# SOUTH AMERICA.

The steamship Ocean Queen, Capt. Gray, from Aspinwall, arrived at this port on Saturday, bringing us dispatches and files from Central and South America, and Australasia. The following is the specie list of the Ocean Queen:

FROM SAN FRANCISCO.

| | | | |
|---|---|---|---|
| W. Schotte & Co. | $35,357 | Dabney & Morgan | 121,438 |
| Orient National Bank | 15,178 | Wells, Fargo & Co. | 122,187 |
| H. W. Seligman & Co. | 81,300 | Lees & Waller | 257,270 |
| Eugene Kelly | 19,500 | Pacific Railroad Co. | 98,795 |
| Eugene Kelly | 93,500 | Order | 320,000 |
| Duncan, Sherman & Co | 32,100 | | |

FROM ASPINWALL.

| | | | |
|---|---|---|---|
| Wells, Fargo & Co. | 650 | L. L. Isaacs & Asbe | 1,000 |
| Dearborn Bros | 450 | Ribon & Munoz | 5,000 |

Total ..... $1,416,491

## PERU.

THE MEDIATION OF FRANCE AND ENGLAND IN THE HISPANO-CHILIAN WAR—FIRES IN CALLAO—TREATY BETWEEN BOLIVIA AND PARAGUAY—REPORTED LOSS OF THE UNITED STATES SHIP LANCASTER.

From Our Special Correspondent.

LIMA, Nov. 28, 1866.

The terms which have been submitted by France and England to Spain, and which have been approved of by the latter power, as the basis for a settlement of existing difficulties between Spain and the Republics of South America, will be rejected by Peru and Chili, and all discussion with the mediating powers will at once be terminated. The terms proposed are regarded by Chili and Peru as degrading. On the part of the Republics it is insisted on as a sine qua non that Spain must, in the first place, salute the Chilian and Peruvian flags; in the second place, abandon the claims which she pretends to enforce for losses sustained by Spanish subjects at the time of the overthrow of Spanish rule in Peru, and finally, return $3,000,000 received from Pezet's Government.

In their eagerness to serve Spain and Spanish bondholders England and France have assumed quite a false position in regard to the allies. The very points which they conceded to Spain were exactly those that caused the difficulties. Indeed, Chili could have made these terms, or even better, before the bombardment of Valparaiso, and thus have saved the city. Peru defeated the squadron of Admiral Nunez, and sent them away into opposite seas to seek assistance in money and repairs for the ships, and food and medicines for the disheartened crews. Peru, in the strictest sense, came off as victor, and Spain as the vanquished. In the face of which, nevertheless, the mediators come forward and propose nothing short of a change of places, and ask the Peruvian Government to accept terms that Spain has a right to demand only as conqueror, which she is not. To these demands the reply "*non possumus*" has been universal. Peru will treat with Spain direct, but in no other way, and if disposed at all to tolerate mediation, will admit of it only from the United States. *The proposed mediation will not lead to peace.* Preparations for war are being prosecuted as actively as ever, and will out-proportion the recent increase in the Spanish forces by whom we were again to be visited for the purpose of inflicting "the hurricane of punishment" so vauntingly spoken of by the Spanish press.

A pamphlet has been published and circulated in Lima, during the last week, containing a letter that claims to have Gen. O'Donnel as its author, by Señor Osma, a peruvian by birth, now resident in Spain, and brother to the same Osma who was the Peruvian Minister to the United States; Señor Barreda, brother to the actual Minister from Peru in Washington, Col. Zevala, brother to O'Donnel's Minister of War. This pamphlet urges Spain to enforce their revolutionary claims; it also states that Osma furnished a large amount of funds to fit out the reinforcements sent to Mendez Nunez prior to the bombardment of Valparaiso. The principal holders of these claims are Osma, Barreda, Zevala, Ugarte, a merchant in Lima, as well as several other persons in Lima. But the most remarkable thing in connection with this subject is that Mr. Pardo, the Minister of Finance in the present Cabinet at Lima is also named as a holder of these claims, which he does not deny. Pardo for some unaccountable reason has, however, resigned as Minister. We abstain from comment, as time alone can show whether or not the assertion in regard to Mr. Pardo be true. One thing however is certain, the pamphlet itself and ably written and evidently has *for* its author one who has had to do both with Spain and Peru during the last three years.

We have had within the last fortnight two fires in Callao, but thanks to the promptness and energy of the Callao firemen, both were extinguished before any serious injury was done. Unhappily, on the occasion of the last fire a difficulty arose between the Prefect and the members of No. 1 "Chalaco" Fire Company, which has resulted in the voluntary disbanding of the force and the return of the engine to the municipality. The "Chalaco" Fire Company was the first formed in Peru, and is, so to speak, the founder of the existing Fire Department of Callao and Lima. It is formed entirely by foreigners, and kept up at their expense. Since the organization of the company it has on several occasions saved the city from destruction; but on no occasion did No. 1 so distinguish itself, as during the attack upon Callao by the Spanish Squadron. A shot from one of the Spanish ships having exploded in a warehouse filled with all kinds of combustible goods, set it on fire; the alarm was no sooner given than No. 1 was on the spot, and by their energies succeeded in the course of an hour to extinguish the flames. Shot and shell were in the meanwhile flying in every direction; nevertheless, with undaunted courage they stuck alone and unassisted to their work, for although the Italian and French Fire Companies were within a mile of the spot, they did not in any way tender their assistance. It is doubtful whether the Company will ever be reorganized by its late members. The insults heaped upon them by an ignorant Colonel, accustomed only to command greater brutes than himself, was too much for the members of the "Chalaco," among the members of which are reckoned some of our most respectable merchants, who, as you can naturally suppose, are not disposed to submit tamely to any slight or insult which may be gratuitously shown or offered to them.

We have seen private letters from Bolivia to the effect that a treaty, offensive and defensive, has been entered into between Bolivia and Paraguay. The former power agrees to send 2,000 men to Paraguay, and to carry war into Brazil, in order, if possible, to overturn the Empire and Republicanize the country, and it would seem that Gen. Mitre is not indifferent to the plan.

Some passengers by the steamer Panama stated that a vessel had arrived at Valparaiso and reported the loss of the United States steamer Lancaster, Commodore Ridgley, off Cape Horn. We do not believe this rumor, for we have conversed with Gen. Vivas, a passenger by the same steamer, and who is connected with the United States Legation at Santiago, and would therefore be most likely to know if such were the case, and he appeared to know nothing of the matter. *Apropos* of Gen. Vivas: he has obtained two very important concessions of railroads in Chili from that Government, and visits the United States for the purpose of making arrangements to give them effect. I must add that the General will be accompanied by his accomplished lady, he having entered some 20 days ago into the matrimonial state. We wish them joy.

## BRAZIL.

DIFFICULTIES OF THE ALLIES IN PROSECUTING THE PARAGUAYAN WAR—ADVANCE OF THE ALLIED ARMY—RE-ENFORCEMENTS FROM BRAZIL—POSITION OF THE BELLIGERENTS—THE ALLIED FLEET—THE BOLIVIANS—LIBERATION OF SLAVES BY THE EMPEROR—FINANCIAL MATTERS.

From Our Special Correspondent.

RIO JANEIRO, Nov. 25, 1866.

The extraordinary difficulties with which Brazil and her allies have had to contend in waging the present war against the dictator Lopez rather justify their great slowness in military operations. In order to fully understand these difficulties, a topographical knowledge of that country is necessary; one must have traveled in those regions to be able to appreciate the immense obstacles which an invading army has to encounter at every step. On the one hand, rapid streams; on the other, dangerous marshes; further on, impenetrable forests; nowhere the needful resources for the existence of an army; such is Paraguay.

It is now ascertained beyond doubt that Lopez had long been prepared for war, which has given him a decided advantage, to which must be added the equally important one of a thorough knowledge of the ground on which he was to employ his troops.

In spite of all these discouraging circumstances, however, the Allied army has advanced; and it is believed by many military men here, that Lopez cannot retreat beyond Humaita, and that if he loses a battle there, the route to Assumcion, the capital, will be opened to the invaders. They seem to forget though, that, to reach Humaita, the advanced works of Curupaity will first have to be captured, and the assault of the 22d September last ought to have proved to them that it will not be an easy task to beat the Paraguayans there, especially now that Lopez has had ample time to strengthen all the weak points in his line of batteries. But the late measures taken by the allied Governments have revived the hope, I might almost say the assurance, that the war is going to be prosecuted more vigorously than heretofore, and that their efforts will be crowned by a brilliant and rapid success.

For this purpose reinforcements are being sent from here every week, but on no large scale. Only about 6,000 men have been sent to the front in the last two months. The most important addition to the Brazilian army will be that of a corps now being organized in the province of Rio Grande do Sul, through the influence of the Marquis de Caxias, who entertains old and intimate relations of friendship with the two most popular men of that province, Gen. Canavarro and Field-Marshal Osorio, late commander of the Brazilian forces, who, it was said, sickness had compelled to resign, but who, in reality, left the army because he could no longer bear the presence of his brother commanders, who aimed more at serving political parties than their native country.

By last dates from Montevideo, 17th inst. The Marquis had already left that city for Corrientes; he must be in the field by this time, and therefore I hope this war has finally entered into its last phase.

No change has taken place in the position of the contending armies. On the 30th ult. the Paraguayans made a sortie against the lines of Tuyuty, expecting to surprise Gen. Polydor while a storm was raging. In this they were disappointed, for the allies, having perceived them, opened a heavy fire on their advancing columns and compelled them to retreat with a loss of 200 men, according to some accounts; according to other accounts the loss is stated to have been over 500 men on either side. As the official report has not yet arrived, the truth cannot be known. The Brazilians suffered beside the loss of one of their gunboats, which was struck over the engine-room by a shell, said to be a 150-pounder. Its terrible explosion caused her commander to run her ashore, to avoid sinking in the middle of the channel opposite Curuzú. This shell, it appears, was fired from some very heavy piece of ordnance which the Paraguayans had concealed in the woods, and not from the new battery of Curupá, lately erected. The Brazilian officers have strenously exerted their visual powers to discover the exact position of the concealed thunderer, but all to no purpose, and it continues to annoy them terribly, particularly so at night.

The fleet still retains its present position in front of and below Curuzú. Three more iron-clads had joined it lately. It was reported as certain and generally believed by the naval officers at that station that Admiral Tamandaré had already received instructions to leave for Rio, which he would do very soon. It was added that Gen. Polydor would accompany him home. They should have been recalled long ago, for, to say the least, they have been very unfortunate in their plans, and, what is worse, they never acted in concert for the common end they should have had in view.

As to the future movements of the allies, which will not take place before next February, nothing is known, but it is conjectured that Caxias will attack Lopez simultaneously at different points, with the cooperation of Osorio and Canavarro, who will cross the Parana River at the south-eastern extremity of Paraguay, while the fleet will ascend the river on the western border, and the main army attack Curupaity in front. If this plan can be carried out, Lopez will be compelled to divide his forces and the war will be at an end in a very few months. Why this was not done eight months ago is now everybody's wonder.

Some of the Argentine newspapers continue to assert that the Bolivians have invaded the western provinces of the Argentine Confederacy with 5,000 men, while others publish a letter from Salta, stating the whole affair to be a canard, got up by Paraguayan sympathizers, and affirming that Melgarejo has not been near the frontier, and is now at Cochabamba.

Mr. Washburn, United States Minister to Paraguay, went up the river in the gunboat Shamokin, and landing at Curupaity with all due formality and etiquette had, an interview with President Lopez. The gunboat returned to Corrientes. It is supposed that Mr. and Mrs. Washburn will proceed to Assumcion by land, as the Paraguayans affirm that the channel above Curupaity is filled with torpedoes.

The last transport that left this city for Montevideo with troops carried over 200 negroes lately made free through the munificence of the Emperor, who paid the Imperial Treasury for them, as they belonged to the country, and thus set an example which makes us all hope that slave-labor will cease throughout the Empire before long.

A short but very important railroad was opened to the public on the 16th inst. His Majesty and a large number of distinguished gentlemen were present at the inauguration, which was a brilliant affair. This railroad is not over six miles long, but of great utility, as it connects the old terminus of the Cantagallo Railway with the bay of Rio, and facilitates the transportation of produce from the rich coffee districts of this province, bordering on the bay.

There is nothing new from the provinces worth mentioning. In Amazonas a company is being organized to establish a line of steamers on the tributaries of the great river. If it succeeds, the riches of that region will soon attract such a current of immigration as will place the extreme northern provinces of Brazil far ahead of the rest of the Empire.

The money market has been rather tight of late, and commercial men have rather restricted their transactions. The treasury has been a large borrower and has absorbed much of the floating capital, which being circulated out of the Empire, causes considerable injury to local trade. In exchange on Europe about the usual amount was taken, by French packet that left yesterday, at the ordinary rates. Business in general has not improved much during the last fortnight.

## *THE PRESS.*

ANNUAL BANQUET OF THE PHILADELPHIA PRESS CLUB.

BY TELEGRAPH TO THE TRIBUNE.

PHILADELPHIA, Dec. 23.—The third annual banquet of the Philadelphia Press Club took place at the Lapierre House last night. The guests assembled in the parlors of the hotel at 7 o'clock, where half an hour was spent in social converse, after which a procession was formed and entered the banquet-room, which was tastefully decorated with the National colors. Nearly 100 persons, distinguished in politics, law, or literature, sat down to the feast, which was as bountiful as excellent. The Chairman of the Committee on Banquet, J. H. C. Whiting, extended a cordial welcome, remarking that the occasion was not only the anniversary of the third annual banquet of the Press Club, but also the one hundred and forty-seventh anniversary of the issue of the first newspaper published in Philadelphia. Mr. Whiting concluded by introducing Thompson Westcott, the President of the Club. Mr. Wescott stated that important duties prevented his occupation of the chair on this occasion, but he had the satisfaction to announce that the Hon. Morton McMichael, Mayor of Philadelphia, and editor of *The Philadelphia North American*, would preside in his stead. His Honor took the chair amid applause. Upon the removal of the cloth, the Hon. Morton McMichael remarked, in a short speech, that he found himself called upon by the programme to respond to the toast of "The City of Philadelphia." He did not see that it was quite the thing for the Chair to call on itself; so he called on the Hon. Daniel M. Fox, who responded pleasantly.

The second toast was responded to by Col. John W. Forney. This was the first time he had enjoyed the pleasure of meeting his fellow craftsman of the press. They were following a calling which was next after the Christian religion, the teacher of the people. He hoped that we should have many such gatherings as the present. We may differ in opinion and politics, but let us always preserve a good feeling toward one another. Let us bear in mind always that we are gentlemen. In the many articles that he had written on public men and measures, he had never yet stained his page with the bitter personal attack which he regretted was becoming frequent in the columns of some of our leading journals. The English press issued each day their sheets, from the perusal of which one would never discover that another journal existed. He thought it peculiarly appropriate that the Chair should on this occasion be filled by its present occupant. He was the representative of the press of the journal that had weathered the storms of many years. The majority of the persons were representatives of the present. Thirty-five years since, I set my first type. What wonderful changes have taken place since!" Alluding to national affairs, he said that we should hereafter have but one country. The sections, locations, and differences of the present day would be dispelled as mists before the rising sun.

The third toast, "Pennsylvania," was responded to by Col. Wm. B. Mann, who, like all Pennsylvanians, believes that there is one State in the Union, and that the Keystone.

The fourth toast, "Our Country," was responded to by Judge Kelly in a short but effective speech. He was frequently interrupted by hearty applause.

The fifth toast, "Our American Press Club," was responded to by Col. E. W. C. Green in a well timed and acceptable speech.

The sixth toast was, "The Philadelphia Bar." Daniel Dougherty remarked that it was hard to puzzle a Philadelphia lawyer, but he was in a peculiarly perplexing position. He would avoid a speech by telling a story. Mr. Dougherty proceeded to relate a number of stories that were received with roars of laughter. Concluding, he paid a compliment to the Philadelphia Club, and a brilliant eulogy to the Philadelphia Bar. The toast "Our Departed Brothers" was drunk in silence, the members rising. "Our Contributing Members" was replied to by Charles Buckwalter. Gen. Joshua T. Owens responded to the toast "Pennsylvania's Heroic Defenders; the sons we too, if in danger tried, had never proved untrue." The General delivered a thrilling eulogy on Gen. Jno. F. Reynolds, whose name was received with the sincerest marks of respect.

"The Fathers of Pennsylvania Journalism" was the next toast, in reply to which Emmerson Bennett gave a history of the press of the State. "The German American Press" was responded to by Adolph Morwitz. The next toast, "The Reportorial Corps, omnipresent, unostentatious and the great essential of Daily Journalism," was answered by Casper Souder, Jr. The last regular toast, "Woman," was responded to by D. Brainard Williamson, in an original poem, which elicited great commendation. This being the last of the regular toasts, the Chairman remarked that it was time for fun, which was indulged in to a considerable extent, none enjoying it more than His Honor, the genial Chairman and Mayor.

## *GOVERNMENT FINANCES.*

BY TELEGRAPH TO THE TRIBUNE.

WASHINGTON, Dec. 23.—The amount of issue of National Bank currency for the week ending Saturday, was $199,650. Total issued to date—$300,431,001. From this is to be deducted the currency returned, including worn-out notes, amounting to $2,123,432, leaving in actual circulation at this date, $298,307,569.

The U. S. Treasurer holds Government bonds as follows: As security for circulating National Bank notes, $340,366,650; as security for depositaries of public money, $38,933,950. Total—$379,100,600.

Amount of fractional currency received from the printer for the week, $256,140. Amount shipped to Assistant-Treasurer, New-York, $200,000; to Assistant-Treasurer, New-Orleans, $50,000; to U. S. Depositary, Louisville, Ky., $50,000; to National Banks, $249,000. Total—549,000. Amount of fractional currency destroyed, $428,300.

The disbursements of the Treasury on account of the Departments, for the week are as follows: War, $1,215,166; Navy, $544,778; Interior, $134,370. Total—$1,894,534.

The receipts from Internal Revenue for Saturday amount to $488,131 68, and for the past week to $2,936,514 20. This is somewhat below the average for some months past, resulting, probably, from the falling off in many branches of trade always noticeable in the returns for this particular holiday period. The total for this fiscal year up to date is $161,632,454 12. According to the laws which govern some branches of our trade, a gradual diminution of receipts from this source must be expected, commencing from the first of each calendar year. This decrease is not very great in amount nor very steady day by day. Fluctuations are experienced in this branch of finances as in other branches. Up to the last day even of the fiscal year, as may be seen from the facts that on April second of last fiscal year the receipts were $2,353,349; on May 3, $3,236,853; and on June 2, they reached the large sum of $3,421,962; which is the second highest amount ever reached in one day, and which was the most noticeable from the fact that the 2d was Saturday on which day the receipts are almost uniformly less than on other days, and during these three months of April, May, and June, the average receipts were under a million per diem. Other facts might be given to show the fluctuations in this respect and prove that the total of the year must not be arbitrarily estimated by the receipts for any one day or even one month.

The following regulations in relation to indorsement of 7-30 notes forwarded to the Treasury Department for conversion must be carefully observed:

Where notes transmitted for settlement were issued payable to order and are held and transmitted by the original owners, they must be indorsed by them, "Pay the Secretary of the Treasury for the redemption," and bonds will issue in their names. When notes payable to order are held by other parties than the original owners, they must have the indorsement of the original owners in blank and also be indorsed by the present owners, "Pay the Secretary of the Treasury for redemption." When notes issued in blank are forwarded for conversion they must be indorsed, "Pay the Secretary of the Treasury for redemption," by the party forwarding them. When notes indorsed or transmitted by an attorney, administrator, executor or other agent, they must be accompanied by the original, or a duly certified copy or certificate of the authority under which he acts, and in all cases by a letter stating the kind, "Registered or coupon," and the denomination of the bonds wanted in exchange. When registered bonds are ordered, parties should state at which of the following places they wish the interest paid, viz: New-York, Philadelphia, Boston, Baltimore, New-Orleans, Chicago, St. Louis, Cincinnati, or Charleston. Express charges on 7-30 notes forwarded for conversion must in all cases be prepaid. Bonds will be sent by express to return free of expense.

## *THE FENIANS.*

THE TRIALS AT SWEITSBURG—TERRENCE MCDONALD FOUND GUILTY AND SENTENCED TO BE HANGED.

BY TELEGRAPH TO THE TRIBUNE.

SWEITSBURG, Dec. 22, 1866.—The Court opened at 9½ a. m., Judge Johnson presiding. The evidences offered against James Smith was similar to that in the case of Thomas Madden, as to the Fenians levying war against the English Government. Lieut. Money of the Volunteers, testified that the Fenians fired on a company of the Royal Guards at Eccles House on the 9th of June. Private Halloway identified the prisoner, Smith, as having carried a rifle when captured. The prisoner's counsel having no witnesses to examine left the case in the hands of the Judge without addressing the jury.

Judge Johnson, in his charge, said that if they found from the evidence offered, that the prisoner was in arms against her Majesty's troops, they must find he was in arms against her Majesty's Government, which was the offense alleged, they would find the prisoner guilty. The jury then retired and at 11½ o'clock came into Court. The Clerk asked if they had agreed on their verdict. The foreman replied, "We cannot agree." The Judge then ordered the jury to be discharged, and that the prisoner, Smith, be removed to jail.

Terrence McDonald, a British subject, was then placed in the box, on a charge of joining some evil-disposed persons, on the 8th of June, for the purpose of levying war against Her Majesty's Government. A jury was immediately impanneled. The first witness for the Crown was Thomas H. Carpenter, who testified that he saw the prisoner McDonald in his tavern at Pigeon Hill, June 9, armed, and with some other Fenians who were armed with muskets marked "U. S., 1861;" the witness did not hear the prisoner say what they came to Canada for, but heard some of his companions say that it was their intention to make Canada a republic, to be called New-Ireland, or annex it to the great republic of the United States. W. S. Holsapple testified that on the 9th of June he saw the prisoner at St. Armand's Station, after he had been captured by the Royal Guards; the prisoner then informed him that he had gone to Pigeon Hill to see the excitement caused by the arrival of the Fenians, and that he was not a member of their organization, but a loyal subject of England. T. R. Roberts read a written statement made by the prisoner McDonald to him when he had been removed to the Montreal jail, which was in substance the same as the evidence given by Holsapple, and that he stated that he was a native of Ireland.

Miss P. Ferguson testified that she remembered having seen the prisoner with a body of armed Fenians who had stopped at Carpenter's tavern on the 9th of June, and that the prisoner was armed. George F. Jones testified to having arrested the prisoner McDonald at Pigeon Hill, and that he was armed. H. Chadbourne testified that McDonald had on a Fenian medal when arrested, but that he had denied he was a Fenian. The crown then proceeded to examine several military officers, in order to prove that the Fenians entered the Province with the intention of levying war. The prisoner's counsel proceeded to address the jury at 2 p. m., and occupied their attention until 3½ p. m., in attempting to prove that the prisoner visited Pigeon Hill, where the Fenians were camped, in order to satisfy his curiosity. Mr. Ramsay then followed on behalf of the crown. At 5:12 o'clock the Judge charged the jury, and at 6 p. m. they retired. After an absence of an hour they came into court with a verdict of guilty. Judge Johnson then sentenced the prisoner to be hanged on Friday, Feb. 15. The Court then adjourned.

## *CRIMINAL COURTS.*

COURT OF GENERAL SESSIONS.

[Before Recorder Hackett.]

THE DECEMBER TERM.

The December Term of Court of General Sessions for criminal business was concluded on Saturday.

THE GRAND JURY ON USSAFE BUILDINGS.

The following presentment was received from the Grand Jury:

*To the Court of General Sessions of the Peace in and for the City and County of New-York:*

The Grand Jurors in and for the body of the city and county of New-York, upon their oath make presentment and say they have considered the special subject of unsafe buildings referred to them by this Court. In their investigations they have found reasons to believe the request of the Court one of necessary precaution.

The pressure of prison business, the short term, and the near advent of the holiday season, have prevented that general inquiry into the subject of hig constructed tenement houses, unsafe buildings, and structures deemed in many particulars important to public security, which they would otherwise have made.

Respecting the particular building now constructing on the ruins of the old Academy of Music, the Grand Jury, however, make this special report: They have taken considerable testimony from architectural experts, which they do not deem advisable to file with the Court as public record, but will send some of the same to Commissioner McGregor for his official action.

It is sufficient now to state that they have summoned seven men of high character and ability in their business, viz: One architect, three masons, two carpenters, and one blacksmith, who report that they have examined said structure to be used as an Academy of Music, and find that, for the purposes for which it is intended, it is with the exception of the roof, sufficiently strong; but that the roof covering the structure requires material and additional strengthening, in order to make it safe.

The Grand Jury also, from the testimony, find reason to suggest that doors in public offices, and especially in churches and theaters, should be made to open outwardly. At a military reception given in the Academy of Music, shortly before the recent fire, it appeared that not one door in the building was so opened. It appeared that if anyways, but that such panic and excitement disastrous results might have been occasioned.

The Grand Jury would also strenuously call the attention of the proper authorities to the danger threatened by the placing of benches, stools, chairs, etc., in the aisles of public halls, churches, theaters, etc., in which to seat the overplus of persons.

The Grand Jury recommend that Commissioner McGregor take further action on the subject of this presentment.

JOSEPH M. COOPER, Foreman.

N. W. CHATER, Secretary.

*Grand Jury Room, Dec. 22, 1866.*

A ROBBER SENTENCED TO TWENTY YEARS.

Timothy Donovan was found guilty of robbery in the first degree in assaulting Jeremiah O'Connor early on the morning of the 30th of November, in West Washington Market, and stealing his money, coat, vest, cravat, and one of his boots, beside attempting to divest him of his pants. He was sentenced to the State Prison for 20 years, at hard labor.

The following is a recapitulation of the sentences imposed, and other criminal business of the Court, during the December term:

State Prison, 20 years, 2; 5 years, 7; 4 years, 4; 3 years and 6 months, 18. Penitentiary, 3 years and 6 months, 1; 2 years, 1; 1 year and 6 months, 1; 1 year, 5; 8 months, 3; 3 months, 1. Sheriff of Refuge, 1; suspended, 7; disagreement of jury, 3; unsentenced, 2; fined $50, 1. City Prison, 10 days, 1; abandoned, 2; not guilty, 4. Total, 75. There were 23 prisoners tried by jury.

## *CIVIL COURTS.*

SUPREME COURT—CHAMBERS—Dec. 22.—Before Justice INGRAHAM.

THE TROUBLE IN THE CROTON AQUEDUCT BOARD.

An order to show cause why a mandamus should not issue against Mr. Stetson to compel the surrender of the papers, &c., practically the Presidency of the Croton Board, has been issued, returnable on Wednesday next, when the whole question will probably come up for discussion. Mr. Abraham R. Lawrence, jr., for relator.

ALLEGED BREACH OF PROMISE OF MARRIAGE.

Pelgram agt. Byrne.

A suit has been commenced against the defendant in the above action for breach of promise of marriage, accompanied with seduction. The Court, on the affidavit of the plaintiff, granted an order of arrest, fixing the bail at $5,000. James and Dunphy for plaintiff.

THE STREET COMMISSIONER'S VACANCY—PAYMENT OF EMPLOYEES.

Mr. Ingersoll, on behalf of the employes and laborers on Morris Park, applied on Saturday for a peremptory mandamus to the Superintendent of Lands and Places, the Street Commissioner's office being still in abeyance, to compel him to certify the pay roll of those employes, so that they may obtain their pay.

The Court took the papers.

UNITED STATES DISTRICT COURT—Dec. 22.—Before Judge BLATCHFORD.

SENTENCE OF COUNTERFEITERS, ETC.

Richard Weeks, Giovanni Tennati, Catherine McCarthy, Conrad Nefendorf and Charles Sibald, Wm. S. Nice, Mary Hardin and Catharine Schoenhan, all of whom had either pleaded guilty or been convicted of counterfeiting, therefore, were brought up for sentence. They were sentenced as follows: Weeks, 10 years Albany Penitentiary; Tennati, 12 years Albany Penitentiary; McCarthy, 2 years and six months Albany Penitentiary; Nefendorf and Sibald, 4 months each Albany Penitentiary; Nice, 2 years Albany Penitentiary; Hardin, discharged on her own recognizance of $750, to appear when wanted; Schoenehan, two years at hard labor in prison.

John R. Wigham, embezzling letters in Post-Office, 10 years Albany Penitentiary.

ADMISSION TO PRACTICE.

On motion of Samuel B. Courtney, United States District Attorney, John R. des Passos was admitted to practice at United States Courts.

Before Judge SHIPMAN.

OPINIONS AND DECISIONS BY JUDGE SHIPMAN.

The following opinions and decisions have been recently given by Judge Shipman: Alexander Cunningham agt. the steamboat Helen Brown.

DECISIONS ON EXCEPTIONS TO COMMISSIONER'S REPORT.

The New-York Mail Steamship Co. agt. the steamship Baltic.

The following is the substance of Judge Shipman's opinion in this case:

"This is a suit, *in rem*, against the steamship Baltic to enforce a claim for wharfage. The libelants allege that they are the lessees of a dock in the City of New-York, and that the Baltic occupied a berth thereat, at various times named, in pursuance of an agreement between her owners and her libelants. The particulars of the agreement are not set out, and the Court is not informed whether or not there was a fixed rate of compensation agreed upon between the parties. If the rate of wharfage was specified in the agreement, that would end the case, even if she was a foreign ship, for no lien would attach, and of course no proceeding *in rem* could be maintained. (*Ex parte* Lewis 2, Gall. 463.)

Judge Shipman then says, that the vessel being owned and registered in this port, wharfage, even granting that it is a lien upon the ship on the same ground as other necessaries, does not apply to this vessel. As to the claim that a lien is given by the local law of this State, that is conceded; but that this lien can and ought to be enforced by this Court is denied.

Judge Shipman after stating that the old rule, which he quotes, giving power to this Court to enforce such a lien had been abrogated, and a new rule adopted, says: "The object of this alteration was to take away the power to enforce liens *in rem*, created by the local law, and resting upon that alone. (The steamer St. Lawrence, 1 Black, R. 522.) The libel should therefore be dismissed with costs. Let a decree be entered accordingly."

J. T. Williams for libelants; Mann and Parsons for respondents.

SUPREME COURT—CHAMBERS—Dec. 22.—Before Mr. Justice INGRAHAM.

DECISIONS.

Henry Brash agt. Louis Peyser.—Motion to set aside attachment granted, with $10 costs. Adolph Obrig agt. The Same.—Motion to vacate attachment granted, with $10 costs. David Marks agt. The Same.—The like decision in this case. Antonio Rook agt. Thomas Churchill.—Motion denied; defendant may renew on defendant explaining the charges there made, on payment of costs of motion. Joseph Monday agt. Andrew J. Kerwin et al.—Report confirmed.

Ellen A. Price agt. Jose D. Price.—There is nothing to excuse the defendant for not making the first payment. He then had property which he transferred to his father. His purchase of patent rights under such circumstances is very suspicious. The commitment must be granted unless defendant within ten days pay the first payment ordered by the decree. Plaintiff may renew application if further proofs are obtained for other payments.

August Fater et al. agt. Jas. Kellum.—Motion granted on payment of costs and motion. Judgment and levy, if any, to stand as security.

Samuel Phillips agt. Myer Phineas.—Motion denied.

Timothy D. Patton, Receiver, agt. Henry W. Prescott.—Motion granted. Costs to abide event.

Learynsky agt. Geo. C. L. Gimsena et al.; Catharine Healy agt. David Cooper.—Motions granted.

Nathan Burchard, Receiver, agt. The Pacific Bank.—Motion denied, with costs to defendant to abide event.

SURROGATE'S COURT—Dec. 22.—Before Surrogate TUCKER.

The wills of the following deceased persons have been admitted to probate during the past week: Elizabeth Bradley, Bernard Rockenfeld, Joseph Arcesi, Charles A. Jarvis, Samuel Nicholl, Patrick Costello, Elizabeth Provost, George Schoening, John Townsend, Margaret Hopper, William Kellogg, Charles H. Sanford, Margaret Webb.

Letters of administration on the estates of the following deceased persons have been granted: Catharine Horan, William Tobin, James Tamms, August Hetne, Patrick Donovan, Ann Welch, John Erickson, Margaret Schilling, Henry Bussman, Peter H. Federson, Angel Boxiss, John K. Karns, Patrick Hanigan, John Erickson, Susan Green, Eliza Gladd, Johanna S. Murlack, Elizabeth A. Moran, Maria Barthoff, Francis A. Cannon, Sarah Forgay, Joseph Grinsell, Maria Montgomery, Irene W. Small, Gilbert C. Barrett, Henry Hurst, Elizabeth Kerwin, Peter Janson, William Dolan, John Gibbons, John Blake, Orchard Miller.

COURT CALENDARS—THIS DAY.

SUPREME COURT—CIRCUIT.

PART I. and II. have adjourned for the term.

PART III.—Held by MASON, J., at No. 79 Duane-st.—Court opens at 10 o'clock a. m.

| Nos. | Nos. |
|---|---|
| 1236—Willmarding agt. Bernstein. | 224—Leland agt. Leland. |
| 2316—Hall agt. Webster. | 2304—Price agt. Corn. |
| 2179—Same agt. Same. | 1619—Oland agt. Wolfsohn. |
| 1232—Bee-hardt agt. Wasmann. | 2404—Pilon agt. Butterfield. |
| 503—Hawley agt. James. | 679—Campbell agt. The Mayor. |
| 2103—Crose agt. Miller. | 1987—Kierstad agt. Clarke. |
| 196—McCready agt. Johnston. | 1954—Copeland agt. Watson. |
| 2405—Ogden agt. Harwood. | 547—Chase agt. Loyd. |
| 2071—Darragh agt. Scollin. | 2016—Van Nostrand agt. Reeder. |
| 943—Benton agt. Myers. | 1069—Ander on agt. Min. Min. Co. |
| 861—Ballstine agt. Henry. | 1326—Brown agt. Fraehe. |

SUPREME COURT—SPECIAL TERM.

Held by Judge BALCOM, at No. 79 Duane-st.—Court opens at 10 o'clock a. m.

The calendar as published on Thursday remains unchanged. No new calendar will be made up this term.

SUPREME COURT—CHAMBERS.

Held by Mr. Justice INGRAHAM.—Court opens at 10 o'clock a. m. Call of the calendar at 12 m.

| Nos. | Nos. |
|---|---|
| 21—Port Stovel Man. Co. agt. Mesier, jr. | 4—Savage agt. Kane et al. |
| 37—McAdams agt. Carson et al. | 61—Graux agt. Pendleton. |
| 39—Dwight agt. Williams. | 71—Lincoln agt. Lincoln. |

The general call is No. 119—Lichtenstein agt. Marks.

SUPERIOR COURT.

TRIAL TERMS—Adjourned for the Term.

COURT OF COMMON PLEAS.

TRIAL TERMS—Adjourned for the Term.

MARINE COURT.

Held by HEARNE, J.—Call of the calendar at 10 o'clock a. m.

| Nos. | Nos. |
|---|---|
| 9—Sweetser agt. Willard. | 131—Kaufinger agt. Taylor. |
| 171—Sing agt. Brown. | 132—Smith agt. Avery. |
| 189—Greason agt. Board of Education. | 134—Bennett agt. Halsby. |
| 191—Aaron agt. Pornoski. | 135—Nelson agt. Allen. |
| 194—Davis agt. Findel. | 196—Mooney agt. The Hudson R. R. Co. |
| 195—Scanlon agt. Degan. | 197—Metzger agt. Chapman. |
| 197—Scudder agt. Cassels. | 199—Phillips agt. Dunn. |
| 198—Fairgrieve agt. Mathews. | 199—McCormack agt. McCann. |
| 199—Fowler agt. Dinsmore. | 200—Keefe agt. Halsby. |
| 130—Pugh agt. Williams. | 202—Redfear agt. Demmers. |

THE HOLIDAY SEASON.—In our late mention of the clothing merchants of New-York, the old established and honorable house of F. B. Baldwin & Co., No. 70 and 72 Bowery, was omitted. The building itself is a landmark, and, although built some years since by Mr. Astor expressly for Messrs. Baldwin & Co., is yet among the largest and finest clothing stores in our city, while their stock of goods is very extensive—embracing everything in the line of men's and boys' clothing, gents' furnishing goods, &c.

Messrs. Foster & Welsh, No. 227 Eighth-ave., near Twenty-second-st., advertise an inviting list of ladies' dress goods, balmoral skirts, ladies' handkerchiefs, &c. This store will be found a convenience to our up-town readers.

THE DOWNINGS.—For these many years New-Yorkers have regularly looked to the Downings for the holiday supply of oysters and accompanying edibles. Since the decease of Mr. Downing, sr., the sons, George T. and P. W., carry on the business in the Custom-House, entrance on William-st., and have this year a fine lot of pickled oysters, boned turkeys, etc., at disposal to their customers.

## *THE STATE OF TRADE.*

BY TELEGRAPH TO THE TRIBUNE.

NEW-ORLEANS, Dec. 22.—Cotton dull and easier. Sales, 2,100 bales; low mid. fair 30c.; A No. 1 Middling, 32c.; receipts, 1964 bales. Sugar inactive; fair, 10c.; prime to choice, 11@11½c. Molasses in fair demand; good, 52c.; prime to choice, 60@65. Sterling exchange, 14@21½. New-York sight, 1½ discount. Gold, 134. Freights firm and unchanged.

AUGUSTA, Dec. 22.—Cotton market drooping; middling, 30c.

CHARLESTON, Dec. 22.—Cotton market irregular and declining; sales, 190 bales.

SAVANNAH, Dec. 22.—Cotton market depressed and declining; middling, 32c.

OSWEGO, Dec. 22.—Flour in good demand, chiefly for the interior, Southern and Western trade; sales, 1,500 bbls. at $11 75 for City Brands; No. 1 Spring, $13 00@13 25; Red Winter, $13; White, $15 50 and $15 75 for Double Extra; fine choice White Wheat, Rye Flour steady at $5 50. Wheat dull; sales 500 bush. of Choice White Canada at $2. Corn quiet; sales 400 bush. No. 1 Illinois at $1 12. Oats 35c. for Choice Western. Barley, Rye, and Peas nominal. Shipts, 9,000 bbls., 21 bbl. ship. Stuff, 8,000 bbls., 2,000 bush. Wheat, 2,000 bush. Corn. Freight on Flour to Boston, $1; to New-York, 90c.; to Albany, 35c.

TOLEDO, Dec. 22.—Wheat—Sales No. Spring, $2 20@$2 22; Amber, $2 