that a man was abusing Mr. Johnson, calling him a traitor for carrying out his policy in opposition to Congress, and he would be turned out and the cause assigned "political reason;" I give you the general idea.

Q. I wish you to state whether, in the majority of cases, these removals were not simply from the parties that harmonized with Congress in the matter of reconstruction? A. In a great many cases it was so, but I cannot say in a majority; I cannot from memory undertake to say what proportion.

Q. Let me ask you whether any of them were turned out because they differed in opinion with Congress or spoke disparagingly of it? A. I don't recollect any complaint made of that kind, only some republicans who complained of men that were opposed to the war, or were opposed to Mr. Lincoln, and wished me to turn them out, which in many cases I did; if a man was very abusive of the government and it was brought to my knowledge I turned him out; in pretty nearly all the cases of this kind reported, very few of them were investigated by the President, who acted only to approve my recommendations.

Q. In the cases which are termed "Presidential appointments" where the appointing and removing powers are with the President? A. Yes, sir.

Q. State the process by which appointments are made in cases where the appointing power is lodged with the President? A. We make out at the Department a brief of every case; for instance, if in the Pittsburg case there are two or three applications and a large number of letters or recommendations, a statement is made out in the department stating the nature of each letter for and against each applicant; if, on looking them over, I select one which it seems to me proper to appoint, I place his name on the outside; the case then comes before the President, who simply endorses his initials "A. J." upon the paper; that is considered as an order for the appointment, and the papers are filed in the Department; this is done in ninety-nine cases out of every hundred without the President ever taking out the documents at all.

Q. I wish to know if during the period while the President and Congress have differed in policy, you have removed or made appointments on the recommendation of republican members of Congress? A. Yes, sir; a great many, and so has the President in the Presidential appointments.

Q. I wish to know whether that was the case with men who differed with Congress and agreed with the President? A. Yes, sir; the papers will show that.

William L. Sharkey's Testimony.

By Mr. BOUTWELL.—Q. Were you Provisional Governor of Mississippi? If so when were you appointed, and how long did you hold the office? A. I was appointed some time in June, 1865, and I held the office till October, 1865.

Q. Did you take the oath of office when you entered on your duties? A. Yes. I took the oath that was administered to me in this city. I do not recollect precisely the phraseology of it.

By the CHAIRMAN.—Q. Has the President of the United States, in any conversation that you have ever had with him, informed you of his desire to defeat the pending constitutional amendment? A. I do not know that he ever has, except to express his objections to the measure.

Q. You never had any conversation with him on that subject? A. I stated awhile ago that I probably had a conversation with him about the constitutional amendment, and my understanding was that he was opposed to it; but what particular means he employed, if any, I do not of course know.

Q. He never stated to you any of the means which he employed, if any, to secure his defeat? A. I think not. I do not recollect that he ever mentioned any means to be employed to defeat it.

Q. Had you any conversation with President Johnson in reference to the pending constitutional amendment proposed by the Thirty-ninth Congress? A. I suppose I have had some conversation with him, the precise tenor of which I cannot recollect.

Q. Have you received from him any advice or opinion as to the manner in which you should act or exert your influence in reference to the ratification of the amendment? A. No, I think not; I took my own course in that matter, and opposed the amendment, as an individual, for various reasons; all that I said or wrote on the subject was my individual objection; I suppose I have had conversation with the President about it; I can only state, in general terms, that I understood he was opposed to it, but for what particular reason I cannot now undertake to detail.

Lewis E. Parsons' Testimony.

By Mr. BOUTWELL.—Q. Were you Provisional Governor of Alabama? If so, when were you appointed, and how long did you hold the office? A. I was appointed Provisional Governor of Alabama on the 19th of June, I think, and was removed from that office on the 20th of December following.

Q. Did you take an oath of office when you entered upon the duties of Provisional Governor? If so, did it contain what is usually known as the "test oath?" A. There was an oath attached to the commission, which was given to me at the State Department, and I was expected to cause the oath to be administered to myself, which I did, with one qualification; there are several clauses in the oath, in all of which the statement is to the effect that the party has not voluntarily done this and so; I could not state as a fact that I had not done some things which would amount to aiding rebellion, but I could state conscientiously that I never did it from any choice, because I desired the destruction of the government of the United States.

Q. Have you had any conversation with President Johnson in reference to the pending constitutional amendment? A. Yes, sir.

Q. In those conversations has President Johnson expressed to you any opinion as to whether or not it should be ratified by the States? A. The first conversation I had with him on the subject—I cannot state the time, but of course it was since the amendment was proposed—he asked me what I thought the people of Alabama would do in relation to it. I replied that I did not think they would accept it, and I went on to give him my reasons in brief.

Q. Did he express any opinion himself as to what he desired? A. He did not. He made no expression whatever.

Q. At any time since then has he expressed to you any opinion as to his desire in the matter? A. Never. I have understood, as every one has, that he was opposed to it, and I have always spoken to him my self as if that was the fact; but he has never said to me, "I am opposed to it," or given me any reason why I ought not to be reconciled. On the contrary, the reasons such as they were, have been often urged by me on him why the amendment should be strenuously opposed by all who desired to continue the distinct line between the federal and State authorities, as it was marked out by our fathers.

Q. Did you understand President Johnson to dissent from those views or assent to them? A. President Johnson never signified, so far as I am aware, whether he approves or disapproves of what I say. So far as my experience goes, he listens to what you have to say and withholds whatever may be his own views.

Q. Has he ever at any time, to you or in your presence, given any counsel or advice as to what should be done by yourself or anybody else on the subject of ratifying or rejecting the constitutional amendment? A. I cannot recollect that he has.

Q. Do you know of anything done by President Johnson in reference to its ratification or rejection? A. I cannot say that I do; I do not recollect anything that he has ever done on the subject.

By the CHAIRMAN.—Q. State whether you have from other sources than the President himself received any information of any steps or measures taken or adopted by the President to affect the action of the State on the proposed constitutional amendment. A. No, sir.

Robert Morrow's Testimony.

By Mr. BOUTWELL.—Q. You are private secretary to the President? I am assistant private secretary.

Q. Have you at any time had in your possession or control any bonds of State railroads, or coupons of such bonds, belonging to President Johnson? A. I never had in my possession or control any such bonds; coupons of such bonds have passed through my hands to the bank.

Q. Of what bonds were the coupons? A. Of several bonds; the Nashville and Chattanooga Railway Company, endorsed by the State of Tennessee; one of the Tennessee and Virginia Railroad Company, endorsed by the State of Tennessee, and State bonds of Tennessee; I believe that is all.

Q. At what bank were they delivered? A. The coupons were taken to the First National Bank of Washington, D. C., for collection in New York at the agency third.

Q. Do you recollect the amount of the coupons of the Nashville and Chattanooga Railroad Company? A. No, sir, I don't remember the number. No interest had been collected on the bonds for a long time. There were quite a number of coupons, and that confuses my memory as to the number of bonds.

By Mr. ELDRIDGE.—Do you know whether the President had held those bonds for several years? I don't know that. On them is an endorsement or transfer signed by Cave Johnson, who was an officer of one of the banks of Nashville in 1853-4-5. The date of the transfer was about that time.

W. S. Huntington's Testimony.

By Mr. BOUTWELL.—Q. Please produce the statement of Mr. Johnson's account, called for when you were last before the committee. A. I lay it before the committee; it commences June 27, 1865, and continues down to the present time.

Q. What balance now appears to his credit? A. $57,202 27.

Q. Does this transcript presented by you contain a true statement of all the transactions between President Johnson and your bank? A. It does to the best of my knowledge.

Q. It is a true transcript from your books? A. It is.

Q. What was the largest deposit made as shown by the account, and when was it made? A. The largest deposit was $64,947, and was made December 15, 1865.

Q. If you have any personal knowledge of that deposit please state what it was? A. It was the proceeds of a lot of United States bonds which had been lying on special deposit in the bank for a long time. I suggested to him one day that he had better sell them, as the price was pretty good. He did so, and I placed the amount of proceeds to his credit.

Q. Were there any other stocks or bonds except United States bonds sold at that time? A. No, sir.

Q. How long had the bonds been with you on special deposit? A. I cannot tell; a long time. $50,000 United States seven-thirties had been on deposit, I think, over a year. $10,900 additional, I think, were purchased January 22, 1866.

Q. Did you, as cashier of the bank, purchase the whole of these bonds when they were purchased? A. Yes, sir.

Q. From what source was the money derived from which the purchases were made? A. When he first opened an account he had certificates of deposit, I think, of the Assistant Treasurer in Cincinnati for $50,000, which had been for some time on interest, and which he desired to have invested in the way I thought best; I invested an even amount of, I think, $50,000 in seven-thirties, and placed the balance to his credit on the books of the bank.

Q. You made an entry of the proceeds of the certificates of deposit on your books? A. No, sir; only the balance placed to his credit was entered on the books; seven-thirties were below par at that time, and the $50,000 purchased for him, I think, cost about $48,000.

Q. On the 17th of May, 1866, there is an entry to his credit of $4,534 70; have you any knowledge of that entry other than is here shown? A. No.

Q. Do the books of the bank show the nature of the transaction? A. No; they only show so many checks for such an amount and so much cash received.

Q. Under date of November 6, 1866, I find "draft, M. Burns, $14,600;" have you any knowledge of that transaction? A. It came to us for collection from the Union Bank of Tennessee, drawn on the President at sight, and he ordered us to pay it.

Q. Under date of January 25, 1867, I find a similar entry of $15,000; can you explain that? A. It was a draft drawn by the same party through the same bank in Tennessee; under instructions from the President we paid it, and charged it to his account.

By Mr. ELDRIDGE.—Q. Does President Johnson know of your producing this account here? A. Yes, sir.

Q. How did he know about it? A. I was in the other evening to see him upon some business, and mentioned that I had been requested to produce his bank account; he asked what for; I told him I was sure I did not know, but that I supposed I would be compelled to produce it, as I would that of any other customer under like circumstances.

Q. You objected to producing it when first asked by the committee, did you? A. Yes, sir; not for any special reason, simply upon the general principle of never imparting any information to outsiders in regard to the business of our customers.

Q. The President did not make any objections to its production? A. None whatever. He smiled, and said he had no earthly objection to have any of his transactions looked into; that he had done nothing clandestinely, and desired me to show them anything I had relating to his transactions.

Q. The objection you made to producing the account was before you had this conversation with the President? A. It was based upon general principles alone. I had not seen him until after I had made out the account to bring before the committee.

Q. These certificates of deposit on the government depositary in Cincinnati had been on interest for how long before you received them? A. For more than a year; I do not remember the exact time.

Q. What was their face amount, less interest? A. $50,000, I think, or between $40,000 and $50,000. The original transaction does not appear on our books in any way.

NEW YORK CITY.

THE COURTS.

COURT CALENDARS—THIS DAY.

Supreme Court—General Term.
Adjourned to December 16, 1867.

Supreme Court—Circuit—Part 1.
Held by Judge Barnard.
Court opens at half-past ten o'clock A. M.

Nos. 1097—Brien et al. vs. Raphael.
1369—Bendall et al. vs. Peterson.
1551—Mayer et al. vs. Kelly, Sheriff.
1805—Townsend, &c., vs. White, &c.
861—Tucker vs. L. I. R. R. Co.
862—Tucker vs. L. I. R. R. Co.
632—Kennedy vs. Orcutt et al.
1303—Douglass vs. Ellis.
1534—Ellis vs. Douglass.
817—Merritt et al. vs. Hutchinson.
205—Hyland vs. Lynch, Sheriff.
635—Am. Spiral Spring Butt Hinge Co. vs. Perrin.
1637—Wiltgenstein vs. Fiske, Jr.
1627—Bennett et al. vs. Powers.
1313—Moore, Jr., vs. Kelly, Sheriff.
1331—Smith vs. Peters.
711—Drake vs. Barstow, President, &c.
796—Hall et al. vs. Kellogg et al.
449—Gunn vs. Commrs. of Emigration.
1144—Hasselduk et al. vs. Wirth.

Supreme Court—Circuit—Part 2.
Held by Judge E. D. Smith.
Court opens at half-past ten o'clock A. M.

Nos. 510—Halsey vs. Halsey.
998—Snare vs. Ludlow.
1902—Webb vs. Skinner.
420—Uttlebach vs. Kahn.
1096—Ebel Prest., vs. Saward et al.
820—Price vs. Price.
604—East River Bank vs. Austin impd.
1734—McCarthy vs. O'Brien.
1426—McIntyre et al. vs. House.
1636—Wrehe et al. vs. Goetz et al.
936—Peck et al. vs. Bailey et al.
1762—Ortega et al. vs. McGill.
782—Merrick, admr., vs. Hadley et al.
734—Bull et al. vs. Nordlinger.
1804—Moser vs. Grum.
1830—Romaine vs. Temlein.
300—Low et al. vs. Hall et al.
1242—Cohen et al. vs. McGay.
1502—Reckhow vs. Nomain.
1754—Mindell vs. Robinson et al.

Supreme Court—Special Term.
Held by Judge Miller.
Court opens at ten o'clock A. M.

Demurrer:—
No. 27—Ætna Fire Insurance Company of Hartford vs. Importers' and Traders' National Bank of New York.
Issues of law and fact:—

Nos. 180—Prouty vs. Madden.
88—Wetmore et al. vs. Candee et al.
126—Lotiner et al. vs. Hatch et al.
131—Reilly vs. Hodgins.
137—Kelly, Sheriff, vs. Howland et al.
201—Griffith vs. Alexander.
202—Thurston vs. Douglas et al.
206—Moweyjiva. Band.
207—Lyon vs. Silman.
213—Voorhis, Jr., vs. Kiernan.
214—Percival vs. Gilman.
215—Dickinson vs. Hunter et al.
216—Parker vs. Ward.
80—Kattenehorn vs. Tucker.
218—Same vs. Same.
219—Woolsey vs. Hanenbley.
219—Kelso vs. Long.
220—Loughran vs. Kerr et al.
221—Russel vs. Russel.

Supreme Court—Chambers.
Held by Judge Ingraham.
Court opens at ten o'clock A. M. Call of calendar at twelve M.
Reserved cases:—

Nos. 67—Matsche et al. vs. Muchelhoff.
68—Wolff vs. Anderson.
72—Banks vs. Croton Nat. Bank.
73—Block House Min. Co. vs. Croton Nat. Bank.
74—Hoppock vs. Goldenson.
96—Powell et al. vs. Southside R. R. Co.
111—Harwood et al. vs. Mitchell et al.
114—Dalton et al. vs. Gilbertson.
115—In re Wood to vacate assessment.
120—Kelly vs. Kelly.
125—Duff, &c., vs. Grover.
132—Lindman vs. Levy, &c.
135—Conman et al. vs. Voack, &c.
151—Patterson vs. Bloomer.
155—Meyers vs. Meyers.
156—Ingraham vs. Robert.
157—Baxter et al. vs. Hall et al.
168—In re Wheeler, &c.
173—Hassell vs. Thomas.
180—Banks vs. Croton National Bank.
181—Block House Mining Company vs. Croton National Bank.
213—Logan vs. McDougal et al.
215—Villo, &c., vs. Jones.
218—Miller et al. vs. Braun et al.
228—Lockwood vs. Lockwood et al.
232—Lippmann vs. Hart et al.
233—Lippmann vs. Hart et al.
241—Cerlies vs. Leavitt et al.
245—Miller et al. vs. Grefe.
246—Housman et al. vs. Fragg.
259—In re Estate of Ruck, &c.
273—Schaur vs. Hicker.
276—Bonfert vs. Barne.
280—Loder et al. vs. Stadeker.
283—Stevens vs. Lipman.

Call 284—Ullman et al. vs. Schoeller et al.

Superior Court—Trial Term—Part 1.
Held by Judge McCunn.
Court opens at eleven o'clock A. M.

Nos. 3310—Hatfield vs. New York Ice Co.
3283½—Swift vs. Wylie.
3127—Cohen vs. Kelly.
3475—Goodman vs. Stein et al.
3399—Field et al. vs. Robins.
3571—Schulhoefer vs. Metzger.
1273—Clynes vs. Platt.
3339—Ward vs. Central Park, N. and E. R. R. R. Co.
3353—Hart vs. Willis.
3397—Natl. Shoe and Leather Bk. of N. Y. vs. Ross.
3437—Levy vs. Godirey.
3441—Denny vs. Havens et al.
3115—Schermerhorn vs. Barnes, ex'r, et al.
3479—Russell vs. Metropolitan Insurance Co.
3413—McDermott vs. Beam.

Superior Court—Trial Term—Part 2.
Held by Judge Jones.
Court opens at eleven o'clock A. M.

Nos. 3584—Dunn vs. Cuddy.
3628—Davis vs. Broadway and 7th aA. R. R. Co.
3644—Perry vs. Rosenblatt.
3574—Tucker et al. vs. Meeks et al.
3632—Tone vs. Doelger.
3604—Wellington vs. Smith.
2366—Eisenbard vs. Carrwehan.
2414—Lehmus et al. vs. Peyser.
3416—Palmer vs. Roberts.
430—Insurance Co. of North America, of Philadelphia, vs. Columbia Insurance Co.
2432—Richmond vs. Drake et al.
2436—Gilbert, Jr., Esq., vs. Lefferts.
2452—Terhune vs. Terhune.
2458—Hall et al. vs. Morris et al.
2461—Fisher vs. Squires et al.

Common Pleas—Trial Term—Part 2.
Held by Judge Van Vorst.
Court opens at 11 o'clock A. M.
Equity Calendar:—

Nos. 86—Kochler vs. Stelbert.
93—Hall vs. Washburn.
95—Stewart vs. Isador.
126—Nat. Bank of Baltimore vs. Sackett.
46—Jacob vs. Morange.
128—Gemill vs. Marcon.
—Fettretch vs. Rosenthal.
111—Birby vs. Bennehof Run P. Co.
125—Tage vs. Smith.
129—Farmin vs. Mullen.
46—Jacobs vs. Morange.
55—Bates vs. Russell.
63—Hammond vs. Cropsey.
77—Rathgate vs. Haskin.
78—Barnes vs. Schultz.
87—Fettretch vs. Cromelier.
94—Murphy vs. McCool.
114—Carroll vs. Wilson.
115—Berley vs. Ref. German P. D. Church.
116—Berley vs. Ref. German P. D. Church.
129—Wilcox vs. Dunn.
132—Matsell vs. Flanagan.
135—Sweteer vs. Lawton.
136—Lockwood vs. Hatch.
137—Jarvis vs. Hatch.
138—Bradford vs. Martin.
139—Dellvie vs. Edson.
140—Curtis vs. Wrigley.
141—Curtis vs. Bryan.
142—Topping vs. Larkin.
143—Jarvis vs. Flagler.
144—Kalb vs. Rosenthal.
145—McMillen vs. Knox.
146—Hoye vs. Boile.
147—Ibbotson vs. Heyes.
148—Rurode vs. Hill.
149—Frohnhaefer vs. Gucken.
150—Wheeler vs. Gilsey.
151—Pratt & Co. vs. Pratt, Smith & Co.
152—Quinlan vs. Doody.
153—Quick vs. Langan.
153—Naylor vs. Chambers.
154—Hoffman vs. Moore.

Marine Court—Trial Term.
Held by Alber, J.
Court opens at ten o'clock A. M.

Nos. — Kruber vs. Nebengah.
— Bunn vs. King.
— Central Park R. Co. vs. Beecker and Fulton Streets Railroad Co.
— Balzer vs. Kuster.
112—Michel vs. Arnold.
16—Kerr vs. Bandman.
— Gourlay vs. Broadbent.
136—Williamson vs. Chapsky.
147—Dooley vs. McGrath.
149—Bridgeport Brass Co. vs. Van Alst.
154—Franklin vs. Strauss.
155—Moller vs. Kramer.
157—Hartween vs. Muehling.
158—Austin vs. Smith.
159—Greve vs. Plattner.
162—Dennin vs. Post.
163—Hendricks vs. Loges.
176—Bailey vs. Fine.
183—Flangenstein vs. White.
— Hoyt vs. Doty.

UNITED STATES CIRCUIT COURT.

Appeal Cases.
Before Judge Nelson.

Judge Nelson took his seat upon the bench yesterday morning and proceeded with the hearing of appeal cases.

The first case was that of Gerard vs. The Freight Money of the Brig Anastasia. This case came up on appeal from the Eastern district. The libellant filed his libel (being a charterer) for an advance made on the charter. The court below held that as to such a demand a bottomry bond that had been given during the voyage did not cover and should not be charged with the general average. From this decree the claimant appealed. J. Ridgway for appellant, C. M. Descosta for libellant, and F. Scudder for the other libellants. The Court reserved its decision.

UNITED STATES DISTRICT COURT.

Important Question Affecting the Rights of Informers.
Before Judge Blatchford.

The United States vs. Twenty-five Thousand Gallons of Distilled Spirits, &c.—This was an appeal from a decree of the District Court, which awarded to the informer, Mr. R. A. McDonald, only $5,000 under the regulations of the Treasury Department, issued by virtue of the law of August 1, 1866. In the court below the informer claimed a full moiety of the proceeds, which would be some $30,000. The informer alleged that he gave information against the whiskey in March, 1866, under the act of 1864, and that, as the act then stood, he was entitled to one-half. The property was all forfeited in March, 1866, by consent of the parties. After its forfeiture the United States directed the District Attorney to open that judgment, and the informer claims that this was done without his consent. On the 16th of December the goods were, by the claimants' consent, again condemned. In the meantime an act was passed providing that the former act only meant to give $5,000, and should not vest until collection.

Judge Blatchford decided that it did limit, and from this the informer appealed, averring that his information having been given in March, 1866, his rights as informer accrued under the law of 1864, which gave him a moiety, and that the subsequent action of Congress could not deprive him of that right.

The government claims that no right of an informer became vested until the judgment and final return of the proceeds into court; that the judgment in this case was not made until December, 1866; that Congress had a right, as it did in August, 1866, to alter the then existing laws as to the right of informers, and that under the law of August, 1866, the informer was entitled to only $5,000.

The Court took the papers and reserved its decision.

Counsel for the appellant, Mr. Charles Donohoe. For the government, Mr. S. G. Courtney, United States District Attorney.

Internal Revenue Cases Condemnations.

The United States vs. Three Barrels of Distilled Spirits and the Distillery and all Matters and Things therein situate at 194 East Twenty-fifth street.—This case, which stood adjourned from Friday last, when the testimony and summing up on both sides had rested, was resumed this morning. Judge Blatchford, in his charge, read and directed the attention of the jury to the thirty-first, forty-eighth and twenty-fourth sections of the Internal Revenue laws, upon which the case in hand was grounded. If the jury should find that these sections had been violated or not strictly complied with in truth the government must be entitled to a verdict.

Mr. Barrett, for the defendant, prayed the Court that it might be an instruction to the jury that, inasmuch as there was not the shadow of evidence to show that Mr. Costello was in any degree partner or part proprietor in the distillery, all reference to him might be withdrawn and Mr. Whelan held and regarded as the sole proprietor thereof; and that there was neither concealment nor untruth chargeable against Mr. Whelan in that regard.

Judge Blatchford instructed the jury accordingly and they retired to their room.

After a brief absence they returned to court with a verdict for the government.

The United States vs. 122 Bales of Foreign Wool in Three Consignments, containing 51,298 lbs.—This case was given to a jury before Judge Blatchford. It involves the forfeiture to the United States of English wool of the probable value of more than $100,000. From the statement of Assistant District Attorney Phelps it appears that those consignments of wool from Liverpool arrived in the port of New York in March, 1860, and were then seized by the United States Collector of Customs as having been fraudulently invoiced by the consignor in Liverpool, and the circumstances are to this effect:—By an act of Congress of 1799 it was provided that the duty or tax upon wool from foreign countries, on arrival in New York, was to be regulated by the *ad valorem* value or price the wool would sell for at the port from which it was exported, and that wool of the value or price of twenty cents per pound was duty free, but that all wool above the value of twenty cents would be subject to a duty or tax to the United States in the port of New York of twenty-four cents per pound. Hence there was a wide margin for persons so disposed to commit a fraud, and it was charged in this case that the wool in question was invoiced as unwashed wool and under the advalorem value of twenty cents, whereas the United States government, in 1860, contended that the wool was of a higher value, and came under the provisions of the acts of Congress of 1799 and 1830, and therefore liable to the tax of twenty-four cents per pound; and the government of the present day maintain the ground taken by the law officers of 1860.

Mr. Meade, the Deputy Collector of Internal Revenue at the port of New York in 1860, was the first witness produced by the government, and he testified to the arrival and seizure of the wool in March, 1860. Case still on.

Final Discharges in Bankruptcy.

The following persons who had applied for the benefit of the Bankrupt act have received their final discharges in bankruptcy in the United States District Court for the Southern District of New York:—James A. Rhodes, Edmund Russell, Harvey Sheldon, Joseph R. Gardiner, James Williams, George W. Peters, Isaac D. Edrehl, Morris Ash, John Bellamy, Louis Mawson, John Maurage, Vincent Chapman.

Petitions Filed in Bankruptcy.

The following petitions were filed yesterday:—Patrick McGee, New York city, referred to Register Williams; William H. Chapman, New York city, referred to Register Fitch; Albert Moulton, New York city, referred to Register Dayton; Richard Marsh, New York city, referred to Register Allen.

UNITED STATES COMMISSIONER'S COURT.

The Peterhoff Case.
Before Commissioner Osborn.

In the case of Ward and Grove, and of J. R. Woodward vs. the cargo of the Peterhoff, the further hearing had been fixed for eleven o'clock this morning, before Commissioner Osborn, but at that hour the parties not being quite ready to proceed there was an adjournment till to-morrow morning. Counsel for Ward and Grove, Mr. Erastus Benedict; for J. R. Woodward, Mr. G. F. Andrews; for the claimants, Messrs. Martin and Smith; and for the government, Mr. Ethan Allen, United States Assistant District Attorney.

SUPREME COURT—SPECIAL TERM.

The Melville Divorce Case—Judgment for the Plaintiff.
Before Judge Clerke.

Sarah K. Melville vs. Henry B. Melville.—This was an action for divorce on the ground of adultery. The case has been pending before the court for about five years, and the complainant charged that defendant had committed adultery with divers persons and at times and places unknown to plaintiff, and also with unknown persons at places and at times known and set forth by the plaintiff, as well as with Mary Bell, of Broadway concert saloon and pistol practice notoriety. The issues were tried before a jury, and the hearing occupied three days. Final judgment was entered for the plaintiff on the 16th ult.

SUPREME COURT—CHAMBERS.

The Butchers and the Board of Health—Application for Injunction against the Board.
Before Judge Barnard.

The People &c., ex rel. Jantzen vs. The Metropolitan Board of Health.—The plaintiff in this action is a butcher, and a case argued on his application for relief from the acts of the respondent is now under consideration before the General Term, and involves substantially the same questions as were raised in the case of Shuster against the same defendants, and which was recently decided in favor of the plaintiff, Shuster.

Yesterday an application was made before Mr. Justice Barnard, at Special Term, for injunction to restrain the respondent from the further enforcement of the ordinance of the Health Code, which prohibits the driving of cattle within certain limits of the city, and which interferes seriously with the relator's business—his slaughter house being within the prescribed precincts. The relator claims that the decision in the Shuster case covers the question of relief now asked.

The case was set down for full argument on Friday next.

SUPERIOR COURT—TRIAL TERM—PART 2.

The Rights of Citizens as Against Corporations in the Public Thoroughfares.
Before Judge Jones.

James Harkins, an infant by Guardian, vs. The Central Park & North & East River Railroad Company.—Plaintiff is a child of about seven years of age, and sued in this court yesterday for the recovery of damages for injuries alleged to have been received through the negligence of the defendant. It appeared from the evidence that on the 4th of November, 1865, the plaintiff was playing horse in the vicinity of First avenue and Fiftieth street, and in so doing was running behind one of the defendant's cars, which was on its down trip. After following it for some distance the little fellow deviated from his course, which then lay southward on the westerly side of the street, and attempted to run across the defendant's easterly track to the east sidewalk on First avenue. While so doing he tripped and fell about twenty-five feet in front of the horses of a car which was coming upon the easterly track. The wheels of the car passed over his left leg, injuring it in such a manner that amputation was necessitated [illegible] at Bellevue Hospital. The fact of the boy having followed so closely behind the "down" car prevented him from seeing the "up" car, which injured him, and consequently from avoiding it if he had intended so to do. A former employé of the company, who was a conductor on the down car at the time of the occurrence, and witnessed it, testified that there was a grade at this part of the route, and that it was a custom of the defendant to attach an extra horse to each car in the ascent of this grade, which was necessitated only on the trip "up," and that a car could easily have been stopped in the distance from the car in question to the prostrate boy. It was also shown that the boy injured was unattended by any guardian, and that he had not looked up and down the street to see if a car was coming.

It is provided by statute that a plaintiff in order to recover damages for injuries received, must show that there was no contributive negligence on his part, and that he had exercised ordinary prudence and forethought to guard against injury.

At the close of the plaintiff's case, defendant's counsel moved for a dismissal of the complaint, on the ground that the fact of his being a child of tender years, and unattended by any protector, constituted negligence, and that contributive negligence was also proved in the fact that he had not exercised ordinary prudence and forethought.

Plaintiff's counsel opposed the motion at some length, and contended that the construction of negligence on the ground that the child was unattended in the street by any guardian, was erroneous; that a citizen must have some rights which railroad corporations, to whom is granted the privilege of running their cars through public thoroughfares, are bound to respect, and that it could not be held a child of seven years of age was bound to have a protector with it upon the street at all times. It was obvious that a man with a large family of young children could not employ servants to whom might be entrusted their safe-keeping. With reference to the question of negligence, on the ground that the child had not exercised ordinary prudence in looking for an approaching car, the decisions cited on this point, it was claimed, were applicable only to adults, and were not to be construed as defining the measure of forethought and caution presumed to be exercised by a child of tender years. The court ruled that there was sufficient evidence of negligence on the part of the defendant to allow the jury to pass upon that question, but that it had previously held, in a case tried during the present term, that there was negligence in permitting a child of tender years to be unattended in the public thoroughfares, and that the plaintiff had also been guilty of contributive negligence in the present case by running after the defendant's car, an act entirely voluntary and unnecessary on his part, and one which so resulted as to prevent him from seeing the approaching car, which injured him. The complaint was dismissed.

CITY INTELLIGENCE.

BOARD OF ALDERMEN.—Alderman McQuade yesterday offered a resolution before this Board, directing that the sidewalks in Fifth avenue, between 129th and 131st streets, be made thirty feet wide, and that property holders be allowed to enclose fifteen feet in width of the sidewalk as a court yard or area, subject to a revocation of the privilege under the requirement of the interests of the city. Adopted. The Councilmanic resolution permitting the Second Avenue Railroad Company to lay switches and turn-outs in Sixty-third and Sixty-fourth streets, between First and Third avenues, was concurred in, and sent to the Mayor for approval. Resolutions were adopted in favor of paving the following thoroughfares with the Nicolson pavement:—Maiden lane, Thirty-third street, between Fifth and Madison avenues; Rector street, New street, Great Jones street, Cortlandt street, Fourteenth street, between Fifth and Eighth avenues; Washington place, from Broadway to West street; Twenty-fourth street, from Broadway to Sixth avenue, and Liberty street.

THE BOARD OF AUDIT.—At the session of this Board, yesterday, Patrick Garrick presented a claim for $313 37 as rent for the lot of ground No. 105 Worth street, which had been applied as the location of a temporary building for the use of Fire Engine Company No. 21. Nelson Smith presented a claim for $7,570 56 for services rendered on legal proceedings to enforce the payment of taxes on personal property, which were instituted under the direction and approval of the Mayor and Commonality and the Receiver of Taxes. Decisions reserved. The Board then adjourned until to-day at noon.

BOARD OF COUNTY CANVASSERS.—Upon the assembling of this Board yesterday afternoon Mr. Tweed wished to know what action had been taken in reference to the canvass of the votes for Supervisors, and the counsel to the Board stated in reply that a return had been prepared to the writ of mandamus and the case would be argued on Monday next in the Supreme Court. The official vote for Sheriff is as follows:—James O'Brien, 42,771; Michael Connolly, 41,995; Joshua G. Abbe, 27,277. O'Brien over Connolly, 776. The Board then adjourned until Friday, 28th inst.

THE CAPTAIN OF A CANAL BOAT DROWNED.—Coroner Wildey was yesterday called to hold an inquest on the body of Michael Grimes, late captain of the canal boat Baltoon, lying at the foot of Gansevoort street, North river, which was found floating in the water near the boat. Deceased had been missing since Saturday night, and he is supposed to have fallen into the dock while going aboard his boat.

RUN OVER.—Thos. Larkin, residing at 75 Mulberry street, was conveyed from First avenue and Twenty-sixth street, where he had accidentally been run over by a horse and wagon, and sustained a fracture of the collar bone, late on Thursday night, when, upon consultation with his physician, it was considered necessary for the injured man to be placed under the surgery of Bellevue Hospital. Officer Lankeman, of the Eighteenth precinct, had Larkin removed to the above institution.

INJURED HIS HAND.—Antonio Isoracco, an Italian, a confectioner by trade, was admitted to Bellevue Hospital yesterday suffering from partial amputation and lacerated wounds of the right hand by being caught in the machinery of a chocolate factory at 125 Hudson street. The unfortunate man was conveyed by some friends to the institution in Twenty-sixth street for final surgical relief.

DISLOCATED HER ELBOW.—Mary McNulty, twenty-seven years of age, residing at 113 Mott street, while proceeding to her residence late on Saturday night, accidentally slipped on the sidewalk and fell, fracturing her left elbow. She was promptly cared for, but after the injured member was attended to she was sent to Bellevue Hospital.

FRACTURED HIS COLLAR BONE.—Malcolm McCollum, a native of Scotland, a dyer by trade, aged seventy-two years, and residing at No. 375 Washington street, while driving through the above named street was accidently thrown from the wagon yesterday, and sustained a fracture of the left collar bone, besides contusions; his injuries being of such a nature as to warrant his removal to Bellevue Hospital, where, under the practical supervision of the surgeon, prompt and adequate means will be applied to alleviate the sufferings of the unlucky Scotchman.

POLICE INTELLIGENCE.

ARREST OF AN OLD OFFENDER.—James Dougherty, alias McCarty, alias "Little Doc," was yesterday arrested by Captain Jourdan, of the Sixth precinct. In the month of February, 1866, the accused was apprehended for the alleged stealing of a diamond pin valued at $500, from Mr. Albert Bertram, while aboard one of the city rail cars. Being arraigned in court on the complaint, "Little Doc" pleaded guilty of an attempt to commit grand larceny, and sentence was suspended on condition that he would leave the city. He was again arrested about two weeks ago under the name of Dougherty, and subsequently convicted in the Court of General Sessions of an attempt to steal as a pickpocket. On this conviction the Court sentenced him to serve five months in the Penitentiary. His counsel obtained his release on a writ of habeas corpus issued by the Supreme Court, after which the prisoner was liberated on bail pending the decision of the Court. "Little Doc's" present arrest was made by virtue of a Bench warrant issued by the Court of Oyer and Terminer, and at the next term of the Court he will be arraigned for sentence on the original conviction.

ALLEGED LARCENY OF JEWELRY.—Some days since a young man named Edward Sperling was arrested by detectives Coyle and Farley, in Bleecker street, while attempting to sell a valuable diamond breastpin, on suspicion that he came illegally by the property. The man was held for some time, then let go, but the property was retained. A day or so after Sperling was allowed to go free a lady named Annie M. Osborne, of No. 4 East Thirtieth street, appeared at police headquarters and informed the detectives that on the 10th of November a small box containing jewelry to the amount of $632 was stolen from out a trunk contained in her room in the above premises. Among the articles stolen was one gold pin, set with diamonds, which the accused valued at $500. The breastpin which was found in the possession of Sperling was shown her and she immediately identified it as a portion of the lot which she alleges was stolen from her on the 10th inst. The officers, rightly judging that Sperling would come back after the lapse of a few days for the purpose of claiming the breastpin, made no effort to hunt him up. Their conjectures were right, as yesterday Sperling made his appearance at the Mulberry street establishment, when detective Farley recognized and arrested him. The prisoner was brought before Justice Dodge, of the Jefferson Market Police Court, and a charge of grand larceny, in accordance with the above facts, preferred against him by Mrs Osborne. In answer to the charge he had nothing to say but that a woman gave him the pin. The magistrate committed him for trial in default of $3,000 bail.

VIOLATIONS OF THE EXCISE LAW.—George C. Geizsen, corner of Third avenue and Fifty-fourth street, John Clowd and William Van Kosk, licensed venders in spirituous liquors and beers on Second and Third avenues, were arrested and arraigned before Justice Kelly, of the Fourth District Police Court, yesterday, charged with violating the Excise law in that they kept their saloons open on Sundays and sold intoxicating beverages. They were held in $300 each to appear and answer at the General Sessions.

ALLEGED BURGLARY.—Michael Farrell and William Carroll were arrested on Sunday night and arraigned before Justice Kelly, of the Fourth District Police Court, yesterday, on the double charge of house-breaking and robbery from the person, preferred by Ellen Collins, who lives in one of the numerous shanties which grace the Second avenue between Forty-fourth and Forty-fifth streets. Mrs. C. alleged that the accused, who were present in court, broke into her house, and seizing her person took from under her skirt a bag containing eighty-four dollars and fifty cents, and, notwithstanding her outcries, ran away with it. The prisoners strenuously denied the accusation of the woman, but as they could not prove an alibi her Honor held them for examination.

DESERTED HER BABE.—A woman named Catharine Smith, who some time since had been a servant in the family of Mr. Johnson, at 257 East Thirtieth street, was arrested yesterday by officer McKeown, on the allegation of Mrs. Johnson, her sometime mistress, who charged her with deserting her baby (a male of seven months) by leaving it in the vestibule of her (the complainant's) residence. It appeared that Mrs. Johnson, who has been exceedingly kind to the woman, gave her before she became a mother several articles of baby's clothing, and among other garments a nightgown, which was on the child when found on her premises and by which she was enabled to detect who its mother was. When arraigned before Judge Kelly, of the Yorkville Police Court, Catharine, who betrayed a good deal of feeling and interest in her helpless offspring, offered excuses in extenuation of her conduct, but was temporarily committed for examination.

ARREST OF AN ALLEGED POCKETPICKER.—Detective Woolsey, of the Broadway squad, yester