The Sun.

It Shines for All.

THURSDAY, JUNE 27, 1872.

Amusements To-Day.

Booth's Theatre—Enoch Arden.
Bowery Theatre—Veteran.
Olympic Theatre—Schneider.
Sam Sharpley's Minstrels—585 Broadway.
Theatre Comique—Panorama of Chicago.
Union Square Theatre—The Fair One with the Blonde Wig.
Wallack's Theatre—On the Jury.
Wood's Museum—Escaped from Sing Sing. Matinee.

Terms of The Sun.

Daily, for year, to mail subscribers	$6 00
Semi-Weekly, for year	2 00
Two copies to one address	3 00
Three copies to one address	5 00
Five copies to one address	8 00
Weekly, per year	1 00

ADVERTISING RATES.

Ordinary Advertising, per line	40 c.
Two lines	80 c.
Three lines	$1 20
Business Notices, before Marriages and Deaths, per line	75 c.
Special Notices, after Marriages and Deaths, per line	50 c.
Reading Matter, with "Adv." after it, 1st page, per line	$1 50
Reading Matter, with "Adv." after it, 1st or 2d page, per line	$2 50

Advertisements in Weekly, 10 cents a line.
All Advertisements charged per line of solid Agate space.
Advertisements in Semi-Weekly, 10 cents per line.
Insertion in Semi-Weekly at charge only for the space occupied. Cuts and display type may be used in the Weekly and Semi-Weekly, with extra charge, at the option of the advertiser.

For the accommodation of up town residents, advertisements for THE SUN will be received at our regular rates at the uptown advertisement offices 548 West Thirty-second street, junction of Broadway and Sixth avenue, and 308 West Twenty-third street, opposite Grand Opera House, from 8 A. M. to 8 P. M.

The Friends of Greeley and Grant.

Many of the supporters of Gen. GRANT affect a patronizing tone toward HORACE GREELEY, call him an honest man, and admit that so far as he is personally concerned he might try to administer the Government uprightly; but then, they say, he is surrounded by an objectionable set of people who would lead him into the dark and devious ways of chicanery and corruption.

It is undoubtedly true that Dr. GREELEY has a great many friends. It could hardly be otherwise with a man who for thirty-five years past has rendered such valuable services to the nation and to the struggling masses of the people. The farmers are his friends, the mechanics are his friends, and especially the toiling poor are his friends, for he knows their needs and their trials. He has a large body of friends, too, among the men of culture, of ideas, of independent minds, of progressive principles; for to hardly anybody else in our country during the past third of a century are they so much indebted as to HORACE GREELEY. And we venture to say that the office-holders are November will be astonished at the numbers of these classes who will rally to the defence of their philosopher and instructor in the warfare now waged against him.

But perhaps GREELEY's assailants refer more particularly to certain individuals who are supposed to exert a sort of mysterious influence over him. Before naming three or four of these it may be well to premise that those who have known Dr. GREELEY the longest and the most intimately are aware that of all the public men in this country he is one of the most difficult to lead in any direction where his judgment and his conscience do not first point the way. If any of GRANT's devotees think otherwise let them try him, and see if they don't find the Woodchopper of Chappaqua a rather gnarly stick to bend or twist!

But who are these dangerous friends of the candidate? Let us name the most doubtless one. Gov. FENTON has had long and varied experience in public affairs. He is always cautious and conciliatory, and far more inclined to make suggestions than to dictate a course of policy. For many years he has coöperated with GREELEY rather than led him; and he introduced in the last session of Congress his bill to reform the Custom House establishment, one of the most wholesome efforts ever proposed in the way of civil service reform; but the GRANT men would not allow it to pass.

Mr. WALDO HUTCHINS is another of these friends of Dr. GREELEY to whom the frightened Grantites point. Mr. HUTCHINS is a man of sound judgment, who has never held and, so far as we are aware, has never tried to hold either an office or a contract. He is esteemed by those who best know him as both wise and upright; and anybody may esteem himself fortunate if he can receive his matured opinions on important matters. We presume Mr. HUTCHINS would prefer to be regarded as a disciple rather than the mentor of HORACE GREELEY. Then there is Brig.-Gen. JOHN COCHRANE, who seems just now to be the target of the GRANT men. He has been Surveyor of the Port, member of Congress, Attorney-General of this State, and is now President of the Board of Aldermen. He is energetic, a good organizer of political forces, and is too shrewd to attempt to thwart the settled convictions of Dr. GREELEY. We might name others, but these will suffice as specimens of the men about whom the advocates of GRANT pretend to be so solicitous.

This clamor over the possible surroundings of President GREELEY suggests comparisons with the actual surroundings of President GRANT. Here we don't have to enter a wide field of conjecture. The familiars who control GRANT stand out before us. Look at them.

There is Brother-in-law DENT, who tends the door of the White House, and peddles patronage on due consideration.

There is Brother-in-law CASEY, who runs the Custom House at New Orleans, and tried to break up the State Government of Louisiana because he could not control it.

There is Brother-in-law CORBIN, the central figure of the Black Friday gold conspiracy, who contrived to make $25,000 out of it for one of the members of the White House family, and would have made all or them rich, perhaps, if another of the family had not got frightened at Washington and backed out and left poor CORBIN in the lurch.

There is the father of this interesting group, cunning old JESSE himself, who bargained with STOMS for $500 to keep the latter in the enjoyment of a gaugership in the Cincinnati Custom House.

There is Gen. BABCOCK, who undertook to engineer the San Domingo job in contravention of international law, and daily violates a law of Congress by acting as GRANT's private secretary.

There is young Col. LEET, who, with Gen. GRANT's letter in his pocket, made a good thing out of the general order business, and still has his finger in that rich pie, and a warm place in the affections and the interests of his great patron.

There is ROMESON, GRANT's right bower in the Cabinet, who thinks it a small consideration to pay a contractor $93,000 in violation of law, provided the contractor knows how to make Christmas presents in a graceful way to the right person.

There is CHORPENNING CRESWELL, who thinks a half million or so not too much for a mail contractor, provided he appreciates addition, division, and silence.

There is BANCROFT DAVIS, who made out our "case" for Geneva, and concerning whom it would be interesting to know precisely how much he personally is to get out of the Alabama claims.

There is the whole carpet-bag throng, who have run the Southern States in debt to the amount of nearly three hundred millions of dollars, and have not a shadow of doubt that the preservation of the three amendments depends upon keeping the patron saint of these cormorants in power for another four years.

There is W. H. KEMBLE, a leading member of GRANT's National Committee, who wrote this letter to a friend of his in Washington, who was then Assistant Attorney-General:

"TREASURY DEPARTMENT OF PENNSYLVANIA,
HARRISBURG, March, 1867.

"MY DEAR TITIAN: Allow me to introduce to you my particular friend, Mr. George O. Evans. He has a claim of some magnitude that he wishes you to help him in. Put him through as you would me. He understands addition, division, and silence. Yours, W. H. KEMBLE.

"To TITIAN J. COFFEY, Esq., Washington, D. C."

We might extend this catalogue of GRANT's friends. But this will suffice for instituting a comparison between the surroundings of the two candidates.

An Opportunity in Arkansas.

It will probably be remembered by most readers of THE SUN that some months ago a United States Marshal in Arkansas was removed from office by President GRANT because he had done something toward procuring the indictment by a Federal Grand Jury of POWELL CLAYTON for being concerned in election frauds of the most scandalous character. The frauds were committed while CLAYTON was Governor of Arkansas. He is now United States Senator from that State, and the Arkansas member of the GRANT National Committee.

In place of the Marshal who was removed by GRANT for faithfully performing his official duty, one LOGAN H. ROOTS was appointed; a man who could be relied on to do whatever GRANT and his friend CLAYTON might require. ROOTS was formerly a member of Congress, having in 1868 been fraudulently returned as elected Representative, although his opponent, Col. CHARLES S. CAMERON, received a larger majority than the total number of votes cast for ROOTS, carrying nineteen out of the twenty-four counties in his district. But CLAYTON as Governor had the counting of the votes, and he would doubtless have counted in his man if the majority against him had been twice as great as it was. It will be seen that ROOTS was under obligations to CLAYTON, and could be depended on to obstruct, as far as possible, all attempts to bring him to justice.

It appears, however, that Mr. ROOTS is even more devoted to his own interests than to those of his patron CLAYTON or his chieftain GRANT, and in his position of Marshal has been making too free use of the public money for even GRANT to tolerate just before an election. Within a few months this officer has drawn from the United States Treasury some $240,000, to be used in the Western District of Arkansas alone, being more than is used by the Marshals in the whole State of New York for a full year, besides making a requisition for $120,000 more a couple of weeks ago, which he did not get.

The danger attending this addition, division, and silence, or special dishonesty had been filed against him in Washington, has caused Mr. ROOTS's removal, and now his place offers a splendid opportunity for some other honest friend of CLAYTON and GRANT, who has not yet had a fair chance at the public crib. GRANT depends on CLAYTON to carry Arkansas for him, and CLAYTON's friends must be provided for, as they are a class who have no idea of committing fraud and perjury for nothing.

Where Wm. H. Kemble would be at Home.

From the Utica Observer.

WILLIAM H. KEMBLE is the Pennsylvania representative in the GRANT National Executive Committee. He is a banker in Philadelphia. He was mixed up with the defalcation of GEORGE O. EVANS, which was brought to light last year. The part which he took in that scandalous raid on the Treasury is suggested in the following letter which KEMBLE, under oath, has admitted that he wrote:

TREASURY DEPARTMENT OF PENNSYLVANIA,
HARRISBURG, March, 1867.

MY DEAR TITIAN: Allow me to introduce to you my particular friend, Mr. GEORGE O. EVANS. He has a claim of some magnitude that he wishes you to help him in. Put him through as you would me. He understands *addition, division, and silence.* Yours, W. H. KEMBLE.
To TITIAN J. COFFEY, Esq., Washington, D. C.

The concluding sentence of that letter may be properly characterized as a thief's epigram. It crowds into the smallest possible space a proposition to secure the payment of an improper claim, divide the spoils, and preserve silence in regard to the transaction. A party which chooses such a man as its representative in the second largest State in the Union must expect henceforth to be known as the party of Addition, Division, and Silence. It is not vituperation to say that WM. H. KEMBLE would find more congenial companionship in the dens of robbers than in the society of honest men.

The Bribe-Taker.

Read the history of BANCROFT DAVIS and his relations with the Erie Railway Company and the Boston, Hartford and Erie, which is narrated in another part of this paper.

It appears that instead of a bribe of only $60,000 to betray the Erie Company, of which he was both a Director and a counsel, DAVIS got $120,000. The sum of $60,000 in bonds was proved to have been paid him in the course of an official investigation into the affairs of the Boston, Hartford and Erie, made by the Legislature of Massachusetts; and now it appears that there was an additional bribe of $60,000 in cash, which the Legislature did not find out.

This DAVIS is a pet of President GRANT's, and has been kept by him in high stations, notwithstanding the evidence of his bribery revealed by the Legislature of Massachusetts.

Bribery is not a fault in GRANT's estimation. He too believes in addition, division, and silence.

The Mayor of Boston has vetoed the action of the Board of Aldermen relating to opening the Public Library on Sundays, for the alleged reason that opening the library would conflict with the laws of the State. Nevertheless, more liberal ideas are beginning to prevail in regard to the observance of Sunday in all directions. In Scotland, where the strict observance of the day is carried to an extreme extent, it is acknowledged that people must do something on Sunday; and as walking for exercise or recreation is deemed sinful there, the Sabbatarians are endeavoring to hit upon some substitute for it which shall satisfy those who now walk, but without evil intent. At a recent meeting of the General Assembly of the Free Church of Scotland, Major Ross, an elder of Aberdeen, expressed the belief that this was a point which ought to be approached with great deliberation and care. He would not defend Sabbath walking, but it was necessary to get something to put in substitution for it; otherwise, if people were forbidden to walk in the open air they might be driven back into dirty and squalid homes, where perhaps they would spend their time in drinking. Others feared that if people were prohibited from walking out on Sundays they might spend their time in bed, reading publications altogether unsuitable for Sunday perusal. This is encouraging, for when people begin to discuss this question seriously, and from good motives, even if laboring under convictions as strong as those which obtain among these Scotchmen, it is certain to follow that ideas more in accordance with the true spirit of the Scriptures will in the end prevail.

A gentleman who has travelled over many of the central counties of this State informs us that the people are thoroughly aroused for GREELEY and BROWN. He has no doubt that not a few of the counties which have given Republican majorities since 1856, and some of them large ones, will give majorities equally large for Dr. GREELEY in November. The well-informed politicians in the localities we have mentioned scout the idea that GRANT can carry them. In truth, from Utica west the entire Republican party is honeycombed with opposition to GRANT.

The tribes of the Indian Territory are holding their annual General Council at Okmulgee for the purpose of discussing measures relating to the general prosperity of the different nations. Several delegations from the Comanches and other wild tribes are present, and participate in the proceedings. The Indians are earnest in their complaints regarding the efforts made in Washington to accomplish the spoliation of their lands, and are evidently in great fear that in spite of all their friends can do they will eventually be overwhelmed by the more energetic white population. WAR-LOU-PI, an intelligent Caddo from the Wichita agency, gave a description of the obstacles his people had to contend against while endeavoring to adopt the habits of civilization. After three years' industry on the Brazos river, he and his people had been driven away from their homes. They then settled upon the Washita river, and after three more years of labor, were once more in possession of good farms. Then the white man's war broke out, and they were driven away penniless. Before he again applied himself to work he wanted some assurance from the Government that he would be protected in the possession of the land which he cultivated. Many delegates from the civilized tribes spoke in the same strain. They thought that a white population harassed with the same feelings of insecurity would do but little better than the Indians are doing. It seemed almost hopeless to them to spend time in devising means to stimulate an agricultural industry when powerful railroad companies were conspiring to seize more than half of their lands. Others believed that the Government was now disposed to act in better faith with the Indians, and that if they went to work manfully to improve their lands the fruits of their labors would doubtless be secured to them.

It is said in the Springfield *Republican* that Gen. BUTLER claims to have fixed WILSON's nomination at Philadelphia, and therefore relies upon WILSON's assistance for anything he wants in Massachusetts. Also that BUTLER has one eye fixed on the Governor's chair and the other on the Senatorship. There are few politicians who have the facilities of the General for performing so difficult an optical feat.

The Chicago *Times* agrees with the *World* in saying that the nomination of HORACE GREELEY at Baltimore will render the election of GRANT certain. The *Times*, however, differs ment and of the future, and that it should be supported irrespective of the claims of the Democracy or the menaces of Grantism. Well, this is all interesting, and the people will settle the whole of it in November. If the nomination of GREELEY at Baltimore is bound to result in the election of GRANT—if, in other words, the majority of American citizens prefer GRANT to GREELEY for President, why, so it will be, and regrets and arguments cannot prevent it. Such, however, does not seem to be the prevailing belief among either Democrats or GRANT men. The majority of intelligent people think that if HORACE GREELEY is supported by both Liberal Republicans and Democrats he will certainly beat GRANT. Perhaps the many who entertain this conviction are wrong, and the few are right who suppose that GRANT will be elected in a straight fight against GREELEY. But, any way, let each citizen do his duty and vote for the candidate he deems the best, leaving the consequences to take care of themselves.

Some fellow in Pennsylvania proposes to run JEREMIAH S. BLACK as a candidate for President. An excellent nomination in itself, but not good when there are two other candidates already in the field, and one of them is named GRANT.

Many persons have gained the impression that Congress at its recent session passed a bill giving a bounty of land to all soldiers who served in the late civil war. This is not so. An amendment was passed to the Homestead law by which every discharged soldier who desires to acquire a home on Government lands, and will become an actual settler thereon, may have the entire period of his service in the army deducted from the five years' residence which the law requires of other settlers before a clear title to the land is given them. Previous to this amendment the only advantage that the soldier had over the citizen under the Homestead law was that he could take one hundred and sixty acres of land within twenty miles of a railroad to which land grants have been made, while the citizen could only take eighty acres. Outside of railroad limits citizens and soldiers stood on the same footing.

Summer is here, and still the poor boys of New York are excluded from the ball ground on the Central Park. The ground seems to be reserved exclusively for the sons of rich men. If anybody deserves consideration it is the poor boy who earns his own living, and who has but little time for recreation. If the Park Commissioners did their duty there would be no cause for complaint. They forget that they were once themselves poor boys.

The project of a railway for the transportation of ships across the isthmus of Honduras, between Puerto Caballos on the Atlantic and the Bay of Fonseca on the Pacific side, which was briefly described in THE SUN some months ago, is now urged in earnest, and a prospectus for "The Honduras Ten Per Cent. Government Ship Railway Loan" has appeared in the London papers. The plan, it will be remembered, was to raise vessels from one ocean by hydraulic lifts and then transport them on a track across the isthmus, after which it would be an easy matter to launch them in the waters of the other ocean. The proposed railway track is to be twenty-five feet wide, with twelve rails. A ship weighing, with its cargo, two thousand tons, would be supported on two hundred and forty wheels, by which the weight would be so distributed that the pressure on each rail would not be excessive. The projectors of the company have figured out enormous profits for the enterprise, which they estimate can be carried through for the moderate sum of $75,000,000. For the use of this money they are willing to promise to pay ten per cent. per annum. They will probably get enough subscriptions to remunerate them for their trouble and ingenuity in bringing the matter before the public; but the road is not very likely to be built just at present.

THE TRIAL OF EDWARD S. STOKES.

Seven Days Consumed in Securing a Jury—Twelve Men Finally Selected Out of One Thousand Summoned—The Case Opened.

On the seventh day of the preliminary work of obtaining a jury for the trial of Edward S. Stokes, the full number was obtained after exhausting six panels, being in all over one thousand men summoned, but about half of whom answered to the call of their names. Judge Ingraham appeared in court yesterday morning with his usual promptness and took his seat upon the bench. As Mr. Townsend was late, the weight of challenging fell in the beginning on Mr. Henry Dailey.

At 10:30 o'clock Henry C. Wise, the first man answering, was deaf, and opposed to capital punishment. He was excused. Henry C. Babcock, John King, and Frederick F. Martinez had formed opinions and were rejected.

THE ELEVENTH JUROR.

Henry C. Whittle had an opinion, but believed he could render an impartial verdict. Had not known Mr. Fisk, Mr. Tweed, nor Mr. Gould. Thought he could go on the jury and decide without bias or prejudice. He is an Englishman by birth. He would take his opinion into the jury box, but thought he would be governed by the evidence alone. After a long consultation among counsel, the defense withdrew their objection, and at 11 o'clock he was sworn in as the eleventh juror. He is a stationer of 653 Eighth avenue.

James C. Hull, Clarence King, Edward Meehan, and Wm. A. Thompson had formed opinions, and were rejected. Wm. A. Blaisdell had not formed an opinion as to the innocence or guilt of the prisoner, and believed he could decide the case impartially. The triers found the challenge not sustained, but the defence challenged peremptorily. Ananias M. Conover was opposed to capital punishment, James McCall, James W. Sheffield, and Wm. Hulbert had opinions of their own, and were rejected. Leroy N. Shear and Lucius E. Winslow had opinions, but they would not affect their verdict. They were accepted by the triers, but challenged peremptorily by the defence. Asher Bigur, Eben R. Sampson, Michael Maix, John C. Mills, George Place, George A. Bennett, Adolphus Edelmuth, James H. Vaughan, Martin Gerdes, Edmund S. Goodwin, Abram Boehm, John H. Masterson, Henry J. Hancock, Henry C. Weeks, James J. Blackman, Isidor Strauss, and Maurice Stucks were rejected.

THE JURY COMPLETE.

John Tucker had an opinion, but would try to suppress his opinion, and thought he could act on the evidence alone.

To Mr. Dailey—I only know Mr. Gould and Mr. Tweed by reputation. I have had no dealings with the Erie people. I did not see the play of "Black Friday." I don't know the Morse family; I don't know Mr. Shummel.

The triers found the challenge not true, and at 1:30 the last juror was obtained and sworn in. The following are the jury as completed:

1. Meyer Homberger, jewelry, 383 Broadway.
2. Roderick Hogan, hats, 371 Bowery.
3. Bennet Williams, laces, 773 Broadway.
4. Nehemiah N. Cornish, wool, 50 Lispenard street.
5. Byron F. Stone, bookkeeper, 23 Great Jones street.
6. Theodore Flamme, corn merchant, 23 University place.
7. John Edwin F. Bond, clerk, 261 Broadway.
8. Peter E. Hopkins, hats, 446 Broadway.
9. John H. Thompson, tailor, 508 Broadway.
10. John A. Lefferts, enameller, 417 West Thirty-fourth street.
11. Henry C. Whittle, stationer, 653 Eighth avenue.
12. Noah Tucker, paper maker, 313 East Forty-first street.

JUDGE GARVIN'S OPENING REMARKS.

Mr. Garvin then opened the case to the jury. It was a relief to him to have obtained a jury. It was not unusual to spend a great deal of time in obtaining a jury in cases of this kind, because in a case exciting so much comment every man who can read more or less of it in the newspapers and could easily fall into form or express some kind of opinion. These opinions they were now called to lay aside. He spoke of the gravity and importance of the duty imposed on the jury both toward the prisoner and the public to declare an honest, true, and courageous verdict. They had a man's life before them. They also had the case of a life taken. Be a man bad or good, no one had a right without warrant to take his life. The law knows no animosity, has no malice, revenge, ill will, or favoritism. They were to find the truth and then to make up their mind as fair men on the facts as it appeared to them. The law was that if Mr. Fisk's life was taken by premeditation by the prisoner it was murder in the first degree. It was a plain question without complications. The law fixed the penalty, with that they had nothing to do.

WHAT THE PROSECUTION WILL PROVE.

In this case they should prove that about 4 in the afternoon of the 6th of January he was seen down town. The next seen of him he was near the Grand Opera House, and looked into the window where Mr. Fisk was. Next he was seen to enter the Grand Central Hotel hurriedly, to wait as if watching for some one. Col. Fisk almost immediately afterward entered, when the prisoner drew a pistol and fired at him, inflicting a mortal wound, and to make sure fired a second shot. Of that mortal wound Col. Fisk died. If the circumstances were as he stated them, he should ask a verdict at their hands of murder in the first degree. He would give proper weight to evidence.

Charles G. Hill was called, but did not answer.

AN ADJOURNMENT.

Mr. Tremain asked an adjournment on account of Mr. Townsend's sickness, and the District Attorney said that he had not been able to hold their witnesses together, and he thought they would make up any time lost to-day by going on in their regular way to-morrow.

Mr. Justice Ingraham with great reluctance adjourned the Court, stating that hereafter the jury must be considered, and no unnecessary delays had.

The Court adjourned at 2:10 o'clock.

Cruel Treatment of Mrs. James Fisk, Jr.—An Estimable Woman Mistaken for Josephine Mansfield and Grossly Insulted.

About 3 o'clock yesterday afternoon Mrs. James Fisk, Jr., drove up to the east end of the new Court House on Chambers street. She had some business to transact in the Surrogate's office in reference to Col. Fisk's estate. She was accompanied by a young lady. Mrs. Fisk was dressed in deep mourning. A crowd collected around the carriage. Mrs. Fisk was not recognized. As the Stokes trial was in progress, some person in the crowd started the cruel rumor that Mrs. Fisk was the notorious Josephine Mansfield, who had come to testify in the Stokes case. This story was believed by those surrounding the carriage, and as Mrs. Fisk alighted she was hooted at and insulted in the most gross manner. Shouts of "Hello, Josie, you ought to be hanged on the same gallows with Stokes!" and similar expressions, some of them grossly filthy, were heard.

Mrs. Fisk was so shocked that for some minutes she was unable to walk, but finally by a great effort succeeded in reaching the eastern door of the County Court House, the crowd still following her, and using the vilest language. In the corridor of the Court House she was recognized by Mr. Van Schaick of the Surrogate's office, who at once took her into Judge Hutchings's private office. When she entered the Surrogate's room she was so overcome by emotion that she fainted away, and it was with much difficulty that she was brought to.

Mrs. Fisk was under the impression that the mob was composed of bullies hired by Stokes's friends, but this is evidently a mistake. After transacting her business in the Surrogate's office, the reëntered her carriage and was driven away. The mob in the mean while rushed up to Judge Ingraham's court room, expecting to hear Josephine Mansfield testify in the Stokes case.

JUDGE BARNARD'S TRIAL.

Francis Kiernan and Charles O'Conor Declining to Act with the Managers—The Court to Meet in Saratoga on July 17.

ALBANY, June 26.—The impeachment managers elected to represent the Assembly in the matter of the impeachment of Judge Barnard met here yesterday. All were present with the exception of Messrs. Husted and Niles. Judge Comstock, who had been selected as counsel on the part of the managers, having declined to serve, the Hon. Francis Kiernan was invited to act in that capacity, but he also refused to serve. Charles O'Conor was then applied to, but pleaded that his business engagements and health were such as would not warrant him in undertaking the arduous duties. However he took the matter under consideration until to-day, when he would give a decisive answer. He this morning declined to serve.

Mr. Van Cott of the Bar Association, who is one of the counsel for the managers, was very anxious to have the assistance of Mr. O'Conor, and urged him very strongly to act, but without avail. On motion of Mr. Jacobs, John D. Parsons of the Bar Association was invited to act with Mr. Van Cott as counsel for the Managers. It is said that the Hon. Lyman Tremain offered his services to the managers, but they for some reason declined to accept of them.

The Court of Impeachment for the trial of Judge Barnard will meet in Saratoga on the 17th of July.

A Little Girl Killed by a Brute.

Margaret McCarty, a little girl 14 years of age, of 16½ Hamilton street, visited her aunt, a Mrs. Sanderson, at 396 Water street, on the 27th ult., and was left by her to watch the cooking of some fish for supper. One of the boarders, William Gordon, was taking some of it from the pan with his hand, and she pushed his arm away. The brute then struck her a violent blow on the neck. She was taken to her home, and was confined to her bed until her death, which took place yesterday. A *post-mortem* by Dr. Cushman showed that the immediate cause of death was cerebro-spinal meningitis, but he was unable to say that it was caused by violence. Gordon, who has been in custody since the occurrence, will be detained to await the action of Coroner Schirmer.

THE MURPHY-BARRY TRAGEDY.

A Fatal Quarrel in a Second Avenue Barroom—What Came of Interfering with a Brother's Drinks—Murphy's Trial for the Murder of David Barry.

The trial of David Murphy for shooting David Barry at 1,138 Second avenue was yesterday begun in the General Sessions. The indictment is for murder in the first degree. The prisoner is about twenty-three years old. He has a good face, with large and expressive gray eyes and a well-developed form. His demeanor at the bar, especially when called upon to look at the jurors as they were severally sworn, indicated that he felt greatly troubled by his predicament, but hoped for such a "true deliverance" (to quote the language of the oath administered) as would set him free. Eight jurors of the regular panel disqualified themselves by declaring that they had conscientious scruples on the subject of capital punishment. Messrs. Howe & Hummel appeared for the defence, Assistant District Attorney Stewart represented the prosecution.

David Crimmins, bricklayer, was the first witness called. He testified as follows:

THE STORY OF AN EYE-WITNESS.

I have known the prisoner over four years. I know Barry a year and a half before he was killed, which was on the 17th of April, 1872, at Second avenue and Sixteenth street, on the stoop of a liquor store kept by Patrick Ryan. I saw both the prisoner and Barry there that night, about half past 11 o'clock. I went into the store with Barry. The prisoner was there with his brother, John Murphy, and the bartender, James Ryan. The prisoner was leaning up against the counter. Barry, a man named Daily, and myself, with perhaps another man, went in together, I being ahead. The prisoner said to Barry, "You went out to fetch in a crowd." I said, "No, not so far as I am concerned." The man Daily and the prisoner then began to talk together, and I began speaking with the barkeeper. I heard a quarrel, and turning round I saw David Murphy, the prisoner, defending himself as well as he could. He and Barry were fighting. I laid hold of Murphy and assisted in separating them. I saw that

MURPHY WAS BLEEDING.

Barry was bleeding previously. Murphy and me got behind the bar, and I kept him there. Barry went or was taken out. Murphy's brother asked me "for God's sake to take the pistol away from him," meaning the prisoner. I then first saw a pistol in his left hand. In a few seconds or minutes the prisoner said, "It's all over now," or something like that, and passed out from behind the bar. I followed him toward the door. As he opened it, I saw Barry standing upon front. Apparently just as the door was opened the prisoner raised his arm and fired. I then followed him to the station house. The ball struck the deceased under the left ear.

On cross-examination this witness said he had had two drinks of ale, but was perfectly sober. He had met Barry on the street, and was told by him that Murphy had struck him and drawn a pistol on him. It was on Barry's invitation to have a glass of ale that he had gone to the saloon, and he went for that purpose alone.

THE BARKEEPER'S TESTIMONY.

James Ryan, the bartender, swore that there had been a difficulty in the saloon between the prisoner and Barry before the witness, Crimmins, came in with the latter, and then the quarrel was renewed. Witness was behind the bar and could not tell who was fighting, but saw prisoner and deceased struggling together, and Crimmins and others separating them. They got Murphy behind the bar, and witness heard him say while there, "It's all right now." Three or four had been on the prisoner. Barry's crowd was there. Witness heard the report, but did not see the shooting.

Michael Bluge said he was one of the men who went in the saloon with the deceased. The prisoner objected to his brother John's drinking strong liquor, and that caused the quarrel. Dr. Marsh was called, but as he did not answer, Mr. Howe said the prisoner would admit the cause of death to be the wound inflicted on deceased by him. Police Captain Gunner deposed that the prisoner surrendered himself shortly after the shooting occurred. The prosecution rested. Mr. Howe briefly opened for the defence, [illegible] the various degrees of man-slaughter, and claiming that no murder was shown in this case.

THE PRISONER'S ACCOUNT OF THE FIGHT.

The prisoner, sworn in his own behalf, said:

I am a car-driver. On the 17th of April I went into Ryan's saloon, and saw my brother there drinking whisky. I said to him, "Why not drink ale?" Barry said to me, "What is it your business?" I replied that the man was my brother, and had to go to work in the morning. Barry then struck me and we had a fusse. He went out and came back with Crimmins and two other men. They struck me again and were beating me. I pulled the pistol to defend myself. I didn't intend to kill any one, and when I fired I was afraid of being killed myself. I did not get out of the door before I fired, and the deceased was then attacking me.

To jurors—I carried the pistol because I was a driver on the Belt Railroad, and had to go late at night over a lonely and dangerous part of the city to reach my home.

John Murphy corroborated his brother's statements, but did not witness the shooting.

Mr. Howe then asked a suspension of the case without argument, but as Mr. Stewart would not forgo his speech there was a short summing up on both sides, after which the Recorder said it was too late to charge the jury, and adjourned the court till this morning.

THE TWELFTH OF JULY.

The Orangemen's Application for Permission to Parade Granted by the Police Commissioners—Mayor Hall's Opposition.

yesterday, at which all were present, including Mayor Hall, an application with proposed line of march, was read from "Prince of Orange District No. 1, Loyal Orange Association of the United States of America," requesting permission to parade and march in procession on Friday, the 12th of July proximo. The Mayor offered the following:

Resolved, That the counsel of this Board and the Counsel to the Corporation be requested to furnish this Board with an opinion, whether or not the recent act regulating processions (cap. 580 of the Laws of 1872) confers express legislative right to parade, provided the conditions specified in said act are complied with.

This was lost by the following vote: Ayes—Mayor Hall and Mr. Barr; Noes—Messrs. Bosworth, Manierre, and Smith.

Mayor Hall then offered the following:

Resolved, That William McGee, Grand Marshal and District Master of Prince of Orange District No. 1, Loyal Orange Institution, U. S. A., be respectfully requested to inform the Board upon the specific purpose of the parade proposed by him, its definite objects, what particular triumph of civil and religious liberty the parade celebrates, and whether the parade proceeds with the simple object of meeting, parading, and dismissing, or holding any public meeting, and whether any military or semi-military organization is expected to take part in the proposed parade, and whether any banners, legends, or inscriptions are to be used or carried on parade, and, if so, their character; this information being required at this time that the Board becoming fully aware of the extent of the escort proceeding and what, if any, especial attention is necessary toward preventing frays as well as promoting the convenience of the public during the parade.

Lost by the same vote.

Mr. Manierre then offered the following, which was carried, the Mayor only voting in the negative:

Resolved, That the application be referred to the Superintendent, with instructions to furnish the necessary escort, the present route permitting to occupy not more than ten feet in width on the right, near the curb stone, or less than ten should it interfere with railroad tracks.

The following is the proposed line of march:

Meet at 11 A. M. in Lafayette place, then march through Lafayette place to Eighth street, thence through Broadway to Union square, passing the Washington monument, up Fourth avenue to Sixteenth street, down Sixteenth street to Irving place, through Irving place to Lexington avenue, thence to Twenty-third street, thence to Madison avenue, and through Madison avenue to Thirty-fourth street, thence to Fifth avenue, down to Twelfth street, through Tenth street to the Bowery, thence to Great Jones street, and through Great Jones street to 327 Bowery, where they will dismiss.

A request was read from "L'Associazione Bonnarumma" for permission to parade to-day. Mayor Hall offered the same resolutions, which were lost by the same vote. The request was then referred to the Superintendent, with power.

DEATH IN AN OYSTER SHELL.

The Singular Cause of the Death of the Hon. James O'Neill.

James O'Neill, ex-member of Assembly from the Ninth Ward and chief clerk of the Excise Board, came to his death in a manner as singular as it was painful. At 10 o'clock on Friday evening he sauntered out from his residence, 810 Greenwich street, and after making a light lunch of a few raw oysters, returned home and retired to rest. About midnight he was awakened from his sleep by severe pains in the stomach. Physicians were summoned, and they, having learned that the patient had eaten cucumbers at dinner, treated him for cholera morbus, although the symptoms of his case were in some respects very peculiar, and baffled their skill to assign them to the proper cause. At 4 o'clock the pains left him, and he began to sink rapidly into a condition of coma. Two hours later, despite the best efforts of the medical men to save him, Mr. O'Neill passed away.

Satisfied that the cause of his death was one that no medicines could have removed, the physicians at once determined upon holding a *post mortem* examination, and in this they found every organ in the healthiest condition, but discovered, while making a close examination of the stomach, that the intestines had been cut by a small bit of oyster shell and their contents allowed to escape through the opening. The shell had evidently been in the stomach but a short time, and had, no doubt, been unconsciously swallowed by Mr. O'Neill while taking his evening lunch.

Instances of death from this cause are extremely rare. The last to which attention had been called was that of Sergeant Hallcock of the police force, whose intestines had in a similar way been perforated by a cherry pit which he had accidentally swallowed.

For the Benefit of Miss Millie Sackett.

Miss Millie Sackett will take a benefit at the Bowery Theatre on Friday night. The bill selected is a strong one, including "Romeo Jaffier Jenkins," with M. W. Leffingwell in his great impersonation of the romantic lover, and the standard drama of "Uncle Tom's Cabin."

THE TWO MURDERERS.

The Deliberate Murderer Escapes from the Gallows on Account of her Sex—The Unmeaning Murderer to be Hanged.

Since the Sheriff of Bergen County Jail informed Avery, the murderer of Jacob Erb at Creekville, of the decision of the Court of Pardons held at Trenton on Tuesday, Avery appears to be fully alive to his position. He has now given up all hope of a reprieve. The Governor of Jersey sent an intimation yesterday afternoon to Sheriff Pell that the execution must take place, as he could see no reason for altering the verdict. During the day he was visited by a number of friends, together with his brother and mother, who remained with the wretched young man for a long time. Avery appeared to be much distressed when he saw his mother and brother, and wept bitterly.

He says that he never intended to kill Erb, but merely to rob him, as he had no money, and he felt that Erb had been the cause of getting him out of Mr. Clark's employ. He is going to write a full confession.

Sheriff Pell visited this city yesterday to make arrangements for the execution, and he will perform this unthankful duty himself as soon after 10 o'clock to-morrow morning as possible. By order of Gov. Parker but very few persons will be admitted to witness the execution, which will take place in the rear of the jail. The last execution at Hackensack was that of William Caton, nearly 19 years ago.

Avery is a fine-looking young man, of pleasing manners, only twenty-two years old. He will leave a mother and two brothers to mourn over his unfortunate career.

LIBBIE GARRABRANT CONGRATULATED.

From the Paterson Guardian.

A *Guardian* reporter called at the jail this morning to congratulate Libbie Garrabrant on the fact that she had been condemned to the State Prison for life. It is rather a singular thing to rejoice over—a burial alive behind the brown stone walls and black iron gates and bars of a penitentiary, from whence she will not emerge until her lifeless form is carried out to be laid with its mother dust. But, after all, life is sweet, and the prospect of a life of captivity better than a sudden and violent death, whose only hope is that it may be quickly over. Mrs. Goodridge, the tender-hearted Matron of the jail, led the way in. She was all smiles and happiness, and she still trembled from the effects of the heavy weight that had been lifted from her mind when she heard of Libbie's sentence being commuted. She said that Mr. Goodridge, who had labored day night and for the condemned girl, was even more excited, and his joy was so great that at first he almost went into hysterics over the welcome intelligence.

We found Libbie enjoying the liberty of the female ward outside the cells. She was dressed in a loose calico wrapper, unbuttoned at the neck and unfastened at the waist—presenting altogether a rather dowdy appearance. Her coarse hair was combed back about as usual, and she looked healthy and well. She leaned against a barred window which looks into the yard, and was complacently surveying herself in a piece of broken looking glass about two inches square. An old woman peeling potatoes was sitting in the other part of the ward, but Libby was absorbed in her own reflections (both mentally and physically).

Our reporter approached her, saying, "Well, Libbie, you received good news this morning."

A snicker and a half-smothered "yes" was the only reply, as she cast her eyes on the ground.

Reporter—Are you not glad? Why I thought you would be singing and hopping and dancing around this morning over such welcome news.

A giggle was the only reply that was elicited from the strange, impassionate specimen of a female conundrum.

Reporter—Wouldn't you rather go to State Prison than to be hanged?

"Oh, yes," she replied.

Reporter—Did you expect it would turn out [illegible]

Libbie—Oh, no; Mr. Goodridge told me to put no hope in what was being done, and I made up my mind that it was all up with me.

Reporter—Libbie, how does it feel to be undergoing sent