WHARVES, PIERS AND SLIPS.

Meeting of the Legislative Committee—Address of the Citizens' Association—Various Interests Represented, &c.

The committee which was appointed at the last session of the Legislature to inquire into the condition and affairs of the piers and wharves of the cities of New York and Brooklyn met yesterday in the Councilmen's Chamber, at City Hall, at twelve o'clock, for the purpose of receiving such information as might be presented to them by the various shipowning and dock interests which were represented there. Of the committee Messrs. Pierson, Low, La Bau, Stanford and Murphy were present, Mr. Gibson being absent. A great many prominent business men and citizens were present and evinced great interest in the proceedings, among whom may be mentioned Judge Edmonds, Judge Bonney, Judge Whiting, Mr. William Bloodgood, Mr. Richard M. Henry, Mr. Joseph F. Daily, Mr. James Brown, banker, and others.

REMARKS OF MR. PIERSON.

Mr. Pierson, chairman of the committee, having called the room to order, rose and said that they appeared as a committee of the Senate appointed for the purpose of obtaining information in regard to the piers, wharves and bulkheads of the city of New York. At the last session of the Senate various interests were presented for legislative action; the steamship company first, I think, running between this city and Glasgow. The Committee on Commerce no sooner had a bill prepared than it was amended, until the committee found that the subject was one of very great importance. Parties doing business in the East river—doing business with barges in bringing produce from Long Island—claimed that their business required the exclusive occupation of a wharf for themselves. The Harbor Masters thought that their powers were insufficient to give them such privileges as they should have, and they asked for such powers. I believe the bill passed the House. Such was the question before us and the Senate itself soon found that to protect the rights of the city and enlarge the privileges which should be given to individuals, required more time and information than they were able to give, and hence the appointment of this committee; and we are here to get such information as we can. We have no particular plan of coming before you, and have invited you to give before us what might furnish us with all the facts which are covered by this subject.

REMARKS OF MAYOR HOFFMAN.

At the conclusion of the remarks of Mr. Pierson Mayor Hoffman rose and said that he had not come to make any formal remarks. As Mayor of the city it was proper that he should say that the subject is one of vast importance to the city and to all of its inhabitants. The subject is a very difficult one, and I have only to say that you will find it very full of embarrassments. As you know, the wharves and piers of the city are owned partly by individuals and partly by the city. I had prepared, at your request, a statement of all the piers owned by the city, and I supposed that the statement had been sent to you. I will have a copy made and sent to you before you leave the city. The Mayor concluded his remarks by saying that the condition of the piers of the city is disgraceful. Many of these piers are now leased for a term of years. Some of them have been leased within the last year for the term of ten years. They have passed into the hands of the lessees, and if they perform their contract what can be done with them? He was in the receipt daily almost of letters calling upon him to do something, but he was powerless. He would afford them all of the information and all the powers of his office to aid them in arriving at a correct conclusion upon the subject.

At the close of the remarks of Mayor Hoffman, Judge Edmonds said that he represented the interests of the New York Pier & Warehouse Company, and would at the proper time be ready to deliver a written statement containing what they believed to be the legal questions involved.

After which Mr. Wm. Allen Butler said he was there on behalf of the Pilot Commissioners, who were desirous of reporting the present condition of the piers and slips, their condition as to dredging, and the encroachments on, and obstructions of law.

Mr. Pierson said that the committee had determined to visit the harbor and view the piers from the interior and exterior by the use of a vessel, and they would then determine what course they would take.

ADDRESS OF THE CITIZENS' ASSOCIATION.

Mr. George F. Nesbit in behalf of the Citizens' Association, presented an address in substance as follows:—

Mr. Chairman and Gentlemen—I am instructed by the Citizens' Association of this city to appear before your honorable committee, and very respectfully to tender such aid as may be in our power to help forward the important investigations committed to your charge. It is a matter of congratulation to our whole people that the Senate, as guardians of the public interests, has seen fit thus to interpose its authority in the direction of a much needed reform. Our commercial community anticipates the best practical results from these investigations, which are, we trust, to eventuate in a thorough and well ordered system of wharves, docks and piers. To facilitate your labors the association has caused to be made a careful survey of our whole water front, and we now tender to the committee a full set of diagrams of our wharves and piers, so colored that the various holes, chasures and fissures in each may be clearly designated, and their present condition accurately ascertained. A collation of the principal laws, or parts of laws, relating to this subject has also been made, a copy of which we beg leave to offer for the use of the committee. The association has also consulted with many of the leading shipping merchants and other experts in this matter of wharves and piers, some of whom we respectfully suggest might profitably be examined by this committee. I am also instructed by the Citizens' Association to tender to this committee the use of a steamtug, whenever they may desire to make personal inspection of the present condition of our wharves and piers. With mortification and regret I am compelled to admit that such an inspection will be only a melancholy voyage among ruins. It will, however, serve one good purpose, for it will convince the committee that it is fully time our State Legislature came to the rescue of our commerce from its present disabilities. Were this a matter of merely local importance it would at ll, from the magnitude of the interests involved, be worthy the most serious consideration of our State authorities. Manhattan Island is so evidently selected and set apart by God himself as the seat of an immense commerce, the manifest destiny of New York so plainly precious her future commercial consequence, that it is evident that no petty or temporary legislation will suffice. New York is not the metropolis of our state—it is the metropolis of the entire nation. So true is this that some have advised, as the remedy for existing evils, that Congress be petitioned to interpose, on behalf of the interests of the whole country, and under its general power to regulate commerce, to put our wharves and piers under national guardianship until we are able and willing properly to develop and foster our manifold commercial advantages. The rapidity with which this process of centralization is coming forward is evidenced by the following facts:—In 1800 New York city contained one seventy-eighth of the whole population of the country. In 1860 that ratio had risen to one twenty-fifth. In 1854 the imports and exports of the United States amounted to $636,000,000, of which New York had $278,000,000; while in 1865 the imports and exports of the United States amounted to $571,036,933, of which New York had $429,090,923. Should this process continue it will not be many years before New York absorbs nearly the entire foreign trade of our country. The following tables will still further evidence the rapid increase of the foreign trade of New York:—

	Imports.	Exports.
1843	$50,308,526	$23 440 326
1853	178 270,999	78,206,290
1863	184,016,350	219,256,203
1864	209 169 262	270,238,602
1865	219,744,714	209,345,509
9 months 1866	235,758,667	198,285,000

There arrived at and cleared from this port in

	Arrived, tons.	Cleared, tons.
1841	549 025	467,325
1851	1.624.052	1,234,235
1863	2,425,748	2,347,410
1864	2 261,904	2,259,442
1865	2,248,273	2,159,322
9 months 1866	2,153,994	1,992,276

The increase in the domestic commerce of New York has been equally wonderful. Thus the amount of agricultural products brought to the Hudson river from the interior is as follows:—

	Tons.
1840—By the Erie and Champlain canals	753,061
1850—By the Erie and Champlain canals	1,850,247
1854—By the canals and railroads	2,935,713
1865-'66—Canals and Hudson River Railroad	4,600,000

New York is today receiving over three-fourths of the total imports of the country, and more than half of all the exports are shipped from this port alone. The direct interest of the whole country in this investigation and its results is thus clearly demonstrated. The canal interest of the State of New York has a deep concern in this matter. A larger sum of money is annually wasted in demurrages caused by imperfect wharf accommodations in this city. In truth, there is not an interest throughout our entire State which is not injured directly or indirectly by our present system of wharves and piers. This state of things has not been accepted by our merchants with entire acquiescence. In the year 1865 the Chamber of Commerce presented a memorial to the Legislature, which discusses the question with ability. The committee closed its address by saying that it seems to be generally conceded that the present wharfage rates are too low—wholly inadequate to meet the actual expenses of keeping the wharves in good condition—and it is the opinion of many that the charges should be divided into dockage rates for the vessels, and wharfage rates for the cargo, as in Boston and other cities.

Mr. Strahahan stated that a committee representing the steamship and steamboat, river barge and railway interests was present.

Mr. Fredingham also stated that the Shipowners' Association of this city, representing the general interests of the sailing and steam vessels, appeared for the purpose of affording information.

The Chairman of the Committee inquired if the canal interests were represented; when Judge Edmonds replied that he represented those interests.

Mr. Pierson announced that the committee would meet again on Thursday, at one o'clock, and would be glad to receive any evidence that might be offered by the various associations.

To-day, at eleven o'clock, the committee will start for a cruise along the docks of the city, from pier 34, at the foot of Harrison street, in the fine steamer Chrystenah, furnished them by Messrs D. D. & T. Smith.

COURT OF COMMON PLEAS—SPECIAL TERM.

Dispute Between Distillery Keepers.

Before Judge Daly.

Charles Dougherty vs. Patrick Cuff.—This was a motion to restrain defendant from interfering with the business of plaintiff, which consisted of distilling liquors in West Forty-fifth street, between Tenth and Eleventh avenues. The complainant set forth that plaintiff had agreed to pay $2,800 for a share in the business; that $2,000 thereof was duly paid, but that the balance has never been paid over. Further, the complaint sets forth that the business was carried on in such a manner by defendant as to lead to the seizure of a lot of whiskey by the revenue officers. Defendant on the other hand claimed that he had complied with his part of the contract, and that the seizure of whiskey was deliberately concocted by his partner. Charles Ingersoll for plaintiff, F. A. Smythe for defendant. Decision reserved.

COURT OF GENERAL SESSIONS.

The Prince Street Homicide—Trial of Jeremiah O'Brien Charged With the Murder of Kate Smith—Opening of Assistant District Attorney Bedford—Testimony for the Prosecution.

Before Judge Russel.

The trial of Jeremiah O'Brien, charged with the murder of Kate Smith at Prince street, in June last, was commenced yesterday. Assistant District Attorney Bedford conducted the prosecution. Ex-Judge Stuart and Mr. Edward D. McCarthy appeared for the prisoner, who is a young man.

About two hours were spent in empannelling a jury. The following are their names:—Rudolph Prellowitz, David Williams, Julius Blumenthal, Edward S. Manual, Jas. Moore, Wm. P. Lodge, Thomas Clarke, Charles H. Wood, Wm. H. Bluhdom, Samuel Schiele, Jr., George W. Judd and George W. Snedon.

As soon as the jury was sworn, Judge Stuart made an objection to the indictment in that the accused was charged with killing the deceased under two names—Lucy J. McLaughlin and Kate Smith. The proper way would have been for the pleader to have said, Lucy McLaughlin, otherwise called Kate Smith. The counsel asked the court to quash the indictment, which motion was denied, and to which he took an exception.

Mr. Gunning S. Bedford, Jr., Assistant District Attorney, addressing the jury in behalf of the people, spoke in the following eloquent and impressive manner:—

Your Honor and Gentlemen of the Jury—Jeremiah O'Brien, the prisoner at the bar, has been indicted for the crime of murder, being charged with having wilfully, intentionally and with malice aforethought taken the life of Lucy McLaughlin, on the 20th day of June last, at 139 Prince street in this city. The facts connected with this deplorable case are few and of easy comprehension. They develope an atrocity and an insensibility to crime, not only startling to the contemplation of the philanthropist, but well calculated, indeed, to impress us all with the sad conviction that in the very midst of this vast community in which we live there is oftentimes but little security for human life. The fearful doings of the dagger of the assassin, are not unknown to the records of this court, and many is the tale of woe which the history of that dagger could reveal. We will show you in evidence, gentlemen of the jury, that the unfortunate deceased was an inmate of the house No. 139 Prince street, and that the prisoner now before you was her paramour; that on several occasions prior to the one in question he had assailed and beaten her, and once so severely that he was arrested by the authorities. He would have been placed on trial for assault and battery, and unquestionably punished, had it not been that this poor girl, who now reposes in her silent grave—sent there by this man of blood—forgave the assault and declined to appear against him. It will also be proved that scarcely had O'Brien been released from arrest than he seized from the stand of a fishmonger, at the corner of Greene and Prince streets, the knife with which an hour subsequently, he perpetrated this most foul murder. With the knife in his possession, anxious next to know whether his unsuspecting victim is at home at 139 Prince street, he sends a letter to her; he learns she is there, and, with the aid of a key, he stealthily and unknown to any one gains access to her room. But a few moments elapse when the inmates of the house are attracted by the cries of the deceased; they instantly rush to the room, and open the door. The scene was harrowing to contemplate. It was indeed a tearful, but at the same time truthful daguerreotype of hardened vice and an insatiate thirst for innocent blood. One of the portraits of this tragic scene was Jeremiah O'Brien, the prisoner at the bar, by the side of his helpless victim, and armed with a monstrous fish-knife, his countenance pale and haggard, the expression of his eye indicating in full significance his deadly purpose. The other portrait, gentlemen of the jury, was that of poor Lucy McLaughlin, the unfortunate deceased—there she was on her bended knee, with one hand on her throbbing heart, and the other on the shoulder of the prisoner, and in the "tender accents of a woman's cry" pleaded most eloquently for her life, exclaiming, "For the love you have for me, Jeremiah, and for your dear mother's sake, give me that knife! Oh! do not kill me—I am not prepared to die!" O'Brien, as unimpressible as the adamantine rock, heeded not the graphic, the touching appeal of this poor girl. The fountains of his sympathy were dried up; he had parted with his manhood; he had lapsed into the condition of the sanguinary and heartless fiend. Some one at this moment cried out, "Run, Lucy, run for your life!" She, with the rapidity of thought, sprang from the room. He instantly pursued her, knife in hand, and plunged that weapon deep into her back, inflicting a fatal wound on the heart, and the poor girl, without one moment to ask Heaven for forgiveness, immediately expired. Such, gentlemen, are the facts of this melancholy case; they will be substantiated by witnesses who have no motive either to conceal or misrepresent the truth. In the examination of these facts the high duty will devolve upon you to analyze them with one sole object—the vindication of justice. You are twelve men representing under the sanctity of your oaths the interests of the commonwealth on the one hand, and the interests of the prisoner on the other; your sympathies are to be neither with the people nor with the prisoner. In the cogent language of the law, your minds should be like a sheet of white paper, with no prejudice for or against. The issue before you, stripped of all adventitious surroundings, is simply this—has a murder been committed, and if so was Lucy McLaughlin, the alleged victim, removed from earth by the hand of Jeremiah O'Brien? Remember, gentlemen, that in rendering your verdict you are the sworn representatives of justice; see to it that the scales be fairly poised.

Mr. Bedford was listened to with great attention during the delivery of his impressive address.

Flora St. Clair, sworn and examined, testified that she resided at 139 Prince street; Jenny Stanton, Kate Smith, Ada Gordon, Rosa Barnes and herself were inmates of the house; saw Kate Smith on one occasion write the name of Lucy Ann McLaughlin upon a box; the deceased (Smith) occupied one of the front attics, third floor, front room; between half-past four and five in the afternoon of the 20th June witness heard a scream and ran upstairs to the door of deceased's room, and subsequently brought Mrs. Cutler, the landlady, up; she opened the door and they saw Jerry O'Brien and Kate Smith on their knees together; Kate said to the prisoner to give her what he had in his hand, which was a large knife (the knife was produced); the prisoner told deceased to tell Mrs. Cutler to leave the room, when she (the deceased) shook her head; witness ran to the station for a policeman; upon her return she saw Kate Smith lying at the top of the first landing, dead, and the prisoner was lying on the same landing with her; his head and her's were very close together and his feet were hanging over the top of the stairs; he made the remark that he loved her.

It was admitted that the house 139 Prince street was a house of prostitution.

On her cross-examination Miss St. Clair said that Kate Smith was with her in New Orleans; the girl Smith was about twenty-one years old; she came to Prince street about March.

Amanda Cutler was the next witness. She corroborated the girl St. Clair, and gave additional testimony, to the effect that the deceased got up and left the room, turning to go down stairs, and the prisoner turned to go after her; as he went out of the room the witness caught hold of him, but lost her grasp; he ran down stairs after the deceased, and when he got to the third stair from the hall the witness saw him stab her as she was in a stooping position, on the right side, between the shoulder and the waist.

Ex-Judge Stuart cross-examined Mrs. Cutler, who said that it was eight years since she was married; she did not know that O'Brien was soliciting Kate Smith to leave that house of ill fame; on the Sunday preceding the homicide a gentleman called to see Kate Smith.

The hour of adjournment having arrived, the further cross-examination of the witness was suspended till this (Wednesday) morning.

ROBBERY.

Wm. H. McGory and James Tighe, who were tried yesterday, charged with assaulting and robbing a little boy named James Miller of $32, were convicted and remanded for sentence.

The grand jury brought in a large batch of indictments, to which the majority of the prisoners, on being arraigned, pleaded not guilty.

GRAND LARCENIES.

Hannah Jackson, charged with stealing $100 from Ellen Langley on the 20th of October, pleaded guilty to grand larceny.

Mary Thomas made a similar plea, having stolen $82 worth of clothing from Charles D. Irons, No. 108 West Thirty-first street, on the 17th of October.

They were each sent to the State prison for two years.

Mary Smith, jointly charged with the woman Thomas, was sent to the penitentiary for one year.

Peter Gough (a boy), indicted for stealing a chalice, valued at $50, from St. James' Catholic church, the property of Cornelius O'Callaghan, pleaded guilty.

George Schump pleaded guilty to an attempt at grand larceny, having stolen $50 worth of pocket knives, the property of Halsey & Wells. These youths were sent to the House of Refuge.

MARINE COURT.

Action to Recover Damages for Loss of Goods.

Before Judge Alker and a Jury.

Lewis vs. Thomas.—This was an action to recover damages for a quantity of Shaker hoods lost on board the steamer City of Norwich. The good were ordered by letter by the defendants, and were worth about $300. The question the jury have to try is whether there was a special agreement, on the part of the plaintiff, to deliver the goods in the city of New York, or whether he was responsible for their safe delivery to the defendant per steamer. The jury will bring in a sealed verdict this morning.

Before Judge Hearn.

Stagg vs. Brown.—This action was brought to recover the value of some machinery alleged to have been sold to the defendant. The defence was that the goods were sold, not to defendant, but to another party, at an auction sale, which the defendant claimed was fictitious and illegal. The jury will render a sealed verdict to-day.

SUPERIOR COURT—PART 1.

Illegality of Contracts With Bounty Brokers.

Before Justice Barbour.

Eagleson vs. Terrihen.—This was an action for a plumber's bill for work done. The jury rendered a verdict for $1,588 57 in favor of the plaintiff. Galbraith and Townsend for plaintiff; Dimmick for defendant.

George T. Cook vs. F. A. Hill.—This was an action for the recovery of $300 bounty money, which the plaintiff claimed should have been paid by defendant to his wife. Defendant claimed that the money was due to a bounty broker, who had contracted to obtain plaintiff's enlistment on condition of receiving all the recruit's bounty money above $500. The recruit got $600, $600 of which was paid to his wife and the balance to the broker. The Judge, in charging the jury, remarked that no payment to a bounty broker was valid in law, and could be recovered back. Verdict for $125 for plaintiff. Thos. Lawrence for plaintiff; M. B. Andrews for defendant.

John Atwill vs. J. D. Blake.—This was an action for goods sold and delivered. Verdict of $172 for plaintiff.

SUPREME COURT—CHAMBERS.

A Glimpse of Matrimonial Infelicity—An Alleged Exorbitant Wife and a Recreant Lord—The Absent One Reputed to be Worth $600,000—Motion to Dissolve an Injunction, &c.

Before Judge Sutherland.

Anna L. Murphy vs. Andrew Gross.—The plaintiff in this action is a lady of about middle age, a native of Lexington, Kentucky, and on the 26th of August, 1856, married a Mr. Daniel T. Murphy, by whom she has since had seven children. From the statements contained in the affidavits it would appear that the union was early marked by little connubial "jars," it being alleged that on one occasion, soon after marriage, she was kicked out of bed by her husband. Matters, however, reached a climax, on the 7th of August, 1865, when a suit for limited divorce was instituted in the Supreme Court of this county, on the grounds of alleged "cruel and inhuman treatment, making it unsafe and improper for him to cohabit with her," and stating further that she was without any means of support for herself and children. Mr. Murphy is a reputed member of the firm of Murphy, Grant & Co., doing an extensive and lucrative business in Fulton street, and having a branch establishment in San Francisco, California. Mr. Murphy is also largely interested in gas company stocks in California and is reported to be worth about $600,000. In 1864 he purchased the house No. 44 East Thirty-seventh street, at a cost of $85,000, which has since that time been occupied as the winter residence of himself and family. Owing to his family troubles, and the commencement of the divorce suit by his wife, he has at various times signified to her an intention of selling out all his property and business interests in this country and leaving for Europe, where he supposes, probably, he can find the seclusion and repose denied him here. Andrew Gross, the defendant in this action, occupies a desk in Murphy's office, in Fulton street, and, it appears from the affidavits, has recently purchased the house in Thirty-seventh street, with the most valuable portions of the furniture, for about $60,000, which sum, in the estimation of Mrs. Murphy, is about $40,000 less than the actual valuation. On the 1st of September last Murphy left, secretly, it is alleged, for California, having previously consummated this bargain, which would ultimately leave his wife without a home. This suit is instituted by Mrs. Murphy, charging Gross with collusion, combination and confederation with her husband, for the purpose of defrauding her of her rights, &c., and alleges a pretended sale and conveyance of the house and lot to Gross, not a cent of money having been paid on account, also that no provision has been made for her sustenance and that the salary of her servants has not been paid. The affidavit of Susan Garretson, a domestic, avers, that she was present on the 22d of October last, when Mr. Murphy said to his wife, "Anna, I wish you to give up this suit," adding, "Tell me what you want. I have sold the house to Gross." Then in threatening tones he said, "Anna, I have my property all in my hand; I have it all fixed; I had it fixed before Mr. Breeze left, so that I can draw it all in at a moment's warning; you and your children shall work for a living. Anna, will you give up this suit? If you do not I will blow you up and all belonging to you." On the 20th of October, 1866, an injunction was granted by the Supreme Court, restraining Gross from mortgaging or in any manner transferring the property, which it was alleged he was about to do.

The answer rebuts the allegations of collusion and combination, and sets forth that the defendant had instructed his counsel to "agree to anything that he might deem liberal and delicate to Mrs. Murphy;" that he was ready at any time to confer with her counsel touching the sale of the property; that on one occasion upon her refusing to give him possession of the house, he secured the services of one of his counsel to write a letter to her in regard to a surrender of the house, but that he signed the letter himself, not wishing to send so harsh an epistle as "a lawyer's letter" to a lady, and also allowing her to fix the hours at which the house should be open to the inspection of intending purchasers; it also shows that the Hamilton Mansion on Staten Island, had been leased by her husband as a summer residence during the year 1864, at considerable expense, and that it was elegant, commodious and handsomely furnished, and formed a superb country seat for a family of wealth.

The affidavit of John Deane, a member of the firm, shows that before Mr. Murphy left for California he left instructions for him (Deane) to pay all reasonable debts incurred by Mrs. Murphy in his absence, but mentioned two servant girls who were not to be paid, they having, it is alleged, been insolent to him, and he wished them to leave. Mrs. Murphy wrote to deponent, making inquiry whether any provision had been made for her. He wrote in reply, "Have no uneasiness; the necessary expenses of your house will be provided for." Deane further states that all bills which have been duly certified by her and presented to him have been paid, and that since September 1 until October 20 he has paid between $2,300 and $2,400 for household expenses on her account; that he had sent money by a messenger to her, and that she had refused it, saying she "did not want it from him if Mr. Murphy could not let her have the money himself, and that she only wanted her bills paid;" that the bills paid by him included provisions, clothing, fuel, servants' hire, &c., and that he had received orders from Mr. Murphy to pay the rent of the house on Staten Island from May 15 to November 15, the rental of which establishment amounted to the moderate little sum of $666 66 per month, and that it had been paid.

Motion is now made to dissolve the injunction restraining the defendant from transferring the property in Thirty-seventh street. The papers, which were very lengthy, were submitted to the court to await its decision.

For the motion, Montgomery H. Throop; against, John McKeon.

SUPREME COURT—CIRCUIT—PART 1.

Interesting Case, Touching the Right of Staff Officers of Militia Regiments to Vote at Elections for Colonel.

The People of the State of New York ex rel. Charles M. Catlin vs. William H. Farrar.—This was an action of considerable interest, involving some points in relation to the election of a colonel to the Thirty-seventh regiment, Third brigade, First division National Guard, State of New York. The former incumbent of the contested office, Colonel Ashley, resigned in August, 1865, and an election was called in the following month, which resulted in the election to the vacant position of Charles M. Catlin, by a vote of sixteen to fourteen. In this election the staff officers of the regiment, comprising the surgeon, assistant surgeon, adjutant and quartermaster had voted, and an appeal was immediately made by Captain Lyon, the senior line officer, to Brigadier General Hall, commanding the brigade, who affirmed the result of the ballot. Captain Broome then appealed to Governor Fenton, as commander-in-chief of the militia, who, through the Adjutant General of Militia, reversed the decision of General Hall, on the ground that staff officers had no right to vote at such elections. At an election subsequently held the defendant was elected, and the relator now seeks to contest the validity of such an appointment and commission. The case occupied the court during the entire day, and at the close of the argument the Court took the papers and reserved its decision. For the plaintiff Mr. Fithian; for the defendant Mr. Burrell.

SUPREME COURT—CIRCUIT—PART 2.

An Insurance Company in Court—Suit to Recover the Insurance on a Pianoforte Manufactory.

Before Judge Mullen and a Jury.

Spencer T. Parmelee vs. The Hoffman Fire Insurance Company of New York.—The plaintiff in this action is a pianoforte manufacturer of New Haven, Conn., and seeks to recover $2,500, the amount for which his establishment was insured, with interest from August 30, 1865. The plaintiff was insured by the above named company on the 19th of October, 1864, for the above amount. His workshop with its stock was destroyed by fire on the 30th of August, 1865, and plaintiff claimed the full amount of insurance. The company refused to comply with this demand, on the ground that plaintiff had infringed the contract, thereby greatly increasing the risk. The answer sets forth that the Parmelee Pianoforte Company did not occupy the building solely, but that the Lindsay Arms Company carried on business in a portion of it; that the whole amount of stock sworn to in the statement of the loss was not destroyed; that the firm had more combustible substances, such as benzine, varnish, &c., in their possession than they were entitled to by the terms of the contract, and that the fire originated from the overflowing of a can of turpentine in the portion of the building used by the Lindsay Fire Arms Company. A number of witnesses were examined for the plaintiff, denying the allegations set forth by the defendant, and upon the case being submitted to the jury, they found a verdict for plaintiff in $2,650, the full amount claimed. Sandford and Woodruff for plaintiff; Miller, Stoutenburg and Parkham for defendant.

UNITED STATES COMMISSIONER'S OFFICE.

Alleged Assault on a Ship's Carpenter by the Stewardess.

Before Commissioner Osborn.

Anne Erres, stewardess of the ship Swallow, was charged by James M. Barlow with having assaulted him on board that vessel on the 20th of October, while on the voyage from Manila to New York. The complainant, who was examined at some length, stated that he was carpenter of the Swallow. On the voyage, after they had crossed the line, the defendant spoke to the witness, stating that he had said something derogatory of her to the captain. He denied that he had done so, and both went before the captain, who stated that complainant had not said anything against the stewardess. While this conversation was going on, defendant's husband, who was cook of the ship, came up, armed with a Chinese cleaver, and laid hold of the door of the cabin where Barlow was standing, and the latter, seizing an axe-helve, aimed a blow of it at the hand of the former, and chased him. The complainant ran along the deck, and, as he did so, received a blow from an axe on the back part of the head. The blow cut him, and it had also the effect of knocking him down and causing him, as the complainant testified, to remain in a state of insensibility for fifteen minutes. On direct examination complainant said he took it for granted that it was the stewardess who struck him with the axe; but, on being cross-examined, he admitted that he did not see the woman strike him, but was informed by the crew that she did so. He denied that he had ever made any improper advances to the stewardess or that he had said she was placed on board the ship for the purpose of living immorally with the captain.

The further hearing of the case was adjourned.

BROOKLYN INTELLIGENCE.

Gen. by from "Hounslow Heath."—Andrew Marshall, who lives in Clinton avenue, corner of Greene street, was allured last Thursday by the matchless beauty of the autumnal day to take a drive on the road leading to Cypress Hills Cemetery. As he was passing a thicket close by an unfrequented part of the way a man sprang from it, and before the driver was aware what was his object seized the horse by the bridle. No sooner was the horse stopped than two others rushed out of their concealment, clambered up into the carriage and demanded of Marshall his money. Not getting as much as they wanted they stripped him of his hat, coat and boots and bade him an affectionate adieu. On Monday Marshall, in passing along the street, recognized one of his chivalrous friends in the person of Michael Conroy, a young Irishman, who gives his occupation as a watchman. He is under arrest.

A Warning to Burglars.—About two o'clock yesterday morning the house of Jessie Dunham, in Wyckoff street near Fifth avenue, was entered by burglars. They broke through the front basement window and ransacked the lower floor, but found nothing. They then resolved to see what they could find above. Before they had reached the parlor floor their movements aroused Mrs. Dunham, who called her husband. He at once divining what was in the wind armed himself with a revolver and went cautiously down to meet the intruders. Unobserved he got within a few steps of them when he took aim at one and fired. Simultaneously with the report of the pistol the man in front threw up his hands and cried "My God, I have got it." An alarm was given and five officers were soon at the place, but nothing remained of the burglars but the blood one had left behind, and which, lying in large quantities on the walk, marked the path of his retreat.

Waking Up the Wrong Man.—James Connolly, Owen Naylor and Lawrence Durkin were under arrest yesterday. This precious trio were a part of a larger batch of rowdies whose business it was to gather on the sidewalk in Classon avenue and insult ladies, both by word and act, so that they were obliged to pass by on the other side. That the shameless blackguards might escape the vigilance of the police some of their number were sent out to warn the rest of the approach of an officer. Monday night an officer paid them a visit in citizen's clothes, and succeeded in bringing off with him the three whose names are given above. They were referred to Justice Morehouse.

Scalded by Steam.—Joseph Simmons, an employé in the Bay Flour Mills, on Hamilton avenue, was severely scalded on Monday afternoon by the giving way of a stop cock of the engine. He was taken to his home in Tenth street.

It Looks Bad.—Edward Smith, a "gemmen of color," fell into the hands of an officer yesterday morning on suspicion of having taken unlawfully a large amount of clothing from E. P. Bayright, of Dean street. Justice Cornwell will look into his case.

Insane.—Thomas Stanly, a man whose actions betokened insanity, was found wandering in the streets on Monday afternoon.

The Greene Avenue Railroad Injunction.—The petition for an injunction restraining the Brooklyn City Railroad Company from laying a railroad through Greene avenue was denied yesterday by Judge Gilbert, of the Supreme Court, to which application was made. He said in his decision that the using of the highway or street in a city for a horse railroad is only a qualification of the regular use for which the space in the streets is devoted. The prohibition of the Common Council granting authority to use the street for railroads without the consent of the owners only applies to roads which lie wholly within the city.

Found Drowned.—At daylight yesterday morning the body of a drowned man was found at Prentice's stores, Montague street. The only clothing remaining on it was a flannel undershirt and one sleeve of a coat. Coroner Lynch was notified.

Supreme Court—Special Term.—The following reserved causes make up the calendar for to-day:—Nos. 4, 18 and 29.

Brooklyn City Court.—The calendar for to-day is as follows:—Nos. 41 to 53, 55 to 60, 31.

DECISIONS IN SUPERIOR COURT—SPECIAL TERM.

By C. L. Monell, Justice.

S. F. Goodridge vs. National Fire Insurance Company.—Motion granted.

Wm. Gabel vs. Third Avenue Railroad Company.—Motion granted.

Horatio Howarth vs. Thomas Medley.—Motion granted.

James Brooks vs. Jackson S. Schultz.—Order granted.

E. Donnell vs. Jackson S. Schultz.—Order granted.

By Samuel Jones, Justice.

Stoddart vs. Stoddart.—Motion for alimony granted.

COURT CALENDAR—THIS DAY.

Supreme Court—General Term.—Enumerated motions, Nos. 29 to 34, 36 to 39, 42 to 56, inclusive.

Circuit, Part I.—Nos. 2099½, 1441, 2301, 2391, 2229, 863, 2287, 1193, 1299, 2143, 2325, 879, 989, 563, 2155, 1161, 2069, 2203, 1985. Part II.—Nos. 4158, 4, 2066, 1940, 2254, 994, 1238, 1430, 972, 1970, 1004, 1068, 1374, 540, 2340, 284, 600, 666, 638, 930.

Special Term.—Demurrer, No. 11. Issues of Law and Fact, Nos. 163, 195, 206, 177, 208 to 222, inclusive.

Chambers.—Nos. 78, 107, 133, 140. General call at 141.

Superior Court—Part 1.—Nos. 2539, 2241, 2477, 5835, 871, 2567, 2591, 2771, 2643, 2175, 2633, 2589, 2607, 2515, 2649, 2053. Part II.—Nos. 2746, 2810, 2460, 2116, 2870, 2704, 2768, 2770, 2776, 2778, 2886, 2888, 2892, 2856, 2738.

Court of Common Pleas.—Part 1.—Nos. 1556, 1543, 1237, 1546, 1654, 1710, 1715, 1734, 1738, 1651, 1663, 1653, 1739, 683, 1652. Part II.—Nos. 1622, 936, 1783, 1583, 1492, 1601, 1680, 1634, 1663, 1791, 1792, 1796, 1797, 1799, 1800.

Maine Court—81, 77, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104.

POLITICAL.

For Comptroller,
CHARLES L. FLEMING,
Taxpayers' and People's Candidate.

United States Party—Masonic Hall.—Andrew Mills, President Dry Dock Savings Bank, was unanimously recommended as candidate for Comptroller of the city of New York.
THEO. F. TOMLINSON, President First F. H.

1st Ward Michael Connolly Association on deck.—At a meeting of the above association, held at No. 94 Greenwich street, on Monday evening, November 12, 1866, the following officers were unanimously elected and Judge Michael Connolly endorsed for Comptroller.
JOHN WOODS, President.
PATRICK DOLLARD, Vice President.
James McManus, Secretary.

20th Ward
Union Democratic Nomination
For Councilman,
ABRAM BREWER,
The firm Advocate of the
EIGHT HOUR SYSTEM AND
POOR MAN'S FRIEND.
JOHN ADAMS, Chairman.
William Buchanan, } Secretaries.
Samuel Hastings, }
A. Bishop, Treasurer.

20th Ward.
Union, Honesty and Integrity.
For Alderman,
ENOS McMULLIN.
JOHN SHAW, Chairman.
James Lavell, } Secretaries.
John Edwards, }
Henry Wright, Treasurer.

WATCHES, JEWELRY, &C.

A. Frankfield & Co., Jewellers, 209 Sixth avenue, corner Fourteenth street, and 315 Eighth avenue, corner Twenty-sixth street, recommend their fine stock of Watches, Jewelry and Silver Plated Ware, Diamonds and other Precious Stones.—We are patentees and sole manufacturers of American Cuckoo Clocks, Watches with secret lockets for likenesses, &c. A. FRANKFIELD & CO.

PROPOSALS.

Notice to Contractors.—Sealed Proposals for laying two and three-quarter miles of iron on the track of the Williamsburg and Newtown Railroad will be received until the 15th inst. Apply to WILLIAM H. FURMAN, President, at Maspeth; or to J. A. JOHNSON, No. 12 South street.

DENTISTRY.

A most wonderful discovery.—Teeth extracted without pain, ten years, by benumbing application (narcotization); laughing gas fresh daily. Beautiful Teeth $1. J. JAY VILLERS, 155 Grand st., near Broadway.

At the Anæsthetic and Dental Institute, 953 Broadway, between Twenty-second and Twenty-third streets, we extract teeth absolutely without pain with pure nitrous oxide gas. Endorsed by both medical and dental professions.

A beautiful set of teeth $8 to $15.—Teeth filled and extracted without pain. All work warranted. Dr. Michaud, French dentist, 462 Sixth avenue, near Twenty-eighth street.

A full set of teeth inserted for $8, $10 to $15. Extracting without pain with pure nitrous oxide gas at 138 East Thirteenth street, between 3d and 4th ave.

Colton Dental Association originated and make a specialty of the use of Nitrous Oxide Gas, and administer it to the only way which uniformly destroys pain. We have given it to over 16,000 patients. Come to headquarters. Office 19 Cooper Institute.

COAL, WOOD, &C.

Coal $7 25.—Now delivering red and white Ash Coal at the above reduced price, at the foot of Twenty-eighth street, East river, corner of First avenue.

Coal and coke of the best quality, at reduced price, delivered immediately. Apply at my coal and coke office, 1424 Third avenue, near Fifteenth street.
CHAS. H. CUTTER.

300 cords Virginia wood at $4 for one-third of a cord to a load. Coal dealers' loads, cut and split, $4 per load, at yard Eleventh avenue, between Forty-third and Forty-fourth streets.

MARBLE MANTELS.

Marble mantels.—The best place in the city to purchase Marble Mantels of the latest designs, at very low prices, is at A. KLABER'S Marble Works, 109 East Eighteenth street, near Third av., N. Y. Cut this out.

Marbleized slate mantels—superior in appearance, more durable; half the price of marble. T. E. STEWART, 565 Sixth avenue, between Thirty-fifth and Thirty-sixth streets.

FURNITURE.

Furniture.
DE GRAFF & TAYLOR,
Nos. 97 and 99 Bowery and 68 Chrystie street,
STILL CONTINUE TO BE THE LARGEST
FURNITURE MANUFACTURERS
IN THE CITY.
PARLOR, DINING ROOM
AND
CHAMBER FURNITURE AND BEDDING,
CANOPY AND VICTORIA BEDSTEADS,
FOR THE SOUTHERN TRADE,
at 20 per cent reduction in price.

Furniture, carpets, oilcloths, bedding. Parlor and Bedroom Suits, Pianofortes, &c., at BENDALL & SCOTT'S, 209 and 211 Hudson street, corner of Canal. Payment received in weekly or monthly payments