THE COX DIVORCE CASE.

Superior Court.

Before Chief Justice Oakley.

MARCH 24.—*Richard Cox vs. Ellen Catharine Cox.*—The Court room was, as usual, during the previous days of the trial, densely crowded. Among the spectators there was a large number of ladies. The jurors having all answered to their names this case was resumed by the defendant calling Mrs. Sherwood to the stand, who, being sworn and examined by Mr. Gerard, deposed she knew Mrs. Cox for ten years; when she kept the boarding house in St. Mark's place I lived in Twenty-second street; I was then in the habit of seeing her often, perhaps twice a month; she used to come and see me and I would go and see her; I had a cousin a young man eighteen years of age, who boarded with her; I have seen Mrs. Cox frequently have a brown veil in her hand, and she would put it on when leaving the house; I never saw her with a calico dress on, or a hood or a woollen shawl; she told me her husband had persons watching her. (Objected to.)

Q. Used she to be alone or did she walk with any one? A. My cousin, the young man I referred to, used to come with her.

Cross-examined by Mr. Stoughton—I am married; my husband is a house carpenter; my maiden name was Rose; my father's name was Rose; he lived at Haverstraw, Rockland county; I was a dressmaker before I was married; I am some fourteen years in this city; I worked in several places; I worked at Dr. Anthon's; I learned my trade at Mrs. Garrison's; when I first knew Mrs. Cox she lived in the house where her first husband lived; I can't remember where it was, as I was quite a child; I came to the city when I was fifteen years old; I first saw Mrs. Cox at Rockland county; I think I first saw her in this city at the house of my aunt, Mrs. Crosswise, in Christopher street; my mother and Mrs. Cox are own cousins; I know a Mrs. Jane Swift; she lives in Christopher street; I have not known Mrs. Cox to live anywhere out of the city; I never knew her to go South.

Q. How old are you now? A. Has that anything to do with the case? (Laughter.)

Mr. Gerard—Answer the question, Mrs. Sherwood.

Witness—I was born in 1822; my cousins name is Peter Rose; I have seen him come to my house with Mrs. Cox; I have seen her put a brown veil over her black one; she always wears a black veil; I have called on Mrs. Cox; I never called on her during the time she lived with Dr. Cox. Q. Were you acquainted with him? A. I saw him one evening coming out of church and was introduced to him.

The Rev. Lot Jones deposed—I knew Mrs. Cox when she kept a boarding house in St. Mark's place; I am an Episcopalian clergyman.

Q. Do you know that she was watched by her husband and his emissaries? (Objected to.) A. I do not know it of my own knowledge; she told me that she was watched.

Q. Did she say by whom? (Objected to; ruled out.)

Cross-examined.—I am a clergyman of the Episcopal church; I administered the rite of baptism to Mrs. Cox in 1849. Q. I wish to know if a person can be a communicant of that church without the rite of baptism? A. She could not; she was a communicant after that; it was during the illness of her first husband; I think in 1849; I baptised herself and her husband; I had not known her previous to that; they were not members of my church before that; my church was at Stanton street; the name of the church was the Mission of the Epiphany; the Rev. Mr. Southard was absent during that season; the Rev. Dr. Hawkes had not taken charge at that time; he was not called there until 1850, I think; the confirmation of Mrs. Cox was, I think, in 1850.

The Court thought the question immaterial.

Mr. Stoughton said that Mr. Gerard had stated, in his opening, that Mrs. Cox was a communicant of that church, and afterwards with Dr. Hawkes, for ten years.

John Gillilan, examined by Mr. Gerard—I have lived in this city for almost 72 years; I own property in the neighborhood of Varick street; I live in that neighborhood, at 228 Varick street. Q. How near to Mr. Senior's? A. I rented the store and back room to Mr. Senior; I lived in the house at the time; I live next door to him now; I know the young man Edward Ayres.

Q. Do you know his general moral character? (Objected to.)

Mr. Schaffer said the question should be his "general character."

Q. Do you know his general character? A. I do; I never heard anything good of him. (Laughter.)

To the Court—His general character, by reputation, is bad.

Q. Would you believe him under oath? A. No. (Laughter.)

Cross-examined—I was in the bootmaking business when I built the property in Varick street, lived on it; I have known Mr. Ayres for years; have frequently spoken to him; I knew Mr. Senior ten or fifteen years, or as many as twenty; this young man (Ayres) worked for Mr. Senior; I don't know any of his acquaintances; we never kept company; I have frequently spoken to him; I never had any particular conversation with him; I did not know an acquaintance of his, except a Mr. Wilson and Mr. Senior, in whose employ he was; I know his father by sight. Q. Did you ever hear a person speak of him? A. I have. Q. Name them? A. My wife and daughter, and persons in the house; those are not all the persons I have heard speak of him; I don't recollect their names now; I never made free with him, though he made rather free with me sometimes; (Laughter;) It is from 4 to 6 years ago I heard him spoken of by my wife and daughter.

Q. Has he ever provoked you by any of his boy's pranks? A. I would rather not answer that question; it is coming a little too close.

The Court said the witness must answer the question or the counsel must withdraw it.

Mr. Stoughton did not press it.

Q. Who else did you hear speak bad of him. A. Mr. Drake and Mrs. Drake, and all the tenants in the house. (Laughter.) Mr. Drake lives now in Bleecker street; Drake ceased to be a tenant of mine in the year 1850; I believe he went to corner of Downing and Bleecker streets; I don't know when Mr. Ayers left Mr. Senior.

Elizabeth Hawkes examined and deposed—I am a married lady; my husband is John W. Hawkes; I know Mrs. Cox; I am her niece by marriage; my husband is her nephew; when Mrs. Cox lived in St. Mark's place, I lived in Prince street; she was in the habit of coming to my house frequently; she always wore a black veil, and generally had a brown veil, also.

Q. Is it usual?

Mr. Steughton said that they could bring witnesses to prove that it was not.

The Court said the testimony was proper as from the plaintiff's testimony they wanted to show that the defendant was in the habit of going out disguised.

Q. Is it usual for ladies who have a black veil attached to their bonnet to wear a black or green veil over it? A. It is.

Q. For what purpose? A. To keep the sun off in summer and the cold in winter; I never saw her wear a calico dress, or a plaid shawl, or a woollen shawl, or a hood in the streets; she has been to my house one afternoon in June and stayed to take tea, and told me she had been to Mrs. Graff's; I did not visit Mrs. Cox in St. Mark's place, as I was ill all that time.

Cross examined—My husband has a fish stall in Washington market; I have called on Mrs. Cox when she lived with Mr. Cox; Mr. Cox called at my house once; Mrs. Cox has frequently called on me, and I recollect that one evening in June, 1853, she took tea with me, there may have been some occasions when Mrs. Cox did not call on me for a couple of months; I can't recollect whether she called on me in February or March of that year; I now live at 185 West Thirtieth street.

James M. Murray, deposed:—I am clerk of the Second District Police Court.

Q. Have you papers of the Court, showing a complaint against Dr. Cox? (Objected to.)

Mr. Gerard said he proposed to show that there was a charge made against Dr. Cox, before Judge Stuart, in 1852, for making a false affidavit. We offer it to show that there were other reasons for Dr. Cox and his wife living unhappily. Mr. Schaffer was then counsel against Mr. Cox, and an angry controversy took place.

Q. Was there a charge made against Dr. Cox for perjury? A. There was, sir.

Q. When? A. In July, 1852; it was terminated in 1853; Mrs. Cox attended in Court frequently with him.

Cross-examined by Mr. Schaffer—The complaint was dismissed; Mr. Cox did not go into any defence.

Q. Do you recollect that it was conceded by counsel that the mistake of Dr. Cox was a mere point of law? A. I cannot recollect.

Q. Do you recollect if it was as to whether there was a tenancy at will or from year to year? A. There was considerable argument about that; I don't know the lawyer that drew up the papers.

Q. Do you know that the investigation was continued at the request of Dr. Cox? A. I know he was very anxious for it to go on when it was postponed.

Q. Do you recollect that the counsel agreed that no suit for perjury could be predicated on the affidavit of Dr. Cox, and that Dr. Cox was anxious that the case should be thoroughly investigated? A. I do not.

Mr. Gerard now proposed to read the letters of Dr. Cox to Mrs. Van Wyck from the time of their first engagement up to the time of their marriage.

Mr. Schaffer objected. It might be very entertaining to have love letters read, but he shouldn't like to have his brought into court, nor would the learned gentleman either. (Laughter.)

Mr. Gerard—You may read mine as soon as you like. He proposed to read those letters to show that the man was not, as he alleges, entrapped into this marriage, and to prove that from under his (Mr Cox's) own hand he gives the lie to the character which he now wishes to fasten upon the defendant. He offered them to show that Mr. Cox importuned her to marry him, and that she deferred the marriage from time to time until she had inquired into his character. He offered them to show that Mr. Cox knew the defendant's character before marriage.

Mr. Stoughton asked if the counsel offered those letters to show that Mr. Cox knew that this woman had graduated in a house of prostitution. If he offered them to show that Dr. Cox believed her to be a pure woman, then they (counsel for Dr. Cox) would prove that she was not pure. The counsel for defendant should not be permitted to show that Dr. Cox believed this woman to be pure unless the counsel for plaintiff be allowed to show that he was deceived when he so believed her. Mr. Stoughton proceeded to defend the character of Dr. Cox, who was well known in the ministry, and who had been, at the age of thirteen, a teacher in the Sunday school.

Mr. Gerard—You have forgotten that you allege that your client was entrapped into a hasty marriage.

Mr. Stoughton—You may read the letters if you permit us to bring testimony to show that Dr. Cox was mistaken as to the character of the defendant.

The Court had not the least difficulty in disposing of the question. He would not go into any transactions previous to their marriage, and therefore he would shut out the letters. The issue here was whether the defendant was guilty of adultery, and a man or woman may not be prepared to go into a defence of their actions for thirty years past. The Court, therefore, excluded the letters. Defendant's counsel excepted.

Mr. Gerard hoped that as the Court had excluded the letters, his Honor would protect his client from any accusations anterior to the marriage.

Mr. Schaffer called the attention of the Court to the statement made by Mr. Gerard, and which had been reported, namely, that we charged that on the grave of her husband this woman was guilty of adultery.

The Court—There is no such allegation as that adultery was committed on the grave of her husband, nor did Mr. Gerard charge you with saying so.

Mr. Schaffer repudiated the charge. There was no such allegation in the complaint. He drew it up himself.

Joseph Bridgham, deposed—I am connected with the United States District Court. Q. Have you any documents in your hand? A. I have two indictments.

The Court—What do you propose to prove?

Mr. Gerard—We propose to show that there were two indictments found against Hamilton R. Boone for forgery. Boone was not examined on the stand here, but his testimony was read to the Court. He also understood that there were indictments found against him in the Court of Sessions.

Mr. Stoughton objected. It appeared that both those indictments were quashed, but he did not know but it would be better to let them in.

Mr. Bridgham then put in the indictments; they were found in 1852.

Q. Why were they quashed? (Objected to and ruled out.)

Cross-examined—The word "quashed" is in my handwriting.

Mr. Stoughton—The learned gentleman, in his opening, said that Boone ran away to avoid the indictments, but it appears that he did not leave the city for three years after they were found.

John Searks, deputy Clerk of the Court of Sessions, deposed—I hold in my hand an indictment against Hamilton R. Boone for forgery.

Mr. Stoughton—It has been *nol. prossed* I believe? A. No, sir; it was found in 1853, during the time of Mr. Blunt; John W. Latson was the witness on the indictment.

Mr. Stoughton now understood why the indictment was quashed.

John W. Camp, deposed—I am a merchant, doing business in this city; myself and family boarded with Mrs. Cox in St. Mark's place, in 1854; my family consisted of myself, my wife and two adopted children; we boarded there for two months; it was a respectable house as far as I could see.

The witness was not cross-examined.

Augusta M. Woodworth, deposed—I knew Joseph Divver; I do not know when he died; he called at my house some two or three years before he died.

Q. Did he or not call at your house for a person named Mrs. Van Wyck? (Objected to).

Mr. Gerard desired to show that there was a lady of intrigue and pleasure in this city at that time of the name of Van Wyck, and that Divver was seen with her. [He here referred to the testimony of Boone, in which he said he got the name of Kate Van Wyck from Potter, &c.] Mr. G. offered to show, by this witness and others, that there was a lady of pleasure of the name of Kate Van Wyck, who frequented these houses; that Divver had been seen with her, and that she resembled the defendant. After some further remarks, Mr. Gerard said he meant to stamp this case with a conspiracy against his client, and to show that the plaintiff knew at the time that there was a person of pleasure of the name of Van Wyck; and he (Mr. Gerard) would show that Divver cohabited with that Kate Van Wyck.

Mr. Stoughton asked the learned gentleman what he meant by a conspiracy.

Mr. Gerard meant to show that this complaint was the result of a conspiracy.

Mr. Stoughton—It takes more than one to make a conspiracy. I should like to know who he means conspired with Mr. Cox.

Mr. Gerard—That is best known to yourselves.

Mr. Stoughton objected to the question.

The Court did not think that it was relevant to show that there was another person of the same name when the witnesses swore that defendant was the person. The testimony was excluded and exception taken.

Fanny Camp, wife of the witness of that name, deposed that she and her family boarded at Mrs. Cox's, in St. Mark's place, for ten months; I never saw her wear a calico dress, or a woollen shawl, or a hood; I don't think she ever did; Mrs. Cox has asked my son a lad of sixteen years of age, to walk out with her frequently. Q. Did she express any objection to walking out alone? A. She did. I don't know that there is any difficulty in a lady wearing two veils; I never saw her wear but one.

Cross-examined—I never saw her with a plaid shawl; she always went out very well dressed; my son frequently went out with her; I dont know that I ever walked with her.

Geo. W. Smith, deposed—I reside in East Brooklyn, formerly Williamsburg; my place of business is in Fulton street; I am in the woodware business; I know Henry E. Carhart; I am acquainted with his general character. Q. What is it? A. It is bad. Q. Would you believe him under oath? A. I would not; that is, if it is the man I have reference to; he lived formerly in Williamsburg.

Mr. Gerard—That is the man.

Cross-examined—He never dealt with me; he does not owe me any money; he made a contract with me for a bit of land on which he was to put up some houses, but before he did so he left.

Mr. Stoughton—Then he violated his contract with you. Did he ever pay up? A. He was not to make any payment; I was to pay him for putting up the houses. Q. Do you know his father? A. There is a man in East Brooklyn who they call his father, and I suppose he is.

Mr. Gerard—Do you speak of his general character from what the world says of him, or from any difficulty with yourself? A. From both, and from his testimony in another case.

Mr. Stoughton—Were you interested in that case? A. I was, sir.

William B. Harper, deposed—I live in this city; I am a watchmaker; I know Mr. Henry E. Carhart. Q. Do you know his general character? A. I have my opinion of it. Q. What knowledge have you of his general character? A. It is not favorable to him. Q. Are you acquainted with his general standing in the community? A. I know him about one year. Q. Is his general character good or bad? A. Bad. Q. Would you believe him under oath? A. I would not.

Cross-examined—I am well acquainted with Carhart; I did not go around with him; I saw him last at a loan office in Chambers street; I was watchmaker in the loan office; I was there as a sort of appraiser; it was there I saw Carhart; I never had a conversation with any one about Carhart; I conversed with no one about his character before I was subpoenaed; Mr. Byrne asked me about him; I formed my opinion of him from his own lips.

Edward H. Senior, sworn, deposed as follows:—I knew Mr. Joseph Divver; I did not bury him, and don't know the date of his death; I know the house 224 Varick street.

Abraham Meeker, sworn, testified as follows:—I don't know the day Capt. Divver was buried; I think it was in 1851; in the beginning of the year 1851, I think it was; it might have been fall as well as spring, judging from the kind of weather.

Mr. Senior recalled—I lived near 224 Varick street.

By Mr. Gerard—Have you or have you not seen a person going into that house who resembled this defendant (Mrs. Cox) and yet was not the defendant?

Witness—Yes sir, I have.

Q. How often were you in the habit of seeing her? A. Almost every day.

Q. How nearly did she resemble the defendant? A. Her general appearance and figure is very much like that lady, (Mrs. Cox.)

Cross examined—I have seen her often with the keeper of the house; I saw her all the time that house was kept; she was in it every day as a visiter; I think I saw her first as early as 1851.

Q. How long did she continue to pass your store? A. I recollect seeing her for a year or more; I also saw her in the house when I went to attend funerals there; she made no secret of going in or coming out of the house; I never saw the defendant before; she resembles the person I saw in 224 Varick street; I should think she was a somewhat younger woman than Mrs. Cox; I have seen Mrs. Cox only in court.

Mr. Senior recalled—I know Mr. Ayres; he worked two or three years for me; he is a pretty wild boy.

To Mr. Stoughton—He asked me to hire him, and I would not.

George W. French, sworn, testified as follows:—I am a naval officer of this city; I know Henry Carhart; his character, as far as I know, is very bad.

Mr. Gerard—I offer to prove by this witness that Carhart offered to swear in one case for money.

The offer was not accepted or allowed, and the witness resumed his evidence.

Cross-examined—I am entry clerk in the Naval office; I have been in the Custom House since May last; I have known Carhart five or six years; I have been pretty well acquainted; I met him in various places; in 57 Chambers street, in a place called the "Tea Room;" I met him in Broadway but never walked with him.

To Mr. Gerard—From my knowledge of his general character; I heard him once swear falsely in Court.

To Mr. Stoughton—I have had no difficulty with him; I knew him to swear falsely in the case of Charles French against Flinn White; I swore on the other side of the case but my testimony was sustained by the Court and jury; I knew him to swear falsely.

The Court took a recess of fifteen minutes at this stage of the examination, and on re-assembling the testimony for the defence was resumed.

Mrs. C. Lee was sworn, and deposed as follows:—I live at Cypress Hill, Long Island; I know Mrs. Cox; after her marriage she was in the habit of going to Cypress Hill to attend to business she had there; I visited her at St. Mark's place; I remember her going to Van Wyck's place in October, in the fall of 1853; she brought Dr. Cox's linen girl to my house; I took Mrs. Cox's baggage to the residence of Dr. Van Wyck; her business at Cypress Hill was to attend to the lots she owned at the cemetery.

Cross-examined by Mr. Stoughton—When I took her baggage it was in October, 1853; my house was on her way to Jamaica; I live near the cemetery; I have nothing to do with it—nor has my husband; the office is at the lodge where they let people in and out of the cemetery.

Other witnesses were called for the defence, but as none of them made their appearance, the case was adjourned till eleven o'clock this morning.

Ambalema Tobacco.

TO THE EDITOR OF THE HERALD

MONTROX, New Granada, Jan. 13, 1856.

It was night already when we arrived at Arjona, and as we were not expected, no dinner had been prepared for us. During the ride I had emptied my segar case, and as our luggage had gone on while we remained to visit General Santa Anna, I could not fill it from my own stock. I accordingly sent a boy to purchase for me a couple of dimes' worth of segars of the country, and for that sum he brought me two bunches containing sixty-four small segars, similar in size and make to the Manila cheroot. I was most agreeably surprised on smoking them. They had a mild, pleasant flavor, burn freely, and, in my opinion, were better than the Havana segars, which are made in Cuba from the tobacco de partido, although not equal in flavor to the true Vuelta de Abajo. On inquiry, I was informed that they were made from Ambalema tobacco. Ambalema is a province of New Granada, lying upon the upper waters of the river Magdalena, and its tobacco is esteemed in the London market as being inferior only to the true Vuelta de Abajo, and better than that of St. Jago de Cuba. Large quantities are already shipped to London and Bremen, in both of which places it finds a ready sale at high prices; but a merchant of Santa Martha told me that some lots which he sent on trial to New York did not do well. I suppose this was because our tobacconist were unacquainted with it. It seems to me that a fine opening is presented here for our tobacco and segar dealers, some little enterprise only being needed to establish the manufacture on a large scale, for the requisite kind of labor for the manufacture is abundant and cheap.

I find the above in the Sunday HERALD, and would say that the Ambalema tobacco was somewhat extensively used here some fifteen years ago, chiefly for wrappers, but has been superseded by American leaf raised from Spanish seed, in the States of Connecticut, Ohio and Pennsylvania. The Ambalema tobacco left a strong and unpleasant odor, although somewhat pleasant to the taste. The large quantities shipped to London and Bremen are chiefly made into common segars and imported to this country from there, and are known as "German segars," which have had their day, and are in very little demand at five dollars per M. JOHN G. WOODCUFF

The Staten Island Pardons.

TO THE PEOPLE OF THE STATE OF NEW YORK.

FELLOW CITIZENS—At a meeting of the citizens of the county of Richmond, held on the 17th inst., to take into consideration the conduct of Myron H. Clark Governor of this State, in pardoning divers persons convicted, at a criminal court recently held in this county, of corruption in office, extortion and riot at the polls, the undersigned were appointed a committee to address you in their names and on their behalf, on the subject of such executive conduct, as a matter affecting not only the free administration of justice in this county, but in the State at large.

The facts to which they would earnestly entreat your attention are these:—In the month of February, 1855, indictments were presented by the Grand Jury of this county, against Theodore C. Vermilye, Peter Butz, Thomas Garret and others, as members of the Board of Town Auditors of the town of Southfield, for having wilfully and corruptly audited and allowed divers illegal bills, chiefly presented by themselves, against that town, amounting, in all, to nearly $3,000. Separate indictments were also at the same time presented against them for having wilfully and corruptly extorted from said town, under color of their offices of Justices of the Peace, Town Superintendent of Common Schools and Town Clerk, moneys amounting in the aggregate to more than $1,200. At a Criminal Court held in this county in February last, they were again indicted for a repetition of these offences as town auditors, and also for riots at the polls, which last indictments are now pending and undetermined. The prisoners were brought to trial on the first of the above indictments at the court in February last, and after a fair and impartial hearing were convicted and sentenced to fifteen days' imprisonment in the county jail, and to pay a fine of $150 each. They then severally pleaded guilty to the indictments for extortion, and were sentenced each to pay a fine of $100.

At the same court Abraham B. Vanderzee and David McLyman were indicted, tried and convicted, first, for wilfully and corruptly disturbing the electors and presiding officers at the annual town meeting; and second, for wilfully and corruptly entering into a conspiracy to destroy the ballot boxes at the same election, and for consummating the conspiracy by kicking them over while the votes were being canvassed, and attempting the destruction of the ballots. They were respectively sentenced to three months' imprisonment in the county jail, and to pay a fine of $25.

When these somewhat notorious offenders were thus brought to justice, an almost universal feeling of satisfaction pervaded the community. We had long been kept in terror by riots at the polls, frauds upon the treasury, and high crimes in official stations; and now that there was a prospect of relief we all breathed freer, and congratulated ourselves on the future. A very large number of our most respectable citizens, without distinction of party, addressed to the prosecuting counsel a letter, highly complimentary to him, to the Court, and to the jury, for the honest, fearless and faithful discharge of their respective duties, and congratulating our citizens upon the prospect of a purer and healthier state of affairs.

But this bright picture was soon destined to be clouded. The Court adjourned on the 29th of February, and a rumor soon got into circulation that an application was to be made to the Executive for the exercise of his clemency in behalf of the prisoners. The District Attorney immediately addressed him a letter, alluding to the rumor, and requested to be notified of any such application, and to be furnished with copies of the papers presented, in order that he might lay before his Excellency the testimony and documents necessary to enable him to arrive at a correct understanding of the cases.

To this respectful communication the Governor vouchsafed no reply, but on the 10th instant the District Attorney was served by the prisoners with a brief notice of their intention to make such application, without specifying the time when, or the facts or papers upon which it was to be made.

Overlooking the discourteous treatment of his Excellency, and determined fully to discharge his duty, the District Attorney again wrote him, enclosing the testimony in the cases, with an abstract of the indictments and sentences.

Again his Excellency deigned not to take notice of the public prosecutor, and the first intimation that was received of his action was an announcement in the public prints that all the convicts had been pardoned on the 14th instant, and borne by their friends in triumph from the prison amid bonefires and rejoicings. Without one word of communication with our authorities—without assigning a solitary reason for his conduct—with a stroke of his pen he reverses the whole action of our court, our juries and our public prosecutor, throws open the prison doors, and once more turns loose the criminals upon society, emboldened to a repetition of their offences. The news fell like a thunderbolt upon this startled and indignant community. A pall of gloom was spread over the whole island—an indefinite sense of insecurity and dread was in the bosom of every citizen. We felt that we could no longer look to our laws for protection—that our courts were powerless—our public prosecutor paralyzed—our treasury exposed to plunder, and our ballot boxes at the mercy of lawless ruffians. We know not whither to turn for the protection of our property and our rights. A spontaneous call was made for a meeting of our citizens, to express their sense of this shameless outrage, and to consult upon means of safety for the future. One of the most numerous, respectable and intelligent bodies ever assembled in the county responded to the call. There, too, assembled the pardoned convicts and their friends in a dark mass—a striking commentary on the beneficence of executive clemency—to overawe and suppress the voice of the meeting. But law and order triumphed, in obedience to the resolutions of that meeting, we have addressed to you this expression of their sentiments.

Such, fellow citizens, is a plain and truthful statement of facts, and a faithful picture of their consequences, for which we solicit your earnest consideration. We wish to address you independent of all party feeling, for the principle involved in this wholesale and shameless exercise of the executive prerogative is infinitely higher and holier than any political considerations, and is alike threatening to men of all parties and all persuasions. The zeal of partisanship, incident to every good cause, may strive to drag it down to the mire and dirt of politics, but it rises far above all such influences. We believe that a similar abuse of the pardoning power is not to be found in the history of any free people. We believe that, taking, as it does, from our citizens the protection of the laws, it tends directly to anarchy and confusion. Coming, too, at a time when crime is fearfully on the increase in our country—when corruption in office stalks abroad at noon day over the whole length and breadth of our land—and when the public prosecutors of our neighboring counties, confessing their inability to grapple with it, lay down their indictments in despair, it is well calculated to startle the wisest and best among us, and to cause us to tremble for the permanency of our institutions.

The whole Union is agitated for the protection of the ballot boxes in Kansas, yet our county is denied by the Governor the poor privilege of enforcing the laws for the protection of its own. We dread the baneful effects of this high handed outrage, as affecting not alone the correct administration of justice in Richmond county, but as tending to paralyze it throughout the State. If the Governor can thus ruthlessly throw open our prison doors, without consultation with our authorities, without responding to respectful communications from our officers, without assigning one reason to satisfy an outraged and startled community, why may he not repeat the offence in every county of the State whenever a similar temptation or a similar amount of personal or party influence is brought to bear upon him? To-day, the case is ours; to-morrow, it may be yours.

But you may be told that we are laboring under excitement. It is too true. We are excited—we are indignant. A free people, entitled to the protection of its government, can not well preserve calmness under such outrages. Lethargy, in time of such danger, would be a fatal symptom. We are battling for the protection of our laws—to uphold our courts—to preserve the purity of our elections—to guard our treasury from plunder; and is there nothing in this conduct of the executive to justify our fears and our indignation? And when we utter with emphasis the language of truth, shall we be told that we are unduly excited? No! We feel strongly. We speak strongly. Apathy would be criminal under such circumstances. Woe was this government when its citizens can tamely submit to the grossest encroachments of the executive—when they become indifferent to the punishment of crime or careless about the administration of their laws.

We are aware that various pleas have been devised and put forward, by a portion of the press, to screen the Governor from the indignation which his conduct has already aroused in this country, and which it is so well calculated to arouse throughout the state. Be not deceived! So far as we are aware, his offence is without mitigation.

It is not true, as has been alledged, that political excitement had aught to do with the conviction of these men. It is not true that there was doubt of their guilt, for they plead guilty to three of the five indictments, and on the remaining two their guilt was established beyond all doubt. The whole theory of the pardoning power, as we understand it, is that it should be exerted only in favor of those who have been convicted by perjury, or whose innocence has been established by testimony which has come to light subsequent to their trials.

It was never intended to be used for party purposes, or to be exercised for the gratification of party or personal friends. Never before have we known an Executive to presume to pardon where the prisoners have plead guilty to simimiar offences. Never before have we known him to enter county prisons and remit fines for extortion amounting to only one-fourth of the sum extorted.

Never before have we known him to set up his judgment above that of the court which tried the prisoners, and without giving the public prosecutor an opportunity to be heard, or inquiring into the facts; deciding that fifteen days' imprisonment and $150 fine was too severe a punishment for corruption in office, by which the public has been plundered of thousands, especially when the prisoners stand indicted for a repetition of the same offence.

Never before have we known him to condemn a court by reversing, as too harsh, its sentence of three months' imprisonment in the county jail, of men who have wilfully disturbed electors at the polls, knocked over ballot boxes, and conspired to break up elections. Above all, have we never before known him, when penetrating these acts of "general jail delivery," to perseveringly turn a deaf ear to the only persons who were familiar with the facts of the cases, and receive alone the representations and solicitations of those who were entirely ignorant of them.

In vain have we cast around for an extenuating circumstance in the commission of this series of high handed offences. We can find none—not even that so kindly suggested by the resolutions of the meeting at which we were appointed, namely "party expediency." To extend to his Excellency this excuse would not be even covering him with the mantle of charity.

We can discover no palliation in that blind obedience to party which requires a violation of official duty—a disregard of the courtesy and respect due to other officials—and the infliction of an irreparable injury upon society. Could we find such, then indeed would we despair of our institutions. We are aware that party corruption, for the last few years, has been advancing with rapid strides.

But far as it has progressed—threatening as it has become—we are not prepared to believe that the permanent injury which has been inflicted upon us by this disgraceful exercise of the pardoning power, is wholly the result. For the sake of humanity, we would wish to think otherwise.

In calling your attention, fellow citizens, to these grievances, we have been actuated solely by a desire to arouse you to a sense of the danger by which you are threatened. In our country, executive usurpation springs into existence, like the fabled goddess, fully armed—but feeding on party spirit, its growth is silent, its encroachments so gradual. But the conservative spirit of our people will always check it, if aroused by offences so startling in their character as those we have presented.

We would, therefore, put you on your guard. You have suffered in us. No injury can be sustained by a single portion of the commonwealth without the whole body being affected. A blow cannot be inflicted upon one member without it is felt by every other.

Trusting that you will be thoroughly awakened to the danger which threatens you, and duly sympathize with us in the wrongs we have sustained, we ask your aid in our efforts to procure a legislative committee to investigate the conduct of the Governor, with a view to impeachment; and if that fails, to procure the passage of an act limiting and guarding his power in future to commit similar offences.

SAMUEL BARTON,
DANIEL L. CLAWSON,
LOT C. CLARK, } Committee.

STATEN ISLAND, March 22, 1856.

KANSAS LEGISLATURE.—A paragraph appears in the Independence *Despatc*, of the 13th, stating that the troops had marched from Fort Leavenworth, by order of Governor Shannon, to Topeka and dispersed the bogus Legislature in session there. We have information from Kansas of quite as late a date, and are satisfied that the rumor is without foundation. That warrants will be issued against the mock Legislature, and that they will be arrested, is very probable, but the occasion is not likely to arise when troops will be necessary to check the operations of pretenders. The courts will dispose of them quite as effectively as the military.—*St. Louis Republican, March* 21.

EXTRA SESSION OF THE VIRGINIA LEGISLATURE.—It is understood, says the Richmond *Whig*, that the Governor of the State will convene the Legislature, in November next, to complete the mass of business left unfinished in the two houses.

RECEIPTS OF COTTON IN NEW ORLEANS.—The receipts of cotton at New orleans on the 15th inst., were somewhat larger than they had been for some time within the same number of hours Up to six o'clock, P. M., they amounted to a total of 12,050 bales.

RECEIPTS AT MR. EVERETT'S LECTURE.—The ladies of Richmond, Va., realised $858 from Mr. Everett's lecture.

FINANCIAL AND COMMERCIAL.

MONEY MARKET.

MONDAY, March 24—6 P. M.

The stock market was active to-day, but by no means buoyant. The most important and decided movement to-day was in Galena and Chicago, which advanced two per cent from the opening, on the sale of about four hundred shares. Cleveland and Toledo sold pretty freely to-day, and slightly improved from the opening. Reading, Erie, Hudson Railroad and others were sold to some extent at lower prices. At the first board Nicaragua Transit declined ¼ per cent; Pennsylvania Coal, ¼; Erie, ⅜; Reading Railroad, ¼; Hudson Railroad, ¼; Panama Railroad, ½; Cleveland and Pittsburg, 1¼. Illinois Central bonds advanced ¼ per cent; Michigan Southern, ¼; Galena and Chicago, 2¼; Cleveland and Toledo, ½; Milwaukie and Mississippi, ¼. A small sale of New Jersey Railroad stock was made to-day at 122 per cent; Hartford and New Haven Railroad stock sells at about 122 per cent, while Galena and Chicago—a better and more productive stock than either of them—is selling at 114 per cent. This cannot remain so long. The Galena road earned in February this year $97,000 against $73,000 for the same month last year—a larger per cent increase than any other road in the country can show in the same time. Reading Railroad stock will not improve in market value much until the opening of river navigation. The coal business until then will be limited.

After the adjournment of the board the following sales of bonds and stocks were made at auction by A. H. Nicolay:—

$10,000	North. Ind. RR., Goshen Branch. Int. added		85¼
5,000	Clev. and Pittsburg RR., 1873 ...	do.	74½
20,000	Chicago and Miss. RR., 2d mort...	do.	49¼ & 49¼
3,000	Great Western RR. III 1st mort...	do.	74½
7,000	Illinois Central RR. ...	do.	87½
1,000	Marietta and Cin. RR. 1st mort....	do.	60
10,000	Lake Erie, W. and St. Louis do....	do.	78
15,000	do. do. do. 2d mort., flat		59
8 shares	Kidder's New York Gas Regulator		25
20	do. Union Ferry Co., of Brooklyn		100
50	do. Metropolitan Fire Insurance Co		90½
40	do. Enterprise Insurance Co		47
20	do. Arctic Insurance Co		98½
20	do. Astor Insurance Co		93¾
10	do. Rutgers Fire Insurance Co		97
75	do. Firemen's Insurance Co		180
50	do. Farmers' and Citizen's Bank of L I		66½
50	do. North River Bank		100
150	do. Hampshire Coal and Iron Co		3¾ & 3¾

Simeon Draper's regular semi-weekly sale of bonds and stocks will take place to-morrow, (Tuesday,) at 12½ o'clock, at the Merchants' Exchange.

The Board of Brokers adjourned this morning upon the announcement of the death of Nelson Robinson, Esq., a member. Mr. Robinson has been a prominent broker for some years, and has been engaged in and identified with some of the largest enterprises of the day. Upon the resignation of Thomas Townsend, Esq., as Treasurer of the Erie Railroad, Mr. Robinson was elected to fill the vacancy; but his health would not permit him to continue in the discharge of the duties devolving upon the position, and he resigned some time since. He was about retiring from business, and contemplated visiting Europe; but it was destined that all such hopes and anticipations should not be realized.

There was no second board to-day, and operations were all made outside. In the street stocks generally were lower. Erie sold at 56 per cent; Galena and Chicago, 113¾ a 114; Reading, 91. Hudson River was offered at 33 per cent, and no sales; Cleveland and Toledo, 77¼. The market closed weak with a downward tendency.

The Assistant Treasurer reports to-day as follows:—

Paid on Treasury account	$185,379 98
Received on Treasury account	175,522 10
Balance on Treasury account	5,213,070 36
Paid for Assay office	18 974 34
Paid on disbursing checks	57,729 28

The receipts to-day include $25,000 from Milwaukie.

The warrants entered at the Treasury Department, Washington, oh the 21st inst., were as follows:—

For the redemption of stocks	$20,771	4
For the Treasury Department	1,562 505	7
For the Interior Department	33,496	3
For Customs	69,345	8
War warrants received and entered	195,160	4
War repay warrants received and entered	561	4
From miscellaneous sources	589	0
From Customs	3,462	3

The receipts of the Illinois Central Railroad Company for the month of February were $119,907 10, against $59,324 same month last year. The Philadelphia, Washington and Baltimore Railroad received for the month of February $91,553 76, against $76,449 04 same month last year.

Dennis Kimberly and John C. Hollister, Esqs., of New Haven, are appointed Commissioners on the estate of the Jerome Clock Company. Wm. P. Burrall and Dwight Morris, Esqs., of Bridgeport are the Commissioners on P. T. Barnum's estate. The time for presentation of claims is limited to sixty days.

The Director of the United States Mint at Philadelphia, in pursuance of an authorization from the Secretary of the Treasury, has given notice that purchases of silver for coinage will be made on the following terms, payable in silver coins of the new issues:—

The silver offered for purchase will be weighed, melted and assayed, as usual, and the standard weight determined therefrom, in ounces troy, to the hundredth part of the ounce; and will be paid for (as at present) at the rate of one dollar twenty-two and a half cents per standard ounce. The receipt given at the first weighing must be presented by the seller or his order, and usually payment may be expected on the day following the date of receipt, or the second day following.

For the information of the public, it may be stated, that according to the above rate of purchase, the yield of various classes of coin or bullion will be about as follows:—

Five franc pieces	99 cents each.
Mexican and South American dollars	106¼ do.
Old Spanish dollars	106 do.
Revolutionary, or "hammered" dollars, often mistaken for the true Spanish dollar	101 do.
Half dollars of the United States coined before 1837	52½ do.
The same since 1837 to the last change of standard in 1853	52½ do.

Quarter dollars are proportionally less productive of premium, while dimes and half dimes coined before 1837 have lost rather more by wear, on an average, than the premium would make up; those coined since 1837, to 1853, will average a premium of 3½ per cent on their nominal value.

German, Swedish, Danish and Norwegian crowns	114 cents each.
Old French crowns	114 do.
German florins	41½ do.
Prussian and Hanoverian thalers	72 do.
American plate, best manufacture, 120 to 122 cents per ounce.	
German British plate 125 cents per ounce.