property, estate, rights or credits, or give any warrant to confess judgment, or procure or suffer his property to be taken on legal process, with intent to give a preference to one or more of his creditors, or to any person or persons who are or may be liable to him as endorsers, bail, sureties or otherwise, or with the intent, by such disposition of his property, to defeat or delay the operation of this act; or who, being a banker, merchant or trader, has fraudulently stopped or suspended and not resumed payment of his commercial paper within a period of fourteen days, shall be deemed to have committed an act of bankruptcy, and, subject to the conditions hereinafter prescribed, shall be adjudged a bankrupt on the petition of one or more of his creditors; the aggregate of whose debts provable under this act amount to at least two hundred and fifty dollars, provided such petition is brought within six months after the act of bankruptcy shall have been committed. And if such person shall be adjudged a bankrupt, the assignee may recover back the money or other property so paid, conveyed, sold, assigned or transferred contrary to this act, provided the person receiving such payment or conveyance had reasonable cause to believe that a fraud on this act was intended, or that the debtor was insolvent; and such creditor shall not be allowed to prove his debt in bankruptcy.

SEC. 40. And be it further enacted, That upon the filing of the petition authorized by the next preceding section, if it shall appear that sufficient grounds exist therefor, the court shall direct the entry of an order requiring the debtor to appear and show cause, at a Court of Bankruptcy to be holden at a time to be specified in the order, not less than five days from the service thereof, why the prayer of the petition should not be granted; and may also, by its injunctions, restrain the debtor and any other person, in the meantime, from making any transfer or disposition of any part of the debtor's property not excepted by this act from the operation thereof and from any interference therewith; and if it shall appear that there is probable cause for believing that the debtor is about to leave the district, or to remove or conceal his goods and chattels or his evidence of property, or make any fraudulent conveyance or disposition thereof, the court may issue a warrant to the marshal of the district, commanding him to arrest the alleged bankrupt and him safely keep, unless he shall give bail to the satisfaction of the court for his appearance from time to time, as required by the court, until the decision of the court upon the petition or the further order of the court, and forthwith to take possession provisionally of all the property and effects of the debtor, and safely keep the same until the further order of the court. A copy of the petition and of such order to show cause shall be served on such debtor by delivering the same to him personally, or leaving the same at his last or usual place of abode; or, if such debtor cannot be found, or his place of residence ascertained, service shall be made by publication, in such manner as the judge may direct. No further proceedings, unless the debtor appear and consent thereto, shall be had until proof shall have been given, to the satisfaction of the court, of such service or publication; and if such proof be not given on the return day of such order, the proceedings shall be adjourned, and an order made that the notice be forthwith so served or published.

SEC. 41. And be it further enacted, That on such return day or adjourned day, if the notice has been duly served or published, or shall be waived by the appearance and consent of the debtor, the court shall proceed summarily to hear the allegations of the petitioner and debtor, and may adjourn the proceedings from time to time, on good cause shown, and shall, if the debtor on the same day so demand in writing, order a trial by jury at the first term of the court at which a jury shall be in attendance, to ascertain the fact of such alleged bankruptcy; and if, upon such hearing or trial, the debtor proves to the satisfaction of the court or of the jury, as the case may be, that the facts set forth in the petition are not true, or that the debtor has paid and satisfied all liens upon his property, in case the existence of such liens were the sole ground of the proceeding, the proceedings shall be dismissed and the respondent shall recover his costs.

SEC. 42. And be it further enacted, That if the facts set forth in the petition are found to be true, or if default be made by the debtor to appear pursuant to the order, upon due proof of service thereof being made, the court shall adjudge the debtor to be a bankrupt, and, as such, subject to the provisions of this act, and shall forthwith issue a warrant to take possession of the estate of the debtor. The warrant shall be directed, and the property of the debtor shall be taken thereon, and shall be assigned and distributed in the same manner and with similar proceedings to those hereinbefore provided for the taking possession, assignment and distribution of the property of the debtor upon his own petition. The order of adjudication of bankruptcy shall require the bankrupt forthwith, or within such number of days, not exceeding five after the date of the order or notice thereof, as shall by the order be prescribed, to make and deliver or transmit by mail, postpaid, to the messenger, a schedule of the creditors and an inventory of his estate in the form and verified in the manner required of a petitioning debtor by section thirteen. If the debtor has failed to appear in person, or by attorney, a certified copy of the adjudication shall be forthwith served on him by delivery or publication in the manner hereinbefore provided for the service of the order to show cause; and if the bankrupt is absent or cannot be found, such schedule and inventory shall be prepared by the messenger and the assignee from the best information they can obtain. If the petitioning creditor shall not appear and proceed on the return day, or adjourned day, the court may, upon the petition of any other creditor to the required amount, proceed to adjudicate on such petition, without requiring a new service or publication of notice to the debtor.

OF SUPERSEDING THE BANKRUPT PROCEEDINGS BY ARRANGEMENT.

SEC. 43. And be it further enacted, That if at the first meeting of creditors, or at any meeting of creditors to be specially called for that purpose, and of which previous notice shall have been given for such length of time and in such manner as the court may direct, three-fourths in value of the creditors whose claims have been proved shall determine and resolve that it is for the interest of the general body of the creditors that the estate of the bankrupt should be wound up and settled, and distribution made among the creditors by trustees, under the inspection and direction of a committee of the creditors, it shall be lawful for the creditors to certify and report such resolution to the court, and to nominate one or more trustees to take and hold and distribute the estate, under the direction of such committee. If it shall appear to the court, after hearing the bankrupt and such creditors as may desire to be heard, that the resolution was duly passed and that the interests of the creditors will be promoted thereby, it shall confirm the same; and upon the execution and filing by or on behalf of three-fourths in value of all the creditors whose claims have been proved of a consent that the estate of the bankrupt be wound up and settled by said trustees according to the terms of such resolution, the bankrupt or his assignee in bankruptcy, if appointed, as the case may be, shall, under the direction of the court, and under oath, convey, transfer and deliver all the property and estate of the bankrupt to the said trustee or trustees, who shall, upon such conveyance and transfer, have and hold the same in the same manner, and with the same powers and rights, in all respects, as the bankrupt would have had or held the same if no proceeding in bankruptcy had been taken, or as the assignee in bankruptcy would have done had such resolution not been passed; and such consent and the proceeding thereunder shall be as binding in all respects on any creditor whose debt is provable who has not signed the same as if he had signed it, and on any creditor whose debt, if provable, is not proved, as if he had proved it; and the court by order shall direct all acts and things needful to be done to carry into effect such resolution of the creditors, and the said trustees shall proceed to wind up and settle the estate under the direction and inspection of such committee of the creditors, for the equal benefit of all such creditors; and the winding up and settlement of any estate under the provisions of this section shall be deemed to be proceedings in bankruptcy under this act; and the said trustees shall have the rights and powers of assignees in bankruptcy. The court, on the application of such trustees, shall have power to summon and examine, on oath or otherwise, the bankrupt and any creditor, and any person indebted to the estate or known or suspected of having any of the estate in his possession, or any other person whose examination may be material or necessary to aid the trustees in the execution of their trust, and to compel the attendance of their trust, and to compel the attendance of such persons and the production of books and papers in the same manner as in other proceedings in bankruptcy under this act; and the bankrupt shall have the right to apply for and obtain a discharge after the passage of such resolution and the appointment of such trustees as if such resolution had not been passed, and as if all the proceedings had continued in the manner provided in the preceding sections of this act. If the resolution shall not be duly reported, or the consent of the creditors shall not be duly filed, or if, upon its filing, the court shall not think fit to approve thereof, the bankruptcy shall proceed as though no resolution had been passed, and the court may make all necessary orders for resuming the proceedings. And the period of time which shall have elapsed between the date of the resolution and the date of the order for assuming proceedings shall not be reckoned in calculating periods of time prescribed by this act.

PENALTIES AGAINST BANKRUPTS.

SEC. 44. And be it further enacted, That from and after the passage of this act, if any debtor or bankrupt shall, after the commencement of proceedings in bankruptcy, secrete or conceal any property belonging to his estate, or part with, conceal or destroy, alter, mutilate or falsify, or cause to be concealed, destroyed, altered, mutilated or falsified any book, deed, document or writing relating thereto, or remove or cause to be removed the same or any part thereof out of the district, or otherwise dispose of any part thereof with intent to prevent it from coming into the possession of the assignee in bankruptcy, or to hinder, impede or delay either of them in recovering or receiving the same, or make any payment, gift, sale, assignment, transfer or conveyance of any property belonging to his estate with the like intent, or spends any part thereof in gaming, or shall, with intent to defraud, wilfully and fraudulently conceal from his assignee or omit from his schedule any property or effects whatsoever; or if, in case of any person having, to his knowledge or belief, proved a false or fictitious debt against his estate, he shall fail to disclose the same to his assignee within one month after coming to the knowledge or belief thereof; or shall attempt to account for any of his property by fictitious losses or expenses; or shall, within three months before the commencement of proceedings in bankruptcy, under the false color and pretense of carrying on business and dealing in the ordinary course of trade, obtain on credit from any person any goods or chattels with intent to defraud; or shall, with intent to defraud his creditors, within three months next before the commencement of proceedings in bankruptcy, pawn, pledge or dispose of otherwise than by *bona fide* transactions in the ordinary way of his trade, any of his goods or chattels, which have been obtained on credit and remain unpaid for, he shall be deemed guilty of a misdemeanor, and, upon conviction thereof in any court of the United States, shall be punished by imprisonment, with or without hard labor, for a term not exceeding three years.

PENALTIES AGAINST OFFICERS.

SEC. 45. And be it further enacted, That if any judge, register, clerk, marshal, messenger, assignee or any other officer of the several courts of bankruptcy shall, for anything done or pretended to be done under this act, or under color of doing anything thereunder, wilfully demand or take, or appoint or allow any person whatever to take for him or on his account, or for or on account of any other person, or in trust for him or for any other person, any fee, emolument, gratuity, sum of money or anything of value whatever, other than is allowed by this act, or which shall be allowed under the authority thereof, such person, when convicted thereof, shall forfeit and pay the sum of not less than $300, and not exceeding $500, and be imprisoned not exceeding three years.

SEC. 46. And be it further enacted, That if any person shall forge the signature of a judge, register or other officer of the court, or shall forge or counterfeit the seal of the courts, or knowingly concur in using any such forged or counterfeit signature or seal, for the purpose of authenticating any proceeding or document, or shall tender in evidence any such proceeding or document with a false or counterfeit signature of any such judge, register or other officer, or a false or counterfeit seal of the court, subscribed or attached thereto, knowing such signature or seal to be false or counterfeit, any such person shall be guilty of felony, and upon conviction thereof shall be liable to a fine of not less than $500 and not more than $5,000, and to be imprisoned not exceeding five years, at the discretion of the court.

FEES AND COSTS.

SEC. 47. And be it further enacted, That in each case there shall be allowed and paid, in addition to the fees of the clerk of the court as now established by law, or as may be established by general order, under the provisions of this act, for fees in bankruptcy, the following fees, which shall be applied to the payment for the services of the registers.

For issuing every warrant, $2.

For each day in which a meeting is held, $3.

For each order for a dividend, $3.

For every order substituting an arrangement by trust deed for bankruptcy, $2.

For every bond with sureties, $2.

For every application for any meeting in any matter under this act, $1.

For every day's service while actually employed under a special order of the court, a sum not exceeding $5, to be allowed by the court.

For taking depositions, the fees now allowed by law.

For every discharge, when there is no opposition, $2.

Such fees shall have priority of payment over all other claims out of the estate, and before a warrant issues the petitioner shall deposit with the senior register of the court, or with the clerk, to be delivered to the register, $50 as security for the payment thereof; and if there are not sufficient assets for the payment of the fees, the person upon whose petition the warrant is issued shall pay the same, and the court may issue an execution against him to compel payment to the register.

Before any dividend is ordered the assignee shall pay out of the estate to the messenger the following fees, and no more:—

First—For service of warrant, $2.

Second—For all necessary travel, at the rate of five cents a mile each way.

Third—For each written note to creditor named in the schedule, ten cents.

Fourth—For custody of property, publication of notices and other services, his actual and necessary expenses upon returning the same in specific items, and making oath that they have been actually incurred and paid by him, and are just and reasonable, the same to be taxed or adjusted by the court, and the oath of the messenger shall not be conclusive as to the necessity of said expenses.

For cause shown, and upon hearing thereon, such further allowance may be made as the court, in its discretion, may determine.

The enumeration of the foregoing fees shall not prevent the judges, who shall frame general rules and orders in accordance with the provisions of section ten, from prescribing a tariff of fees for all other services of the officers of courts of bankruptcy, or from reducing the fees prescribed in this section in classes of cases to be named in their rules and orders.

OF MEANING OF TERMS AND COMPUTATION OF TIME.

SEC. 48. And be it further enacted, That the word "assignee" and the word "creditor" shall include the plural also, and the word "messenger" shall include his assistant or assistants, except in the provision for the fees of that officer; the word "marshal" shall include the marshal's deputies; the word "person" shall also include "corporation," and the word "oath" shall include "affirmation." And in all cases in which any particular number of days is prescribed by the act, or shall be mentioned in any rule or order of court, or general order which shall at any time be made under this act for the doing of any act or for any other purpose, the same shall be reckoned, in the absence of any expression to the contrary, exclusive of the first and inclusive of the last day, unless the last day shall fall on a Sunday, Christmas day, or on any day appointed by the President of the United States as a day of public fast or thanksgiving, or on the Fourth of July, in which case the time shall be reckoned exclusive of that day also.

SEC. 49. And be it further enacted, That all the jurisdiction, power and authority conferred upon and vested in the District Court of the United States by this act in cases in bankruptcy are hereby conferred upon and vested in the Supreme Court of the District of Columbia and in and upon the Supreme Courts of the several Territories of the United States, when the bankrupt resides in the said District of Columbia or in either of the said Territories. And in those judicial districts which are not within any organized circuit of the United States the power and jurisdiction of a Circuit Court in bankruptcy may be exercised by the district judge.

SEC. 50. And be it further enacted, That this act shall commence and take effect as to the appointment of the officers created hereby, and the promulgation of rules and general orders, from and after the date of its approval.

BROOKLYN BOARD OF ALDERMEN.

The Exchange of Wallabout Lands.

The Brooklyn Board of Aldermen met yesterday afternoon, Alderman Fisher in the chair.

The only important matter brought up was that of the exchange of Wallabout Bay lands with the government. The committee to whom the matter was referred submitted a report in reference to their negotiations, which showed that the government would convey to the city a strip of land 320 feet wide on the east side of Washington avenue, and extending from Flatbush avenue to the canal, or Hospital creek. For this the city was to convey to the government a piece of land recently conveyed by the government to the city, which begins on the west side of Washington avenue, 1,518 feet 5 inches from Flushing avenue; thence north 56 degrees west 790 feet; thence south 56 degrees east to the Westerly side of Washington avenue; thence along said westerly line south nine degrees thirty minutes, west to the place of beginning. That the city of Brooklyn shall proceed to construct a basin on said strip of land, extending from the canal to Flushing avenue, of sufficient depth of water to admit a vessel drawing twelve feet at the entrance and ten feet at the termination of the basin at all times of the tide, the side walls of the basin to be constructed in a substantial manner; the city of Brooklyn to engage that no building of any kind shall be erected on Washington avenue, or on the strip of land above described. That the United States shall enjoy free use of the docks, wharves and appurtenances for their purposes of dockage; that the city shall keep the wharves and docks in good repair and pay the United States, for sixty feet east of the strip of land, the sum of $40,000.

The above was approved, the committee stated, by the Bureau of Yards and Docks, subject to the decision of the Secretary of the Navy.

The report was the subject of a lively debate.

Alderman BLISS said he thought the negotiation might be made without the payment of the $40,000.

Alderman WHITING said the committee were of the opinion that the matter might be so arranged that the $40,000 could be stricken out; and he wished it understood that the committee did not recommend the payment of this amount.

Alderman O'KEEFE looked upon the matter as being one of great importance to parties owning land in that locality, and some two or three would be benefitted by it, but it was a serious matter to the city; it would cost a large sum, affect the taxpayers, and he could not see that it was going to benefit the city. He moved that the Board go into a Committee of the Whole.

Alderman BLISS said that it would be an advantage to the city to make the exchange.

Alderman CASHOW said the first question which ought to be considered was how much it was going to cost the city to have the basin dug out and the docks constructed.

Alderman BLISS said that the improvement would supply a water front to five wards, of which they stood in great need. It may be possible that they might not be able to make so fair an exchange again.

Alderman O'KEEFE said that it would be well to hear what his Honor the Mayor had to say upon the subject.

Mayor BOOTH explained that they had visited Washington on two occasions and had had consultations with the head of the Navy Department. His explanation in regard to the negotiations was the same as that embodied in the report. In the exchange, he said, the city would receive four feet for one superficial foot of land from the government. He was in favor of the improvement.

After some further discussion the following resolution, offered by Alderman Bliss, was adopted:—

Resolved, That the report of the Committee on Wallabout Improvement be referred back to said committee, with instructions to further negotiate with the United States government, and if possible to obtain the exchange of property, provided that the exchange be made without further pecuniary costs to the city of Brooklyn.

A contract was awarded to Frank Swift to remove dead animals, &c., from the city, for the amount of $800 per month, for four months.

The Board then adjourned.

OUTRAGES IN TEXAS.

Flake's Galveston *Bulletin* of February 24 publishes authenticated statements of outrages on Union men in Leon county, Texas. Among others is the following:—

MIDDLETON, Leon County, Texas, Feb. 20, 1867.

I, John H. Potts, of the county of Houston and State of Texas, and United States Commissioner for the Western district of said State, having visited the plantation of Mr. Green K. Cesna, which was occupied by some freedmen in his absence, and there found the most horrible sight that my eyes ever beheld. His dwelling house, together with all his household furniture, and several cabins or outhouses, were burnt to ashes; one freedboy, about seventeen years old, shot and murdered so near the house that his clothes were burnt entirely up and his body horribly burned; a little boy, ten years of age, burned to death in the house, his bones found among the ashes; and two freedmen were shot (and the physicians say mortally wounded) at the same time, by three lawless desperadoes, one of whom claims to be a resident of Leon county and the other two claim to be residents of Kaufman county. I will further certify that I believe the arm of the civil law to be too short to apprehend and bring those persons to justice, owing to the great prejudice that exists towards the freedmen and Union men of this section. It is true there are many who do do not countenance this horrid act; but they have already disqualified themselves as jurors by witnessing the scene and by openly expressing themselves. I would further state that for the security of the freedmen and loyal white men, and to prevent further outrages of like character by the hands of those murderers and house burners, a small force of United States soldiers is greatly needed in this section. A few cavalry would strike terror to these prowling murderers and house burners. JOHN H. POTTS.

I fully concur in the above statement.—W. H. MIDDLETON, Leon county.

THE COURTS.

UNITED STATES COMMISSIONER'S COURT.

Alleged Frauds in the Tobacco Trade.

Before Commissioner Osborn.

The further hearing of the case of Alexander Ross & Co., tobacconists, of Fulton street, who are charged with having rendered false and fraudulent returns of their sales and manufactures to the Collector of Internal Revenue, was resumed yesterday.

Mr. Joseph Bell appeared for the government, and Mr. Charles Donohoe for the defendants.

Mr. Donohoe summed up the case on the part of the defendants. He contended that although any one member of the firm might have made false returns to the Collector as to the business of the firm, the firm generally could not be held criminally responsible for the act of one member. Counsel also urged that if the returns were signed by different members the most that could be done would be to hold these members liable to the charge. If more tobacco was sold than appeared in the returns it was the act of Mr. Sharkey.

Mr. Bell, in reply, contended that if the firm made false returns to the assessor, the presumption was that the whole of the firm were criminally responsible for the act of one member, unless the proof on the defence was such as to explain that, by reason of the absence of the other members of the firm, they had not participated in those acts. No evidence had been adduced before the Commissioner to show that the tobacco sold and not returned was the outside transaction of Sharkey. The sales of the tobacco in evidence were the sales of Alexander Ross & Co., as appeared by bills made out in their name and paid for in the money of that firm.

Mr. Donohoe said he desired to put in a brief, embodying the points he had submitted.

The Commissioner assented, and the case was adjourned.

The Austrian Extradition Case.

Before Commissioner White.

The further examination into the case of Adolphe William Schwartz, who is accused of having committed forgery to the amount of 160,000 florins, at Grosswardein, in Hungary, was resumed yesterday.

Mr. Larocque appeared as counsel for the Austrian government and Mr. A. J. Dittenhoefer for the prisoner.

The Austrian Consul General, Mr. Charles F. De Loosey, was also present.

Mr. Dittenhoefer handed in to the court the names of witnesses in Hungary whom he wished to be examined here on behalf of the prisoner. Letters had gone over requesting the attendance of these witnesses, and the prisoner was in expectation that all, or some of them, would, if a reasonable adjournment were granted, be in attendance. They were necessary to rebut the evidence for the prosecution. He wished it to go on the minutes that he had made this offer.

The Commissioner said he had already decided that he could not consent to any adjournment on such a ground as that. If Mr. Dittenhoefer had any argument to address to the court on the facts he would hear him.

Mr. Dittenhoefer said he was not prepared to offer any argument to-day. He had not had time to prepare one.

Mr. Larocque submitted that counsel ought to have come prepared to argue the case.

The Commissioner thought that Mr. Dittenhofer was now well prepared to go on with the argument on the question whether the testimony adduced made a sufficient case of probable cause for the extradition of the prisoner.

Mr. Dittenhoefer replied that he wished to argue the case on some points of law if time were offered him. He thought he would be able to show that the papers produced were not properly received in evidence, and that copies of the drafts alleged to have been forged, or the forged drafts themselves, ought to have been produced.

The Commissioner said it seemed to him that Mr. Dittenhoefer could argue on the facts now as well as at any other time, and that the evidence as to the charge against the prisoner seemed to him (the Commissioner) overwhelming. And as the understanding on the last examination was that the case should be disposed of to-day, if Mr. Dittenhofer could not produce any witnesses, he thought counsel ought now be prepared to argue it.

Mr. Dittenhoefer—The prisoner thinks that those witnesses are necessary for his defence; and if reasonable time is allowed he believe they will come over.

The Commissioner—You have no power to compel them to come over, and they are in the country where they may be of most use to the prisoner if he be extradited on this charge.

Mr. Dittenhoefer said the evidence, as it stood, would go to show that the prisoner had uttered forged paper, not that he had forged it. Under the treaty with Austria the prisoner could not be extradited on that charge. In this respect the treaty differed from that made with France, Great Britain and Prussia. His Honor, therefore, had no jurisdiction to extradite the prisoner on the ground that he had forged the paper.

Mr. Larocque observed there were different classes of cases that came under the head of forgery.

The Commissioner stated that, so far as he remembered the evidence, there was no necessity at all for this argument.

Mr. Larocque said the evidence showed that two witnesses testified in the court in Hungary that their names, as signed upon two of the drafts, were forgeries, and that the forgery was committed by the prisoner.

Mr. Dittenhoefer contended that there was no evidence to show that any of the parties who made the depositions had sworn that the alleged forged papers were in the handwriting of Adolphe Schwartz.

After considerable discussion.

The Commissioner said he was satisfied, from the evidence, that there was a case of probable cause made out against the prisoner. He would, therefore, issue his certificate to the Secretary of State for the extradition of the prisoner.

Mr. Dittenhoefer observed that he would, if possible, certiorari the proceedings and have them brought up for review.

The examination was then brought to a close.

SUPREME COURT—CHAMBERS.

The Question of the Taxation of United States Certificates of Indebtedness.

Before Judge Ingraham.

The case of the St. Nicholas National Bank, the Broadway National Bank and the National Bank of the Republic vs. the Comptroller, on mandamus to compel the delivery of city bonds in repayment of taxes paid on "certificates of indebtedness," so-called, came on for argument yesterday. Mr. Marcus C. Riggs appeared as counsel for the St. Nicholas and Mr. J. E. Burrill and Mr. Rodman for the other banks. The case was opened, and argument continued by Mr. Burrill until the hour of adjournment, when, in consequence of the necessary absence of Mr. O'Gorman at Albany after Monday, the cases were all adjourned to Friday next. The return to the writ of mandamus raises distinctly the question whether "certificates of indebtedness" are "United States securities," and therefore exempt from State taxation under the acts of Congress, and also whether the Comptroller or the Mayor can, by withholding the bonds of the city, virtually review the action of the Board of Supervisors in auditing and directing to be paid the claims of the banks by the delivery of the bonds.

SUPREME COURT—CIRCUIT—PART 3.

Action to Recover Payment for Services Rendered in Fitting Up a Minstrel Hall.

Before Judge Sutherland.

John D. Ottiwell vs. Richard H. Hooley, Impleaded.—This was an action to recover the sum of $515 52, being the amount claimed for furnishing stoves, pipes, &c., for a place of amusement formerly kept by the defendant, with others, copartners, in the Bowery. It appeared in evidence that a copartnership had, subsequently to the time the debt was incurred, existed between the defendants and Messrs. Campbell & Gibney. At the time Hooley was taken as partner it was agreed that all debts of the former firm of Campbell & Gibney should be accepted. Hooley afterwards withdrew from the concern and went to Brooklyn and repudiated this debt. The amount expended in fitting up the hall of amusement was about $12,000. Campbell afterwards expressed a desire to withdraw from the copartnership, as he was suffering from a severe mental derangement, and "feared he should soon go mad," and a proposition was made by Hooley that Campbell should receive a certain sum of money, that two-thirds of the liabilities of the firm should be accepted by Gibney and one-third by Hooley. The affair was ultimately arranged that Campbell should receive $300 upon his retirement and the liabilities should be accepted by the remaining partners, Mr. Hooley remarking to Campbell that "now he had got the debts off his shoulders perhaps his head would get better." After a short retirement the jury rendered a verdict for the plaintiff for the full amount claimed, the Court refusing to grant a stay of proceedings. For the plaintiff, William Niles; for the defendant, Mr. Fabb.

SUPERIOR COURT—TRIAL TERM.

Insurance Law.

Before Justice Garvin.

Goodridge vs. The National Fire Insurance Company.—This was an action which was tried before without result. The facts appear to be as follows:—The plaintiff had in a bonded warehouse certain bags of saltpetre, valued, less duty, at nearly $35,000 in gold, and with a duty then due on them of nearly $10,000, on which he had insurances to the amount of about $77,000. In addition to these he procured the transference of a policy issued by the defendant for $8,000 to the same property as a temporary matter. This was on the 9th, and on the 15th the property was destroyed by fire. The other companies paid a portion of their insurances, but the defendants claim that they are not liable, as the transfer of the policy was but for a day or two to enable the plaintiff to procure another insurance. They also claim that the plaintiff by his settlement with the other companies has obtained his whole claim and is now merely suing on their behalf, and that, at any rate, the duty having been remitted, is not a rightful part of the value of the property for which they are liable. Case still on.

COMMON PLEAS—TRIAL TERM.

Suit for Injuries at the Hoboken Ferry.

Before Judge Daly.

Francis X. Hayman vs. The Hoboken Land and Improvement Company.—This is an action to recover damages for injuries received by the plaintiff at the Hoboken ferry slip, on the New York side, on April 9, 1864. It appeared that the plaintiff was going to cross the ferry to Hoboken. The ferry bridge was crowded with passengers and teams, and he was pressed by the crowd across the string piece. A horse stumbled and fell on him, crushing his foot seriously. The plaintiff claims damages in the sum of $20,000. The defendants set up that the plaintiff was negligent and careless, and deny any negligence on their part. The case was tried before and the complaint dismissed. A new trial was subsequently ordered, Judge Daly holding that there was sufficient question for a jury to pass upon.

COURT OF GENERAL SESSIONS.

Before Judge Russel.

The March term of this court commenced yesterday, his Honor City Judge Russel presiding. Assistant District Attorney Bedford will conduct the prosecution.

Before the regular business of the court was opened, the Judge sentenced Henry Wheeler to the State prison for five years, he having been convicted of burglary last month.

The panel of Grand Jurors was called, and a quorum not being present, those who answered to their names were discharged till this (Tuesday) morning.

A case of alleged counterfeiting of a trade mark was called on and opened. As the first witness was being examined, it was discovered that there was a technical defect in the indictment. The jury rendered a verdict of not guilty on the ground of variance between the indictment and the proof.

BROOKLYN LAW COURTS.

United States District Court.

Before Judge Benedict.

The Grand Jury appeared in court yesterday afternoon shortly after four o'clock, and, after presenting a number of indictments, were discharged for the term. Several cases were called up, but as the defendants did not appear their bonds were declared forfeited. The court then adjourned.

United States Commissioners' Court.

Before Commissioners Newton and Jones.

A man named Charles Wakefield was taken before Commissioner Newton yesterday morning, charged with carrying on the policy business, without paying the special tax required by law. Wakefield pleaded not guilty, and gave bonds in the sum of $500 to appear on the 19th inst. for examination. Several other cases of parties charged with illicitly distilling whiskey were called up and adjourned until different periods.

United States vs. Jacob Dutermell and Charles Kercher.—The defendants were charged with receiving bribes while acting as keepers over the distillery of Michael Burns in Commerce near Richard street, which was seized by the authorities some time since. It is charged that in consideration of these bribes they left the place, and in the meantime a number of barrels of whiskey, which had been placed under seizure, was removed from the premises. They were held to await the action of the Grand Jury by Commissioner Jones.

Court of Sessions.

Before Judge Dikeman and Justices Hoyt and Voorhees.

The People vs. Alexander McFarland and Patrick Connell.—The prisoners were indicted by the Grand Jury for highway robbery, and placed on trial yesterday afternoon. Michael Healy, residing at No. 209 Navy street, having been sworn, testified that at about half-past seven o'clock on the evening of June 30, 1866, he was crossing Fort Greene, towards the corner of DeKalb avenue and Cumberland street, when he discovered Connell sitting beside a girl, and McFarland about thirty feet from them; the former asked him if he was not going to treat, and witness replied that that was a queer place to treat, whereupon the latter followed him about thirty yards and struck him in the face with his fist; Healy returned the blow, and a rough and tumble fight ensuing, the two subsequently fell to the ground, McFarland being the under man; Connell then came up, and after kicking witness in the face tore his coat off and rifled his pockets of $7 in money; in the struggle McFarland succeeded in depriving Healy of his watch and chain, valued at about $37, after which the assailants fled in the direction of DeKalb avenue; witness has not seen his property since that day; on the following Monday he met the prisoners, when McFarland said that Connell had nothing to do with the affair, and the latter offered to swear to that effect at the station house. Case still on.

COURT CALENDAR—THIS DAY.

SUPREME COURT—CIRCUIT—Part 1—Nos 1283, 1285, 1287, 1289, 1291, 1293, 1299, 1301, 1303, 1305, 1307, 1309, 1311, 1313, 1317, 1319, 1321, 1323, 1325, 1327. Part 2—Nos 1432, 1616, 1630, 1636, 1444, 1638, 1642, 1644, 1650, 1652, 1654, 1656, 1658, 1660, 1662, 1664, 1666, 1668, 1670, 1672. Part 3—Nos. 1069, 685, 247, 245, 889, 1061, 619, 204, 1051, 1144, 1172, 1034, 1190, 1044, 205, 780, 1128, 541, 597, 1236.

SUPREME COURT—SPECIAL TERM.—Demurrer, No 16. Issues of Law and Fact, Nos. 118 to 135 inclusive, 147.

SUPREME COURT—CHAMBERS.—Nos. 12, 19, 38, 43, 45, 46, 57, 63, 65, 73, 74. Call commences at No. 85.

SUPERIOR COURT—TRIAL TERM.—Part 1—Nos 2921, 2781, 2769, 2771, 1989, 2031, 2033, 2643, 2605, 2471, 2613, 2725, 1723, 2433, 2919. Part 2—Nos 2918, 2632, 2984, 3110, 3008, 3158, 2018, 2650, 2470, 3018, 2974, 3068, 3070, 3074, 1774.

COMMON PLEAS—TRIAL TERM.—Part 1—Nos. 239, 484, 511, 379, 580, 589, 549, 378, 458, 521, 376, 301, 394, 599, 588. Part 2—Adjourned to Friday.

MARINE COURT—TRIAL TERM.—Nos. 13, 15, 19, 21, 22, 25, 27½, 28½, 20, 23, 27 to 35.

SURROGATE'S COURT.—Wills of Forman, P. M. Langton, Henry Hyman, J. Abrahams, W. Keegan, J. Fairbanks, Francis A. Cannon, Lewis Mead; W. H. Dolson, administration, E. Henriques, administration.

CITY COURT, BROOKLYN.—Nos. 21 to 23, inclusive, 25 to 40, inclusive, and 11.

OBITUARY.

Jonathan Lowndes.

The English papers announce the recent death of this gentleman at the advanced age of seventy-eight years. He was prominent as a journalist, having been connected with the Oxford *Journal* for a period of over sixty-three years. The father of the deceased was also connected with the same paper, and the entire management of it now devolves upon the eldest son. The family of Mr. Lowndes have been connected with the Oxford *Journal* for one hundred and fourteen years, a circumstance unparalleled in the history of British journalism.

Dr. Robert Macpherson, D. D.

The death of this gentleman, well known as Professor of Systematic Theology at Aberdeen University, in Scotland, took place recently at Aberdeen. The deceased received his education at King's College, and after being ordained was for a time chaplain at Fort George, and afterwards parish minister at Forres. In 1852 he was a candidate for the vacant chair of systematic theology in King's College, and after a close contest with Dr. Traill, his competitor for the position, gained the appointment. With the appointment he received the degree of D. D. The deceased filled the chair with marked efficiency. He was in his sixty-first year at the time of his death.

HORSE HAY FORK TRIAL.

A committee of the American Institute met yesterday upon the farm of Mr. Josiah Macy, at Rye, for the purpose of testing the merits of a number of horse hay forks. There were sixteen entries for the competition, but owing to the inclemency of the weather only six of the forks were put to work. The entries are as follows:—C. W. Culver, Bowling Green, Wood county, Ohio, a grapple fork; Henry E. Plumb, Minson, Fairfield county, Conn., railway hay elevator and carrier; N. H. Fowler, Bradford, Westchester county, single harpoon fork; C. C. Blodgett, Watertown, one cat claw fork; one improved do., do.; John N. Chapman, Utica, Raymond's grapple fork; S. C. and B. Sprout, Minsey, Lycoming county, Pa., Sprout's hay fork and knife; Nelson Palmer, Albany, four tined fork; D. B. Rogers, Pittsburg, Pa., harpoon fork; E. Shinkley, Lewisburg, Union county, Pa., Shinkley's patent hay fork; George B. Davidson, Troy, Pa., Davidson's improved hay knife and fork; Ames Plough Company, Boston, Mass., and 53 Beekman street, one-horse hay fork; J. S. Brown, Washington, D. C., one Brown's hay fork; R. Reynolds, Empire Loom Works, Stockport, N. Y., Reynolds' patent Union fork; Louis L. Johnson, North Chatham, New York, Turck's patent Union hay fork; A. Buchanan, Albany, grappling fork, and Wheeler, Melick & Co., Albany, harpoon fork.

Those selected for yesterday's exhibition were Blodgett's cat claw, Davidson's improved, Sprout's hay fork, the Ames Plough Company's fork, Raymond's grapple fork and Reynold's patent Union fork. The mode of testing them was to set each apparatus to empty a wagon containing a ton of hay, account being kept of the number of forks full which each machine took up and the time it took to complete the unloading. These two matters were accomplished by the several implements with the following results, which are given in the same order as the names of the six forks tested:—No. 1 raised a load of hay in 9½ minutes, making 8 dips; No. 2 in 9¾ minutes, making 13 dips; No. 3 in 4 minutes and 50 seconds, making 5 dips; No. 4 in 13 minutes, making 15 dips; No. 5 in 12¾ minutes, making 15 dips; No. 6 in 21 minutes, making 32 dips.

The exhibition will be continued to-day at the same place and under the same regulations.

THE PUBLIC HEALTH.

Dr. Elisha Harris, the Registrar of the Bureau of Vital Statistics of the Board of Health, sent in his weekly mortality report, for the week ending Saturday, the 2d instant, to the Board yesterday afternoon. The deaths by wards were as follows:—First, 1; Third, 4; Fourth, 19; Fifth, 13; Sixth, 14; Seventh, 13; Eighth, 13; Ninth, 12; Tenth, 15; Eleventh, 33; Twelfth, 38; Thirteenth, 12; Fourteenth, 11; Fifteenth, 9; Sixteenth, 18; Seventeenth, 41; Eighteenth, 22; Nineteenth, 52; Twentieth, 28; Twenty-first, 27; Twenty-second, 27—making a total, including 74 deaths in the public institutions, of 423, of which 104 were men, 86 women, 128 boys and 105 girls. There were 26 deaths from scarlatina, 13 from accidents or negligence, and 15 from typhus and typhoid fevers. Under the head of "Deaths from accidents or negligence," the hanging of Wagner at the Tombs last Friday is strangely noted.

PERSONAL INTELLIGENCE.

General Thomas Morris, of Indianapolis, is stopping at the St. Nicholas Hotel.

General M. Brayman, and D. L. Philips, of Illinois; Governor Price, of New Jersey, and Captain Cousins, of Ohio, are stopping at the Metropolitan Hotel.

R. Cantigalli, Italian Charge de Affaires, is stopping at the Brevoort House.

Henry Crittenden, of St. Louis, is stopping at the Everett House.

W. Bodisco, of the Russian Legation, and Edward Kenney, of Halifax, are stopping at the Clarendon Hotel.

BOOK NOTICES.

FATHER MATHEW. A Biography. By John Francis Maguire, M. P., author of Rome, its Ruler and Institutions. New York. D. & J. Sadlier & Co.

The biography of Father Mathew, familiarly known as the "Apostle of Temperance," whose labors extended over two hemispheres, is the chronicle of the greatest moral reform of modern times, and comprises a chapter in the history of the nineteenth century which, if omitted, would leave a wide gap in the record of progress which has so prominently marked the character of this age. Happily that blank has been filled by the author of this book, who, perhaps, better than any living writer is qualified for the task—or rather the evident labor of love—of telling the story of Father Mathew's life and services; portraying his singularly beautiful character and painting those pictures of the time in which he lived and labored—pictures which, although often clouded with the dreamy shadow of human misery, poverty, degradation, famine and death, were as often made resplendent by the sunlight of his illimitable charity. If the character and Christian ministrations of Father Mathew, and the vast amount of good he accomplished, were not as well known in this country as in Great Britain and Ireland—the principal scenes of his extraordinary mission—or if the results of his labors were not familiar to us almost every day in the numerous temperance societies bearing his name, which form so conspicuous a part in all our public celebrations and set so excellent an example to this community, we might review the incidents recited in Mr. Maguire's pages; but the subject of the book is not a stranger to the people of the United States. In this fact alone the life of Father Mathew finds a double interest and the American edition acquires a twofold value. The author, while strictly adhering to the fidelity of history, has enclothed his work now and then with the golden vesture of romance, which makes the reader often forget that he is perusing a simple biography. Pathos hardly less touching than that of Sterne is blended at intervals with humor almost as refreshing as that of Dickens; while here and there peeps out a bit of irresistible sarcasm not unlike that of Thackeray, if we can imagine the latter divested of its sting. The story of the Irish famine of 1847 is fearfully but faithfully brought before us in connection with the saddest period of Father Mathew's career, when, for a time, he almost laid aside his *rôle* of a great moral reformer to play the part of a ministering angel of mercy. To thousands in this country Mr. Maguire's Life of Father Mathew will prove a welcome contribution to our current literature. The interest in the book may be enhanced also from the fact that the author is now sojourning among us, having snatched a brief time from his active labors in the British Parliament to gather materials for a work on the condition and progress of his countrymen in America.

PHILIP II. OF SPAIN. By Charles Gayarré, author of "The History of Louisiana, under the French, Spanish and American Domination," &c., &c., with an Introductory Letter by George Bancroft. W. J. Widdleton, New York.

After Prescott and Motley it might seem almost presumptuous to write about the reign of Philip II. without having explored original and hitherto undiscovered sources of information. This Mr. Gayarré does not pretend to have attempted. He has not penetrated the mysteries which, as he truly remarks, give a sort of painful attraction to the reign of Philip and form one of its distinctive features. He leaves unsolved such enigmas as the death of Montigny, of Don John, of Escovedo, of Don Carlos; the persecution of Antonio Perez, the incarceration of the Princess Eboli, and other deeds equally dark. To cite his own words, "Much is unexplained as to the causes and circumstances of those events which glide before us with an iron mask on their faces, like the celebrated prisoner of the age of Louis XIV." But if Mr. Gayarré has not removed that mask; if he has not added largely to the knowledge already accumulated around his subject—the favorite study of historian, philosopher and poet; if, moreover, a severe taste would be offended by the somewhat gaudy rhetoric of more than one of his pages, and if he has not aimed to present a minute chronicle in regular narrative of the events of Philip's reign, nevertheless we must thank him for what he intended to give and what he has given—a philosophical retrospect of what was most memorable in Spain during that period, as it was shaped by the controlling mind at the head of affairs.

Mr. Bancroft in his introductory letter takes occasion to welcome Mr. Rives as well as Mr. Gayarré on their return to the Union. "Our literature, like our political life, should develop unity in diversity, and the more the minds of men in one part of the country are brought closely alongside the minds of men of other parts the better will it be for national culture." Rives' "Life of Madison," says Bancroft, may certainly lay claim to be considered as one of the fairest and most complete histories; perhaps it can more justly be said that it is the best history of the formation of the federal constitution. After eulogizing the "History of Louisiana," by Mr. Gayarré, Bancroft adds that his present work, Philip II., is written with care and vivacity, with a mind superior to the influences of superstition and comprehensive in its study of the causes and consequences of events. He has a quick eye for the picturesque, and a rapid movement in his narrative which, if sometimes too highly ornamented, is never languid; and he clearly portrays the social and political tendencies of the reign which he describes. The subject at the first blush might seem to be remote from our present interests; but it is not so. Spanish America from the mouth of the Colorado to the extreme South still languishes from the attempt continued through centuries to connect government and civil prosperity with the church policy of Charles V. and Philip II. So the volume of Mr. Gayarré, like that of Mr. Rives, has an important connection with the great questions which the mind of America is now engaged in solving. One profitable lesson for those radicals of our day whose watchword is extermination is taught by the history of Philip's absurd and tyrannical legislation with regard to the conquered Moors of Granada. What Mr. Gayarré says should have been the policy of Charles V. might be suggestive to the Washington politicians who are now occupied with the question of reconstruction. "It should have been the aim of Charles to have kept in coordinate and healthful action the principles of liberty and of legitimate authority which he found coexistent in the land; to have given uniformity to the civil legislation whilst ameliorating it in all its ramifications, and to have imparted a durable unity to the former distinct kingdoms of the Iberian Peninsula, whilst avoiding the perils of too much centralization, and in particular to have bent all his diplomacy or his military power toward reuniting to Spain the kingdom of Portugal, which had been torn from it, and which was like a branch violently separated from the trunk of the majestic oak on which nature had intended it to grow." To have attempted conciliation and fusion before resorting to cruel measures would at least have been statesmanlike for Charles.

RECOLLECTIONS OF HENRY WATKINS ALLEN, Brigadier General Confederate States Army, ex-Governor of Louisiana. By Sarah A. Dorsey. M. Doolady, New York. J. A. Gresham, New Orleans.

Mrs. Dorsey declares that this biography is not written to stir up strife or revive bitter memories, but simply to gratify friendly love and curiosity. Aside from the interesting details concerning ex-Governor Allen, whose best qualities were recognized alike by friend and foe, this work of Mrs. Dorsey derives unusual historical value from its faithful, impartial account, "to the best of her knowledge and belief," and, in spite of some of her confessed prejudices, of "the military career of three men who have occupied unfortunate positions and who have met with public disfavor." That career happens to be embraced in the story of her friend's life. She says:—"I by no means desire to seize my lance, *à l'Amazone*, in behalf of either Lovell, Pemberton or Smith; but, writing in the shadow of the tomb of my friend, I must write truth, without thought of consequences, and after most careful research and desire for impartiality." We wish that all the books occasioned by the late war might be inspired with similar honesty of purpose. Of course this book was specially written for Southern readers, but some of the feelings and notions of Northern readers about "rebel women" might be agreeably modified by its perusal.

THE DIAMOND CROSS, A TALE OF AMERICAN SOCIETY. By William Barnet Philips. Hilton & Co., New York.

We need not say a word to the readers of the WEEKLY HERALD in praise of this capital story of American life. They are all familiar with it already in the form under which it first appeared as a prize tale, and they will now gladly welcome it again in its attractive book form. Not only is the plot ingenious and full of thrilling interest, but the author has known so well the art of concealing art as to give to the whole a charm of naturalness and reality. The characters are real and alive. We recognize them at a glance as just such persons as "live and move and have their being" in actual American society. In opening the book we stand ourselves on the deck of the steamship Canada, homeward bound. We overhear "shoddy" Mrs. Risley say to her daughter Gertrude, "I wonder who those gentlemen are!" We turn our eyes and see Lanabere, the Frenchman, and Mosley, the Virginian, and need no introduction from pedantic Mr. Selman or his pupil, Mr. White, "who is about to be an author." We become as intimate with the two heroes of the novel as they soon are with each other. We accompany them on their travels and become familiar with American scenery and society from New York and Boston and Niagara, and particularly Washington to New Orleans—from Nahant and the Hudson and the broad Potomac to the Ohio and the Mississippi. With Lanabere we admire cataract and river, mountain views among the Alleghanies, the strange dismal swamps of South Carolina, vast piny woods, trees bearded with pendant moss, the rice fields and cotton fields, the flowers, birds and sunshine of the South. Nor do we neglect to study with him American politics under the administration of General Taylor, already foreshadowing the storm of revolution which has since swept over the land. In fine, aside from the romantic story which is lit up by Laura's "Diamond Cross," we find that neither Dickens nor Mrs. Beecher Stowe, nor even De Tocqueville has given a better and more truthful picture of American scenery, life, manners and ideas than is presented in this new novel of Mr. Philips.

AUTOGRAPHS.

The late Mr. J. K. Tefft, of Savannah, Georgia, was occupied more than forty years in forming the largest and most valuable collection of autographs in this country. It comprises nearly forty thousand articles, not a few of them exceedingly rare. Besides about four thousand foreign autographs, of kings, queens, warriors, statesmen and men of scientific and literary fame, it comprises a rich variety of autographs of special American interest, those of colonial governors, revolutionary generals, officers of the army and navy of the United States and distinguished civilians. The chief glories of the collection are two bound volumes, the "Signers of the Declaration of Independence" and the "Signers of the Constitution of the United States." The first of these volumes contains fifty-one letters or documents and five signatures, together with others of persons who voted for or against the Declaration, but did not sign it. The second volume has letters and documents signed by all the signers of the Constitution and of all the other members of the Convention except two. This entire collection has been brought to this city, and be is offered for sale this week by Messrs. Leavitt, Strebeigh & Co. It is to be hoped that American autograph collectors will not permit so precious a collection to leave the United States.

NEW JERSEY INTELLIGENCE.

Jersey City.

RECORDER'S COURT.—As was noticed in the HERALD yesterday, quite a haul was made among the toper brigade, and the City Court was therefore pretty well crowded yesterday morning. The Recorder gave notice in the premises that as his leniency had been abused he would hereafter impose a fine of $5, with the alternative of five days' imprisonment, on every New Yorker brought before him for drunkenness on the Sabbath. Accordingly sentence was passed on sixteen of the excursionists, one bearing the name of John A. Kennedy, whose case elicited some stale jokes not complimentary to the New York police functionary. This individual was committed for five days.

RAILROAD ACCIDENT.—A man named John Boyle, while attempting to get on the train at Port Jervis on Saturday morning, missed his footing and fell under the car. The toes of one foot were entirely cut off, and the other foot was cut open. He was taken to the New York Hospital by the quarter-past four down train in the afternoon.

PICKPOCKETS ON THE PHILADELPHIA TRAIN.—Ever since the pickpocket gang made a raid on the Washington train last month detectives have been on the look out, and on Sunday evening two youths from New York were arrested on suspicion, as they were loitering around the depot. They gave their names as James Maguire and George Nicholson, who had purchased tickets and were *en route* for Baltimore. The attention of several passengers being called to the arrest, one lady called out that she had just been robbed of twenty dollars, and when the lads were brought before her she identified Maguire as one of a crowd who pushed forcibly against her as she was entering the cars. They will undergo an examination on Thursday. Though not over fourteen years of age their photographs, it is alleged, adorn the collection in the hands of the New York police.

Hudson City.

OPENING OF A MISSION.—Father Smarius and the Jesuit Fathers associated with him opened a mission at St. Joseph's church on Sunday. There was a grand high mass at eleven o'clock, after which Father Smarius delivered the opening sermon. The mission will continue to the end of this week only, as the Fathers have made arrangements at Mobile, Alabama.

Hoboken.

VERDICT OF MANSLAUGHTER AGAINST A DRIVER ON THE CITY RAILROAD.—The adjourned inquest on the body of John Donohue, who was run over by car No. 22 of the Hudson City Railroad, was resumed yesterday afternoon before Coroner White. Several witnesses were examined, the drift of whose testimony, apart from minor discrepancies, was that both the driver and conductor showed carelessness, the car being actually driven forty feet (fifty according to some) after it had crossed the man's body. The car was running at the unusual speed of from six to eight miles an hour. The jury returned the following verdict:—"That John Donohue came to his death on the 13th of February from being run over by car No. 22 of the North Hudson County Railroad, while running to Hoboken, owing to the carelessness of the driver, John Shute, and we feel compelled to censure the conductor and at the same time the President and directors of said railroad." Shute was committed for trial at the next term of the Oyer and Terminer.

Newark.

DANGEROUS ILLNESS OF COL. WARD.—An old wound of Col. Wm. Ward, the present City Clerk, who lost his left arm while in the command of the Eighth New Jersey regiment during the late war, has again broken out, and fears are entertained of his recovery. A surgical operation was performed upon him on Sunday, chloroform being administered to him while undergoing it. A large piece of fractured bone was abstracted, the time of the operation being one hour and ten minutes. The Colonel was hit by five balls, one of which resulted in the amputation of his arm, and another taking effect in the leg, the latter wound being the one which is now the cause of trouble.

FOUND DEAD.—At an early hour yesterday morning a man named John McDonald, a mason, was found dead near the junction of the railroad and turnpike road at Madison. It is supposed that while intoxicated he fell into a mud hole, where he was found, and being unable to extricate himself he smothered, his face being in the mud. The county physician granted a certificate in accordance with the above.

CITY TREASURER'S REPORT.—The report of the City Treasurer for the year 1866 has just been issued for general distribution. The receipts of the year were $2,000,000, of which $644,928 were taxes of 1866, and $111,842 for taxes of 1865. Of the disbursements $107,612 were for educational purposes; $74,187 for police; $22,573 fire department; $458,699 county taxes; $500,000 county bonds; $104,000 streets; $162,317 miscellaneous; $46,727 contingent; $74,724 interest. The sinking fund to defray an old debt of $250,000 amounts to $124,500, the sum of $30,564 being raised during the year. The war debt is $1,890,000, for the payment of which a special tax of three per cent on that amount is annually levied.

THE CONNOLLY-KENNEDY IMBROGLIO.

The Grand Jury of this county, on the last day of its session sent for the papers in the case of policemen Van Giesin and Loomis, who were charged before Justice Connolly a few weeks since with assault and battery on Mr. Cregan, a liquor dealer in one of the up town wards, and out of which the imbroglio between Justice Connolly and Police Superintendent Kennedy arose. A true bill was found against the officers, and they will be tried at the Court of General Sessions some time during the present term. The counsel for Mr. Cregan has discontinued the civil proceedings against the above named officers, in order that they may be speedily tried on the criminal charge.

Should the objectionable order of Mr. Kennedy, in regard to allowing the policemen to take no prisoners before Judge Connolly be not speedily revoked, it is the intention of the latter officer to apply to the Supreme Court for a writ of mandamus to effect it.

The Grand Jury before closing its labors sent for the papers of Connolly against Kennedy, but in consequence of the absence of the complainant from the city no action could be had.

Yesterday morning the prisoners in custody at the Nineteenth precinct, who should have been taken before Justice Kelly at the Fourth district police court, were brought down to the Tombs, where, however, Justice Dowling declined to receive them, and ordered the officers to return them to the proper court. The prisoners from the Twenty-first precinct and one from the Thirtieth were sent before and disposed of respectively by Justices Shandley and Dodge.

THE WEATHER REPORTS.

PORTLAND, March 4—9 A. M.—Wind north; snowing hard; thermometer 25 degrees.

BOSTON, March 4—9 A. M.—Wind northeast; thick snow storm; has been snowing all night; about six inches on the ground; thermometer 36 degrees.

WORCESTER, March 4—9 A. M.—Wind east; snowing; about seven inches fell last night; thermometer 25 degrees.

SPRINGFIELD, March 4—9 A. M.—Wind northeast; cloudy; thermometer 32 degrees; about one foot of snow fell during last night.

HARTFORD, March 4—9 A. M.—Wind northwest; cloudy; four inches of snow fell here; thermometer 28 degrees.

PHILADELPHIA, March 4—9 A. M.—Wind north to northwest; raining; thermometer 37 degrees.