THE CAPTURE OF THE CITY OF MEXICO

THE GOLD BOX FIZZLE.

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VISIT OF MR. JACKSON AND VAN TINE TO THE MAYOR'S OFFICE.

Shortly after ten o'clock Councilman Van Tine, in company with Andrew Jackson, Esq., made their appearance at the City Hall, and immediately proceeded to the Mayor's private office, where Mr. Van Tine introduced Mr. Jackson to the Mayor, and then left them for a few moments to enjoy a private consultation. The appearance of Mr. Jackson at the Hall, as may well be supposed, created no little stir among the many who had already congregated in and about the Hall, and many were the suggestions as to his personal appearance, &c.; but up to this time not a soul imagined for a moment but that the presentation would come off in accordance with the arrangements that had been made and announced by the Snuff Box Committee, nor did any know to the contrary until after Mr. Jackson had concluded his interview with the Mayor. The report, however, soon gained circulation, and as a matter of course rapidly spread all over the city, causing no little consternation and excitement among the friends of Mr. Dyckman and the various members of the committee, each and every one of whom denied any previous knowledge of Mr. Jackson's intention, nor could they account for the sudden change in his determination, unless, as some suggested, it was in consequence of being over persuaded by the friends of Col. Burnett, which was very generally conceded to be the case. Councilman Van Tine and Alderman Moneghan appeared to feel the sudden change in Mr. Jackson's determination most keenly; particularly so as they had been the principal movers in the matter from the beginning, and being chairmen of the separate committees, they could not but help feeling that the public would look to them more particularly for an explanation of the singular transaction.

Mr. Van Tine, in particular, was greatly excited, although he evidently endeavored to put as calm a front on as the circumstances would admit of. Upon being questioned in regard to the affair, he made substantially the following statement to our reporter:—

WHAT MR. VAN TINE SAYS.

When he arrived at Nashville he thought that he must of course make as good an appearance in presenting himself to Mr. Jackson as possible, and so he hired the finest looking carriage he could find to convey him to his residence, which was a short distance out of the city. Arriving within sight of the mansion he alighted from the carriage and walked up to the house, where he saw Mr. Jackson standing in the door; he walked up to, and greeting him, presented his credentials to him, which he took, and after reading, welcomed him in a very cordial manner, and invited him into his parlor, where he introduced him to the members of his family. After conversing for a while on various topics, Mr. J. said he was very much perplexed about the snuff box, as he had received a great many remonstrances against presenting it to Mr. Van Tine, who said perhaps he might be able to give some light in regard to the remonstrances. Mr. J. expressed his pleasure at the suggestion and asked Mr. Van Tine into his library, where he exhibited a number of documents, many of which Mr. Van Tine immediately recognized as having come from New York. Among these papers were numerous slips cut from New York newspapers, which he soon satisfied Mr. Jackson had been inserted as puffs by interested parties, and then cut out and sent to him. Becoming satisfied that this was so, he threw them on one side as worthless. He next produced some remonstrances—not half as many, however, as he has received in New York since his arrival—and on which he seemed to place much reliance, although Mr. Van Tine endeavored to explain to him that they were gotten up by a few interested parties. He did not, however, seem to be altogether satisfied; and Mr Van Tine says he began to feel that there was some doubt about his getting the box at all. He, however, made up his mind to do his best for it, and not to come back to New York without it, if there was any possibility of his accomplishing his purpose. With this feeling he was shown to his room for the night—one overlooking the tomb of General Jackson—but not to sleep, as he was too much excited to admit of sleep, except by "cat naps" visiting his eyelids. He accordingly sat in his room, watching the tomb of the General, most of the night, during which time he could distinctly hear Mr. Jackson and others conversing about the disposition of the box below, but was unable to understand anything that was said, excepting now and then a word or broken sentence. In the morning Mr. Jackson visited him in his room, and inquired how he had rested, to which he (Van Tine) responded, "First rate." Mr. Jackson then said he had come to the conclusion to give him the box, and had already written to the Governor of the State and Mayor of Nashville to be present at the presentation. He subsequently, during the same conversation, said he had often had a desire to visit New York city, and, could he get away, should very much like to do so then. To this proposition Mr. Van Tine at once gave the most hearty endorsement, and immediately set about persuading him to accompany him to this city on his return, promising to accompany him to Niagara Falls and West Point, to see his son, who is a cadet at the last named place. Mr. Jackson at length yielded to his request; shortly after which they got into the carriage, which was in waiting at the door for them, and rode to Nashville, where they were met by the Mayor and Governor, in whose presence Mr. Jackson gave him the box. After the presentation had been made, however, Mr. Van Tine says he informed Mr. Jackson that he had known of one or two instances in which property similar to that had been lost after being given in charge to another party, and therefore requested that as he (Mr. Jackson) was about accompanying him to New York, he would take charge of it himself until they arrived in that city. Mr. Jackson consented to the proposition, and accordingly sewed the box up in an old handkerchief which he wore around his neck and had fastened to his undershirt, with the understanding that on their arrival in New York he was to hand it over to Mr. Van Tine for exhibition, and that on the morning of its final presentation he (Mr. Van Tine) was to return it to Mr. Jackson, for him to present it in person to the Mayor and Common Council of the city on behalf of the deceased donor, Gen. Jackson. Accordingly, on the arrival of the parties at the Metropolitan Hotel Mr Jackson gave Mr. Van Tine the box, in the presence of a number of witnesses. Mr. Van Tine retaining it in his possession until ten o'clock yesterday morning. On Sunday Mr. Jackson dined at Mr. Van Tine's house, with several members of the committee, when he was informed of the programme of arrangements which had been adopted for the day, to which he expressed his entire satisfaction and approval. Upon leaving him on Sunday evening at the Metropolitan Hotel, he informed Mr. Van Tine that he had been perfectly overwhelmed with remonstrances and the outside pressure and influence against the award of the Common Council, and requested Mr. Van Tine to meet him precisely at 10 o'clock on Monday morning, in order to arrange for the presentation. Mr Van Tine accordingly proceeded to the hotel at the hour named yesterday morning, secretly rejoicing at the near approach to a termination of an affair which has given rise to so much envy and strife. On reaching the hotel he encountered ex-Alderman Wild, who requested an introduction to Mr. Jackson. This he consented to do, and on reaching Mr. Jackson's room, about five minutes after ten, and passing the compliments of the morning, he remarked to Mr. J that he hoped he had not kept him waiting. Mr J replied "No, not at all," when Mr Van Tine introduced Mr. Wild, and at the same time took the box from his pocket and returned it to Mr Ex., according to agreement, remarking at he did so that he had performed his agreement. Mr. Jackson seemed to be very much agitated as he received the box, and requested an immediate interview with the Mayor. Mr. Van Tine says that he at once saw that there was something in the wind, and immediately proceeded with Mr. Jackson to the Mayor's office, where he introduced him to Mayor Wood. He knew nothing further until orders were despatched for himself and Ald. Monegnan to come into the Mayor's office, where it was announced to him for the first time that Mr. Jackson had declined to give up the box to the Mayor and Common Council, alleging as a reason that he had received remonstrances without number, and such an amount of outside pressure, against the award that he did not think it would be proper for him, under the circumstances, to allow it to go out of his possession. He then handed Alderman Monegnan the following letter, which he had previously written on the subject:—

METROPOLITAN HOTEL,
MONDAY MORNING, Sept. 14, 1857.

PETER MONEGHAN, Esq., CHAIRMAN SPECIAL COMMITTEE:—

MY DEAR SIR—I am here with the gold box left in trust with me by my venerated father, to be presented to that patriot "most valiant in defence of his country and our country's rights," "to be adjudged by his countrymen"? I regret, under the deep feelings and conflicting opinions which I find to exist, that I cannot, satisfactorily to my own sense of propriety and deference to the will of my father, now venture to deliver this relic. Nothing will afford me higher satisfaction than the execution of this trust whenever the public opinion of the people of the State shall concentrate upon some favored son, distinguished above all others, to receive this precious token, "in strict compliance with the request of the donor." Until I can thus execute the trust of the great and good man whom I represent, I must, under a sense of affection and duty, decline to act.

I can but regret the division of sentiment and the excited feelings which seem to exist here. I have therefore determined to return to the Hermitage with this sacred memento of my father, whose wishes I desire strictly to fulfil; and whenever the public judgment of the people of the State of New York shall settle the claims between individuals it shall be my pleasure at once to discharge the duty resting upon me by virtue of this delicate and responsible trust. Until I can satisfy myself I cannot hope to satisfy individuals or the public, but prompt action shall follow a clearly expressed public opinion.

In conclusion I will add, that I knew of no contest, or suspected none, upon the first application for the gold box; but anxious to do my duty, I have decided at present to make no delivery of the box, nor undertake to decide between the brave and gallant gentlemen whose respective claims are so warmly and ardently urged by their friends.

I have the honor to be, respectfully,
Your obedient servant,
ANDREW JACKSON, JR.

P. S.—It is due to his Honor the Mayor to add that I have decided on this course without having seen him, or having had any conversation with him—in consequence of his absence from the city—and hence without knowing what his views are upon the subject.

A. JACKSON, JR.

Mr. Van Tine added, that upon their leaving the Mayor's office and proceeding to the Metropolitan Hotel, Mr. Jackson wept like a child, saying that he had no idea when he left home that such a feeling could exist against the award of the gold box to Major Dyckman. Mr. Van Tine also says it is his purpose to accompany Mr. Jackson to-day to West Point to see his son, according to his original promise to him at Nashville. He also thinks that the value of the snuff box—so far as the real intrinsic value of it is concerned—to any one else other than Major Dyckman, is not two cents; and that Major Dyckman has all the real value of the box, without the possession of it, in the award of the Common Council, which has already acknowledged his superior claim to it.

ANDREW JACKSON'S STATEMENT.

One of our reporters yesterday called upon Andrew Jackson at the Metropolitan Hotel, and had an interview with him relative to the disposition of the gold snuff box, and his action in relation thereto. Mr. Jackson was polite and cordial, and communicated with entire freedom all the facts upon the subject of the gold box. The box had been cherished by him as its custodian with great care and almost with veneration, in view of the purpose to which its brave possessor had consecrated it. He had kept it under lock and key, and only took it out when curious friends called for the purpose of getting a view of it. It was then returned to its place, awaiting the occasion when the proper claimant for it should appear, in accordance with the intention of his venerated father.

In March last Mr. Jackson received a letter from Alderman Moneghan, of New York, dated in February. This letter, which had performed a long and circuitous route in reaching his home in Tennessee, informed him that a movement was on foot to bestow the gold box upon an officer of the New York regiment in the Mexican war, and inquiring if he had such a box in his possession. He answered the letter, and expressed his readiness to acquiesce in the decision of the Common Council of New York, and to deliver the box to the man whom they should designate as worthy to receive it. The next letter he received was also from New York, announcing that the box had been awarded to Major Dyckman. Upon the receipt of this letter he immediately wrote to the committee, inquiring in what way he should send the box, whether by express, or wait for them to send a messenger for it. Meantime several letters came to hand, remonstrating against the award as unjust, and requesting him to retain possession of the relic. He also received a telegraphic despatch the day before Councilman Van Tine arrived at the Hermitage, informing him that a person would call upon him for the box, but that he must not deliver it, as the person referred to was not authorized to receive it, and that the award was illegal. On the following day another batch of letters came to hand, among them remonstrances numerously signed. Alderman Van Tine arrived at his house, and he received that gentleman in a manner becoming the honorable nature of his mission. At the proper time he took occasion to inform his visiter of the large number of remonstrances which he had received; but after hearing Mr. Van Tine's explanation he became satisfied that the award had been properly made, and at the suggestion of his friend he had decided to visit New York. Arrived at New York, he found a batch of remonstrances on his table at his hotel against awarding the box to Major Dyckman. Various committees called upon him, uniting in the remonstrance. He now ascertained that a majority of the New York Volunteers were opposed to the box being given to Mr. Dyckman. All things considered, he deemed it his duty to withhold the box, and accordingly wrote a letter—published elsewhere—to Alderman Monaghan, announcing such determination. He regretted very much that the present feeling of hostility existed, but he saw no help for it, only to retain the box in his possession until the award of the same was made to a proper man, in compliance with the requisitions of his father's will. When such award was made, he said he would willingly give up the box, but not before. His mind was firmly made up, and he would not back down.

PROCEEDINGS IN THE BOARD OF ALDERMEN.

The Board met last evening, the President, John Clancy, Esq., in the chair. The minutes were read and approved.

THE JACKSON GOLD BOX.

The letter to Alderman Moneghan, from Andrew Jackson, Jr. Esq (published in another part of the HERALD), was presented and read.

The following, in connection with the above, was presented by Alderman Moneghan:—

Whereas, the committee to whom was referred the duty of carrying out the will of the late lamented General Andrew Jackson, in relation to the gold box presented to him by the Corporation of the city of New York have discharged the trust imposed in them with as eye singly to the plain interpretation of said will—in this that they have, after long and tedious examination, and given to it faithful consideration, reported to the Common Council the choice they had made, which report was duly adopted; and in this, that in said report the box was in the most public manner delivered over into the hands of your committee by the trustee of said will, Mr. A. Jackson, Jr.; but, whereas Mr. A Jackson, Jr did this day request and receive back into his hands from your committee said box, as per arrangement with the committee for him to formally present to the Mayor, but in the following letter (published elsewhere) assigned his reasons for declining to our reader it at all to the judgment of this Common Council; therefore

Resolved, That the committee be and it is hereby discharged from the further consideration of the subject.

Alderman TUCKER wished to know if Mr. Jackson took the box with the intention of delivering it to the Mayor for the purpose of presenting it to Mr. Dyckman.

Alderman MONEGHAN, as Chairman of the Committee, said that in his judgment, Mr Jackson got the box back from Mr. Van Tine, with the understanding that he was to deliver it to the Mayor, and that not having done so, he (Mr. Jackson) has insulted the Commonalty of the city of New York by taking the box away with him. The box in itself, is worth nothing considered with the honor of receiving it; whatever may be the result, the box has been awarded to General Dyckman, and, its virtue gone, no matter to whom it may be hereafter awarded.

Alderman TUCKER thought that the proceeding would result in such a farce; he never believed that the award was properly made, and Mr. Jackson had no doubt come to the same conclusion. When he came here and found so many remonstrances and such a strong feeling against the award, he could not do otherwise than withdraw with the valuable relic. His decision was thoroughly Jacksonian, and he hoped that Mr. Jackson would keep the box until it could be awarded satisfactorily.

Alderman MONEGHAN said that the box was the property of Mr. Dyckman, and that the conduct of Mr. Jackson in obtaining it from the Committee on pretence of delivering it to the Mayor was an act of deception. The box had been ripped from Mr. Jackson's vest, at his request, by some ladies, and handed over to Mr Van Tine in the presence of the Governor of Tennessee and the Mayor of Nashville, but Mr. Van Tine requested Mr. Jackson still to keep possession of it and bring it on to New York.

Alderman BURNS said that Mr. Jackson, when in Nashville, might have thought the award all right, but when he came on here he found it all wrong, and he therefore refused to give it up.

Alderman GERKEN said that Mr. Jackson had no right to retain the box; the Common Council of New York alone had the power to award it.

Alderman TUCKER said that General Jackson, in his will, never contemplated that the Common Council should dispose of the box. The recipient shall be adjudged by his countrymen to be the bravest.

Alderman McSPEDON expressed his regret that Councilman Van Tine had allowed the box to go out of his possession.

Alderman COUTER spoke in favor of the award, and in depreciation of the act of Andrew Jackson, Jr., taking the gift away; the award of the box had been made after mature deliberation of the committee to Mr. Dyckman, and this token will be as good to him and his posterity as if he had received the glittering bauble.

Aldermen Tucker, Blunt and others again spoke against the award, and in excuse of Mr. Jackson's action.

Alderman McSPEDON said that the chairman of the committee would be justified in taking out a warrant for larceny against Mr. Andrew Jackson, Jr., for taking away the property that belongs to the city of New York.

Alderman OWENS (whig) said that he thought the unanimous action of the committee of the Common Council was entitled to respect, and that the conduct of Mr Andrew Jackson, Jr., was discourteous to the city of New York; it virtually accused the Common Council of incompetency. He is not the man to award this box. It is the Common Council of New York; he should hand the box over to them, and if he had done so the object would have been this day fulfilled.

Alderman McSPEDON wished it to be understood that this Mr. Jackson was not the "natural son" of the great Andrew Jackson.

A motion to postpone the matter was lost by a vote of 13 to 3.

The adoption of the resolution with an amendment of thanks to the Committee for their action in the matter was then put and carried by a vote of 15 to 2.

Ayes—Aldermen Wilson, Crowie, Harris, Healy, Hoffmire, the President, Banta, Griffiths, Steers, McConnell, Moneghan, Couter, McSpedden, McConkey and Owens.

Nays—Tucker and Blunt.

On motion of Alderman Moneghan the papers were sent in to the Board of Councilmen for their action this evening, in order that Mr Jackson might know the opinion of the Common Council previous to his leaving the city in the morning.

THE CELEBRATION OF THE BATTLE OF MEXICO.

Since the capture of the City of Mexico by the American army under the command of General Scott, there has been no public commemoration of the event beyond an occasional convivial meeting of the officers in New York or Philadelphia. This year, however, it was determined to celebrate the anniversary becomingly, and it is likely that henceforth the 14th of September will be added to the list of our national holidays, at least so far as New York city is concerned.

The celebration this year grew out of a very natural desire on the part of the Pennsylvania Volunteers to visit their old comrades in arms, the New York Volunteers, and the latter proceeded with alacrity to make the necessary arrangements for their reception. It was thought that if the affair should be given its proper significance by confining the military parade as much as possible to the Volunteers themselves—for though a general turnout of our city military would have been very brilliant—the veterans and real soldiers would have been kept out of sight by the glitter and tinsel of the uniformed regiments. So it was arranged to confine the reception to the New York Volunteers, with the single exception of the Twelfth regiment, who acted as an escort to the New Yorkers. There was a fitness in this exception also, as the twelfth regiment supplied more officers, captains, subordinates, &c., to the New York Volunteers than all the rest of the division put together.

APPEARANCE OF THE CITY.

The day was not propitious, the weather was moist and warm, and it half rained and half threatened rain all day. To give the Pennsylvanians a correct idea of the general appearance of the city the streets were in an unusually dirty condition, and even Broadway was a sea of mud from end to end, through which the visiters were compelled to wade ankle deep. All the hotels, public buildings, and many of the private houses along Broadway were decorated with flags. Much of the shipping in the harbor had their flags and streamers up, and a disposition was manifested on all sides to recognise the day and the event.

MEETING OF THE NEW YORK VOLUNTEERS.

At noon the New York Volunteers assembled at the Mercer House, where they remained to await the arrival of their escort, the Twelfth regiment. When the news came that Andrew Jackson had refused to give the gold box to Major Dyckman, there was considerable excitement manifested and some sharp words passed between the parties most interested in the controversy. There seems to be two organizations of the Volunteers—one the remains of the regiment proper, and the Volunteer Association, of which Major Dyckman is President. The latter organization generally favor the Major's claim to the gold box, while the regiment contains a majority opposed to the award of the Common Council. A resolution was passed at the Mercer House applauding the course taken by Mr. Jackson.

The Volunteer Association paraded separately from the regiment. They turned out to the number of about forty, without muskets, and their only distinctive mark was a white satin badge on the left lappel of their coats, with the words—

VOLUNTEER ASSOCIATION.

The rest of the regiment wore dark clothes, a cap and black belt, and carried muskets. All the Volunteers who were entitled to them wore their silver medals presented to them by the State.

Perhaps the most interesting feature of the parade was the colors borne by this regiment. One was a trophy—an old Mexican flag taken at the capture of the City of Mexico. Another was the national standard given to the Volunteers by the city of New York. It bears the State and city arms, and now presents a very ragged appearance. The third flag was presented to the regiment by Gen. Scott in the city of Mexico. It is a blue satin flag, richly embroidered, and has on it the national ensign. The fourth is a small flag, presented to the regiment by the Oregon Association. Col. Burnett first organized the first regiment of New York Volunteers pending the threatened war with Great Britain on the Oregon question.

At 2 P. M., the Twelfth regiment, Col. Cocks commanding, marched to the Mercer House to escort the Volunteers to the Battery. The senior veteran corps of 1812, Col. Raymond commanding, also accompanied the Volunteers to receive the Scott Legion.

THE RECEPTION AT THE BATTERY.

It was three o'clock before the Volunteers, the Veterans and the Twelfth regiment arrived at the Battery, and soon after the booming of Col. Hinsken's battery announced the arrival of the Pennsylvanians, who landed at pier No. 1 North river, from a boat specially chartered to take them from Jersey City. The Battery at this time was full of people, and so great was the crowd that the police were compelled to use their clubs vigorously to keep back the people from crowding on the military. One astute policeman being unable to keep back the mob by fair means hit upon the ingenious expedient of aiming at the shins of the *vox populi*, who fell back instanter.

The Scott Legion is composed of about one hundred hardy looking men. Like the New York Volunteers, most of them bear marks of the diseases they contracted in Mexico, but as a general thing they are a some what better looking class of men. They were dressed in gray fatigue uniform, with caps, muskets and knapsacks. On marching on the ground they were vehemently cheered, Volunteers, soldiers, crowd and all joining in the welcoming shout.

After the usual military salute, the procession formed in the following order, and marched out of the Battery:—

Dodworth's Band.
Twelfth Regiment, Col. Cocks.
Governor's Island Band.
Officers and non commissioned officers of the New York Volunteers, Gen. Wheat commanding.
New York Volunteers, 60 strong, Gen. Ward B. Burnett commanding.
Volunteer Association, 40 strong, headed by Major Dyckman.
Infirm and wounded Volunteers in carriages.
Senior Veteran Corps of 1812, Col. Raymond.
Philadelphia Brass Band.
Scott Legion, Captain W. H. Gray.
Wounded members of the Scott Legion and citizens in carriages.

THE PARADE AND REVIEW IN THE PARK.

Shortly before three o'clock, the Seventh regiment, National Guards, numbering about five hundred strong, marched on the ground and formed in line opposite the City Hall steps, subsequent to which Alderman Moneghan met Col. Duryea, Colonel of the regiment, when he proceeded to apologize for the non presentation of the gold snuff box, according to the programme, as follows:—

ALDERMAN MONEGHAN'S APOLOGY.

Colonel Duryea, the presentation cannot take place this afternoon, I am very sorry to say, in consequence of so much influence having been brought to bear upon Mr. Jackson. I sent a notice with a countermand of orders for your parade, to your house about eleven o'clock this morning, which I perceive you did not receive in time. I regret exceedingly that this matter has so turned out, and I was in hopes that you would have received the counter mand in time.

COL. DURYEA'S REPLY.

I am very sorry, sir, that the affair should have taken such a turn, as my men were all under arms before the hour of eleven, so that had I received your countermand, it would have been entirely too late to have been of any service. I should have been pleased to have received it previous to this time; as it is, however, it is too late to do any good. I will therefore go through the forms of a dress parade, review, and march and then dismiss.

The regiment were accordingly exercised as above, and reviewed by Mayor Wood, Gen. Hall and staff, and Col. Ming, after which it was marched to Lafayette place and dismissed.

The various evolutions of the regiment were loudly applauded by the thousands who had congregated in front of the Hall during the short time it had been on the ground, and as it marched out of the western gates and up Broadway was followed by a large number of admiring friends, which for the moment left a large blank in the crowd in front of the hall. This however was soon replenished by fresh recruits, who assembled for the purpose of witnessing, as they supposed, the presentation of the snuff box, which all not posted imagined was to take place on the arrival of the Volunteers and the Scott Legion from the Battery. During the interim, which passed however before their arrival, most of the crowd had become pretty well posted as to how matters stood, although none could well see why the presentation should be delayed.

THE VOLUNTEERS.

Shortly after 4 o'clock the procession of Volunteers and others marched by the City Hall in review before his Honor the Mayor, to whom they paid a passing salute, in the following order; Dodworth's Band, Twelfth regiment carriages, Veterans of 1812, New York Volunteers, Scott Legion, carriages. The several companies presented a good appearance, and elicited much applause from the thousands on the ground.

Capt. Turnbull was on the ground with fifty policemen, all dressed in uniform, and maintained good order among the crowd.

After leaving the Park the procession marched up Broadway to Union square, around the statue of Washington, then down Fourth avenue to Broome street, and finally stopped at the Mercer House, where the Volunteers gave their guests a collation.

The utmost enthusiasm was manifested as the procession moved through the streets, but it was a melancholy sight after all to see the small remains of what had been once two fine and gallant regiments. Those whom the sword had not cut down disease had not spared, and it was painful to think how few of those poor fellows there would be on the twentieth anniversary of the capture of the City of Mexico.

WHAT MAJOR DYCKMAN SAYS.

When the New York Volunteer Association (Major Dyckman's friends) broke off from the line at Broome street they proceeded to the Mercer House. On entering the parlor three cheers were given for Major Dyckman and three groans for his enemies.

The Major responded as follows:—

GENTLEMEN—While thanking you for the compliment you pay me, I will now tell you all I know about the change in the purpose of delivering the gold box, which I learned since I then said to day on Grand street. I learned from the Mayor that Mr. Jackson had called on him and said that he altered his mind and from the number of protests he had received he could not tell what course he should pursue; but, at all events, he had decided not to present the box at present, but would delay it to a future time. He said nothing of his ultimate decisions. You know as much about the matter as I do. (Loud cheers.)

Sergeant PEEL said—The claims of Major Dyckman are recognised by the mass of the volunteers in New York, though some of them have exhibited a determination to deprive him of the honors awarded to him. Major Dyckman did not seek this favor; he was not a willing candidate for the golden bauble; it was forced upon him by his friends, who knew his worth. At the eleventh hour we have carried the Malakoff, though he has been baffled but not defeated by his vile enemies. Whatever Mr. Jackson may do with the box, he cannot carry away the honor done to Major Dyckman, endorsed by the vote of the City Council and the signature of the Mayor; and let me predict that ere six months are over he will either send by express, or bring in person, this box, to present it to the man who deserves it; and Garrett Dyckman will triumph over the enemies who have spared no means, even the most base, to deprive him of the honor which belongs to him. (Cheers.)

Several songs, toasts, and speeches follow, in which cheers for Major Dyckman and groans for his enemies were freely intermingled; after which, the Volunteer Association separated; Sergeant Peel announcing that on Wednesday evening they would meet to institute the Order of the Golden Snuff Box, which would be composed of men who had fought in Mexico, and no others.

SALUTE TO THE STATUE OF WASHINGTON.

The balance of the procession marched up Broadway to Union square, and saluted the statue of Washington.

COLLATION AT THE MERCER HOUSE.

The New York Regiment of Volunteers, with their escort, the Twelfth regiment, and their guests, the Scott Legion, then proceeded to the Mercer House, where an abundant repast was spread for them. Gen. Ward B. Burnett presided; when the company was assembled, he rose and said:—

Gentlemen—What I have to say to you on this occasion shall be impromptu. We are here to day to welcome our brothers in arms who fought beside us on the fields of Mexico; but there are other reasons, also, why in our assemblage this evening we should give our comrades a hearty welcome, for they come from that State distinguished among the thirteen States which formed the infancy of the federal Union—the State that sent the most ga lant men into the field in the Revolution, in 1812, and in the war with Mexico—(cheers)—the State which, until this time, has never given us a President, but which within a few months, has given us one as true, as steadfast, and as stern as any one who has filled the Presidential seat since the time of Jackson. (Loud cheers.) Pennsylvania has ever been true to the Union, and she deserves to receive honor from the whole country, as the keystone of the arch of our republic. Give her, then, a hearty welcome. Treat her hardy sons as brothers while they remain with us—brothers who bathed by our side in so many bloody fields in Mexico. Don't let them sleep. To night we will take them by the arms and lead them whither they will, We regret the absence of our gallant comrades Generals Patterson and Cadwallader and Wynkoop, who are not here for reasons best known to themselves. Meantime let us offer a cordial welcome to the brave comrades who are with us.

Nine hearty cheers were then given for "the Pennsylvania boys," nine for "Ward B. Burnett," and three for the "New York Volunteers."

Captain GRAY, of the Scott Legion, responded briefly for his company, expressing his deep gratitude for the reception they had met with, and said that even had they received no invitation they would have visited New York on this anniversary, trusting to the kindness of the New York Volunteers. The reception of to-day proved that they had not miscalculated that kindness. For Gen. Patterson he would say, that nothing but the most urgent reasons prevented his being with them. He was a man they always looked up to as the consistent friend of the volunteer; a man who, while he treated them as soldiers, never forgot that they were men. We are gratified, General Burnett, to be received as guests by you personally, for you are known to us all for your gallantry and brave conduct throughout the whole campaign. (Loud cheers.)

Gen. BURNETT then proceeded to give the following toasts, which he read amid the utmost confusion, arising from the crowded state of the room, the clatter of plates and glasses, and the cheers of persons at the end of the room, who seemed quite unconscious that anything important was going on at the head of the table. Indeed, throughout the whole proceedings there was no order preserved, and on one or two occasions the scene was quite uproarious. The toasts were given in the following order:—

The President of the United States the Executive of our Union, who knows no North, no South, no East nor West—the Guardian of the Constitution.

Lieutenant-General Winfield Scott, our Commander-in-Chief in Mexico.

Major-General Patterson—The New York Volunteers offer a hearty welcome at home to their old commander in the field.

Our Guests from Pennsylvania—Our comrades in a foreign war, our brethren at home.

Major-General Quitman—A hero among soldiers and one of nature's noblemen.

Brevet Major-General Shields—The beloved and gallant commander of our brigade during the war in Mexico.

The memory of our brave comrades whose lives were sacrificed upon the altar of fame, and whose deeds are engraved in the the history of our country.

Woman—God is good and beautiful are His works.

Major PEEL then gave the health of Col. Dyckman, which was loudly responded to, Gen. Burnett being conspicuous in his applause. Gen Small briefly returned thanks in behalf of the Scott Legion, and the party seperated to proceed to Wallack's theatre.

Among the guests present were Gen. Wright, of New Jersey; Thos Francis Meagher, Col. Oliver Byrne, Judge Morton, Jas. Roche of the *Irish News*, Horatio N. Wild, &c.

Our Buffalo Correspondence

BUFFALO, Sept. 12, 1857.

Singular but Fatal Freak of an Englishman.

An Englishman, well dressed and supplied with ordinary luggage, arrived in the "Great Western" train yesterday at Niagara Falls, and registered his name on the books of the Clifton House as W. T. Allen, Montreal. After getting to his room he ordered a bottle of wine—drank it—wrote two letters, and then came down stairs; walked deliberately out on Table Rock; waded into the water as far as the rapid current would permit, took off his hat and threw it, and plunged himself over the precipice into the roaring cataract to be seen no more.

The letters left in his room were opened. One was directed to a Miss Allen, Ireland, probably a sister, the other to a business firm in Montreal. The first was an unintelligible scrawl; the other could only be decyphered partially.

On his way from the depot he asked the driver whether any one had ever jumped over the falls without being killed. An answer in the negative brought the response that he could or would do it. This threat was regarded by the driver as a foolish, idle boast, but about 3½ P. M. the stranger made the attempt. Whether he intended to commit suicide or simply one jump Sam Patch probably no one will ever be able to tell. The leap certainly was premeditated, but the letters assign no reason for the rash act. He seemed to have plenty of money, and a gold watch and chain, all of which, with his body, will probably lie wedged in the crevices of the rocks at the bottom of Niagara river.

Supreme Court.

THE ST. NICHOLAS HOTEL DEFALCATION.

Before Hon. Judge Peabody.

SEPT. 14.—*John P. Treadwell and others vs. John M. Lawler.*—Motion to set aside attachment denied, with $10 costs.

Before Hon. Judge Mitchell

In the matter of the Empire City Bank.—The report will be confirmed except where it is otherwise directed.

IMPORTANT TO RAILWAY COMPANIES—THE INJUNCTION AGAINST THE BUFFALO STATE LINE CONTINUED.

Before Hon. Judge Davies.

The New York and Erie Railroad Company vs. the Buffalo and State Line Railroad Company.—This was a motion to dissolve an injunction. On the 15th of April, 1851, the parties to this cause returned with a written agreement in reference to the running of their respective roads. The defendants are the owners of a road running from Buffalo to the State line, connecting with plaintiffs' road at Dunkirk and with that of the New York Central Railroad Company at Buffalo. By this agreement the defendants contracted to operate their road impartially as against the interests of the plaintiffs and the Central line of railroads, and to show no favors or grants no facilities to either to the injuring of the other; that there should be a uniform rate of fare and freight per mile on the Buffalo and State Line Railroad. The agreement contains other provisions not necessary to mention. The plaintiffs allege that the defendants have violated the agreement in the particular quoted, in that they allow the holders of ticket sold merely of said State line, with coupons attached, for the New York Central road, to go over their road, by virtue of said coupons, without demanding any payment of fare, but at the same time refuse the like facility and transit to passengers holding like tickets, but having coupons which designate the plaintiffs' road as the one to be passed over, and of such latter passengers demand and exact the payment of fare, and refuse them passages over its road unless the sum be paid. That the defendants charge and exact, for and from freight and passengers, having come over the plaintiff's road, and intending to pass over the same, a much higher rate of fare and freight per mile for the passage and transportation over so much of defendant's road as is that of Dunkirk, than the defendants demand per mile of and for passengers and freight taken over the same part of its road which have come or are designed to go over or upon the Central Railroad. The defendants admit that, since the 19th of June last, they have been guilty of the violation of the agreement in the particular above mentioned, but deny that the same has been done through any partiality for the Central Railroad. They aver that it has been done in consequence of the acts of the plaintiffs in reducing their fare from Dunkirk to New York.

DAVIES, J.—I see nothing, *ultra vires*, in the particulars of the argument to be quoted. The engagement to run the road of defendants impartially, and to show no favor or grant no facilities to the Central line to the injury of the plaintiffs, is certainly not *ultra vires*. The defendants by this have but agreed to perform a legal obligation, and the performance of which the plaintiffs might have enforced, even if no agreement had been entered into between the parties. By an act of the Legislature of this State, passed in May, 1847, (Laws of 1847, chap. 222,) it is declared that every railroad company whose railroad shall connect with or be intersected by two or more railroads, which are competing lines for the business upon such railroad, shall fairly and impartially grant and afford to the proprietors of each equal terms of accommodation, privileges, franchises and facilities in the transportation of coal, passengers, baggage and freight over and upon their railroad, and over and upon such connections or intersecting railroads, and shall also grant and afford to each of said connecting roads equal facilities in the interchange and use of passenger, baggage and freight, and the cars, as may be necessary. And also in furnishing passage tickets to passengers who may have come over, or may wish to go over, either of such connecting or intersecting railroads. The defendants' road being intersected by the plaintiffs', and the Central line road, each competing lines for the business to and from their roads, in entering into this agreement, but assumed obligations which the law had already imposed. They then required, by the statute above quoted, to run the road fairly and impartially between the two competing lines, facilities and privileges granted to one competing road were to be enjoyed by the other, and no discrimination was to be made which should operate favorably to one or prejudicial to the other. This agreement, therefore, thus to do cannot be regarded as *ultra vires*. The law required them thus to act, appears of their agreement to obey its injunctions, this Court is bound to see, and that this mandate of this law and the stipulations of the defendants in conformity therewith are fulfilled. Judge Selden, in the case of Durfee and others vs. Leavitt, Receiver of the North American Trust and Loan Company, and others, in his opinion, delivered by him in the Court of Appeals, "But it is not *ultra vires* for a corporation to be honest, or to do, a promise to do that which justice demands."

The 219th section of the code authorizes an injunction to issue when it shall appear from the complaint that the plaintiff is entitled to the relief demanded, and that such relief consists in restraining the commission or continuance of some act, the commission or continuance of which during the litigation would produce injury to the plaintiff. It is very apparent to my mind, from the facts before me, that the plaintiffs are entitled to the relief demanded, which is an observance and compliance on the part of the defendants with the terms of their agreement, and that the continuance of their admitted violation of it during the litigation will produce not only injury, but great and serious injury to the plaintiffs. In this case it is peculiarly proper that the injunction should be continued, it only requiring the defendants to do what is required of them by law; and what they have solemnly agreed to do, and the motion to dissolve it is denied, with $10 costs.

MARITIME INTELLIGENCE.

ALMANAC FOR NEW YORK—THIS DAY.

SUN RISES	5 40	MOON RISES	morn 2 43
SUN SETS	6 10	HIGH WATER	eve 7 15

Port of New York, September 14, 1857.

CLEARED.

Ship American Union, Hubbard, Liverpool—Grinnell, Minturn & Co.
Ship Corra Linn, Luther, Glasgow—Dunham & Dimon.
Ship B Alsop, Washington, New Orleans—T F Sumion.
Bark S Morley, Hohn, St Marks—Smallwood, Earle & Co.
Brig Croton, Hye, Port au Prince—O L & A Ferris.
Brig F Warding, Newell, Boston—Bacon, Sargent & Co.
Schr Volant (Br), Ellis, Barcelona—Schlesenger & Andreson.
Schr Pearl, Westervelt, Washington—Mathews & Mitchell.
Schr Lady Whitbee, Craddock, Elizabeth City—D Glines Son & Co.
Schr Jamestown, Latourette, City Point—Jas Hunter & Co.
Schr Sprague, Bell, Baltimore—Muller, Lord & Quereau.
Schr Jas Parker, Van Name, Philadelphia—J W McKee.
Schr S Gilman, Crowell, Boston—S W Lewis & Co.
Steamer Beverly, Pierce, Philadelphia.

ARRIVED.

Steamship Baltic, Comstock, Liverpool, Sept 2, with mdse and passengers, to E K Collins. 10th inst, 10:20 AM, passed Rock Light; same day, 11:30 AM, passed steamship Malta, of London, bound in; 13th, 7 AM, passed ship "Mary Wright," bound to Philadelphia; same day, 9 AM, passed ship Star of the West, Sloppy, from Liverpool for New York; same day, 10