THE NEW YORK HERALD.

WHOLE NO. 7158. MORNING EDITION—FRIDAY, APRIL 4, 1856. PRICE TWO CENTS.

ADVERTISEMENTS RENEWED EVERY DAY.

NEW PUBLICATIONS.

PUBLISHED THIS MORNING, "A REVIEW OF THE Cyclopedia of American Literature," from the New York Herald. Price 20 cents.—Numerous applications having been made for copies of the New York Herald, in which this review originally appeared, after the edition was exhausted, an impression of it is now printed in a form suitable for binding, with the work reviewed. Published by the author, and for sale by all the principal booksellers. The trade will be supplied through STRINGER & TOWNSEND, 222 Broadway, New York.

SECOND EDITION NOW READY.—ADVENTURES OF MY COUSIN SMOOTH. BY TIMOTHY TEMPLETON, OF TEWKSBURY.

Members of Mr Pierce's Kitchen Cabinet are respectfully requested not to read this book.

Seldom has a book attracted so much attention in so short a space of time. Read the extracts from English and American criticisms. The following is from one of our poetical editors:—

If you ask me 'how in thunder"
Franklin Pierce so well succeeded
In embroiling our relations
With the foreign Courts of Europe?
I would answer, I would tell you,
Read "Our Cousin Smooth's Confessions,"
Read our cousin's strange adventures,
By Tim Templeton indicted.
He, a shrewd and cute Cape Codder,
Fresh from Franklin's Kitchen Councils;
Fresh from March's Kozzia etter,
And from Jeff.'s design on Cuba'
Fresh from Guthrie's "dwindling surplus,"
And the "spoil soup" cooked by Forney;
Fresh from "universal Buncombe,"
Went to Europe and succeeded
In assembling that 'Convention
At Ostend," which so bewildered
All the diplomatic fogies
Of France, Austria and England.
He has been behind the curtain,
Knows the ropes, and can explain them.
If you wish to read instruction
Fun and frolic, manly doctrine,
And an expose of humbug,
Read "Our Cousin Smooth's Adventures!"
By Tim. Templeton indicted.

Suggests to every sensible and patriotic American reader matter for serious and humiliating reflection.—N. Y. Evening Post.

Like the rambling Englishman, who so lately gave us an amusing history of diplomacy, his peculiar style gives him a fair claim to the title of the "rambling American."—New York Herald.

It is the general theme of conversation in diplomatic circles.—Washington Correspondent of the New York Herald.

Keen and searching, without being malicious, and must prove vastly entertaining to all who enjoy genuine satire.—N. Y. Saturday Courier.

An ambitious and really manly writer, who aspires to fill some niche, according to his talents, among those who desire that their names may survive awhile. * * * It (the pleasantry) plays about us as lambent as summer lightning.—National Intelligencer.

FROM THE ENGLISH PRESS.

A welcome guest, healthy of tone, and generous in sentiment.—Charles Knight's Town and Country.

The plea is not a bad one for exhibiting American place hunters at home and diplomatic agents abroad, nor is it wanting in acidity.—London Spectator.

We know he (the author) is a satirist of no mean order, and that his book will be thoroughly enjoyed.—London Critic.

A curious interweaving of political economy, social morals and that pithy apothegmatic philosophy peculiar to the observing Yankee, blended in a terrible satire.—London Despatch.

Containing, under the mask of irresistible humor, a bitter satire.—Plymouth Herald.

Should be read in these times of war and rumors of war.—Cambridge and Eaton Herald.

This is not the first time he has wielded a pen or levelled withering satire.—N. C. Guardian.

Cloth, 75 cents; paper, 50 cents.

MILLER, ORTON & MULLIGAN, Publishers, 25 Park row, N. Y.; and 107 Genesee street, Auburn.

NEWSPAPERS.

A NUT TO CRACK. Why is the expected King of Algiers like the result of the late divorce case? SEE YOUNG AMERICA, For this week, and be enlightened. Only 6¼ cents a number, or $2 50 per year. Young America is an independent, illustrated and satirical paper, devoted to no party or clique. For sale by all news agents, and by T. W. STRONG, 98 Nassau street, N. Y.

EVERYBODY'S BUSINESS—ARTISTS SHOULD LOOK out for the illustrated criticisms on the National Academy of Design, in the PICAYUNE, issued to day. The ladies must not omit seeing the four cuts on the spring fashions for bonnets in the same number. The great Beecher & Schnapps and Sharp's rifles case will set the North and South laughing. The comments on Colored People's Hall will distend the cachinatory muscles of the Bleecker street lers. That rare old darkey, Professor Julius Cæsar Hannibal, is this week up to his ears in "Kimmistry." To crown all, the great original story, "Dogged Steps," written expressly for the Picayune, by Douglas Jerrold, commenced in this number. Price only 3 cents. Sold by all newspaper dealers in the States.

FRANK LESLIE'S ILLUSTRATED NEWSPAPER, No. 18, Issued to-morrow, April 5, contains the following splendid engravings:—

Dreadful Disaster at Sea—Destruction of the Packet Ship John Rutledge by an Iceberg.
Awful situation of young Nye, the only survivor of the ship John Rutledge.
Portrait of the Hon. Edward Everett.
Editorial Portraits, No 2—Thomas Ritchie.
House of Prayer, Newark, N. J.
Interior of the House of Prayer—"Institution Jeremiy."
Portrait of Rev. John Shackleford.
Academy of Design, New York. Copies of seven pictures on exhibition.
Birth of the King of Algiers.
Portraits of Napoleon and Eugenie.
New School House, New York.
Fashions for Spring—seven engravings.
Java—five splendid engravings.
Chess, by an experienced editor, and all the news of the week.
Continuation of the thrilling romance, "The Last of His Race."
Price Ten cents, or $2 per volume.
Office Nos. 12 and 14 Spruce street, New York.
For sale at all news depots.

PUBLICATION OF THE LONDON JOURNAL IN NEW York—J. SMITH begs to inform booksellers and publishers that 579 of the London Journal will be issued this day, April 4, at 60 Nassau street. Price two cents. No. 579 is the second number of a new volume, and also that of a new romance of great interest, by the author of Whitefriars. The first number, which was published March 27, can be obtained. All communications to be addressed to J. SMITH, 60 Nassau street, New York.

THE FIREMEN.

FOR FIRE WARDEN, W. H. McDONOUGH, Hose Company No. 25.

TO THE FIRE DEPARTMENT.—GENTLEMEN, WE offer to your consideration Mr. HENRY LEWIS, of Engine Company, No. 41, for Fire Warden.

DRY GOODS, &C.

BLACK THREAD LACE COIFFEURS, AT $5, WORTH $8; black Chantilly veils, at $5 and upwards; Guipure, Chantilly and Brussels laces and flouncings; mantillas, silk veils (new patterns), at $2 25, worth $4; figured and plain nets, for basques, just received at PETER ROBERTS & CO.'S, 375 Broadway.

BANDS, BANDS, BANDS.—FLOUNCINGS, EDGINGS and insertings; figured muslins for basques; embroidered skirts; plaid, striped and plain muslins; cambric handkerchiefs, and several cases just received at PETER ROBERTS', 375 Broadway.

BRUXELLES POINT, POINT D'APPLIQUE, HONITON and Valenciennes collars and sleeves, in sets; capes, scarfs and coiffeurs; laces and flounces, all widths; Valenciennes edgings, at 1s per yard. New assortment just received at PETER ROBERTS & CO.'S, 375 Broadway.

JAMES A. HEARN Has opened his SPRING MANTELETS, For best city trade, At his new store, No. 775 Broadway, above Ninth street.

WHISKER BROTHERS, 64 AND 66 JOHN STREET, up stairs, Importers and Jobbers of French bonnets, Fashions, French flowers, Straw goods, Ribbons, Silks, &c., are Constantly opening a choice assortment of the above named goods, of their own importation, received by every steamer, which they offer for sale at very low prices.

SPRING MILLINERY, &c.

A MILLINERY CARD FROM MRS. CARTER, 593 Broadway.—In addition to my spring importation of Paris millinery, the attention of ladies is particularly called to the large and elegant stock of fancy straw and Neapolitan bonnets from materials of our own importation, and all of our own make, and with the superior talent always employed at this establishment, and my own well known taste that few houses in the business can compete and none can excel in richness or beauty of style, or lowness of price. A new style of misses' and children's bonnets in great variety, and well worthy the attention of those purchasing. Four experienced milliners wanted.
CARTER'S Honiton Lace Factory and Millinery, 593 Broadway.

FASHIONS.—THE CRYSTAL PALACE FIRST PRIZE silver medal, Emporium of Fashions.—Mme. DEMOREST, 375 Broadway, informs the public that her branch store, 79½ Canal street, opposite Greene, contains the most elegant and artistic designs of patterns ever offered, under the superintendence of Mme. Goodall.

MAI EMOISELLE BARNETT Has opened HER NEW SHOW ROOMS, 701 Broadway, (up stairs,) With a varied selection of PARIS MILLINERY.

MILLINERY GOODS—MARTIN & LAWSON, Importers and Jobbers, Have opened in their new store, 384 Broadway, corner of Franklin street, The largest and most attractive assortment to be found in the city, to which they invite the attention of milliners and dealers. FRENCH STRAW AND PATTERN BONNETS, ARTIFICIAL FLOWERS, RIBBONS, SILKS, ETC.

WHOLESALE AND RETAIL MILLINERY EMPORIUM.—C. BELL & CO., No. 3 Catharine street, near Division. Silk, crape, Tuscan straw and lawn bonnets. The most beautiful assortment of French and American millinery for the spring trade ever offered to purchasers, on the most advantageous terms. N. B.—Ladies' and children's bazque, waist and mantilla patterns cut in the latest style. Merchants and milliners should give us a call before purchasing elsewhere. Remember, No. 3 Catharine street. C. BELL & CO.

EXPRESSES.

FREEMAN & CO.'S EXPRESS FOR CALIFORNIA, Oregon, Sandwich Islands and Pacific coast of South America, via Panama, will be dispatched per United States mail steamship Illinois, on Saturday, April 5, at 2 o'clock P. M. Freight taken at reduced rates until 10 o'clock on day of sailing. Small parcels, letters, &c. received until 1 o'clock. FREEMAN & CO., 59 Broadway.

RATES REDUCED—SPEED ACCELERATED.—PACIFIC Express Company, Broadway, corner Cedar street, will forward express matter by steamer GEO. LAW, on Saturday, April 5, for California and Pacific Coast. Freight received until 10 o'clock, parcels and letters until 1 o'clock on the day of departure. WM. H. HALL, Agent.

THE CONTESTED COMPTROLLERSHIP.

Giles versus Flagg.

THE CASE IN THE SUPREME COURT.

Before Judge Emott.

THIRD DAY.

APRIL 3.—The examination of Daniel W. Fitch, who was sworn immediately before the adjournment yesterday, was proceeded with this morning. He testified as follows:—A couple of weeks before the last election, I had nothing to do; my general occupation was that of a carriage painter; Mr. Joseph Taylor was my favorite candidate; I voted the American ticket; I first knew Giles four or five weeks ago. I was present at the canvass of the votes till near the end; I was there till 2 or 3 o'clock Wednesday afternoon; I kept a memorandum of the votes while the canvass was progressing. I took it as they called it off; I took the State ticket on a small piece of paper, and the city and county ticket in a small book; I don't know where the book is now; I have looked for it, but could not find it; I kept a note of the canvass of the whole of the Comptroller's ticket; 326 were cast for Giles and 186 for Flagg; I got that from hearing it called out, and from my own account. Q. How did you make that count on the regular ticket? A. I kept it in fives, making one mark for every five votes, and making five marks one tally, which was twenty-five votes.

Cross examined by Mr. O'Conor—I reside at 150 Forty-first street; I last saw my book at home, on a small workstand; I saw it there a day or two after the election; I don't know how it was lost; I was called upon and asked did I keep tally; I said I did—this was the first time I heard of the mistake; I was a member of the Banner Association; Mr. Mills was also a member of it; I don't know that it was pledged to the support of the American ticket; I attended the polls at my own wish; I attended election polls two or three times before, but not in this city; I did not watch particularly to see that the clerk kept the tally correctly; I was particularly interested in the election of Mr. Taylor, because he was a personal friend of mine; I had no other personal friend on the ticket.

To Mr. Brady—I made the remark at the time the result was made known, that it was strange Mr. Giles ran so much ahead of Taylor, and Mr Burke replied that it Mr. Flagg ran as far behind Mr. Giles in other districts he would be badly beaten.

John Burke sworn, testified as follows:—I was one of the inspectors at the time of the election; I was employed before that about two months in the County Clerk's office, assorting old documents; that is my signature to the return made to the Aldermen; I was present at the whole of the canvass, but may have gone out for a few minutes; Mr. Rich was asleep for two hours, and was absent about two hours more; this was towards the latter part of the canvass; he was absent when the vote on the county ticket was announced; Mr. Ketchum called off the most of the ballots, and I called off a part; I sat behind Ketchum, and looked at him and the clerk as the votes were called off; I voted the half shell ticket; I did not belong to the Banner Association, nor any association of the kind; I happened to be born in Ireland; (laughter); the number of votes cast for Giles was 316, and for Flagg, 186; Mr. Ketchum announced the result; I was standing behind him, watching to see if he would announce it correctly; I watched him closely during the whole of the canvass; when the announcement was made somebody made the remark that Mr. Flagg was a "skin flint," and I said, "If he was beat all round as he was beat there, he would be no where;" I took a note of the result right away from the tally list; these three papers are the tally list; [papers A, B, C, already referred to, we e shown to the witness,] that is the paper from which I made the memorandum; this is the book in which I made it—[book exhibited]—the ballots were put back in the box after the returns were made out, some being kept out as specimens of the tickets; I did not know Giles at that time; my attention was drawn to the error in the returns on Friday after the election; I met Alderman Herrick in the City Hall, and he told me there was some error, as his return and that of the County Clerk did not correspond—that Mr. Gamble's vote for Coroner was not on his return; immediately Crandall Rich came along, and we went into the Court of Common Pleas office, and there corrected it, putting in the number of votes Mr. Gamble received; I think Alderman Herrick put it on; there was no other alteration made at that time, or any other that I know of; that error excited my suspicions, and I waited a good time till I saw the return in the County Clerk's office, when I saw on it 316 for Mr. Flagg, I thought that could not be so, recollecting the remark I made, so I took out my memorandum book and looked at it, when I saw the return was wrong; there were others present looking at the returns, but I can't say who they were; I noticed the fact to Alderman Herrick; the entry on this page was made when I discovered the error. [Same book shown to witness.] Alderman Herrick asked me why did we adjourn before signing the returns; I said I wished we had never signed the returns; I said then that there was a mistake in Flagg's and Giles' votes, that they were transposed, and that I wanted it corrected; he said he would bring it up before the Board of County Canvassers; that he could not part with it himself; that it was unlawful, or something to that effect; that was all that occurred at that time; I mentioned it to Hugh Herrick that afternoon; the returns from all the wards were not in; I don't know that there was sufficient in to show what the whole vote for Comptroller was; I asked Herrick for the tally list; he said it was at Bolster's; he said it was an error, and I told him I wanted to have it corrected; I waited for the action of the Board of County Canvassers, and as I saw they would not go behind the returns, I made an affidavit to induce them to go behind the returns; I told Mr. Patterson, who was my partner at the time, and he said by all means to have it corrected; Mr. Banks drew up the affidavit; Mr. Herrick, the clerk, was with me: after this I went to see Mr. Ketchum and have him make an affidavit, which he did; Mr. Rich was present when the return of Alderman Herrick was corrected; I gave the ballot box to a policeman to carry to the station house after the canvass; I think it was Wednesday or Thursday night; I never saw it after that; none of the ballots, I think, were destroyed, as I believe the law requires they should be, after the canvass is completed; Mr. Ketchum made the figuring on the tally list after the votes were carried out; I thought he voted the American ticket; I don't know that he watched me so close as I watched him, for I watched him mighty close (laughter); I knew Mr. Flagg personally at the time, and I had voted for him once; I keep a butcher's shop in the Sixth avenue, opposite the Crystal Palace.

Mr. Brady read the votes of Giles and Flagg from the book, and offered it in evidence. It was admitted by the Court.

Cross examined by Mr. O'Conor—The ballots were put back in the boxes after they were counted, and the boxes then locked up; on Wednesday I attempted to look the city and county box, but could not do it; I think it was on Thursday I sent it to the station house; I intended to have the ballots counted again, but Sheriff Willet told me it was of no account in law as I had let the box out of my possession; he told me that on Thursday morning; on Wednesday I intended to have them counted over again, and told Mr. Willet the next morning; I recounted the charter box and intended to do so with the city and county box; there was no one I took a particular interest in electing; I would rather have seen Engs elected than Flagg; I did not express any particular pleasure in hearing that he was beaten; I did not call him "old Skinflint;" I said "old Flagg," that was all; I don't recollect saying that I would rather see a negro elected; I never said so to John Egan; the Sheriff said I might count the ballots over for my own satisfaction, but I had no time to do so; I told Mr. McSpedon that the box was at the station house and could be examined there; I have known him about sixteen years; he keeps a printing establishment with Mr. Baker; I don't know who appointed Bolster; I swore him in; I am indebted to McSpedon; my indebtedness commenced about eighteen months ago; he furnished me the means of commencing the butcher business; I was not absent at any period while the votes on the city and county ticket were being called off; I might have been, but I think not; I don't recollect having sworn to Mr. Rich that I would have the returns altered; I think he said he thought they were all right, but of that I am not sure; Hugh Herrick and Alderman Herrick are brothers; I don't know which ticket Hugh voted; Alderman Herrick was opposed to Mr. Flagg in that election; it was Hugh Herrick who told me we could get the affidavit drawn up at Mr. Banks', who was the law partner of Mr. Glover; I was present at the meeting of the ward canvassers; it was about the time of that meeting the returns were signed; I don't remember having refused to sign them; I don't recollect having said before that I did not intend to sign them till I had the votes counted over; I never voted in the Seventeenth and Eighteenth wards at the same election (laughter); I know Thomas Halpin; I don't recollect seeing him in the poll room on Wednesday; I don't recollect telling him on that day that Flagg was ahead; I am not in the habit of telling lies, and if I told him so I lied (laughter); I know Roger Dolan; I know James McNespie; I don't know that I told him that Flagg carried the district; I don't recollect having any conversation with him; I know James Saxton and Wm Roche; I had no conversation with Roche in the presence of Saxton; I never said to Roche if he had electioneered as he ought to have done for the democratic ticket with Giles and Taylor on it, Giles would not have been defeated; I have seen Captain Woodruff before; I never rallied before him against Flagg.

To Mr. Brady—I remember having seen in the box some tickets partly written and partly printed; I could not say how many were seen in the box; Mayor Wood dismissed me from the police for alleged intoxication; there was another complaint for being offmy post; John Egan keeps a grocery store; he is on every side of politics except the Know Nothing side; I recognise this paper [a paper on which the tally of charter was kept]; Halpin, Dolan and McNespie were supporting Tammany Hall ticket with Flagg on it; Mr. Saxton supported the Tammany Hall ticket.

The Court took a recess of fifteen minutes, at the termination of which Horatio N. Carr was sworn. He testified as follows:—I was employed in the County Clerk's office last November; I attended the proceedings of the Board of County Canvassers as assistant clerk, and took the minutes; the Board held its first meeting on the 13th of November, and its last on the 4th of December; Mr. Giles presented a protest on the 14th of November; affidavits on both sides were subsequently given on the 28th of November; the Supervisor of the Eighteenth ward presented on that day various affidavits, and the Supervisor of the Fourteenth ward presented others. Here the witness read the minutes of the Board of the 28th of November, showing that it refused to go behind the returns of the Inspectors of Election of the First district of the Nineteenth ward, and that they also rejected the affidavits. He then continued his testimony as follows:—The whole vote for Comptroller, as certified by the Board of County Canvassers, and declared by them, was 59,445, of which Azariah C. Flagg received 20,314; John S. Giles 20,134; Philip W. Engs 15,302; Robert J. Hawes 3,638; scattering 58. They also declared that Azariah C. Flagg having received the greatest number of votes was duly elected Comptroller of the city and county of New York.

Jason Mills recalled and identified specimens of the American (1), whig (2), hard shell democratic (3), reform (4), the people's (5), and the soft shell (6), tickets as having been voted at the last election in the First district of the Nineteenth ward. He also identified another (7) which was filed in.

To Mr. O'Conor—The first ticket was the regular American ticket, and was marked as such in our tally; there may have been tickets like No. 2 received; No. 3 would be the regular hard shell ticket if it had not Giles instead of Engs; I don't know that any such ticket was received; if it was it would be put among the splits; I don't recognize No. 4 as the regular ticket of any party; it was called the reform ticket; I should term it a ticket made up of different parties; I can't state positively that any of that ticket was received; I think No. 5 was made up like No. 4; it is not a regular ticket, it is a mixture; I could not swear positively that any such ballot as that was received; I should think No. 6 was the regular soft shell ticket, except that it has Mr. Giles name on it; these were counted among the splits; I saw some fifty of No. 7 among those counted; it was a full ticket; Giles was on all those, and it was counted as regular.

Mr. Brady offered in evidence the tally list of the other tickets—the charter, the Assembly and judiciary, which were admitted.

Henry C. Banks was sworn, and deposed that he had drawn up the affidavits of Burke and Ketchum. The Court then adjourned till eleven o'clock to-morrow morning.

USE OF CHLOROFORM AS AN ANÆSTHETIC AGENT.—We see it stated that the anæsthetic agent used to facilitate the accouchment of the French Empress was chloroform. Such was not the fact. It was sulphuric ether which was employed. It is a very common mistake to confound chloroform with sulphuric ether. The former contains a deadly and dangerous poison, termed ter chloride of amyl, or amyl compound, whereas sulphuric ether, after undergoing a certain purifying process, and with a due admixture of atmospheric air, may be inhaled into the lungs without the least risk to life. The proof is that while numerous accidents are daily occurring from the use of chloroform, not one has resulted from the use of pure ether under the conditions established by Dr. Jackson. The following extract from a communication from this gentlemen to the French Academy of Sciences, which was read at a meeting of that body on the 25th of February last, will show the influence of chloroform on the blood:—"I lately had occasion to analyze, by the direction of the Coroner, the blood of a woman who had succumbed under the effects of the inhalation of chloroform, and I discovered that the blood was decomposed by the chloroform, and that the ter-chloride of formyle (chloroform) had been changed into ter-oxide of formyle (formic acid), which I withdrew from the blood by distillation. The chlore was combined with the vital fluid, which had lost the property of coagulating, and also, that of reddening by exposure to the oxygen of the air."

BURTON'S THEATRE.—"The Queen of Spades," which was presented for the first time at this theatre last evening, is a translation from a clever French drama, *La Dame de Pique*. The play is not at all improved by its English dress, the translator having done his work rather clumsily. He has simply retained the very effective situations, but the language is the baldest commonplace. The scene is laid in Russia, and the main plot illustrates the amours of a young lady and a young gentleman, the last named person being outrageously persecuted by a very stiff Russian Prince, played in the regular cast iron style. It would not be interesting to detail how the young lady humbugs everybody, her lover included. Mrs. Howard does it much more nicely than we could tell it. The piece deserved much better treatment at the hands of some of the actors. It was played too slowly, and there did not seem to be that intimate acquaintance with the words which is so desirable. In consequence it dragged a little at times, but was, nevertheless, a respectable success. Mrs. Howard, Mrs. Parker and Mr. Setchell acted well; Mr. Perry made his part altogether too ruffianly, and made facts as damnable as the murderer in "Hamlet." The piece was well mounted, and the last scene had a very pretty *ensemble*.

Personal Intelligence.

Mr. John Eaton sails hence to-day for Santiago de Cuba. He has been engaged as Chief Engineer of the St. Jago and Sabonilla Railroad. A large number of North American engineers are now employed abroad. Citizens of the United States are to be found superintending all the great public works in Central and South America. There are also many American engineers employed in Europe and Asia, and they are everywhere preferred on account of their acknowledged superiority.

Among the passengers sailed on Wednesday in the Persia was Duane Williams, Esq., bearer of despatches from the Secretary of State to the United States Legation, London.

Among the passengers by the Star of the West yesterday, was Judge Heydenfeldt, of the Supreme Court of California; Captain Hamilton, United States Army, and Captain Hardy, Nicaraguan navy.

Mrs. C. N. Sinclair (*ci-devant* Forrest) was to sail from San Francisco on the 20th March for New Orleans; she intended to play there, and from thence to New York.

It has been generally believed among the friends of Bishop O'Reilly, of Hartford, that the reverend prelate was a passenger on board the ill fated steamer Pacific. A letter from Ireland, received three weeks after the missing steamer was due, stated that he was to leave Liverpool on the day of the departure of the Pacific, and the inference was that he sailed in that steamer. The New Haven *Register* has the following paragraph on this subject:—Bishop O'Reilly was in Ireland fourteen days after the sailing of the Pacific. This news was telegraphed to this city to-day. The Newport *News* of the 31st ult. says:—We are happy to announce that the Rev. Mr. O'Reilly, of this city, received a despatch yesterday afternoon, announcing that his brother, the Bishop of the See of Hartford, was in Ireland on Ash Wednesday, the 6th of February. This is very gratifying intelligence, as it was feared that the highly esteemed bishop was on board the Pacific. It will be remembered that the Pacific sailed on the 23d of January.

Capt. H. W. Benham, of the United States Corps of Engineers, was presented to Queen Victoria, by Mr. Buchanan, on the 13th ultimo.

The wife of Lieutenant Dawson Phœnix, of the United States Navy, a Chilian lady, lost her father, mother, sister and niece (her whole family) by the wreck of the Chilian war steamer Cazadores, which was noticed a few days ago.

Thirty men left Manchester, N. H., on the 31st ult. for Wisconsin and Iowa. In the same train of cars was ex-Governor Baker, with some twenty or thirty others from Concord and vicinity, for Clinton, Iowa.

Governor Clifford and family, of Massachusetts; Dr. Valentine Mott and lady, of New York; Hon. George W. Dobbin, of Maryland, and Com. Ingle, United States Navy, are in Washington.

Hon. James C. Jones has returned to Washington from a brief visit to Tennessee.

Hon. William Smith, of Virginia, is still unable to appear in his seat in the House of Representatives, in consequence of protracted indisposition.

ARRIVALS.

At the Metropolitan—Hon. D. S. Dickinson and family, Binghamton; James A. Maren, Halifax; A. G. Seaman, Washington; Samuel G. Savage, Hartford; Col. L. F. Fuller, Connecticut; Dr. Hammond, Harrisburg; J. B. Eads, St. Louis; Jos. P. Marine, Arkansas; E. A. Pollard, California; Dr. A. H. Beers, Buffalo; Hon. A. H. Hovey, Syracuse.

Police Intelligence.

ROBBING AN EXPRESS WAGON.—Wednesday morning officer Allason, of the Chief's office, discovered a suspicious looking individual following one of Kinsley & Co.'s express wagons from place to place. The detective watched the fellow closely, and arrested him just as he was making his escape with a package of hosiery, valued at $20. The prisoner, on being taken to the Mayor's office, gave his name as Alexander Lacleaur. He was committed for trial by Justice Osborne. Some days ago a package valued at $400 was stolen from one of Messrs. Kinsley's wagons, and it is supposed that Lacleaur was implicated in the robbery.

A CITY FATHER HELD TO ANSWER A CHARGE OF ASSAULT AND BATTERY.—Councilman Edward McConnell was brought before Justice Connolly, at the Lower Police Court, Wednesday, on a charge of assault and battery preferred against him by Kate Wilson, an inmate of a questionable house in Duane street, and was held to bail in the sum of $300 to answer the charge.

AWFUL GARDINER AGAIN IN TROUBLE.—Wednesday afternoon Awful Gardiner appeared before Justice Welsh, at the Lower Police Court, and preferred a charge of assault and battery against a man named Cornell whom he charges with having assaulted him with a knife. A warrant was issued for the apprehension of Cornell.

Naval Intelligence.

The United States steamer Dispatch was yesterday taken into the large Sectional Dock to receive a new propeller. This was fitted in the afternoon of the same day. She is to be taken out of dock this morning, and this evening or to morrow morning she will proceed to Washington, where she was ordered some time ago, but was delayed by the breaking of her propeller. The following is a list of her officers:—Thomas M. Closson, Lieutenant commanding; Lieutenants John G. Walker, George W. Young, John J. Cornwell; Assistant Surgeon, Jas. Laws; First Assistant Engineer, Harman Newell; Second, J. C. F. Lawrence; Third, H. A. Ramsay; Captain's Clerk, John J. Odell.

The United States sloop of war John Adams left Aspinwall on the 19th February for Panama, to water previous to sailing.

Supreme Court—Special Term.

Before Hon. Judge Davies.

THE WIDENING OF BEEKMAN STREET—THE REMOVAL OF DEAD BODIES FROM THE BRICK CHURCH.

APRIL 3.—Messrs. Hoden and Bidwell presented the report of S. B. Ruggles, referee, to whom it was referred to report how the sum of $23,000, awarded for the opening of Beekman street, should be distributed. The report is very elaborate. The following legal principles are submitted:

1. That neither a corpse nor its burial is legally subject in any way to ecclesiastical cognizance, nor to sacerdotal power of any kind.
2. That the right to bury a corpse and preserve its remains is a legal right, which the courts of law will recognize and protect.
3. That such right, in the absence of any testamentary disposition, belongs exclusively to the next of kin.
4. That the right to protect the remains includes the right to preserve them by separate burial, to select the place of sepulture, and to change it at pleasure.
5. That if the place of burial be taken for public use, the next of kin may claim to be indemnified for the expense of removing and suitably re-interring the remains.

The referee concludes by saying, upon the proofs presented, and the principles referred to, the fund in Court, of $18,000, with its accrued interest, should be distributed as follows:—

One hundred and thirty-three dollars to the city corporation for extinguishment of ground rent; $8,223 59 to vault owners; $100 for the re interment of Moses Sherwood, and the residue, amounting to $19,553 41, together with the interest accrued on $18,000 since its deposit in court, deducting its proper costs and expenses of the present reference, to the trustees of the Brick Presbyterian church, according to the prayer of their petition. They should be required to assume the expense of separately re-interring the remains of any of the bodies in the other graves, whenever duly identified by the next of kin. The certificate from the Register's office, required by the rule of court, shows the interest of the church in the land to be free from incumbrance.

The Corporation Counsel took the ground that the referee had come to the right conclusion as far as the city was concerned. Messrs. Chatfield, Marbury, Wright and others appeared for the vault owners, contending that the corporation of New York having taken the property by compulsory proceedings, was not entitled to any portion of the award, that the church had no right, because it had parted with its title to the vault owners, and that they (the vault owners) were entitled to the whole award. Decision reserved.

THE STATEN ISLAND FERRY COMPANY.

APRIL 3.—*Jacob L. Smith and the Staten Island and New York Ferry Company vs. the Mayor, Aldermen and Commonalty, and Comptroller of the city of New York.*—This was a motion made by Messrs. Van Buren and Robinson, counsel for plaintiffs, for an injunction restraining the defendants from selling or granting a lease of a ferry from the slip at the foot of Whitehall street, East river, in the city of New York to Staten Island, or the ferry slip between pier No. 1 East river, occupied by the United States, and the pier west of pier No. 1, including the latter pier, except certain parts thereof, reserved by a resolution of the Common Council of the city of New York, passed in July, 1855, and thereby assigned to the United States government forces for a landing, and from interfering with the use and enjoyment of said ferry and premises by the Staten Island and New York Ferry Company.

The Court granted the injunction.

Marine Court.

THE STATUTE OF LIMITATIONS.

Before Hon. Judge McCarthy.

APRIL 2.—*Chanson vs. Myers.*—This was an action brought upon two promissory notes, for 690 francs each, made by the defendant, on the 24th Nov., 1846, in Paris, at four months. The plaintiff's counsel, Mr. T. G. Young, called the defendant to the stand, who admitted the making of the notes; that they were due and never had been paid; and that he resided in Europe at the time of the making of the notes. The plaintiff here rested his case; and Mr. Morrison, defendant's counsel, moved for a nonsuit, on the ground that the cause of action had been barred by the statute of limitations, and plaintiff had not shown a new promise *infra sex annos*. Argument was heard on both sides, and the motion for nonsuit denied. Defendant's counsel then recalled the defendant, who testified in his own behalf as to merits.

McCARTHY, J.—The cause of action having accrued in 1847, cannot be affected by the Code of 1848, section 90, for the statute does not operate retroactively upon vested rights, and the only question then remaining is, whether the acknowledgment, by the defendant, that the notes have never been paid, and the circumstances attending the acknowledgment, would have satisfied the former statute and enabled the plaintiff to recover his claim. I confess to having entertained some doubts on this point on the trial, but after reading the various authorities cited on both sides, and connecting them with the testimony and conduct of the defendant, I am persuaded to give judgment for the plaintiff. The long undeviating course of English decisions is to the effect that the admission of the defendant that the claim is subsisting and unsatisfied overrules the plea of the statute of limitations, and the admission may be express or tacit, to the creditor or to a stranger, and it may be implied from the conduct of the party. The weight of American authority coincides with this law, and it is a question of fact, to be left to the jury or the Court trying the cause, if the admission of the indebtedness, taken with the conduct of the debtor at the time, did not involve a new promise. I am of the opinion that they did, and I am also of the opinion that the plaintiff's claim was originally a valid and legal claim on the defendant. As the evidence of the defendant in his own behalf does not make out a defence on the merits, and for the further reason, that his counsel in his brief has not adverted to it, I must disregard it.

City Intelligence.

THE CITY DUMPING GROUND ON THE NORTH RIVER.—It is well known that pier No. 40, foot of Watt street, North river, has been for several years past used as the principal dumping ground of the dirt and refuse matter of the city. Complaint has been made to the Common Council by the lessee of the adjoining piers that by thus dumping dirt, &c., here, the depth of water at high tide has been considerably diminished, so much so that large boats cannot now come up to the piers. The special committee of the Board of Aldermen, Mr. Varian, chairman, to whom the subject was referred, met yesterday at the City Comptroller's office, and heard the statement of the complaining parties. The committee voted to visit the piers in question, and take measurements of the depth of water surrounding the adjacent bulkheads and piers, before making their report.

HARLEM RAILROAD COMPANY.—Mr. William J. Campbell, who has been connected with the New York and Harlem Railroad, in different capacities, for several years, and during the last eighteen months been the Assistant Superintendent, was appointed by the Board of Directors, on the 2d inst., superintendent of the road, in place of Mr. J. Nottingham, resigned.

A NEW DODGE.—A man called at the house of a gentleman living in Thirty second street, on Friday last, and stated to the inmates that he was sent to repair the roof. The servant girl showed him the way to the roof, when she was sent back for a hammer, and on returning met the man, who had suddenly forgot something which he wished to go after. He left the house and has not been heard of since. It was afterwards discovered that he had taken with him a watch which hung in one of the upper rooms. The same trick, we learn, has since been perpetrated in a house in Lexington avenue.

FIRE IN OLIVER STREET.—The alarm on Wednesday night, in the Seventh district, was caused by a fire discovered in a closet under the stairs on the first floor of an unoccupied dwelling at No. 53 Oliver street. It was soon extinguished by the firemen. Officer Smith, of the Fourth ward, gave the alarm. The building is under process of repair. The fire was supposed the work of an incendiary. Damage about $10.

FIRE IN FIFTY-SECOND STREET.—Shortly after 4 o'clock on Wednesday afternoon, a fire took place in the pianoforte manufactory of Louis Hardman, situated in Fifty-second street, between Ninth and Tenth avenues. Damage estimated at about $300. Loss covered by insurance. No fire alarm was given by the bells.

BURNING OF AN UNOCCUPIED BUILDING.—Between 12 and 1 o'clock on Thursday morning, a fire took place in the second story of the unoccupied frame building No. 386 West Forty-seventh street, formerly used for a starch factory. The building was totally destroyed. It belonged to Mr. Frederick Diedrich. Loss about $500; said to be insured in the People's Insurance Company.

A FIREMAN RUN OVER.—A fireman, named Simmons, was accidentally run over by one of the apparatus at the corner of Oliver and Madison streets. He was bodily injured and was conveyed home in a carriage by his friends.

Coroners' Inquests.

AN UNKNOWN MAN FOUND DROWNED.—Coroner Gamble held an inquest yesterday, at the Nineteenth ward station house, upon the body of an unknown man, about 55 years of age, who was found drowned in a brook at the corner of Fifth avenue and Eighty-third street. It is supposed that the deceased fell into the pond on Wednesday night, for on that night a woman residing in the neighborhood heard the screams of a man in distress. Verdict, "Supposed drowning." The deceased was identified by the police as an occasional lodger at the Nineteenth ward station house.

DEATH FROM BURNS.—Coroner Connery held an inquest at No. 331 West Forty third street, upon the body of a child, five years of age, named Catharine Donnelly, who died from severe burns, accidentally received by her clothes taking fire at the stove. Verdict accordingly.

FATAL FALL.—Coroner Hills held an inquest at No. 244 East Thirteenth street, upon the body of a man named James Hennessy, who died from the effects of a fall received on Tuesday morning, by jumping out of the third story window of his residence, while laboring under the effects of temporary insanity produced by intoxication. Deceased was 35 years of age, and was a native of Ireland.

SUDDEN DEATH.—An inquest was also held by Coroner Hills upon the body of Patrick Ellis, who died from congestion of the lungs. Deceased was a pedler by occupation, and lived at the corner of Houston street and Macdougal street.

Meeting of the Chamber of Commerce.

A regular meeting of the Chamber was held yesterday, at the Merchants' Bank—Pelatiah Perit, Esq., in the chair.

A number of communications were received, among others one from the Chamber of Trade of Cincinnati, in reference to the weight of candles. Laid on the table.

The CHAIRMAN stated that Governor Clark had entered into a correspondence with the Secretary of State with reference to the dilapidated condition of the storage buildings on Staten Island, but the government had refused to repair them.

Mr. CALEB BARSTOW called up the subject of the usury laws, and offered the following resolutions:—

Resolved, That this Chamber learns with regret that the efforts to procure a modification of the usury laws have failed.

Resolved, That the opinion of this Chamber remains unchanged as to the great need of the relaxation asked for in these laws, and that the Chamber recommend a continuance of unremitting efforts to disseminate information as to the evil influence of stringent usury laws upon the great financial movements of this State.

Mr. BARSTOW said—In presenting these resolutions I wish to accompany them with some brief and concise remarks for the better understanding of the case, not only here but in Albany. I have this morning learnt that our Usury re