SOUTHAMPTON and HAVRE.—The NORTH ATLANTIC STEAMSHIP COMPANY will dispatch for the above ports their splendid steamship ADRIATIC, Capt. J. J. Comstock, carrying the United States Mails, on the following days, from Canal-st. Wharf:

| LEAVE NEW-YORK. | LEAVE HAVRE. |
|---|---|
| SATURDAY, April 14. | TUESDAY, May 8. |
| SATURDAY, June 2. | TUESDAY, June 19. |
| SATURDAY, July 14. | TUESDAY, July 31. |
| SATURDAY, Aug. 25. | TUESDAY, Sept. 11. |
| SATURDAY, Oct. 6. | TUESDAY, Oct. 23. |

and Southampton the day after leaving Havre.

The Adriatic is undoubtedly unexcelled by any steamship in the world for comfort, safety, and speed. She has water-tight compartments. Cabin passage, $130.

For freight apply at the office of the Company, No. 86 Wall-st., or for passage to WM. H. WICKHAM, Office on the wharf, foot of Canal-st.

Agents at London and Southampton—Messrs. Grinnell, Tinker & Morgan.
Agents at Havre—Messrs. Willrich & Pannett.
Agent at Paris—James W. Tucker, esq., No. 11 Faubourg Montmartre.

THE BRITISH AND NORTH AMERICAN ROYAL MAIL STEAMSHIPS.

FROM NEW-YORK TO LIVERPOOL.
Chief Cabin Passage ..... $130
Second Cabin Passage ..... 75

FROM BOSTON TO LIVERPOOL.
Chief Cabin Passage ..... $110
Second Cabin Passage ..... 60

The ships from New-York call at Cork Harbor.
The ships from Boston call at Halifax and Cork Harbor.

| | |
|---|---|
| PERSIA, Capt. Judkins. | CANADA, Capt. Lang. |
| ARABIA, Capt. J. Stone. | AMERICA, Capt. Millar. |
| ASIA, Capt. E. G. Lott. | NIAGARA, Capt. Anderson. |
| AFRICA, Capt. Shannon. | EUROPA, Capt. J. Leitch. |

SCOTIA (now building).

These vessels carry a clear white light at mast-head; green on starboard bow; red on port bow.

| | | |
|---|---|---|
| AMERICA, Millar | leaves Boston | Wednesday, May 2 |
| AFRICA, Shannon | leaves New-York | Wednesday, May 9 |
| CANADA, Lang | leaves Boston | Wednesday, May 16 |
| ASIA, Lott | leaves New-York | Wednesday, May 23 |
| EUROPA, Leitch | leaves Boston | Wednesday, May 30 |
| PERSIA, Judkins | leaves New-York | Wednesday, June 6 |
| ARABIA, Stone | leaves Boston | Wednesday, June 13 |
| AFRICA, Shannon | leaves New-York | Wednesday, June 20 |

Berths not secured until paid for.
An experienced Surgeon on board.
The owners of these ships will not be accountable for Gold, Silver, Bullion, Specie, Jewelry, Precious Stones or Metals, unless bills of lading are signed therefor, and the value thereof therein expressed. For freight or passage, apply to E. CUNARD, No. 4 Bowling-green.

STEAM.—NEW-YORK, SOUTHAMPTON, and HAVRE.
The VANDERBILT European Line United States Mail Steamships ply between New-York, Southampton, and Havre:

| FROM NEW-YORK FOR SOUTHAMPTON AND HAVRE. | RETURNING, FROM HAVRE & SOUTHAMP. |
|---|---|
| ILLINOIS, Griffin ..... Saturday, May 19 | Wednesday, June 6 |
| VANDERBILT, Lefevre. Saturday, June 16 | Wednesday, July 4 |
| ILLINOIS, ..... Saturday, June 30 | Wednesday, July 18 |
| VANDERBILT ..... Saturday, July 28 | Wednesday, Aug. 15 |
| ILLINOIS ..... Saturday, Aug. 11 | Wednesday, Aug. 29 |
| VANDERBILT ..... Saturday, Sept. 8 | Wednesday, Sept. 26 |

These ships have water-tight compartments.
Price of Passage either way the same.
First Cabin, $120 and $100. Second Cabin, $60.
Certificates of Passage issued from Europe to America.
Specie delivered in Southampton.
D. TORRANCE, Agent, No. 5 Bowling-green, New-York.
H. CHEVESTIE, Agent, No. 22 Rue Richelieu, Paris.
OAKFORD & Co., Agents, No. 61 Gracechurch-st., London.

ATLANTIC ROYAL MAIL STEAM NAVIGATION COMPANY'S NEW-YORK AND GALWAY LINE.—The next departure from New-York will be the splendid and powerful steamship BRAZIL, Capt. Campbell, which will leave on THURSDAY, May 24, 1860, touching at St. John's, N. F., to receive the Royal Mails.

PRICES OF PASSAGE.—First class, $90 and $75; third, $30, including free tickets to many of the principal cities on the main railway routes of Great Britain and Ireland. Third class must provide bedding, knife, fork, &c., and bedding. Passengers to St. John's, first class, $35. Passage in the third class can be secured to bring persons out from Galway for $25 50; from Dublin, $35; from Cork, $35; from Belfast, $37; from Londonderry, $37 50; from Waterford, $37; from Limerick, $35; from London, $40; from Liverpool, $40; and from Glasgow, $40.

For freight or passage apply now to
ALEX. HOLLAND & Co.,
Agents for the Line, No. 64 Broadway.

U. S. MAIL LINE to CALIFORNIA.—By steamers of the ATLANTIC AND PACIFIC STEAMSHIP COMPANY from New-York to Aspinwall.
By Railroad of the Panama Railroad Company from Aspinwall to Panama.
And by steamships of the Pacific Mail Steamship Company from Panama to San Francisco.
From the foot of Warren-st.
AT 12 O'CLOCK, NOON, PRECISELY.
The steamship NORTH STAR will leave New-York, Monday, May 21st, and the ARIEL, with freight and steerage passengers only, May 30; the NORTHERN LIGHT, with mails, passengers and freight, as usual, June 5.
Uncurrent money not received.
First cabin passage, $200; second cabin, $150; steerage, $100.
For further information, apply at the only office,
No. 177 West-st., foot of Warren-st.
D. H. ALLEN, Agent.
N. B.—All persons are forbid trusting any one on account of the above ships or owners.

UNITED STATES MAIL STEAMSHIP LINE.—For HAVANA and NEW-ORLEANS.—The fast and favorite steamship MOSES TAYLOR, ——, Captain, will sail on THURSDAY, May 17, at 2 o'clock p. m., from pier foot of Warren-st., North River. Bills of lading, of the proper form, furnished at the office, and no bills of lading will be signed after the hour of sailing. For freight or passage, apply at No. 177 West-st., corner of Warren-st.
M. O. ROBERTS, Agent.
N. B.—Freight received on and after MONDAY, May 14.

ROYAL MAIL STEAMSHIP ASIA for LIVERPOOL.—The ASIA, E. G. Scott, commander, will sail from the stream on WEDNESDAY, 23d inst. A steamboat will ply between the Company's Wharf, at Jersey City, and the Asia from 8 to 9½ o'clock a. m., to convey passengers and baggage on board. In consequence of the great number of persons who go out in the small steamers, and the great risk therefrom, passengers are respectfully requested to take leave of their friends on the wharf, as they cannot be taken on board. The Persia will sail June 6.
E. CUNARD, No. 4 Bowling-green.

FOR SAVANNAH and the SOUTH.—The steamship MONTGOMERY, Wm. C. Perry, Commander, will leave Pier No. 13, N. R., on THURSDAY, May 17, at 4 p. m. Passage to Savannah, with unsurpassed accommodations, $15. Through tickets sold to New-Orleans, $28 50; Mobile, $26; Montgomery, $25; Memphis, $31 75; Nashville, $27 75; Knoxville, $26 50; Chattanooga, $25; Albany, $23; Columbus, $21; Atlanta, $21; Macon, $20; Augusta, $17 50, including carriage hire at connecting points.
Freight 10 cents per foot. Apply to H. B. CROMWELL & Co., No. 86 West-st. and No. 335 Broadway.

FOR SAVANNAH
AND OTHER POINTS AS BELOW.
The first-class side-wheel steamship
ALABAMA,
Capt. Geo. R. Schenck, will leave on SATURDAY, May 19, at 4 p. m., from Pier No. 4 North River. Through tickets can be had at the following prices: New-Orleans, $19 75; Mobile, $15; Montgomery, $15; Columbus, $21; Albany, $23; Atlanta, $21; Chattanooga, $26; Nashville, $27 50; Knoxville, $26 50; Memphis, $31 75; Augusta, $17 50; Macon, $20; Savannah, $15. For freight or passage, apply to No 13 Broadway.
SAMUEL L. MITCHILL & SON.


## Steamboats and Railroads.


FOR NEW-HAVEN, by steamer ELM CITY, from Pier No. 25 East River, at 3 p. m., and TRAVELER, at 11 p. m. Fare $1. No charge for berths.

DAY boat for Albany and intermediate landings.—Steamer ARMENIA, Capt. Smith, leaves the foot of Harrison-st., every Monday, Wednesday, and Friday, at 7 a. m.

AFTERNOON BOAT for NEWBURGH and INTERMEDIATE LANDINGS.—Steamer METAMORA, at 4 p. m. (Sundays excepted), from Pier foot of Jay-st., N. R. For particulars see bills.

FOR BRIDGEPORT.—The steamer BRIDGEPORT leaves Peck-slip, E. R., every MONDAY, WEDNESDAY and FRIDAY, at 12 o'clock noon, and steamer CATALINE every day at 12 o'clock noon, from foot of Oliver-st., East River.

FOR NEWBURGH, POUGHKEEPSIE, and RONDOUT.—Steamer THOMAS POWELL will leave foot of Jay-st. EVERY AFTERNOON at 3½ o'clock.

FOR GLEN COVE, Roslyn, Bayles Dock, Great Neck, Sand's Point, Mott's Dock, and Glen Wood, Steamer LONG ISLAND, every afternoon at 3½, from James-slip, E. R.

FOR SAG HARBOR, ORIENT, and GREENPORT.—The steamer MASSACHUSETTS, Capt. W. S. Havens, leaves Pier No. 22, James-slip, East River, TUESDAY, THURSDAY, and SATURDAY AFTERNOONS, at 5 o'clock.

NORTHERN RAILROAD of N. J.—Leaves foot of Courtlandt-st., Jersey City Ferry, daily (Sundays excepted), 5 a. m. and 4 and 6 p. m., for Piermont and Suffern; 9 a. m. for Piermont. Leave Suffern at 6:30 a. m. and 7 p. m., and Piermont 6:15 and 7:40 a. m. and 2:40 and 5:15 p. m. Stages connect for Hackensack, Nyack, New-City, and Haverstraw.

CENTRAL RAILROAD of NEW-JERSEY—Connecting at New-Hampton with the Delaware, Lackawanna and Western Railroad, and at Easton with the Lehigh Valley Railroad.
WINTER ARRANGEMENT—Commencing Dec. 19, 1859.—Leave New-York for Easton and intermediate places, from foot of Courtlandt-st., at 8 a. m., 12 m., and 4:30 p. m. For Somerville by the above trains, and at 5 p. m.
From Pier No. 2 North River, at 7:30 and 11:30 a. m. and 3:30 p. m. for Easton and intermediate stations; for Somerville by the above trains and at 5 p. m.
The 12 m. train from foot of Courtlandt-st., and the 11:30 a. m. from Pier No. 2 N. R. make a close connection at Easton with the Lehigh Valley Railroad, and thence via East Pennsylvania Railroad to Reading, without change of cars, and connect at Reading direct for Pottsville and Harrisburg.
Passengers for the Delaware, Lackawanna, and Western Railroad will leave New-York at 8 a. m. from foot Courtlandt-st., or 7:30 from Pier No. 2 N. R. only; for Lehigh Valley Railroad at 8 and 12 a. m. from foot of Courtlandt-st. and at 7:30 and 11:30 a. m. from Pier No. 2 N. R. only.
JOHN O. STERNS, Superintendent.


## Medical.


F—A—C—T—S—. In this paper we present to the public undeniable testimony establishing the facts that RADWAY'S READY RELIEF, REGULATING PILLS and RENOVATING RESOLVENT, are not only positive curatives of the sick afflicted with disease, but that they have in many cases proved to be infallible, and have restored the dying patient to robust health after all other means of medication failed.

FIFTEENTH WITNESS.

CONGESTION OF THE LUNGS, LIVER, &c.—GEO. R. SMITH, esq., of The Democratic Review, New-York City and Washington, testifies:
"I was seized with a severe attack of Congestion of the Liver, Lungs, Bowels, and Stomach; indeed, the congestion was pretty general, and severe pains extended over my limbs. As a last resort I could procure some of RADWAY'S READY RELIEF and REGULATING PILLS. I commenced their use, and was soon shortly cured. In my opinion, RADWAY'S READY RELIEF, REGULATING PILLS, and RESOLVENT, are the most desirable medicines on the face of the earth. No one need be sick who has access to them."
R. R. Relief 25c., 50c., and $1 per bottle.
Regulating Pills, 25c. per box.
Resolvent, $1 per bottle.
RADWAY & Co., No. 32 John-st., N. Y.
Sold by F. S. HUTCHINGS, No. 32 Exchange-place, Jersey City, N. J. Sold by all Druggists everywhere.

KINNE'S TRUSS—A new article, the best, cleanest, cheapest, and most comfortable for all climates. Purchasers, if not satisfied, may return it in a week and get their money. Pamphlets, with full particulars, may be had gratis.
KINNE & PHILLIPS, Nos. 182 Broadway, and 3 John-st.

OAK ORCHARD ACID SPRINGS.—These Springs are situated in the valley of the Oak Orchard Creek, in the town of Alabama, Genesee County, N. Y., eight miles south of the village of Medina, on the Erie Canal, and fourteen miles from Batavia.
The principal Acid Springs are three in number; beside these there are six others. They are all located within a circuit of about fifty rods. The medicinal qualities of the waters are fully shown in the subjoined testimonials. They contain a very large amount of Sulphur, Sulphuric Acid, Sulphate of Lime, and Proto-Sulphate of Iron. The great medicinal virtues possessed by the waters depend very largely upon the presence, in such unusual quantities, of these curative substances.
Hundreds of cases of disease, especially those resulting from the scrofulous diathesis, have been cured by their use.
In skin diseases—even in confirmed Leprosy—the waters have been signally successful.
Opinions of medical and scientific gentlemen are given in the circulars. The following eminent gentlemen speak in strong terms of the medicinal value of these waters: Prof. Emmons, T. Romeyn Beck, M. D., of Albany; Jas. McNaughton, M. D., of Albany; Edward Spring, M. D., of New-York; Dr. R. Campbell of Pittsfield, Mass.; Dr. J. S. Shuler of Lockport, N. Y. They recommend the waters confidently. Dr. Spring refers to a case of Chronic Diarrhea of several years' standing, which was cured by the use of the water. Dr. Beck says: "I am satisfied that these waters are highly valuable as medicinal agents." Dr. Campbell says: "They must be highly beneficial for all chronic diseases of the stomach and bowels."
Dr. S. P. White read a paper on the subject of these Waters before the Academy of Physicians, in the City of New-York, in which he states that the Waters possess decidedly tonic, refrigerant, and astringent properties, and that the class of diseases to which they are particularly adapted, are chronic affections of the Digestive and Urinary Organs, and some of the Cutaneous diseases; Chronic Dyspepsia; Chronic Diarrhea; Chronic Dysentery; Chronic Diuresis; Chronic Cystitis; Diabetes; cases of passive hemorrhage, such as Purpura Hemorrhagica, and the colliquative sweats of Hectic Fever. The Water may also be often used with advantage, he says, in cases of low Typhoid Fevers; in convalescence from protracted fevers, to excite the appetite and promote digestion; In Diarrhea, particularly such as are dependent on a relaxed or ulcerated state of the mucous membrane of the intestines. In Cholera, Sea sickness, or Lithiasis, attended with phosphatic sediments, it is the suitable remedy, being preferable to muriatic acid, as being more salvent and less apt by continued use to disorder the stomach. In Febrile Diseases it can be used, properly diluted, as a refrigerant to diminish thirst and perpetual heat. In Skin Diseases—in those forms of Dyspepsia connected with an alkaline condition of the stomach, as in Pyrosis, or Water-Brash, it will prove better than hydrochloric acid. In cases of Colica Pictonum, and other injurious consequences arising from the action of lead, this Water will prove to be an admirable antidote. In Chronic Pharyngitis, Laryngitis, Chronic Mucous Catarrh, and Humid Asthma, Chronic Ophthalmia (externally), as a gargle in Ulcerated Sore Throats, in cases of salivation, and in Leucorrhea and Gleet; and also in Piles.
When taken internally, a wine-glassful of the Water, diluted, taken three times a day, is sufficient for an adult.
Other testimonials from physicians, and other respectable individuals, may be seen on application to the Agent.
Dealers supplied on liberal terms.
No Water genuine unless procured from
H. W. BOSTWICK, Sole Agent,
Metropolitan Hotel Building, Broadway, New-York, No. 574.

2 HEALTH OF AMERICAN WOMEN. 2
On the 1st day of May, 1860, the Graefenberg Company's Salerooms, Consulting Offices, and Medical Institute were removed from No. 32 Park-row to No. 2 BOND-ST., NEW-YORK (first door from Broadway), in order to afford greater facilities and a more central location, demanded by the rapid increase of confidence in the Graefenberg Theory and Practice.
THE VALUABLE SERIES OF GRAEFENBERG FAMILY MEDICINES do NOT CONTAIN ONE PARTICLE OF CALOMEL OR MERCURY IN ANY FORM, nor any MINERAL DRUG WHATEVER. This fact is proved beyond a question. All the Graefenberg preparations are made of the most skillfully compounded vegetable simples of the greatest value and efficacy.
THE GRAEFENBERG VEGETABLE PILLS
(For Liver Complaint, Dyspepsia, &c. Price 25 cents a box. Four boxes sent by mail, free of postage, for one dollar).
Have often been considered the leading article in the list of Graefenberg medicines; and when we remember that over 1,800 pounds, or more than two hundred thousand boxes, are often sent out from this establishment in a month, there can be no reason for giving them any excuse. BUT, when the great extent and severity of female diseases, and irregularities, and displacements, with all their long, sad, and wearying train of constitutional debility and suffering, is considered a medicine which will restore health to American Women, stands out in bold relief, and MUST precede all others. This is found in
THE GRAEFENBERG COMPANY'S MARSHALL'S UTERINE CATHOLICON.
In all cases of diseases of Women this remedy will act immediately and certainly upon the abdominal and uterine muscles and ligaments, and restore to a healthy and strong condition, which is childhood and youth. It will infallibly, positively, invariably cure all those torturing, perplexing and debilitating symptoms commonly known as female disease, weakness, irregularities, &c., which weary and render unhappy so many women between the ages of 15 and 50, for which the medical profession seeks in vain for a remedy, and from which wealth, position, delicacy, and refinement afford no exemption. The symptoms attending those diseases are too well known to need repetition.
Fifteen years of ample and varied experience has proved, beyond the shadow of a doubt, that this Catholicon will restore functional and general health, freshness of complexion and constitutional vigor; and it will do this at all ages of female life, from the young woman languidly budding into womanhood, to when the "turn of life" leaves the system enfeebled and unable to meet the demands of the change upon the system. In the troublesome symptoms attending pregnancy, the benefit of the Catholicon is most remarkable.
Price $1 50 per bottle. ☞ FOR SIX DOLLARS FIVE BOTTLES WILL BE SENT BY EXPRESS, AND CHARGES PREPAID TO END OF EXPRESS LINE FROM NEW-YORK. ☜
Address JOSHUA F. BRIDGE, M. D., Secretary and Resident Physician, Graefenberg Company, No. 2 BOND-ST., NEW-YORK.
☞ THOSE SUFFERING FROM the gravest forms of uterine disease and local displacements, and those with whom we have to more, cancers, polypus, ulcerations, and other injuries of the uterine system from protracted childbirth, or injudicious attendance; those requiring peculiarly skillful treatment and care at times of confinement; consumptives, and others suffering from long-continued or serious chronic difficulties; or others who may wish to combine comfortable rooms with the very best medical care—will be received within the walls of the Graefenberg Institute at a just and moderate charge, and be under the care of the resident physician (Dr. J. F. Bridge). This building is not a hospital, in any sense of the word, nor can it receive charity patients; but for all classes of disease we have referred to, or for anything requiring skill and careful attention, the most fastidious and refined may resort to it with every confidence in its medical board of advisers, and in that of the resident physician, who occupies the building with his family, and who is already well known to very many who were invalids until providentially restored to health through his ministrations.
☞ Particulars as to terms, &c., can be obtained by addressing the Resident Physician,
JOSHUA F. BRIDGE, M. D.,
who is in constant attendance at the Buildings of the Institution, No. 2 BOND-ST., NEW-YORK.


## Legal Notices.

IN PURSUANCE of an order of the Surrogate of the County of New-York, notice is hereby given, according to law, to all persons having claims against the estate of JESSE SCOFIELD, late of the Town of Montgomery, in said county, deceased, that they are required to present the same, with the proper vouchers thereof, to the subscribers, the executors of the last will and testament of said deceased, at the office of SCOFIELD, CAPRON & Co., in the village of Walden, in the said town of Montgomery, or at the office of WILLIAM H. SCOFIELD, No. 39 William-st., in the City of New-York, on or before the 1st day of September next.—Dated Feb. 11, 1860.
WILLIAM H. SCOFIELD, } Executors.
f13 law6mW AUGUSTUS F. SCOFIELD, }

IN PURSUANCE of an order of the Surrogate of the County of New-York, notice is hereby given to all persons having claims against HENRY ROBINSON, late of the City of New-York, deceased, to present the same, with vouchers thereof, to the subscriber, at his office, No. 97 Broadway, in the City of New-York, or before the twenty-fourth day of May next.—Dated New-York, the 22d day of November, 1859.
n23 law6mW JOHN BOWNE, Executor.

IN PURSUANCE of an order of the Surrogate of the County of New-York, notice is hereby given to all persons having claims against HENRY GOLDSTEIN, late of the City of New-York, deceased, to present the same, with vouchers thereof, to the subscribers, at the office of Abram J. Dittenhofer, No. 409 Broadway, in the City of New-York, on or before the first day of September next.—Dated New-York, the 13th day of February, 1860.
f22 law6mWed LAZARUS GOLDSTEIN, } Executors.

IN PURSUANCE of an order of the Surrogate of the county of New-York, Notice is hereby given to all persons having claims against ANN PROUDFIT, late of the City of New-York, widow, deceased, to present the same with vouchers thereof at the Office of EDWARD D. EWEN, No. 9 Chambers-street, in the City of New-York, on or before the eighteenth day of November next.—Dated New-York, the eighth day of May, 1860.
JAMES O. PROUDFIT,
EDWARD D. EWEN,
my9 law6mW Administrators &c. with the Will annexed.

SUPEME COURT.—WALTER QUIN, Plaintiff, against THOMAS A. QUIN and MARY JANE QUIN, his wife; ARTHUR A. QUIN, CHARLES H. QUIN, GEORGE A. QUIN, JOHN QUIN, JOHN E. DEVLIN, individually, and as one of the Administrators of ARTHUR QUIN, deceased, and DAVID EVANS, defendants, in partition.—In pursuance of a judgment of the Supreme Court of the First District, bearing date on the 5th day of September, 1859, I, William Watson, the Referee in the said judgment named, will sell at Public Auction, at the Merchants' Exchange, in the City of New-York, on Thursday, the 31st day of May, 1860, at 12 o'clock at noon of that day, All that certain Lot, piece or parcel of Land, with the Building thereon, situate, lying and being in the Ninth Ward of the City of New-York, bounded and described as follows: Beginning at a point, being the north-westerly corner of Washington and Hammond streets, thence running northerly along the westerly line of Washington street fifty-one feet and six inches; thence westerly, on a line parallel with Hammond street, thirty-four feet four inches; thence southerly, on a line at right angles with Hammond street, fifty feet, to the northerly line of Hammond street; and thence easterly along the northerly line of Hammond street twenty-two feet to the place of beginning. Also, all the certain lot, piece, or parcel of Land, with the Building thereon, situate, lying and being in the Ninth Ward of the City of New-York, bounded and described as follows: Beginning at a point on the northerly line of Hammond street, distant twenty-two feet westerly from the north-westerly corner of Washington and Hammond streets; thence running northerly at right angles to Hammond street, fifty feet; thence westerly, parallel with Hammond street, twenty-two feet; thence southerly, at right angles to Hammond street, fifty feet to the said northerly line of Hammond street, and thence easterly along the northerly line of Hammond street, twenty-two feet to the place of beginning. And also, all that certain lot, piece or parcel of Land, with the Building thereon, situate, lying and being in the Ninth Ward of the City of New-York, bounded and described as follows: Beginning at a point on the northerly line of Hammond street, distant forty-four feet westerly from the north-westerly corner of Washington and Hammond streets; thence running northerly at right angles to said Hammond street fifty feet; thence westerly parallel with Hammond street five feet and eight inches; then northerly and parallel with Washington street fifteen feet and four inches; thence westerly and parallel with Hammond street eighteen feet; thence southerly and parallel with Washington street fifteen feet and four inches; thence easterly parallel with Hammond street one foot and eight inches; thence southerly and at right angles to Hammond street fifty feet, to the said northerly line of Hammond street, and thence easterly along the northerly line of Hammond street, twenty-two feet, to the place of beginning, together with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining.—Dated 12th March, 1860.
WILLIAM WATSON, Referee.
JOHN C. DIMMOCK, Plaintiff's Attorney.
mh14 law6w sp24
The sale of the above-mentioned premises having been heretofore adjourned by an order of the Court, on the application of all parties to the suit, notice is hereby given that the premises will be positively sold on the 5th June, 1860, without further postponement. W. WATSON, Referee.
m2 law tu6d

IN PURSUANCE of an order of the Surrogate of the County of New-York, notice is hereby given to all persons having claims against OSCAR W. STURTEVANT, late of the City of New-York, counselor-at-law, deceased, to present the same, with vouchers thereof, to the subscriber, at the Ocean Bank, No. 197 Greenwich-st., in the City of New-York, on or before the twenty-fourth day of May next.—Dated New-York, the 22d day of November, 1859.
n23 law6mW D. RUDOLPH MARTIN, Executor.

SUPREME COURT.—DAVID LEACH, Plaintiff, against HUGH KENNEDY, and OLIVER SPROULL, and JAMES KENNEDY, Defendants.—Summons for relief—(Com. not served.)—To the Defendants above named: You are hereby summoned and required to answer the complaint in this action, which will be filed in the office of the Clerk of the City and County of New-York, at the City Hall in said City, and to serve a copy of your answer to the said complaint on the subscriber, at my office, No. 179 West 35th-st., in the City of New-York, within twenty days after the service of this summons on you, exclusive of the day of such service; and if you fail to answer the said complaint within the time aforesaid, the plaintiff in this action will apply to the Court for the relief demanded in the complaint.—Dated the 24th day of March, 1860.
ma3-law6w JAMES LINDEN, Plaintiff's Attorney.

SUPREME COURT—CITY and COUNTY of NEW-YORK.—PHILIP DATER, Henry Dater, Alden Wattles, and Josiah B. Greenman, against JAMES SMITH.—Summons for money demand on contract.—(Com. not ser.)—To the above defendant: You are hereby summoned and required to answer the complaint in this action, which was filed in the office of the Clerk of the City and County of New-York on the 16th day of April, A. D. 1860, at the City Hall in said city, and to serve a copy of your answer to the said complaint on the subscribers, at their office, No. 17 Nassau street, in said city, within twenty days after the service of this summons on you, exclusive of the day of such service; and if you fail to answer the said complaint within the time aforesaid, the plaintiffs in this action will take judgment against you for the sum of six hundred and sixty 3-100 dollars, with interest from the twelfth day of April, one thousand eight hundred and fifty four, besides the cost of this action.—Dated April 7th, 1860.
TAGGARD & PINKNEY, Plaintiffs' Attorneys,
sp11 law6wWed* No. 17 Nassau-st., N. Y.

New-York Daily Tribune

## LAW INTELLIGENCE.

SUPREME COURT.—May 14.

Henry A. Hartt et al. agt. Charles R. Harvey and others.

MULLIN, JUSTICE.—In order to decide the motions made in this cause, an investigation of the merits, to some extent, is necessary, and the facts essential to an understanding of the case are briefly these: In March last, the annual meeting for the election of Trustees was held by the religious society located in this city, duly incorporated and known as the Society of the Church of the Puritans. The defendants, White and Smith, were duly appointed Inspectors of the Election, pursuant to the provisions of the general law relating to the incorporation of religious societies. At the election, 64 votes were received by the Inspectors for persons to fill the vacancies in the office of Trustees of said Society, which would occur in a few days subsequent to said election. There were nine Trustees of the Society—divided into three classes of three each, the term of office of one of such classes, expiring each year. There were, therefore, three vacancies to be filled at said election. The plaintiffs were candidates to be voted for to fill said vacancies; and so were the defendants Harvey and Tompkins, and one Bennett. The ballots of the persons voting were delivered to the Inspectors, some of them offering to vote were challenged, on the ground that they were not legal voters at said election, and they were so declared by the Inspectors, and their votes rejected. After the votes were all received, they were counted by the Inspectors, and 64 votes were found in the box. The poll-list kept by the Clerk had but 61 names upon it. There is said to have been some confusion in the room, and the discrepancy between the poll-list and the count may be and probably is thus accounted for.

After the count, the Inspectors declared the result of the election to be: That the plaintiffs had each 33 of the votes, so as aforesaid received and counted, and the defendants Harvey and Tompkins had each 31, and said Bennett had 27 votes, and one Thomas Reody 3 votes.

Afterward, and on the 23d of March, the said Inspectors executed under their hands and seals a certificate, in which they certify and declare that at said election 64 votes were cast for Trustees, 33 of which appeared to be given for Hall, 33 for Whiting, and the same number for Hartt; 31 for Harvey, and the like number for Tompkins, 27 for Bennett, and 3 for Reody; and that they as Inspectors declared the apparent result at the time, but very soon thereafter, and before they had prepared the certificate of election, evidence of a nature entirely conclusive and satisfactory was produced before them, proving that at least six illegal votes were cast, and those six contained the names of the plaintiffs, and that these were counted as part of the 33 votes for them as above stated. The certificate then proceeds as follows: "We, therefore, certify that Charles R. Harvey and Charles B. Tompkins have a plurality and a majority of the legal votes cast, and are duly elected Trustees of the said society, to serve for three years from the first Sunday of March, inst.; that between the said Thomas J. Hall, William E. Whiting, Henry A. Hartt, and James D. Bennett, there was a tie vote, and neither of them is duly elected. All which is certified, &c." This certificate was delivered to the defendants Harvey and Tompkins, who still hold it, and by virtue of it they claim to be duly elected Trustees of said society for the time of three years.

Before the first meeting of the Board of Trustees was held subsequent to such election, the plaintiffs claimed to be duly elected Trustees of said society, and obtained a temporary injunction order restraining the defendants Harvey and Tompkins from acting or assuming to act as Trustees of said Society.

The defendants presented to Justice Rooney a petition setting out the matter hereinbefore stated, charging upon plaintiffs and others of the Trustees misconduct at a meeting of the Trustees, held soon after said election, and that it was their intention to prevent the attendance of a quorum at the meetings of the Trustees, and thus seriously impair the interests of the Society, and praying that the plaintiffs be enjoined from acting or assuming to act as Trustees. The injunction as prayed for was granted and served.

The applications now pending before me are to continue these injunctions, and by the defendants to modify plaintiffs' injunction, so as to allow one of the defendants to act as trustee in the event it shall be necessary to do so in order to form a quorum for the transaction of business.

Before proceeding to examine the question whether the Court has power to issue an injunction order in favor of either party in this Court, it is proper to inquire which set of claimants is duly elected Trustees.

By section 3 of the general law relating to the incorporation of religious societies, it is provided that on the day of the first election of trustees of any such society, two elders, or church wardens, or if there are no such persons, then two others, selected for the purpose, shall preside at such election, receive the votes of the electors, be the judges of the qualifications of electors, and the officers to return to the trustees of the persons who by a plurality of votes shall be elected to serve as trustees, and the returning officers shall immediately thereafter certify under their hands and seals the names of the persons elected, &c.

By section 5 it is provided that all subsequent elections shall be held and conducted by the same persons and in the manner above described, and the result thereof certified by them, and such certificate shall entitle the persons elected to act as Trustees.

The 7th section of the same statute prescribes the qualifications of the voters, and requires the Clerk to the Trustees to keep a register of the names of such as shall desire to become stated hearers in said church, and shall therein note the time when such request was made, and the Clerk shall attend all subsequent elections in order to test the qualifications of such electors, in case the same shall be questioned.

There was no such list kept as is required by the 7th section, and hence the test of qualification which such a document would furnish is wanting. But it is not claimed that such a list is necessary to the validity of the election, or that the qualifications of voters may not be ascertained by other means. (The People agt. Peck, 11 Wend., 604.)

The Inspectors are declared to be judges of the qualifications of voters. Their action on that subject is judicial, and can only be reviewed in an action or proceeding instituted to review such determination.

To constitute a person a voter he must have been a stated attendant on divine worship in the said church at least one year before such election, and shall have contributed to the support of said church, according to the customs and usages thereof. If a voter is challenged on the ground of the absence of some one or more of these qualifications, the inspectors must inquire, ascertain and determine whether the voter possesses them.

The question arises for decision when the voter offers his vote, then the challenge is made, and the voter's right to vote must be determined before it can be received or rejected. If the vote is not challenged, there is no question for decision; the vote must be received. In the matter of the Chenango County Mutual Insurance Company, 19 W. 620. If he is challenged, the Judge must in some mode ascertain and determine the question of qualification. For what purpose? In order that the person challenged may vote if qualified. When the vote is received, the party has voted—his qualifications are ascertained, and the Judge has decided the question. The voter has an interest in the determination; he has a right to be heard, and in many, if not most cases, he is the only person who can speak with certainty as to his qualifications. It cannot be possible that the Legislature intended that three Inspectors should receive votes without challenge or in defiance of a challenge, and after the election is ended, enter into an examination of the qualifications of the voters, and set aside or reject votes they shall then determine on the question of qualification. How are they in that stage of the business to ascertain which of the ballots to withdraw from the box and reject? Inspectors cannot be presumed to know the contents of the ballot. How, then, are they to separate the legal from the illegal—the votes of those qualified from those who are those disqualified? They very soon get out of the proposition that such a power exists exactly to surprise and alarm. It needs no argument to show how dangerous and how corrupt such a power in the hands of any legal voter, however respectable, would become.

The innocent and legal voter, under such a system, is as likely to have his vote rejected as the illegal and fraudulent one. But it cannot be necessary to discuss the proposition. The Inspectors, as judges of the qualifications of voters, must decide when the vote is offered, and the decision then made—if in favor of receiving the vote—is final. From the very necessity of the case, a decision cannot be delayed until after the vote is deposited in the box.

The act of the Inspectors in rejecting six of the plaintiffs' votes as illegal, after the same had been received and deposited in the box, was wholly unauthorized, and, so far as that question is involved in these motions, I must assume that the plaintiffs had 33 of the 64 votes cast, and having a plurality, were therefore elected, unless there is some other reason shown why they were not thus elected.

It is said that the certificate of the Inspectors given to the defendants Harvey and Tompkins, is at least *prima facie* evidence of their right to the office, and conclusive, except so far as the Courts may in an action on the motion of *quo warranto* try and determine the right to the office without reference to the certificate.

I have no doubt that a certificate under the hands and seals of the Inspectors that a person has been duly elected a Trustee is prima facie evidence of his right; and had the certificate given to the defendants contained nothing but the declaration that defendants are elected, I should deem myself bound to so regard it. But it recites the facts upon which they rely as their justification and authority for declaring these parties elected; and these facts most clearly show that the defendants Harvey and Tompkins were not elected. When the Inspectors admit that 64 votes only were received by them and placed in the box, and that of them plaintiffs had each 33, it is shown to be legally impossible that the defendants Harvey and Tompkins could be legally elected. The certificate destroys itself. While it declares the right, it demonstrates that no such right existed. The statute provides that the certificate shall entitle the party elected to the office. The election lies at the foundation of the right. When there is no election, there is no right, and the certificate cannot create it. Much stress was laid on the argument upon this certificate; but so long as it is prima facie evidence only of the right, and the right exists to go behind it and inquire into the fact of the election, its importance is not very great. A certificate is not essential to enable the party elected to take his office. If the inspectors neglect or refuse to give a certificate, the party entitled will be declared entitled to the office. (The People agt. Peck, 11 Wend., 604.)

I must hold, therefore, that, upon the certificate in this case, no right is shown in the defendants to the office, and, of course, I cannot confer on them the right to a seat in the Board of Trustees, to which they have no color of right by election.

I have not gone into the question of the qualifications of voters in order to ascertain how the vote would stand, if the votes of legal voters, if any, which have been rejected, had been received, or, if illegal votes, if any received, had been rejected. I have treated the decision of the inspectors as to the qualification of voters as conclusive for the purpose of this investigation. It would be extremely hazardous to try such a question on affidavits, and it would be improper now to allow to either party the benefit of votes offered, but not received, merely because the person offering the vote proves that he intended to vote for plaintiff, or defendants. (In matter of L. I. Railroad Co. 19 Wend. 271.) The result of the election must be determined by the votes cast. If illegal votes can be ascertained, they may be rejected. But votes not received can never be made available in favor of either party.

If these views are correct, then I must consider the plaintiffs as the legally-elected trustees of the church, and it only remains to inquire whether, if they are so, the Court has power to restrain the defendants—who have no right to the office, from assuming to act as such—or whether, upon any other ground, the plaintiff is entitled to an injunction against the defendants.

I have already stated the substance of the complaint. The only additional allegations which it seems to me important to refer to, are, that the Inspectors and each of them are charged with having wrongfully and corruptly, designing and intending to oust the law, and aiding and conspiring together to injure and annoy the plaintiffs, and defraud them of their rights and privileges as trustees duly elected by the said society, did illegally and fraudulently, and to the great trouble and damage of the plaintiffs,