THE COURTS.

COURT OF APPEALS.

Appeal from a Decree Refusing to Admit a Will to Probate.

Before Chief Judge Davies and a full bench.

William R. Baskin, Respondent, vs. Stephen Baskin et al., Appellants.—This was an appeal from a judgment of the Supreme Court in the Seventh district, reversing a sentence or decree of the Surrogate of Yates county, which said sentence or decree refused to admit to probate a paper writing propounded as the last will and testament of William Baskin, deceased. The question to be decided in this case relates solely as to whether the will was executed according to law. Case argued and submitted.

Appeal from a Judgment Entered Upon a Nonsuit in an Action Upon a Policy of Insurance.

Thomas S. Beale, Executor, &c., of Thos. Beale, Deceased, Appellant, vs. Home Insurance Company, Respondent.—This is an appeal by the plaintiff from a judgment of the Supreme Court in the Seventh district, entered in favor of the defendant upon a nonsuit granted by Mr. Justice Knox at the Ontario circuit, in February, 1861. The action was upon a policy of insurance made by the defendants March 3, 1858, by which they insured the plaintiff's testator, Thomas Beale, against "loss or damage by fire to the amount of $4,000, on his brick Franklin House block occupied for stores and hotel purposes, and situate on the corner of Main and Coach streets, in the village of Canandaigua, N. Y. The principal defence arose out of a condition annexed to the policy in respect to allowing the insurer to rebuild in case of loss. The property insured was destroyed by fire on the 11th day of February, 1860, and immediately thereafter the plaintiff made preparations and commenced rebuilding. The work was pushed forward, so that early in March the foundation walls for the new structure were completed. The proofs of loss were made on the 17th day of February and received by the agent of the defendants at Canandaigua. An interview was had about the 1st of March between the plaintiff and the agents of the several insurance companies, in which they intimated the purpose of electing to rebuild the Franklin House block. At this time it was known to the insurance agents that the plaintiff had been engaged ever since the fire in rebuilding, and was then so engaged; but the plaintiff declined to allow the insurance company to rebuild.

Argued and submitted. John K. Reynolds for appellant; T. R. Strong for respondent.

The case of James M. Lewis, plaintiff and appellant, vs. Henry A. Mott and Joseph B. Varnum, Jr., executors of J. B. Varnum, deceased, defendants and respondents, which was an appeal from a judgment of the Common Pleas reversing a judgment at Special Term and dismissing the complaint, was also argued and submitted. The action was brought to compel a redelivery of or accounting for certain securities delivered to one Nathaniel J. Brown, of Illinois, the plaintiffs' assignor, to one Calvin W. How, to secure two debts, which securities had been sold by How to the defendants' testator.

There were the only cases disposed of by this court yesterday.

UNITED STATES DISTRICT COURT.

Important Custom House Case.

Before Judge Benedict.

The United States vs. Twenty-two Pieces of Brocatel.—This is an action of forfeiture for the above named goods. The owners and claimants, James Houldsworth & Co., it is charged by the customs authorities, presented an entry for the goods at the Custom House at an undervaluation, and it is further alleged that the claimants, who are manufacturers of goods in England and exporters to this country, several times, during the years 1859 and 1860, consigned goods to their branch house here on entries of undervaluation, which, as alleged by the government, to some extent drove English manufacturers out of the market. Early in 1861 the goods now proceeded against in this action were stopped at the Custom House, and by orders from Washington were taken possession of by the Collector of the Customs, it being charged that they were sought to be withdrawn on an undervaluation entry. There were some other goods seized in store upon the same grounds, the value of the whole amounting to $30,000. The case was opened yesterday, and promises to occupy the court for the remainder of the week.

SUPERIOR COURT—TRIAL TERM—PART 1.

Action to Recover $2,000 Damages for Forcible Ejectment.

Before Judge Monell.

Annie Thomas, an Infant, by her Guardian, Wm. Klein, vs. Henry Rauch.—This action was brought by plaintiff to recover $2,000 damages accruing from the ejection by the defendant of the plaintiff from the premises No. 47 avenue D, on the 26th day of October, 1865. The plaintiff alleges that in consequence of this ejection her business as a ladies' hairdresser was entirely broken up, and that great pecuniary loss resulted therefrom. The defendant put the goods and chattels into the street.

The defence is that the defendant's wife gave the plaintiff permission to place a few articles of furniture, &c., in an unoccupied room, and afterwards gave the plaintiff the privilege of dressing a few heads of hair for the Jewish feast of Tabernacles. The plaintiff shortly afterwards put out her "shingle" and announced herself thereby as a professional hairdresser, but paid no rent, the occupation being merely accorded out of kindness. Case still on.

COMMON PLEAS—TRIAL TERM—PART 2.

Action for Limited Divorce on the Ground of Alleged Cruelty—Interesting Developments in Social Life, &c.

Before Judge Brady.

Eliza Bogart vs. James Bogart.—This is an action brought for limited divorce on the ground of alleged cruelty and maltreatment. The parties are residents of this city, and were married in 1864. The defendant was at that time a widower, with a family of eight children, nearly all of whom were grown up. The complaint sets forth combination of the children against the plaintiff at the instigation of the defendant; assault and battery by the defendant and children, exclusion from her position as a wife and mother at the table, besides other acts not fit for publication.

In opening the case plaintiff's counsel set forth a voluminous category of offences, many of them of such an indelicate nature that Mr. Justice Brady suggested to the reporters the suppression of the statements, and stated that this request was dictated solely by his sense of propriety.

The first witness called was Eliza Bogart, the plaintiff. Counsel for defence objected, on the ground that the testimony of a wife against her husband was inadmissible.

The Court decided that the wife had a right to testify to any acts of cruelty committed on her when no one else was present. To this ruling the counsel for the defendant excepted.

Mrs. Bogart was then called to the stand; but defendant's counsel objected to her examination on the ground that there was nothing in the complaint alleged against defendant that must not necessarily have been perpetrated in the presence of other parties.

The Court decided that as an assault was alleged the witness might be examined.

The witness then testified that the defendant had committed an assault upon her at 70 West Seventeenth street; no one was present when it was committed; it was committed on the 19th of June last year, about six o'clock P. M.; she had complained that his daughter had maimed her; he said it was her own fault; she said he ought to be ashamed to say so, and he then took her arm and wrenched it; the arm was dislocated and swelled in consequence, and continued so for two or three weeks; she could not use it afterwards; was assaulted on another occasion by her husband threatening her with his fists; that was in Washington street, in December, in her bedchamber; he said she should carry his marks to the grave if he had to be hung for it; she had to leave the room and sit on the stairs for some time and then lie down on a sofa in another room; last fall a year ago he threatened her again (the witness here, with clenched fists, described the mode of threatening); he said he would strike her; she was telling him at the time how badly she was treated by the other members of his family, and he said that she was not badly treated.

Counsel now offered to show that Catharine, the daughter of defendant, committed assaults on plaintiff. The Court, however, decided to exclude the evidence of the witness on this point.

Counsel next offered to prove that the witness was turned out of doors by the defendant; but this was also excluded as incompetent evidence, on the ground that it was not claimed to have been done with violence.

Cross-examination—Witness fixed the date of wrenching her arm by the almanac; twenty minutes after it was done she referred to the almanac to date a letter; dated it with the wrenched hand; did not seize his daughter by the arm that morning violently; did not strike Mr. Bogart in the mouth; did not threaten to knock the daughter's brains out if she did not sit down; did not threaten to get a divorce; never considered there was anything wrong with Mr. Bogart's name; witness was in bed when Bogart threatened her; he had just jumped out of bed; she was the first to speak of his daughter Catharine that morning; did not call him or his daughter that morning any names; he did not say what marks she should carry to her grave; did not charge him with any undue intimacy with his daughter Catharine or any of his daughters; did not say anything against the virtue of defendant's daughters.

Susan Smith, being duly sworn, testified that she was acquainted with Mrs. Bogart when Mr. Bogart used to call on her, before they were married, in 1864; visited them afterwards at the request of Mrs. Bogart; asked Mr. Bogart why his wife was treated so; he replied, it was his family that treated her badly; asked him why he wrenched her arm; he said it was in self-defence he did it, and that he had no control over his family, and was not himself at all with them; plaintiff's arm was very much swollen; the print of his hand was on it; spoke to him about threatening his wife; he said nothing; he always said he had no control over his family; when Mrs. Bogart complained of his treatment of her he flew in a passion and would not let her proceed.

Cross-examination—Did not have interviews with Mrs. Bogart or her husband by the advice of any lawyer; did not say there ought to be a four inch wall separating their bedrooms, as the law required—(laughter)—before he should speak to his wife; he said he liked his wife.

At this point of the proceedings the court adjourned until this morning at ten o'clock.

MARINE COURT.

Breach of Contract.

Before Judge Hearn.

Kaiser vs. Brady.—This was an action to recover damages for alleged breach of agreement. Plaintiff stated that he purchased from the defendant for $500 the interest of the latter in a butcher's shop in Broome street, on the understanding that he would not, for one year from the date of the bill of sale, enter into or carry on the business of a butcher in the same neighborhood, and that if he did so he would pay to plaintiff the sum of $300. There was a further statement in the complaint that, in violation of this agreement, the defendant did, in about a fortnight or three weeks after, open a similar business in a store convenient to that of the plaintiff. The defence was that the defendant did not open the house on his own account, but merely lent his name to another party, who employed him at $15 per week. Judge Hearn, in the course of the hearing, said that of late several cases of this character had come before him, and he was resolved to visit them with his most serious disapprobation. The defendant had no right whatever, in violation of agreement, to set up in business to the detriment of the plaintiff. The defendant, in reply to the Court, said he sold his place to pay his honest debts.

Judge Hearn—That was all right and proper; and you would have continued to do right, I have no doubt, if you had not violated your agreement.

After some points had been raised by counsel on both sides the Judge directed them to hand in briefs next morning.

COURT CALENDAR—THIS DAY.

COURT OF APPEALS—PREFERRED CAUSES.

8. Cook vs. Barnes.
9. Onderdonk vs. Voorhies.
10. Lyon vs. Mitchell.
11. Willis vs. Mott.
12. Potter vs. Van Vranken.
13. McQueen vs. Babcock.
14. Brush vs. Lee.
15. Osgood vs. Degroot.
18. The People &c., B'way Bk., vs. Hoffman.
19. Abeel vs. Von Gelder.
20. Robert vs. Good.
21. Vrooman vs. King.
22. Elias vs. Farley.
23. McCrossan vs. Thorn.
24. Irving Bank vs. Wetherald.

SUPREME COURT—CIRCUIT—Parts 1 and 2—Adjourned to Friday to hear short causes. Part 3—Adjourned for the term.

SUPREME COURT—SPECIAL TERM.—Nos. 147, 197, 135, 218, 219, 126, 221, 222, 223, 226, 228, 230, 231, 232.

SUPREME COURT—CHAMBERS.—Nos. 86, 50, 96, 97, 98, 116, 156, 176, 188, 193, 196, 201, 229, 234, 235, 259, 275, 281, 282, 284, 285, 288, 310, 318.

SUPERIOR COURT.—Part 1—Nos. 2613, 3153, 3155, 3157, 2767, 3107, 3161, 3163, 3165, 3169, 3173, 3175, 3179, 3183, 3185. Part 2—Nos. 2674, 3202, 3096, 2656, 1384, 2746, 3212, 3122, 3216, 3218, 3220, 3222, 3224, 3226, 3228.

COMMON PLEAS.—Part 1—No calendar. Part 2—Nos. 99, 105, 46.

BROOKLYN COURTS.

UNITED STATES COMMISSIONER'S COURT.

Before Commissioner Newton.

United States vs. William Gilchrist.—This case, in which the defendant is charged with having carried on the distilling business without having paid the special tax, as required by law, was called up yesterday morning, and adjourned until April 5. There was no other case called up during the day.

COURT OF SESSIONS.

Convicted of Attempted Burglary.

Before Judge Dikeman and Justices Hoyt and Voorhees.

The People vs. Edward Railer and William Connors.—The prisoners, who are boys, aged respectively seventeen and eighteen years, were indicted for attempted burglary on the evening of the 17th of February last. Assistant District Attorney James Troy conducted the case for the people. From the testimony on the part of the prosecution it appeared that at the time in question Mr. Albert Steele, residing at No. 185 Dean street, was in the rear part of his house, when he heard a noise at the front door, and on repairing thither found the prisoners, who had been endeavoring to open the door with keys. Mr. Steele grasped Railer by the hand, whereupon he dropped a key on the stoop, and his companion, Connors, fled, but was subsequently secured by witness a short distance from the house. On being taken into the house Railer gave his name as Hughes, and afterwards as Fred Taylor, and stated that he resided at No. 215 Atlantic street, all of which witness subsequently ascertained was false. An iron key was found in his possession; two similar articles, a pair of kid gloves and two handkerchiefs were also found in Connor's possession. Other evidence was adduced to corroborate Mr. Steele's statements, and the jury rendered a verdict convicting the prisoners. Judge Dikeman sentenced each of them to one year in the Penitentiary.

Conviction of a Pickpocket.

The People vs. William McCoy.—McCoy was tried for larceny from the person, committed under the following circumstances:—It appears that on the evening of the 5th of April, 1866, the complaining witness, Owen Reilly, of No. 133 North Fifth street, E. D., was proceeding along North Second street, when he met the prisoner, whom he had never seen before. Reilly was under the influence of liquor at the time, and while in that mellow state it was not a difficult thing for the prisoner to pick up a sort of an acquaintance with him. The result was that the two repaired to a barroom in the vicinity and had drinks. While Reilly was standing at the counter McCoy managed to abstract a gold watch valued at $150 from his pocket, and in so doing was detected by the owner. The prisoner ran from the place, but was subsequently arrested and identified both by Reilly and the party who had served them with drinks, a prominent mark of identification being a scar on one of his wrists. The jury rendered a verdict of "guilty," and the prisoner was remanded for sentence.

There being no other cases ready for trial, the court adjourned until Monday next.

NEW JERSEY INTELLIGENCE.

Jersey City.

A SAILOR KILLED ON A CUNARD STEAMER.—One of the sailors of the steamship Palmyra, named Joseph Winnicottle, while employed on one of the yardarms of that vessel, at three o'clock on Tuesday afternoon, slipped and fell to the deck, a distance of thirty feet, by which he was so seriously injured that he died seven hours afterwards. Not only was his skull fractured, but both legs were broken near the thighs. He was twenty-six years old, and leaves a wife and child in Liverpool. Coroner Warren held an inquest yesterday, and the jury returned a verdict of accidental death.

ANOTHER BRUTAL ATTACK ON A POLICEMAN—A SHOT FIRED BY ONE OF THE RUFFIANS.—Shortly before one o'clock yesterday morning policeman Denning was attacked by three ruffians, supposed to be of the gang who attacked him last Thursday night, and after felling him to the ground they kicked and cuffed him till he was able to get on his feet and rap for assistance. Officers Rose, Hull and Jelly came to his aid; but before their arrival one of the assailants fired a pistol shot, which grazed the side of Denning's head. One of the party, named Francis McNamara, was held, but the others escaped. McNamara made desperate efforts to break away from the officer's grasp, but the club fell so rapidly upon his sensitive organs that he was forced to "cave in." He was committed for trial.

A PASSENGER ROBBED AT THE CENTRAL RAILROAD DEPOT.—Andrew Pierson, a native of Norway, was admitted to the Almshouse on Monday afternoon, having been found in a state of insensibility in one of the Central Railroad cars at the Communipaw depot. He said he arrived there from Wisconsin on Saturday night and had no recollection of what happened afterwards. He drank no liquor, but $150, which he had in his possession, were gone, while his watch was left with him. Though attended by doctors his case is unintelligible to them, and the supposition is that he was drugged and then robbed. He complained yesterday of a great pain in his head.

Bergen.

SUPPOSED INFANTICIDE.—The dead body of an infant was found in a vacant lot on Tuesday evening by a policeman. Coroner Warren was notified, and, after viewing the body, had it removed to the City Hospital for interment within the precinct.

Newark.

FIRE.—Early yesterday morning a fire occurred in the smoke house connected with the meat shop of Messrs. Morehouse, No. 163 Mulberry street. The fire was not subdued until the building in which the fire occurred had been completely burned out and the shop extensively damaged. The loss on the buildings, owned by Mr. Thomas E. Hicks, is about $300; fully insured. Messrs. Morehouse's loss is $250; no insurance.

THE CHIEF ENGINEER ON FIRES.—In view of the numerous alarms of fire which have occurred in Newark owing to the light of bonfires, the Chief Engineer has given notice that he will prosecute all persons who may kindle such fires or furnish material for the same.

Trenton.

REMOVAL OF A NEW JERSEY LAW CASE.—In the United States District Court, on Tuesday, the case of Zebulon Mitchell vs. New Jersey Railroad was removed to the Southern District of New York for trial. Judge Hill being a stockholder in the company and feeling a delicacy as to trying the cause, the above action was taken.

ALLEGED WIFE MURDER.

The Husband Arrested on Suspicion.

About eleven o'clock on Tuesday night Mrs. Delia Lanergan, an Irish woman, thirty years of age, was found dead in bed in a room on the second floor of the tenement house No. 135½ Washington street by Michael Tully, who lives in the house. He communicated the fact to officer Klauberg, of the Twenty-seventh precinct, who made an examination of the body and discovered marks of violence, three big cuts on the right arm and leg, bruises on the neck and head, &c. The husband, Morris Lanergan, was taken into custody, and stated that his wife had been intoxicated; that he locked her in the room some hours previously, and knew nothing concerning her death.

Yesterday morning Coroner Schirmer was notified, and on repairing to the room occupied by deceased and her husband an axe with blood upon it and a broom with a broken handle were discovered. Deputy Coroner Leo, on examining the body, found it much discolored, and marks on the head as if inflicted with some heavy instrument (probably the axe). In possession of the prisoner was found an ordinary pocket knife, the blade of which had been filed as if to remove stains of some kind. A post-mortem examination to be made by Dr. Leo will reveal the cause of death. The inquisition was adjourned till this morning, and in the meantime the husband remains in custody awaiting the result.

POLICE INTELLIGENCE.

ASSAULT WITH A CART BUNG.—Yesterday morning Charles Doran, residing at 305 Atlantic street, Brooklyn, and John Phyffe became involved in a quarrel in Broadway, when Phyffe, as charged, seized a cart bung and struck Doran on the back with it, knocking him down, but not inflicting dangerous injuries. The assailant was arrested by officer Walkinshaw, of the Broadway squad, and Justice Hogan committed him for trial.

ALLEGED BURGLARY.—Charlotte Wasbechamer occupies the front attic room in the house No. 7 Rivington street. Wilhelm Armster occupies the room adjoining. Above these rooms is an open loft. On Tuesday morning last Charlotte rose early and left her room about six o'clock, remaining absent until ten. Upon her return she was much exercised at the appearance in her room of its having been visited in her absence, the manner chosen for ingress thereto being explained by an opening in the ceiling. Further investigation developed her surprise into disgust at the discovery that the individual who had thus unceremoniously entered had carried off her little store of money amounting to $28, and a gold watch worth $40. Entertaining a suspicion of her next door neighbor, Charlotte procured the assistance of the landlady, and together they proceeded to Armster's room to interrogate him. Here, upon a table, Charlotte found a piece of woollen yarn, which she positively declared was a portion of the string which she had tied round a roll of bills, and in consequence she procured his arrest. Yesterday he was arraigned at the Essex Market Police Court before Justice Mansfield, by whom he was committed for examination.

ALLEGED LARCENY.—Rosa Rosenstein and Julia Kline were arraigned yesterday at the Essex Market Police Court upon the above charge, preferred by Rosa Estell. It appears from the affidavit of the complainant that some time in November last she boarded with the defendant, Rosenstein, and while an inmate of her house a gold chain, with lockets attached, worth $31; two finger rings of the value of $7, and underclothing to the amount of $48, were stolen from her. Having learned recently that the accused had certain of the missing articles she on Monday last procured a search warrant from Justice Mansfield, which resulted in the discovery of the same in their possession. The women, Rosenstein and Kline, were severally held to answer in $500 each.

A FRACAS BETWEEN BOYS.—Frederick Zimmerman (a boy) was arraigned before Justice Kelly yesterday at the Fourth District Police Court, charged with having stabbed another boy named Edward Mannix in a quarrel between them the previous day. The complaint was entered by the aunt of Mannix, Mrs. Honora White of No. 767 First avenue. Zimmerman was committed to await the result of the injuries inflicted.

ALLEGED HIGHWAY ROBBERY.—Charles Smith of No. 37 Orange street, Brooklyn, appeared before Justice Ledwith at the Jefferson Market Police Court yesterday and entered a complaint against George Lawrence, charging him with having, in company with another man, attacked and robbed him at an early hour yesterday morning on Prince street. Mr. Smith alleged that the two men accosted him, and that when he attempted to pass them, one of them caught him by the throat while the other bit a diamond valued at $150 out of a ring which he wore upon his finger and broke the chain attached to his watch in attempting to steal it. He gave an alarm which brought an officer to his aid, and by them George Lawrence was arrested near where the robbery occurred. Lawrence stated that he saw the occurrence, but did not have anything to do with it. He was committed for trial without bail.

ALLEGED ATTEMPT AT BURGLARY.—Horace P. Scott of 838 Broadway, charged William Marsh with an attempt to commit a burglary at the above named premises on the night of the 26th instant. Marsh was caught in the rear yard of the establishment, having climbed over the yard wall, and when questioned gave a very lame reason for his presence where he did not belong. Justice Ledwith, before whom the complaint was made, committed him for trial in default of $1,000 bail.

A CRUEL SWINDLE.

John Roach, living at No. 319 West street, was yesterday arrested by officer Mooney, of the Fifth precinct, on the charge of swindling Charles S. Ryan out of $200 in Treasury notes. Ryan, whose home is in Mystic, Conn., recently arrived from Key West, and on Tuesday, while on board the steamboat City of Lawrence, then about to start for New London, Roach accosted him and offered him a clerkship in a grocery store in Boston, at a salary of $40 per month and board. Roach then asked Ryan to go across the street and get a cigar, but he declined an invitation to drink. At the request of Roach Ryan then took a walk with him, and after passing through several streets they met a stranger on the corner of Washington and Laight streets, previous to which, however, Roach remarked to Ryan that he had bought $4,000 of $5,000 worth of cigars. The stranger said to Roach, "I have sent the cigars;" whereupon Roach pulled out his pocketbook and exhibited what purported to be a five hundred dollar seven-thirty United States Treasury note and a twenty dollar gold piece, and said that was the kind of money he dealt in. Roach said he did not want to pay the stranger in gold for the cigars, and asked Ryan how much money he had, to which he replied $200. Roach asked the countryman to let him have his money, and at the same time counted out what purported to be ten twenty dollar gold pieces, doing it up in a handkerchief, at the same time telling Ryan that he must return the gold when he gave him back his Treasury notes. Ryan believing the coin he had to be gold counted out $200 in bills to Roach, whereupon the stranger said to the latter, "Come to my office." Roach requested Ryan to wait on the corner for a few minutes and he would come and return him his Treasury notes. Ryan waited for an hour and, Roach not returning, the gentleman from Connecticut ventured to open the handkerchief, and then for the first time discovered that his supposed gold coin was a base and worthless imitation of the genuine. On this state of facts Justice Hogan required Roach to give bail in $1,000 to await the result of an examination. Patrick Collihan, of 318 West street, became bondsman for the prisoner. Ryan was returning home to give the money to his mother who is poor and a confirmed invalid.

TRIALS AT POLICE HEADQUARTERS.

There were about a hundred policemen tried at police headquarters yesterday for breach of discipline. There were few cases in which citizens were complainants.

Officer John Dunlap was complained of by Mr. Alex. Eagleson, of No. 58 East Fourth street, for having, as he charged, assaulted him in a violent manner without provocation. It appears that one Dr. Broughton is a tenant of a house on Broadway over which the complainant has some control, and that on the day of the assault in question, the 20th of March, he was discovered by certain officers running about the sidewalk in front of No. 7 Bible House, bareheaded and in an apparently excited state of mind, which action on his part had the effect of drawing to the spot quite a crowd of people. Broughton was calling out for something or somebody, and intimating that he had lost a sign, and on an officer making his appearance he stated that Eagleson had taken his sign off his house and that a clerk was at that moment breaking it up in his (Eagleson's) place. While the crowd was increasing Eagleson came along and wanted to get into his store, pushing everybody aside in a violent manner and going so far as to strike an officer in uniform, and officers Dunlap and Wilson, who were dressed in citizens' clothes. On being asked if he knew who he was hitting, after the policeman had shown his shield, he said he did not care who he was, "that he was worth $135,000, and had influence enough to carry him through any trouble." No violence was offered him, and he was arrested. A witness who was questioned about the case said that Dr. Broughton's occupation was to "blaspheme God, and all that kind of thing," and believed in spiritualism, and held out in the garret occupied by the "Ghouls," whose proceedings have been reported in the HERALD.

ACCIDENT ON THE ERIE RAILROAD.

The Engineer Killed—Escape of the Passengers—Several Cars Broken.

The express mail train of the Erie Railroad due in this city at seven o'clock yesterday morning met with a very serious accident near Mount Hope, on the Delaware division of the road, about one hundred miles from New York. The train left Buffalo at twenty minutes past two o'clock on Tuesday afternoon, and the accident occurred at two o'clock yesterday morning. From the details received it appears that trackmen were, previous to the time of the accident, endeavoring to replace a broken rail, and when the train was expected a flagman was sent out to stop it; but the night being dark the engineer, George Elwood, and the fireman, who were both on the lookout, did not see the signal, and the result was that the engine, which, according to the statement of one of those employed on the train, was running at the rate of from thirty-five to forty miles an hour, went at full speed upon the bare ties, breaking the trucks and causing serious injury to the train. There were nine cars in the train. Three express freight cars followed the tender; next a baggage car, a postal car and three passenger cars, of which two were sleeping cars. Six of these—the express, baggage, postal and smoking cars—were all more less broken up, but none of the persons on them were killed, although some were considerably bruised and otherwise injured.

The engineer, Geo. Elwood, was killed, and the fireman was badly scalded.

The passengers, with the exception of a few who were slightly injured, had a very remarkable escape, and arrived in this city at noon in a new train made up at Deposit.

STATEN ISLAND INTELLIGENCE.

STATEN ISLAND RAILROADS.—The opening of spring brings with it varied and various conjectures of new railroads for the island. Many of the suggestions are practical, while others are of a very different character. That which has received the most favorable consideration is from Port Richmond to the Court House at Richmond, and to connect with New York by the New Jersey Central Railroad by a steam ferry across the Kills. In contradistinction to this line is another road proposed from the Richmond Court House to Factoryville. The promoters of this undertaking propose to connect this line with the North Shore of Staten Island ferry. The proposed object has many warm supporters, and petitions have gone to Albany in favor of the proposed objects, with the request of so much of the land between Middletown and Castleton as formerly belonged to the latter town.

VIOLATION OF THE EXCISE LAW.—Adolph Schuffer, John Tate and John McNamara, of New Brighton; William Stewart and Myer Lewis, of Middletown, were yesterday arrested for selling liquor without a license.

THE REBEL MIND ON THE SITUATION.

Strictures on the President Improper.

[From the Macon (Ga.) Journal, March 23.]

Under the position we hold that in the present perilous crisis of the State it is the duty of every lover of his State to think for himself in regard to all questions of State policy, we admitted into our columns yesterday a communication from "The Countryman," a gentleman all know from his *nomme de plume*, reflecting, we think, too severely on the efforts of the President to resist the unjustifiable and oppressive measures which the radicals took to bring about the restoration of the States. While we do not think that the President did all that he might have done to resist the consummation of the iniquitous measure known as the Military bill, and while we feel that we are justified in this opinion by the entertainment of the same by some of the noblest spirits of the North, both among the democratic and conservative parties there, we still give the President credit for what he has done. In the same spirit of allowing free discussion we admit into our columns to-day a severe reply to "Countryman."

The following is the reply referred to by the *Journal*:—

A scribbler, over the signature of "Countryman," in your paper of yesterday, should be cut for the simples. Like other small fry he is preparing to join the party of George W. Ashburn & Co. Now, mark how a few facts will put an extinguisher on his flummery about the democratic party.

In the great State of Pennsylvania Hester Clymer was the candidate of the democratic party at the last election—a rabid, anti-war copperhead, who voted in Congress against every war appropriation. And yet near three hundred thousand democrats voted for him, and he wanted but eleven thousand votes to have elected him.

When the war fever was raging at the North that noble spirit, ex-Governor Seymour, offered anti-war resolutions in the Connecticut Senate, and his party voted for them, though in a minority. That same party, under his lead, are now making a gallant fight with the radicals in Connecticut, and victory is ready to perch upon their banners. The slogan which the benchman of the New York *Tribune* gives forth daily to its party in Connecticut is, "Make the State ring with the anti-war record of the democracy."

Look at the late election in New Hampshire, where the democracy, under the lead of Frank Pierce, took issue with every dogma of radicalism and avowed in one of their State Conventions resolutions of "undying devotion to the constitution and of restoration of the South with all its rights."

Shame upon the Southron who would malign such friends.

But why multiply instances? Look at the change in Kentucky, Maryland and Delaware since the democrats came into power in those States. Look to the platform of principles on which Pendleton, Vallandigham, Long, Voorhees and their noble compeers are fighting our battles in the West. And, forsooth, some men in Georgia, whilst they are fighting, are trying to squirt filth on them from their popguns.

Oh, no! let the truth stand—the South is to be saved alone through the democratic party. There was a time when many hoped a new party would control the country on the basis of the President's policy, but, alas! alas! that hope was delusive. President Johnson failed—his policy is an abortion; run-mad radicalism is plunging its insatiate beak into the stiff, stark, dead constitution. Higher, higher run the turbid waters of fanaticism, soon, we fear, to be red with the blood and bitter with the tears of our kindred and people. Is there no breakwater? None, save in the old iron ribbed democracy.

RUPERT.

Views of the Alabama Press.

[From the Montgomery (Ala.) Mail, March 23.]

Nearly all of the Alabama newspapers which come to our table agree with the *Mail* that this is no time for public meetings to express acceptance of what we could all heartily reject; that our duty is to ward off the iniquitous requirements of Congress by all means which the law allows us; that we must obey the law as far as it requires obedience, and that we must accept the terms of Congress in convention only when we see that by rejecting them we may incur greater evils.

[From the Clayton Banner, March 14.]

The people in Atlanta and other places in Georgia have been holding meetings to consult upon the suggestions of Governor Brown. Those who agree with the Governor, that the South should make haste to accept the terms offered by Congress, for fear that harder and more humiliating terms may be imposed, expressed their sentiments in a series of resolutions, which cannot be read by any Southern man without a flush of shame suffusing his cheeks. For ourselves we will say nothing, believing, as we do, that it will make no difference in the action of our Congressional masters whether we stand in mute submission to the orders which we have no power to resist, or whether we fill the air with our humiliating cries and abase ourselves with self degrading action.

[From the Huntsville Democrat, March 16.]

We cannot, consistently with a sense of honor and patriotic duty, advise the Southern people to sanction and adopt the measures proposed to us by Congress, which we believe to be anti-republican, unconstitutional and subversive of State rights, popular liberty, social order, and the peace, prosperity and happiness of the present and future generations of the American people, North as well as South. But it is our political and Christian duty to yield a passive submission to the laws imposed on us by a superior power until a returning sense of right, justice, liberty, patriotism and constitutional duty shall possess the minds of a majority of the American people, and the legislation of the country shall be restored to the old republican and constitutional landmarks.

[From the Troy Advertiser.]

The situation is gloomy indeed; radicalism is on the rampage, and all hands ask what shall we do to be saved? The *Advertiser's* advice is not to shake hands with the devil until you meet him, nor cross a bridge before you come to it. Be cheerful, attend to your own business and let other people's alone. Lie low and keep dark; but when the time for action comes, be as wise as serpents and as harmless as doves.

[From the Clayton Banner.]

From several sources in this and other States we see that our people are divided in sentiment as to what should be our policy under the present aspect of affairs. The fear that harder conditions may be imposed has caused many to conclude that in great haste we should take the action demanded by Congress. From the information now before us, we conclude that the "masterly inactivity" party is still largely in the ascendant.

[From the Mobile Tribune.]

The telegraph has informed us of what little avail would be any talk we might indulge in for the purpose of regulating the political clock. We take comfort in such assurance. It is some satisfaction to know that our masters have not trusted us with the power of degrading ourselves, but have taken the whole responsibility in their own hands; and this thing of making history is a terrible responsibility. Let the Southern people congratulate themselves that they are done with it; that they have made their record, and it is a very passable one.

New Leaders Wanted.

[From the Richmond *Times*, March 25.]

In the present crisis of the fate of the Southern people the old political leaders who were famous in the days before the deluge of civil war have made no efforts to guide or direct the currents of popular thought. Accustomed to the older order of things, when measures of public importance were almost of as slow growth as the century plant, they have not been able to act with the promptness and decision which are requisite amid the whirling eddies of a revolution. They cannot comprehend how the people can be moved without the cumbrous old machinery of caucuses, stump speeches, party wirepulling and elaborate discussions of first principles.

The new order of things which is emerging from the chaos and debris of the war fills them with speechless amazement, and they wisely make no effort to regain the influence which they once possessed with the masses.

But as Nature is said to "abhor a vacuum," and as the times demand that the Southern people should have leaders to guide and direct them, we find all classes among us instinctively turning for advice and counsel to those great commanders who for years, by the display of the highest talents and most admirable judgment, sustained the cause of the confederacy against the most overwhelming odds. Whatever Southern men, less distinguished for military talents, may say about the "maintenance of the honor of the South," all feel that our honor is perfectly safe in the keeping of distinguished heroes like Lee, Johnston, Hampton and others scarcely less renowned commanders.

And it is gratifying to learn that none of these brave men advocate that pernicious policy of apathy, inactivity and supineness which would leave us at the mercy of the very worst men who were ever brought to the surface by the volcanic upheavings of civil war.

In South Carolina, while fossil politicians and hidebound statesmen were placing in jeopardy the liberties of the white race by the discussion of dead issues, Wade Hampton, by a single, sharp, decisive blow, cuts the Gordian knot which the bungling fingers of the *vieux antiques* of that State could never have untied. And in this State Robert E. Lee has thrown the ponderous influence of his great name in favor of speedy, energetic and thorough preparation for the duties imposed upon us by the inexorable facts of our present situation. He does not believe that our honor will be compromised by our citizens taking every step which may be necessary for the preservation of the supremacy of the white race in Virginia. We indulge the hope that in every section of the Southern States the brave and able men, upon whose ability, integrity and sound judgment the masses leaned with such perfect confidence during the late war, will imitate the example of Hampton and Lee.

SPECIAL CORRESPONDENCE OF THE HERALD.

The Alleged Murder in Vermont.

TROY, March 27, 1867.

A timely telegram from Brandon (Vt.) station enables me to give you more in detail and correction the facts relative to the alleged murder of Miss Goodenough by her father at that place, and the discovery of her body in the cellar of the house wherein the parties resided, and of which the HERALD was advised some three days since.

It appears that the young girl has been missing from her home for several weeks, having mysteriously disappeared, and as she was of infirm mind it was thought that she was drowned in some one of the numerous shafts of the old iron mines which are near the residence of her father, and it is gratifying to be able to state upon good authority that this opinion is yet unanimously adhered to in all that section of Vermont. Tracks fitting her shoes were found at the time leading to one of these shafts, and it is thought her body will be found when the water shall encounter its usual spring subsidence. At all events a thorough search will take place at that time. The story affirming that the body had been found in the cellar of her father's house is altogether untrue, as is also the statement of Mr. Goodenough's arrest, sent from Vermont to the reporters resident here.

A warrant was issued on Saturday last for a search of the house, but nothing was elicited that would attach the slightest suspicion to the father of the ill-fated girl. Thus far he stands entirely exonerated by the whole community.

CONNECTICUT POLITICS.

SPECIAL CORRESPONDENCE OF THE HERALD.

Barnum's Entry into Bridgeport—An Imaginary Procession—The Threatened Libel Suit—Pills of Greenbacks and Plasters of Passes—Who Will Not Vote for Barnum? &c., &c.

BRIDGEPORT, CONN., March 25, 1867.

To-day there have been hurryings to and fro and general sensation in this town of hotels, first class in nothing except prices. Men gathered this morning at the street corners and refused to move or be moved though drip, drip, drop came the rain, drizzling from jutting eaves and cotton umbrellas. Not more profound was the sensation on a certain street in London on that occasion which Cowper celebrates in the ballad of "John Gilpin," or that in New York on the occasion of the reception of the Japanese Embassy, than was that when Bridgeport received her hero.

Not as the conqueror comes,
They, the true hearted, came;

and not as the conqueror comes came Barnum, having slain eleven men in political buckram and bearing upon his shield the tokens of his Quixotic tilts. The hero bore himself proudly and was dressed in a suit of black—like those in which unfortunate gentlemen of the "profession" are usually hanged—with a black hat upon his head, a hat which was old and scarred, and from which the rain dripped in great inky drops. The crown of the beaver had obviously been knocked in during the campaign, and the surface, which had once shown like a mirror, was discomposed and antique; and this your correspondent had leisure to notice as the Ajax of ticket-of-leave men and the very Wandering Jew of showmen stalked onward in the van of the motley procession. In his right hand he bore a carpet bag of huge dimensions and capacity, labelled "Barnum;" and before him walked seedy heralds—a classical device, for Barnum has a fancy for the classical, and had spared no pains or expense to give *éclat* to the procession—crying to all the people the motto of the campaign:—

FREE PASSES TO THE MUSEUM
FOR ALL WHO VOTE FOR BARNUM.

Meantime the sound and bustle of preparations had been heard in Bridgeport. The Woolly Horse Brigade had been ordered to parade in full dress; the Joice Heth Zouaves formed in irregular order along the sidewalk, and small squads of the Mermaid Guards were posted at every corner to keep order, while on came the procession to the air of "How are you, Greenbacks?" with the inspiration of which air Barnum declares he will conquer or die in the attempt. But Bridgeport had made other preparations for the reception of her hero and the true and doughty knight of her political campaigns. Not to be outdone by the triumphal entry of Washington into Trenton, the patriotic Unionists along the Naugatuck had conceived a device which should give fuller expression to their patriotic emotions than could the parade of the Woolly Horse Brigade or of the Joice Heth Zoua