FEES AND OVERCHARGES.

THE ACCUSED COUNTY OFFICIALS.

TWENTY-EIGHT LAWYERS RESPOND TO THE COUNTY CLERK'S INVITATION—APPROVAL OF HIS ADMINISTRATION—FURTHER FACTS ABOUT EXCESSIVE FEES.

Elliott F. Shepard, Frederick Smyth and others expressed approval of County Clerk Gumbleton's administration of his office at a meeting of twenty-eight lawyers yesterday. A committee of five was appointed to investigate the office. It is alleged that illegal fees have been exacted in connection with mechanics' liens and assignments of judgments.

THE COUNTY CLERK'S ADMINISTRATION.

SATISFACTION EXPRESSED AT A MEETING OF LAWYERS IN HIS OFFICE—A COMMITTEE OF INVESTIGATION APPOINTED.

In response to the published request of County Clerk Gumbleton, twenty-eight lawyers assembled in his office yesterday, "for the purpose of investigatigating the rumored charges, and to make a full and impartial report of the same." There were present John H. Riker, E. McCahill, C. B. Alexander, Elliott F. Shepard, representatives of the firms of Morrison, Lauterbach & Spingarn, M. S. & I. S. Isaacs, A. F. & W. H. Kirchels, Blumenstiel & Ascher, and Morison & Sigerson, A. M. Petshaw, George W. Poucher, Henry H. Morange, J. M. Fiske, Francis H. Vanderveer, George F. Langbein, Charles J. Breck, James Wiley, Joseph Bellesheim, W. McDermott, Francis Byrne, Menzo Diefendorf, J. Walker, Leonard A. Giegerich, John E. Brodsky, M. H. Curran, P. P. Lee, O. S. X. Peck, and Frederick Smyth.

Elliott F. Shepard was called upon to preside by H. H. Morange. Mr. Shepard said that so far as he was aware, the charges against the County Clerk's office were groundless. "My own relations with the office since Mr. Gumbleton took charge of it," he said, "have been very satisfactory, and it is evident that its management has been satisfactory to the profession generally, or there would be a larger number present to investigate. Mr. Gumbleton has called us, and accordingly it remains for us to comply with his request, and see if there is any cause for complaint against him or his office. If there is any, and it can be pointed out definitely, Mr. Gumbleton would be the first one to remedy it. He would be the most anxious of any to know where the abuse is, and to correct it."

Mr. Shepard then asked Mr. Gumbleton to state why he had called the members of the Bar together.

Mr. Gumbleton said: "Gentlemen of the Bar, my object in issuing a public card—in making this call in the most public manner possible—was to invite criticism. If there is any reasonable objection made against me or my office, I shall be most happy to be the first to sustain any action recommended by the Bar which is justified by the premises. There have been no charges against me that I cannot disprove. I have seen such rumors as have appeared in the public prints, and feel it my duty as a public officer to invite you to investigate them. I stand ready to correct any abuses. Of my own knowledge I know nothing. My subordinates and clerks are honest, capable and intelligent."

In reply to a question by A. M. Petshaw, Mr. Gumbleton said no definite charges had been brought against him.

John H. Riker was called upon, and said that the movement against the County Clerk struck him as personal entirely, but that it seemed to be a good opportunity to try for the correction by the Legislature of the difficulties in the office which gave rise to complications. The large accumulation of books made much work in getting at facts. He moved that a committee of five persons be appointed to make a list of improvements such as would, he believed, remove any objection against the County Clerk. The money paid above legal fees was to facilitate the business of applicants.

Mr. Petshaw wished to have the committee empowered to investigate the affairs of the County Clerk's office. He did not know what the charges were.

In response to questions by Mr. Shepard, Mr. Gumbleton said further: "Extra fees originated twenty-five or thirty-five years ago. The work of the office became so heavy that some method of expediting business became necessary. I know that before I came into this office twenty or thirty days were often necessary in order to make a search. If any extra charges are made, it certainly is only with the consent of the person applying for information. Certain of the clerks who have been here a long time have arranged the results of their experience and information into indices. In taking advantage of this knowledge, it seems only fair that an attorney should pay something extra. If the searches were made as the law provides, it would take a long time to finish them. I am between two millstones—the clerks with their knowledge on one side, and the attorneys in a hurry on the other. I exact no charges except those the law allows. Suggestions have been made to me in regard to the work of this office, but the changes proposed should be submitted to the Legislature."

Mr. Shepard—"The information which the clerks possess is, I understand, arranged by them out of office hours; and you, Mr. Gumbleton, have no money allowed you with which to purchase their information?"

Mr. Gumbleton—"I have no money which would allow me to purchase their information. They arrange it all out of office hours."

Frederick Smyth then spoke at length. First he sketched the history of the office as it had been under former County Clerks. He said that until it came under the control of Clerk Loew, of whom Henry A. Gumbleton was the deputy, all was confusion, but those two gentlemen did much to put it in order. In the course of a long experience Mr. Smyth had never heard of a fee that had been paid unwillingly. It was his opinion that the ordinary labor involved in a search could not be properly remunerated by the legal fees, and that lawers were willing to pay for extra work.

"I have always," concluded Mr. Smyth, "found the subordinates of this office courteous. But I may say, and I say it with regret, that such has not been the case in some of the other departments of the city, when men who are now out of office were in. This is true of some of the persons who are managing this movement. When one of them was a Deputy Register he was notoriously impolite. When he was in office I had a search made. When the report came to me I saw that the mention of a certain mortgage was omitted. I called the deputy's attention to it. He called up his subordinate, who wanted to bet me $5 that I was wrong. I did not bet, for I'm not a betting man. I left the papers so the deputy could have his own mistake corrected. Next morning I sent for the papers, and he actually would not let them leave his office until he had been paid 25 cents for inserting mention of that mortgage. When such men were in office, the fees were about double what they are now."

When Mr. Smyth sat down he turned to the reporters and said, "I mean John Y. Savage."

J. M. Fiske offered the following resolution, which was unanimously adopted, and the meeting adjourned subject to the call of the chairman.

Resolved, That in the opinion of the members of the Bar of the City of New-York, present at this meeting, the duties of Mr. Henry P. Gambleton, the present incumbent of the County Clerk's office, and those of his subordinates in the different branches of the court, have been discharged in an orderly, systematic and legal manner, and with great promptness and urbanity.

The names of the Committee of Five were announced to be Charles E. Strong, John T. Lockman, John H. Riker, George F. Langbein and Richard H. Bowne.

FEES ON LIENS AND JUDGMENTS.

BUILDERS ALLEGING EXTORTION, WHICH THE COUNTY CLERK DENIES.

It is asserted by builders that there is extortion in the County Clerk's office in regard to mechanics' liens. Inquiry of a prominent builder who has been a frequent complainant in this matter, elicited the following statement: "The law regarding mechanics' liens, as to their record in the County Clerk's office and their discharge from record, was framed with a view of enabling workingmen to secure their wages at the minimum expense. For this purpose the salary of the clerk in charge of the mechanics' lien desk, and the cost of all stationery used there, were made charges on the county. The only fee authorized was one of 10 cents for the filing of the lien. In addition to this lawful fee, 25 cents is exacted for discharging liens, even though the discharge be by order of the Court. Yet the Statute of 1875 explicitly directs that such liens be discharged without fee. A fee of 25 cents is also exacted when notice of pendency of action relative to mechanics' liens is filed; when the lien is discharged the same illegal fee is also required. "The result of this is that the the mechanics' lien business in the County Clerk's office yields in each case the following fees:

Lawful charge.		*Unlawful charge.*	
For filing lien	10	Filing notice of pendency of action	25
		Discharge of lien	25
		Certificate of discharge	25
Total lawful fees	10	Unlawful charge	75

"In addition," continued the builder, "1 per cent is charged upon all moneys deposited to meet liens. The income from this exaction, which is absolutely without authority of law, is large. The deposits of this kind have sometimes reached $5,000 in a single day; and the amount is always considerable, especially when building is active. The hardships falls principally upon the builders. It is so great that it seriously interferes with their profits, as is evident from the fact that when one mechanic employed upon a piece of work files a lien, all his associates do likewise."

The builder from whom this information is derived has had many liens filed against him relative to one job; and has had to pay in such case $30, besides 1 per cent on all the money handed in by him.

There is also an illegal charge habitually made, it is stated, in the County Clerk's office, of $1 25 for recording assignments of judgment. Although this amount is charged under pretence of record, the County Clerk, himself refuses to recognize the assignment as valid and insists upon the appearance of the original mortgagee or his attorney before he will declare a discharge.

The accusations above made were answered yesterday by County Clerk Gumbleton as follows: "The charge for filing a lien is 10 cents. If a person discharging a lien is charged 25 cents, it is, no doubt, for the certificate. The clerk is entitled by law to charge 25 cents for his certificate. Now, as far as the charge for entering notice of pendency of action is concerned, this being a notice which the clerk is bound to enter on the docket and record it (which he actually does), he is entitled to charge 10 cents a folio; and if he exacted it, the legal fee would amount to more than 25 cents. The clerk has lawful authority for the charges he makes in this case."

"As far as the second accusation is concerned," continued Mr. Gumbleton, "it is not true to state that the present County Clerk has not actually recorded these assignments of judgment. Every such assignment filed to the present time has been recorded, and the original returned to the person leaving it. A receipt is demanded for every assignment so returned. When no record is made, and the assignment is only filed, a fee of 6 cents is permitted to be charged by statute; but when a record is made, as is the case with every assignment filed with the present clerk, he is entitled to charge 10 cents for every hundred words. That probably brings the fee up to $1 25. If $1 25 is always demanded, it is the average, I presume."

AN EXTRAORDINARY BILL.

THE AMOUNT OF FEES CHARGED GREATER THAN THE RECEIPTS OF THE SALE.

A correspondent writes to THE TRIBUNE from Worcester, Mass., in regard to charges in the Sheriff's office, as follows:

"Mr. Price, the receiver of the Washington County National Bank, sent a judgment to New-York in order to have some goods there levied upon and sold. The goods brought $50. The Sheriff's bill contained the following items: auctioneer's fees $5 (illegal—Sheriff must act as auctioneer); advertising $5 (legal fee $2); posting notices $10 (illegal); deputy's fees $25 (all illegal). The total bill was $50 19, and as the odd cents were not at once forwarded, Mr. Price was informed by letter that the goods, which had been bought in by the bank would be sold again."

Under-Sheriff Cuming stated yesterday that he could not refer to the record of the case without having the name of the defendant and the time when the process was issued, as the index was kept by names of defendants, and not of plaintiffs. As to the charges, without knowing the merits of this particular case, he would say that there might be several good reasons for these apparently high charges. By decision of the Court of Appeals auctioneers' fees were not allowed, but the experience of the office showed that property brought from 30 to 50 per cent more when sold by a person accustomed to selling than it did otherwise, so that the auctioneers' fees were more than made up. The stated fee for the act of advertising (preparing and placing the advertisement) was $2, but it was not meant to cover actual disbursements. An advertising bill might amount to $100 and the deputy would be $98 out of pocket if he did not charge it in his bill. Property seized must be kept and advertised for six days before being sold. The Sheriff or a deputy was responsible for it, and was obliged to put keeper in charge who could be relied on. Such men could not be had for less than $3 a day. The deputy's fees were only $3 75 for the business. The law provided for posting notices in three different places, and allows 25 cents a folio for drawing and posting notices of sales. A sale may be adjourned several times, covering a year, and new notices must be written and posted every time. The attorneys in the case have full control of all the matters connected with the processes. The bank's attorney must have known about the case, and have directed or sanctioned the proceedings.

GENERAL POLITICAL NEWS.

GREENBACK CONVENTION AT NEWARK.

CONGRESSIONAL NOMINEE IN THE VITH NEW-JERSEY DISTRICT.

The Greenback-Labor Convention of the VIth District of New-Jersey assembled at Turn Hall, in Newark, yesterday, and nominated Francis C. Bliss, of Bloomfield, for Congress. After speeches by Mr. Bliss, C. C. Lathrop, William T. Baxter and others, the convention then indorsed the platform recently adopted by the Greenback Convention at Elizabeth. There was much disorder, and the voice of some of the speakers was lost in the noise. The following names were presented for the Congressional nomination: F. C. Bliss, of Bloomfield; Dr. S. Daly, of Franklin; William T. Baxter, of Newark; Henry Hill, of Newark; Charles W. Munn, of Newark; Thomas P. Hewitt, of Bloomfield; Dr. Morton Robinson, of Newark; Martin Ryerson, of Newark; and Joseph A. Beecher, of Newark. Mr. Beecher declined to permit the use of his name. On the first ballot the vote stood as follows: Baxter 38, Bliss 32, Hill 5, Munn 4, Robinson 5, Ryerson 2, blank, 1; necessary to a choice, 44. On the second ballot, Baxter had 42, Bliss 38, Hill 5, Robinson 1, and blank 1. Between Mr. Hill and Mr. Baxter there is not the warmest feeling of friendship, and just before the third ballot was taken, Mr. Hill crossed the hall and whispered something to his delegation, and what that something was was discovered on the next ballot when he vote was announced, Mr. Bliss having received 46 votes and Mr. Baxter only 41.

A mob of Democratic roughs then took possession of the hall, beer was passed around to the thirsty delegates, and a fight seemed imminent. A motion to make the nomination unanimous was rejected. Mr. Bliss attempted to thank the convention for the nomination, but his voice was drowned by cheers, hisses, applause, and general tumult. Finally a belligerent Greenbacker was thrown down stairs and order was restored.

ANTI-TAMMANY PRIMARIES.

THE DELEGATES TO THE NEW GENERAL COMMITTEE.

The Cooper-Ottendorfer wing of the Anti-Tammany Democracy held primary elections last evening in the different Assembly Districts in this city, and chose delegates to form the new General Committee of the party. The elections passed off quietly. Among the members of the committee elected are many names once prominent in Tammany Hall. These include ex-Alderman Terence Duffy, ex-Senator Fox, Bartholomew Cronin, ex-Assemblyman "Jimmy" Hayes, Rody S. Brassel, ex-Senator Michael Norton, ex-Judge William H. Dusenberry, "The." Allen, ex-Judge John A. Dinkel, ex-Alderman Joseph P. Strach, George W. Sauer, William P. Mitchell, ex-Judge Nelson J. Waterbury, Oswald Ottendorfer, ex-Assemblyman Thomas Costigan, Robert B. Roosevelt, Bernard Cassidy, Louis M. Doscher, Mayor's Marshal John Tyler Kelly, Edward Cooper, F. F. Marbury, Maurice J. Prior, Assemblyman James Daly, General Herman Uhl, ex-Assemblyman Andrew Blessing, Adolph L. Sanger, Police Justice Henry Murray, Hubert O. Thompson, Rufus F. Andrews, General Thomas Francis Burke, ex-Register John McCool, ex-Judge Albert Cardozo, ex-Deputy Register John Y. Savage, and Major James Haggerty.

TAMMANY DELEGATES TO SYRACUSE.

Tammany primary elections were held last evening in the XIIth and XVIIth Assembly Districts to select delegates and alternates to the Syracuse Convention, on September 25. There was no trouble in either of the districts, and the following tickets were chosen:

Twelfth District.—Delegates—Henry Woltman, Patrick Keenan, W. W. Cook. Alternates—M. F. Holahan, Wm. Rothschild and Joseph A. Lyons.

Seventeenth District.—Delegates—Frederick Smyth, Edward Schmeyer, Walter Murray. Alternates—Wm. Joyce, James J. Martin, Wm. Rinekoff.

A NEW SENATOR FROM OREGON.

SAN FRANCISCO, Sept. 17.—A dispatch received from Salem announces the nomination of J. H. Slater for United States Senator by a Democratic caucus and his subsequent election by both Houses of the Legislature. During an interview with Mr. Slater, the Senator elect said that he is not in sympathy with inflation. He advocated the substitution of legal-tender for National bank notes, but opposed flat money, and demanded that the currency shall be on a coin basis.

James H. Slater is a native of Illinois, having been born in Sangamon County in 1826. He served three terms in the Oregon Legislature, and was also a District-Attorney. He was a member of Congress from 1871 to 1873.

PROMINENT NOMINATIONS TO CONGRESS.

HARRISBURG, Penn., Sept. 17.—Ex-Governor Andrew G. Curtin was nominated for Congress by the Democrats of Centre County to-day, subject to the decision of the District Conferees.

WOODBURY, N. J., Sept. 17.—The Republicans of the 1st District nominated the Hon. George M. Robeson for Congress to-day.

THE RIFLE AT CREEDMOOR.

OPENING OF THE FALL MEETING—THE CONTESTS AND THE WINNERS OF THE PRIZES.

The sixth annual Fall meeting of the National Rifle Association opened at Creedmoor yesterday. New-York, New-Jersey, Connecticut, Massachusetts, Virginia, the District of Columbia, Louisiana and the Army were represented by military teams and rifle clubs. A large number of visitors was present, including General C. R. Dennis, of Rhode Island, Assistant Adjutant-General A. R. Taylor, Surgeon-General Swan and Colonel J. R. Lowrie, the latter of the British Army and in command of the forces in Nova Scotia, and Congressman B. A. Willis. The day was not considered one of the best for shooting, and the scores were generally below the average in previous matches.

In the first match, known as the Judd match, twenty prizes, valued at $183, were offered. The distance was 200 yards, seven rounds, with any military rifle, and open to all comers. There were 221 entries. The following are the principal winners, with their scores: B. McSoley, 33; C. Van Orden, 32; R. G. Post, 32; William Robertson, 31; Charles Hilton, 31; T. F. McHugh, 30; S. C. Ringman, 30; F. P. Wright, 30; D. C. Pinney, 30; H. Nichols, 30. The highest possible score was 35.

In the Short Range match, at 200 yards, seven shots with any rifle, there were fifty-seven entries for twenty prizes, valued at $202. C. D. Millis, of the 48th Regiment team, from Oswego, won the first prize, valued at $50, on a score of 32 in a possible 35.

In *The Army and Navy Journal* match, open to teams of twelve, there were twenty-one entries. Each competitor fired seven rounds at a distance of 500 yards, making the possible score 420. Three prizes, valued at $932, were offered, the first being a silver trophy, valued at $750, to be won three times before becoming the property of the winner. There were twenty teams entered, the United States Engineers at Willett's Point taking the first prize on a score of 310; the 48th Regiment of Oswego, second prize, with 305; and the 7th Regiment, the third prize, with 303.

In the Cavalry State match there were six teams entered. Each competitor was allowed seven shots at 200 yards, making the possible score 245. Three prizes were offered, the first being won by Separate Troop "I," of Oswego, by a score of 176.

In the Gatling match at 500 yards, open to teams of twelve, there were sixteen teams entered, each competitor being allowed seven shots. There were three prizes, valued at $2,160. The first prize was a Gatling gun valued at $2,000, and to be won twice to become the property of the winner. The 20th Separate Company of Infantry, from Binghamton, won the first prize, scoring 309 in a possible 420; the 7th Regiment scored 303 and took second prize, while the 49th Regiment, from Auburn, won third prize with 293.

There were five teams entered in the "Cavalry" match, which was open to teams of six, the distances being 200 and 300 yards, five rounds for each competitor at each distance with a carbine. Three prizes were offered valued at $145. Separate Troop "I," from Oswego, won the first prize on a score of 198 in a possible 300.

THE SUGAR TRADE.

VIEWS OF REFINERS AND IMPORTERS.

THE GOVERNMENT ALLEGED TO BE DEFRAUDED—A LOWER GRADE OF SUGARS BEING IMPORTED.

The sugar refiners and importers, and merchants who both import and refine, debated the merits of the tariff on sugar and the alleged fraudulent undervaluations in a room in the Custom House yesterday, before Congressman Wood. The importers who desire a uniform duty on sugar submitted a tabulated statement through Robert Hewitt, of the firm of J. M. Ceballos & Co., sugar importers, designed to show the losses caused to the Government by the unfaithful collection of the various duties by its agents. This statement was as follows:

Sugar importations entered for consumption in the fiscal years ending June 30, 1876, 1877, and for New-York alone in 1878:

Year.	Weight, lbs.	Duties received.	Rate per lb.
1876	1,561,880,545	$37,625,064	2.41
1877	1,455,387,854	34,337,350	2.36

The importation for consumption, at New-York, for the fiscal year of 1878 were 1,073,598,143 lbs.; duties received, $24,834,786; rate per lb., 2.3131, being 72.86 per cent of the total importations into the United States for the fiscal year.

New-York importations amount to 72.86 per cent of the total for 1878. New-York importations, grade above No. 10 D. S., as per estimates of the Commission on the New-York Custom House known as the Jay Commission. Consequently at least 72.86 per cent of the total importations are above No. 10 D. S.

Rate of duty on 73 per cent of total imports	2.812p
Rate of duty on 27 per cent of total imports	2.50
Average	2.7281.25

RECAPITULATION.

Year.	Weight, lbs.	Rate per lb.		Duty received.
1876	1,561,880,545	at 2.41	collected duty	$37,625,064
1876	1,561,880,545	at 2.7281	correct duty	42,610,053
			Discrepancy	$4,984,989
1877	1,455,387,854	at 2.36	collected duty	34,337,350
1877	1,455,387,854	at 2.7281	correct duty	39,704,799
			Discrepancy	$5,367,449
1878	1,073,598,143	at 2.3131	collected duty	24,834,786
1878	1,073,598,143	at 2.7281	correct duty	29,413,339
			Discrepancy	$4,578,553

Mr. Swift, of the firm of H. H. Swift & Co., said that Mr. Hewitt's statement was valueless because the Bureau of Statistics took invoices to make up its estimates, but sugar shrank in weight and a less duty was actually paid. The increase of importations had been in low grade sugars, because the refiners had improved the methods of refining sugar. The system of estimating the value of sugar adopted by England was the best—that of analyzing the sugar and learning the per cent of crystallizable matter. Sugars could not safely be judged of alone by their color. The practice between American merchants was to test all sugars with a polariscope, but the Government test was simply the color.

Theodore A. Havemeyer, of Havemeyers & Elder, made an earnest defence of the present tariff, which he characterized as a free trade one in effect. He declared that the decrease of revenue at this port was caused by the importation of sugars of lower value, and that the cry of "fraud" was absurd. The estimates designed to show fraud were prepared by men who did not understand the difference between entered and liquidated duties. Low grade sugars were becoming popular, because the people of the United States were poor. The refiners were seeking to supply cheap sugars. The importers from Cuba were trying to have a uniform duty, so as to raise the price. The question of the day was the labor question. If the duties were changed as the Cubans desired, over 5,000 workingmen in New-York State would be thrown out of employment, and $3,000,000 invested in his refineries would be rendered unproductive. Refining must be done where it is, in Cuba or in the United States, and ought to be done here.

Lawson N. Fuller, a sugar refiner, who has done no business for three years, testified at great length to the effect that samplers could cheat the Government, and that adulteration of sugars was common in the refineries. If he desired he could, with the aid of the samplers, cheat the Government out of $250,000 yearly. But he did not want to cheat, nor did he desire his neighbor to do so. He believed that the majority of refiners adulterated their sugars with glucose and other like materials. Glucose was worth two or three cents a pound, and was made from corn. He thought that a uniform rate on all sugars would elevate the whole trade. Mr. Havemeyer again taking the stand said that he thought that the Government officers were honest, and that the United States did not lose over $10,000 yearly in fraudulent undervaluations of sugar. The examination of refiners and importers of sugar will go on to-day.

THE SAZERAC CASE.

The cargo of Cuban sugar consigned to Jules Sazerac & Co., which has been under investigation, has been unconditionally released. Special Agent D. A. Nevin reports to Collector Merritt that in his opinion "the sugar should be released on the ground that while it has the appearance of having been artificially colored, the coloring matter is apparently sugar in a liquid form, and I am without the proof of its having been applied after manufacture; on the contrary, all the information that I am able to obtain inclines to the belief that the color is obtained in the process of manufacture, and that it is allowed to remain instead of removing it, as is seemingly the practice in the case of high grade sugars." Collector Merritt ordered this cargo released, as also one consigned to S. & W. Welsh. The Collector does not think that these sugars are included in the list described in the Treasury circular of a year ago. He says that there is no claim by the special agents that there is any artificial coloring in the Sazerac sugars, or that they contain anything except saccharine matter, and that the detention was made simply to allow the Government time to sample the cargo in order to satisfy the Government sugar experts, who have determined that the cargo is regular, and should be released. In the sugar trade Sazerac & Co. are spoken of very favorably.

THE STEWART PARTITION SUIT.

POSTPONEMENT OF A HEARING ON THE MOTION FOR SUBSTITUTION OF ATTORNEYS.

The partition suit against the estate of the late Alexander T. Stewart was before Judge Lawrence yesterday on an order issued by Judge Donohue last week for S. F. Kneeland to show cause why Ira Shafer should not be substituted for him as attorney for Alexander Stewart, who has been represented as claiming to be a cousin of the millionaire. The previous proceedings and the papers in this case have been published at length in THE TRIBUNE. It is asserted by Alexander Stewart that he never employed nor authorized the employment of Kneeland as his attorney, and he asks that Mr. Shafer shall represent him in further proceedings.

Mr. Kneeland asked for an adjournment on the grounds presented in the following affidavit:

S. F. Kneeland being duly sworn, says: I am attorney for the plaintiff herein; I was fully authorized by the plaintiff and several of defendant's claimants herein nearly two years before the commencement of this action to take such steps to secure their rights and interests as I should deem advisable; I withheld the commencement of the proceedings until I had secured sufficient evidence to convince me that A. T. Stewart died without leaving a valid will; my entire action in this matter has been taken in perfect good faith, without any desire save that of asserting and securing the rights of the legitimate heirs-at-law of said A. T. Stewart.

I did endeavor to compromise the case, at the earnest solicitation of my clients, some of whom are actually sufferers for lack of the necessaries of life. Believing as I do that their rights are legitimate, and knowing as I do that the fight of poverty against wealth, massed and entrenched, would be long, protracted and wearisome to the claimants, I advised and urged it, and am willing to accept the consequences.

The papers on this motion were not served upon me until late in the afternoon of the 11th instant. Since then my time has been almost constantly occupied in general professional business; and I have not had time to prepare for the argument of this motion. A large number of affidavits are required to be taken in another State, and it will require at least one week longer to fully complete the necessary preparations therefor.

S. F. KNEELAND.

He also read an affidavit by Clark H. Chapman, an attorney of Cavendish, Vt., who alleges that he was authorized and often requested by Alexander Stewart claiming to be a cousin of the late Alexander T. Stewart, to direct S. F. Kneeland to take steps to procure for him his share of the property; that he wrote to Mr. Kneeland stating the claim and the evidence supporting it; that Kneeland sent him the petition and the affidavit of Ann Jane Bailey; that Alexander Stewart expressed gratification, and showed the papers to his neighbors; that he had been paid a retainer by Alexander Stewart, but had never claimed to be an attorney of record. Mr. Kneeland said he could bring hundreds of such affidavits. "I would like ten days," he said, "to meet this most wonderful move on the part of the Stewart attorneys. Ira Shafer has been sitting there all the morning under the very shadow, or at least overshadowing the attorneys for the defendants in this case, Mr. Rice, the attorney for Mrs. Stewart, and Davies, Work, McNamee & Hilton, attorneys for the other parties."

Mr. Shafer—"I don't know Mr. Rice; if he is in this room I don't know him; I never knew him; I sat by the side of Judge Hilton's son a few moments." He continued: "This young man," pointing to Mr. Kneeland, "is charged in conjunction with Clark H. Chapman, of Vermont, with conspiring falsely and fraudulently to bring and maintain this action, and by the employment of deceit and fraud and perjury to endeavor to extort money from Mrs. Stewart, Mr. Hilton and others. He is further charged by these papers with subornation of perjury beyond all question. * * * I have no doubt that the day will come when he will have cause to regret that he instituted this gigantic litigation, tying up millions and millions of real estate at the suit of a man from whom he had no authority. I have no doubt it will involve his disbarment and conviction of crime."

Mr. Kneeland denied that he was charged with subornation of perjury, but Mr. Shafer adhered to his statement. After some discussion the matter was adjourned for one week.

THE SUICIDE OF A BANKER.

SAN FRANCISCO, Sept. 17.—Gustave Mahe, president of the French Savings Bank, committed suicide this evening in his room over the bank by shooting himself in the mouth. He left no explanation and no adequate excuse is known for his action. Among the papers found on his person was a notification from the London and San Francisco Bank that his note for $30,000 would fall due to-morrow.

HOME NEWS.

THERMOMETER YESTERDAY AT HUDNUT'S, NO. 218 BROADWAY.

9 a. m., 62°. Noon, 69°. 3 p. m., 78°. Midnight, 65°. Highest during the day, 78°. Lowest, 56°. Average, 65⅞°. Same day, 1877, 73⅝°.

PROMINENT ARRIVALS.

Hotel Brunswick—Senator J. B. Eustis, of Louisiana, and General J. B. Stonehouse, of Albany.....*Clarendon Hotel*—Nicolas Shishkin, Russian Minister at Washington.....*Gilsey House*—Sir Alexander T. Galt, of Montreal, and Judge J. M. Woolworth, of Omaha.....*Fifth Avenue Hotel*—Congressman Eugene Hale, of Maine; Attorney-General A. Schoonmaker, jr., of Albany; ex-Congressman E. O. Stanard, of Missouri; J. Condit Smith, of Buffalo, and General S. D. Hungerford, of Adams, N. Y.....*Sturtevant House*—Rear-Admiral John J. Almy, U. S. N., and Judge T. R. Westbrook, of Kingston, N. Y.....*Park Avenue Hotel*—Dr. S. L. Caldwell, President of Vassar College, and Judge Platt Potter, of Schenectady.....*New-York Hotel*—General E. C. Walthall, of Mississippi, and Felix Limet, of New-Orleans.....*Windsor Hotel*—Judge James H. Howe, of Wisconsin.....*Brevoort House*—Professor S. P. Langley, of Allegheny, Penn.....*Everett House*—Henry R. Pierson, of Albany, and Paymaster L. A. Yorke, U. S. N.....*Metropolitan Hotel*—Vordyce L. Laflin, of Sangerties, N. Y.....*St. Nicholas Hotel*—Ex-Congressman E. B. Morgan, of Aurora, N. Y.....*Hoffman House*—Warner Miller, of Herkimer, N. Y.

NEW-YORK CITY.

New lace pins at Tiffany's represent a bunch of flowers in delicate workmanship.

"Mummy cloth" is a new and novel material for working table and chair covers.

A cameo pin at Theodore B. Starr's has the head of the Empress Eugenie exquisitely carved, and surrounded with diamonds.

A new design for a fruit dish at the Meriden Company's salesroom is a large hand-painted porcelain dish, supported by a high silver standard.

Hand-painted buttons are a novelty. Ladies industriously inclined buy the plain flat buttons and paint them to suit the costume for which they are intended.

Collector Merritt issued an order yesterday to enforce on and after September 23, the new entry system suggested by the Jay Commission and approved by Secretary Sherman.

For the last four weeks the enormous quantity of freight going to New-Orleans and Galveston has indicated an increase of trade, and the present facilities appear hardly equal to the demand for transportation.

The total number of emigrant arrivals yesterday was 664, of which 75 were by the Canada from London, 160 by the Abyssinia from Liverpool, 43 by the General Werder from Bremen, 353 by the Pommerania from Hamburg, and 33 by the California from London.

During the week ending September 14, 458 deaths occurred in this city. This is seventy-two less than the number occurring during the corresponding week of 1877. The principal decrease was from cases of diarrheal diseases in children under five years of age. There was also a marked decrease of deaths from whooping cough, diphtheria and typhoid fever.

Patrick A. MacGahan, of Toledo, Ohio, yesterday made application in the Surrogate's office for letters of administration on the personal estate of his brother A. MacGahan, the well-known newspaper correspondent, who died at Constantinople in June. The property within this country is estimated to be worth not over $100, and consists of clothing and books.

Custom House Inspectors Doty and Chalker yesterday seized a large trunk on the steamship Pommerania from Hamburg, which belonged to a passenger named Charles Pfifferling, of Illinois. It had a false bottom, under which were diamond and pearl jewelry, a gold watch and chain, a lace shawl, two dozen meerschaum pipes, and several dresses and other dutiable goods.

Zelina Vollweiler began an action for breach of promise of marriage against Jacob Frankenheim, claiming $10,000 damages, and the defendant was arrested. Yesterday Alfred Steckler, his counsel, moved before Judge Sheridan, in the Marine Court, that the order of arrest should be vacated, on the ground that it was not issued in the name of the people of the State. Decision was reserved.

The Board of Managers of the Produce Exchange met yesterday to consider the case of Anderson Fowler, suspended for striking William G. Shaw. A petition signed by about seventy members was presented, asking for his reinstatement, and a counter-petition more numerously signed was also handed in. After a long discussion the managers decided that Mr. Fowler's suspension should be for thirty days.

The following is a comparative statement of cases of contagious disease reported to the Board of Health for the two weeks ending September 14, 1878:

Week ending	Typhus fever.	Typhoid fever.	Scarlet fever.	Cerebro-Spinal Meningitis.	Measles.	Diphtheria.
Sept. 7	1	19	27	3	2	37
Sept. 14	0	18	34	1	1	16

Ten years ago Maggie Walsh, then twelve years old, was rescued from a violent death on the Harlem Railroad by a male relative, whose mangled body was left behind by a passing train. Yesterday she was brought before Justice Smith by her brother, who said that she had become deranged from constant brooding over the sad event. Miss Walsh was sent to the Commissioners of Charities and Correction. The family lives at No. 144 East One-hundred-and-twenty-ninth-st.

On complaint of Officer Jenkins, of the Society for the Prevention of Cruelty to Children, Frederick Lubin and Jacob W. Mack, proprietors of the Cremorne Vaudeville Theatre, in Thirty-second-st., were arraigned at the Jefferson Market Police Court yesterday afternoon, charged with employing a child, "Little Nell," about twelve years of age, who danced and sang during their nightly performances. The proprietors agreed that they would not further engage children under sixteen, and the complaint was withdrawn.

Charles A. Meyer, Francis Walton, James A. Hamill and other students of the New-York College of Veterinary Surgeons, have, in conjunction with some of the late professors of that institution, formed the "Columbia Veterinary College," at No. 217 East Thirty-fourth-st. In a card justifying the action of Professor Bates and other professors of the former institution, they state that the new college is an outgrowth of the recent troubles between the faculty and the Board of Trustees, an account of which was given in yesterday's TRIBUNE.

BROOKLYN.

The balance in the City Treasury September 14 was $804,939 06.

Supervisor of Elections John J. Allen will present to Judge Benedict to-day a list of Supervisors of Election in the various election districts.

A row-boat, fifteen feet in length, was found drifting at the foot of Conover-st., yesterday morning. It had evidently been damaged by a collision.

The Board of City Works yesterday appointed Jared Clark, late superintendent of the Truant Home, keeper of the Storage Reservoir, at a salary of $1,000 a year, in the place of John McCarty. President Massey opposed the appointment.

During the time that the Dog Ordinance has been in effect, ending September 15, 4,120 licenses have been issued. About 1,500 dogs were captured by the cathers, of which 1,300 were drowned. A few dogs still remain in the pound, but no more will be received.

THE KILLING OF POLICEMAN O'BRIEN.

The trial of John Reilly for the alleged murder of Officer John O'Brien, in 1864, is now in progress before Judge Sutherland. The murder created great excitement at the time. Reilly escaped, remained for several years in different parts of the West, and was not arrested until last December. He was indicted under the old statute which made the offence with which he is charged murder in the first degree. The prisoner is a man of middle age, regular and agreeable features, and apparently is little concerned. The testimony of the witnesses for the prosecution yesterday retold the story, repeated many times before, of the incidents of the murder. John Reynolds, keeper of the saloon at Forty-first-st. and Ninth-ave., where the shooting occurred, told how O'Brien and Reilly became involved in the fatal quarrel. O'Brien seized Reilly by the shoulder and said, "Come, this discussion has been going on long enough; I'm going to take you in." Reilly said the officer had no right to take him out of the saloon without a warrant, and in resisting him, pulled out a revolver. Before they reached the door O'Brien fell, shot in the forehead. He afterward died at St. Luke's Hospital. Several other witnesses were examined as to details. The defence will begin to-day.

TROUBLES OF BUSINESS MEN.

The alleged defalcations of Charles P. Stickney at Fall River, which it is now said will reach $500,000, have caused the firm of Castner, Stickney & Wallington, coal dealers in this city and Philadelphia, to be temporarily financially embarrassed. Stickney had full power to sign the firm name as one of the partners, and the extent to which this paper is afloat has not yet been ascertained. The representative of the firm in this city said yesterday that their embarrassment would be merely temporary, and that all their obligations would be met if reasonable time were allowed. The other partners are reported wealthy. Mr. Castner being estimated worth at least $100,000, and Mr. Wellington about $250,000.

Charles H. Shelley, who recently kept the West End Hotel at Fort Washington, and who is now a voluntary bankrupt before Register Dwight, has liabilities amounting to $49,000. His assets are nominally valued at $900. The largest claim is that of Isaac P. Martin for $38,406.

THE UNITARIAN CONFERENCE.

SARATOGA, N. Y., Sept. 17.—Every train has brought large accessions to the Unitarian Conference. At the opening service this evening, the Methodist Church, the largest in the place, was crowded. The Rev. Brooke Herford, of Chicago, preached. Among the audience were the Rev. Dr. Bellows and the Rev. W. R. Alger, of New-York, ex-president Hills, of Harvard, the Rev. J. Freeman Clarke and the Rev. Edward Everett Hale, of Boston, and the Rev. William R. G. Mellen, of Toronto.

POSTSCRIPT

3:45 a. m.

LATEST FOREIGN NEWS.

THE DOMINION ELECTIONS.

THREE CABINENT MINISTERS REJECTED—THE GOVERNMENT BEATEN.

TORONTO, Sept. 17.—The election for members of the Dominion Parliament took place-to-