LOCAL MISCELLANY.

PURE MILK FOR THE CITY.

CONTINUATION OF THE MOVEMENT BEGUN IN WESTCHESTER COUNTY—DISCUSSION AT COOPER INSTITUTE.

A meeting was held at the Cooper Institute yesterday of persons interested in securing to this city a supply of pure milk. The Hon. John Jay, the chairman of the Committee on Coöperative Milk Supply of a proposed association, presided, and among those present were Dr. A. S. Heath, president of the Farmers' Club; T. Mortimer Seaver, president of the International Dairy Fair; Henry Bergh, a number of milk dealers and many prominent dairymen. Letters from Dr. Willard Parker, Professor Chandler and others were read approving the proposed rules for the government of dairymen members of the proposed Coöperative Association. D. W. Wilson reported for the committee on the demand for pure milk and the prices to be expected for it, that interviews with half a dozen dealers who were now delivering milk the purity of which was guaranteed by sealing it in glass bottles had satisfied him that the public was ready for the change from uncertainty and deception. Especially in Brooklyn this mode of dealing had been profitable and satisfactory. Instances of success were given in other localities. Some dealers receive their milk directly from the farmers, sealed in glass packages. As to prices, no more than 8 cents, now the regular price for ordinary milk, can be expected for pure milk. Some of the persons present said that among some classes there was a demand for milk of guaranteed purity at 10 cents.

T. W. Decker, a milk dealer, said there was an old prejudice against milkmen, which made the public suspect that all milk was adulterated. But competition among dealers had done much to change that. The blame largely belonged to the consumers, who did not take the same pains to know when they were dealing with an honest milkman that they did to learn the standing of their dry goods dealer. "The whole question of pure milk is one of integrity. Honest dealers with honest employés are the only safeguard. But pure milk is not always good milk. The cow is a machine, and will produce good or bad milk according to the food given it. Pure milk may be of very poor quality."

The committee on the expediency of a central depot to receive and seal up milk and deliver it to clubs, institutions and hospitals, reported that plan to be the most feasible way of securing pure milk.

General John Cochrane reported for the committee on the most convenient mode of delivery and the question of employing the present milkmen of the city. He recommended organization for this purpose by men possessing the confidence of the public, but advised against employing promiscuously the present deliverers as a class. Discussion as to the cost of delivery placed it at 2 to 3 cents. The trustworthiness of the lactometer was generally discussed. W. C. Weld, of New-Jersey, said he had tested Alderney milk at 100, then skimmed it, and it showed 110. Dr. J. C. Mott, who has given much attention to the analysis of milk and to various tests of purity, said that the lactometer, in connection with the senses of taste, smell and sight, was a very safe guide.

The questions of securing the dairymen a better price than was now paid for swill-milk, of the best method of shipping milk, and the concentration of routes to economize in delivery, received considerable attention.

Henry Bergh was asked to speak, and said that adulteration of milk could no more be prevented than arson and murder, and read the present law to show that legislation had already done all it could. General Cochrane said in reply that years ago "the bellowing of the brute creation assailed the ears of mercy, and New-York slept on regardless." Yet through the efforts of one man a wonderful reform had been effected. Let not that man discourage similar efforts to enforce other good laws.

At a meeting of the American Institute Farmers' Club, Dr. Heath presiding, which followed immediately after the adjournment of that of the Milk Association, the same subject was continued and discussed from the producers' point of view. The lactometer was denounced, and the turning into the river of condemned milk by the Board of Health recently was criticised as an unnecessary waste of what "the hospitals would have been glad of." The plan of delivering milk in sealed packages met with general approval.

A FAIR OF DAIRY PRODUCTS.

A meeting of the executive committee of the International Dairy Fair Association was held at the American Exchange Rooms yesterday afternoon. The secretary reported communications from the Tremont Dairy Association, Professor Alvord and several others, and Colonel Baker read a list of special premiums offered by business men throughout the country. The secretary also read a long letter which is to be addressed to the Governors of the States, pointing out the useful purpose such exhibitions serve and inviting their attendance and support. He specially mentioned that a request had been addressed to Governor Seymour to open the fair, upon which Colonel Baker expressed his surprise, and said he supposed that the President of the United States was to be invited to perform that act. "Well," said the president (N. Folson, jr.), "Governor Seymour opened the fair last year, and made an address for us, and we sent him this invitation as a sort of compliment. It is only designed to compliment him. We know that he is sick and unable to attend." Colonel Baker: "Then it is intended that the President shall open the fair?" The President: "That is a matter for the committee on arrangements to consider." F. B. Thurber gave a short address upon a recent British dairy show, held in Agricultural Hall, London. He pointed out the necessity of Americans bestowing more attention upon the manufacture of soft cream cheese. Several reports in reference to the various details of the fair were read and adopted.

A SON'S UNFILIAL CONDUCT.

KOMAH NYMAN FOLLOWS HIS FATHER FOR FOUR DAYS WITH AN AXE—THE OLD MAN'S UNHAPPY LIFE.

The funeral of John Nyman, of Passaic, N. J., supposed to have been murdered by his son, took place yesterday in the Holland Church, and was largely attended. The sermon was preached by the Rev. Mr. Griève. The inquest as to the cause of his death was continued in Lyceum Hall, before Coroner Warner, at 10 a. m. Three witnesses were examined, after which the inquest was adjourned until 10 a. m. to-day.

Charles Fredericks testified that he knew Nyman and his son well. On November 4 John Nyman took supper with the witness, and said that his life was in danger on the farm. He didn't dare to drink any tea or coffee for fear that "they," referring to his son and his son's wife, "might have put something in it." He said he drank warm water and milk, doing his own milking and getting the water from the well. His son had followed him around the farm and the house for four days, carrying an axe all the time, even at dinner. Fredericks also testified to the ferocity of the dog that was chained near the barn door.

Aaron Sip, a farmer of Passaic, testified that he had known Joan Nyman nearly twenty years, but personally he knew of no ill-feeling between him and his son Komah. He had heard of some difficulty from a man named Kievit. The witness then described the appearance of the cuts on Nyman's head as he saw them on Saturday, and the position of the body in relation to the horse's stall. The blood under the wagon, he said, looked as if there had been a struggle at that spot. The horse's head was toward the dead man's body.

Mrs. Jacomentje Fredericks, the wife of the first witness, testified that she had known John Nyman and his family for nine years. She used to work for old Mrs. Nyman, doing her washing every week up to the time of her death last Spring. John Nyman had said that his wife wouldn't agree with old Mrs. Nyman, his mother. John and Komah were never very friendly. John had told the witness three days before he was found dead that he was in danger of his life at the hands of his son. He said he didn't dare to drink any coffee or tea with Komah, as he had had some trouble with him. He said at the same time that when Komah came to dinner he always had an axe with him, and for four days his son followed him to the barn and into the fields, always carrying the axe with him. The old man said, "Komah, that's long enough now with that axe." He told his son he ought to take that axe away, or else he would get somebody who would take it from him.

The witness went to the scene of the death Saturday morning, and found Komah crying. He told the witness that he didn't know who killed his father, and Komah's wife made the same reply to a similar question. She told the witness that she was ill Friday night, and after taking some brandy had gone to bed. She said she had used up all the brandy in the house, and had then asked Komah to go to Passaic and get some more. She didn't know when the old man went to bed. She woke up in the night and heard him going down stairs. Her husband aroused her at 6 a. m., saying that although they didn't hear the old man, they would better get up. Komah then went to the barn, and returned crying "Father is dead." Saturday morning the witness went up to John Nyman's room and found a light burning. The bed looked as if some one had lain on it. Three weeks ago Mr. Nyman told the witness that he was afraid to keep his money in the house, and asked the witness if she would keep it. She was afraid of fire, and refused to keep it. Shortly before Komah's mother's death she told the witness that she asked her son to speak to her, but he would not. She offered him $50 if he would speak to her, but he refused. He had not spoken to his mother for many months. The witness told Komah Saturday, when he was crying, that she hoped he had not "put his hands in his father's blood." He made no reply. The remark was prompted by the witness's recollection of the axe which Komah had carried by his father's side.

A CHECK TO THE LOTTERY TRADE.

MORE ARRESTS MADE UNDER THE DIRECTION OF ANTHONY COMSTOCK.

More lottery dealers were arrested yesterday by Anthony Comstock. Some men in the trade voluntarily went to the office of United States Commissioner Shields and offered bail. In the morning G. Uppington, who represents Williams & Co., No. 195 Broadway; Theodore Zschoch, No. 23 Park-row, and W. C. Creighton and C. W. Hennian, employed by Porter & Co., No. 1,227 Broadway, were held in $1,000 bail each, which was promptly furnished. Mr. Comstock and his officers went to Luthy & Co.'s place at No. 276 Broadway and found the clerk busily engaged in selling policy slips. The clerk had had no warning, and was arrested, and the evidence to convict him was gathered together. The prisoner first gave his name as William S. Wilson and afterward as Samuel Wilson. Those who knew him said that his name was Samuel Webb, and that he had once been a well-known politician in Hoboken. As it was the first time he had been arrested bail was fixed at $500. It is said that he was formerly in the employ of J. Clute & Co., No. 200 Broadway, the place where Haws, the defaulting bank clerk, spent most of his money. He induced Haws to stop playing with Clute & Co., and for a time enjoyed the profits of the clerk's thefts. He finally took Haws to Luthy & Co., where, it is stated, the clerk spent something over $8,000.

B. F. Moore was next arrested. He was arrested on a warrant for A. M. Dauphin & Co., of No. 313 Broadway. Mr. Comstock said that the firm received 400 registered letters a day. His bail was furnished by Francis Morris, an old lottery manager and father of John A. Morris, proprietor of the Louisiana Lottery. When Mr. Comstock went to Wachsman & Co.'s office in Nassau-st., the place was shut and on the door was this placard in large letters: "Closed on account of a death in the family." This was considered a joke. The principal partner, Max Berger, went to the United States Commissioner and offered bail. The office of M. A. Martinez was also closed in order to save Mr. Comstock the trouble of arresting the clerk, who delivered himself up and gave bail. Wiley Barrow sat in his office in Broadway anxiously awaiting Mr. Comstock's arrival. Every evidence of the illegal business he conducted was carefully locked in the safe. He gave bail and returned to his occupation. At Taylor & Co.'s office in Wall-st., Mr. Comstock wanted to find a clerk named Knapp. The clerk was not in, but the chief man in the office promised to have the clerk before the United States Commissioner to-day provided with bail.

After 5 p. m. Mr. Comstock proceeded to the lottery and policy shop No. 238 Grand-st., kept by Charles D. J. Noelke. He first sent Detective Briton to buy a ticket for the Little Havana Lottery and afterward to buy a policy-slip. He then called several officers and entered. Mr. Noelke put his back to the door of his private office and told his clerks to conceal the tickets. The door was forcibly opened while the clerks were busy with the tickets. The room was filled with people, principally Germans. Mr. Comstock gave orders to allow no one to leave the premises. Mr. Noelke offered resistance at first, but soon allowed the officers to examine everything. Over $700 in tickets for the Little Havana, Commonwealth, Kentucky State and Louisiana Lotteries, together with a great mass of memoranda and books, were taken as evidence. These tickets have all been paid for by Mr. Noelke. He was brought before Commissioner Shields. His two clerks, Peter Miller and Jacob Marks, were brought to the Tenth Precinct Station-house, and will be taken to the Essex Market Court this morning. Among the customers present was a well-dressed young man of respectable appearance who seemed to be deeply troubled. He begged Mr. Comstock to allow him to go, and declared positively that he would never again enter that or any similar place. "All the money in this establishment," he said, "wouldn't pay me if my family heard of this." He was allowed to go.

Some of the men who gave bail during the day laughed and said they expected to be arrested and fined about once a year. "We have come to look upon it as a kind of a tax to carry on the business," said one man. Some persons claim that Mr. Comstock will be able this time to convict nearly every one of the prisoners. More arrests will be made today.

POLICE OFFICERS' DENIALS.

THE ANSWERS OF CAPTAIN WILLIAMS AND OFFICER FLEMING TO CHARLES W. SMITH'S SUIT.

The answers of the defendants in the suit of Charles W. Smith against Police Captain Alexander S. Williams and Officer Thomas Fleming to recover damages for the assault alleged to have been committed upon the plaintiff at Madison-square on October 15 were served upon the plaintiff's attorneys, Messrs. Morris & Pearsall, yesterday. The answer of Captain Williams is as follows:

The defendant, Alexander S. Williams, for separate answer to the complaint, herein alleges as follows:

He has no knowledge or information sufficient to form a belief as to each and every allegation in the complaint contained not hereinafter specifically admitted or denied. He admits that on the 15th day of October, 1879, the plaintiff was standing with a large number of other persons on Fifth-ave., in the City of New-York, and that on that day there was a military procession. And the defendant, further answering, and for a further and separate defence to the complaint, herein alleges that on said day and for a considerable period prior to said day he was and had been a captain of a police force in the City of New-York; that on said day he had, in the line of his duty, detailed a large number of patrolmen and other police officers to be present on duty in Fifth-ave. while the crowd which had collected to look at the said military procession were in the said street and those adjacent thereto. That while the procession was passing the plaintiff was, as defendant is informed and believes, injured by the defendant Thomas Fleming, who was also a member of the police force, and that said injury was inflicted upon the plaintiff by the said Fleming while forcing the crowd back to make room for the said procession to pass. Defendant denies that he violently assaulted and beat the plaintiff by striking him on the head with a club, or in any other way.

Wherefore defendant demands that the complaint herein be dismissed with costs.

Officer Fleming says in his answer that while acting in the performance of his duty as a police officer he attempted to force back the crowd which had collected in Fifth-ave., and that in so doing, with no malice on his part, but simply in the discharge of his duty, the plaintiff was injured, but to what extent the defendant is unable to state. He also denies that he violently assaulted and beat the plaintiff.

SHOT BY A JEALOUS LOVER.

Coroner Woltman yesterday at the Chambers Street Hospital took the ante-mortem deposition of Harriet Gaville. She was shot on Saturday morning at No. 128 Leonard-st. by George Smith, a mulatto with whom she was living, and whose jealousy she had excited. The woman's statement is as follows:

"I had been living with George Smith, but I left him, and he kept constantly begging me to return to him. He was cook on board the steamboat Bridgeport. He came to my house, No. 44 Baxter-st., on Friday, November 7, and asked me to take a walk with him. I proposed to go to Mrs. Waters's, No. 128 Leonard-st., for my washing. We went to her room on the second floor. On the street he showed me a pistol, saying he would get square with me. I took a seat by Mrs. Waters near the window. Smith was standing by a closet near the door. After we had been there about half an hour Smith made a motion as if to throw something at me, and at the same time I saw him fire a pistol. I then went over to the lounge and hid myself behind Mrs. Waters. She tried to snatch the pistol from Smith's hands. He then left the room, and hid under the stairway on the floor below. He said if I should come down he would blow my brains out."

PUTTING OUT FIRES QUICKLY.

Members of the Board of Underwriters, a Committee of the American Institute and a number of other people assembled yesterday afternoon in the vacant lot at Sixty-ninth-st. and Third-ave., to witness a trial of the "Hydro-Pneumatic Fire Extinguisher." A bonfire was made of staves of old rosin barrels placed upright and saturated with petroleum, naphtha and tar. The extinguisher, which had been charged with five gallons of water and the patented chemicals in solution, was brought to bear upon the flames by Mr. Sanborn, superintendent of the company, who had it strapped upon his back. The fire was put out in twenty seconds. Another pile of combustible material was fired, and the flames were extinguished in less than a minute, and in a third case in twenty-five seconds.

The claim of superiority for this machine rests upon the fact that hydrochloric acid gas is generated only when the water reaches the flames, while it is claimed that the carbonic acid gas evolved in other machines is expended before the flames are reached by the water; also that the compound used is not corrosive and will not freeze or evaporate, and the gauge will indicate the exact pressure. The gauge yesterday indicated a hydrostatic pressure of 125 pounds to the square inch.

DR. BUDINGTON'S SICKNESS.

The Rev. Dr. William Ives Budington, pastor emeritus of the Clinton Avenue Congregational Church, Brooklyn, is confined to his room at his home on Clermont-ave., Brooklyn, by cancer of the lower lip. This is making great inroads on his strength. The cancer, which was removed four times, is now so developed that any further operation is deemed dangerous. No relief was afforded to Dr. Budington by the treatment he had in Boston from a so-called cancer doctor who promised a positive cure, and he returned home recently. He does not suffer much pain. No immediate danger is apprehended unless the cancer in its growth should reach an artery and hemorrhage ensue.

A CONCERT HOUSE GREATLY IMPROVED.

Extensive improvements have been made at Koster & Bial's concert house in Twenty-third-st. near Sixth-ave., in space, ventilation and decoration, all of which will be opened for the inspection of the public on Monday evening next. A special musical programme will be provided for the occasion, and the orchestra will be increased from twenty-five to fifty musicians.

Originally the concert house consisted of the St. James Theatre, remodelled and connected with a new and spacious hall on Twenty-fourth-st., making altogether an auditorium, with varied architectural adornments, 200 feet in length and about 50 feet in width. It was supposed that ample provision had been made for securing perfect ventilation, but it proved defective. To provide the additional space needed for the large audiences and the ventilation imperatively demanded during the hot Summer months, the proprietors made great arched openings in the western wall of the Twenty-fourth-st. hall, which was thereby connected with a garden 50 by 100 feet in size.

With the approach of cold weather the proprietors found that they could not not dispense with the garden space without turning patrons away from their doors. Plans were drawn for inclosing the garden, and making of it a hall superior to the other divisions of the concert house. The walls have been tastefully decorated in Egyptian style, and the south wall has been decorated with an oil painting fourteen feet in height by twenty-four feet in length. It was painted by Charles E. Boutibonne, the Parisian artist, and decorated the ceiling of the Emperor Francis Joseph's pavilion at the Vienna Exposition in 1873. A whole year was devoted to its production. In subject it is an allegorical representation of the union of the muses of painting, sculpture, literature and the industrial arts, and therefore is intended to typify the spirit and objects of an international exhibition. Vienna suffered under a severe financial crisis, and the Emperor, instead of buying the painting, conferred a gold medal on the artist. The ventilation of the new hall is perfect, and it secures a draft of air to the main hall.

OPPOSING A STEAM PILOT-BOAT.

About three weeks ago THE TRIBUNE published exclusively the fact that the foreign steamship companies communicating with this port had nearly completed arrangements for the purchase of the steam-tug Hercules, and for the employment of a dozen licensed pilots at a stated salary, exclusively for taking their steamships in and out of harbor, thus expecting to save a large amount of money annually which is now paid for pilotage fees. The Hercules was intended to take the place of the schooner Widgeon, enrolled among the limited number of pilot-boats, which has been condemned. The steamship companies conducted their meeting secretly, but since the above-mentioned facts appeared in THE TRIBUNE there has been considerable opposition manifested by the other pilots against the movement. It was claimed that it was in violation of the law which declares that no pilot shall take unfair advantage of another.

At the meeting of the Pilot Commissioners yesterday the question was thoroughly discussed, and a committee of pilots responded to a communication sent to the pilots on Friday last. This letter called attention to the existing rates of pilotage, and advised that they should be reduced, as there was a feeling among merchants and shipping men that the rates were too high. The committee of pilots said its members would be willing to confer with ship-owners and others in regard to the matter. At a special meeting a resolution was adopted as an amendment to the by-laws, declaring that, until the Commissioners should authorize the use of steam vessels in the pilotage service, no vessel propelled in whole or part by steam should be used.

THE THANKS OF THE QUEEN.

Colonel David E. Austen, of the 13th Regiment, National Guard, which visited Montreal on the Queen's birthday last Spring, has received the following letter:

BALMORAL, October 20, 1879.

To Colonel DAVID AUSTEN, *Commander of the 13th Regiment, N. G. S. N. Y.*

SIR: I am commanded by the Queen to assure you that Her Majesty has received with much pleasure the "Account of the Visit of the Thirteenth Regiment, N. G. S. N. Y., to Montreal," and to request that you will convey the Queen's thanks to the officers of your regiment for their kindness in presenting Her Majesty with this volume. I have the honor to be, sir, your obedient servant,

HENRY F. PONSONBY, Lieutenant-General.

The letter will be framed and hung in the officers' room in the regimental armory at Flatbush-ave. and Hanson-place, Brooklyn.

ACCUSED OF LEVYING BLACKMAIL.

Theodore H. Sayre, a druggist at Forty-sixth-st. and Sixth-ave., was charged in the Yorkville Police Court yesterday with attempting to levy blackmail on Edward E. Bray, of No. 203 East Forty-sixth-st. The men had been friends from boyhood. While a conductor on the Third Avenue Road Bray fell ill and Sayre advanced him money to take him to his home in Massachusetts. While there Bray became engaged to a young woman of Taunton, and then returned to this city where he soon forgot the old sweetheart and fell in love with a daughter of General Locke, of No. 203 East Forty-sixth-st. Bray became acquainted with this young person while acting as bookkeeper in Sayre's drug store. He was then boarding with Sayre, who, in addition, paid his tailor bills and gave him whatever spending money he required. After his marriage with Miss Locke, he alleges that Sayre demanded $1,000 from him, and threatened, if he refused to pay it, "to disgrace him before the public." Bray could not say yesterday in what way Sayre intended carrying out his threat unless it was to publish certain private letters which he found one day in one of the complainant's coat-pockets. The complainant says that at last he consented to give Sayre a note for $477 which Sayre claimed he owed him for money borrowed and for board. The note was given, however, under protest. Sayre waived an examination before Justice Smith and gave bail to appear for trial at the General Sessions.

THE SUITS AGAINST MR. TILDEN.

The appeal in the case of Samuel J. Tilden against the Government has been perfected. United States Commissioner Shields is engaged in making up the record of the case to be certified to by the Clerk of the Circuit Court to the United States Supreme Court. The suit against Mr. Tilden is in this position. The Government began the action in the District Court at common law and the defendant set up two defences. He claimed in the first place that he had not received the amount of income alleged in the complaint, and in the second place that the Government was bound by the action of its assessors, who had enforced the penalty for Mr. Tilden's refusal to return the amount of his income. The issue of fact raised by the first defence is still awaiting trial. To the second defence District-Attorney Woodford took a demurrer before Judge Choate and was sustained. The present suit on the Equity side of the United States Circuit Court was then begun by the Government filing a bill of discovery and alleging that the Government was unable to prove the allegations of the complaint by any other testimony than that called for by the bill of discovery. To this the defence demurred and the demurrer was overruled by Judge Blatchford. From this decree overruling the demurrer the appeal of Mr. Tilden against the United States has been taken. Meanwhile the case in the District Court still stands, and whatever the decision of the Supreme Court may be, the issue of fact as to the amount of income may be tried.

UNITED STATES SUPREME COURT.

WASHINGTON, Nov. 11.—The following business was transacted in the United States Supreme Court to-day:

No. 63.—Lydia C. Hall, widow, etc., et al., appellants, agt Edwin Russell and wife, et al.—Appeal from the Circuit Court of the United States for the District of Oregon. Argument continued by George H. Williams for appellees and concluded by T. D. Lincoln for appellants. No 2 (assigned)—Nixon M. Crane, executor, etc., et al., appellants, agt. the Kansas Pacific Railroad Company, et al.—Appeal from the Circuit Court of the United States for the District of Kansas; argued by M. H. Carpenter for appellants, and submitted by J. P. Usher for appellees. No. 62—The Kansas Pacific Railroad Company, plaintiff in error, agt. Louisa Twombly, administratrix, etc., in error to the Supreme Court of Colorado; argued by S. Shellabarger for plaintiff in error, and submitted by J. P. Usher for plaintiff in error, and submitted by John Q. Charles for defendant in error. No. 64.—Oswald Broder, plaintiff in error, agt. the Natoma Water and Mining Company.—In error to the Supreme Court of California.—Submitted by J. H. McClure for plaintiff in error and by S. Shellabarger and J. M. Wilson for defendant in error. No. 65.—The Providence Team Engine Company, plaintiff in error, agt. Charles Hubbard. In error to the Circuit Court for the District of Connecticut.—Argued by Charles E. Perkins for plaintiff in error, and by A. P. Hyde for defendant in error. No. 66.—Leonidas Whitside et al., appellants, agt. Edward J. Whitside, etc.—On motion of W. E. Carter, for appellee, dismissed with costs under the sixth rule. No. 748 (assigned)—The State of South Carolina, ex rel., Douglas and Jackson, plaintiffs in error, against Peter C. Gaillard, County Treasurer, etc. In error to the Supreme Court of South Carolina.—Argument begun by C. H. Chamberlain for plaintiff in error. This case arises out of an application for a writ of mandamus to the County Treasurer of Charleston County, S. C., requiring him to receive the bills of the Bank of the State of South Carolina in payment of taxes due from the plaintiffs in error to that State. The application was denied on the ground that the right to resort to the remedy by mandamus in cases such as that of the relator (plaintiffs in error) had been taken away by the act of the General Assembly of the State of South Carolina, approved December 24, 1878. It is argued here, on behalf of the plaintiffs in error, first, that the court below erred in deciding the act above mentioned to be valid and constitutional; second, in holding that said act did not impair the obligation of the contract embodied in the bank's charter; and third, in not directing a peremptory writ of mandamus to be issued compelling the defendants in error to receive for taxes the bills tendered by the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

HOME NEWS.

THERMOMETER YESTERDAY AT HUDNUT'S NO. 218 BROADWAY.

9 a. m., 49°. Noon, 52°. 3 p. m. 51°. Midnight, 49°. Highest during the day, 52°. Lowest, 48°. Average, 50⅝°. Same day, 1878, 42⅛°.

PROMINENT ARRIVALS.

St James Hotel.—Governor Lucius Robinson and David C. Robinson, of Albany.....*Westminster Hotel*—Baron von Ende, of Germany, and Professor F. L. Ritter, of Vassar College.....*Everett House*—President M. B. Anderson, of Rochester University, and Professors Alexander Agassiz and E. N. Horsford, of Cambridge, Mass. *Hoffman House*—Ex-Governor A. G. Curtin, of Pennsylvania.....*Metropolitan Hotel*—Senator J. R. McPherson, of New-Jersey.....*Fifth-Avenue Hotel*—Commodore E. Simpson, U. S. N.....*St. Nicholas Hotel*—General George B. Wright, of Indianapolis; Senator E. G. Halbert, of Binghamton, N. Y.; Bishop John Sharp, of Salt Lake City, and ex-Congressman E. B. Morgan, of Aurora, N. Y.....*Grand Avenue Hotel*—Governor Thomas Talbot, ex-Governor Alexander H. Rice and Congressman W. W. Rice, of Massachusetts, and Congressman Frederick Miles of Connecticut.....*Windsor Hotel*—General C. H. T. Collis, of Philadelphia.....*Gilsey House*—Alfred Gaither, of Cincinnati.....*Hotel Brunswick*—J. H. Van Antwerp, of Albany.

NEW-YORK CITY.

Molyneux Bell made an assignment for the benefit of creditors yesterday to Thomas S. Grimwood.

African lynx is a new fur that will be very popular for trimmings and sets as the season advances.

Muffs made of the same material as the costume, are in reticule shape, and are sometimes garnished with lace.

A novelty in sealskin hats is a toque that is slightly pointed before and behind. But the toque requires a trimming of different fur to be effective, consequently it will not find much favor.

Gilbert and Sullivan, the authors of "Pinafore," were present at the representation given by Gorman's original Philadelphia Church Choir Company at the Broadway Opera House last evening.

Cæsar Karff, age fifteen years, of No. 59 Delancey-st., and John Taggart, age fourteen, of No. 132 East Eighty-eighth-st., were reported missing from their homes yesterday at Police Headquarters.

An enterprising merchant in Broadway has procured the damaged boat of Courtney, the unfortunate oarsman, and is endeavoring to promote the sale of patent medicines by exhibiting it in connection with his trade.

Shortly before noon yesterday a fire was discovered in the porter's room on board the steamboat Bristol. Before the engines arrived the fire had been extinguished by the engineer's department of the boat. The damages were slight.

Feather turbans are in favor at the present time. A soft crown of silk, velvet or of any material that matches the costume is surrounded by many of the handsome breasts or wings that are worn this Winter. More expensive turbans have the large flat crown covered with jet.

The inherent laziness of human nature often tends to encourage inventive genius. A peanut vender of Third-ave. has an ingenious contrivance by which the escaping steam from a small boiler is made to turn the roaster, while the lord of the peanut stand has only to survey the scene and receive the pennies with quiet dignity.

The following is a comparative statement of cases of contagious diseases for the two weeks ending November 8, 1879:

Week ending	Typhoid fever.	Scarlet fever.	Cerebro-spinal menin-gitis	Measles.	Diph-theria.	Small-pox.
Nov. 1.....	13	41	1	65	32	..
Nov. 8.....	12	36	1	64	49	1

Charles D. B. Mills, of Syracuse, lectured last night at Broadway and Forty-fifth-st. on the poetic and religious sentiment of the East. He quoted largely from ancient and modern writers of the East, and pointed out that its literature, and even its speech, was full of poetic figures and delicate imaginings, and that its prose, even, was often true poetry.

Justice Smith, in the Yorkville Police Court yesterday, held an examination in the case of John Turner, one of P. T. Barnum's showmen, who lives at No. 242 East Forty-first-st., and who was arrested on suspicion of having inflicted the injury of which ex-Alderman Michael J. Crowley, of Long Island City, died on Sunday in Bellevue Hospital. Turner was discharged.

Michael Gearon, a politician, who keeps a liquor store in Third-ave. at One-hundred-and-sixteenth-st., was held for trial in the Harlem Police Court yesterday on a charge of mayhem. The victim was James McCloskey, another politician, of No. 162 East One-hundred-and-twentieth-st. The quarrel was about an umbrella which Gearon charged McCloskey with having stolen, and in the fight that ensued Gearon, as alleged, bit McCloskey's thumb.

At the meeting of the directors of the National Rifle Association yesterday, the report of the financial officer of the Fall meeting showed a balance of nearly $100, which is a larger amount than ever before so reported. A gift of $125 was received from the staff of the First Division National Guard to purchase a medal for the championship of the United States.

At the conclusion of the play of "The Picture," at the Fifth Avenue Theatre last evening, Mr. Perey came on the stage and said that the afterpiece, "La Societaire," for which Mr. Perdicaris and he were jointly responsible, received, Monday night, its first and last representation. The verdict was pronounced by the public, and it was impossible to appeal from it. Mistakes were common to humanity. The one which they made Monday night they desired to acknowledge as gracefully and repair as quickly as might be.

The annual meeting of the stockholders of the Third Avenue Railroad Company will be held today. The polls will be open from 2 to 4 p. m. Considerable dissatisfaction with the present management of the company is said to exist among the stockholders, but it is claimed by the Hart party that no changes are likely to be made. Henry Hart, the present vice-president of the company, owns more than one-fourth of the capital stock, and it is said that he has secured proxies enough to control the election.

A lecture on "Norway and the Midnight Sun" will be delivered in Association Hall to-morrow evening by the Rev. C. C. Tiffany, rector of the Church of the Atonement. The proceeds of the lecture will be applied to the refitting of the Sunday-school of the church. Mr. Tiffany having recently visited Norway, and having penetrated as far as the North Cape, the most northern point of Europe, will be able to give the latest information concerning Scandinavian travel, and to describe the land of the Northmen, with its marvellous valleys, waterfalls and glaciers.

The Direction of the Bureau Veritas has just published the following statistics of maritime disasters reported during the month of September, 1879, concerning all flags: Sailing vessels reported lost—34 English, 15 American, 13 Norwegian, 10 French, 8 Dutch, 7 German, 5 Italian, 5 Republic of Nicaragua, 5 Swedish, 3 Chilian, 3 Russian, 2 Austrian, 2 Portuguese, 1 Brazilian, 1 Republic of Costa Rica, 1 Republic of New-Granada, 3 of which the nationality is unknown; total, 118. In this number are included 8 vessels reported missing. Steamers reported lost—5 English, 1 French; total, 6.

Gustave St. Alb, interpreter of the Court of Special Sessions, yesterday morning entered the Jefferson Market Police Court and asked Justice Flammer that a thorough investigation be made of the charge preferred against him on Monday by Mrs. Goulden, who had claimed that he, under the name of Knapp, had robbed her of $1,000 in jewelry. He said that although he had been discharged, a stain would remain on his reputation if the matter was not thoroughly sifted. Justice Flammer told him he would consider it, and directed him to appear in court this morning.

On the recent voyage of the steamship Gallia one day several of the passengers were having a social time in the smoking-room before dinner. One of the number fell asleep, and the others decided to play a practical joke upon him: so they blackened his face with burnt cork. When he awoke there was a hearty laugh, in which the victim did not join. On the contrary, he became violently angry and drew a knife on the passenger who had perpetrated the joke. He was unarmed, but after being released he rushed to his stateroom for a pistol, threatening to "blow the fellow's brains out." One of the officers interfered and then ordered that no more liquor should be allowed him on the voyage.

BROOKLYN.

The sale of reserved seats and boxes in the Academy of Music for the six concerts of the Philharmonic Society took place Monday evening. The aggregate amount realized was about $3,300.

A week ago two young men engaged a room at Mrs. Copeland's boarding-house, No. 271 Adams-st. They left the house on Monday, carrying with them clothing belonging to another boarder and valued at $82.

Application was made to Justice Elliott yesterday for the commitment of Edward Philpot, age fifty-five, for examination as to his sanity. He is believed to have been made insane through a mania for policy playing.

A barn on the New-Lots road, near the Canarsie railroad track, was destroyed by fire Sunday morning. The loss was $1 500. The barn was built more than 100 years ago, and was owned by Martin G. Johnson, of Jamaica.

Sidney F. Smith, age fourteen, while attending a target in his father's shooting-gallery at Broadway and Fourth-st., Monday evening, was struck on the side of the head by a ball which glanced from a target. He received a slight fracture of the skull.

Joseph Russell, who was arrested for throwing a handful of ballots among those which were being canvassed in the Vith Election District of the Twelfth Ward, on the night of election day, has been held by Justice Ferry for the action of the Grand Jury.

The 13th Regiment has decided to participate in the centennial celebration of the surrender of Cornwallis at Yorktown, in October, 1881. Colonel Austen has been directed to offer the services of the regiment to the Governor of this State and his staff, and to invite them to be its guests on that occasion.

The Supreme Court has extended the time for making the final payment to the depositors of the suspended Long Island Savings Bank. Seventy-five per cent of the deposits has already been paid. Of the remaining 25 per cent, one-fourth is to be paid on November 14, 1879, one-fourth on May 14, 1880, and the balance on November 14, 1880.

Mrs. Sarah McCracken, of No. 75 Washington-st., went out yesterday morning, leaving her two children, two and three years old respectively, in her rooms. In her absence the older child, a girl, lighted some paper at the stove and set fire to the bedding. Her own clothing became ignited, and she was so badly burned that her recovery is despaired of. The other damage by the fire was trifling.

The two burglars who were arrested by the Washington Street Police Monday morning have been found to be desperate characters. The one who gave his name as Michael Lannigan is Michael Giffen, and he was released only a few months ago from the Trenton State Prison, where he served a term of nine years for burglary. His companion, Michael Kilbourn, has several aliases, and is a frequenter of a well-known resort in Sixteenth-st., near Ninth-ave., New-York.

JERSEY CITY.

Patrick Quinn, of No. 21 Manning-ave., Jersey City Heights, was struck and instantly killed yesterday by a train on the Pennsylvania Railroad, at the foot of First-st.

Judge Davis, of Jersey City, yesterday placed George P. Plimly under bonds to await the action of the Grand Jury on a charge of having a libellous circular published on election day.

Special Officer Cullen was arraigned before Judge Davis in Jersey City yesterday, on a charge of assaulting Patrolman O'Connor. The latter had a "death warrant" for a dog which had bitten several children, and Cullen ejected him from the saloon where the dog is kept. Cullen was fined $10. Martin Kelly, the owner of the dog, refused to surrender it to the officer, and he will be fined $20 a day until he gives it up.

NEWARK.

The New-Jersey Temperance Alliance met in the Central Presbyterian Church yesterday morning, with the Rev. Dr. B. Aikman, of Madison, president. Dr. Aikman made an address, and the secretary read the annual report, showing that alliances had been formed in all counties except Cape May, Hudson and Passaic.

LONG ISLAND.

HEMPSTEAD.—The town of Hempstead is now without a Board of Excise. On Monday the Board met for the transaction of business, when counsellor George A. Mott informed the members that an effort was to be made at the next meeting of the County Court to secure their indictment by the Grand Jury, and to have them removed from office for granting licenses to all applicants without the application being signed by twelve freeholders, as required by law. The members of the Board without delay sent their resignations to the Board of Supervisors.

STATEN ISLAND.

STAPLETON.—Thomas Mills, of Middletown, was a candidate in the Richmond County (S. I.) Democratic Convention for the nomination of Sheriff, but was defeated by Deputy Sheriff Thomas Brown. He worked with much vigor to defeat Brown and Samuel R. Brick, the latter being the Democratic candidate for Assembly. Brown and Brick were both unsuccessful on election day. Yesterday Mills was arrested and arraigned before Justice Taylor at Stapleton, charged with violating the election law in using money to secure votes against Brown and Brick. The case was dismissed.

MARINE INTELLIGENCE.

MINIATURE ALMANAC.

TO-DAY.

Sun rises.....	6:44	Sun sets.....	4:45	Clock slow.15m.48s	
Moon rises....	5:01	Moon south.	10:19	Moon's age.days,	28

HIGH WATER TO-DAY—A. M.

Sandy Hook..	5:44	Gov. Island..	6:15	Hell Gate.....	8:04

HIGH WATER TO-DAY—P. M.

Sandy Hook..	6:11	Gov. Island..	6:34	Hell Gate.....	8:23

PASSENGERS ARRIVED.

FROM HAMBURG—BY STEAMSHIP WESTPHALIA.

Lewis, Mr. and Mrs. Budge, Mr. and Mrs. and servant Moran, Mrs. Tappenbeck, Mrs. Seimsen, F. Janck, F