a discretion vested in them in adjusting an unliquidated claim, or in admitting a claim as a counter charge and fixing its amount. (See 19 I. R., 259; 10 Wend., 363.) But where the claim is for a fixed salary, made payable by law by the city or other body, and the only question is the right to the office, or the legal title to the salary, the party may resort to an ordinary action in a court of law, and does not show that necessity for a Mandamus, which is the only ground upon which it issues. (The People vs. The Mayor, &c., of New-York, 25 Wendell, 680, 685; Ex parte Lynch, 2 Hill, 45; The People vs. Thompson, 26 Barber, 73; The People vs. Supervisors of Chenango, 1 Kend., 263.) No cause has been shown why the present relator may not have an action against the City of Brooklyn for his salary, if the statements which he makes are true and well founded. His application for a mandamus is therefore refused, without costs.

BROOKLYN ITEMS.

ATTEMPT AT ROBBERY.—On Wednesday night a man named John Heevey made complaint at the Sixth District Station-House against William Price, whom he charged with attempting to rob him. Heevey and Price were at an "opening" of a porter-house in Bushwick. Heevey boasted of having considerable money, and Price volunteered to take care of it. Heevey objected, when Price induced him to go out and lay down in the open lot to take a nap. Heevey suspected something wrong and watched his friend (!) and found him attempting to take what money he had from his pockets. Just at this time some friends of Heevey, who were noticing the proceedings, came forward and gave Mr. Price a severe thrashing, after which he was taken to the Station-House of the Sixth Precinct, and held for examination.

RUNNING WITH ENGINES.—At a meeting of the Fire Commissioners of the Western District on Wednesday night, they decided that all persons running with engines or other fire apparatus should wear the usual badge, conspicuously displayed, or a fire-cap. Any person neglecting to comply with these rules would not be considered as a fireman by the Chief Engineer.

THE CITY COURT.—There being no cases ready for trial yesterday, the Court adjourned until this morning, when it was announced the Jury would be discharged for the term.

DISCHARGED.—Wallace Durando, who was arrested on Monday evening on a charge of burglary, in stealing goods from the store of Edwin Ferry, at the corner of South Sixth and Sixth streets, was yesterday discharged by Justice Fox, there being nothing definite upon which he could be held. He was arrested on suspicion of robbing the store, the circumstances being such as to warrant the officer in making the arrest.

NEW-JERSEY ITEMS.

THE STORM.—The storm of yesterday morning did some slight damage in Jersey City. A chimney in the Hope Mills, in Hudson street, was struck, and some slight damage occurred to the building. The masts of two schooners near Long Dock were struck, and two of the men on board were slightly injured. No other damage of consequence was done.

DOGS.—About two hundred dogs have already been killed at the Fourth Ward Pound, in pursuance of a city ordinance. The animals are increasing daily.

THE NEW-JERSEY BANKS.—*The Trenton True American* publishes the quarterly statements of all the banks in the State, which, compared with the statements of April, show an increase in the following items: Capital, $332,640; deposits, $83,917; due to other banks, $81,830; of other debts, $67,503; surplus, $46,781; real estate, $5,366; stocks, $146,606; other assets, $123,082. And a decrease in the following: Circulation, $546,068; unpaid dividends, $15,287; notes discounted, $569,574; specie, $147,068; due by other banks, $421,362; notes and checks of other banks, $160,950.

Compared with July, 1857, there is an increase of $529,891 in capital, $38,105 in deposits, $10,063 in unpaid dividends, $63,364 in debts owing, $134,731 in specie, $9,421 in real estate, and $332,281 in stocks; and showing a decrease of $1,169,299 in circulation, $40,766 in debts to other banks, $15,751 in surplus, $2,440,057 in discounts, $77,063 in credits to other banks, $160,602 in notes and checks of other banks, and $126,998 in other assets. The banks are in a much stronger condition than they were a year ago. The number of banks, by the last statement, is fifty-one against forty-six in July last. Two of the latter, viz: America Bank at Trenton, and the Bergen County Bank at Hackensack, have been closed, and seven new ones added, viz: The Lambertville Bank, at Lambertville; the Artisan, at Trenton; the Mount Holly, at Mount Holly; the Millville, at Millville; the Ocean County, at Tom's River; the Merchants', at Paterson; and the Bank of Trade, at Tom's River. The capital of these banks, added to a small increase some of the older banks, has increased the bank capital of the State within the last year by the sum of $529,591.

NEW USE FOR THE PHOTOGRAPH.—Speaking of the photographic copy of the Declaration of Independence taken upon a surface no larger than a pin's head, which may now be seen in Salem, and can be read with a powerful microscope, *The Salem Gazette* says:

"When such success in reducing the size of documents and likenesses has been attained by the photographic art, it is easy to imagine what might be accomplished in time of war by the use of the microscope. The most important official document could be contained in an ordinary vest button and worn with impunity by a spy in an enemy's camp, or by a traitor eager to injure an active army of his own country."

MARRIED.

BALL—KEARNES—At South Amboy, N. J., on Monday, July 12, by the Rev. Charles S. Little, Erastus Ball and Margaret Kearnes.

CHIRNEY—LAWS—On Wednesday, July 21, by the Rev. Mr. Woods, Alfred Chirney of this city, to Miss Edna A. Laws of Islip, Long Island.

MERRIAM — HIPPEAU — At Beersheba Church, Saratoga Springs, on Monday, July 19, by the Rev. Robt. C. Rogers, James S. Merriam of this city, to Herminie K., eldest daughter of Prof. Celestin Hippeau of the University of Caen, France.

DIED.

BEST—On Thursday, June 24, at the residence of his mother-in-law, Mrs. Irwin, Jerrilspass, Ireland, Mr. Edward Best, late of Hoboken, N. J., aged 29 years.
"Blessed are the dead which die in the Lord."

BURK—At No. 66 James street, on Wednesday, July 21, James Burk, aged 42 years, a native of Ballorigan, County Dublin, Ireland.

CLUNAS—At Cornwall, Orange County, N. Y., at the residence of Mr. James G. Roe, on Monday, July 19, Theodore, son of James and Elizabeth Wirt Clunas of New-Orleans, aged 5 months and 11 days.

DUBOIS—On Wednesday, July 21, Mary Dubois, of consumption, in the 73d year of her age.
Her remains will be taken to Newburgh for interment.

DUNCAN—At Irvington, on Tuesday, July 20, Anna Isabella, youngest daughter of John Duncan.

EGBERT—At No. 212 West Twenty fifth street, on Wednesday, July 21, Joel A. Egbert, of consumption, aged 24 years, 6 months and 13 days.

FLYNN—At No. 95 West Nineteenth street, on Wednesday, July 22, of water on the brain, Ann, youngest daughter of Daniel and Margaret Flynn, aged 2 years, 4 months and 10 days.

GAVEY—On Wednesday, July 21, Josephine Louisa, daughter of Daniel and Helen Gavey, aged 13 years and 5 months.
The friends and relatives of the family are respectfully invited to attend the funeral on Friday, the 23d inst., at 1 p. m., from the residence of her parents, No. 272 West Thirty-seventh street.

GILLESPIE—At No. 333 West Thirty-third street, on Tuesday, July 20, of a lingering illness, Patrick Gillespie, aged 37 years.

HAMILTON—At No. 161 Ferry street, on Wednesday, July 21, Elizabeth Hamilton, wife of Moses J. Hamilton of this city, aged 19 years.

HIGGINBOTOM—In Brooklyn, on Tuesday, July 20, of consumption, Ann Thornton, wife of John Higginbotom, aged 36 years.

JEWETT—Suddenly, at Trenton Falls, on Tuesday, July 20, George W. Jewett, jr., in his 18th year, son of George W. Jewett of Port Richmond, Staten Island.
Funeral from the house of his grandfather, No. 44 Monroe place Brooklyn, on Friday, 23d inst., at 3 p. m.

McDERMOT—On Wednesday, July 21, at Nyack, William, only child of William and Jennie McDermot, aged 11 months.
The funeral will take place from No. 50 West Forty-fifth street, on Friday afternoon at 2 o'clock.

McKEON—At No. 543 First avenue, on Tuesday, July 20, of consumption, John McKeon, aged 30 years, a native of the County Roscommon, Ireland.

QUACKENBUSH—On Tuesday evening, July 20, Samuel Harriott, eldest son of Benjamin Quackenbush.
The relatives and friends of the family are requested to attend his funeral, from No. 35 Hammond street, on Friday, July 23, at 3 o'clock p. m.

SEAMAN—At No. 21 Hamilton street, on Tuesday, July 20, Cornelia Cecelia, daughter of Catharine and Victor Seaman, aged 1 month and 18 days.

STEVENS—At Newark, N. J., on Monday, July 19, Elizabeth, widow of Major Wm. Stevens, deceased, aged 67 years.

WEBB—In this city, on Wednesday morning, July 21, of congestion of the brain, Susan Alvina, only child of Alvin and Sarah Webb, and grandchild of John and Susan Dugan, aged 11 months and 13 days.

WIGLESWORTH—At Richmond, Va., on Monday, July 19, of typhoid fever, Robert J. Wigglesworth, aged 33 years. He was foreman in the office of The South.

WILLIAMS—At Georgetown, D. C., on Tuesday, July 19, Betsey Williams, colored, aged 110 years.

COMMERCIAL MATTERS.

Sales at the Stock Exchange....JULY 22.

2,000 Tenn. State 6s, '90..	92½	100 Harlem Railroad	11½
12,000 do	93	125 do	11½
1,000 Virginia 6s	93	100 do	11½
3,500 Ohio State 6s '86	107½	100 Reading Railroad	45½
12,000 Missouri State 6s	85½	100 do	60 45
1,000 City 7s 1870	99	100 do	30 45½
2,000 Erie R.R. 4th M. Bds	52	100 do	45½
4,000 Erie R.R. Co. Bs, '77	92	50 Michigan Central RR.	59
2,000 Mich. Cen. R.R. 7 ⅌ cent 1st Mg. S. F. cvt. bonds	96	150 Mich. S. and N. Ia. RR.	23
2,000 Mich. So. 5⅌ Pd. Bds.	67½	53 Mich. So. & N. Ia. Prf. Stk.	45
7,000 La. C. & Mil. L. G. Bs.	31	50 do	60 45½
2,000 do	31½	105 Panama Railroad	165
7,000 Harlem R.R. 2d Mg.	77	100 Illinois Central Railroad	75½
5 Bank of Commerce	105½	150 do	60 75
29 do	105½	6 do	75
5 Amer. Exchange Bank	106	100 do	75 75½
5 Park Bank	101	20 Galena & Chicago R. R.	90
43 Metropolitan Bank	107½	207 do	90½
25 East River Bank	50	100 do	60 69½
200 Nicaragua Transit Co.	2½	50 do	90 9
120 Pennsylvania Coal Co.	80	100 Cleveland & Toledo RR.	36
500 Cumberland Pref.	b30 17½	600 do	36½
200 Pacific Mail S. S. Co.	17½	200 do	36½
56 do	17½	20 do	36½
15 do	18	200 do	b60 36½
100 Gardiner Gold Co.	1	300 do	10 36½
100 New-York Central RR.	85	50 Chic. & R. Isl. R.R.	b60 77½
110 do	85½	300 do	60 77
10 do	60 85	150 do	77½
200 do	85½	100 do	77½
50 Erie Railroad	18½	50 do	b30 77½
350 do	18½	42 Milwaukee & Miss. R.R.	17½
50 Hudson River Railroad	28½	100 do	17½
162 La Crosse & Mil. R. R.	5	58 do	17½
		100 do	60 17

SECOND BOARD.

80,000 Missouri State 6s	b60 86	200 Mich. So. & N. Ia. RR.	b30 23½
8,000 Brooklyn City 6s	97	250 do	b10 23½
1,000 L. Erie & West M. Bds	63½	150 do	b30 23½
1,000 La C. & M. L. G. Bds.	31½	50 Mich. So. & N. Ia. pf. stk.	45½
100 Pacific Mail Co	89	10 Ill. Central Railroad	76
50 do	89½	300 do	b60 75
215 do	90	50 Panama Railroad	b60 165½
100 N. Y. Central R. R.	85½	42 Galena & Chicago R.R.	91½
750 do	85½	50 do	b15 91
100 do	b30 85½	100 do	b30 91
200 do	43 85½	100 Clev. & Toledo R.R.	37½
50 Erie Railroad	18½	300 do	37
120 Hudson River R. R.	28½	600 do	b3 37½
100 do	b60 28½	100 Chi. & R. Isl. R.R.	b60 78
120 Harlem Railroad	11½	*50 do	78
200 do	11½	100 do	77½
200 Reading Railroad	41½	100 do	b30 77½
200 do	10 45½	100 do	77½
200 Mich. So. & N. I. R.R.	23½	300 do	b30 78
400 do	b60 23½	50 Mil. & Miss. Railroad	17½

SALES BY AUCTION.

1,000 Detroit 7⅌ cent Bds	90	15 Knick. Fire Ins. Co.	133½
1,000 N. Y. & N. H. RR. 6s	94½	20 Rockaway Fire Ins. Co.	116
2,000 Missouri 6⅌ cent Bds	85½	5 East River Fire Ins. Co.	103
400 N. Y. City 5⅌ ct. st.	98 94	24 Chatham Bank	63½
500 Gr. W. M. Ins. Scrip	57 55	50 Cleve. & Pitts. RR.	10
600 Gr. W. M. Ins. Scrip	58 45½	650 Gardi Gold Mg Co ⅌ s.	7½
500 Ori. Mu. Ins. Scrip	58 25	Draft on W. Jarvis, for $2,737 22, due Oct. '57	20
1,000 Ori. Mu. Ins. Scrip	58 24	15 Ætna Fire Ins. Co.	102
4,000 Missouri 6s	85½	10 East River Fire Ins. Co.	99
2,000 Milwaukee City 7s	70½	10 Commerce Fire Ins. Co.	101
3,000 Mil. & Hori. RR 8s	50	10 Harmony Fire Ins. Co.	93
50 parts Am., Atl. & Pacific S. Canal	$9⅌ ¢ $100 a part	10 Phoenix Fire Ins. Co.	139
10 Harmony Fire Ins. Co.	106	15 St. Nicholas Bank	96
5 Columbian Ins. Co.	109½	10 Hanover Bank	90
10 Gerard Fire Ins. Co.	92½	29 Pacific M. Steamship Co	88
20 Ætna Fire Ins. Co.	110		

THURSDAY, July 22—P. M.

There was quite an important change in the movements of the Stock market to-day, and a large business at both sessions of the Board at improving prices. The operating parties were unusually well scattered over the Board, and the distribution of business indicated more decidedly than for some time past the presence of outside orders. At the First Board the transactions were largest in Toledo, Rock Island, Galena and Reading, all at an advance on closing prices of yesterday. The Western shares particularly seemed in greater favor, and for the three above-named there was an active and sustained demand. This more favorable feeling in regard to Western railways is influenced by recent accounts of their business prospects, which are quite encouraging. The crop movements are accelerated by the recent advance in Breadstuffs, and the old crop is now pushed forward rapidly—much to the advantage of the freight business of the railways. The afternoon session was the most exciting one witnessed for several weeks. The upward movement was quite general. Rock Island went up to 78, with sales of 1,250 shares, closing a fraction lower, but quite strong. Galena touched 91½, but also flagged a little in closing transactions. Michigan Southern took a start and went up to 23¾ and 23½ on short time. The decrease of business on this road has been quite light recently, as compared with other lines at the West, and it is stated that the affairs of the Company are gradually getting into a more satisfactory condition. New-York Central, Hudson River, Harlem and Illinois Central were also better, though not quite so prominent in the transactions as the stocks before named. One of the most important advances of the day was in Pacific Mail Steamship Company, which from 87½ in the morning went up to 90 in the afternoon, and closed at the price bid. The expectation of an extra dividend has given this impulse partly, and the demand for short stock has assisted the movement very much. The experience of the bears in Pacific Mail, Galena and Rock Island has had a dampening effect upon their operations, and there is much less disposition now to make new contracts for a decline. The advantages of speculation are strongly with the bulls, and nothing but the apathy of outsiders has enabled their opponents to carry even a temporary success. In Bonds a fair business was done at full prices. State Securities are quite firm. Missouris, Virginias and Tennessees show a slight improvement. La Crosse Land Grant Bonds advanced to 31½. The closing prices were, for New-York Central, 85½@⅞; Rock Island, 77⅞@⅞; Erie, 18@⅛; Michigan Southern, 23¾@⅞; Galena, 90½@⅞; Reading, 45½@⅞; Toledo, 36⅞@37; Milwaukee and Mississippi, 17½@⅞; Pacific Mail, 90@⅞; Missouri 6s, 85½@⅞, &c.

The Exchange market is quiet and steady at previous rates.

Freights are firm. To Liverpool, 3,560 bbls. Flour at 2s. @2s. 1½d.; Grain at 7d.; 800 bales Cotton at 3-16@7-32d.; 500 bbls. Rosin at 1s. 9d. To London, 600 bbls. Flour at 2s. 9d.; 100 half tcs. Tobacco at 8s.; 50 small boxes do. at 2s. 9d.; 10 tuns Whalebone at ⅛c.; 25 tuns Oil at 30s. To Glasgow, 60 bales Cotton at 3d.; 23,000 bushels Wheat at 7½d., in ship's bags, part yesterday; 4,500 bbls. Flour at 2s. 4½d.; and by steamer Edinburgh, 1,500@2,000 bbls., to fill up, on private terms. A schooner to Bangor, with flour at 17½c. A vessel of 170 tuns, from Norfolk out to Windward, with Staves at $12.

The business of the Sub-Treasury was: Receipts, $175,155 70—$149,000 from Customs; Payments, $96,196 85; Balance, $5,199,298 54.

The Leather Manufacturers' Bank pays a dividend of 5 ⅌ cent on the 2d August.

The Manhattan Gas-Light Company has declared a dividend of $2 50 ⅌ share on full stock, and a proportionate amount on scrip stock, payable on demand.

The Home Insurance Co. have declared a semi-annual dividend of 12 ⅌ cent.

S. Draper's daily auction sale of bonds and stocks will take place to-morrow (Friday), at 12½ o'clock, at the Merchants' Exchange.

The new $50,000 loan of Hamilton County, Ohio, which includes the City of Cincinnati, has been awarded to Messrs. Thompson Brothers, bankers, of this city. The bonds bear 8 ⅌ cent interest, payable semi-annually in New-York. Principal due in five years. The loan was made for the erection of a Lunatic Asylum.

The following is a statement of the earnings of the New-York Central Railroad for the month of June, 1858, compared with its earnings for the corresponding month of the previous year:

1858	$455,574 51
1857	571,656 42
Decrease	$106,081 91

The earnings of the Pittsburgh, Fort Wayne and Chicago Railroad Company, during the month of June, were as follows:

From Freight	$99,251 53
From Passengers	38,430 42
From Mails	4,492 23
From Rent of Road	5,300 00
Miscellaneous	137 17—$107,611 41
Earnings during same month last year	130,321 43
Decrease	$22,635 99

The expenses in June, 1857, were	$94,317 31
The expenses in June, 1858, were	78,290 54
Decrease	$16,026 77

The net earnings in June, 1857, were	$36,004 09
The net earnings in June, 1858, were	28,543 87
Decrease	$7,460 22

The earnings for the half year ending June 30, 1857, were	$920,559 87
The earnings for the half year ending June 30, 1858, were	707,640 19
Decrease	$112,940 63

The expenses during the same period in 1857 were	$521,107 37
The expenses during the same period in 1858 were	436,024 15
Decrease	$84,983 74

Net earnings during the same period in 1857 were	$299,572 95
Net earnings during the same period in 1858 were	271,616 39
Decrease	$27,956 56

Edgar Thompson, esq., President of the Pennsylvania Central Company, has been elected to the Presidency of this Company, which is now, in fact, part of the Pennsylvania Central route.

We have received, in advance of publication, a proof of the Report of the Norwich and Worcester Railroad Company, and give the figures below. It will be observed that this Road, once and for so long a time a football in the Stock market, is quietly coming into life as a solid, well-managed road. The floating debt is entirely extinguished, and the bonded debt, it will be seen, entirely manageable, and being reduced by the sinking funds applicable thereto. In stating the liabilities of the Company, it is a commendable feature that no attempt is made to reduce them by the deduction of assets. The business of the Road was $58,000 less than for the previous year:

The Directors of the Norwich and Worcester Railroad Company present their Nineteenth Annual Report.

The Receipts of the Company for the year ending May 31, 1858, were $265,416 65, from the following sources, viz:

Passengers	$117,384 74
Freight	135,096 21
Mail Service, Rental, Express, &c.	12,935 70
	$265,416 65
The Expenses for the same period were	220,850 07
Net Receipts for the year	$44,566 58
Interest paid for the year	40,334 39
Net receipts	$4,252 19

Included in the disbursements for the year is the cost of a new Engine-House and Coal Wharf, $10,450.

The Debt of the Company is $724,183 10.

Loan of State of Massachusetts, due July 1, 1877, at 6 ⅌ cent interest	$400,000 00
Less Sinking Fund which is to be increased at the rate of $10,000 per annum, with interest compounded every 6 months	50,000 00
	$370,000 00
Bonds due August, 1860, at 6 ⅌ ct. int.	$205,500 00
Less Sinking Fund	29,261 46
	176,238 54
Bonds due January 1, 1860, at 7 ⅌ cent	16,000 00
Scrip issued for Dividends and redeemable in Bonds of the Com'y, at 7 ⅌ ct. int., due in 1864 and 1874	55,330 38
Bonds, issued for Scrip, due in 1864 and 1874	67,000 00
Loan secured on Depot property at Norwich	19,300 00
Loan secured on Extension Road	20,000 00
Bills payable	4,420 00
Accrued interest	5,620 56
Balances due to other Companies and individuals	10,273 64
Total Debt of the Company	$724,183 10
Of which the entire amount of Floating Debt is	$20,314 29
For the payment of which the Company have cash on hand, bills receivable and balances due the Company amounting to	$35,622 84
In addition to the above Assets, the Company has on hand 5,674 cords of Wood—value	$13,813 37
Iron Rails	8,083 25
Ties, Lumber, Spikes, Iron, Oil, &c., amounting in the aggregate (including the above) to	37,149 12
The Company also own Real Estate, not needed for the use of the Company	17,423 45
The Engines, Cars and Machinery belonging to the Company, are valued at this time at	176,792 01

At the meeting of the New-Albany and Salem Railroad Company, to-day, a Committee was appointed to appeal to the bondholders for aid to extricate the concern from its embarrassments.

The business of the Clearing-House was $16,675,088.

There is an active demand for Land Warrants, and prices have advanced 1c. ⅌ acre. In Treasury Notes there is a good inquiry, and rates are firm. About $400,000 3 ⅌ cents have been sold recently, and are now held at 50c. discount ⅌ $1,000. The 4½ ⅌ cents, ⅛ prem.; 4½ ⅌ cents, ⅜@½ prem., and the 5 ⅌ cents, ⅜@½ prem.

It will be seen under our telegraphic head that the Cleveland Railroad Convention did not accomplish much. It was, we understand, very thinly attended.

We hear that the transportation lines between this city and Boston have reduced the passage fare to $3.

The tolls received upon all the canals of this State for the present season were as follows:

Second week in July, 1858	$64,672
Second week in July, 1857	76,039
Decrease in 1858	$11,367
Tolls rec'd from opening of navigation to July 15, 1858	$758,915
Tolls rec'd from opening of navigation to July 1, 1857	653,216
Increase over 1857	$105,699

The amount received for toll on all the canals during the second week of July, and to the 15th of July, in the years given below, is as follows:

	Second week in July.	To July 15.
1858	$64,672	$758,915
1857	76,039	653,216
1856	84,134	788,890
1855	77,771	927,620
1854	84,283	1,080,606
1853	97,961	1,169,178
1852	88,681	1,119,943

The Milwaukee and Mississippi Railroad Company propose to fund their matured and maturing coupons up to Jan. 1, 1859, on their Farm Mortgage and convertible Bonds, by exchanging their 8 ⅌ cent Third Mortgage Bonds at par for these coupons. These 8 ⅌ cents are payable in 1862, the interest payable half yearly in New-York, and the surplus earnings of the road are pledged for the payment of such principal and interest.

In regard to Dry Goods, *The Independent* says:

"There is some incipient movement in the market, but more with regard to domestic than imported goods. The stockholders of the Bay State Mills have decided that the goods of the Company, mostly shawls, be sold forthwith. There will consequently be a large auction sale, which will be the opening of the Fall season. There is a fair demand for staple cotton, which commands steady prices. In woolens, the demand is active only for fancy cassimeres, of which the supply is increasing. Foreign silk goods, of fancy styles, have been imported rather more freely of late, and a limited demand exists, hardly sufficient, however, to constitute an opening of trade for the season. The month is generally a heavy month for imported goods, but this season the importations are very light, and are composed mainly of desirable goods. Many, however, of the goods have gone into public warehouse."

In the United States District Court, held at Cleveland, Ohio, the following decision has been made in the case of Mortgagees and Trustees of the Steubenville and Indiana Railroad vs. The Treasurer of Tuscarawas County, who seized the rolling stock for taxes. The Mortgagees asked for a perpetual injunction against the tax-gatherer on the ground that:

"The Company was unable to pay the interest or principal of said bonds or to replace said locomotive and cars in case the same should be sold; that the use and possession of the same were absolutely necessary to the operation of the road by the Company; and that a sale of the property by the Treasurer would be of irreparable injury to the holders of said bonds."

Judge McLean held:

1. That the power of taxation is a sovereign political power, and a branch of the power of eminent domain. That if the manner of assessing and collecting taxes prescribed by the Legislature be not in conflict with the Constitution, and the officers charged with that duty conform, in their action, to the law, no court can restrain or interfere with these officers in the discharge of their duties.

2. That the lien of the State for taxes is paramount to all private rights vested under the Government. Individual liens cannot come in competition with the lien of the State for taxes.

3. That the lien of the State for taxes attaches to personal property upon the seizure of the same as in cases of levy by marshals or sheriffs; and when such property is seized for taxes due the State, it is in the custody of the law under a paramount lien, which cannot be displaced by the liens of individuals upon the same property.

4. That the relation of the complainants to the Steubenville and Indiana Railroad Company is defined by the terms of the mortgage conveyances to them. That default in the payment of the interest or principal of the bonds secured by the mortgages did not vest the road and its equipment in the complainants as mortgagees, but authorized them to take possession of the road and run it as the agents of the Company, or to sell the road at public sale. That the ownership of the property could only be changed by a sale of it, and that no sale having taken place, the Company, and not the complainants, were the owners of the property.

Temporary injunctions dissolved and bill dismissed at the cost of the complainants.

The Trenton American of this morning states that process has been issued from the Court of Chancery of New-Jersey, citing the officers of the Bank, at Tom's River; of the Stock Security Bank and the Bergen County Bank at Hackensack; of the Merchants' Bank at Paterson, and of the Artisan Bank at Trenton, to show cause why they should not be restrained from the further business of banking.

We have a copy of the annual report of the Chicago, Burlington and Quincy Railroad Company, from which we extract the annexed statement of the result of the business of the year. The earnings of the road the past year have been:

For transportation of Freight	$1,053,117 65
For transportation of Passengers	430,290 76
For transportation of Mails, Express, etc	21,168 30
Total Earnings	$1,505,166 71
The operating expenses for the same time have been	$694,399 66
Interest on Bonds	164,826 11
Taxes	3,653 15
Interest and Exchange account	45,144 23
Excess of rent and operating expenses over earnings on Peoria and Oquawka Road, for three years	21,369 46
Five per cent dividend, declared Aug. 1, 1857	291,465 60
Total expenditures chargeable to income account	1,193,252 31
Balance of net earnings, May 1, 1858	$311,914 40
Add adjusted balance of income account, May 1, '57	77,049 40
Balance of income account, May 1, 1858	$388,963 80

The directors state that although by reason of the decreased business of the country, the revenues of the road have not equaled their expectations, yet the net earnings have been sufficient to justify the usual semi-annual dividends, if the money had not been used in the payment of the floating debt. Although the gross earnings have fallen off $135,361 33, the operating expenses have also been $161,124 01 less than those of the former year, showing a net gain of $25,762 68.

The bonded debt of the Company is $3,158,000. Floating debt, 306,006. Capital stock, $4,631,540. Against the floating debt the Company have $120,049 of cash assets, and the Peoria and Oquawka Company owe them $166,500. The income account stands as follows:

CHICAGO, BURLINGTON AND QUINCY RAILROAD COMPANY IN ACCOUNT WITH INCOME ACCOUNT.

Dr. May 1, 1858.		
For materials on hand, as per report of date	$134,985 00	
Less bills of purchase, subsequently adjusted $29,398 02		
Less credit balance, as per report	28,537 50— 57,935 60	$77,049 40
For freight earnings		$1,053,117 65
For passenger earnings		430,890 76
For mail and miscellaneous earnings		21,168 30— 1,505,166 71
Total		$1,582,216 11
Cr. May 1, 1858.		
By balance of dividend of December, '56	$285 00	
By dividend of July, 1857	291,465 60	
By transfer office expenses	1,900 00	
By balance taxes of 1856	13,991 90	
By taxes of 1857	16,751 85	
By interest on Bonds	148,636 11	
By interest and exchange	45,144 23	
By excess of rent and operating expenses over earnings on P. and O. Road for three years	21,369 46	
By operating expenses for 12 months	694,399 66—	$1,193,252 30
Balance		$388,963 80

Of the above balance, $91,098 80 has been paid for the purchase of $105,000 on Chicago and Aurora Second Mortgage Bonds, which have been canceled and deposited with the Trustees of the Sinking Fund.

The Directors state that the money advanced to the Peoria and Oquawka Company will probably be refunded through a purchase of the west end of that road for about $1,187,500. They say that this road must be bought or a new one built. The experiments with coal-burning engines prove that a saving of 50 ⅌ cent can be made by the use of coal over wood. The Report says:

By reference to the report of last year, it will be seen that our bills payable amounted on the 1st day of May, 1857, to over $704,000. All but about $70,000 of this sum consisted of advances to the Peoria and Oquawka and Northern Cross (now Quincy and Chicago) Railroad Companies. These advances, or a large portion of them, it had been confidently anticipated, would be available when due, in January and March, 1858, for the payment of our liabilities; but subsequent experience indicated that they could not be relied upon for that purpose. Our liabilities had been increased by the purchase of $50,000 Northern Cross bonds, pursuant to contract of January 1, 1855, and by the payment for 4 locomotive engines and 150 house freight car, contracted for prior to last report, and payments for depot grounds previously purchased—in all, about $210,000; and while the Directors regretted the necessity that existed of withholding the dividend from stockholders during the extraordinary disturbances in the financial matters of the whole country, they could not doubt the propriety of using all the revenues of the road in paying the outstanding liabilities of the Company, rather than to pay the exorbitant interest that would have been required to carry such debt; and notwithstanding this application of them, it was found quite impracticable to carry the balance of the debt without recourse to a sale of its bonds. Consequently, in January last, they sold $563,000 of bonds, for which they have realized $400,346, which has been applied in liquidating their debts.

The balance of the floating debt can be extinguished very soon out of our earnings, unless all our calculations are disappointed.

The report suggests the propriety of building a new track from Aurora to Chicago, and abandoning the use of the Chicago and Galena Road, or the purchase from that Company of its south track from the junction to Harlem, and half of the south line of that road from Harlem to Chicago. Such a new track could be built with the $800,000 reserved mortgage bonds, and the cost of interest, &c., would be less than the rent now paid to the Chicago and Galena Company. The Directors say, in conclusion:

Notwithstanding the diminished income of the road, consequent upon the extreme depression in business, and the sacrifices that have been made during the financial disturbances of the past fiscal year, the Directors have undiminished confidence in the success of the enterprise in which we are engaged.

From past experience, we have learned the propriety and necessity of avoiding a floating debt, and of providing and keeping on hand such surplus earnings as shall secure to stockholders, under any temporary reverse, regular semi-annual dividends.

The Chicago Times of the 20th inst. says:

"During the last week there have been received at Chicago 11,007 bbls. of flour, 262,395 bush. wheat, 359,906 bush. corn, and 150,500 bush. oats, equivalent to 830,876 bush. grain. The total receipts of the season thus far are 244,450 bbls. flour, 5,690,520 bush. wheat, 3,757,100 bush. corn, and 1,522,237 bush. oats—making a total of over 12,000,000 bush. grain, namely, 12,192,107.

The receipts at this time last year were 115,000 bbls. flour, 2,025,000 bush. wheat, 4,000,000 bush. corn, and 520,000 bush. oats, equal to 7,110,000 bush. grain, and showing an increase in the receipts of this year of 5,082,107 bushels.

"The shipments of the last week have been 7,664 barrels flour, 216,217 bushels wheat, 389,978 bushels corn, and 151,153 bushels oats, equivalent to 795,698 bushels of grain. The total shipments of the season thus far are 197,808 barrels flour, 5,825,528 bushels wheat, 3,020,617 bushels corn, and 1,158,381 bushels oats—making a total of eleven million bushels of grain, namely, 10,993,516.

"The shipments at this time last year were 71,000 barrels flour, 1,800,000 bushels wheat, 2,900,000 bushels corn, and 160,000 bushels oats—making a total of 5,215,000 bushels, and showing an increase in the shipments of this year of more than the entire amount shipped at this time last year, namely, 5,778,516 bushels.

"The receipts of lumber for the last week were 6,810,000 feet—making the total receipts of the season 165,974,872 feet."

From The North American, July 21.

We publish to-day a long but very interesting report just made by a Committee appointed by the last Legislature of this Commonwealth to investigate the affairs of sundry new banking corporations in the interior. The exposé is calculated to be very useful, as showing how the speculators of New York State are in the habit of dabbling in financial matters in Pennsylvania, with a view to swindling the community as thoroughly as they do their own folks at home. A similar investigation in New-Jersey lately, by the Governor and other officials, developed a state of things even worse.

The first of these Pennsylvania banks, all of which were chartered at the Legislative session of 1857, is the Tioga County Bank. The letters patent state that the subscription amounted to 1,069 shares, and the Committee found that 1,040 of these had been subscribed and the first installment paid in a single day, by certain Buffalo financiers, of whom Wells D. Walbridge, for himself and various females, took 640 shares, while Ed. E. Thayer of Buffalo took 200 more, and J. W. Brawley took the remaining 200. Thayer belongs to a nest of financiers of that name in Buffalo, one of whom opened the bank, and at once entered discounts to the amount of $20,655, all to Buffalo parties. G. B. Steers of Buffalo, who was elected Teller of the bank, says that upon taking charge of it there was a deficit of $6,373. The discounts now amount to $80,066 38, nearly all of which has been to Buffalo parties, and all, except one note of $1,100, in sums of from $5,000 to $8,500. The Thayers and Walbridge figure either as drawers or indorsers in nearly all of them. It is clear that the bank was purely speculative, the subscription notes having been immediately discounted.

The same parties appear to have been the operators in the new Bank of Crawford County. To this concern 1,534 shares of stock were subscribed, of which 1,210 were held by the Buffalo gang, and the rest by J. Porter Brawley, as one of the same party, except about 44 shares. This subscription was paid in Tioga County Bank notes, being chiefly the $20,155 discounted at the organization of that concern, except about $400 paid in specie. The bank has a circulation of $34,055 against $2,768 84 in gold and silver, and its discounts reach $127,917 52, of which $63,800 has been to parties out of the State. The Teller states that he and the President ordered at the same time the engraving of the plates for both this and the Tioga County Bank.

The Thayers again figure as the parties taking the stock of the new Shamokin Bank, of which the whole subscription was 1,640 shares, while they and their associates took 1,520 shares. One of the Thayers settled for all the stock subscribed by persons not residing in Shamokin and paid no money except $7,000 in gold and $28,000 in notes of