the magistrates, "after hearing and considering the evidence of criminality," deemed the same sufficient to sustain the charge. That fact has not been certified to us, though it may have been to the Governor, and the statute says distinctly that if on the hearing of the evidence it be deemed sufficient by him (the magistrate) to sustain the charge, he shall, in addition to certifying the same, &c., issue his warrant for the committment of the person so charged to the proper jail, there to remain until such surrender be made, or until such person be discharged according to law. If then the committing Justice or Justices deemed the evidence sufficient to sustain the charge, the prisoner ought to have been committed for the purpose of being surrendered. If they did not declare that they had so committed him, what evidence have we that their adjudication was unfavorable to the prisoner? It may, of course, be urged that if they had not intended his surrender they would have discharged him from custody. This is only a negative mode of proving that they did what was required by proving that if they had not intended to do so they ought to have done something else. In a matter of this kind we must have it clearly shown that the magistrates did decide against the prisoner as to the evidence sustaining the charge against him. The only proper way of proving that they had so decided in this case in the way it is now before us is by showing that they had issued such a warrant as the statute requires to follow from such a decision. The warrant shown does not do this, and the omission is an important part of it. I cannot say that I have any doubt that the warrant is based on this ground. The next point for consideration is whether the order of the Court of Queen's Bench recommitting the prisoner to the custody of the Jailor of the County of Brant until a warrant shall issue for the surrender of the prisoner to be tried in the State of Missouri for the murder of Digges, &c., supplies the deficiencies in the former warrant, and makes his present detention lawful. No doubt if any offense against the law of the Queen, and triable by our laws, appeared sufficiently made out against a prisoner seeking his discharge on a habeas corpus, though the warrant of commitment was defective, the Court in its discretion might order his detention for trial, because, under these circumstances, there would be no doubt of their jurisdiction as a Court over the offense. But here there is no jurisdiction given to the Court, as such, to commit the prisoner to be surrendered. That must be done by the Justice or Judge who may have heard and considered the evidence of criminality. Any one of the Judges of the Superior Courts undoubtedly has power under the statute to issue a warrant and bring the party accused before him, and to consider the evidence of criminality in the same way as a Justice of the Peace. But this power is only bestowed on the Judges individually; it is not known to the Court as such. It is more likely the power formerly given under our Municipal Acts to a Judge in Chambers to try the validity of an election on proceeding by *quo warranto*. Then the Court could not in the first instance have decided the question which the single Judge was called upon to dispose of. It is true, the decision of the Judge might, under the statute, be reversed in the full Court, but that did not give the Court power to decide in the first instance, but only to review as provided by law. In the present state of the Municipal act the jurisdiction is given to a single Judge, and I have never heard it urged that in a case of a defective adjudication by a Judge, the Court could interfere to put it right. Having arrived at the conclusion that the prisoner is entitled to his discharge on the objections taken to the form of the warrant, I do not think we ought to detain him in custody until the Court are prepared to decide the other questions raised upon the argument, which we are not in a position to do at present. If we should finally concur in opinion with the majority of the Court of Queen's Bench as to those questions, we would still be bound to discharge the prisoner on the objections raised on his behalf to the warrant; and if we differed from them the prisoner would of course be set at liberty. Being therefore entitled to his discharge, we ought not to delay it unnecessarily. Under ordinary circumstances, if we were prepared to decide the main question, we might express opinions on it, though we had determined to discharge him on the objection to the warrant, in order that those who might be called hereafter to act in similar cases might know what views the Court entertained on the subject. It is probable that a similar question will not come up again very soon, and in the mean time circumstances may occur, and such changes take place, that for practical purposes our judgment would be useless. Having, as already intimated, come to the conclusion that the prisoner is entitled to his discharge on the grounds mentioned, I have no doubt that it is best, on the whole, that we should do so at once rather than detain him longer in custody or unnecessarily discuss questions or express opinions which may be of no practical advantage, and which might possibly tend to create difficulties and embarrassment. Our judgment proceeds on the ground that the prisoner is detained under the treaty and act of Parliament, and in accordance with the views of the Court of Queen's Bench in England, expressed in Besset's case. It was not contended before us, if it would be of any use so to contend (which at present I am far from supposing would have been the case), that at common law and by the comity of nations the prisoner might be detained by the order of the Crown to be surrendered as a fugitive from justice. Even if that view could be sustained it does not appear that there is any such order for his detention. The other formal objections to the proceedings taken on the arguments are disposed of by the judgment of his lordship the Chief Justice.

Mr. Justice Hagarty said—I am of opinion that our provincial statute allows the proceedings to be commenced by the complainant on oath before the Justice of the Peace without proof of a charge pending in the foreign State. Whatever may be our view of the offense apparent in the depositions, I think that we are bound to see if the prisoner be detained on a charge which the statutable authority, the examining Justice has deemed sufficiently sustained as to some one of the crimes mentioned in the extradition treaty, and if it do not appear that such (*quasi*) adjudication has been already made by such authority, I do not understand that either of the Superior Courts can assume the task of examining the depositions and judge them sufficient to sustain the charge. That duty I think it cast elsewhere, and must be performed by the committing Justice. He is to be satisfied that one of the statutable offenses is made out, and he must certify the result at which he has arrived. It is not that the Court may think his materials warranted his arriving thereat, or that he should have done so. He must do so himself, and we cannot, I think, do it for him. He must declare in unequivocal language that a charge (for example) of murder is made out. The statute directs him to certify his finding, with a copy of the testimony to the Governor, and I presume it then rests with the Queen's Government on a view of the case to assume the responsibility of further action. In the absence of a positive finding by the Justice as to the sufficiency of the evidence to sustain one of the statutable offenses, I am of opinion that the whole case fails, and that no legal authority exists to correct or supply the defect. In this case the only evidence before us of any such finding is the warrant. The charge there expressed is that the prisoner in a foreign country "willfully, maliciously, and feloniously stabbed and killed Digges." Does this clearly declare a crime under the extradition treaty, viz: murder? I am of opinion that the magistrate had no right to substitute any words of his own if he intended to commit for a well-known crime mentioned by a well-known name in the treaty, and require us to assume that he meant the crime of murder by these expressions. It is abundantly clear that an indictment for murder so worded would be bad, and although the introduction of the word "maliciously" would be unsuitable in an indictment for manslaughter, I do not see how that can help the case. In commitments for trial for offenses in our own country, the depositions can be referred to if the warrants be defective, and if they show substantially what the crime is, they can still be detained. The case cited of Rex agt. Marks, and subsequent authorities, amply support this. (Rex agt. Remnant, 5 T. R., 16, Wightman J. *Ex parte* Bartlett, 7 Jurist, 649, B. C.) It is readily conceded that a commitment need not be so certain as an indictment, but it ought to be sufficiently certain to show that an offense has been committed in the ordinary case, and that it would mean an offense cognizable by our Courts here, it must distinctly show one of the statutable crimes; and if my view be correct, we cannot seek to gather that result from the evidence, as the statute throws that duty on the committing Justice. (Rex. agt. Judd, 2 T. R., 256—5, T. R., 862.) It seems to me that from the nature of this proceeding, all reasonable particularity should be required in the instrument under which the prisoner is detained, that nothing should be left to conjecture, and that the charge should be explicit and independent of all aid from the deposition. I think we are far from insisting, on mere technical exactness, in requiring every person intended to be charged with murder to have the crime named as such—its universal and indispensable description in indictments, do not intend against the prisoner that murder is charged by words, which in an indictment could only warrant a conviction for manslaughter, if good even for that lesser crime. If this Court cannot look at the depositions to support this warrant, the necessity of a strict construction of the latter is indispensible. The warrant or authority to declare, is, as it were, the indictment or legal record of the prisoner's crime, so far at least as this country is concerned. The case of Besset seems to indicate the opinions of the Court that they could not look beyond the warrant. The Chief Justice has already quoted fully from the case. It may be suggested that as to the crime of arson mentioned in the treaty, it is not necessary to use that word to describe the offense. That may be so. The word is not used as "a term of art," as murder is in legal documents, but is used to express what indictments describe "willfully, maliciously, and feloniously setting fire to," &c. But murder is emphatically as the books call it "a term of art," and I am not willing to dispense with its presence in a document of such overwhelming importance to this prisoner's life and liberty, as this warrant necessarily is under the construction given to it, and to the Court's jurisdiction over it by the case just cited. As evidence, and the only evidence before me of a deliberate conclusion or adjudication by a proper officer, that a man living under the protection of our laws, has brought himself within the grasp of a treaty for the delivery to a foreign State as a murderer, I decline accepting the words here used as legally descriptive of murder. The law describes this crime in words of universal use and pointed unequivocal significance. I am not to conjecture that this necessarily means murder, or to listen to arguments that such words are too strong for manslaughter, &c. It is sufficient for me to say that if murder was meant, murder should have been expressed. I consider this a thoroughly substantial objection, not a mere technicality, but as the want of an essential charge, necessarily fatal to the validity of the detention. I am also of opinion that the conclusion of the warrant is defective, although our provincial act has the alternative which the statute governing Besset's case had not. The statute directs a commitment to jail for a special purpose, viz.: extradition, and not as in a common case of an indictable offense where the legal deliverance shall surely come as a jail delivery, I think that the commitment should have strictly pursued the words of the act which alone gave it any authority. I do not consider that the order of the Court of Queen's Bench affects the rights of the prisoner to ask his discharge from a court of coördinate jurisdiction; he now stands remanded on the original warrant, not as in Rex agt. Marks, discharged from custody on the defective warrant, and committed by the Court of its original authority. If the warrant be bad, everything falls with it. Considering the prisoner entitled to his discharge on these grounds, I have not desired to prolong his detention to allow further time for deliberations on the other very grave questions raised. Nothing would be easier than to arrive at a conclusion, if I had the right to dispose of this case simply on my own ideas of right and wrong, or on the dignity and privileges of human liberty; if, in short, I could ignore my peremptory obligation to decide according to what I believe the law is, and not as I may think it ought to be. In Lord Stowell's words, "I must remember that in discussing this question I have to consider it not according to any private moral apprehensions of my own (if I entertained them ever so sincerely), but as the law considers it." Our treaty with the United States is not very unlike those with France and other nations, but for the unhappy presence on this continent of some millions of our fellow-beings in involuntary servitude, there would be little practical difficulty in its operation. But the existence of this ill-used race presents difficulties which have hardly been duly provided for in the international contract, and a rigid adherence to some of the constructions ably pressed upon us in argument would possibly lead to the gravest results. To treat this class as wholly excluded from the treaty as chattels and not as responsible persons, is intelligible in statement, but might have this result, that if (apart from any attempt at freedom) a slave murder his fellow-slave, or deliberately burn up a dwelling-house with its inmates, white or colored, or on the seaboard commit piracy, &c., and fly to Canada, he would be safe from punishment. Again, to test a fugitive's criminality in every way as if the act charged were done on the soil where he is arrested, and to hold the crime incomplete unless every law alleged to be violated equally prevailed in both countries, might insure impunity to the mass of offenders, white and colored. Resistance to a merely local law even to the death in Canada, New-York, or Missouri, would thus be no crime, and the logical sequence might be that the white man or the slave in custody, or under sentence for a breach of the law, not in force here, might, by killing his keeper, vindicate his right to escape from what he must thus hold to be an illegal restraint. Again, the doctrine that we must accept every foreign law, be it right or wrong, natural or unnatural in our eyes, can readily be pushed to extravagant results; as, for example, if it be declared murder for the slave to slay her ravisher in defense of chastity, or resist to the death a corporal punishment dangerous to life or limb. This is also intelligible in statement, but would be revolting and unbearable in practical result. Lastly, that the contracting parties are to surrender or refuse to surrender, according to their view of the justice or injustice, the equity or the inequity of the law said to have been violated. This must lead to endless disputations, and leave the treaty either to utter disuse or to a capricious and offensive execution. But the adoption or repudiation of these interpretations may be altogether for the consideration of the Governments of the respective countries on receiving the reports of the officers appointed by law to take the evidence against fugitive offenders. I could have wished that the arguments before me had been more directed to the question whether it is in a return to a writ of habeas corpus that these constructions are to be discussed. I concur in deciding that the prisoner is entitled to his discharge, not without a strong hope that such modification may before long be made in such treaty as may prevent the recurrence of such cases as the present.

Mr. Sheriff Jarvis then stepped up to Anderson and announced to him that he was free! Anderson rose from his seat smiling, and turning to the bench as he left the Court, said: "Thank you gentlemen—thank your lordships." He was then conducted through the Judges' room into the center hall. On reaching the front of the building he was warmly received by the large crowd who had filled the Court, and congratulated on his discharge. A number of clergymen and others grasped him warmly by the hand, and three cheers were given for the "British Government," led by an enthusiastic colored man. A sleigh was procured at the head of York street, and into this Anderson stepped, accompanied by Ald. Nasmith and others. The party drove to several places in the city, and in the evening a comfortable boarding-house was found for Anderson. The news that he was free was soon known throughout the city, and every one appeared to feel glad that the poor fugitive had escaped, even by a technicality, the vengeance of the slave-owners of the South.

BONAPARTE v. PATERSON.

Correspondence of The London Times.

PARIS, Feb. 2, 1861.

The proceedings in the case of M. Jerome Bonaparte and Miss Elizabeth Paterson against Prince Napoleon were resumed at 10½ yesterday in the Court of First Instance. M. Benoit Champy presided, assisted by eight Judges. The hall in which the sittings were held is small, and gives accommodation to very few persons beside the members of the bar, the great majority of whom attended as simple spectators, and had no priority in place over the rest of the auditory. A small number of persons belonging to the magistracy had seats allotted to them on the platform behind the Judges, and those who obtained tickets by the courtesy of M. Benoit Champy were placed on the benches close to the leading counsel on both sides.

A newly-appointed Judge to some other Court having been sworn in, and some new formalities having been gone through, Monsieur, or rather *Maitre* Berryer (for such, according to the etiquette of the French courts of law, is the designation of a member of the bar), rose to reply to the speech of M. Allou, counsel for Prince Napoleon at the last sitting.

He observed that the system of defense adopted by the opposite party, the document which he had produced since the last sitting, would prevent him from being as brief as he desired. Nevertheless, he should endeavor to be as rapid as possible without omitting anything important to his case. He alluded to the remark that he had pleaded in this case simply for the sake of pleading, and without the hope of a favorable decision; that he had published an impassioned memoir, and that his pleadings had excited the passions of the public. To all that he had nothing to say, because it was to the judges that he addressed himself. His adversary thought himself authorized to look upon the marriage of M. Jerome Napoleon Bonaparte with Miss Paterson as a romantic legend—a chimera—a vague story floating in the air; yet he could not deny that it was to destroy this romantic legend, this chimera, that a powerful Emperor had employed the irregular arms which his absolute power furnished him with. He would not again go over what had been said on the other side touching the manners of the country of which Miss Paterson was a native—the description of these voluptuous climes—the enchanting banks of the Potomac, of the stream which flows 30 leagues from Baltimore—of the character of the populations of the Southern States, so different from those of the North. He would not remind them that Baltimore is to the north of the grave of Washington, that Maryland is to the north of Virginia, and that Virginia itself is not in the South. He would omit all this display of geographical science, which was only for the purpose of injuring the reputation of her for whom he appeared. The very age of Miss Paterson had been altered. She was born on the 6th of February, 1785; she was, then, on her marriage, not 21 years, as had been said, but 18. This was important, because this young lady, the child of honorable parents, had been represented to the Court as one born under a corrupting climate, with light and easy morals, impassioned, and exposing herself to every risk; and words had been attributed to her which could only be put in the mouth of the most abandoned; words attributed to the woman who had selected this Court as her judges, a woman who at the age of 75 had crossed the ocean to claim from that Bench protection for her honor. "Yet," cried M. Berryer—

"My adversary has been forced to deny, as it were, his own words, and pay a striking homage to my client—Madame Paterson, he admitted, had resigned herself with dignity when the days of enchantment had fled. She cherished the sacred memory of the past. Since she could not be the wife of Jerome Bonaparte, she would be the wife of no one; and when she regained her freedom by the American as well as the French law, she remained alone and respected, sharing her existence with her child. This is what you have been forced to admit—this young woman of 18, abandoned at 20, remained all her life in virtuous celibacy; she remained the object of general respect; and this is the person you had the courage to outrage. Yet she had suffered too long and too much not to see herself exposed in the presence of French judges, to the most insulting imputations. Why is it that the beauty, the character, the morals, and the purity of my client have thus been degraded by you? It is because it was absolutely necessary to establish that the marriage had not been contracted in good faith."

M. Berryer then referred to a letter emanating from a Mr. Goold of the Rue Neuve St. Augustin, No. 33, who placed himself at the disposal of Prince Napoleon, in order to satisfy the respectful desire he had to give the Prince information about the marriage at Baltimore. He says that in that country the marriage was not considered serious; that it was a popular tradition in Maryland that Miss Paterson had run the risk of finding herself at the end only a morganatic wife. What this obliging gentleman implied the Court might guess. The other side had tried to show that the young naval officer had been the victim of a kind of violence; but M. Berryer maintained that the marriage was contracted in good faith, not only by Miss Paterson but also by M. Jerome Bonaparte. Miss Paterson, born in 1785, was 18 years old. The marriage took place after a correspondence continued for months; it was the Spanish Embassador who demanded the hand of Miss Paterson, and it was Mr. Paterson who led his child to the altar. The French Embassador was invited to the ceremony; he did not attend, but the reason he would explain. The marriage was celebrated in the Cathedral; the nuptial benediction was solemnly pronounced by the Bishop in presence of the French Consul. The act was inscribed in the public records. Could the good faith with which the marriage was contracted be doubted after that? It was accompanied with all the guarantees and with all the solemnities required by the laws of the country. Even before the marriage, care was taken to produce before the clerk of the county the license—that is to say, the document showing that all the preliminary conditions the law required had been satisfied. So much for the good faith of Miss Paterson. He should show that the same good faith existed on the part of M. Jerome Bonaparte. Jerome Bonaparte had been charged with forcing Mr. Paterson to consent, with having seduced M. Sottin, with having paralyzed M. Pichon, the Ambassador and Consul of France. He had left France in 1802. He declared, and the documents laid before the Court proved, that he was 21 years old. He proved his age by his rank as an officer, which he could obtain only at that age. His commission specified 22 years. When he embarked for America the law of 1792 was in force; and that law permitted children to contract marriage without the consent of their parents when they had attained 21 years. At this epoch of legislative transition, that M. Pichon should have discovered the existence of a new law prescribing new conditions for marriage, and that, nevertheless, Jerome Bonaparte and the Paterson family should have sincerely thought that the civil code was not yet obligatory for a Frenchman who, leaving France while a different law prevailed, found himself in another hemisphere, I easily understand, and do not mean to say there was a calculation which would be odious on the part of Jerome Bonaparte. His good faith was established, and the proof was to be found in the correspondence of M. Pichou himself. Before the marriage was celebrated on the 24th of December, many letters were written by him, extracted from the archives of the Foreign-office, and of which he had copies. The real explanation was to be found in a book published by him, and in which are contained some important facts. It appeared that a warm altercation had arisen between Jerome Bonaparte and him; and M. Pichon accused Jerome with having denounced him. He mentions that he had expressed in presence of Jerome Bonaparte his disapproval of the rupture of the Peace of Amiens, and he adds, "M. Jerome Bonaparte, directed, no doubt, by those who accompanied him, denounced me on leaving my house." Jerome Bonaparte wrote to the Consul from New-York on the 18th of November, 1803, explaining what he had written to the French Government. The letter contained the following curious passage:

"Those remarks are reduced to three statements which you made to me. The first is, that if we had war it was because the First Consul desired to revenge himself for the insulting language of the English papers against him. To the second you replied to Gen Burbell, who was watching you, that this country was useful for a military man to be acquainted with, because no one knew what might happen, and that the First Consul had enough to do to govern his own country, without seeking to govern others. The third was that the French were more enslaved than ever, and that neither civil nor military rights existed in France. This, citizen, is what I represented to the First Consul, and this is what you said to me in the carriage in presence of Gen. Burbell and of my secretary. I now ask if you would not have acted as I did? I ask you, moreover, if you would have been as moderate—for you must remember that I did not answer a word! I speak to you of this affair, citizen, only to let you know that I have only done my duty."

The fact was, M. Pichon thought that after his marriage with the daughter of so respectable a citizen of the United States, M. Jerome Bonaparte might desire to have the post of Embassador to the United States, and, what would be more unpleasant, Gen. Smith, the brother-in-law of Mr. Paterson, might want for himself that of Embassador of the United States to France, and that inconvenience would result from the family alliance between the representatives of the two powers. Hence the objections of M. Pichon. M. Pichon's correspondence showed that M. Jerome Bonaparte was presented to President Jefferson on the 23d of October. The marriage was fixed for the following week, and there could be no doubt that he informed the President that he was on the point of marriage with a citizen of the United States. M. Pichon had promised to be present at the marriage, and it was only after having discovered the number of the *Moniteur* announcing the promulgation of the *Code Civil* that he wrote to M. Bonaparte and Mr. Paterson the letters of which use has been made. The presentation to the President, the communication of his intended marriage to the authorities, the invitations to the French functionaries, the Consul, and the Embassador, preclude the idea of a clandestine marriage. The Embassador declined the invitation, but the Consul attended. M. Bonaparte had no wish to evade the French law, and the correspondence of M. Pichon proved nothing against his good faith, and could not prove that anything clandestine was even intended. He had already shown that the marriage had been known in France more than a year before the protest of Madame Letitia—the mother of Jerome—the only thing which implied an attack. The papers produced observed that the marriage had been known in France; consequently the door was closed to all pretext for annulling it. Mr. Berryer maintained that the possession of the "civil condition" of Madame Paterson was amply proved. It was no matter where she and M. Jerome Bonaparte lived as husband and wife. In the United States or elsewhere was a matter of indifference; and the fact of Madame Paterson having lived as the legitimate wife of Jerome was not less certain. That the possession of "civil condition" lasted to 1806; she was always considered by Jerome as legitimately united to him. His whole correspondence proved the fact, and he repeats to her, that for nothing on earth would he abandon her; that neither wealth, nor fortune, nor crowns would tempt him to renounce her. The strange argument put forward on the other side—namely, that the second marriage of Jerome was the negation of the first, was untenable. The violation of the rights which resulted from the first marriage could not be a negation of these rights. Jerome Bonaparte had for three years treated Madame Paterson as his legitimate wife, and, forsooth, because he himself was afterward faithless to his oaths, to his own letters, to his affection for the mother of his son, his own faults could affect the possession of her civil condition! Such an argument was monstrous. The possession of the civil condition of the wife was perpetuated by the civil condition of her son, and the legitimacy of the latter profited his mother. With respect to the son the law was most positive, and nobody could dispute the condition of legitimacy of him who proved the possession of condition conformable to his certificate of birth. He showed that in the case of Jerome Napoleon Bonaparte (the son) the legal condition of such a possession was never more complete. He showed from the voluminous correspondence with all the members of the Bonaparte family that from the moment of his appearance he was treated as the cherished child of the family, that when he married his wife was received as a new member of the Imperial family, and his son again treated as the nephew and grandson; and Cardinal Fesch, the uncle of Napoleon I., left him a legacy by his last will. Even after the disappearance or death of many of the family, the surviving members did not cease to treat him with the same regard and affection. In 1854 the present Emperor informed M. Jerome Bonaparte, his cousin, that the French laws recognized him as legitimate, and that he had informed his uncle (Prince Jerome) that he (the Emperor) could not consider him in any other light. M. Berryer held the certified copy of a consultation, specifying that his client had appended a note to the copy, to the effect that when the Emperor handed him the consultation, his Majesty named MM. Troplong, Baroche, and Abbatucci, as the persons who had deliberated. Mr. Troplong, it was true, now pretended that he had never signed it, and he (M. Berryer) was bound to believe his word. The original was daily expected from America, and they should then, from the handwriting, know who really had signed it. Be this as it might, the son of M. Jerome Bonaparte, his client, had obtained rank in the French army by reason of his relationship to the Imperial family—an exorbitant privilege which a private citizen had never been able to obtain, and which could be explained only by that relationship. Prince Napoleon wrote to his client in July, 1854, as follows:

"MY DEAR JEROME: I have received your letter with great pleasure, as well as the few words added by your son. How I regret not to be in Paris! During the fourteen years that we have not seen each other fortune has brought a great change in our existence. I have passed through many situations, but I am happy that our friendship continues the same. It is with real satisfaction that these family feelings and personal sympathies are cherished. I appreciate them all the more that such is not the case with all my relations especially with my sister, whom I only see as a stranger. These sad recollections should not issue from my pen at a moment that I feel so much joy at recalling our fraternal recollections.

"I do not know what the effect of this war (with Russia) reserves for me; I hope that before Winter something will be decided. A thousand loves to your son, whom I embrace and love already for all the good things they write me about him.

"Your affectionate brother,

"NAPOLEON BONAPARTE."

M. Berryer, read, commenting on certain passages, the letter written by the late Prince Jerome to his nephew, the present Emperor, complaining, that, as he now called them, "the son and grandson of Miss Paterson," the same whom in his former letters he designated as "Madame Bonaparte and M. Jerome Napoleon Bonaparte" had come to France in order to throw doubts on the legitimacy of his children by his second marriage, and to prepare a scandalous lawsuit at the opening of his will. M. Berryer showed there was no danger whatever of any rivalry as to succession to the crown of France. No one disputed the legitimacy of the children of the second marriage. The present suit was simply about a question of inheriting a share of the property left by the deceased Prince—nothing more. The rights of the defendants were openly acknowledged by his clients. The Princess of Würtemberg's father and uncle may have been deceived, even setting aside the political circumstances which attended the marriage, but the perfect good faith of that Princess could not be called in question.

M. Berryer entered into a legal argument to show that the juridical theory of the counsel on the other side as to the consequences flowing from the defect of previous publication in France of the marriage of Jerome Bonaparte and Miss Paterson was erroneous, and that it did not produce nullity of the marriage. It was meant to inform the family of the parties, to appeal to all whose consent the law required. If the required consent was not forthcoming it was a nullity which a certain delay would cover; and when the principal nullity was covered, was it meant that defect resulting from the want of the necessary formality should subsist and not be covered? The year which elapses since a marriage is brought to the knowledge of the head of the family covers as well the want of publication as the want of consent, and this opinion was proved by a decision of the Court in the Mayer case in May, 1853. He examined at length the Imperial decree of Ventôse, year XIII., regulating the marriage of the princes of the Imperial family. That decree was in itself null and of no effect. The Senatus-Consultum of the year XII. gave him no right on a marriage concluded in 1803. And, moreover, Jerome Bonaparte, though brother of the Emperor, did not belong to the Imperial family; and as for the Legislation of 1805 and 1806, it was impossible it could confer on the head of the family a retroactive power over a union formed by a brother who was not called to succeed to the throne. The degree of the 20th Ventôse was not countersigned by the Secretary of State, Maret, as all other decrees were. It was not inserted, as the law required, in the *Bulletin des Lois*, and in point of fact it was merely a project of decree, and not a decree, and could not have the effect of law. After dwelling on this point at some length, M. Berryer referred to an incident mentioned by Prince Napoleon's counsel at the first hearing the case, and which produced the only manifestation of unrestrained feeling from the audience during the day. M. Allou, the Prince's counsel, had referred, in support of the right of the head of a reigning family to annul the clandestine marriage of one of its members, to a marriage said to have taken place between the Duke of Berry (father of the Count of Chambord) during his emigration in England, and the presence of the children of the issue of that marriage at the moment the Prince was dying from the wound he received from the dagger of Louvel at the Opera House on the night of the 13th of February, 1820. When M. Berryer touched this point every one could perceive the deep feeling under which the great orator labored. His voice, ever clear and melodious, and audible even in its lowest tones, trembled with emotion. The Duke of Berry, in the agony of death, summoned his two illegitimate daughters to his side, and recommended them to the Duchess, who knelt weeping by him. "You have reminded us," said the orator, raising his voice, and turning to his adversary, while the deepest silence prevailed,

"You have reminded us of the noble conduct of the Duchess of Berry, who embraced the children of her husband's youth, and who said to them (you yourself have repeated the words) 'Come to me, my children; here is my legitimate daughter; embrace your sister.' Yes, when I recall that scene, I cannot help thinking of that last will and testament in which Prince Jerome forgot both wife and child, and in which he had not a single word for either. You say that the Duke of Berry married in England. It is false; there was no marriage. What authority have you? You say that in 1834 a lady of the name of Brady, who had composed romances, published in the *Encyclopédie des Gens du Monde* a biographical article in which these words appeared: 'It was then that he married a young Englishwoman.' You quote M. de Lamartine who wrote in 1852 that in London the Duke of Berry had lived in the mystery of a lasting union with a person by whom he had two children; and finally, you quote the authority of M. Didot, in which it is said that the Duke of Berry married in London a young Englishwoman whom he abandoned. It is utterly false! You say that there are certificates of birth; that people went to London to inspect the marriage registry of 1806, and that the catalogue refers to a great registry, page 37; and that the page was wanting, and consequently that the entry was removed."

M. Berryer said, that the chaplain of the French chapel had written him two letters, to the effect that the Chancellor of the French Embassy, after having carefully searched the registry, had not discovered the slightest trace of a marriage or of a baptism, Ferdinand or Brown. He added that the registry was intact, and that the page 37 had not been disturbed, and it attests the marriage in 1821 of one William Brown with a certain Dalila Sailly of Etaples. A second letter from the same chaplain says:

"I have just seen the Chancellor (of the French Embassy); he regrets that the adverse party had not profited by the last clear information he had sent in order to rectify a too hasty search in the registry."

After showing that there was no foundation whatever for the statement that the Duke of Berry had married in England he said:

"My opponent has not hesitated to tell you that if the children who were the issue of this illustrious origin came here this day to claim their rights as legitimate I should be in his place to reject such pretensions. Well, then, I believe I have the right to reply that there is no human being on earth, however high he may be placed, who would ever expect from me such condescension. No act of my life could ever have exposed me to a reproach of this kind; and permit me to tell you that I may unbend my heart and blush with the unhappy resemblance you have attempted, that if the Count of Chambord himself had ever penned letters like some of those which Prince Napoleon has written to his brother, he would not have dared to call to this bar any one to support such a repudiation of relationship."

A burst of applause, with clapping of hands, and cries of "Bravo!" from the lower end of the hall, followed this declaration, delivered as it was in a voice of thunder and with uplifted arm. It lasted some minutes.

When silence was restored, the presiding Judge ordered that the Court should be cleared from the third bench to the door. The officers on duty expelled a few persons, and order, which was not again interrupted, was soon restored.

M. Berryer resumed his argument, which he concluded with these words:

"My case is whole and entire. I maintain that it is good, sound, incontestable in law and right in all points. My opponent has said that there had been in this cause a change in jurisdiction, but not in justice. Gentlemen, when jurisdiction is changed, there is no longer justice. It is you, our judges, who contribute justice; justice there is none but yours. It is to you alone I appeal—to you alone and the opinion out of doors, however favorable that opinion may be to my cause."

M. Berryer's speech lasted more than two hours and a half. When he concluded, the Judges retired for about a quarter of an hour. At 2 o'clock the hearing was resumed, and the presiding Judge called upon M. Allou, advocate for Prince Napoleon, to reply.

M. Allou commenced by stating that the explanations he had to offer to the Court should be extremely concise. In fact, a few words would be quite sufficient to give a true signification to the circumstances under which the marriage was contracted. The opposite counsel relied on the publicity which attended the marriage solemnized in the Cathedral of Baltimore by the Bishop, the parties being a young girl of 18 years of age, given away by her father in the presence of the French Consul—the bridegroom a naval officer of 22. The opposite advocate forgot, however, the letters of M. Pichon, the French Consul, and of Admiral Willaumez. They both declared that they repeatedly warned young Bonaparte and the Paterson family of the illegality of the marriage. These were facts not to be overlooked. The advocate of the Paterson family insisted on the fact that Jerome Bonaparte was presented to President Jefferson, and received by him, as the promised husband of a young American lady. The date, however, of the interview deprived it of any importance. M. Jerome Bonaparte arrived on the 23d of October, and on the 24th he was presented to the President. But it was not until the afternoon of the 25th that the French Consul was apprised of the intended marriage. M. Allou insisted particularly on this point, inasmuch as the remonstrances of the French Consul produced a rupture between the parties, which was communicated by Mr. Smith, an American Senator, brother-in-law of Mr. Paterson. Counsel then read a letter from M. Pichon, the French Consul, to Jerome Bonaparte, dated October 27, in which he told the young officer that by the law of France the proposed marriage would be illegal unless he first obtained the consent of his mother, and, as a matter of courtesy, that of his brother, the First Consul. M. Pichon again wrote to him two days subsequently, telling him that he had assured himself that the French law requires a son to have attained the age of twenty-five years in order to marry without the consent of his parents, and that even in that case he should prove that he had demanded it. Two months then elapsed. The young people consented to separate. Having met again, however, a marriage was hastily concluded. The French Consul gave evidence of that fact. It was insinuated that M. Pichon feared to be replaced in his employment by Jerome Bonaparte. That was a trick played by Mr. Smith, who, wishing to become Embassador to the French Republic, forwarded the marriage, in order to become allied with the French Consul, and having heard of the marriage, he wrote a letter to the Minister of Marine, dated the 18th of January, 1804, in which he informed him that he had just heard that Jerome Bonaparte was married to Miss Paterson, that he had done all in his power to dissuade him from it, and hoped he had succeeded, but after an interval of two months he learned that the marriage had been solemnized. The Admiral concluded by expressing his fear that the First Consul, as well as the Minister of Marine, would be dissatisfied at Jerome's conduct. Such being the facts, M. Allou contended that if ever there was a clandestine and fraudulent marriage, it was that of the 24th of December, 1803. He then produced the registry of Jerome Bonaparte's birth, which showed that he was born in 1784, and was consequently under 20 years of age at the period of his marriage. M. Allou next stated that since the last sitting of the Court a letter had been received by Prince Napoleon from Mr. Gould, formerly Secretary to the American Embassy in London, which threw further light on the question. Mr. Gould stated that, having observed during the pleadings in the Paterson-Bonaparte case that certain importance was attached to the presumption that the marriage of his mother had the sanction of the *lex loci*, and that an act valid where it was consummated is valid everywhere; on the contrary, at the period of the marriage, its validity was doubted by the most eminent jurists in the United States. His father's opinion, whose reputation as a jurist was of the highest, was asked at the time of the marriage, and he said, without any hesitation, that such a marriage might satisfy the conscience and the reputation of the bride, but that its legal validity was doubtful, inasmuch as the husband was a foreigner (not having even a domicile), that he was a minor, that he had not obtained the consent either of his guardian or of his family, nor had he performed any one of the acts or formalities necessary to legalize his marriage in his own country. It was, consequently, the opinion of Mr. Gould's father, and several other American jurists, that if the marriage were not legalized and ratified in France it could not secure for Miss Patterson or for her children any right of legitimacy or of inheritance on the side of her husband. Moreover, it was well known in the United States that all these arguments were submitted to the consideration of Miss Patterson herself, and that she knowingly incurred the risk of finding herself at last only a morganic wife, in order to enjoy the chance of the exalted position to which she might pretend as a legitimate wife. It is openly said in America that she played for a high stake, and that she must take the bad luck with the good. Such is the substance of M. Gould's letter, on which Prince Napoleon's advocate dwelt at some length. He then remarked that his adversary had passed over in silence the will of Miss Paterson's father, and that mournful look cast by the father of the family on the disobedience and misconduct of his daughter. So much for the character of the marriage. The next point to be considered is the absence of publication required by the 170th article of the French Code. With regard to the decree Meyer, relied on by the counsel for M. Patterson-Bonaparte, M. Allou opposed to it the judgment pronounced by M. Delangle on the 9th of July, 1858, in the case of Dubouchage. The law says that when a fraud is committed out of France, whether with premeditation or not, to which is added the want of consent of father or mother, there is no mode of supplying the want of consent by prescription. A marriage celebrated in a clandestine manner remains clandestine. It is no longer, as Daguesseau remarked a private injury, but a public offense. M. Allou then argued that Miss Paterson never obtained the rights of a French woman. Having arrived at Lisbon she and her husband separated, never to see each other again. So much for the mother. Now, with respect to the son, can he pretend to have been treated as a legitimate son because he received letters which were read in court from the true wife, the Princess of Würtemberg? It is the kindness of the legitimate wife to the child who is not what is disclosed by these letters. M. Allou then replied to the legal objection raised by the opposite counsel to the validity of the decree of the 30th Ventose, year 13, in consequence of the word *projet* having been indorsed on it. He read a letter from Count de Laborde, Director-General of the Archives of the Empire, which explains that the word *projet* was indorsed on the draught of the decree, subsequently became definitive. He then continued:

"While listening just now to the impassioned language of my contradictor—"

"M. Berryer, interrupting—No; I have no passions.

"M. Allou—Oh! M. Berryer, whether you know it or not, you are possessed of the oratorical passion, which does honor to the advocate, and which I would desire to find for a moment in order to reply to you."

He then remarked that M. Berryer contested the fact of the marriage of the Duke de Berry with a Miss Brown in England. However that may be, the right to annul such marriages is monarchical, and accepted by all lawyers as incontestible. It was by the same principle, adduced on the occasion of declaring null the marriage of Gaston d'Orleans, that the Emperor Napoleon annulled the marriage of his brother Jerome. M. Allou then complained that in the memorial presented to the Court it was stated that a written opinion existed, given by MM. Troplong, Baroche and Abattucci at a consultation to the effect that the marriage of 1803 is null, but that the offspring of the marriage is legitimate. No such opinion was ever given, as appears from the following letter addressed by M. Troplong to Prince Napoleon, and dated the 27th of January:

"Monseigneur—I find no difficulty in declaring by writing what I had the honor to tell you the other day. Never did I take part in any consultation tending to establish the nullity of the marriage of 1803, and *the legitimacy of M. Jerome Bonaparte-Paterson the son*. It was certainly in consequence of incorrect information supplied to M. Berryer that the lawyer wrote in his *Mémoire* (page 36) that there existed in the hands of his client a consultation, with reasons at full length, signed MM. Abattucci, Baroche, and myself, and thus summed up: '1st. M. Jerome Bonaparte ought to be considered a legitimate child in France.' I repeat to your Highness that this assertion is false in every point and nobody can place me in contradiction with the definite decision to which I have conscientously adhered. Your Imperial Highness may make what use you please of this letter.

"TROPLONG."

M. Allou concluded his argument by observing that there could be no difficulty in deciding between the two marriages—one contracted secretly, and in violation of his promise, by a boy of 19; the other celebrated in the face of the world, with all the formality of the law and all the pomp of religion.

The Court adjourned until Friday next, to hear the Imperial Advocate.

ARMY AND NAVY INTELLIGENCE.

The Ordnance authorities of the Brooklyn Navy-Yard have not oftener been busier than they are now. Batteries for the Perry, Savannah, Harriet Lane, and other vessels, are being prepared, and will soon be finished. The armaments of the steam-frigates Roanoke and Wabash are to be increased by four guns each, and the batteries of the Mohawk and Crusader will be put in a most efficient state. The stock of shot and shell on hand is large enough to supply any contingency. Capt. Gansevoort has got the entire department in the most perfect order.

The United States steam-frigate Mississippi is now almost ready for sea at Boston. Her condition has been reported to the authorities, and orders for her immediate outfit are said to be in contemplation.

Another detachment of recruits has arrived on the Island, and one of United States Dragoons has left for Carlisle, where they are to be drilled and fitted out for regimental duty.

Orders for the departure of a considerable portion of United States troops from Governor's Island are daily expected. At present over 300 men are on the ready list, and ambulance material for a force of that number is susceptible of almost immediate use. It is said that three officers are detailed to go with the soldiers, whose destination has not transpired.

A steamer took ordnance from Fort Monroe to Governor's Island yesterday.

The court-martial on Lieut. Barbot, of the steamer Mohawk, accused of shooting Gunner's Mate Bennett, of the same vessel, while lying in the port of Key West, was continued yesterday at the Lyceum in the Brooklyn Navy-Yard. C. D. Humphreys, Master's Mate, was examined. He was the first witness for the defense, and his testimony may be considered as much in favor of the accused. The next witness was Paymaster's Clerk J. H. Hoadly, and the depositions made were as to what he heard and saw, and also as to what subsequently passed between himself and Bennett, the wounded man. There are one or two others to be examined on the part of the prosecution, as well as the defense, but the main points relied upon as adverse to the accused have been already elicited. The case will probably occupy two or three days longer.

COMMISSIONERS OF POLICE.—This Board met at 2 o'clock yesterday afternoon, and received the resignation of John H. Munn of the Fourteenth Ward, Samuel Mahon of the Sixth, and John Stewart of the Fifteenth. Robert A. McCredie of the Steamboat Squad was made a roundsman, and transferred to the Eighth Ward. Decisions were rendered in several cases of policemen charged with direliction of duty, fines being inflicted of deduction of pay from one to thirty days.

MISTAKE.—The Manhattan Express Company carried the baggage of the Presidential suite on Tuesday, instead of Adams Express Company, as was inadvertantly mentioned in yesterday's TRIBUNE. The Manhattan folk are all good Lincoln men.

ARION BALL.—The Dramatic Carnival Ball of the Arion Association this evening at Irving Hall bids fair to be a very fine affair.

LAW INTELLIGENCE.

SUPREME COURT—GENERAL TERM—FEB. 20.—Before Justices CLERKE, SUTHERLAND, and ALLEN.

CONSTITUTIONALITY OF THE SUNDAY LAW.

Gustav Lindenmuller, plaintiff in error, agt. The People, defendants in error.

The plaintiff in error, who is the proprietor of a lager beer garden in the Bowery, opposite Spring street, was convicted in the Oyer and Terminer, before Justice Gould, on the 17th of November last, for giving a dramatic performance on Sunday, the 20th of May, 1860, and he was sentenced to pay a fine of $250, from which he appeals to this Court. The question on the appeal involves the constitutionality of the Sunday law passed by the Legislature on the 17th of April, 1860. The plaintiff in error also contends that so long as he conducted proceedings at his theater in an orderly manner, and did nothing to disturb the peace, he had a legal right to give theatrical exhibitions on Sunday. It was merely a matter of taste and conscience with him and his auditors, that, at the time Lindenmuller obtained his lease (April 11, 1860), it was not unlawful to give theatrical exhibitions on Sunday. The case was argued, and decision was reserved. Messrs. Clinton and Stallknecht for the plaintiff in error; Nelson J. Waterbury for the defendants in error.

ALLEGED FRAUDULENT DISPOSITION OF PROPERTY.

John D. Phillips & Co. agt. Russel Benedict and Ethel T. Furnam.

This was an appeal from the order of Judge Ingraham denying the application of the defendant Benedict for a discharge of the order of arrest under which he was held to bail in $6,000. It was claimed on the part of the plaintiffs that the defendants' firm in the Fall of 1857 owed to the creditors in New-York for goods purchased for their Chicago store $250,000. That subsequently an extension, then a compromise for fifty cents on the dollar, and then another extension had been granted to the defendants, and that the defendants in September, 1859, after buying what goods they could in August, 1859 on representations of their perfect ability to pay, had made a pretended sale of all their stock of goods, and then subsequently set up that they were unable to pay 37½ cents on the dollar of the compromise, and had never as yet paid anything to their New-York creditors, among whom were the plaintiffs to the amount of $15,000.

On the part of the defendants all the charges of false representations in the purchase of goods and all the charges of a fraudulent disposition of their property were denied, and a large number of depositions were read on each side. Decision reserved.

Wm. E. Curtis for plaintiffs; D. D. Lord for defendants.

THE CASE OF DR. ELLIS.

The Court affirmed the judgment convicting Dr. Ellis of stealing a diamond ring from Miss Roberts.

CHAMBERS—Before Justice LEONARD.

CONCERT SALOONS LIABLE TO TAKE OUT THEATRICAL LICENSES.

In the case of the managers of the Society for the Reformation of Juvenile Delinquents agt. Robert Smith et al., being a motion for an injunction against the defendants, who are proprietors of the Art Union Concert Saloon, in Broadway, the Judge rendered a decision granting the motion, with $10 costs to abide the event. By this decision concert saloons are liable to take out licenses.

DECISIONS.

Wm. Siliiman agt. Eugene Ketteltas et al.—Since the proceedings against tenants, &c., have been instituted by the landlord, a stay of such proceedings cannot be granted. The plaintiff must take his remedy by certiorari. Motion denied.

The People ex rel James Smith agt. Alice Allen. Writ discharged and the prisoner remanded.

UNITED STATES DISTRICT COURT—FEB. 20.—Before Judge SHIPMAN.

DUTY ON WOOL.

The United States agt. 150 Bales of Wool.

This case was fully reported in Tuesday's paper. The Jury have rendered a verdict in favor of the claimant, thus determining that the wool was invoiced at its actual value—30 cents per pound.

UNITED STATES COMMISSIONERS' OFFICE—FEB. 20.—Before Commissioner CARROLL.

COUNTERFEIT COIN.

John Dougherty was examined and committed on a charge of manufacturing and passing counterfeit nickel cents.

SUPERIOR COURT—SPECIAL TERM.—FEB. 20.—Before Justice MONCRIEF.

Wm. Anferman agt. Edward L. Seymour.—Motion to discharge order of arrest denied, with $7 costs.

TRIAL TERM.—The Hon. Lewis B. Woodruff, Justice.

Wright Gillies agt. Homestead Fire Ins. Co.

The plaintiffs, proprietors of a coffee and spice mill in Greenwich street, bring an action for $1,500, alleged to be insured by the defendants on merchandise, in October, 1859. The broker states that he applied to the Company to assume the risk at 2 per cent, which they rejected; but that on the 7th of October the Vice-President, at the branch office in Wall street, agreed to take the risk for $1,500 at 2½ per cent premium, and made it binding, at the same time writing an application. The same night the premises were burned up. The defendants set up that no such risk was ever taken by them, and that the Vice-President had no authority to make a risk binding without the express consent of the principal office, corner of Nassau and Beekman streets, and that the broker knew of such want of authority on the part of the Vice-President. Mr. Holbrook, the Vice-President, testifies that, on the second application of the broker, Davis, he told him that if he brought him satisfactory evidence that other companies named had taken insurance at 2 per cent, and the form of policy and the terms proved satisfactory to the principal office, then he would give him a policy in 15 minutes; and the broker went, as he supposed, for the policy, but did not return. The defendants proved want of authority in the Vice-President to give a policy without consent of the principal office.

The Court charged that their charter did not give the Vice-President power to act and bind the Company, except in case of disability or absence of the President. He had no authority except such as was conferred upon him by resolution of the Company. Verdict for the defendants.

COURT OF GENERAL SESSIONS—FEB. 20.—Before Recorder HOFFMAN.

Francis Brown pleaded guilty of an attempt to obtain money under false pretenses, from James B. Hodgeskin No. 133 William street, and others, by means of a subscription book, in which it was represented, over the forged signature of H. B. Saltzwedel, of Williamsburgh, an officer of the German Society of New-York, that the prisoner was duly authorized to collect funds in the name of that Society, for the benefit of a distressed widow lady; the book having been passed around to several dozen people, who each paid about $2. Brown was sent to the Penitentiary for six months.

THE SHEPHERD ARSON CASE.

This case came up before the Court of General Sessions to-day for the third time. The facts in the case have all been fully reported. On the first trial, Shepherd was convicted and sentenced to be hung; then the Court of Appeals ordered a new trial, which took place in April, last year; but the jury disagreed, and the prisoner has been in the Tombs until the present time. He now looks haggard and pale, although hope has not deserted him. His old lawyers, Messrs. Ashmead and Abbott, appeared for the defense. The case was not far progressed in to-day. Adjourned.

KINGS COUNTY COURT OF SESSIONS.—FEB. 20—Before Judge GARRISON and Associates.

The Williamsburgh arson case was resumed yesterday, and, after the examination of several witnesses the prosecution rested. The testimony on the part of the defense went to show that the fire originated by accident. The Court adjourned until this morning, when counsel will sum up, and the case will be submitted to the jury.

COURT CALENDAR—THIS DAY.

SUPREME COURT—GENERAL TERM.—Enumerated—Nos. 45, 48, 49, 52, 53, 54, 55, 58, 59, 60, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 47.

SUPREME COURT—CIRCUIT.—Part I.—Nos. 493, 641, 715, 729, 731, 733, 735, 737, 739, 743, 745, 747, 749, 753, 755, 757, 759, 761, 763, 767.

SUPREME COURT—SPECIAL TERM.—Nos. 15[illegible], 2[illegible], 152, 166, 167, 179, 180, 161, 184, 185, 186, 187, 183, 189, 192, 197, 198, 199, 200, 201.

SUPERIOR COURT.—Part I.—Nos. 1,017, 1,237, 1,241, 1,243, 1,245, 1,247, 1,249, 1,251, 1,255. Part II —Unchanged.

NEW-JERSEY ITEMS.

WASHINGTON'S BIRTHDAY.—The Second Regiment, under the command of Col. Gregory, have been ordered to parade in Jersey City, on Friday next, in honor of the birthday of the Father of our Country. The National Guard of Hoboken, Capt. Van Houghton, have accepted an invitation to participate in the parade with the Second Regiment. The line will be formed in Washington-street, at 10 a. m.

The Jersey City Continentals will parade in the forenoon, and at night will give a ball at the Hudson House.

LECTURES.—Mr. George W. Curtis will deliver the last of the course of lectures for the benefit of the Jersey City Fire Department Fund, at Metropolitan Hall, on Thursday evening. Subject: "The Policy of Honesty."

John B. Gough lectures the same evening before the Young Men's Christian Association, at the First Presbyterian Church.

Solon Robinson gives an agricultural address this evening, to the farmers of Sussex County, N. J., at the Court-House at Newton. We hope it will awaken an earnest interest in improvement in that section of the State, as great as has taken place in Monmouth County, within a few years.

TROTTING FOR THE COMING SPRING—FINE PROSPECTS FOR THE SEASON.—The advent of Spring is enough to make the trotting horses prick their ears with joyous expectation, and look forward to the time when they shall again say among the thousands "ha, ha!" upon the race tracks of the country. A little more of such open weather as we had at the end of last week, and trainers and drivers will begin to give their horses gentle work, preparatory to putting them in condition for the contests of the coming campaign. Little Flora remains at Baltimore, in excellent health, as we hear, and with every prospect of sustaining her reputation through yet another season. George M. Patchen, too, is expected to come out in strong force this Spring, and if all is true that we hear, he will have need of his fine powers to maintain his position as premier trotting stallion. There are whispers of a stallion of the get of Black Bashaw, of whom it is confidently predicted that he will be second to no entire horse in the world when regularly introduced to the trotting turf. Hints are given, too, of a dark horse, who is said to have made a fabulous time in private, and will make his *début* upon the trotting turf at an early day. His friends confidently hope that he will beat all competitors, and achieve for himself the place of honor so long and so worthily filled by little Flora Temple. Altogether, there is promise of rare sport among the trotters; and the proprietors of the Union Course, Long Island, have already advertised no less than sixteen stakes and purses, to be trotted for in the latter part of April and the month of May. [Wilkes' Spirit.