Isaiah and Jesus, Socrates and Cicero—the past, the present, and the future of men—stand all *unveiled* to the eye that can see by the light of its own experience. The eye that is without that light can see nothing but "*dull dogs*" anywhere. Take, by way of illustration, the "ghost story," recited in the last chapter of St. John's Gospel. Like all genuine Spirit Manifestations, either ancient or modern, it consists of a few simple elements only, and these seen in the light of the library by a mere college-trained eye, are significant mainly of disgust and dullness; whereas, seen in the light of experience—in the light of similar phenomena of present occurrence—that *is* to say, seen *to be a genuine fact*, and not a mere incomprehensible *sham* fact, as the owls and bats of the library see it, if they see at all—that mere "*ghost story*" will solve the most earnest problems of the soul.

It is a perfect antidote to dullness, and is invaluable as a detector of it. If Mr. Byles will but apply it to his quartos of theological lore, he will be rejoiced to see the best of them shrink into mere pamphlets, and the remainder he will dismiss from his affection as *unmatchable in dullness*, save by the stupidity that holds them in esteem. Talk of dullness! Here is a Spirit who, in one familiar colloquy with his friends on earth, states the whole body of divinity about which churchmen make themselves ridiculous, in *three words*, "FEED MY SHEEP." Each particular act and utterance of that and all subsequent Spirit manifestations which a sound discrimination has been able to verify, is a *pungent satire* on the councils and creeds of scholastic theology, and as such we commend Mr. Byles to their better acquaintance. A SPIRITUALIST.

THE LATE ASSASSINATION BY BURGLARS.

CORONER'S INVESTIGATION—A WITNESS LOCKED UP ON SUSPICION—IMPORTANT TESTIMONY.

Coroner Perry, at noon yesterday, commenced the investigation, at the Sixteenth Ward Station-House, relative to the assassination of Alexander Boyd, who was killed by burglars, at his own premises, No. 72 West Eighteenth street, on the night of the 5th inst. Deceased, it will be remembered, was awakened from his slumbers about 3 o'clock in the morning by robbers in his room. They were then scratching matches on his wall, and by the light he discovered that they were persons whom he had previously seen suspiciously loitering about the neighborhood. In attempting to detain them until he could bring the police, one of the thieves fired three charges at him from a revolver. A struggle ensued, and Boyd followed the burglars into the street, where he fell exhausted from the loss of blood. A few minutes afterward the police came up, and after a search arrested two young men on suspicion. The testimony taken yesterday, although not of a direct character, was very important. Thomas Farley, one of the witnesses who had been summoned to appear, declined to come, and suspicion being directed to him he was in the afternoon arrested and locked up to await the result of the inquest.

The following is a report of the evidence:

Ann Boyd, residing at No. 72 West Eighteenth street, being duly sworn, deposes and says: That on the night of the 5th of August, about 1 o'clock, I was aroused by a noise like the falling of a box in the store; I got up and looked out of the bedroom window, when I saw two men come out of the store door, and the deceased, Alexander Boyd, in pursuit; they were close together, and they all ran toward the Seventh avenue; I called out "murder;" deceased fell opposite the blacksmith shop; myself and my husband went out and saw the deceased on the ground; we picked him up and carried him in; the two persons who were chased by the deceased were low-sized, slim boys, both with drab coats and without caps; I think I could distinguish them if I could see them; this morning I saw a man named Munday whom I recognize as one of the men; I saw him opposite our house at Mr. Water's porter house; I am positive that he is the one; I have not since seen any one else that resembles either of the two; on the third day of July an attempt was made to rob our store; some persons entered our store; Mr. Campbell, the young man who is now confined at Jefferson Market prison, gave the alarm at that time; he said that our store was open, which was found to be the case; he could not tell me how he happened to see that the door was open, but asked me if I accused him with it; I recognize Campbell as one of the two who murdered Boyd; I saw Munday when he was sent to appear before Boyd for recognition, and recognized him then; two caps and an umbrella were found in the store; also a revolver outside, supposed to be the one fired at Boyd; I have often seen Munday and Campbell in the street, opposite our house; they were sometimes intoxicated; they seemed to have no employment; I did not see the faces of Munday and Campbell distinctly; the lamp of the street, which was close by the door, shone quite brightly, so that I could see well any object passing.

Ann Wellstein, residing at No. 70 West Eighteenth street, being duly sworn, deposes and says: I was awakened by the noise in Mr. Boyd's store on the night of the 5th of August; soon after hearing the report of firearms I saw two persons running and another after them; they run, one in the middle of the street, and the other the other side of the way; a woman was holding a light near the blacksmith's house; the last that I saw of the one who ran across the street he was about nine houses from where the woman with the light stood; the light held by the woman disappeared immediately afterward.

William Wellstein, residing at No. 70 West Eighteenth street, being duly sworn, says—On the night of the 5th of August I was awakened by my wife, who said that there was a disturbance in the store near by; I heard shots fired and got up to see what was the matter; when I opened the window I heard the cry of "murder;" I saw two men run toward Seventh avenue, and one across the street; a tall woman stood on the other side of the street, at the door of a house next to a blacksmith's house; she had a light in her hand; the one who ran across the street ran toward the woman, and as he passed her at full speed pushed against her, and her light disappeared; I did not see whether he passed on or went in the house; this is all I saw; this person had on a light coat.

Owen Goodwin, residing at No. 83 West Eighteenth street, being duly sworn, says—I was at home on the night of the 5th of August; I heard an alarm about 1 o'clock; my wife woke me up and said that a man was calling out in the street; I got up and went to the door; went across the street to where the deceased was lying on the sidewalk; I returned to my residence in about ten minutes; some policemen came into the house to search for some person; they remained a few minutes; I remained about an hour before I shut up; no one else that I know came into my room that night; I have never heard any threats made against Boyd; my wife had a candle in her hand at the time she stood at the door; I do not know that the candle was put out before she came in.

Barney S. Goodwin, residing at No. 83 West Eighteenth street, being duly sworn, deposes and says—I came home from my work about 12½ o'clock on the night of the 5th of August: our folks were in bed at the time; I went into a place over Michael Garnty's, where there was dancing and music going on; there were a good many there, most of them colored people; I had been there half an hour, when a colored man ran in and said that some one was murdered; I ran out and saw the deceased lying in the alley way; I then went to our own door, and Mr. Boyd came down, and I went over again to where deceased was; after staying about the door for a quarter of an hour, I went back to our house and went to bed; beside our family, I did not see any one come into the house except Policeman Roach; I fell asleep before my father came in; I went in the back room; I saw no person in the house; our folks were all up, excepting one or two of my little brothers.

George Rogers, residing at No. 444½ Pearl street, being duly sworn, deposes and says: I am a dealer in pistols and keep in Tryon Row; one day last week I saw a revolver pistol which was shown me at this place, which pistol I recognize as one looking like one I saw on Tuesday night week about ten o'clock; on that night three young men, ages ranging from 20 to 24 years, came to the store and wanted caps, bullets and powder, for a six barreled revolver, which they had with them; I took the revolver to fit the caps to, when I observed that one of the nipples was out; they had previously said that the caps shown them would not fit, and I answered that it was no wonder, as the nipple was out; this fact they did not seem to have been aware of; they were then satisfied and took the caps and fired off one of the barrels outside of the door; they appeared to be very rude, and I took them to be suspicious characters; they could not procure bullets of me, and said that they would go somewhere else and get them; I did not hear them call any names while there; I have been to Jefferson Market to recognize the persons who were arrested on suspicion; I do not recognize them as the persons who were at my store; I think the man outside had light clothes on and the others wore caps; I am not able to recognize the clothes shown me as the ones worn by the young men; I feel positive that the pistol shown me is the one I saw in possession of the young men.

William H. Gerde, residing at No. 265 Seventh avenue, being duly sworn, says: I was one day, week before last, shown a revolver pistol in the Station-House, supposed to be the pistol used in producing the death of Boyd; I recognized the pistol as one I formerly owned, but was robbed of on the night of the 21st of July; my store was then broken open, the lock picked and this pistol and $12 in good and $8 in bad money taken from the drawer; I did not suspect any one at the time or since; I keep a grocery store; I am sure the pistol was the one taken from my store; a lady living across the street told me that on the night I was robbed, about 2 o'clock she saw two persons, one dressed in light clothes, with a cap, and the other with a hat on, come out of my store.

Elizabeth Shally, residing at No. 66 West Eighteenth street, being duly sworn says: On the night of the 5th I was aroused by a disturbance in the street, and saw three persons running in the street; two men ran toward Seventh avenue; another who was in pursuit fell to the pavement; I do not know that they both ran down Seventh avenue.

James L. Coe, residing at No. 67 Fourth street, being duly sworn, says—I am a blacksmith; I know Thomas Farley; he used to work for me; he used to get on a spree every one or two weeks; he used to associate with Campbell, Lanigan and other boys around the neighborhood; the last that he worked for me was on Saturday previous to the murder in Eighteenth street; I saw him on the morning after the murder; I had a conversation with him; he looked to me as if he had been drunk over night; he had on an old black hat, and, I think, a pilot-cloth coat; I asked him what had become of his cap; he said he had lost it the night before; during the day he again wore a cap resembling the cap he wore before, and I asked him where he was at the time of the murder; he said he was at home in Thirteenth street, and said that some one came and told him of the murder; a few moments afterward he told me that he stopped over my place with a family that lives there, and that he heard the noise, and I think he said he went out; I do not know that he has worked any since he left my place; I paid him $5 50 last Saturday week.

Redmond Burke, residing at No. 109 Fifth avenue, being duly sworn, deposes and says—I do not know anything about the circumstances attending the murder of Boyd; I know Thomas Farley; he worked for me at one time; he told me the morning after the murder that he had been out late that night; he said he had just got in before the scrape; he said nothing that would lead me to believe that he was at Boyd's at the time.

Mary McLane, residing at No. 82 West Eighteenth street, being duly sworn, says—I own a blacksmith shop; I have known Farley for the last two months; he boarded with me for one week; the night of the murder he stopped in my house; he was drunk at the time; he came in about 11½ o'clock; he was very drunk at the time; about 1½ o'clock I heard the cry of murder; I went to the window, when I saw a man on the side-walk; he was naked; I heard him say "stop the blood;" he soon after fell; I heard the steps of persons running away, but did not see any one; I went to the sidewalk and raised the deceased's head; Farley slept in my bed-room, which is beyond the room where I and my husband slept; Farley remained in the house all night until 6 o'clock the following morning; he then wore a checkered cap; he did not take breakfast with us; he went out with my husband at 6 o'clock in the morning; he returned in ten or fifteen minutes; he remained till 9 o'clock; I saw him about during the forenoon; I did not see him wear a black hat that day; Farley wore a checkered cap all the forenoon; he did not wear a pilot cloth overcoat; when I returned from Rogers's I saw Farley in bed, and tried to awaken him, but he was so drunk I could not get him awake; I was out at Boyd's about fifteen minutes.

Thomas Gregg, residing at No. 76 West Eighteenth street, being duly sworn, says—I know Thomas Farley; I have seen him often; I saw him on the night of the murder; I saw him about 2 o'clock in the morning; he was at Mr. Boyd's store; I was just going in at the time when he came out of the door; he appeared to be somewhat intoxicated; I am positive that I saw him there; my umbrella knocked against his shoulder as I went in, which caused me to take a good look at him; he had light clothes on at the time.

Robert Boyd, residing at No. 72 West Eighteenth street, being duly sworn, deposes and says—I recognize the witness Farley; I saw him on the night of the 5th inst.; I first saw him an hour after we carried the deceased within the house; he was at the bedroom door, looking at the deceased; he appeared to be somewhat intoxicated at the time; I did not hear him speak; I thought he was intoxicated by the look of his eye; I knew him well by sight; he passed by my house nearly every day; I also saw Farley during the afternoon of that day, about 4 o'clock; he was in the street opposite where I live; Farley was not so drunk but that he was able to notice things which transpired at the time.

Ann Goodwin, residing at No. 83 Eighteenth street: I was in my own room on the night of the 5th of August; about 1 o'clock I heard a man halloo; the voice came from the street; I went to the door and saw nothing; I went back and awakened my husband; I again went to the door preceded by my husband; I saw no body in the street; I had a light in my hand; in about 10 minutes or more two policemen came into my store; they came in search of Frank Camble; I said I knew nothing of such a person; between 1 and 2 o'clock Mr. Farley and Mr. Callahan came in the store; neither of them remained; no other person came in; I had a candle in my hand when I went to the door; the candle remained lit all the time.

Thos. Farley, residing No. 42 West Thirteenth street, being sworn, says: During the day of the 5th of August I was in Eighteenth street; I was intoxicated most of the day; I remained about there until about 10 o'clock, when I went home, got my supper, came back again; I went then to McLane's house; this was about 11 o'clock; I got up about 6½, or near that time; I first heard of the murder the next morning; Mr. McLane told me of it; I lost my cap on Tuesday morning; I wore a black hat about two hours, when I afterward wore a black cap; the night of that day I found my cap; I suppose that my cap had been taken by one of the boarders.

John McGlone, husband of Ann McGlone, deposed to residing over the blacksmith's shop in Eighteenth street: I am not acquainted with Thomas Farley; he never lived at our house; he never stopped a week or more at my house; I did not see him on the day before the murder was committed, nor did I see him during the evening; he was not in our house at all that time; I went to bed between 10 and 11 o'clock on the night of the murder; about 2 o'clock I heard a man cry murder in the street, and my wife told me that Boyd was killed; I went out to assist deceased; Thomas Farley did not go with me; I remained at Boyd's until morning, and returned home when it was quite light; I did not see Farley in the morning; no one beside my own family stayed in my house that night; I slept in the front room with my wife, and I do not know that anybody was sleeping in the other room. A red-headed man took a walk with me next morning; he came to me a little before 7 o'clock; we went out to take a drink; he did not eat breakfast with us, and I did not see him the night before; this red-headed man is called Tommy; I don't know his other name; he never boarded at our house and never stayed all night; the morning after the murder Tommy was dressed in dark pilot overcoat and check cap; his clothes were dry; Tommy was perfectly sober that morning; I do not know where he lives, but have heard that he has a boarding-house in Christopher street.

The case was here adjourned until 3 p. m. this day, the Coroner committing Mr. and Mrs. McGlone to the cells for safe keeping.

CRICKET.

NEW-BRIGHTON vs. BROOKLYN.

The return match between these Clubs was played at Bedford on the 15th inst., the New-Brighton Club coming off victorious. The day was fine, and numbers of visitors were on the ground—many ladies among the number. Everything that could conduce to the gratification of the guests of the Brooklyn Club was done, even to the giving up of the ball. The batting, bowling and fielding on both sides were very good, but the bowling of Byron was the admiration of the field. He and Whightman—both excellent batsmen—were very unlucky at the wickets, both failing to add a single run to the score in either innings. Walden of the Brooklyn Club batted well in the first innings, and so did Garrison and Aylmer in both innings. Lillywhite, Vyse, Langford and Whittemore carried off the palm on the New-Brighton side as batsmen, and the latter long-stopped admirably. The following is the score:

NEW-BRIGHTON.

First Innings.		*Second Innings.*	
Lillywhite, l. b. w., b. Byron.	5	c. Austin b. Bloomfield	10
B. B. Whittemore, b. Byron.	0	b. Bloomfield	11
J. M. Pendleton, run out	0	not out	3
Langford, c. Whitman b. Bloomfield	3	c. Lawrence b. Bloomfield	2
Vyse, b. Byron	3	b. Bloomfield	7
Bradley, b. Byron	0	b. Byron	0
Rogers, l. b. w., b. Bloomfield	0	run out	3
F. Routh, c. Aylmer b. B'fld	0	c. C. Walden	2
S. Routh, b. Whightman	2	b. Byron	3
Rankin, not out	2	l. b. w., b. Bloomfield	1
W. Pendleton, b. Whight'n.	0	run out	2
Byes	14	Byes	26
Leg Byes	1	Leg Byes	1
Wides	3	Wides	5
Total	33	Total	79

BROOKLYN.

First Innings.		*Second Innings.*	
Whitman, c. Bradley b. Vyse	0	c. Vyse b. Lillywhite	9
Austin, b. Vyse	1	b. Lillywhite	4
Walden, b. Vyse	10	b. Lillywhite	0
Byron, b. Lillywhite	0	b. Lillywhite	0
Bloomfield, run out	2	b. Lillywhite	3
Mack, b. Vyse	4	c. Vyse b. Lillywhite	5
Lawrence, b. Vyse	1	l. b. w., b. Lillywhite	1
Garrison, run out	5	run out	2
Aylmer, c. Lillyw'te b. Vyse.	5	not out	5
Robinson, b. Lillywhite	1	c. Whittemore b. Vyse	0
C. Walden, not out	0	b. Vyse	1
Byes	1	Byes	5
Leg Byes	3	Wides	4
Wides	7	No Balls	1
Total	40	Total	31

Byron's bowling score in the first innings was as follows: Balls, 54; runs, 3; maidens, 7; wickets, 4; wides, 1. Whightman's was: Balls, 4; runs, 0; maidens, 1; wickets, 2.

The first match, between the Kings County Club of Long Island and the Manhattan Club of New York, will be played at Bedford to-day, the 18th inst. This will be the first match of the former Club, as they only organized this season.

QUARANTINE MATTERS.

OFFICIAL CORRESPONDENCE IN RELATION TO THE NEW HOSPITALS.

The following correspondence has passed between the Commissioners for the removal of Quarantine and Attorney-General Cushing in relation to the new hospital buildings at Seguine's Point:

OFFICE OF THE COMMISSIONERS FOR THE REMOVAL OF THE QUARANTINE STATION, No. 23 WILLIAM-STREET, NEW-YORK, Aug. 14, 1857.

HON. S. B. CUSHING, *Attorney-General.*

DEAR SIR: I have been directed by the Commissioners to obtain your opinion upon the following question, to wit: Under the act providing for the removal of the Quarantine Station, in whom is vested the power of determining the sufficiency or insufficiency of the buildings, &c., recently erected for temporary quarantine purposes?

An early answer to the above inquiry is respectfully and earnestly solicited.

Very respectfully, yours, &c.,
JOHN S. SNEDEKER, Secretary.

STATE OF NEW-YORK, OFFICE OF THE ATTORNEY-GENERAL, ALBANY, Aug. 17, 1857.

JOHN S. SNEDEKER, ESQ., *Secretary Quarantine Commis'rs.*

DEAR SIR: You ask, in behalf of the Commissioners, "in whom is vested the power of determining the sufficiency or insufficiency of the buildings, &c., recently erected for "temporary quarantine purposes under the 21st section of the "act creating the Commission."

I answer, unquestionably in the Commissioners for the removal of the Quarantine Station primarily, subject to be approved by the Governor, Lieutenant-Governor and Controller.

No other persons have any right to approve or disapprove, accept or reject those buildings.

Any suggestions or alterations made by the Governor, Lieutenant-Governor and Controller, the Commissioners must regard.

Those of any other persons or bodies are not binding; but if from those competent to advise, I respectfully suggest a compliance with such advice, if not inconsistent with the settled views of the Commissioners.

Very respectfully yours,
S. B. CUSHING, Attorney General.

LARCENY OF SUGAR BY STEVEDORES.—Ten more alleged sugar thieves have been arrested and locked up in Quarantine jail. The men were stevedores working on board the bark Oakland. Their names Jame Drew, Jos. Valpeau, John Kelly, Patrick Kelly, Michael McLaughlin, Thos. Morgan, Wm. Maherdy, Christian Alexander, John Miller and Thomas Sherwood. Drew and Valpeau had come on shore for provisions for the other stevedores, and were arrested at about 3 o'clock by special patrolman Sergeant Williams. Inquiry was made of these men as to their connection with the bark Oakland, and Officer Williams and others immediately started off in the steamtug Robert C. Smith, and boarded the bark Sarah Peters, where he found the other eight men busy unlading her of sugar also. He brought them ashore, together with their bedding, and lodged the ten men in Quarantine jail. They will be examined by Justice Deforest at the Tompkinsville Hotel, where he will hold Court at 9 o'clock a. m. Constable Giles refused bail for the men.

The alleged theft took place at 9 o'clock Sunday night. A small sail-boat was observed alongside of the Oakland, which was supposed to have carried off the plunder. The mate of the Oakland said he had missed four boxes of Havana sugar, and hundreds of pounds had been taken out of other boxes, over $300 worth in all. The thieves had a great many bags full of sugar stowed away secretly on board of the Oakland. The Custom-House barge assisted materially in the discovery of the robbery. The Oakland was from Havana, and has till within a few days been riding out her quarantine at the Lower Bay—she being considered in a dangerous state as to health; but, at the time of the depredation, she had come up to old Quarantine, and was discharging her cargo on lighters.

The captain was much surprised that the stevedores were the thieves, for he had felt himself safe, he said, from river thieves when the former came on board. They were generally hard-looking customers, but bore their arrest with considerable composure.

LAW INTELLIGENCE.

THE RIVAL STREET COMMISSIONERS.

THE CONOVER CONTEMPT—STILL ANOTHER INJUNCTION.

COURT OF COMMON PLEAS—AUG. 17.—Before Judge INGRAHAM.

The Mayor, &c., of New-York agt. D. D. Conover et al.

Judge Ingraham took his seat in the Common Pleas Court-Room at 10½ o'clock yesterday morning. There was a large crowd in the room. Of the parties interested, only Mr. Busteed, the Corporation Counsel, was present. It was said that Mr. Field was engaged in a private consultation with Judge Peabody of the Supreme Court.

Judge Ingraham—Mr. Busteed, are your orders prepared?

Mr. Busteed—They are not, Sir. They are prepared, I should say, but Mr. Sickles has them in his possession. I expect him in every moment.

Mr. Sickles came in immediately thereafter, and was followed by Mr. Fuller, of the office of Field & Sluyter, defendant's attorneys.

Mr. Fuller—If your Honor please, Mr. Field desired me to state to the Court that he was unavoidably detained for a few moments. He is on his way, and will be here soon.

Mr. Field soon after entered and handed a document to the counsel for plaintiffs, remarking that it would amount to a checkmate on them. The document is as follows:

THE FOURTH INJUNCTION.

At a Special Term of the Supreme Court held at the City Hall, in the City of New-York on the 17th day of August, 1857; present—Charles A. Peabody, esq., Justice.

Daniel D. Conover agt. The Mayor, Aldermen and Commonalty of the City of New-York, Charles Devlin and James C. Willet, Sheriff of the City and County of New-York.

On reading and filing the complaint with the affidavit of the plaintiff, and it appearing to the Court that sufficient grounds for an injunction exist, it is hereby ordered that the defendants, the Mayor, Aldermen and Commonalty of the City of New-York, show cause before this Court at a Special Term thereof, to be held at the City Hall of the City of New-York, on the 29th day of August instant, at 10 o'clock a. m., why they and their attorneys, counselors and agents should not be enjoined and restrained from any further proceedings in the action commenced by them as plaintiffs in the Court of Common Pleas, for the City and County of New-York, against the said Daniel D. Conover and other defendants, and now pending; or in any matter or proceeding supplemental or incidental thereto, or intended to enforce obedience to any order or process in the said action, or to punish disobedience of any such order or process. And it is further ordered that the defendant, James C. Willet, Sheriff of the City and County of New-York, show cause before this Court at the same time and place why he, his deputies and agents, should not be restrained and enjoined from executing or acting under or by virtue of any writ, warrant, order or process in such action, matter or proceeding; and that Charles Devlin show cause before this Court, at the same time and place, why he, and his agents and persons acting under him, should not be restrained and enjoined from performing or attempting to perform any of the duties of Street Commissioner of the City of New-York, or from interfering with the plaintiff in the performance of his duties as such Street Commissioner, or any property under his charge, until some right in the said Devlin be established by the proper action in the nature of *quo warranto* brought in this Court for that purpose.

And until the time for showing cause as aforesaid, and the hearing, decision and order thereon, it is ordered that the said defendants be, and they are hereby each and all of them, severally and respectively restrained and enjoined as aforesaid; that is to say, the said defendants, the Mayor, Aldermen and Commonalty of the City of New-York, and their attorneys, counselors and agents, are hereby strictly commanded and enjoined absolutely to desist and refrain from any further proceedings in the action in the complaint mentioned, which was commenced by them as plaintiffs in the Court of Common Pleas for the City and County of New-York against the said Daniel D. Conover and others, defendants, and is now pending, or in any matter or proceeding supplemental or incidental thereto, or intended to enforce obedience to any order or process in the said action, or to punish disobedience of any such order or process. And the defendant, James C. Willet, Sheriff of the City and County of New-York, his deputies and agents, are hereby strictly commanded and enjoined absolutely to desist and refrain from executing or acting under or by virtue of any writ, warrant, order or process, in such action, matter or proceeding. And the defendant, Charles Devlin, and his agents and persons acting under him, are hereby strictly commanded and enjoined absolutely to desist and refrain from performing or attempting to perform any of the duties of Street Commissioner of the City of New-York, and from interfering with the plaintiff in the performance of duties as such Street Commissioner, or any property under his charge, until some right in the said Devlin be established by the proper action in the nature of *quo warranto* brought for that purpose.

RICHD. B. CONNOLLY, Clerk.

Messrs. Brady, Busteed and Sickles, counsel for the plaintiff, read over the document attentively, and held a short consultation.

Mr. Sickles—May it please the Court, in the case of Conover against the Mayor and Aldermen, Charles Devlin, Sheriff Willet, and Constable Farrington, we have been served with two injunctions. "The cry we have been served with two injunctions. "The cry is, still they come." The first one appears to have been issued on the 13th of August, and to recite the filing of a supplemental complaint in the Supreme Court, in an action in which Daniel D. Conover is plaintiff, and the persons I have just named are defendants. The following injunction seems to have been granted by Mr. Justice Peabody. [He then read the injunction, which was published in THE TRIBUNE of Saturday.] This order was served, I believe, on Saturday last. This morning we are favored with yet another injunction. It seems to have been issued upon the idea that that former injunction was only for a day, not for all time—that it would not keep in this very hot weather. For the injunction of this morning—the very latest news from the Supreme Court—is almost in the very same language as the one I have just read. [Mr. Sickles here read the injunction given above, remarking that it was returnable on the 29th day of August, four days after the first injunction.] This last injunction order, of course, was entirely unnecessary. We have entertained the opinion all along, and have acted upon, and tried to enforce it, that an injunction issuing from any Court having power to grant an injunction should be respected and obeyed while it is in force. And in accordance with this view, as soon as your Honor's decision was promulgated upon the motions pending before you, the counsel on this side of the cause had a full consultation, and determined that, in view of this first injunction, issued from the Supreme Court, and out of respect to that tribunal and the learned Judge who granted the injunction, while that injunction shall remain in force, and until we have taken such measures as we propose to take, we should not appear before your Honor as movers in this proceeding. And under these circumstances we have only to suggest to the Court that we propose to take immediate steps for the dissolution of both of these injunctions, and that in the mean time it would perhaps be better—though we have no motion to make, under the strict terms of this injunction—it would perhaps be better that further proceedings in the cause in this Court be suspended until we can apprise your Honor of what action shall have been taken in the Supreme Court upon the motion which we shall make their in reference to these injunctions.

Mr. Field—I am very glad, Sir, that the learned counsel have come to the conclusion they have reached to-day, and I am very sorry that on Saturday they had not the same mind, so that I might have been relieved from the necessity of staying in town on Sunday.

Mr. Brady—We were of the same mind then.

Mr. Field—The injunction was served on Friday, and notwithstanding on Saturday they moved in reference to this matter here. I had nothing to say; they could do what they saw fit.

Mr. Sickles—Your Honor will remember that you fixed the day when the matter should be again brought before the Court, to wit, on Tuesday, and that day was fixed with reference to the proceedings in the contempt case. We had no voice in it. It is hardly necessary for me to say that a proceeding in this Court in relation to contempt is a proceeding of that kind in which the parties or counsel have little to do. It is a proceeding by the Court for the maintenance of its own dignity, and I suppose no gentleman, counsel or otherwise, will attempt to interfere with the Court.

Mr. Field—I hold that this whole proceeding has been, from beginning to end, an interference with the Supreme Court, or a Judge of that Court, and I take it this Court will not——

Judge Ingraham—That subject is not now before us.

Mr. Sickles—That was a reflection on the Court.

Mr. Field—By no means.

Judge Ingraham—If there is no further suggestion to be made, I shall enter the orders in this case upon the minutes of the Court in form as indicated on Saturday. Then, if I should not happen to be here, there can be no dispute as to the nature of the orders, and either party can move upon them. I will hear any suggestions.

Mr. Field—I do not know precisely what the Court proposes to do.

Judge Ingraham—I propose merely to make the same decision I did on Saturday, to go upon the minutes of the Court in the form of orders.

Mr. Field—The Court will bear in mind that the time proposed to adjourn this case to was shortened at my request, not lengthened. I was about saying on Saturday, what I will now say since the Court desires it. No order can be made in this proceeding, consistently with the law, as given in the Revised Statutes, and as adjudged by the Courts, for anything more than an attachment to bring Mr. Conover into Court to answer for an alleged contempt. I will give you, Sir, the authorities which show that, and that is all I can do. First, I refer you to 2d Revised Statutes, page 535, sections 5 and 19:

"Section 5. In all cases other than that specified in the last section (not the case before your Honor), the Court shall either grant an order on the accused party to show cause at some reasonable time, to be therein specified, why he should not be punished for the alleged misconduct, or shall issue an attachment to arrest such party and bring him before such Court to answer for such misconduct."

The order you granted was to show cause why an attachment should not issue, not to show cause why the defendant should not be punished. And when an attachment issues section 19 provides for the course to be next pursued:

"Section 19. When any defendant arrested upon an attachment shall have been brought into Court or shall have appeared therein, the Court shall cause interrogatories to be filed, specifying the facts and circumstances alleged against the defendant, and requiring his answer thereto; to which the defendant shall make written answers on oath, within such reasonable time as the Court shall allow."

The Court is then to cause interrogatories to be filed. It has no power to do anything else, none whatever. That is the course prescribed by the statutes, and it has three times been decided by the Court of Chancery. In 2 Paige's Chancery Reports, page 103, The People agt. Rogers, we have the first decision:

"The defendant in this case was brought up on attachment for a contempt in not complying with an order of the Court, directing him to deliver over his property upon oath to a receiver. The prisoner being in the custody of the Sheriff of the City and County of New-York, in execution on civil process, a habeas corpus was issued to bring him into Court. Upon the prisoner's being brought before the Chancellor an order was entered directing the relators to file interrogatories in relation to the contempt, specifying the facts and circumstances alleged against the defendant, and to serve a copy thereof upon him; and that the defend