NEW YORK HERALD.

JAMES GORDON BENNETT,
EDITOR AND PROPRIETOR.

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AMUSEMENTS THIS AFTERNOON AND EVENING.

BROADWAY THEATRE, Broadway, near Broome street.—LITTLE BAREFOOT. Matinee at 1½ o'clock.

NEW YORK THEATRE, Broadway opposite New York Hotel.—WAR TO THE KNIFE.—PRESTIGE.

THEATRE FRANCAIS, Fourteenth street near Sixth avenue.—LES PETIT MAINS.—CA M'AMUSE.—LES DEUX AVEUGLES. Matinee at 1 o'clock.—UNDER DIAMONDS.

GERMAN STADT THEATRE, Nos. 45 and 47 Bowery.—HEINRICH, THE GERMAN POET.

GERMAN THALIA THEATRE, No. 514 Broadway.—DER KONIG'S BEFEHL.

DODWORTH'S HALL, 806 Broadway.—PROFESSOR HARTE WILL PERFORM HIS MIRACLES. Matinee at 2 o'clock.

SAN FRANCISCO MINSTRELS, 585 Broadway, opposite the Metropolitan Hotel.—IN THEIR ETHIOPIAN ENTERTAINMENTS, SINGING, DANCING AND BURLESQUES.—SPECTRAL SHADES OR PHANTOM ILLUSIONS.

FIFTH AVENUE OPERA HOUSE, Nos. 2 and 4 West Twenty-fourth street.—BUDWORTH'S MINSTRELS.—ETHIOPIAN MINSTRELSY. BALLADS, BURLESQUES, &c. ST. GEORGE AND THE DRAGON. Matinee at 2 o'clock.

KELLY & LEON'S GREAT WESTERN MINSTRELS, 730 Broadway.—IN THEIR SONGS, DANCES, ECCENTRICITIES, &c.—LADY ORDERLY'S SECRET.

TONY PASTOR'S OPERA HOUSE, 201 Bowery.—COMIC VOCALISM—NEGRO MINSTRELSY BALLET DIVERTISSEMENT, &c.—MIGHT AND RIGHT. Matinee at 2½ o'clock.

CHARLEY WHITE'S COMBINATION TROUPE, at Mechanics' Hall, 472 Broadway.—IN A VARIETY OF LIGHT AND LAUGHABLE ENTERTAINMENTS, CORPS DE BALLET, &c. THE VICTIM. Matinee at 2½ o'clock.

STEINWAY HALL, East Fourteenth street, near Irving place.—BATEMAN CONCERTS, commencing at 12 o'clock.

HOOLEY'S OPERA HOUSE, Brooklyn.—ETHIOPIAN MINSTRELSY, BALLADS, BURLESQUES AND PANTOMIMES.

NEW YORK MUSEUM OF ANATOMY, 618 Broadway.—LECTURES WITH THE OXY-HYDROGEN MICROSCOPE twice daily. HEAD AND RIGHT ARM OF FROST. Open from 8 A. M. till 10 P. M.

New York, Saturday, November 3, 1866.

THE NEWS.

EUROPE.

By the Atlantic cable we have a news report, with financial, commercial and marine intelligence, dated on Thursday, the 1st of November.

Napoleon, it is said, advises Maximilian to cede two Mexican provinces to the United States, and thus "consolidate" his rule in the country.

An imperial French commission is to report a plan for the reorganization of the army. The Emperor is to preside.

Pope Pius the Ninth condemns the policy of Italy towards the Church in an allocution addressed to the Sacred College. "If need be" he will leave Rome and seek the "free exercise" of his ministry "in a foreign land."

The Turkish troops have had some victories in Candia, the Christian insurgents losing many men on the field and by accident. A number of the revolutionists had surrendered to the Turks.

Our special correspondence from Dublin, with the extracts from our newspaper files, published to-day, embrace matter of considerable interest relative to the condition of Ireland and the prospect of a remedy of her old and present "grievances" through Mr. Bright's new plan of agitation, the policy of Napoleon in endeavoring to effect a grand reunion of the Greek and Roman Churches under the ecclesiastical sovereignty of the Pope, and the progress of Russia in her march of conquest towards India through Central and Southeastern Asia.

Consols closed in London at 89¼ for money and 89⅝ for account. October 31. Five-twenties were at 69 the same day. Thursday was observed as a holiday on the Stock Exchange.

The Liverpool cotton market was heavy on the 1st instant.

Four of the Fenian prisoners were placed in the dock at Toronto yesterday true bills having been found against them. The prisoners all pleaded not guilty, and the trials were postponed. Rev. Mr. Lumsden's case will be tried to-day.

The children of Mr. and Mrs. Tower, of West Morris, were poisoned yesterday by having arsenic mixed with butter cakes instead of flour by an elder sister. She thought it was flour. A physician was called and they are now considered out of danger.

THE CITY.

An enthusiastic mass meeting was held in and around the Academy of Music, under the auspices of the Central Union Club. The stands outside, pyrotechnic displays, a cannon, three bands of music and an enthusiastic citizens comprised the occasion. The meeting in the house was addressed by S. M. Griswold, Esq., ex-Governor A. G. Curtin, of Pennsylvania, ex-Governor Butler, General Gibson and others in favor of the adoption by the Republican party of the amendment, and assailed the Democratic position. Resolutions expressing confidence in the President were adopted with unanimity.

A meeting of the loyal citizens of Yonkers last evening at the Town Hall, Mount Vernon, acted as chairman, Major Pangborn and other officers of the meeting.

A meeting was held in the Wigwam, on Flushing avenue, near Livingston, in Brooklyn last night, when one of the seats fell, precipitating its occupants to the floor, and at the same time a section of the roof fell in, and the flooring fell through to a distance of six feet. It is thought no one was seriously injured, although the panic for the time being was immense.

There were 37,231 voters registered yesterday, which, with 76,803 registered previously, makes a total of 114,034 up to the present time.

William A. Francis, Treasurer of the Montana Mining and Discovery Company, committed suicide yesterday at his house in West Nineteenth street, by cutting his throat with a razor. In attempting to prevent the deed his wife was severely cut, and is in a precarious condition. The deceased had formerly been an inmate of a lunatic asylum.

A coroner's jury, investigating the murder of Gleason, in Furman street, Brooklyn, on Saturday night, yesterday rendered a verdict charging Moshane with the commission of the deed, and Horton with being accessory to the crime.

The case of Ellsworth vs. Ellsworth was decided yesterday by Judge Brady, of the Court of Common Pleas. The Justice considers that the defendant, ex-United States Consul to Cypress, is unable to pay alimony to his wife, from whom he was divorced in 1859, and therefore discharges him from further arrest.

Judge Barbour, of the Superior Court, has denied a motion of the Corporation Counsel for an order setting aside execution in the case of Hadfield vs. The Mayor, &c. The opinion is given elsewhere.

Yesterday Commissioner Osborn held an examination into the case of Charles Newbert, who was charged with having sold lottery and policy tickets without paying the special tax required by the revenue laws of the United States. The defendant was committed for trial. The facts, as reported in another column, disclose some interesting features in relation to the lottery system.

The Seventh regiment will decline the invitation to visit the Paris Exposition in 1867, less than six hundred of the members volunteering to go.

A fire broke out in the oil and lamp store No. 136 South Sixth street, Brooklyn, E. D., and four families, who inhabited the upper portion of the building, narrowly escaped with their lives. The fire was caused by the explosion of a barrel of "non-explosive" oil.

The steamship City of London, Captain Mirehouse, of the Inman line, will sail at noon to-day for Queenstown and Liverpool from pier 45 North river. The mails will close at the Post Office at half-past ten A. M.

The Hamburg-American Packet Company's steamship Allemannia, Captain Trautmann, will sail from Hoboken at twelve M. to-day for Southampton and Hamburg. The mails for the German States will close at the Post Office at half-past ten A. M.

The fine steamship George Washington, Captain Gager, of the Cromwell line, will sail at three P. M. to-day for New Orleans direct from pier No. 9 North river.

The steamship Victor, Captain Gates, at pier No. 11, North river, will sail at three P. M. to-day for New Orleans. The steamship Huntsville, of the Black Star line, also for New Orleans, will sail from pier No. 13, North river, at three P. M. precisely, to-day.

The fine new steamship San Jacinto, Captain Loveland, belonging to Messrs. Garrison & Allen's Empire line, will sail punctually at three P. M. to-day for Savannah, from pier No. 13, North river. This steamer has superior accommodations for 136 cabin passengers.

The popular sidewheel steamship Quaker City, Captain Wm. H. West, of Leary's line, will sail from pier No. 14, East river, at three P. M. to-day for Charleston. The steamship Andalusia will follow on Tuesday next, 6th instant.

The stock market was, on the whole, strong but irregular yesterday. Gold closed at 147¾.

Trade, with limited exceptions, continued sluggish, and prices were, in the main, less satisfactory to the seller than at the beginning of the week. Domestic produce was irregular. Cotton ruled dull and heavy. Coffee was quiet, but steady. On 'Change, flour and wheat opened firm, but closed heavy and lower. Corn at the opening sold at $1 32, but closed at $1 30. Pork was irregular and nominal. The first sales were at $33 cash, but prices receded to $32 (nominally) cash, and $30 50 regular. In other things there were no essential variations.

MISCELLANEOUS.

The new Police Commissioners for Baltimore took the required oaths yesterday, but on applying for possession of the office of the Police Board were told that they could not have it, as the Board had adjourned for the day. Judge Martin stated, before allowing the oath of office to be administered, that its administration did not decide the question of the legality of their appointment. A despatch says that the old Police Commissioners will not recognize the appointments of Governor Swann except under the pressure of military force. They have mustered in an extra force of policemen, and when the new Commissioners demand the property to-day, which it is understood they intend doing, supported by the Sheriff and a posse, the demand will be refused, and they will announce their determination to await the decision of the courts. Everything is quiet on the streets. A large meeting of republicans was held at the Front street theatre last night, at which General Kinly and ex-Secretary Harlan addressed the meeting. A declaration was adopted addressed to the country, expressing their views on the existing trouble and warmly endorsing the old Commissioners.

The Atlantic coast and North Atlantic naval squadrons have been consolidated and placed under command of Admiral Palmer. The stations will extend from Halifax to the West Indies.

A fire occurred on Canal street, in New Orleans, on Thursday night, which destroyed two large clothing stores. The loss amounts to three hundred thousand dollars. A boiler exploded on the levée in that city yesterday, by which three men were seriously injured.

Colonel Young, the leader of a gang of marauders in Texas, and formerly chief of General Sherman's scouts, was hung by the rancheros recently, and all his gang captured, shot or hung.

The jury in the trial of the Adams Express robbers, at Danbury, yesterday, rendered a verdict of guilty against all the prisoners. Notice was given that a motion for a new trial would be filed, and sentence was therefore deferred.

The case of James de Rothschild and others against Wm. Weisiger, involving four hundred hogsheads of tobacco taken and held by the government during the war, was commenced in the United States District Court of Virginia at Richmond yesterday.

Four negroes were executed at Marlborough, Maryland, yesterday, for the murder of Mr. William Lyles, of Prince George county, in July last. They confessed their guilt.

The Mexican Treaty—Our Relations with France.

One of our city contemporaries in its Paris correspondence published yesterday puts forward statements that entirely misrepresent the relations between the Emperor of France and the government of the United States. This correspondence pictures the Emperor, as according to the elegant phrase of the writer, "fighting mad at the Americans" upon the subject of the Mexican empire, as furious and as railing in puerile and ridiculous frenzy against our government, and against certain persons in the government, for our policy of opposition to the attempt to establish a monarchy upon the soil of the neighboring republic. This choice "Paris news" is all erroneous and its tendency is in the highest degree mischievous. There is not only no fury at all—but the relations of the two governments are of the best possible character. The Paris correspondent of the journal in question is entirely ignorant of the subject upon which he writes.

It is not difficult to give a straightforward summary of the recent and present position of affairs between the two Powers. At the close of the war the relations between Washington and Paris were as bad as it is possible for diplomatic relations to be without open rupture. It was certain that the Emperor had not originally intended that his Mexican expedition should initiate the foundation of an empire. He had desired to send to Mexico in common with other Powers—England, Spain and the United States—to demand and enforce payment of the claims that foreign creditors had against Mexico. But the United States declining and England and Spain drawing out, he was left alone in the matter; and from that position, influenced by speculators in Paris, generally the enemies of the United States, and convinced by their misrepresentations that our government was destroyed, he drifted into the programme of the Mexican empire as it has been since attempted to carry it out. But when the rebellion was triumphantly put down, it was seen in France as clearly as in the United States that the empire was a blunder and must be given up. At that time the diplomatic relations between the two governments was a serious cause of trouble and uneasiness to the Emperor; and he only saw his way out of that trouble and a happy solution to the difficulty when he received the frank declaration of President Johnson, made privately as well as publicly in his message, that there was a deep and natural *entente cordiale* between the people of France and the people of the United States, and that standing from that good will of the two people there was nothing in our relations with France that might not be amicably adjusted with full regard to the honor of the two nations.

There is no doubt that the Emperor accepted that declaration in the right spirit at the time it was made; but the troubles then arising in Europe and which culminated in the war that has changed the political complexion of the Continent, necessitated a further delay in the settlement of Mexican affairs. No sooner was that war terminated, however, than this settlement was begun in earnest. Some complications having arisen in the correspondence of the French Secretary for Foreign Affairs, M. Drouyn de Lhuys, the Emperor, in order to have a clear case, and, perhaps, not to let any personal questions of dignity or pique interfere, went to the length of changing his secretary and substituting for M. Drouyn de Lhuys the Marquis de Moustier, then at Constantinople—a man entirely new to the subject, and who, from not having any preconceived ideas of his own, would perhaps carry out the more directly and simply those of his sovereign. Between this new Secretary and Mr. Bigelow, invited to Biarritz for the purpose, the Emperor set forth clearly the whole policy of his retirement from Mexico and his abandonment of the imperial scheme.

The preparation of a treaty between the United States, France and Mexico now occupies the proper authorities of the respective governments. The basis of that instrument is the withdrawal of the French forces, and it involves, we believe, the agreement of the United States to sustain the authorities until such time as they can be self-sustaining, and the cession to us of valuable territory on the Gulf of California. So far, therefore, from the Emperor's being enraged or furious at us, the present relations, originating in the President's frank declaration, are in an eminent degree amicable.

The Election Next Tuesday—The Only Live Issue.

Very little general interest is felt in the election of Tuesday next, and the politicians, eggmen and petty office seekers are the only persons who seem to care which way it may go. This indifference is easily accounted for. The result on members of Congress in the city districts is entirely immaterial, so far as the question of national policy is concerned; for it is now a fixed fact that the republicans will be a little stronger in the next Congress than they are in the present, and will have more than a two-thirds vote in each House for the entire remainder of President Johnson's term of office. The result on the Governor is already as good as settled; for every unprejudiced man knows that Mr. Hoffman never had a chance of success, that the boasts of his organs and backers have been mere brag, and that Governor Fenton's former majority over so popular a democrat as Governor Seymour, will be increased over a New York "ring" candidate by several thousand votes.

As to the county ticket, the only interest felt by the citizens generally is on the issue raised by the nomination for Register, made by several independent democratic organizations and endorsed by the republicans, against the joint candidate of the Tammany "ring" and Fernando Wood.

Mr. John McCool represents the new bargain made between Fernando Wood and the Tammany rump, by which the latter hope to sustain themselves a little time longer in power. General Charles G. Halpine represents the opposition to the corrupt rule of the "ring" and the political trading and bargaining of Fernando Wood. The issue comes up distinctly between these two candidates; for General Halpine is the boldest opponent of the "ring" in the city of New York, while McCool is Fernando Wood's man, and Wood's bargain with the "ring" is to re-elect him to the office of Register. As to the Recorder and Surrogate, the present incumbents will no doubt be re-elected; for no person objects to them, while the candidates brought forward by the republicans in opposition do not amount to much.

As the issue made upon the Register is, therefore, the only one of any general concern, it will not be uninteresting to examine the chances of the candidates. When we look over the ground and recall the results of other local elections, there seems to be no doubt of the success of General Halpine. It is a well known fact that the Tammany rump cannot poll over twenty thousand votes. Mr. Boole's vote for Mayor was only a little over twenty-two thousand when the "ring" had the large patronage of the City Inspector's office at its back, and it is weaker now than it was then. Last year Marshall O. Roberts was in reality elected Mayor by nearly five thousand plurality over Hoffman; but he refused to follow up his claim to the election because he did not desire to hold the office. The city gave sixteen thousand popular majority against Hoffman at that time. Outside of the strength of the "ring"—some twenty thousand votes—McCool has nothing but the personal strength of Fernando Wood to back him, and that cannot be set down as very efficient at this time. All the organizations in the city except this particular "ring" and the parties personally interested in their Fernando Wood bargain have declared for General Charles G. Halpine. General Halpine will receive a heavy vote from his Irish fellow citizens, and will, of course, take all the "soldier boys" of the war away from a stay-at-home copperhead like McCool. He will receive the support of all the anti "ring" democratic organizations as their nominee, and the solid votes of the thirty-eight or forty thousand republicans who have endorsed him for the purpose of breaking up a corrupt combination. So if all those independent and respectable citizens who attach themselves to no particular party, but who desire to put a stop to the career of the band of Forty Thieves that has plundered the city for ten years past and increased the taxation to twenty millions, will turn out on election day and vote for General Halpine, they will not only dispose forever of the "ring" and the "rump," but they will finally lay the restless ghost of that defunct copperhead, Fernando Wood, as well.

THE TROUBLE AT BALTIMORE.—It is to be hoped by all sensible and law-abiding citizens that the trouble at Baltimore between the Governor and the Police Commissioners may be settled without bloodshed and without the interference of United States troops. Forney and the other radicals who have been endeavoring to excite a riot about the matter, by urging the Police Commissioners to forcible resistance, cannot be too severely reprehended and punished. The Commissioners have been legally removed by the Governor, after a fair trial and upon satisfactory evidence of their incompetency. If the Commissioners do not like this removal, let them quietly appeal to the courts. That is their only recourse. They cannot insist upon holding their offices after the Governor has removed them; for, if they could do that, then the power of State Governors to remove incompetent or dishonest officials would be a mere farce. Let the Commissioners give up their authority and set an example of obedience to law. The very fact that they do not act thus is proof enough of their incompetency for their positions.

The truth of the matter is that there would be no question either as to the right of the Governor or the duty of the Commissioners if an election were not close at hand and if the radicals were not afraid that a change of Commissioners may lose them many votes. This is the negro in the fence. The tendency of the radical party to drag questions of law, as well as of religion, into the mire of politics, accounts for the whole of this disgraceful Baltimore business. The power of a Governor to displace certain officials is beyond dispute. The radicals themselves claim it in Louisiana and also here in New York, and they only deny it in Maryland for partisan purposes. How can we ask Governor Fenton to remove the Fire Commissioners or the Street Commissioner here, if we deny the right of Governor Swann to remove the Police Commissioners at Baltimore? Partisanship cannot alter principles, and it is absurd to say that one set of officials may call out the "boys in blue" to keep them in place after they have been fairly and legally tried, condemned and removed, when in this very city Fernando Wood attempted the same game in the famous "police war" and was most summarily squelched.

IMPORTANT JUDICIAL DECISIONS.—Two of the most important and most satisfactory judicial decisions that have been given for many a long day for the protection of this community against the shameless and remorseless plunderers of the "ring," were proclaimed by Judge Barnard in the Supreme Court on Thursday last. We refer to the decision continuing in absolute force his injunction against that outrageous twenty years' gas contract of the Corporation "ring." There are some ten, fifteen or twenty millions of money in this enormous job to be extracted from the pockets of our city gas consumers and taxpayers, including millions of clear profit to the jobbers; and so in this matter Judge Barnard is entitled to the thanks of all honest men for his fearless and righteous decision. The second case is his decision declaring, in reference to the books and vouchers of the Street Commissioner that, like those of all other officers of the Corporation, they are in law open and must be accessible to citizens seeking information. The importance of this safeguard to the community will at once be understood by every citizen interested in street contracts, jobs and appropriations. But these just and opportune decisions are important in a political as well as in a legal view. With such unflinching decisions from a democratic judge in this city, at such a time as this, we may be sure that justice is bound to prevail and that the combinations, corruptions and spoliations of our Corporation "ring" are going to be put down. Judge Barnard has set his face against them, and doubtless in defiance of all sorts of partisan threats and temptations; and the good effect of his fearless example, we guess, will be made manifest in Tuesday's election, to the astonishment of the "ring." At all events the taxpayers of this heavily taxed city have reason to rejoice over these timely and efficacious decisions of Judge Barnard, and they should by all means sustain him in putting down the "ring."

AN EXCELLENT REPRESENTATIVE FOR AN EXCELLENT CONSTITUENCY.—Some of the politicians of Mr. John Morrissey's district presented to us yesterday a whole batch of certified copies of indictments and convictions against that candidate for burglary and other offences, some six or eight in number, together with various other particulars relating to his history, with a request that we would publish them in the HERALD. We declined to comply with this request, but advised the applicants to carry their documents to the *World*, which professes to be a moral organ, or the *Tribune*, either one which papers, would no doubt lay them before their readers. We were asked, in some surprise, why we refused to publish them ourselves, and our reply was, "Because we regard Mr. John Morrissey as a fit representative of the party that nominated him and as a very proper person to run upon the same ticket with John Hoffman, Fernando Wood and Ben Wood, and further, because we do not believe that those who can swallow Hoffman and the two Woods, with all the other "ring" candidates at their tail, ought to make a very wry mouth at John Morrissey, Esquire."

JEROME PARK.—There will be a hurdle race of gentlemen riders over this track on the 8th inst., when no doubt some rare amusement for the public may be expected—both amusement intended by the club and the riders, and amusement not intended by either. The gentlemen riders are now in training at the park, where they can be seen by the more eager lovers of sport at the proper times.

THE SOUTHERN POLITICIANS AND THE CONSTITUTIONAL AMENDMENT.—It appears from information we have been receiving lately from the South that the old politicians are denouncing the constitutional amendment and recommending the Southern people not to accept it. We have noticed this in Mississippi, North Carolina, Texas and other States, and now we see that the Governor of Georgia, in his message to the Legislature, and the Speaker of the House of that State both oppose the amendment. These are the same sort of men, the same straight laced, impracticable politicians who plunged the South into rebellion. They never learn anything and seem to be unconscious that the world moves. They talk of State rights and other rights just as they did before the war, while everybody else sees that a great revolution has taken place and that these Southerners are at the mercy and in the power of their conquerers, the Northern people. The constitutional amendment offers reasonable and moderate conditions under the circumstances, and the South is stupid not to accept them without hesitation. When once in Congress her representatives will have a voice in public affairs, and the two-third vote of Congress may be obtained after a while to relieve her former prominent men of the disability they would labor under. Besides a new generation will grow up in a few years to take the place of the old politicians. Individual interests are nothing in the history of nations; the interests and future of the State is the absorbing question. We hope the Southerners for their own sake will become more practical and reasonable.

THE RAILROAD NUISANCE ON BROADWAY.—The nuisance on Broadway from Fulton to Ann streets is not interfered with by the Mayor or Street Commissioners. These officers did not prevent and do not put a stop to this public outrage. What is the reason? Is the privilege of seizing and holding possession of this great public thoroughfare the consideration paid to Thurlow Weed & Co. for their support of Mayor Hoffman? The Corporation Counsel will move in the matter with energy if the Mayor or the Street Commissioner will give him power and authority to do so. But they will not do this. The railroad jobbers are the supporters of Mr. Hoffman, and he will not stretch out a hand to interfere with their jobs or to protect the public from their outrages.

THE BIGGEST THING ON THE DOCKET—The spoils and plunder coalition between John Hoffman, John Morrissey, Fernando Wood, McCool, the "ring" and the Tammany Rump.

FERNANDO WOOD AT HIS OLD TRICKS.—The nomination of General Halpine for Register by the independent democratic elements of the city and by the republicans has, it appears, so badly frightened Fernando Wood in regard to his good man Friday, McCool, that he has undertaken a little of his old trickery to save his interests in the "ring." We learn that among other devices, he is circulating liberal supplies of tickets bearing the inscription, "For Register, Miles O'Reilly," under the idea that many of the democratic friends of General Halpine will be taken in by his familiar literary *sobriquet* and thus throw their votes away for the benefit of McCool. To make sure against this artful trick of Fernando's, every man who wishes the genuine "Miles O'Reilly" elected Register will vote for General Charles G. Halpine. Let this be done and "Miles" will be carried in.

A CALL UPON THE MAYOR.—We have been asked why has not the Mayor interfered for the removal of the illegal railroad obstruction which crosses Broadway from Ann street to Fulton? We don't know. Perhaps he wants to be Governor.

THE BROADWAY RAILROAD.

The extension of the Dry Dock Company's tracks, which has occupied the attention of the public during the last week, has given rise to so much discussion, and to the expression of such a variety of opinions, that the readers of the HERALD may find it interesting to have their attention called to the laws which relate to it.

THE ORIGINAL CHARTER

under which the company commenced their operations was issued April 17, 1860. It distinctly states the routes by which they may travel, allows them to cross Broadway at certain points, but distinctly marks the difference between "crossing and running to" Broadway. A clause in the act, which has special reference to the present difficulty, after specifying other routes, reads as follows:—"Commencing at avenue D, at the northern extremity of the same; thence through and along avenue D, with a double track, to Eighth street; thence through and along Eighth street, with a single track, to Lewis street; thence through and along Lewis street, with a single track, to Grand street; thence through and along Grand street, with a double track, to East Broadway; thence through and along East Broadway, Chatham square, Chatham street and Park row, with a double track, to Broadway."

After an examination of the entire chapter it will be found that in cases where the company is allowed to cross Broadway the fact is mentioned clearly, and it is evident that the law did not intend to grant any further extensions in that direction than those mentioned in the original charter.

EXTENSION OF THEIR CHARTER.

On the 1st of May, 1866, the company received an extension of their charter, under chapter 853, sec. 1; it reads thus:—"The Dry Dock, East Broadway and Battery Railroad Company, in the city of New York, is hereby authorized to extend their railroad tracks, with a double track from Greenwich street, in and through Desbrosses street to the North river; and with a double track from Greenwich street in and through Cortlandt street to the North river; and through Fulton street to Broadway, with a single track from Washington street to Greenwich street, and a double track from Greenwich street to Broadway, together with the necessary connections, turnouts and switches for the proper working of such extensions, and connecting the same with the tracks in Greenwich and Washington streets in said city." It makes no mention at all of streets on the eastern side of Broadway, but enumerates distinctly the streets on the western side of Broadway, for which the extension was granted. The expression "the necessary connections, &c., for the proper working of such extensions, and connecting the same with the track in Greenwich and Washington streets," cannot possibly be construed into permission to construct a Broadway railroad, as it is worded "such extensions," which means the above-mentioned and no other; and as the two last mentioned streets are both on the western side of Broadway it is a very roundabout and unnecessary manner of effecting such connections. It is astonishing that this nuisance has been permitted to exist for so many days without an injunction; but what is everybody's business is usually no one's. However, as the travel on that part of Broadway is seriously interfered with, and the numerous stoppages, which formerly were unpleasant, have now become unendurable, it is incumbent upon the Mayor of the city to interfere, and by taking out an injunction put a stop to this crying evil, which the longer it exists the more and more apparent it becomes. Prompt action is necessary.

THE FENIANS.

The Prisoners in Canada—True Bills Found Against Thomas Cooney, Thomas School, Wm. Duggan and John O'Connor—Their Trials Postponed Until the 10th Inst.—Rev. Mr. Lumsden to be Tried To-day.

TORONTO, C. W., Nov. 2, 1866.

It not being understood that any Fenian would be tried to day, the attendance at the opening of the Court was not very large, but upon Daniel Wheelans being placed in the dock the Court rapidly filled and soon became crowded. Mr. McKenzie asked for a postponement of the trial until the 17th of next month. After a discussion the 12th inst. was fixed upon. Mr. McKenzie then said he was ready to proceed with Parris' case, but the Crown witnesses not being present, it was postponed until Tuesday next.

The Grand Jury then entered the Court with a true bill against Thomas Cooney, Thomas School, William Duggan and John O'Connor, all Fenian prisoners. Thomas Cooney was then placed in the dock and pleaded not guilty. The trial was fixed for the 13th inst. Thomas School was next put in the dock. He claims to be an American citizen, and pleaded not guilty. The trial was fixed for the 10th inst. William Duggan pleaded the same, and his trial was fixed for the 10th.

McKenzie then applied to have the indictment quashed, on the ground that the different counts charged the prisoners with being foreign subjects, and British subjects, he submitted, cannot be both. If held to be British subjects they must be indicted for treason. The Judge overruled the objection for the present. Mr. McKenzie gave notice that he would move that the crown elect whether to try them as British subjects or American citizens.

His Lordship remarked that he thought it was intended that the motion should be a very proper one, but he would leave it to the jury to say whether they are British or American subjects. Similar notice was given for John O'Connor, and the Court adjourned until to-morrow, when Rev. Mr. Lumsden's case will be proceeded with.

Gen. Santa Anna and Gen. Sweeny.

In consequence of the probable restoration of Gen. Sweeny to his rank in the regular army, it is likely that the arrangement entered into between him and Santa Anna, for planting an Irish colony on the General's ranches in Mexico, will not be carried out. He proposed to locate them on his own property, which was confiscated by Maximilian, after that sick man should be expelled from Mexico and restored intact to the house of Hapsburg. He wanted none but Irishmen, as in religion and habits they more closely approximated to the Mexican people, and he considered that the Irish element would more readily assimilate with the Spanish. The first division was to have consisted of 5,000 men, and be under the immediate command of Gen. Sweeny, who was to hold the rank of General of Division. The preliminary arrangements were discussed and finally completed, but the position of affairs in Washington and the possible withdrawal of Gen. Sweeny may entirely change the programme laid down by Santa Anna and indefinitely postpone the departure of this Mexico-Irish legion.

Darcy McGee's Advice to the Irish.

MONTREAL, Nov. 2, 1866.

Hon. Darcy McGee made a speech last night before the Caledonian Society, and said if he had the ear of the Irish people he would say, "Consider the prosperous position of Scotland; consider the example of Scotland; cease to pursue the impossible and impracticable, try by every novelty something that contains elements of success. To the imperial statesmen he would recommend the familiar American word 'reconstruction,' and a generous policy towards Ireland."

THE ADAMS EXPRESS ROBBERY.

Conclusion of the Trial—Verdict of Guilty Against All the Prisoners—Motion for a New Trial, &c.

DANBURY, CONN., Nov. 2, 1866.

Soon after yesterday's despatch was forwarded, Judge Lomas commenced his charge to the jury. The learned Judge began his charge by overruling the points of law as to the indictment and the jurisdiction of the court, which had been raised by the defence, and then proceeded to give a very lengthy but very clear digest of the evidence on both sides, concluding with a definition of the meaning "reasonable doubt," so far as concerned the guilt of the prisoners. At the conclusion of the charge the jury retired, but after about half an hour returned into court begging an adjournment till this morning.

The Court met this morning at nine o'clock. The Court House was crowded in every part, a large proportion of those present being of the fair sex. After a consultation of little more than an hour the jury entered and recorded a verdict of guilty against each one of the prisoners. Counsellor Taylor gave notice that he should file a motion in error and a motion for a new trial. Sentence was therefore deferred.

FIRE AND EXPLOSION IN NEW ORLEANS.

NEW ORLEANS, Nov. 2, 1866.

A fire last night destroyed the large clothing store of Thomas C. Payan, No. 73 Canal street. The flames communicated to the building occupied by Roach, Durey & Wheeler, also wholesale clothiers, destroying the upper portion. Total loss, $300,000; insured.

A boiler on a flat exploded at the wharf this morning, seriously injuring three men.

WASHINGTON.

WASHINGTON, Nov. 2, 1866.

Investigation into the Condition of Our Military Affairs on the Rio Grande Frontier.

Lieutenant General Sherman will shortly return here and receive instructions from the President, when he and Minister Campbell are to leave for the Mexican frontier. The General is to make a thorough investigation into the manner in which our military affairs are conducted there. The recent interviews between the General and the President have been in regard to future policy toward Mexico.

No More Bonds to be Received for Deposit at the Treasury on Account of National Banks.

The Comptroller of the Currency announces to-day that bonds have been received for deposit with the Treasurer of the United States to an amount sufficient to secure the entire three hundred millions of national circulation authorized by law, and no more can be received after this date. The limit has been reached, and hereafter it will be useless to forward bonds or to apply for increase of capital, or for the organization of new banks, or to do anything with the expectation of getting circulating notes.

Rebellion Claims.

During the month of October one hundred and twenty-two claims were filed at the rooms of the claims commission which is connected with the War Department. These embrace claims for almost every description of property impressed, damaged, used or destroyed by the Union troops during the late war. It appears from the records that, of one hundred and seventeen filed during the months of August and September, fifteen were rejected, thirteen allowed, thirty-four returned to the claimants' attorneys and the remainder continued for further evidence or held under advisement.

Ex-Secretary Harlan's Indian Land Speculations.

Hon. James Harlan this morning publishes an elaborate reply to the statements heretofore made impugning his motives in the sale of the Cherokee neutral lands. Being thoroughly convinced that the interests of the Indians required it he says he sought diligently for a purchaser, and after failing in all quarters he ultimately effected a sale to the American Emigrant Company of Connecticut. He claims that this contract was in accordance with the treaty, and that with reasonable diligence the whole amount, except the expenses of survey, would be in the Treasury to the credit of the Indians, or at interest within one year from the date of the contract. By the other mode of sale, in driblets, the expenses would be much greater, and judging from past experience it would be a lifetime before the whole could be converted into cash. A few interested parties desired the vacation of the contract for the purposes of speculation. Mr. Harlan concludes by saying:—

Not regarding them as disinterested advisers, their advice was not followed by me. I preferred to follow my own judgment of what the true interests of the Indians and the people of Kansas required. I did what appeared to me to be both wise and just, and I neither fear nor doubt the judgment of an impartial public opinion, and if my successor should follow the advice of the Attorney General, set aside the contracts, and succeed in making a better disposition of these lands, none of his friends will be more highly gratified than I shall be with his success.

The Business in the Pension Office.

The following is a statement of the business transacted in the pension office during the month of October last:—

No. of widows' claims allowed	1,067
Do. rejected	134
Do. applications for increase of pension allowed	46
Do. rejected	59
Total No. of widows' claims disposed of	1,745
No. of invalid claims allowed	1,6[illegible]
Do. rejected	2[illegible]
Whole No. disposed of	1,8[illegible]
No. of invalids' applications for increase of pension allowed	1,4[illegible]
Do. rejected	177
Total No. of invalids' cases disposed of	3,5[illegible]
Total No. of pension cases disposed of	5,2[illegible]

The number of claims received were as follows:—

Widows' claims	1,7[illegible]
Invalids' claims	1,4[illegible]
Total number received	3,2[illegible]

About eleven thousand applications for increase of pension were filed during the month.

Internal Revenue Receipts.

The receipts from internal revenue to-day were $1,750,550.

Pardons.

The President yesterday granted pardons to W. E. McCown and John S. Kelley, who were sentenced—the former to eighteen months and the latter to one year's imprisonment on their own plea of guilty to a joint indictment charging them with defrauding the government—at the December term, 1865, of the United States District Court for the Southern district of New York. McCown was pardoned because he had served long and meritoriously in the army, and Kelley because it was earnestly recommended by a number of respectable citizens of New York.

Return of Arms Seized by the United States Government to the Fenians.

P. O'Day, of Buffalo, and J. C. O'Brien, of Rochester, New York, are in the city on business connected with the Fenian organization. It is understood that the Secretary of War and the Secretary of the Navy, at the instance of these gentlemen and that of Hon. J. M. Humphrey and F. B. Gallagher, of Buffalo, have issued orders for the immediate return of all the arms, ammunition and flags lately captured from the Fenians by the United States authorities. It is also stated that William A. Dart, the United States District Attorney for the Southern District of New York, was removed in consequence of his over zealous action towards the Fenians on the occasion of their late efforts against Canada.

Sales of Public Lands.

Returns received at the General Land Office show that an aggregate of 51,714 acres of the public lands were disposed of in September last at the following local offices, viz:—San Francisco, Cal., 3,666 acres; Marysville, 11,000 acres; Traverse and East Saginaw, Mich., 33,403 acres. The greater portion of the lands were taken up for actual settlement and cultivation. The cash sales during the month amounted to $27,650.

The Federal Office Holders on the Pacific Coast Not Appreciated.

Quite a number of prominent gentlemen from the Pacific coast are here urging the removal of the present federal officials on that coast.

Soldiers' Bounty Claims.

Two hundred and ninety thousand discharged soldiers' claims have been disposed of by the Second Auditor. There are now over ninety thousand claims for additional bounty unsettled in the same office. The law of July 28, 1866, will bring from two hundred thousand to two hundred and fifty thousand more claims before the Auditor in question. Already of these about sixty thousand have been received. It ought to be borne in mind that this is only one single branch of the business of the office.

Directions for Applicants for Increase of Pensions.

The following regulations in regard to applications for increase of pensions were issued from the Pension Office to-day:—

Applications for increase of pensions, under the acts of June 6 and July 25, 1866, form a part of the unadjudicated or pending claim, and their receipt is not acknowledged by this office. The condition of all adjudicated claims is reported from time to time by circular or by letter, and will not be reported by any agent unless he shall have been recognized by this office as the attorney in the case, nor unless the application shall have been on file at least three months, special cases excepted. Only a duly executed power of attorney confers upon an agent the right to appear in a case, and no unadjudicated claim will be taken from the files for examination unless material evidence shall have been offered its establish to validity.

The Wreck of the Andrew Johnson.

Captain Robert Haley, who commanded this vessel, reached here this morning, having left the wreck last night. From him we learn the following particulars of the wreck of that vessel:—She left New York on the 3d ult., bound for Charleston. At one o'clock on Friday morning she struck Coritack beach. At the time she beached there was a very heavy westerly current and a strong gale of wind blowing from the east. In an hour after she struck she filled and sank. All the boats were washed away with the exception of two. The captain and first officer succeeded in land