THE FENIANS.

DECISION OF THE CANADIAN JUDGES IN RELATION TO NEW TRIALS FOR THE PRISONERS—THE APPLICATIONS REFUSED.

BY TELEGRAPH TO THE TRIBUNE.

TORONTO, Dec. 2.—In the case of the Rev. Mr. McMahon, Col. R. Lynch and other Fenians appealing for new trials, judgment was given yesterday afternoon. In regard to Mr. McKenzie's application for a rule calling on the Attorney-General to show cause why a new trial should not be had and the verdict of the condemned set aside, the Chief Justice delivered the following judgment:

After stating at length the law under which the prisoner was tried, the Chief-Justice observed that the indictment contained three counts, the first of which charged the prisoner with having come to this country for the purpose of levying war against the Queen; the second charged him with having, while in Canada, joined himself with divers ill-disposed foes for the purpose of committing an act of war; and the third with having committed an act of hostility. The first objection taken was that there was no legal evidence to prove that the prisoner was a citizen of the United States, while there was direct evidence to show that he was a British subject, and that the Crown had made the statements of the prisoner the only evidence they had on that point. His Lordship then referred at length to the authorities on that point showing that a natural born subject may deprive himself of the rights and privileges by certain acts. Such a person, by carrying on trade in another country, had been held to be an alien, and is debarred from civil rights. In support of this he referred to the case of Lansville agt. Phillips (Lorne's reports, 297). He had never heard of any authority which would give the prisoner the right to say, "I have committed high treason and, therefore, cannot be tried for felony," and he thought that if any complications or difficulties arose from the course the prisoner had adopted they emanated from himself, and he, therefore, thought that the prisoner's evidence against himself was sufficient to show that he was an American citizen. Having disposed of that objection, the same reasons he had already assigned would govern the second and third objections; and the fourth, fifth, sixth and seventh objections resolve themselves into this fact that it has not been shown that the prisoner came over here with any intent to levy war against Her Majesty, and his Lordship then read the evidence given at the trial, showing the prisoner's connection with the Fenians. Now, it was argued that the act proved did not amount to the levying of war; still the Court had it in evidence that they came here in military array and appeared in military uniform, and from the nature of the evidence he felt satisfied that the prisoners came over to this country with the body of Fenians with a knowledge of their intention. The Court, however, could not refrain from stating that they regretted much that some evidence had not been brought forward at the trial to show what the word "Fenian" meant. If that had been shown there could have been no doubt on the point; but apart from this both he and his learned brothers, after a careful and deliberate consideration, had come to the conclusion that the evidence was sufficient to establish the fact. There was another ground set forth by the learned counsel, which was that the learned Judge who tried the case was wrong in telling the jury, that if the prisoner came over with the Fenians for the purpose of administering spiritual consolation to the wounded, he was aiding and assisting in the act and equally guilty. Although he would not have worded the direction in the same language as Mr. Justice Wilson, still he was of opinion that it was correct in law. The last grounds on which the prisoner applied for a new trial were three affidavits, the first of which was made by the prisoner on the ground of surprise, the liability of the testimony of a witness called Milligan, and the fact that he could prove that he was in Buffalo at the time that witness had sworn that he had been seen at Fort Erie. In support of this an affidavit has been made by a Mr. Vaughan, a merchant of Buffalo, who deposes that he met the prisoner on the morning of the 1st of June, between the hours of 8 and 9 o'clock, in Buffalo, and had a conversation with him, when he stated that it was his intention to go over and attend to the wounded in Canada, and that with such intention he gave the prisoner a list containing the names of a number of his Fenian friends who were with the expedition; and the other affidavit corroborated these facts, and set forth that deponents were willing to come over and testify to that effect whenever called on. On the whole, he was of opinion that all the grounds taken by the prisoner's counsel for granting a rule to show cause had failed, and that if it had been granted it would merely have been wasting time and words to no purpose, as the Court would not have made it absolute. After the most careful consideration, he could arrive at no other conclusion than to refuse the rule.

Justice Hagerty then delivered judgment in the case of Queen agt. Lynch: having recapitulated objections *seriatim*, stated he perfectly concurred in the views expressed by the Chief-Justice, and having taken much care to study all the different points involved, and objections raised, he had come to the decision that no sufficient grounds had been made out to warrant the Court in granting the rule, *nisi*. Justice Morrison delivered judgment in the case of the Queen agt. School, and stated he perfectly concurred with the learned Chief Justice and Justice Hagerty in the course they had pursued. He had no doubt of the law on the subject, and must therefore refuse the rule. Mr. McKenzie then moved for leave to appeal to the Chief Justice, and said the Court anticipated such motion, and having refused the rule, they did not consider, and would be warranted in granting the application.

Chief Justice Richards delivered judgment in the Court of Common Pleas, in the case of the Queen agt. Slevin to grant the rule, *nisi*, on the same grounds as those urged by the other Judges.

VOLUNTEERS TO ATTEND FENIAN TRIALS—SPEECH OF D'ARCY M'GEE.

BY TELEGRAPH TO THE TRIBUNE.

MONTREAL, Dec. 2.—A force of volunteers has been ordered to Sweetsburgh during the Fenian trials; part of them from Montreal, and the remainder are detached from the Bedford Battalion, which now numbers 12 companies. All of the local companies are warned to be in readiness for service. Col. Wesdith commands the forces.

D'Arcy McGee in a recent speech, referring to the convicted Fenians, said: "These men deserve death, but the spirit of the times is opposed to capital punishment where any other punishment can reach the case, and in these cases I hope it may be found possible to temper justice with mercy."

ARRIVAL OF FENIAN PRISONERS AT SWEETSBURG—THE TRIAL TO TAKE PLACE TO-DAY.

BY TELEGRAPH TO THE TRIBUNE.

SWEETSBURG, C. E., Dec. 2.—The Fenian prisoners who were captured during the raid on the Missisquoi frontier in June last, arrived here this afternoon to be tried at a special term at the Court of Queen's Bench for the District of Bedford, which opens to-morrow, Judge Johnson presiding. They left Montreal this morning by special train, at 8 o'clock, in charge of Mr. Payette, Governor of the Montreal Jail, and an escort of 30 good police, armed with Spencer rifles, under command of Col. Ermatinger.

The same train brought a strong volunteer detachment, furnished by the Montreal Royals and Light Infantry, commanded by Major Kenneth Campbell; Judge Johnson, Mr. T. K. Ramsay, who will conduct the Fenian cases for the Crown; Col. Osborn Smith, who will command the force stationed at Sweetsburg during the trials; and a number of other official gentlemen, civil and military. At Granby the party were joined by a party of local volunteers.

At West Shefford station teams were in waiting to convey the party and their baggage to Sweetsburg, where all arrived safely at 4 o'clock. A crowd of some 200 persons who had assembled in the village to see the prisoners arrive conducted itself with the utmost decorum, making no demonstration of any kind. The prisoners, 16 in number, were handcuffed in pairs, four being in a wagon together under charge of armed policemen.

With two or three exceptions, they are all young lads, averaging about 18 years of age. They were comfortably dressed in new suits of clothes, with comfortable overcoats, &c., with which the Canadian Government had ordered them to be provided, as when captured they were for the most part wretchedly clad. A portion of the expense, however, was borne by a fund, paid through the hands of Mr. Devlin, their counsel, for the same purpose. Their names are as follows:

George Crawford, James Reardon, Thomas Smith, George Frederick Howard, Edward Gilgon, Fenton Holmes, Charles McGowan, Thomas Powers, Edgar Rogers, Cornelius Owens, Terrence McDonald, Gustave Morrill, Michael Crowley, Edward Carrol, Daniel Coburn and Thomas Madden.

At the entrance to the Sweetsburg jail Mr. Payette transferred them from his custody to that of the Sheriff of Bedford District.

The court opens at 10 to-morrow.

Messrs. Ramsay, Buchanan and Lanclot are engaged as counsel for the prosecution.

Mr. Barney Devlin, it is understood, will arrive to-morrow, to appear as counsel for the defense.

The Court will probably be engaged with a case of murder and one or two of larceny until the Grand Jury decide on the bills with reference to the Fenian prisoners.

Several local companies of volunteer horse arrived in the course of the evening.

FENIAN ACTIVITY IN KENTUCKY.

BY TELEGRAPH TO THE TRIBUNE.

LOUISVILLE, Dec. 2.—The Fenians have been very active in this city during the last week. We look for some decisive movement soon.

CANADA.

THE REPORT ABOUT AN ANNEXATION MEETING FALSE—THE COMMANDER OF THE FORCES TO BE SWORN IN AS ADMINISTRATOR.

BY TELEGRAPH TO THE TRIBUNE.

MONTREAL, Dec. 2.—The news telegraphed to *The New-York Herald* as to an annexation meeting in this city is purely an invention.

The Executive Council that is the part remaining in the Provinces) will meet here on the 7th inst., and the commander of the forces will be sworn in as Administrator of the Government.

Notwithstanding all the reports, the Hon. Mr. McGee is still in the Government and exhibits the same tenacity for office that characterizes Cartier.

GAS WORKS AT COBURG.

BY TELEGRAPH TO THE TRIBUNE.

COBURG, C. W., Dec. 2.—This town was lighted Friday night with the new gas, made from pine wood, from bones, and other refuse vegetable and animal matter. The light was quite brilliant, surpassing that manufactured from coal, which had been formerly used, while it will be more economical.

PROSPECTING IN THE MADOC GOLD REGIONS.

BY TELEGRAPH TO THE TRIBUNE.

BELLEVILLE, C. W., Dec. 2.—A large number of persons continue to visit he Madoc gold regions, and prospecting is going on lively. A California miner professes himself satisfied with the "show," and there are rumors rife of the discovery of precious metal in other sections of the back country.

ST. ANDREW'S DAY.

BY TELEGRAPH TO THE TRIBUNE.

TORONTO, C. W., Dec. 2.—St. Andrew's day passed off with great *eclat*. Sermons were preached in the churches, and a concert and speeches occupied the evening. The President stated that the Secretary had expended $18,000 during the last ten years in affording assistance to distressed countrymen.

THE BREAK IN THE ERIE CANAL.

BY TELEGRAPH TO THE TRIBUNE.

ROME, Dec. 1.—The break in the Erie Canal, five miles east from Rome, will require 40 hours for repairs.

A NEW PHASE OF RECONSTRUCTION.

THE SOUTH CAROLINA MURDERS—THE ASSASSINS CONVICTED AND SENTENCED TO DEATH—THE PRESIDENT COMMUTES THE SENTENCE, AND THE PRISONERS ARE RELEASED ON A WRIT OF HABEAS CORPUS.

BY TELEGRAPH TO THE TRIBUNE.

WASHINGTON, Dec. 2, 1866.

The recent release of the parties who wantonly murdered three Union soldiers in South Carolina, about a year ago, is creating a good deal of comment in official circles here, especially as one of the counsel for the defense was Mr. Secretary Browning, then a lawyer and claim agent. The records and papers in the case were all produced before the Court in the late trial before Judge Hall, and the facts are thus laid open to the public. The names of the parties are Joseph Crawford Keys, Robert Keys, his son, Elisha Byren, and F. G. Stowers. The crime of which they were convicted was murder, committed on the night of Sunday, October 8, 1865. The victims were Corporal W. C. Corbett, Emory Smith, and Mason Browning, all of the 1st Maine Veteran Volunteers, who were killed while on guard over cotton. The arrest was by the military authorities, and the trial took place before a Military Commission. The facts proved conclusively were these: Some days before Oct. 6, 1865, the officers of the Treasury Department had taken possession of fifteen bales of cotton, lying at Brown's Ferry, on the Savannah River, and had put it in the custody of W. P. Brown, owner of the Ferry, who lived a few rods distant. The cotton was claimed by Crawford Keys as his property, and this Keys had engaged Stowers, one of the men set free by Judge Hall, to carry it by boat to Savannah. On Friday, the 6th inst., Stowers informed Brown that the cotton was about to be taken away secretly, but that he himself was not to do it, and advised Brown to get himself relieved of its custody by the military authorities, and of all responsibility in the matter. Brown therefore gave notice to the military of the intended removal, and the guard of three men whose names are given above were sent to the ferry the same evening. The trip to Savannah was at once put off, Stowers giving as a reason that his steersman was sick. On the succeeding Sunday night, about 11 o'clock, five men, four of whom were recognized by Brown and his assistant, a man named Howell, to be those named above, and Peter Keys, a second son of the elder prisoner, passed the ferry gate in the direction of the river. They were seen to go to the ferry, where at once an altercation began between them and the guard. A voice was heard and identified as Stowers ordering the guard to lay down their arms. On the soldiers replying that they were acting under orders which they must obey, the answer was made, "G—d d—n you, we have come to throw you into the river." Shots were then fired, and not long after the same party of five men returned past the ferry-house, three of them riding the soldiers' horses. As they passed Howell's house Peter Keys ordered Howell to go back to bed. Both Brown and Howell were old residents of the district, and perfectly familiar with the voices and faces of their neighbors. At the trial Howell swore that he recognized Crawford Keys, his two sons, Robert and Peter, Elisha Byron and F. G. Stowers. Brown testified that the moon was two hours up, and that he recognized Crawford Keys and F. G. Stowers. The next morning the bodies of the three victims were found in the river, a rod or two from the shore, by a detail of soldiers. Each had been shot through the head; two with wounds which must have caused immediate death; the third evidently having been drowned after receiving his wound. The hair of each was scorched, showing the pistols had been discharged close to their heads. The defense made no attempt to deny the guilt of Peter Keys, who was never arrested, and whose whereabouts at the time of the trial were unknown. He was shown, however, to have been at his father's house several times since the murder. In behalf of the other four, the defense was an *alibi*, which the Court rejected as an utter failure. The morning after the murder Stowers was proved to have told his negro servants that the soldiers had been killed, that they would probably all be arrested, and that if questioned about him they must say that they had seen him at home at eleven o'clock the night before, and had got some brandy from him. This was proved to be false, and further, he made no attempt to show how he could have legitimately obtained his information. On the Tuesday following the murder he went by boat to Savannah, paying no attention to the call of a guard standing on the bank, who shouted to him that he was wanted. There has never existed the slightest doubt of this man's participation in the murder, nor has there been any ground for doubt that the other men named above were equal sharers in this atrocious homicide. Every circumstance in their actions during the day, their meeting and consulting together, their absence from home at the time—this, with other facts proven on the trial, show that, for the sake of 15 bales of cotton and to gratify Rebel hate, they ruthlessly murdered three men who were doing their duty as best they knew how, under the orders of their superior officers, and who, of course, had no personal interest in the matter. The prisoners, as is now known, were all found guilty by the Commission and sentenced to be hanged. It is also known that Gen. Sickles commuted the sentence in the case of Robert Keys and Elisha Byron, in accordance with the recommendation of the Commission, made on account of their youth, to imprisonment for life, and ordered the two older prisoners, J. C. Keys and F. G. Stowers, to be executed on the 27th of April, 1866. In a subsequent order, dated April 24, he suspended the execution of the sentence till the pleasure of President Johnson should be made known. This was in consequence of a telegraphic order from Mr. Johnson, given at the solicitation of the prisoners. Ultimately the President commuted all the sentences to imprisonment for life, and the four prisoners were conveyed to Castle Pinckney, S. C., and there confined. Here comes in the history of the efforts which secured the final release, and also the grounds upon which the President based his first reprieval of the guilty parties. There were two principal actors in the matter. One was the Hon. R. Trescott of South Carolina, who was here some months ago as counsel for defense. The other was O. H. Browning, now Secretary of the Interior. Through the influence of these men the prisoners had their place of confinement changed to Fort Delaware, and hence they were taken on a writ of habeas corpus before Judge Holt of the U. S. District Court for the State of Delaware, and by him set free on some technical point as to the right of a Military Commission to try a citizen of a State where the civil courts are in operation. The defendants are very rich, and it is stated one of their counsel alone received $10,000 for his influence with the President in the matter. The whole thing is outrageous, and should bring down shame upon all the participators. The above is the whole history of the matter, and people can judge for themselves.

THE CHICAGO TUNNEL.

THE LAST WALL REMOVED—THE TUNNEL OPEN FROM ONE END TO THE OTHER.

BY TELEGRAPH TO THE TRIBUNE.

CHICAGO, Dec. 2.—The remaining wall of earth in the Lake Tunnel was removed on Friday evening, but the masonry is still to be completed. Only the contractors, the City Engineer and his assistant, and one or two reporters were present at the time the wall was removed. The idea of a celebration seems to be indefinitely postponed. The City Engineer and his assistant proceeded from the shore end, and the contractors from the Crib end. When the two parties met at the wall it was removed by the workmen, and then the joint party proceeded to the Crib, from the top of which three cheers were given for the engineers, and three for the contractors, after which the party returned to shore.

BALTIMORE.

SURVEYOR OF THE PORT.

BY TELEGRAPH TO THE TRIBUNE.

BALTIMORE, Dec. 1.—William Wales, editor of *The Baltimore Commercial*, the newly-appointed Surveyor of the Port of Baltimore, entered upon his duties to-day, E. Fulton retiring.

THE MATTEAWAN FACTORIES.

PARTIAL SUSPENSION OF BUSINESS.

BY TELEGRAPH TO THE TRIBUNE.

MATTEAWAN, N. Y., Dec. 2.—Owing to the fact that there is a general stagnation in their business throughout the country, the Matteawan Hat Works are doing no work of any consequence. The Seamless Clothing Manufacturing Company also engaged on hat manufacture, are doing very little for the same cause. These works employ, when under full running order, from 250 to 300 hands each, and turn out from 150 to 175 dozen hats daily apiece. A good many of the employés are girls and women, many of them from other places, and most of them have gone home till the work revives. In good times the place all earned good wages, the two companies having paid out thousands of dollars every pay day, and there is no reason why every employé should not have saved enough to keep them through the Winter. It is not known when the works will commence fully again. The Schenck Machine Works and the Fishkill Landing Machine Works are also slack at present. The works of the New-York Rubber Company are running and in full operation. The Glenham Woolen Mills are also experiencing the effect of the times. No crash is looked for, but business is drooping.

THE PACIFIC COAST.

BY TELEGRAPH TO THE TRIBUNE.

SAN FRANCISCO, Nov. 30.—Yesterday being Thanksgiving day, business generally was suspended. The Stock Board were not in session and there were no import at sales.

Prime Shipping Wheat is quoted at $2 per 100 ℔, New-York Crushed Sugar sold at 13c.

SAN FRANCISCO, Nov. 30.—Up to Wednesday afternoon, 14 bodies from the wreck of the Coya had been washed ashore—Capt. Paige, Dr. Rowden and Mrs. Pearson among them.

Advices from Idaho to Nov. 17, represent that the mines are very troublesome.

The Internal Revenue Collector of Idaho reports the value of bullion produced from January 1 to November 1, $13,256 currency. This undoubtedly means $11,000,000, &c.]

The ship Silas Greenman, Capt. Webber, which put into this port in distress, has been ordered to discharge her cargo for examination by the agents of the underwriters, and will, probably, be condemned.

Mining shares to-day are quoted as follows: Savage, $1,800; Yellow Jacket, $1,100; Ophir, $215; Imperial, $95; Belcher, $135; Chollar, $220; Gould & Curry, $200; Legal Tenders, 72½.

The Central Pacific Railroad is complete to Cisco, 93 miles east from Sacramento, and 124 miles from the summit of the Sierra Nevada Mountains, and 5,911 feet above the level of the sea.

SAN FRANCISCO, Dec. 1.—The shipment of treasure to-day, per steamer Golden City, was $1,166,375, of which $969,375 is for New-York. The steamer Alert, from Japan, brings an invoice of 345 cases of silkworm eggs, in route to New-York. Mining shares are continuing to improve: Savage, $1,850; Yellow Jacket, $1,170; Crown Point, $1,050; Gould & Curry, $205; Chollar, $227; Ophir, $220; Imperial, 102; Belcher, $140; Legal Tenders, 72½.

SAN FRANCISCO, Dec. 2.—The steamer Montana arrived to-day from New-York.

MUNICIPAL CORRUPTION.

THE CHARGES AGAINST MATTHEW T. BRENNAN.

The investigation in the case of Matthew T. Brennan was resumed at 10 o'clock Saturday morning before Commissioner John Sedgwick at the Police Headquarters. Messrs. James T. Brady and Lawrence appeared for the defense, Messrs. Noyes and the Deputy Attorney-General for the State and Mr. Doty for the Citizens' Association.

Mr. Alexander Mills, President of the Dry Dock Bank, was first sworn and testified—Was acquainted with the late Controller; have been engaged in Central Park stock transactions, perhaps since the administration of Mr. Hawes in 1858 or 1859; Central Park stock in 1861 was worth 122; don't recollect the stock going below par; they were not lower than 5 or 6 per cent premium; saw an advertisement in 1863 in reference to Central Park stock; saw the stock clerk about the bid; his bank did not put in a bid; has had a conversation with the Controller—understood the stock was not all taken, and promised to take $10,000 or $100,000 worth of the stock at 5 per cent premium, and requested him to state it to Mr. Brennan, but the latter in conversation with Mr. Mills, declined to dispose of them for less than 111; as he had been offered 107 for the whole remaining stock.

Cross-examined by Mr. Lawrence—Put in no real proposals; Mr. Brennan did say he would give me stock at par if it would be reduced to 5 per cent; declined to take the stock at par as a 5 per cent stock; was to take $150,000 of the stock for the Bank; had his check for $100,000 worth, intending to take the full amount that morning; before the battle of Gettysburg the money market was affected, and stock went down about that time, the latter part of June; the Controller told him that the Sinking Fund Commissioners met and agreed to take the whole stock at 4½ per cent.

Wakeman Dykeman sworn, testified—Am stock clerk in the Controller's office since the creation of the same; Central Park additional stock in 1863 was bid for on the 29th of June, 1863; on the first of May on or about, have no knowledge of proposals being submitted; 14 bids were submitted on the 29th June, 1863, ranging from 101 to 111, (the bid of E. S. Williams at 101 was read, the bid of John W. Doty was read, which form witness wrote, but did not insert the price), some of the stock was issued for the Irving Savings Institution at 104 75, and paid for July 1; the Commissioners of the Sinking Fund took the remainder at 104 75.

Cross-examined—The additional Central Park stock was issued to pay for increased area of the Park. (Act authorizing the extension of Park partly read, as also the proceedings of the Common Council of May and June in 1863, as regards providing for the extension of the Park, in conformity with the enactment of the Legislature); proposals were issued by the Controller in 23 papers from the 12th to the 29th of June, 1863, 20 proposals were received from 14 bidders; the money raised from the sale of additional stock was to pay for the increased area; the approach of the Rebel army; about June 29, affected the Stock market; the proposals did not reach half of the aggregate stock issued; all the bids submitted were accepted; (the Sinking Fund Commissioners in 1863 were here enumerated); a meeting was held by the Sinking Fund Commissioners July 7, 1863, wherein the Controller made a statement regarding the condition of the stock and a resolution adopted authorizing the Controller to purchase for the benefit of the Sinking Fund the remaining stock, which was done, and is now used for the benefit of the city; Mr. Mills of the Dry Dock Bank put in no bid (the conversation with the Controller, Mr. Mills, and the witness, was here given substantially); some stock was issued as a 5 per cent premium; the bid of the Sinking Fund Commissioners at 104 75 was made on the basis of the average of aggregate proposals; have been stock clerk since the creation of that department; have been in the office constantly since 1858; there is no irregularity in a person making a proposal for stock and ordering it to be issued to another person; wrote the blank form for Mr. Doty because we have no blanks; knows of no irregularity in the proceeding; it has always been customary to do so when parties desire to make proposals who are not conversant with the forms; knows of no collusion with the Controller or others regarding the issue of this stock.

D. D. Badger sworn—Am President of the Architectural Iron Works; I know of bids being called for in this city in 1863 and 1864; there were proposals for street-cleaning in 1864; one made by witness; the communication by witness regarding street-cleaning was made by the Mayor; made a bid at $90,000 per year for three years; the bid was not accepted.

Cross-examined—Mr. Gunther was Mayor in 1864; I was from him I received the communication; my bid was underhalf of myself; the Tempest Company was then about forming have not got the copy of the bid made in 1864; the bid was rejected, according to statement, on account of informality; the informality consisted of witness wanting the use of Croton water and dumping grounds from the city; afterward made a bid for $500,000; made but one bid in 1864.

Re-direct—I always understood that street cleaning contractors had the use of dumping grounds; the Croton would cost about $5,000, and the dumping grounds about $10,000.

Cross-examination resumed—Am not prepared to say what would be the exact cost; never had any personal communication with the Croton Department; accepted the estimate from other parties.

S. S. Herring sworn, testified—Have the warrants of slaughs paid to John W. Collis, a clerk in the Street Department, in 1863 and 1864; Charles G. Cornell was the assignee of M. Collis in February and March, 1864; a Mr. Vanderwater was assignee in November, 1863; a pile of documents were convenient to witness and repeatedly referred to; am not acquainted with Mr. C. G. Collis; Charles G. Cornell was Street Commissioner; don't know whether Collis worked in the Street Department; his salary was $2,000 a year, and was paid at that rate from January 1, 1864, to May 1, 1865 (the names of a number of other clerks were read and amount of salaries published); Mr. Seebacher was a member of the Legislature in 1864 and 1865, held an official position and was paid salary during this time, though he was most of the time in Albany during the period mentioned.

Mr. Wilmot Williams testified for the defense—Reside in Elizabeth, New-Jersey; did make a bid for Central Park additional stock in June, 1863; made application for $17,000 worth at 101; the bids were opened on the 29th; when opened, was stated that my bid was taken; I made my bid for my self E. S. Williams, who was a clergyman in Minnesota; I made the bid in his name as he was joint owner of the land taken or the Park; the city owed us $35,000 for the land taken, and bid for a corresponding amount of Central Park stock; there was no collusion with the Controller in reference to the bid, stated the amount of my bid to no person.

Cross-examined by Mr. Noyes—Intended to bid 101, but by a conference with a friend, decided to bid 101, as the friend (Mr. Benson, a well-known citizen of Brooklyn) was not willing to bid more than one per cent; understood that the reason why the stock bid for by him was awarded was on account of the invasion of Pennsylvania by Gen. Lee.

(The previous testimony of Mr. Williams on these charges was here presented by Mr. Lawrence, and read to witness.)

Cross-examination—Know that the Controller is entirely pure as regards his bid for Central Park stock.

George S. Barnard, sworn and testified—Reside in the City of New-York in 1863; explained his knowledge of the bid made for Mr. Doty; Mr. Anderson paid the money and got the stock; the Controller had nothing to do with the bid; his whole connection with the stock was that he knew he had to $100,000 to invest, and he did not want to do so in his own name lest people should think he made that amount in the office.

Judge Capron, sworn and testified—Was at one time City Judge, and have been engaged in practice of law since this time. In reference to the claims of the arbitration between ex-Mayor Wood and the City, growing out of the police riots, Judge Capron explained at length; he was selected on behalf of Mayor Wood; from resolutions the city assumed responsibility for suits growing out of the riots, but afterwardallowed inquiries to be taken against Mr. Wood; made the awards to Mr. Wood on the aggregate amount claimed by him to meet the judgments obtained against him by parties suing; Mr. Brennan did not influence him in making the award; never had a conversation with Mr. Brennan in his life.

Cross-examined by Mr. Hammond—Didn't know whether the amount might have been reduced or not.

To Mr. Noyes—The papers were all regularly signed; was not long (perhaps an hour) in taking testimony; don't think that any argument was submitted on either side, except the statement; questions were put on both sides to Mayor Wood; don't recollect of any other witness except Mayor Wood; the papers were drawn under the general arbitration law of the State; the ground the witness took in the matter of adjudication was that Mayor Wood, in the police riots, was acting in an official capacity; don't recollect the papers submitted.

To Mr. Lawrence—The Comptroller was not present at this investigation; was appointed City Judge by Gov. Clark.

Orison Blunt sworn, testified that he was a member of the Board of Supervisors since 1864; was elected by the Republican party; the Republican party nominated me for Supervisor; was a member of the Volunteering Committee during its existence since the 2d of August, 1863; the duties of the Committee in 1863 were to furnish substitutes for drafted men, examined and held; obtained 1,846 volunteers for drafted men, and paid obtained $50 to $300 each; 193 men got $100; four drafted men elected to go and received $300, and these were the only men that went under the draft of 1863, the whole cost was $[illegible] 457; under the first regulation of the Committee no men could be got; drew from his own private bank money to pay into the hands of drafted men; the Commission furnished 1,846 men; in 1863 the Committee was known as the Draft Relief Committee (the ordinance authorizing the Committee was here put in evidence by Mr. Lawrence); the Committee relieved the police force, indigent people, military and firemen; witness was at committee's rooms all the time; a large number of clerks were employed; in many 48 hours obtained very little sleep; often signed as many as 1,000 and 1,500 certificates daily; the Controller gave me a check for $10,000, the amount of money which witness advanced.

Under the succeeding call the Committee was organized anew, and Mr. Blunt was chosen chairman; 7,795 were enlisted at a cost of $300 each; enlisted men in the field were paid $4,538; individually paid the money to every person volunteering; 12,534 soldiers were obtained at a cost of $3,760,200; a great many volunteers were enlisted at that time who were sailors; the mustering in of the 12,534 filled the quota under the call, (the ordinance of the Board of Supervisors of March, 1864, was submitted in evidence) under the call for 300,000, 8,646 volunteers were obtained at a cost of $1,765,400; during this time it was difficult to obtain the money; very few would take the bonds at par; called on several institutions with the Controller, urging them to take the bonds, but they would not; the quota of New-York was filled and had a surplus of 1,135; went to the office every morning at 7; I devoted nearly all night as well as the day to volunteering; I balanced my cash account with the Controller, I think, for $30,000.

The investigation was then adjourned until Wednesday morning at 10 o'clock.

WAR AMONG THE WRECKERS.

THE BRIG WILHELM—THE UNDERWRITERS AGT. THE UNION COAST-WRECKING COMPANY — THE REVENUE CUTTER CRAWFORD ORDERED TO THE LOWER BAY.

We have already published an account of the stranding of the Prussian brig Wilhelm, on the Romer Shoals, in the dense fog of Thursday. Soon after the brig was cast upon the shoals, her Captain came up to the city for assistance. During his absence the vessel was taken in charge by men belonging to the Board of Underwriters. They, fearing she would go to pieces, finally deserted her. The coast thieves then took possession, and a considerable quantity of fine brandy was stolen before the Captain returned. Two boat-loads of men approached the vessel from opposite directions. One boat contained a crew belonging to the Underwriters, and the other contained a crew from the Union Coast Wrecking Company.

When these arrived each party claimed the vessel. The captain could not decide which party should have possession, as the two parties boarded the vessel at the same time. The wreckers at last left the vessel, but soon after returned with an armed crew from the steamer Saxon. They succeeded in driving off the Underwriter's men. The Underwriter telegraphed for assistance, when the revenue cutter Crawford, Capt. B. J. Killam, was ordered to the lower Bay. She was towed down by the revenue steamer Uncas, Capt. Pierson. Her guns were shotted. Just as the Crawford arrived three boats left the wreck, indeed with fine brandies. The wreck lies on her beam end on the Romer Shoals, 300 yards to the eastward of the stone buoy, and about three miles from Sandy Hook.

FROM THE ASSOCIATED PRESS.

The brig Wilhelm, which went ashore on the Romer Shoals on the night of the 29th ult., on her passage from Bordeaux to this port, having been abandoned by the captain, was taken possession of by Mr. Merritt of the Atlantic and Sun Mutual Marine Insurance Companies, who was using his best endeavors to save as much of the cargo as possible, when Mr. Brown of the Submarine Company came with the steamer Saxon, and going on board with drawn pistol demanded and took possession of the brig, and commenced removing the cargo. On Sunday morning an injunction issued by Judge Sutherland restraining Mr. Brown from exercising any jurisdiction in the premises was served on him, but he paid no attention to it, and still continued to remove the cargo. The revenue cutter Crawford was sent down to the brig on Sunday morning.

THE DRAMA.

EDWIN BOOTH AS RICHARD.

Mr. Booth appeared as *Richard III.* at the Winter Garden on Saturday evening last, to an immense audience. The theater was so full that many persons were compelled to stand—in the galleries as well as at the back of the parquette. "Richard III" is certainly one of the most popular of tragedies; and judging from the applause that greeted Mr. Booth, we must infer that his personation of the crook-backed villain is most satisfactory to popular taste. He was called out at the end of each act, by earnest and manifestly genuine expressions of delight and favor. It is often the critic's duty, however, to be at variance with public judgment as to questions of art; and, while we record Mr. Booth's great popular success in *Richard*, we cannot accept his personation of that character as a perfect realization of Shakespeare's ideal. What that ideal is, admits of no doubt. *Richard* has been so boldly and clearly drawn, that his attributes cannot possibly be mistaken. He is that worst of monsters, a wicked man of genius. The ugliness of his soul is symbolized in the ugliness of his body. Bitter, fiery, arrogant, cruel, impelled by a devilish energy which never halts nor flags, he is determined to rule a world which hates him. Gifted with a kingly intellect, and with the instinctive glance of genius which reads human nature through and through, gifted also with a limitless talent for dissimulation, and plagued by no weak scruples of nature and conscience—until the last—he catches the nearest way to his design, and never pauses till the goal of his ambition is won. A hypocrite, he deceives everybody. A heartless villain, he neither spares nor trusts. Men are his playthings. He knows them as they are, and uses them—making their virtues as well as their vices his instruments. His clear-sighted knowledge of the proportions of good and evil is one of his most terrible attributes. He knows himself, too, and in the supremacy of his wickedness he walks alone. Taking on all moods at will, he exults over the duplicity of each. His genius is a scoffing demon that broods upon a conquered world. Yet, to use the felicitous phrase of Tennyson, "a little grain of conscience" makes him vulnerable. Nature asserts herself at the last, and the hand of God smites him through the heart. That this is a true conception of the character of *Richard* we are convinced. That it is Mr. Booth's conception, we as firmly believe. Moreover, Mr. Booth executes it with a fervor of vitality which betokens real inspiration. In one respect, and in one respect only, does he fail to satisfy the poet's ideal. But this discrepancy is very serious. There is, in Mr. Booth's personality, a delicate sweetness, a fine tone of human sensibility, which asserts itself through all his assumption of wickedness, and which makes his *Richard* more pleasing than terrible. In a word, the character does not wholly fit his intellectual nature and temperament; and so his personation, while fraught with admirable qualities and single points of great excellence, leaves in the critical mind a sense of incompleteness. We would not imply that a man must be a *Richard III.* in himself, in order to play the part perfectly well; but it appears to us that there are limits to each actor's capacity for projecting himself into character, and that these limits are prescribed by temperament. Mr. Booth is the best *Hamlet* on the stage; but he is not the best possible *Richard*. And yet, taking it for what it is, his personation of the latter character is extremely graphic and picturesque. The lightning-like play of feeling, the quick transitions of mood, the truthful interpretation of *Richard's* subtle irony, and of his fiery courage, the beautiful pictorial effects of posture and grouping, and, above all, the pervasive fire of genius—these commend it to our intellectual sympathy, and win for it a warm and a natural appreciation. Were it not our custom to try Mr. Booth's acting by the highest standard of criticism—so far as we apprehend it—we should incline to praise this performance without qualification. In contrast with the ordinary *Richard* of the stage, it is a gem. It would be much better, by the way, if Mr. Booth would present Shakespeare's original portraiture, without the tinkering of Colley Cibber. There was, in the audience on Saturday evening, a young gentleman who had brought along his Shakespeare, and who strove, with a most amusing perseverance, to follow the current of the tragedy, on the stage and in the book. It is needless to remark that he soon retired, a baffled student, from the unequal conflict of ideas. In reference to the cast, wherewith the subordinate parts in the tragedy were represented, we are not able to speak with enthusiasm. The ladies were particularly dismal. The noble Duke of Buckingham evinced a decided tendency to the bellowing mood; and, in divers of the warriors and messengers, a superfluous energy of action was seen to contrast ludicrously with a singular tameness of speech. Mr. Davidge, who is always thoughtful and faithful, is to be complimented for a perfectly correct performance of the Lord Mayor of London. To-morrow night Mr. Booth will play *Richelieu*. On Wednesday, at a Matinee, he will appear as the *Stranger*, and as *Don Cæsar de Bazan*. The production of "Othello" is contemplated at this Theater, with Mr. Dawison as *Othello*, Mr. Booth as *Iago*, Mr. Gotthold as *Cassio*, and Mrs. Methua Scheller as *Desdemona*—the text to be spoken partly in English, and partly in German.

MISCELLANEOUS.

It is proper to remind the reader of the few important theatrical events which are close at hand. One of these is the first appearance of Mr. Lester Wallack, at his own theater, which will be made to-night in Goldsmith's fine old rough-diamond comedy, "She Stoops to Conquer." "Wonder" and "Central Park" will be played on the evenings of Tuesday and Wednesday. Another event is the first production, at the Broadway Theater to-night, of Miss Olive Logan's drama of "Arnadale—based on Wilkie Collins's novel. Miss Kate Reignolds will enact *Miss Gwilt*. Mr. E. L. Davenport will appear at this house on next Saturday night, commencing a series of eight performances. Mr. John E. Owens will return thither on the 17th inst. There will be six additional evening performances of "The Long Strike" at the Olympic, together with a brief farce, by way of prologue. On Saturday there will be a matinee. Next Monday "The Master of Ravenswood" is to be acted for the first time here—Mr. George Jordan appearing as the gloomy and picturesque hero. Miss Rose Eytinge has also been engaged to appear in the new piece. A giraffe, upward of fifteen feet high, has just been added to the Museum Menagerie, and the domestic drama of "Old Adam" is to be produced there for the first time to-day. It will, of course, be henceforth acted day and evening. Mrs. Bowers is to play Leah at one of the Brooklyn theaters. At the Old Bowery, a new sensation drama, called "Adrienne; Or, The Secret of a Life," will be brought out to-night for the first time. At Niblo's Garden "The Black Crook" will, of course, be continually represented. Messrs. Smith & Baker will present "Griffith Gaunt," with the new cast, at the New-York Theater to-night. They have a fairy spectacle in preparation, called "Cendrillon." A good bill is offered nightly at Mr. Lentz's Circus, where, also, matinees will be given on Wednesday and Saturday. At the Thalia (German) Theater Mr. Bogumil Dawison will commence a series of comedy performances this evening, appearing as Lord Hatleigh in "Sie Ist Wahnsinnig," and Corporal Bonjour in "Die Wiener in Paris." Finally the lover of Ethiopian