THE ART UNION INVESTIGATION.

THE LAST DAY.

MAY 17.—The business in this case was resumed this morning at 11½ o'clock. Present, Hon. D. B. Taylor, A. M. Clapp, Mr. Nafew, Clerk of the Assembly; Capt. Darling, Wm. Fullerton, E. C. Benedict, Hon. Ogden Hoffman, A. M. Cozzens, F. A. Coe, G. W. Austin, Mr. Halstead, James Melly, Mr. Monk, and R. Grant White.

Mr. Fullerton called Mr. White as a witness.

Q.—Where is your residence and what is your occupation?

A.—I reside in this city, and edit the *Courier and Enquirer*.

Q.—When did you become one of the editors of the *Courier and Enquirer*.

A.—In the spring of 1851, when Mr. Raymond left; I have to say that I had been before that connected with the paper, but not in any way from 1848 to the spring of 1851; my previous connection with it was only as critic, and not as an editor.

Q.—It has been stated some money was paid to you by the Art Union; state under what circumstances that was paid?

A.—On the 1st of October, 1849, I received $100 from the Art Union, which was on account of certain articles setting forth the advantages of the institution.

Q.—By whom was that money paid to you?

A.—By Mr. Cozzens, the President.

Q.—Did you receive any other amount in September, 1850?

A.—I received on the 6th September, 1850, $50 for similar services.

The Chair—Where were those articles published?

A.—I do not know where all of them appeared. I furnished them to Mr. Cozzens, in manuscript. One appeared in the Boston *Courier*, one in the *Express*, of this city, one in the *National Intelligencer*.

Mr. Fullerton—How many were there altogether?

A.—I cannot tell. I wrote all that Mr. Cozzens requested, because I felt an interest in the institution.

Mr. Fullerton—That is all, sir. I now call Mr. Nathaniel Jarvis, jr.

This witness having been sworn—

Q.—What connection have you with the Art Union?

A.—I am the Recording Secretary.

Q.—How long have you been so?

A.—Since 1847.

Q.—Will you produce the minutes of the last annual meeting?

A.—I have them here. (He then presented them to the Court.)

Q.—Are they correct?

A.—They are.

The Chair—Mr. Jarvis, were you present at that meeting?

A.—I was.

The Chair—How many do you think were present?

A.—I can't tell; about twenty I should think.

The Chair—How many besides the Committee of Management?

A.—About half of them were unattached to the Committee.

The Chair—Why did you elect two classes at that meeting?

A.—Because one class held over from last year.

The Chair—Do you know any reason why this property was sold at auction?

A.—I do not know, except from my minutes. Upon reference, I find it was upon the authority of a resolution passed by the Committee of Management, authorizing the sale.

The Chair—Do you know anything about this mortgage spoken of in the resolution?

A.—I do.

The Chair—Who was the mortgagee?

A.—Mr. Cozzens. The resolution is as follows, passed March 11, 1852:—

Whereas, A. W. Cozzens has advanced, and may advance, and has incurred, and may incur, liabilities in behalf of the Institution, for which he has not received adequate security—

Resolved, That there be executed to him a mortgage on all the property of the Institution not heretofore mortgaged, to secure him for such advances and liabilities; and that the Finance Committee be authorized and directed to execute the necessary papers, under the seal of the Institution in the hands of the Recording Secretary.

The Chair—Do you know when the mortgage was executed upon that resolution?

A.—Shortly after.

The Chair—That is all.

Mr. Shannon—What property was mortgaged?

A.—All the personal property, not previously mortgaged.

Q.—Did the pictures purchased in 1851 comprise a portion of that mortgage?

A.—Yes, sir.

Mr. Shannon—That is all.

Mr. Fullerton—With whose money were those pictures purchased?

A.—By Mr. Cozzens I think.

Q.—What were his liabilities in addition to the cash advanced for these pictures?

A.—I cannot tell.

Mr. Fullerton—That is all.

Mr. Edward B. Corwin was then called by Mr. Fullerton.

Q.—Were you a member of the Art Union, in 1852?

A.—Yes, sir.

Q.—Did you attend the annual meeting of that year?

A.—Yes, sir.

Q.—How many were there do you think?

A.—About twenty, I should think.

Q.—Did you ever tell Joseph Monk that you had received a private note to attend a secret annual meeting of that year?

A.—I don't think I did.

Mr. Shannon—What was the nature of the note you received?

A.—I believe it was an ordinary note to attend the annual meeting; I presume the same note was given to every member of 1852.

Q.—How came you to become a member for 1852?

A.—The same cause that induced me to become a member before.

Q.—By solicitation?

A.—Not at all, sir.

Q.—Are you a member for the year 1853?

A.—No, sir.

Q.—At the time of your subscribing were you aware of the proceedings against the Art Union in law?

A.—I think I did not hear of it at the time.

Q.—At the time did you suppose there would be a drawing for 1851?

A.—I do not recollect; but I had no reason to think there would not be.

Q.—At the time you subscribed in 1852, did you not know the cause for the postponement of the distribution of 1851?

A.—I did not, except from what I saw in the papers; I believe it was for want of subscribers.

Q.—When you attended this meeting for which you received a notice, did you then learn the difficulty for which the Art Union was involved?

A.—I made very little inquiry about it.

Q.—What statement did you make to Mr. Monk in regard to your receipt of a notice of the annual meeting?

A.—I merely stated I had received a note from Col. Warner to attend an annual meeting.

Q.—Where was this meeting held?

A.—In some rooms on Mercer street.

The Chair—Was serving notices the way of usually notifying the members of the annual meeting.

A.—Before that they were notified through the public press.

Mr. F. A. Coe was then called by Mr. Fullerton.

Q.—What is your connection with the Art Union?

A.—I have been a member, and connected with the Managing Committee for the last six years.

Q.—Did you hear the testimony of Jos. Monk in relation to an alleged conversation between yourself and him, in regard to the purchase of a picture called the "Trout Stream," from W. Boutelle?

A.—I did.

Q.—Did any such conversation ever take place?

A.—No such conversation ever took place.

Q.—Was Mr. Monk present at the purchase of that picture?

A.—Mr. Monk was not present at the purchase of that picture, nor did I ever give as a reason why Mr. Boutelle should not receive more than $360, that he ought not to have that amount of money on hand at once.

Q.—How were the pictures of 1851 purchased?

Mr. Shannon—I object to the question. The books show the manner of the purchases, and to examine the witness in this respect, is only to change the books.

Mr. Fullerton—I withdraw the question.

Q.—You have been charged with receiving compensation as a member of the Committee of Management, is that so?

A.—It is not; I never received any compensation as a member of that committee, nor do I know any one who did.

Q.—Under what circumstances were your travelling expenses paid?

A.—I had occasion, as a member of the Committee of Management, to travel some thousands of miles to see certain corresponding secretaries, burdened with two trunks full of engravings; I performed the duty assigned to me, and charged much less than my actual individual expenses, without charge for the time or services.

The Chair—You state as manager of the Art Union you received no pay, did you not receive pay as counsel?

A.—I did not, by my connection with the Art Union, surrender my profession; I drew money for services as counsel, but not as member of the Committee of Management.

The Chair—How much money has the Art Union expended in real estate?

A.—They purchased a lot on Mercer street, at a cost of $6,000, and $6,186 82 was expended on the Gallery subsequently erected upon that lot. Improvements on leasehold property cost $11,654 43.

The Chair—Then the total of this is $23,871 45. Now, I want to ask the amount received from subscription, for the years 1851, '52, and '53?

A.—The amount in 1851 was $66,685; the amount for 1852, $182 73; the amount of 1853, $104 03.

The Chair—What is the cash on hand, against which there are no liabilities?

A.—$478.

The Chair—Then, from the papers and proofs before me, I can come to no other conclusion than that the institution is insolvent upwards of $90,000.

Mr. Fullerton—If that is your conclusion, then I am incompetent to enlighten you. I have worked hard to do so for the last three days.

F [A long conversation here ensued, the object of which was to satisfy the Chair, without proof, of the correctness of the accounts.]

Mr. Cozzens—I wish here to publicly state that I am ready to prove that every subscriber of 1851, will receive in return more than his $5 paid to the Art Union.

Mr. Fullerton—I now call James R. Whiting to impeach the character of Jos. Monk.

The Chair—I can not allow it. I base my decision upon the opinion of Judge Bosworth, in his charge in the case of a clerk vs. Bowen & McNamee, that we should not go back beyond several years of confidence to test a man's character. Mr. Monk worked for the Art Union for six or seven years, and during that time maintained their confidence; and now it is too late to go back prior to that time, to impeach this man's character.

Mr. Fullerton—This is to me a new principle in law.

The Chair—Then I am glad that I am fortunate enough to be the origin of it.

Mr. Shannon—In my summing up before this court, I shall base my argument upon the vouchers and records before the court, and not upon the character of the witness Monk. Still I object to trying our witnesses, and protest against any testimony being introduced testing the character of Mr. Monk.

Mr. Monk—I am not at all unwilling, as far as I am concerned, to the introduction of this witness. All I want is a fair show. Let the opposition go in, if they want to.

Mr. Fullerton—Well, we will dispense with Mr. Whiting.

Mr. Monk—Yes; now that you have got your bunckum in you are willing to dispense with him; that is sharp shooting—that is.

Mr. Coe was then recalled, and Mr. Shannon proceeded to cross examine him.

Q.—Did you ever make more than one trip in behalf of the Art Union?

A.—I think I had occasion to make two journeys on their behalf.

Q.—At what time?

A.—I do not remember.

Q.—Were your expenses paid on the second occasion as on the first?

A.—Only my individual expenses were paid on both occasions; I throwing in my time.

Q.—Do you recollect the amount?

A.—I think on one occasion it was $50; the other I do not recollect.

Q.—What amount has the firm of which you are a member received as counsel?

A.—I do not know; I was employed by Shepherd Knapp, assignee of Mr. Cozzens, the mortgagee, and for this service I was paid.

Q.—What was the amount of your charges?

A.—I do not exactly know, but I am sure they were less than my firm usually charge their clients.

Q.—For whom did you foreclose a mortgage?

A.—I foreclosed a mortgage for Mr. Knapp against the Art Union, realizing thereon over $50,000.

Q.—From whom did Shepherd Knapp receive this mortgage?

A.—From A. M. Cozzens, mortgagee.

Q.—Was Shepherd Knapp a member of the Committee of Management for 1851?

A.—He was not; but he was President of the Mechanics' Bank, where between $20,000 and $30,000 of the paper of Mr. Cozzens' had been discounted.

Q.—For what years had this paper been discounted?

A.—During the years 1851 and '52.

Q.—How much was discounted for the Art Union during 1851?

A.—Over $20,000.

Q.—How much of this paper was discounted for debts incurred by the Institution during the year 1851?

A.—All.

Q.—What was that paper given for?

A.—For the purpose of obtaining money with which to buy pictures when we had no subscribers, and to carry on the institution until subscribers came in.

The Chair—You heard the testimony of Mr. Austin, the Treasury?

A.—I did.

Q.—He said that pictures were purchased on drafts for long dates.

A.—Some of them were.

Mr. Shannon—Was this paper discounted in bulk?

A.—It was discounted at various periods, for different amounts.

Q.—At the time of these discounts were you not in the receipt of subscriptions?

A.—We were; but not to an amount sufficient to meet the current wants of the institution; more than one-half of the subscriptions were received within two weeks preceding the annual drawing.

Q.—How came Shepherd Knapp to receive $250, as the assignee of Mr. Cozzens, in foreclosing his mortgage?

A.—He employed counsel for that purpose, and such counsel charged that sum to him, and he charged it to the institution; the firm of which I am a member foreclosed another mortgage in Mercer street, for the purpose of giving a good title to the purchaser, and charged $250.

Q.—What makes up this item of $558, charged for sale of pictures, advertising, &c.?

Mr. Fullerton—Call Mr. Austin to explain this.

Mr. Shannon to Mr. Coe—When was the money paid for the sale of the property on Mercer street.

A.—That property was sold last February, and the money paid to the Treasurer a short time after.

Q.—What was the amount realized by that sale?

A.—$17,000; I paid to the plaintiff $1,016 66 principal and interest; the balance, after deducting costs, counsel fees, sheriff's fees, and advertising, I paid over to the Treasurer of the Art Union on the 18th of April, amounting to $5,840 08.

Q.—When was that mortgage due?

A.—It was due in August for the non-payment of the interest.

Q.—Were there not sufficient funds on hand to pay the interest of that mortgage?

A.—I do not know; that must be answered by the Treasurer.

Q.—At the time you took this trip on behalf of the Art Union had you your family with you?

A.—My family were with me, but I charged only for my own individual expenses off from my route.

Q.—When was the order for this bulletin, just published, given?

A.—I don't know; it has been in contemplation for some time; there were 13,000 ordered.

Mr. Cozzens then came upon the stand for cross examination.

Mr. Shannon asked—When was the assignment made by you to Shepherd Knapp of this mortgage?

A.—I don't recollect; some two or three weeks before the sale.

Q.—To your knowledge, during the year 1851, were some secretaries paid a larger salary than others?

A.—Not to my knowledge.

Q.—When was this mortgage on those pictures given you?

A.—I don't recollect; I think in 1852.

Q.—How many subscribers are there for 1853?

A.—About thirty, I think.

Q.—In the meeting of the members of 1852 what was the announcement made of the meeting?

A.—I instructed the Secretary to notify all the members of 1852 that the annual meeting and election would take place upon the day designated in the charter, to wit, the first Friday preceding Christmas; he informed me that the service had been performed.

Q.—Were salaries paid to honorary secretaries and to clerks in 1852, the same as in 1851?

A.—There were no salaries ever paid to honorary secretaries; being in daily expectation of a favorable decision of the courts, we we were obliged to continue the clerks and other salaried persons about the establishment until the 21st of August.

Q.—Since the close of the year 1851 has any statement of the affairs of the institution been made to the members?

A.—There have been printed circulars sent to the honorary secretaries, with the request that they would communicate it to their subscribers.

Q.—I want to ask about the manner in which the accounts of the Treasurer for 1851 were kept?

A.—They were audited by Mr. Kelly, Mr. Appleton and myself; every voucher was carefully examined.

Q.—Who was Mr. Glass?

A.—An American artist, who first commenced in this city; his first master was Mr. Huntington; his first productions were purchased by the American Art Union; he subsequently went to Europe for the purpose of study in his profession, and from time to time the Art Union made purchases of him during his residence abroad.

Messrs. Shannon & Fullerton—We have nothing more to ask.

The Chair—As there is no further testimony to be introduced in regard to this case, we here pronounce the case closed as to the admission of evidence.

Upon inquiry it was found that neither of the counsel in the case wished to sum up the testimony, and the Chair therefore pronounced the case adjourned *sine die*.

Meeting of the Almshouse Governors.

The Board of Almshouse Governors met in the Rotunda, at five o'clock last evening, President West in the chair. Present—Messrs. Herrick, Smith, Pinkney, Dugro and Williams. The requisitions for the usual weekly supplies were read, examined, corrected, and the necessary orders then given. The minutes of the last meeting were read and authenticated. The different communications were next considered. There were none of any particular interest except one from the Commissioners of Emigration, relative to the subject of insane emigrants chargeable to that commission, which document was in reply to a resolution presented by the Board of Almshouse Governors, through their chairman. The Commissioners stated that they were bound to take care of all alien poor, and regulate their charges with the different counties in the State, as far as the commutation money allowed. All insane poor should and must be received in the different institutions of the city, the emigrant commissioners to reimburse the charities as far as they are able. There was yet no house prepared specially for that class by the commission, and its directors stated that the laws require such persons shall be taken care of in the meantime. The arrearages due for support in former years will be duly paid. The commutation fund has borne the support of many infant children, born here of alien mothers, (citizens by birth,) and entitled to poor law relief as such. In three years, from January, 1850, to April, 1853, as many as 1,958 such infants were born on Ward's Island, and thrown for support upon the commission. The directors think that they can fairly claim an equitable repayment from the Governors for such expense, which could easily be adjusted by a joint board of four, selected (two from each) by the Boards.

Mr. WILLIAMS said that the Almshouse Governors supported weekly many people (adults), who were justly chargeable to the Commissioners of Emigration.

Mr. HERRICK said that the Commissioners of Emigration owed the Board of Governors about $37,000, which they now duly acknowledged. The entire affair was referred to the Corporation Counsel to report upon.

A letter was read from Dr. H. Campbell Stewart, as chairman of the Committee of Arrangements and Reception during the meeting of the Medical Association, enclosing a resolution of thanks to the Board for their attention and entertainment of the members of that body during their stay in New York. The resolution had been ordered to be published in the papers.

A bill was read from Mr. Linden, for the sum of fifty-eight dollars, for acting as clerk in the city prison for some months. Mr. Linder was paid as nightwatch during the time.

A similar one was read from the apothecary of Bellevue Hospital, for pay as a temporary clerk there.

Mr. HERRICK was strongly opposed to such demands for extra pay for officers having other duties to perform.

Both claims were referred to the proper committee.

JAMES IRVING, gardener at Randall's Island, demanded an increase of salary.

Mr. WILLIAMS opposed and Mr. SMITH supported the increase.

A resolution to raise the man's pay was adopted by a vote of six to one.

The Clerk submitted the following report of the census of each institution, taken last Saturday evening:—

NUMBER REMAINING FOR WEEK ENDING MAY 14.

Bellevue Hospital	598	Smallpox Hospital	16
Lunatic Asylum	560	Randall's Island	1,668
Almshouse Hospital	858	" Hospital	223
Penitentiary	841	City Prison	207
Penitentiary Hospital	307		
Workhouse	184	Total	4,842
Number remaining previous week			4,842
Admitted from 7th to 14th May			751
Total			5,593
Died during the week			24
Discharged			616
Sent to the Penitentiary			108
Sent to the State prison			3
Total			751

The Board then adjourned.

In the Supreme Court of Massachusetts, on Saturday, the 4th instant, the following divorces were granted:—Eunice Haughton from Franklin Haughton; libeller defaulted. Charles Pratt from Laura H. Pratt; libeller defaulted.

The Danger of a Trip to Staten Island.

TO THE EDITOR OF THE HERALD.

MAY 16th, 1853.

SIR:—I left New York in the steamboat Sylph, for Staten Island, at 4 o'clock on Saturday. The steamships Alabama, Marion and Roanoke, sailed at the same hour. Immediately after our clearing Governor's Island, these three steamers were seen coming down at full speed. The Alabama was leading, and crossed the Sylph, with sufficient room to spare. The Roanoke bore away in good time, and passed on the Long Island side, or at the stern of the Sylph. The Marion stood on her course and the Sylph on hers, both going at full speed. I saw that a collision must take place unless one gave way and crossed the stern instead of the bow of the other; this the commander of each seemed determined not to do, and the steamers approached each other until the Marion's stem was within twenty feet of the Sylph. The Sylph was then obliged to give way or go down, which she would have done a minute after she was struck. She was crowded with passengers, a great many of whom were ladies and children; many of them become much alarmed and excited, and I saw one lady nearly in hysterics; I had my own family on board, and went forward to the man at the wheel, to remonstrate with him, and was told to mind my own business, (which I considered I was doing in taking precautions for the safety of my family,) and he would mind his. At this time the Marion's stem was not twenty feet from the Sylph.

The captain of each seemed to think that he had a right to keep on his course, and rather than yield that right, or lose ten seconds of time on a voyage to Charleston or Staten Island, they choose to endanger the lives of two hundred persons. Those on board of the Marion, were certainly free from danger, and her commander would have acted more in accordance with the conduct and gallantry of a sailor, by allowing the Sylph to pass on, than by bearing down upon a ferry boat filled with ladies, or by entering into a contest with the man at her wheel; but although he was free from personal danger, he put his owners' pockets in jeopardy for more than the value of their ship.

I do not think it necessary to enter into or discuss the question, "Who had, or who had not the right?" but I wish to ask the owners of these ships if they will permit this outrage to be repeated. The same vessels will start at the same hour next Saturday, and is the same contest to take place? and, then, after a collision, is the question, "Who was in the right?" to be determined. If the Marion had struck the Sylph, you would have had to relate a loss of life which would have exceeded the Norwalk catastrophe; and if the pilot of the Sylph had escaped, we should have been edified with a discussion between him and the captain of the Marion, as we were the other day between the engine drivers on the Jersey and Paterson railroads.

I know Commodore Vanderbilt and Messrs. Spofford & Tileston, and believe them to be too jealous of their high character and reputation to lend the slightest sanction to such recklessness. I would have represented the matter to them personally, but next week it may be the Alabama or Roanoke, and as I cannot call upon the owners of all of them, I must avail myself of your columns to draw their attention to this subject.

I enclose my card, which is at the service of either Commodore Vanderbilt or Messrs. Spofford & Tileston, and if they want corroboration, I will furnish them with the names of a dozen respectable persons well known to them. In the meantime I ask whether they will give orders to prevent a repetition of so gross an outrage on those who are obliged to travel on board of the Staten Island ferry boats.

A SHIP-OWNER.

The Paterson Railroad Collision.

TO THE EDITOR OF THE NEW YORK HERALD.

Will you oblige me by publishing my communication which appeared in the *Telegraph* of Saturday; and through you I ask that all papers that have published the verdict reflecting on me will also publish my explanation; I will also say that to be present at the starting of the train was no part of my duty; and that the public may see how far others performed their duty, I will give from section 7 of rules now in force, article 122:—"The conductor and engineman are required to keep themselves informed, by frequent inquiries at the terminal stations, of any changes in the regulations, and ignorance of any such change will not be received as a reason for delays or accidents. They are expected to observe the instructions, and have no discretionary power to vary from them, unless in cases when the variation is necessary to the safety of the road."

I had thought it best to let the evidence given at the coroner's inquest, although not as full as it should be, stand forth to justify or condemn me; but, as you have called for an explanation, I will state my own position in this sad affair.

On Saturday evening I was informed that on Monday a new time table would go into effect. Mr. Hobbs, the superintendent, requested me to see that they were distributed. In my desire to prevent any accident, I promised to do so, although this duty did not belong to me, but to the superintendent's clerk. I received these new time tables on Sunday, at six P.M., and thought when I left the depot that I had seen every conductor connected with the road; shortly before my leaving I had spoken to the conductor who I supposed was to go out with the train, and he said he was furnished with a new time table. The train having been made up, and not seeing the conductor, I went to the engineer, and told him that he should pass the day express on the double track. I had previously furnished him with a time table, but, for fear he would not carefully examine it, I cautioned him in regard to it, stating that his time at Bergen Hill was 8:25; that the day express time was 8:17, adding that it was possible that the express train might be a few minutes late; if so, he must not, by any means, leave Bergen Hill until his time was fully up; this caution I repeated, and had the engineer obeyed me, and not been urged on by the conductor, no accident would have occurred. Let this for the present suffice.

HENRY A. GREEN.

Suffocation in the Fourth Avenue.

TO THE EDITOR OF THE NEW YORK HERALD.

Will aid suffering humanity by publishing the following letters:—

TO THE PRESIDENT OR THE SUPERINTENDENT OF THE FOURTH AVENUE RAILROAD.

SIR—Many patrons of your line (and well wishers to it) have resolved, if steps are not taken forthwith to water the avenue, thereby making the travel at least tolerable upon it, (which it is not now,) to make a public representation of this intolerable dust nuisance, and recommend a transfer of the travel from Fourth to Sixth avenue, down and along the whole line of which passengers may go without danger of suffocation.

It is thought due to your line to give you this notice before making a more public demonstration of the appeal. Besides getting rid of these insufferable clouds of dust, the Sixth avenue line affords other inducements in the greater capacity and comfort of their cars, as also in the reduced price of conveyance.

It is matter of regret that you should need any prompting in a case which ought to have been attended to from a sense of duty to the comfort of your patrons, as well as of the entire population, who are annoyed on both sides of the way by dust which your cars and the omnibuses keep flying in such unceasing and oppressive clouds over the entire route of your travel.

We subscribe ourselves, with best wishes for your success,

MANY TRAVELLERS ON FOURTH AVENUE.

FOURTH AVENUE, May 4, 1853.

TO THE HON. THE MAYOR OF NEW YORK:—

SIR—The above is a copy of a letter which was addressed to the officers of the Fourth Avenue Railroad Company. Rain fell the day after, and on several succeeding days, affording relief to the travellers on this route, as well as the citizens whose domiciles are on either side of it, for which a feeling of gratitude was experienced by all. The respite from this dust nuisance caused by the rain, is over. The company, whose attention was called to the nuisance in the above letter, pay no attention to this appeal to them for relief, and the whole population, from Union place to Twenty-seventh street, travelling and local, continues to be cursed by an unbroken cloud of pestiferous and noxious dust. The eye, even were it not blinded by it, could not penetrate it, whilst every opening—mouth, nose, ears, and every lattice of every dwelling, every grocery, and store, and the very cooking, is filled with this never abated nuisance—never abated, save when heaven, in mercy, sends rain.

There are going on this route, night and day, the Centre street, and Harlem, and New Haven lines of cars, with the back tracks of caravans of horses, dragging poles, stirring up dust in columns, whilst omnibuses, ever stopping on either side the track, unite their agency in the same work, until altogether, the Fourth avenue, from Union place to Twenty seventh street, is one continued and loathsome nuisance.

We believe, sir, "nuisance" is the word. It means, in law, something that incommodes the neighborhood." Then, sir, if every man, woman, and child, residing and travelling on this route, is not incommoded by this disgusting dust hurricane, which drives its fury upon all, day and night, then no other kind of nuisance need ever be remonstrated against, and no prayer offered to your honor, to cause it to be abated.

Sir, the travel on this Fourth avenue, as well as the residents on either side of it, claim your interference—they implore it. It is with reluctance, sir, that the annoyed trouble you. The slightest regard to the comfort of travellers in these cars and omnibuses, should prompt their money amassing owners to stay this dust pestilence, and especially as about twenty-five per cent more is required for passage on this Fourth avenue route, and in very inferior cars, than is charged on the Sixth and Eighth avenues, in superior cars—superior in both size and comfort. A very little portion of this excess would be needed to make the way tolerable; and yet with stolid insensibility these companies gripe their excess of fare, pocket it all, and leave those who pay it to endure this disgusting nuisance, the whole of it made by their own action.

As a decent respect for the public comfort is not strong enough, (after the request that has been made in the letter at the head of this address,) to induce these parties to abate this nuisance of their own making, you are respectfully solicited to take such steps as shall compel them to it.

MANY CITIZENS OF THE FOURTH AVENUE.

NEW YORK, May 14, 1853.

A NEW PLANET.—A circular from the office of the *Astronomical Journal* makes the following announcement:—A circular has been received from Professor Peterson, announcing the discovery of a new planet by Professor de Gasparis, on the 5th of April. It resembles a star of the twelve magnitude. Professor de Gasparis observed it as follows:—

	M. T. Naples. h. m. s.	(24) App. a. h. m. s.	(24) App. d. d. m. s.
1853, April 6	8 45 34	11 4 17.15	+6 48 40
1853, April 7	9 16 48	11 3 50.15	+6 50 48

The symbol of Phocea, discovered by Mr. Chacornac on the 6th of April, should be (25) instead of (24.)

Cambridge, May 13, 1853.

CREDIT TWO LIVES TO RAILROADS.—On yesterday, Dr. Charles Branch was called upon to give his professional aid to some sufferers from a railroad accident, said to have happened the down train from Columbus. With a horrid anticipation of mangled flesh and shattered bones, he repaired to the spot indicated, and learned that his services were required in a matter of another character, though it might legitimately be called a "railroad accident." Two German ladies, it seems, were delivered, one of of a bouncing boy, and the other of a promising girl. The railroad is, in this case, certainly entitled to a credit for two lives. It is quite a relief, after chronicling so many cases in which life has been lost, to state a fact of this kind.—*Cincinnati Commercial, May 12.*

John Lowry, who pleaded guilty in Cincinnati to the charge of killing a man named Moore, has been sentenced to the penitentiary for seven years.

The Buffalo Calamity.

The Buffalo *Commercial Advertiser* of the 14th inst., furnishes the latest particulars in relation to the fall of the building on Main street in that city, nearly opposite that office. We condense from that paper.

The building was four stories high, eighty feet deep, and thirty-five feet front. It was originally intended for two separate stores, and was divided by a partition wall from front to rear. The wall had been removed on the first floor, and iron columns were inserted. The difficulty appears to have been in the structure of the centre foundation wall beneath.

The building fell with a tremendous crash, leaving only the front wall standing, and carrying with it fifteen or twenty workmen, and piling one story upon another through into the cellar. This occurred about five o'clock, Friday afternoon.

Immediately after the fall, three men were rescued from the front of the building, and two from the back. Their names were as follows:—Charles Goodhue, clerk to Mr. Glenny; George Nickolaus, workman; Conrad Diehl, do.; Warren Sawyer, do.; Michael Richardson, do.

Of these, Mr. Goodhue, Conrad Diehl, and Michael Richardson, were injured, but not seriously; the other two escaped entirely unhurt.

Mr. Hefford, master carpenter, was taken out dead from among the rubbish in front of the building.

Nearly the same time the body of a laborer was discovered. While endeavoring to reach it, the hand of one of the workmen was firmly grasped by the lad Geo. Kinsky. He was firmly wedged in between the timbers, but rescued alive.

The following is the list of those dead and missing:—

John Hefford, carpenter and joiner; George N. Johnson, foreman; Lawrenz Fulner, laborer; Anthony Anthrop, laborer; Michael Hadley, mason—dead; Thomas McGurn, mason; John Beachan, laborer; Henry Dexter, laborer; Henry Steinhoffen, laborer, George Hoag, laborer—missing.

From this it will be seen that there are certainly five more bodies yet to be exhumed. It is feared, however, that this number may be increased, as others are supposed to have been working in the building whose names we have been unable to ascertain.

Florence Hawes was rescued, ankle badly crushed. Jacob Colbraner, was also rescued much bruised, though not seriously injured. Charles Hunce, was at work on the first story; he received a blow on the back of his head, and was knocked into the street; he was stunned, but speedily recovered. Mr. Glenny's book-keeper had a narrow escape. Michael Richardson was in the cellar. He crept out after the fall uninjured. Lawrenz Fulner had his neck dislocated by the fall. Died.

Steamers and Clippers.

TO THE EDITOR OF THE NEW YORK HERALD.

UNITED STATES REVIEW OFFICE,
251 Broadway, N. Y., May 17, 1853.

SIR:—In your issue of yesterday you made reference to an article in the *United States Review*, entitled "The United States and the United Kingdom." From the necessity of condensing your material you "boiled it down" to the following brief epitome: "the writer," you say, "affects to disregard our sailing vessels, and rests his hopes of defeating the British navy, and subjugating Great Britain on the superior excellence of our steamers."

Unconsciously you have fallen into a singular error. The article in question is diametrically opposed to the interpretation you place on it; indeed, had you quoted it correctly, it would have been a strong additional argument in favor of the position assumed by yourselves. So far from being "Old Foggyish" in tone, it is, if anything, in advance of the day; at least we may conclude so when the HERALD advocates the same position.

You will, we trust, set us right in this respect, especially as by so doing you compliment yourselves, and adopt the judicious opinion of the reviewer, who, from the greatness thrust on him, must certainly be worthy of imitation.

We enclose the article *in extenso*, and place it at your service. Whether it be quoted at length or epitomized, we are confident it will have justice and appreciation at your hands. Very respectfully,

Your obedient servants,
CONDUCTORS OF THE UNITED STATES REVIEW.

[From the United States Review, of May, 1853.]

Great apprehensions have been felt and expressed in regard to the six or seven hundred war steamers, it is stated, England now possesses, many of which are by this time only calculated to figure in the navy list, among the old hulks of antiquity. It seems to be the prevailing opinion that she has only to put as many soldiers as she pleases on board, and scour the coast of the United States, both on the Atlantic and Pacific. But it should be borne in mind that steamers occupy the place of men of war of the old stamp, and that consequently the actual naval force of England has not increased since the late war. It has only changed its nature, and it remains yet to be seen whether the change will be advantageous. This species of force has never been tried through all the vicissitudes of war, and its efficiency is yet to be tested. It may answer very well against the feeble nations of the East, but has not yet encountered Old Ironsides. The only occasion in which war steamers were brought into collision, calculated to try their capacity for defensive or offensive war, except against the Chinese and Bornese pirates, was the attack of the French Squadron on San Juan de Ulloa, where the steamers were so mauled that they were obliged to withdraw out of the reach of the enemy's fire.

We repeat it remains yet to be seen whether, all things considered, they are superior as means of defence or annoyance to the old class of ships of war. As we are following, as usual, headlong in the track of England, who, finding herself inferior in the old mode of warfare has adopted a new one—it may not be amiss to consider this important subject a little more critically. It involves a question of the highest moment, namely, whether the United States shall in a great measure abandon that system of naval warfare, in which they have shown a decided superiority, and adopt one in which, for aught we know, that superiority may be transferred to an enemy? It therefore becomes a question of vital importance, whether, all things considered, war steamers are superior to the old class of ships, or whether any advantages they may possess, are not more than counterbalanced by greater defects which experience will make manifest.

In the first place, they can never become efficient cruising vessels on the high seas, from their incapacity to carry a sufficient quantity of fuel, as well as from the fact, now pretty well demonstrated, that their speed under canvass cannot compete with ordinary sailing vessels. They must return to port to replenish their fuel at the end of every three weeks. There has, as yet, been no successful attempt to combine speed under steam, with fast sailing under canvass. The two war steamers, Missouri and Mississippi, the most efficient and perfect ever constructed, were, to our certain knowledge, mainly intended to ascertain as far as possible, the practicability of this combination. But the experiment was not satisfactory, and we believe the combination impossible

In the second place, in all great exigences of battle or storm, this class of vessels must rely on their engines alone. Their machinery, being their sole dependence, is greatly exposed to the fire of an enemy, who would, of course, aim at it most especially, because to disable it would be decisive of the contest. In addition to this, the management of the engine requires a watchful attention a cool self possession, and self command in the heat of action, which might not always fall to the lot of an engineer, who, perhaps, for the first time is placed in such a predicament. It is clear that the result of the conflict would depend more on the engineer than the commanding officer.

In the third place, those who have been accustomed to watch the movements of steamers must have seen that they cannot compete with vessels under canvass if there is anything like a sailing breeze, in putting about, or in any ordinary evolution, except that of stopping short and going backwards. In order to make a circuit, they require far more time, as well as space, than sailing vessels, and this of itself is a most serious, if not decisive disadvantage in the manœuvres of a sea fight.

In the fourth place, they must of necessity be greatly inferior in the number of guns to an old fashioned man-of-war, because a large portion of their space is occupied by machinery and fuel. The English have sought to remedy this by guns of greater calibre and weight by hollow shot of a vast size, and other expedients equally ingenious and nugatory.

The Quickest Trips Across the Atlantic

TO THE EDITOR OF THE HERALD.

As we are entering the season for short passages to be made between England and America, I thought I would take the liberty of addressing you on that subject, so that the public may know to which steamship to give the credit of making the quickest run across the Atlantic Ocean. As you are the best medium of communicating to the public I address you.

The United States Mail Collins steamship Baltic, Captain Joseph J. Comstock, sailed from Liverpool on the 6th August, 1851, at 4 P. M., and at 6.15 P. M. was off Rock Lighthouse. She had very fine weather until she was off Sable Island, when she was enveloped in a dense fog for twenty-two hours, and was compelled to run at half speed. She was met by the newsboats off Halifax, and stopped to deliver papers, &c., and arrived off Sandy Hook on the 16th August, at 4.30 A. M., and arrived abreast her berth, foot of Canal street, New York, at 6.15 A. M. precisely. Taking her time from Rock Lighthouse, England, to Sandy Hook, America, the distance being 2,031 miles or thereabouts, and her passage is nine days, ten hours, and fifteen minutes, the shortest on record; but if you do not choose to take her time between the above points, take it from dock to dock, and it is nine days, fourteen hours, and fifteen minutes, also the shortest on record. Her greatest day's run was 340 miles, but she has since made 351 miles in twenty four hours. I do not add or substract difference of longitude, (five hours—I take the time as it is.

The following is a list of the quickest passages ever made across the Atlantic Ocean, taking the time between Sandy Hook and Rock Lighthouse:—

	d.	h.	m.		d.	h.	m.
Baltic, (Am.)	9	10	15	Asia, (Br.)	10	0	10
Arctic, "	9	17	45	Africa, "	10	3	0
Pacific, "	9	20	05	Arabia, "	10	3	30
Atlantic, "	9	22	00				

In the above list I have only given the quickest trips made by each steamship. You will see the Baltic has beaten the Arabia's quickest trip by seventeen hours, although the Arabia had fine weather the whole passage; whereas the Baltic was in a dense fog for twenty-two hours, &c. The greatest day's run of the Arabia was 321 miles; of the Baltic 340 miles on that trip, but, as I said before, she has made better time since. The English have yet to build a steamship that will execute more speed or show more power than the Baltic, or any one of the Collins steamships.

OLD SUBSCRIBER.

DEATH FROM OBSTINACY AND MORTIFICATION.—A man named Daniel Sullivan died at the Massachusetts hospital on the 14th instant, under singular circumstances. On Wednesday he was injured by collision with the cars on the Worcester Railroad, near Tremont street, while walking on the track, one of his legs having been fractured below the knee. Mortification set in, and he was informed that the only way to save his life was to submit to amputation. The operation could easily have been performed under the influence of ether, but he obstinately refused, declaring, martyr-like, that he would die first. He kept his word, and died. The deceased was thirty years old, and leaves a family.

American Sunday School Union.

TWENTY-NINTH ANNIVERSARY.

The Twenty-ninth anniversary of this institution, whose work lies at the foundation of all our religious charities, was held in Philadelphia, May 17, 1853.

From the exhibit made on the occasion, it appears that the principal receipts and expenditures for the year were as follows:—

RECEIPTS.

The receipts have been $217,014 63; of which $52,351 58 were donations, and 8,082 67 legacies; $150,875 57 for sales and in payment of debts, &c.; from tenants renting rooms of the society, $2,353 01; loans received, $3,351 80. Balances from last year, $3,073 31.

EXPENDITURES.

Salaries and expenses of 169 missionaries and agents, and donations of books to destitute Sunday schools, &c., $60,662 71; for stereotype pl