ASTONISHMENT IN COURT.

A STAY OF PROCEEDINGS IN THE MANHATTAN RAILWAY SUIT.

An Unexpected Process that Incensed the Attorney-General and Led to a Slight Unpleasantness—Explanations of Counsel.

The announcement that Senator Conkling was in the city yesterday led to the supposition that he would appear and take part in the argument before Judge Donohue on the motion of Attorney-General Ward for the appointment of a receiver for the Manhattan Railway Company. Judge Donohue's chambers were, therefore, thronged with lawyers and others interested in the proceedings. Shortly before noon word was quietly passed that Judge Donohue would hear the case in the room of Part I., and many persons gathered in that room. When Judge Donohue left Chambers to go to Part I. a large crowd followed. Recorder Smyth sat on the bench with Judge Donohue as a spectator. Mr. Conkling did not make his appearance during the proceedings, he having evidently been informed of the course the case would take.

Judge Donohue said, "Go on with your motion, gentlemen, if you are ready."

"The People are ready," responded Attorney-General Ward, who was busy reading a paper which had been handed to him by one of the counsel for the defence.

Ex-Judge John K. Porter, who sat with David Dudley Field and G. F. Lowrey of counsel for the Manhattan Railway Company, when Judge Donohue looked to him for a response to his inquiry, rose and said: "Your Honor, a stay of proceedings has been granted in this case by the General Term and served upon the Attorney-General."

Before the surprise had ceased to have its effect Attorney-General Ward rose and said:

"If your Honor please, I have been served with the most extraordinary document that was ever submitted to any court." The paper is as follows:

On reading the order made by Mr. Justice Donohue on the 24th day of May, 1881, and the complaint and other papers on which it is founded, and the notice of appeal by the defendants therefrom, and the affidavits of Mr. William A. Duer, verified June 2, 1881, it is ordered: That the plaintiff show cause at a General Term to be held in the department at the County Court House, in the city of New York, on the 7th day of June, 1881, at 10 A. M., why this proceeding in the action should not be stayed during the pendency of the appeal herein mentioned, and in the mean time it be further ordered that all proceedings in this action be stayed.

J. R. B.
[Louis R. Smith.]

Accompanying the order of Judge Brady was the affidavit of Wm. A. Duer, one of the attorneys for the Manhattan Railway Company, which says:

This action is brought to annul the existence of the defendant, vacate the charter, dissolve the incorporation of said defendant, and forfeit its corporate rights, privileges, and franchises, for the appointment of a receiver of the property of said company, and for an injunction; and with the summons and complaint there was served an order to show cause, dated May 8, 1881, returnable May 27, 1881, at 10:30 o'clock, why an order should not be made appointing a receiver of the property of the defendant during the pendency of this action, and in the mean time enjoining the defendants from alienating their property; that on the 24th day of May, 1881, an order was signed by Mr. Justice Donohue, on the application of the defendants, for the plaintiff to show cause why the complaint should not be made more definite and certain, to strike out certain portions of the complaint as irrelevant and redundant matter therein contained, returnable May 28 at 11 o'clock, and that an application was at the same time made for a stay of proceedings until the motion was heard and determined; that on the said order the motion for a stay of proceedings in the mean time was denied. On the 26th day of May, 1881, argument of the said motion was had before Judge Donohue, and the papers were submitted; that the said motion has not been decided; that, as he is informed and believes, immediately after the argument of the said motion, the counsel for the defendant again applied to the said Justice for a stay of proceedings until the decision of the said motion should be rendered, and the Justice stating that if the complaint was not good as a complaint, it still could be used on the motion as an affidavit. That deponent verily believes that under the present practice and law, the defendants, if they should be irregular and unawed to appoint a receiver in an action except upon a proper complaint thereon, and that the defendants are entitled to send their answer to the complaint in opposition to such a motion.

That the motion for a receiver was adjourned from May 27, and is set down for argument for to-morrow, June 3, at 10 o'clock. That the defendants have in good faith answered the said motion, and are ready to argue it, and as delays the motion for a stay of proceedings. That it is of the utmost importance that the motion for the appointment of a receiver should not be heard nor an answer to the complaint be required of the defendants to make the complaint more definite and certain, &c.

Attorney-General Ward, after finishing the reading of the paper, said: "The Attorney-General, in the discharge of his duty, has seen fit to bring this action. He has brought it under the provisions of—"

"Mr. Attorney-General," interrupted Judge Donohue, "I cannot consent to hear any comment on the orders of my superiors. The order stays me."

"I was about to state, if your Honor please," [illegible] Attorney-General has brought an action under the act which authorizes him, in his judgment, to bring an action when cause is presented to him requiring his official action. I have brought that action, and I am here ready to proceed."

Rap, rap, tap, went the judge's gavel, as he said: "That stays me."

"Does your Honor refuse to hear me?" asked Attorney-General Ward, with some earnestness.

"That stays me," replied Judge Donohue, with decision.

"I do not recognize the right of any court or of any Supreme Court Judge of this State to control me in such a proceeding, when I am acting on behalf of the people of this State in the exercise of authority in a matter resting upon my official discretion," retorted the Attorney-General, as he took his seat, evidently under much excitement.

"I am bound by my superiors always," continued Judge Donohue, with emphasis.

Ex-Judge Porter left his seat and went to speak to Mr. Ward. But the Attorney-General had not yet recovered from his anger, and said in a heated tone:

"If this is the sort of tricks that are played in this district, I will try and find a district where they are not played."

Ex-Judge Porter resumed his seat with some precipitation. Surreptitiously a messenger was sent from ex-Judge Porter requesting an interview with the Attorney-General, but Mr. Ward said in an audible tone, "I do not wish to see Judge Porter." The parties then left the court.

A reporter for THE SUN called upon Attorney-General Ward after the adjournment; but that officer said he had nothing further to state in addition to what he had said in court.

Mr. Burton N. Harrison, who has been associated with the Attorney-General in initiating the proceedings, and whose affidavit formed part of the papers upon which the motion was based, said: "The case was upon the calendar regularly, to be called at 11 o'clock, and was then called. But representatives from Mr. David Dudley Field then requested that it stand until 12 o'clock, to enable Mr. Field to reach the Court House. The Attorney-General courteously complied with the request, and the case was held for 12 o'clock. The Attorney-General was thus detained in the Court House during an hour awaiting the convenience of the other side. The case was again reached at 12 o'clock, and the Attorney-General was about to rise in his place to address the Court, when a paper was handed to him which had probably been carried around in the pockets of somebody on the other side during at least the hour the Attorney-General was courteously delaying his proceedings for their convenience. While the Attorney-General was still reading the paper the case was called, and an answer was given by him, 'Ready for the motion for the people.' Ex-Judge John K. Porter, one of the counsel for the defence, then rose and said to the Court, 'An order of the General Term has been made staying this proceeding, and it has been served upon the Attorney-General.' Justice Donohue, without waiting to hear a word from our side, said, 'That stays me; an order from the General Term is from my superior, and I shall obey it.' The Attorney-General then read to the Court the paper that had been served upon him, and called attention to the fact that, proceeding in this case as Attorney-General of the State, and in the name and on behalf of all the people of the State, he had exercised a statutory discretion which was vested in him exclusively, and which is not subject to control by any branch of the court in such a manner; that he should therefore go on with the motion, disregarding the order, and desired now to be heard. Justice Donohue repeated his remark that the order of the General Term emanated from his superior, that he should abide by it, and that he declined to go on with the motion. The Attorney-General, again rising in his place, said, 'Do I understand that your Honor refuses to hear me?' Justice Donohue replied, 'I do.'"

Mr. Harrison continued: "I then rose and desired to be heard, but Judge Donohue refused to hear me. What I desired was to make a remark to the Court relative to the statement made by ex-Judge John K. Porter when he asserted that the order for a stay was made by the General Term. That statement was not according to the facts, and misled the Court into the expressions just employed. No order whatever has been made by the General Term, or could have been made, the General Term being now adjourned until the 7th inst. The order served upon the Attorney-General is, in fact, an order of Mr. Justice Brady individually, dated this morning, and irregularly granted, because that Justice is not the Justice to whom such a motion should have been made under the rules of the court; the papers upon which the order purports to be made, and which are attached to it, show that there is no basis whatever for having granted such an order, and it should be now set aside. The alleged ground for the stay of proceedings is that a certain appeal has been taken to the General Term and is now pending; that appeal is an appeal from a provision of an ex parte order made by Judge Donohue at Chambers, out of court, without notice, on the 24th day of May, denying defendant's motion for a stay of proceedings in the action. The General Term cannot entertain such an appeal. It is an ex parte Judge's order, and not an order of the court, and is not appealable. The whole thing is a sham and a trick on the part of somebody. Its temporary success does no credit to the authors of the plot. Judge Brady was imposed upon by somebody. It is not likely to have made such an order with knowledge of the facts. It is full nine years since a proceeding so extraordinary has been heard of in any court in the city of New York, and, instead of regarding the order, Justice Donohue should have set it aside on the spot, and should have gone on with the motion."

Grosvenor P. Lowrey, of counsel for the defence said: "Even if Judge Porter is mistaken as to the purport of the order, that made no difference, as the order itself was read in court. Although issued by one Judge, its effect was substantially the same as an order of the General Term. Judge Donohue was quite capable of determining what was the effect of the order without relying upon any statement that Judge Porter made. The fact is that all that Judge Porter knew of it was what was sent to him through the telephone, and he may have misunderstood it."

The present aspect of the case is that nothing more may be done until the meeting of the General Term on Monday next. Attorney-General Ward declined to state what course he would pursue. His remark in court, however, indicated that he might seek to institute proceedings in some other district, which he has a right to do if he sees fit.

THE EPSOM RACES.

Thebais Wins the Oaks—Bend Or Beating his Rival, Robert the Devil.

LONDON, June 3.—The Epsom summer meeting came to a close to-day. The race for the Oaks Stakes, for 3-year-old fillies, distance about a mile and a half, was won by Mr. W. S. Crawford's chestnut filly Thebais. Mr. Cookson's brown filly Lucy Glitters came in second, and Mr. W. Blenkiron's chestnut filly Myra third. Twelve ran, including the Duke of Westminster's chestnut fillies Meteora and Thora. The winner was ridden by Fordham. The betting last evening was 5 to 4 on Thebais, and 3 to 1 against Thora. The betting just before the start was 7 to 4 on Thebais, and 6 to 1 against Thora, who was reported amiss.

One false start was made, and the horses finally got away at 3:19, being twenty-one minutes late. Traveller's Joy was first away, and made the running from Eos and Napoli. Then came Thora, with Caper Sauce, Thebais, and Lucy Glitters following. After running a quarter of a mile Caper Sauce joined the leader, the pair being followed by Thebais, Myra, and Perplexité. Just before rounding Tattenham Corner, Thebais took up the running, and, although Lucy Glitters headed her in the straight, she came away and won in a common canter by three lengths before Lucy Glitters, with Myra a bad third, followed by Meteora, Queen's Message, and Caper Sauce in the order named. Perplexité finished last. Time, 2:46.

Thebais has been regarded an almost certain winner of the Oaks straight through the season. Last year many backers of Camerata were so superior to Bal Gal. Her winning in the One Thousand Guineas showed the stuff she was made of, however. The performance of Thora was a disappointment. She ran well in the Two Thousand, and was a good second to Thebais in the One Thousand.

The race for the Acorn Stakes, for two-year-old fillies, distance five furlongs, was won by Lord Stamford's bay filly Incognita. Sir R. W. Bulkeley's bay filly Cariad came in second, and Mr. J. R. Keene's bay filly Forget-Me-Not, third. Four ran.

The race for the Glasgow Plate (handicap), distance five furlongs, was won by Mr. B. Elam's three-year-old bay filly Spurs. Sir J. D. Astley's six-year-old chestnut horse Chevonel came in second, and Mr. Arrelsford Hamilton's four-year-old bay filly The Gowan, third. Eight ran, including Mr. J. R. Keene's three-year-old chestnut filly Bran Dance.

The race for the Epsom Gold Cup, distance about one mile and a half, was won by Lord Alington's four-year-old chestnut colt Bend Or, who beat Mr. C. Brewer's four-year-old bay colt Robert the Devil. Only the two named ran, Bend Or was ridden by the jockey Archer, and Robert the Devil by Constantine. There was the greatest excitement concerning the result of the race. The betting just before the start was 7 to 4 on Robert the Devil, but a few minutes subsequently only 65 to 40 was offered on him. The start was effected at 4:25 P. M., Bend Or getting away first, but he was immediately pulled back. Robert the Devil retained a lead of three lengths until six furlongs from home, when the jockey Archer drew up, and half way up the straight closed up, winning by a neck.

The *Standard* says: Mr. C. Blanton's bay colt Scobell, winner of the race for the Epsom Grand Prize yesterday, will certainly go to Paris to contest the race for the Grand Prix de Paris on the 12th inst. After the race for the Epsom Grand Prize Mr. Keene's Foxhall declined to 2 to 1 in the betting for the Paris event.

EXCITEMENT IN ROWING CIRCLES.

What is Said on Dits and Opinions About the Disagreeable of the Dauntless Stroke.

On Wednesday evening last the Executive Committee of the Harlem Regatta Association debarred David Roach, the veteran stroke of the Dauntless Rowing Club, from participating in the annual regatta on the Harlem to-day. The motion was made by J. T. Goodwin of the Columbia College Boat Club, who said that Roach had been seen on the river constantly for years, and had no visible means of support, implying that he was supported by the club in return for rowing. The motion was carried by a vote of 4 to 3, Petersen of the Nassaus, Goodwin of the Columbias, Mack of the Atalantas, and Neville of the Nautilus voting in the affirmative, and the representatives of the New York Athletic, Union, and Dauntless clubs voting in the negative.

The Dauntless Club held a special meeting on the following evening, and voted to withdraw their entries for to-day's regatta and to resign from the association. Notice of this action was sent to the association yesterday by Capt. H. W. Walter of the Dauntless Club.

For five years the Dauntless six-oared gig crew have carried off the honors at the spring regattas of the association. Last year they added two youngsters to their number, and at Philadelphia, with an eight-oared shell, carried off the laurels in the aquatic tournament of the National Association. Up to Wednesday evening nothing had been said in a public manner against Roach's right to be considered an amateur. The representative of the Dauntless Club at the meeting on that evening was W. G. Demarest. Mr. Demarest said last evening:

"I do not hesitate to charge that this was a put up job throughout, and the trap was sprung upon us without warning. I asked them to appoint a committee to investigate Goodwin's accusation, and offered to produce the books of the club to prove its utter want of truth. The majority, including the Chairman, refused to listen to any defence, and, without any argument or any charges being preferred, simply voted to debar Roach. This action, coming as it did two days before the regatta, of course broke up both our six and eight. It was an infamous piece of business. Mr. Roach has rowed for years with us, and his status as an amateur cannot be shaken. Goodwin runs this association, and thereby retains his hold on his college. It would break Goodwin up if our eight won, as they surely would do on Saturday. His eight have challenged Harvard, and to go east after being beaten by our eight to compete with the Crimson would be a useless journey. Roach lives with his parents, who are wealthy, and, directly or indirectly, he never received a cent from the club."

S. B. Hazard, another member of the Dauntless crew, said: "We even offered to row under protest until the status of our stroke was defined, but even an explanation of the action was refused. If he is not an amateur, what are Goodwin and Eustis? Goodwin has been seen on the Harlem much more than Roach. The fact is that the Columbia eight are afraid of us. We can row around them. Neville, the President of the Executive Board, tried to disqualify Roach years ago and failed. We will row in September in the National Association Regatta, and in the mean time they may work out the definition of a professional amateur."

C. G. Petersen of the Nassau Club, a member of the Executive Committee of the association, said: "Well, you see, Goodwin got up and said Roach had no visible means of support and had been rowing on the Harlem for years. So, you know, we thought it would give the other clubs a better chance if we ruled Roach out."

"Why did you do so without his being heard in his own defence?"

"Well, you see, the committee have that privilege, according to the rules of the association."

"Then you do not consider that you defined Roach's status as an oarsman by your action?"

"Oh, no; we just ruled him out, you know."

A Trot in the Rain.

In spite of the heavy northeast rain storm, many members of the Gentlemen's Driving Association assembled yesterday to see a trot between Mr. Floyd-Jones's black mare Daisy, driven by William E. Weeks, and Mr. Thomas T. Trimble's bay mare Kate Gilbert, driven by John Murphy, nine heats, best three in five, in harness. Daisy was the favorite at 50 to 40, and gave a good account of herself by winning the trot, over a heavy track in three straight heats in 2:44½, 2:45, and 2:44½.

A Good Performance.

Mr. J. S. Ferguson drove his team, Corn Bolmont and Topsy, a mile in 2:28 over the Gentlemen's Driving Park, on Thursday evening, the wagon and driver weighing 350 pounds. They were taken from his own stable, without any regular track work, and did not make a skip or break. They were timed by William Watson, J. H. McCann, F. B. Haight, and David Bonner.

Dr. Griscom's Fast.

CHICAGO, June 3.—Dr. Griscom this afternoon was weighed and found to have lost 17¼ pounds. He had an attack of dizziness, his pulse appeared to have lost some of its force, and a general change for the worse was evident in him.

Going Ahead by Backsliding.

The peculiar "mysterious disappearances" of John B. Gough in early days. See to-morrow's *Sunday Mercury*.—*Adv.*

The Metropolitans will play the Troy League Club to-day at the Polo Grounds.—*Adv.*

MR. BLAKE'S DINNER PARTY.

THE MISHAPS AND GOOD FORTUNE OF A BAND OF NEGRO COLONISTS.

Stranded in New York Without Money and in Need, they Get a Feast and Assistance Through Hattie Anderson's Energy.

Hattie Anderson, a wrinkled and neatly dressed negress, hobbled up to the front of Superintendent Blake's desk in the Central Office of the Department of Charities and Correction, 66 Third avenue, on Thursday afternoon. She said she had been directed by policemen to apply there for assistance. At the same time she gave to Policeman Kirwan, who was standing beside her, a note, which he handed to Mr. Blake. It said:

We are bear in a bad condition. Spent all of our money on the contract of going to Liberia. Air now decline the idea of going. Air not got money to go back home and can not git any work to do or any house to rein. Signed,
A LOSS WINDOW WITH THREE PICCANINNIES.

It was directed to the Board of New York city. To Superintendent Blake the woman said that she came to this city three weeks ago with five other families, consisting of thirty-three people intending to sail in the bark Liberia, belonging to Yates & Porterfield of 117 Wall street. They had been stopping on board of the vessel while she was lying at the Empire stores, Brooklyn. They were given lodgings on board, but after the vessel came to Pier 27, East River, a few days ago, they had come to want. All their money was gone, and they did not know where to get more supplies. Now that it was proposed to load the vessel, they would have to move. Besides the fact that they were without money and friends in this city, all of the colonists had changed their minds about going to Liberia. They had delayed so long, and were so destitute, the older heads argued, that it was useless for them to begin a struggle in new fields.

Mr. Blake, by further questioning, ascertained that the colonists subsisted on chance provisions, gathered in the vicinity of the vessel, and that all the heads of families had paid sums of money to Mr. Coppinger, the Secretary of the American Colonization Society at Washington.

Mr. Blake considered the colored aunty's story, gave her needed assistance, and told her to bring the other people along with her yesterday morning. Thirty-two colored men, women, and children were outside of the Eleventh street entrance when the janitor went to look after the horses shortly after daybreak. Their appearance was pleasing. The piccaninnies' faces shone from recent scrubbing. Their dresses were neat and patched. They wore no shoes. The women, for the most part, wore calico gowns and colored bandannas.

As soon as Mr. Blake came he took the names of families. David Mitchell had his wife and seven children. He had given Mr. Coppinger $20. Hettie Anderson, the lone widow, had her three children. She had given but $6. Stephen Brown had his wife and four children. His subscription was $30. Miles Brown for his wife and two children subscribed $15. Glasco Brown, for wife and seven children, paid $32.

They were asked whether they had eaten breakfast. They said they had. A short time afterward some reconsidered their answer and said they had not. They had got up so early that they did not want to disturb the crew of the vessel and another colonist family by rummaging in the closets. A collation was provided, and eaten with solemn faces in the big anteroom of the office.

A carry-all came to the office of Messrs. Yates & Porterfield, in Wall street, asking about the money paid to the Colonization Society. They replied that they know nothing of it.

Meanwhile, Mr. Blake's every-day visitors began to stream in. Their appearance was in marked contrast to the colored people. The former wore bedraggled garments and had mealy countenances. The piccaninnies played on the floor. Mr. Kirwan had little trouble with the visitors.

Shortly after noon Mr. Blake told his negro almoners that he had prepared a dinner for them in the janitor's apartments. The apartment was small. They could eat in sections. Glasco Brown was the most venerable. He was sent in, with his wife and seven children. So was Miles Brown, his wife, and two children. Clean white napkins were put at each plate. Three plates of soup, with crackers, were at either end of the middle of the table. The other auxiliaries to a dining table in well-to-do families were visible. Glasco Brown was at the head of the table. A colored waiter asked him whether he would take an Irish stew. He said it would be pleasing to him. All the others thought they would like Irish stew. One of the piccaninnies was about to dip his spoon in the soup when he said that if it was raining he would say grace. Before an answer came he said in pretty good English:

We thank thee, O good lord, that Thou hast seen fit to cast us among these most hospitable folks. Our necessities and sufferings have been great, and not like unto yours, lord. We murmured against Thy decrees at times, but we see you will pass them by. It was only our poor weak nature crying out against our inner self.

There were three "amens" repeated.

All supped their soup in silence for a while. Then Miles Brown asked one of the piccaninnies why he wanted to eat so fast. He fell back in his chair in a choking spell. The soup went down the wrong way. The child was relieved by Mrs. Miles Brown. No further unpleasant incident occurred. Fish was served.

Much conversation was indulged in. Glasco Brown's wife asked, "Who was a givin' the meal?" Glasco said the good Lord provided. She was not satisfied, but did not say so. The waiter asked if they would have any dessert. This was too much for Mrs. Miles Brown. She burst out laughing. Mr. Brown nudged her. She pressed her hands to her bosom and amid her laughter said, "Oh, Mr. Brown!"

Glasco Brown said he would take apple pie with a piece of cheese. Others ordered similarly. After all had eaten, thanks were returned in prayer. They were then ushered out to the waiting room. Much conversation was had.

David Mitchell's family, Hattie Anderson and her children, and Stephen Brown's family formed the second table. These were as religious as the former. David Mitchell prayed longer than Glasco Brown, and rambled. His voice tapped on the plate with her fork. The prayer was shortened. The meal was eaten amid much hilarity.

After the party had united in the outer room the spirits of all had risen. The piccaninnies climbed over boxes, played tag and leap frog. Two of them climbed to the green iron railing over the clerk's desk. They were dislodged.

Soon after 2 o'clock Mr. Blake made the arrangements for their transfer to the Home of the State Board of Charities at Flatbush. They were taken over there by a messenger.

About half-past 4 o'clock Glasco Brown came up to Mr. Blake's desk smiling. He said he had separated from the rest, and gone to the Liberia to look after his traps. He found them all right. He also learned that if the colonists would come to Messrs. Yates & Porterfield's office they would get their money. He had told the colonist family remaining on board how his people had been treated. They said he had surely gone crazy. It is the intention of the poor authorities to send the passenger with Glasco Brown to Flatbush this morning to bring over the four heads of families who have subscribed the $132, and ask that it be returned them. Arrangements will be speedily made for their transfer to Charleston, S. C., whence they came.

Ex-Congressman O'Brien's Trip Abroad.

Ex-Congressman James O'Brien went to Saratoga on Friday, May 27, to visit the family of Mr. John W. Cook, with whom he had been acquainted for some years. Rumor immediately coupled his name with that of Miss Abbie E. Cook, and a despatch from Saratoga on Friday stated that they had started from Saratoga together with the intention of being married. On Saturday a second despatch stated positively that they had been married at Ballston by the Rev. David Murdock of the Presbyterian church. This Mr. Murdock subsequently denied. Mr. O'Brien returned to New York on Sunday night and made preparations for sailing for Europe in the Bothnia on Wednesday. His friends taxed him with the marriage, and he denied it positively. He said he had made money in Wall street, and as prices were high he had determined on taking a two months' trip abroad. It is said that Mr. Cook and family came down to see him off. He sailed in the Bothnia with Mr. Jerome Buck, and his private secretary. He was registered on the cabin list as "James O'Brien and friend."

Cigarmakers and their Employers.

Henry Stahl, cigar manufacturer at 87 East Second street, has yielded to all the demands made by his workmen. His factory is now under control of the Cigarmakers' Union. He has taken back all the hands he discharged last month, bound himself not to require from them more than ten hours' work a day, and granted them an increase of from 50 cents to $1 per thousand. The hands at M. J. Dolphy's, 64 Bleecker and Pitt streets, struck yesterday, demanding 50 cents to $1 advance per thousand cigars, which the firm refused to give. Work is stopped. A similar demand was made by the workmen for Schlaff & Smith, 66 Bowery, which their employers declined to accede to.

The Treasury Investigation.

WASHINGTON, June 3.—Many rumors were afloat about the Treasury Department to-day relative to the probable outcome of the investigation which is in progress in the Customs's office. The committee are still at work, and will be for some time yet, and they are reticent as to what has been discovered. It is understood that a report will be prepared and submitted to Secretary Windom on his return from the West. It is asserted that one of the officials interested in the result of the investigation stated to the committee that persons higher in authority than he alone were responsible for all that had been done in the past, and the impression prevails that several removals will be recommended.

Blown Up by Dynamite.

RICHMOND, June 3.—As a negro boy employed at the iron works in Lowmont, Alleghany County, Va., was taking a can of dynamite to the powder house on Thursday, he stopped at the blacksmith shop, which he entered with the dynamite can in his hand. A moment afterward persons in the village were startled by a thundering detonation, and saw the debris of the blacksmith shop flying in the air in all directions. The bodies of the boy and three colored men, who were at work in the shop, were discovered in the ruins in a mutilated condition, but none was actually dead. They were taken to the hospital attached to the iron works for treatment, but it is not likely that any of them will recover.

Pepperell lean drawers, own make, 50c. pair. Summer underskirts, 25c., 37c., 50c., 75c., 87c., 37½c., 50c. and $1. Also 279 6th av., and block 23d and 24th sts.—*Adv.*

DIAMONDS IN THE GUTTER.

Precious Stones Valued at $1,000 Found by a Small Italian Boy.

A brown-skinned Italian boy about 12 years old, having the appearance of a bootblack, entered Mr. E. S. Johnson's gold pen factory at Maiden lane and Nassau street on Wednesday and offered a package of diamonds for sale. They were wrapped in a soiled piece of what is known as diamond paper, and after he had seen them Mr. Johnson said to the boy:

"There're glass, aren't they?"

"I 'spose so," replied the boy. "What are they worth?"

"How would a dollar strike you?"

The boy was satisfied with the offer.

"Now, my boy, I'm not going to give these back to you," said Mr. Johnson. "They are diamonds and are valuable. Where did you get them?"

The boy said that he had found them in the gutter in John street. Mr. Johnson, suspecting that the diamonds had been stolen from a broker in the neighborhood, locked them up in his safe and took the name and address of the boy.

Mr. Johnson said yesterday that the stones are worth about $1,000. He had advertised them, but no one had properly identified them. "It's astonishing," he said, "how many people have tried to get them. I've had half a dozen or more people here demanding them, but wholly unable to describe them. One man in the street had the face to send over his card and ask us to send him the stones to look at. He said he would tell us if they were his. Another man said some diamonds had been missing from the stock of his brother, who at this time was out of the city travelling. He wanted to look at them. Others tried to guess at the number of stones, at their weight, and at the way in which they were done up when found. It was plain they never had owned any diamonds."

Mr. Johnson said further that the stones were fine, but had been handled, and the paper in which they were wrapped was soiled. He had no doubt the Italian boy had found them, and had innocently and ignorantly offered them for sale. He had called at the store several times since to get the stones or learn what was to be done with them, and said that his father was intending to call and claim them. Mr. Johnson will require that they be closely described before delivering them up. One man, he says, has gone to Europe to look after the matter, and will return in a few days. Meanwhile, he says, he will hold the stones in safe keeping.

Alleged Pollution of Newark's Water Supply.

Newark is supplied with water from the Passaic River at Belleville. As there are many factories along the river and its tributaries, and the sewage of Newark flows up to Belleville and that of Paterson goes down the river and past the pumping works, it has long been complained that the water is not fit to drink. A year ago, and again last winter, there was a strong taste of carbolic acid in the water. Joseph and Richard Kingsland, who have a paper factory on Third River, were indicted for polluting the water, and yesterday were tried in Newark. Some unpleasant facts concerning impurities coming into the Passaic from factories were elicited from witnesses. Thomas N. McCarter claimed for the defence that carbolic acid purified the water. The Passaic, he said, is a common sewer into which the refuse from the Kingsland factory and the works of Paterson discharge into it, and factories on Third River often so pollute the water of that arm of the Passaic that the Kingslands are unable to use it. Besides, the sewage of Newark is carried by the tide above the water works. This being true, he argued, the carbonic acid really bettered the water.

A Dispute over Hoboken's City Physician.

Trouble is brewing in Hoboken over the appointment of Dr. Allers as City Physician. At the last meeting of the Council a resolution was offered that Dr. Pinder, who has held the position for several years, be reappointed. An amendment to substitute the name of Dr. Kudlich was offered. An amendment to the amendment was then made to substitute the name of Dr. Allers. The last amendment was carried, and President Curtin, without taking a vote on the resolution as amended, declared Dr. Allers elected. The next morning Mayor Bedan approved the appointment, and Dr. Allers was sworn in. Dr. Pinder not only insists that the appointment was irregular, but declares that Dr. Allers is not eligible. The ordinance providing for his appointment as a City Physician provides that no man who has not been a practising physician for more than six months. He threatens to appeal to the courts.

Disagreement in Jeweller Post's Case.

The jury in the trial of Eugene E. Post of the late firm of Post & Spear, manufacturing jewellers of Broadway and John street, for obtaining jewelry by false pretences from William H. Ball of 9 John street, retired for deliberation at noon on Thursday. At 10:30 in the evening they reported that they could not agree on a verdict. Recorder Smyth caused them to be locked up for the night. At 11 o'clock yesterday morning they re-entered the court room, and the foreman said that there was no possibility of an agreement. Recorder Smyth said that he regretted this on account of the length of time that the case had taken, to the exclusion of other business. He had, however, no alternative, he said, and must discharge the jury. The jury was discharged. Recorder Smyth released Post under bail, ex-Mayor Smith Ely, Jr., becoming his surety in $3,000.

Col. Dwight Webb's Fatal Fall.

The body of Col. Dwight Webb, who fell down a flight of stairs at his boarding house, 108 Pavonia avenue, Jersey City, on Wednesday night last, and broke his neck, was removed to street's morgue yesterday. Unless it is claimed before Monday it will be buried in the Potter's Field. Col. Webb was at one time a wealthy and respected citizen of Michigan. He was a prominent politician, and represented his district for two terms in the upper House of the State Legislature. He also held the position of Chief Clerk in the New York Custom House.

Opposed to Mr. Depew.

The Fifth Assembly District Anti-Monopoly League adopted last evening a resolution protesting against the election of any person identified with railroad corporations or other monopolies to either of the vacancies in the United States Senate from this State, and requesting representatives of this city in the Legislature to use all honorable means in their power to accomplish the defeat of Chauncey M. Depew.

Mme. Gerster-Gardini's Reception.

Dr. and Mme. Gerster-Gardini held an informal farewell reception last evening, in their parlors in the Everett House. The hostess received many gifts of flowers. Among the ladies and gentlemen who called were Mr. and Mrs. Thomas B. Musgrave, August Belmont, and G. Schirmer, Jr., and Mme. Gerster-Gardini sails for Europe to-day in the Germanic.

Disposed to Compromise.

The transatlantic steamship companies have made a proposal to the Commissioners of Emigration to compromise any litigation that may arise from the passage of the bill providing for a tax upon immigrants arriving at this port, on condition that the tax shall not be made over $1 for heads and that the Commissioners shall provide more employees and better accommodations at Castle Garden.

Weak Eyes, Sore Eyes, and Inflamed Eyelids, Stye, &c., rapidly cured by using Dr. Becker's celebrated Eye Balsam. Sold by all druggists. Depot, 6 Bowery.—*Adv.*

Bedbugs, Roaches.

Rats, cats, mice, ants, flies, insects, cleared out by "Rough on Rats." 15 cents. Druggists.—*Adv.*

To Regulate the Stomach, Liver, and bowels, take Carter's Little Liver Pills. 25c.—*Adv.*

AN EXHIBIT OF OBSTACLES.

SHOWING THE HINDRANCES THERE WERE TO STREET CLEANING.

Building Material and Cellar Dirt in the Streets, Pavements Torn Up, and the Work Interfered With in Many Other Ways.

The hearing of the Police Commissioners was continued before Mayor Grace in his office yesterday. Messrs. Willard Bartlett and Elihu Root called as the first witness for the defence Prof. Daniel Draper, director of the meteorological observatory in Central Park. He produced records of temperature, rain, and snow fall in this city in the course of last winter.

Mr. William P. Esterbrook, Inspector of Buildings, testified that in May, 1879, there were in process of erection in this city 759 buildings; in June, 961; in July, 1,068; and in August, 1,020. In September, he explained, there was an omission in the books. [Laughter.]

Mr. Root—Somebody was probably trying to remove Mr. Dudley that month, and it kept him too busy to attend to his duties.

Mr. Esterbrook continued, that in October, 1880, the number was 1,284; in November, 1,148; in December, 1,045; in January, 1881, 940; in February, 1,045; in March, 1,009; in April, 1,075; in May, 1,050, and in June, 1,282. This was as far as the books were made up. Besides these new buildings, there was an average of 167 alterations a month. Mr. Esterbrook promised to compile and send in the monthly reports from June, 1879, up to date.

The object of introducing Mr. Esterbrook's testimony was to show how much the streets had been littered up with building material, to the hindrance of street cleaning. Other testimony was introduced to the same effect.

Sergeant William H. Lefferts of the Sanitary Squad testified that 4,068 boilers were in use in the city.

Capt. Geo. Washburn of the Thirty-seventh street police station testified that since April 25, 1879, there had been 92 arrests in his precinct for throwing refuse into the streets. Of the 92 prisoners 38 were fined or imprisoned and 54 discharged. The Captain said that he had sometimes sent out policemen, without their uniforms, to detect and arrest offenders. He had found this effective, but he believed it was impossible to check the practice entirely as there were many tenements in his precinct.

Policemen Tighe, Maguire, Van Cott, Kehoe, Kidrett, Soule, Waters, McGloin, Wilson, Walker, Hawkins, Brogan, Kennedy, Murphy, Bukers, Kinzey, Fielding, Tuite, Dorley, Guhl, and Higginbotham, from various precincts, testified that in the spring of 1880 they made arrests for throwing refuse in the streets. In nearly every case the prisoners were discharged by the Police Justices.

Joseph Disautis, an Italian, testified that he worked with Giovanni Lagari. He corroborated the two previous witnesses; and Pasquale Guarnieltto testified that he had worked with Lagari, and that they always dumped near the lighthouse, beyond the red buoy.

"What lighthouse?" asked Mr. Andrews.

Vitelli did not know and Mr. Bartlett expressed his willingness to admit that it was Fire Island lighthouse. [Laughter.]

Mr. Bartlett exhibited about fifty reports for February and March from tugboat Captains, certifying that they had taken loaded scows to sea.

Mr. Robert H. Clifford, Chief Clerk of the Department of Public Works, testified that in 1879 1,807 permits were issued for the removal of waste material, and 6,106 permits to occupy the streets for building purposes. In 1880 the permits issued were 2,700 for removal and 6,656 for building. The permits gave builders the right to occupy only one-fifth of the street. Since May 20, 1879, the following numbers of permits to dig up the streets were issued: New water taps, 5,222; repairing water taps, 9,216; sewer connections, 2,342; repairs to sewers, 1,741. Besides 1,000 permits for other purposes, 237,548 square yards of new pavement had in 1879, laid in 1880, and 132,115 was required to be kept open 30 days on new pavement. In 1880 the department had an appropriation of $3,300 to remove encumbrances in the streets, but found this much too small, and when the money gave out the encumbrances had to remain.

The hearing will be resumed to-day.

SPORTING NOTES.

Mr. Minchin has again won the Lowenthal chess cup.

Daniel O'Leary is to go to England to work up another match with Vaughn.

Turkish baths are now being resorted to by jockeys for reducing their weight.

Plenty of snipe on the shores and blue fish in the waters are reported from the eastern end of Long Island.

Myers and Merrill, American amateur foot-racers, are training on the grounds of the London Athletic Club.

Dr. Zukestort and Mr. Blackburne, chess giants in Europe, are to begin a great match on the 15th inst. at Paris.

The latest substitute for live birds at shooting matches is a patent pigeon which flies somewhat like a natural bird.

Capt Mackenzie won seventeen games of chess, lost one, and drew one in his late match with St. Louis players.

Edward Trickett and Henry Kelly, the scullers, are expected to arrive in the Egyptian Monarch, about Monday or Tuesday.

Bob Woolley, a game race horse by Leamington, dam a Lexington mare, broke one of his legs a few days ago in his stall and was killed.

There is a growing belief in a fisherman's luck since the anglers in Florida found a kettle containing $1,400 in coin while digging for bait.

No horse has made the history of New York have so many fast trotters been seen on the roads in the upper part of the city as during the last two weeks.

Next Saturday there is to be a great race meeting in Honolulu, Sandwich Islands. They have a fine field of racehorses, and trotters with records down in the twenties.

Hamilton Belle, which Commodore N. W. Kittson of St. Paul recently purchased for $9,000, died of pneumonia. This is a severe loss to the Commodore's new breeding venture.

The *New York Sportsman* says that Mr Keene has sold Lord Murphy, Kit Clayton, Brasseere, Grenoble, and Bran Dance to Mr. Ten Broeck. They have been scratched from his engagements made by Mr. Keene.

The *Turf, Field and Farm* has cable advices that the contest for the Ashey belt in which Rowell, Weston, Hart, Albert, and Blower Brown are entered, will take place in Marble Rink, Clapham Road, beginning June 20.

Mr. John G. Heckscher, who nobly saved Mr. Godefroy's jockey Cruickth from being lost near Robin's