HEAVY DEFALCATION IN WALL STREET.

The Teller of the City Bank Decamps with $350,000 in Greenbacks.

Dabbling in the Stock of the Chicago and Rock Island Railroad the Cause of His Crime.

INTERESTING LEGAL PROCEEDINGS.

The most intense excitement prevailed in Wall street yesterday on the announcement that James H. Leverich, the second teller of the City Bank, had absconded with $350,000 in greenbacks, the property of that institution, in his possession. The authorities at the bank are, as is customary in such cases, somewhat reticent on the subject of their loss, but we are enabled through information gleaned from them and other sources, to present an accurate account of this most audacious robbery. The defaulting teller is a young man, not over twenty-five years of age, but lately married and most respectably connected, standing in the relationship of nephew to Mr. Charles P. Leverich, President of the Bank of New York. His late employers bear high testimony in regard to his smartness and intelligence, and placed the highest confidence in his integrity and trustworthiness. He had been for seven years in the employ of the bank, and through his correct deportment and assiduous attention to business had won the esteem of both his employers and fellow clerks. He was in the receipt of a salary of $2,500 a year, and resided at No. 80 East Twenty-sixth street. The suspicions of the President of the Bank, Mr. Taylor, were first aroused on learning that Leverich was paying for his residence the high rent of $300 monthly, and called him to account for living in so extravagant a manner, but Leverich excused himself by saying that so large a mansion was necessary, as his mother and sisters intended to reside with him. It has since been ascertained that he negotiated with Mr. Lyman for the purchase of an estate at Inglewood, but the money was not forthcoming and the matter fell through. Last Monday week a note was received by the first teller of the bank from Leverich stating that he was indisposed and might probably be detained at home for a day or so. Several days having elapsed and he failing to appear, the bank officials ordered an investigation of his accounts, when it was discovered that he was a defaulter to the amount of $300,000 to $350,000. The examination has not yet been concluded, and the deficit may on further investigation amount to a much larger figure. The officials have received information that he left his residence at five o'clock on Sunday, the 5th inst., accompanied by his wife and having with him as baggage only a small valise and travelling shawl, and went in the direction of Seventh avenue. Previous to his leaving home he left directions with his servant girl to deliver two trunks and a hamper, which in all probability contained the greenbacks, to a cartman of the Westcott Express, who would call for them on the following morning at ten o'clock. The girl obeyed the orders given her, and handed over the property to the expressman, who arrived at the house punctually to the appointed time. This baggage has been traced to the house of his mother at Newtown, L. I., and if, as is supposed, it contains the stolen money, its recovery is regarded as certain. It is gratifying to state that this defalcation will not in the slightest degree affect the credit of the City Bank, for, even assuming the loss to be as high as stated, a surplus of $800,000 yet remains in its vaults, and its stock is now selling at $175. It is currently reported on the street that the ruin of young Leverich has been effected, not by too free an indulgence in fast horses and fast women, but by dabbling deeply in the stock of the Chicago, Rock Island and Pacific Railroad Company, whose affairs have of late been so prominently before the courts.

In this connection it may not be inappropriate to present a brief statement of an interesting suit now pending in the Supreme Court, in which the Rock Island Railroad Company are defendants. On the 6th of January Messrs. Fisk, Belden & Co. commenced an action against the Chicago, Rock Island and Pacific Railroad Company and its directors, John F. Tracy, Charles W. Durant, Francis H. Towes and others, alleging in their complaint that the 49,000 shares of the Railroad Company had been issued without any legal authority by their Executive Committee, or a part of them, with the co-operation and consent of the defendants. On affidavits setting forth these facts and showing that the issue was an illegal one Judge Cardozo granted an injunction against any transfers of this alleged illegal stock on the books of the company. The plaintiffs having applied to Messrs. Towes and Tracy to testify upon the motion for an injunction, and they having refused, Mr. Julius J. Lyons was appointed as referee to take testimony. On the 8th of January, the time appointed for Messrs. Towes and Tracy to attend, they were not present, and an attachment was obtained from the court against them, under which they were arrested and brought before Judge Cardozo, but having excused themselves and agreeing to attend the next day before the referee no further proceedings were had under the attachment. Inquiry being made for the money which was received for the sale of these 49,000 shares, it was found that the whole amount, with the exception of a few thousand dollars, had been taken from the Corn Exchange Bank, where it was formerly deposited, and the directors of the company declined to give any information as to what had been done with it. Immediately after the service of the injunction restraining the transfer of the new stock the directors sent the transfer books to Chicago for the purpose of enabling the transfers to be made there, where they supposed the injunction of the Supreme Court of this State would have no effect. Upon discovering this the plaintiffs obtained an order to show cause against the defendants why they should not be punished for contempt, alleging that this proceeding was, in fact, a violation of the injunction, and also moved that the defendants be compelled to deposit the money received for the sale of the new stock in court or pay the same over to a receiver. The testimony taken before Mr. Lyons, the referee, develops some curious facts, and is a fair specimen of the manner in which stock transactions are managed. Subjoined are the material passages in the testimony of Mr. Tows and a verbatim report of the evidence given by Mr. Tracy. In answer to questions put to Mr. Tows he said that he was unable to state under what statute the directors of the company assumed to act in respect to the issue of the 49,000 new shares; that meetings of the board of directors, so far as he knew, had been held entirely in this city at the company's office, 13 William street; that he was the secretary of the company and kept minutes of all the meetings of the board, but could not tell how many there had been; could not say positively whether there had been more than one, but thought there had; that since the 1st of January an assistant treasurer had been appointed for the first time, their appointee being Mr. B. G. Sherman; could not tell whether any appointment had or had not been made since the suit was commenced on the 6th of January; he could not recollect any act done by the board of directors since the organization of the company; the executive committee had met frequently, always in the city of New York; he was absent in Europe from June 8 to September 19, during which time Mr. Ebenezer Cook acted as secretary of the committee in his place; it was during this period that the issue of the 49,000 new shares was resolved upon; a large part of the company's books was sent out of town on Tuesday, 6th of January; they were taken from the office by Mr. Gardiner, the transfer clerk, about twelve o'clock, and delivered by him to Mr. St. John, but where they went, or by whose orders they were taken, Mr. Tows cannot tell; the certificates for 49,000 new shares were all issued since the 25th of September, signed by the president in blank, left with Mr. Tows, signed by him as register, and all delivered to Mr. Dunham, the treasurer, in one parcel, each certificate being for one hundred shares; Mr. Towes was utterly unable to state when this delivery was made, but thought it was previous to November; no entries had been made in the books of the company at the date of issue; all money received by the company on account of this new stock was received from the president, Mr. John F. Tracy, since the 28th of December last, although the witness is utterly unable to recollect the date; the whole amount thus received was $4,400,000; witness handed this money to the treasurer, Mr. Dunham, at the Corn Exchange Bank, of which bank Mr. Dunham is president; the whole amount was paid in three or four checks. Mr. Tows cannot recollect who signed any one of them, nor whether they were certified checks. When asked what had become of the money he stated that it was loaned out to different parties, but declined to answer to whom. Being asked whether it was not loaned out without any security, at from four to five per cent interest, he refused to make any answer, further than that he was not treasurer and did not loan the money. Being asked if he knew of any security being received for these loans he declined to answer. Since the 1st of January, in addition to the creation of the office of Assistant Treasurer, Mr. Edward St. John was appointed Registrar, and the transfer books were delivered to him. Being asked if Mr. St. John was appointed for the purpose of being sent to Chicago, Mr. Tows said that he did not answer that question; prior to this appointment Mr. St. John was clerk in the office of the company in New York; Mr. F. B. Sherman, the assistant treasurer, is a resident of Chicago; witness declined to say whether since his return from Europe he speculated in the company's stock or endeavored to raise or depress its value, or for what purpose the books were sent to Chicago and the new officers appointed; he knew nothing of any subscriptions being received for the new stock, and had never received any proceeds thereof beyond the $4,400,000, nor had the company as far as he knew; he declined to say whether or not the company had offered to lend $2,000,000 of the proceeds at five per cent.

John Tracy testified as follows:—Q. Under what statute of the States of Illinois and Iowa did the directors of the Chicago, Rock Island and Pacific Railroad Company assume to act in issuing certificates of forty-nine thousand new shares? (Objected to.) A. Our lawyers gave instructions about the acts—the laws. Q. Will you answer my question? A. The laws of Iowa and Illinois, I suppose. Q. Can you give any other answer than that? (Objected to.) A. I cannot give any other answer than that. Q. Are you the President of the company? A. I am. Q. Are you a member of the executive committee? A. Yes, sir. Q. Have you been present as a member ever since the consolidation? A. I have. Q. When was the issue of certificates of the forty-nine thousand new shares resolved upon? (Objected to, as it already appears it was in writing.) A. I decline to answer. Q. Have you yourself done any acts in reference to that issue? A. I decline to answer. (Defendant's counsel objects on the ground that his acts all appear as matter of record.) Q. By whom was that issue authorized or ordered? (Defendant's counsel objects, as it was matter of record and appears from the acts of the executive committee.) A. By the executive committee. Q. Who composed the executive committee? A. Five members of the board. Q. Who are they? A. Mr. D. Dows, Mr. D. Crawford, Mr. T. T. Sturgis, Mr. C. W. Durant and myself. Q. Did all the members of the committee act? A. They did. Q. Did the board of directors take any action in the matter? (Defendant's counsel objects, as it appears by the record.) A. I decline to answer. Q. Did any members of the board of directors take any action in the matter, excepting the members of the executive committee? (Objected to as above.) A. I decline to answer that question. Q. Have you speculated in the stock of the company since the issue of these shares was resolved upon? (Objected to.) A. I decline to answer. Q. Did you yourself attempt to raise or reduce the price of the stock with a view to the new issue? A. I decline to answer. Q. Was the issue of that stock secret or open? (Objected to.) A. I decline to answer. Q. Have you sent the transfer books to Chicago for the purpose of having transfers of the new stock made there? (Objected to.) A. The transfers are enjoined; we do not propose to disobey the injunction. Question repeated. (Objected to.) A. I suppose there were transfers when the injunction was removed. Q. Have you sent the books to Chicago for the purpose of having the transfers made? (Objected to.) A. I decline to answer. Q. Did you and Mr. D. Dows act as a subcommittee of the Executive Committee in the issue and sale of that stock? A. I decline to answer. Q. Will you answer whether you yourself have got in your pocket a portion of the proceeds of that stock? A. I have not got a cent of the proceeds of that stock in my pocket. Q. Have you received any of the proceeds? (Objected to.) A. I decline to answer that question. Q. What have you done with them? A. I decline to answer. Q. Have you appropriated them to any unlawful purpose? (Objected to.) A. I have not. Q. To what purpose have you appropriated them? A. I decline to answer. Q. When were the certificates for the 49,000 shares of new stock delivered out of the office of the company? (Objected to.) A. I decline to answer. Q. Did you hear Mr. Tow's examination? A. Some parts of it. Q. Did you hear that part of it in which he said that you paid $4,400,000 to him as the proceeds of that stock? (Objected to.) A. I decline to answer. Q. Was that stock ever subscribed for? (Objected to.) A. I decline to answer. Q. Was it sold? (Objected to.) A. I decline to answer. Q. Was any disposition made of it? (Objected to.) A. I decline to answer. Q. Have the proceeds been loaned to brokers and dealers in stocks? (Objected to.) A. I decline to answer. Q. Have you any of the proceeds under your control? (Objected to.) A. I decline to answer. Q. Do you know where the proceeds are? (Objected to.) A. I decline to answer. Q. For what purpose were the books sent to Chicago? (Objected to.) A. I decline to answer. Q. Did you have anything to do with the sending of them out? (Objected to.) A. I decline to answer. Q. By whose instructions were they sent away? (Objected to.) A. I decline to answer. Q. Have any acts of the Executive Committee or Board of Directors, in respect to that issue, been done out of the city of New York? A. No. Q. Were any steps taken or means used to raise or depress the stock with reference to its issue? A. I decline to answer. Q. Have you attended a meeting of the Executive Committee since the service of the injunction upon you? A. I attended a meeting one day this week. Q. What day? A. Monday or Tuesday. Q. Which day? A. I am not positive. Q. Do you remember whether it was Monday or Tuesday? A. I do not positively; but it was one of those two days; my impression is it was Tuesday. Q. At what hour in the day? A. In the afternoon. Q. At what hour of the day? A. Between three and four o'clock, I think. Q. Who were present? A. All of the Executive Committee. Q. How long were they in session? A. I do not know; about an hour probably; half an hour to an hour; I cannot recollect exactly. Q. What was done at that meeting? (Objected to.) A. I decline to answer. Q. At that meeting did you take measures to get the books of stock and the money out of the State and beyond the jurisdiction of this court? A. I decline to answer. Q. Were not resolutions for the removal of these books prepared before the meeting began? (Objected to.) A. I decline to answer. Q. Do you know where the books and the money are? (Objected to.) A. I decline to answer. Q. As president of the company do you know where the property of the company is? (Objected to.) A. I decline to answer. Q. Will you produce the check book of the company? A. It is not under my control. Q. Where is it? A. I do not know. Q. Under whose control is it? A. The secretary, generally, has charge of the books. Q. Who is the secretary? A. Mr. Tows. Q. Will you produce the bank pass book? A. It is not under my control. Q. Under whose control is it? A. The secretary's, I presume. Q. Will you produce the transfer book? A. It is not under my control. Q. Where is it? A. I do not know. Q. Under whose control is it? A. I could not say. Q. Do you know? A. I do not. Q. Do you know whether it is in this State or out of it? (Objected to.) A. I decline to answer that question. Q. Will you produce the books of stock certificates? A. They are not under my control. Q. Where are they? (Objected to.) A. I decline to answer. Q. Are they in this State? (Objected to.) A. I decline to answer. Q. Have you sent them out of the state to evade the injunction? (Objected to.) A. No. Q. What have you sent them out of the State for? (Objected to.) A. I decline to answer. Q. When did you send them? (Objected to.) A. I decline to answer. Q. Where have they gone to? (Objected to.) A. I decline to answer. Q. Who has the control of them? (Objected to.) A. I decline to answer. Q. Have you any control over them whatever? (Objected to.) A. I decline to answer. Q. Will you produce any of the books of the company? A. They are not under my control. Q. Are none of them under your control? A. No. Q. I under whose control are they? A. I decline to answer. Q. Do any of the books of the company show what became of the stock or the proceeds of the stock? (Objected to.) A. I decline to answer. Q. Did you employ brokers to sell the stock? (Objected to.) A. I decline to answer.

It is understood that Messrs. O'Conor, Evarts, Fullerton, Charles Tracy, and Brown, Hale and Vanderpool have been retained for the railroad company, while the persons contesting the validity of this issue of stock are represented by Messrs. D. D. Field, J. E. Burrill and D. Field.

Another action was brought against the company by Rufus L. Hatch, in which an injunction against the removal of the books was obtained; but it is claimed by the company that the books were removed before the injunction was served.

INTERNAL REVENUE MATTERS.

"The President has signed the Warehouse bill!" This was the purport of the information conveyed by official telegram to headquarters in Cedar street at noon yesterday. The telegram itself is as follows:—

WASHINGTON, D. C., Jan. 13, 1868.
Hon. THOMAS HARLAND, Deputy Commissioner, 88 Cedar street, New York:—
The President signed the Warehouse bill Saturday night. Have telegraphed all collectors.
GEORGE PARNELL, Deputy Commissioner.

Soon after the reception of the above Collector Shook received a corroborative despatch in the following terms:—

WASHINGTON, D.C. Jan. 13, 1868.
SHERIDAN SHOOK, Collector Thirty-second District, New York:—
Withdrawal of spirits from any warehouse before payment of tax is prohibited by act of January 11.
E. A. ROLLINS, Commissioner Internal Revenue.

No sooner had Deputy Commissioner Harland received his despatch than he issued immediate orders to the bond clerks to receive no more bonds from dealers or manufacturers for the removal of whiskey from bonded warehouses, either for transportation, rectification, redistillation, change of package, or for any purpose whatever, unless the tax of $2 per gallon has been paid. Of course a deal of excitement was created among the whiskey men, a number of whom were in waiting, desirous of having their bonds approved by the Deputy Commissioner, so that removal of their goods might be effected before official information as to the bill having been signed was received in the Metropolitan Board rooms. The announcement that a despatch containing that information had arrived and the subsequent promulgation of its contents among the anxious crowd fell like a wet blanket on them. Most of those in waiting betook themselves to the office of Collector Shook, hoping that he had not yet been notified, and would therefore sign bonds as usual for the removal of goods from warehouses in this district. Here, however, they were doomed to disappointment. To all entreaties and requests on their part Mr. Shook interposed his despatch from Commissioner Rollins, received a short time before, and steadfastly met every argument on their part with the announcement that he could only be governed by the orders of his superior officer, the Commissioner. Finding all efforts fruitless the applicants, one after another, turned sullenly and gloomily away, some of them muttering anathemas on Congress, the President, the Commissioner and the Revenue Department in general. Of course those who have large stocks of tax paid whiskey on hand have no reason to join in this general discontent, for the signing of the bill has put money in their pockets. Whiskey went up sixty-five cents in price yesterday, and will doubtless keep advancing during the week. From $1 66 and $1 75, the ruling prices of late, we may expect to see it verge closely on $3 before Saturday next.

Mr. Harland was, about noon, engaged in conversation with a friend, having on his desk a number of removal bonds awaiting signature—he had signed several others but a few minutes before—when a messenger boy entered with a telegraphic despatch. He opened and read it, and it proved to be the telegram above given, when he forthwith announced his inability to affix his signature to the documents, and no entreaties could move him from his purpose. He had now received official notification that the Warehouse bill was a law, and he had no resource except to abide by its provisions. As may well be supposed, the applicants whose bonds were unsigned elongated their countenances to a fearful extent and looked decidedly blank. A few minutes' delay in opening the fatal telegram would have saved them; but now the fiat had gone forth—tax to be paid or no removal.

At the Distillers' Convention, which reconvenes in Washington on Wednesday, the new law will form a prominent topic of deliberation.

Inspectors Stiner and McHenry yesterday seized an illicit still located in a cellar corner of Harrison avenue and Bartlett street, Brooklyn, E. D. The officers having received information that this still was in operation, forced their way in and found fire under it. They found also two hogsheads of new mash. The still and fermenting cisterns were destroyed, and the testing instruments brought to headquarters.

McGelma's distillery, Nos. 205 and 207 Water street, Brooklyn, was seized under direction of Colonel Pinckney, on a charge of no returns of product having been made. Forty barrels of spirits were found in an adjoining stable, and when the seizure was made liquor was, it is alleged, being drawn from the cistern room.

Inspector Harvey seized yesterday a case of eight thousand cigars at No. 7 Old slip. The cigars are of domestic manufacture, packed apparently in old boxes with the domestic stamp on them. They had also an imported stamp placed over the domestic, and an inspector's name, which is supposed to be forged.

The receipts from the West during the past week were light, 301 barrels reached this market by the Camden and Amboy and 335 barrels by the Erie route—636 in all.

NEW YORK CITY.

THE COURTS.

UNITED STATES CIRCUIT COURT—IN EQUITY.

The Gift Enterprise Case—Bill of Complaint Filed Against Postmaster Kelly.

The gift enterprise business has been brought into the courts on a bill of complaint filed by Charles P. Cary, W. T. Sullivan and G. W. Hubbard, Jr., of this city, against James Kelly, Postmaster, and praying that he be ordered to deliver to complainants a large number of letters alleged to be detained by him and addressed to them as partners in a firm carrying on business at 37 and 39 Nassau street. The complainants say that they carry on business at 37 and 39 Nassau street; that they have been in the habit of issuing printed circulars and written documents pertaining to their business transactions, and were in the habit of receiving large sums of money by the United States mail through the general Post Office; and that on or about the 20th of November last the said James Kelly, at the Post Office of the city of New York, did, and has ever since that date wrongfully, unlawfully and with force of arms detain, withhold, convert and appropriate to his own use and benefit all the letters and mail matter arriving at the Post Office directed to and belonging to these complainants; that since that date a large number of letters and mail matter, amounting to three thousand and twenty-five letters and upwards, the property of complainants, were held and are still unlawfully detained by the said James Kelly; that these letters and mail matter were by the complainants and their attorney demanded from the said James Kelly, who refused to deliver them up; that the postage had been paid on all those letters and mail matter by the affixing thereto of the legal postage stamps. The complainants believe that many of those letters so detained contained remittances of money sent by correspondents upon account, the amount of which they are unable to state, but they believe in the aggregate those letters so detained contained upward of $3,000; that complainants have suffered in their business to the amount of $10,000 by the detention of those letters; that a threat of sending those mail matters to the Dead Letter Office at Washington has been given by Mr. Kelly, which, if carried into execution, would inflict irreparable injury upon the complainants and tend to destroy and break up their business; they pray that James Kelly may be restrained by an order of Court from sending that mail matter to the Dead Letter Office, but rather that they shall be delivered up to the complainants.

The case has not yet reached the courts for action, but it is expected that in a day or two some fortunate member or members of the legal profession will have a good time with the lottery men, with a certainty of drawing prizes in rich fees.

UNITED STATES COURT—IN BANKRUPTCY.

Important Decision—Rights of Petitioners as Individuals and as Members of Any Firm.

Before Judge Blatchford.

In the Matter of Henry Lewis, Individually and as a Copartner and for and on Behalf of the Copartnership Firm of P. H. Lewis.—In this case the Register on the 18th of November, 1867, on a petition filed by Henry Lewis individually, and as a copartner of the firm of P. H. Lewis, on the 13th of November, 1867, adjudged Henry Lewis, also of the said firm of P. & H. Lewis, bankrupt. The petition was not joined in by Philip Lewis, who with Henry Lewis composed the firm, nor did Philip Lewis assent to having the firm declared bankrupt. This action of the Register was erroneous. General order 18 presents the proper practice in such a case. Where a petition is filed to have a firm declared bankrupt, if all the members of the firm do not join in or assent to the petition, notice of its filing must be given to such of its members as do not join in it or assent to it, in like manner as if the proceedings were on an involuntary bankruptcy against the members of the firm. Until this is done the Register has no authority to make an adjudication in regard to the bankruptcy of the firm. Philip Davis now presents to the Court a voluntary petition under the Bankrupt act, which prays that he and Henry Lewis may be adjudged bankrupt, and be discharged from their debts. The petition set forth the copartnership and the fact of the filing of a petition in bankruptcy by Henry Lewis, and is in other respects in form a copartnership petition according to form No. 2. The petition refers to schedules annexed to it as being schedules of the debts and assets of the copartnership, and of the debts and assets of Philip Lewis individually. Philip Lewis asks, on filing this petition, for an order that he may have leave to join in the proceedings so heretofore taken by Henry Lewis, and of being made a party to the proceedings hereunder. So far as this petition of Philip Lewis expresses his assent to have the firm declared bankrupt, and his desire to join in the petition of Henry Lewis, Philip Lewis may be properly regarded as joining in the petion of Henry Lewis to have the firm declared bankrupt, so as to effect a compliance with general order No. 18, and thus validate the adjudication of bankrupts in respect to the firm. But it is not in any other respect necessary for Philip Lewis to join in the proceedings taken by Henry Lewis, or to make a party to them. The proceedings in respect to the creditors of the firm and the creditors of Henry Lewis individually will take place under the petition of Henry Lewis. The proceedings in regard to the creditors of Philip Lewis individually will take place under the petition of Philip Lewis, will be adjudged a bankrupt and receive a discharge under his own petition. Henry Lewis will also receive a discharge under his own petition. So far as the petition of Philip Lewis is a petition for an adjudication of the bankruptcy of the firm, it may be disregarded, except as indicating his assent to join in the petition of Henry Lewis for an adjudication of the bankruptcy of the firm. Under such circumstances general order No. 16 will not apply to the case, as there will be but one partner for an adjudication of the bankruptcy of the firm. The petition of Philip Lewis will be referred to the same Register who has charge of the case of Henry Lewis. Benedict and Boardman for the defendants.

Petitions Filed Yesterday.

Davis Glaser, New York city; referred to Register Ketchum.

Marcus G. Hellner, New York city; referred to Register Williams.

Isadore Krause, New York city; referred to Register Fitch.

David M. Adams, New York city; referred to Register Dayton.

Leopold Davidson, New York city; referred to Register Allen.

UNITED STATES COMMISSIONERS' COURT.

The Tradesmen's National Bank Case.

Before Commissioner Osborn.

The United States vs. J. C. Baker.—The further examination of Mr. Berry, President of the Tradesmen's National Bank, was continued in reference to the routine of business in the Tradesman's Bank. Mr. Phelps and Mr. Bell were present for the government, and Mr. Birdsall for the defence. After a brief examination the further hearing of the case was adjourned.

CITY INTELLIGENCE.

THE COLD SNAP.—The cold weather still continues, and mufflers, great coats and hot drinks are in order. The lowest point of the thermometer on Sunday night was nine degrees, at noon yesterday twenty-three degrees, at one o'clock P. M. twenty-two degrees, and last evening the mercury marked ten degrees. The ice is floating in the rivers in large fields, making ferry navigation difficult and irregular. Should the "cold spell" continue there is a probability of another East river ice blockade.

METHODIST MISSIONS IN THE METROPOLIS.—A meeting of the New York City Sunday School and Missionary Society of the Methodist Episcopal Church was held last evening in the Thirteenth street Methodist Episcopal church. A large audience was in attendance, composed principally of ladies, and addresses were made by the Rev. B. H. Pearce and Rev. W. H. Ferris.

ALLEGED UNSAFE BUILDINGS.—Inspector Marshall, of the office for the Survey and Inspection of Buildings, having on the 6th instant reported that two four story brick buildings in the course of erection on the east side of Second avenue, north of Fifty-fourth street, were unsafe, a notice to that effect was served upon the owner, Richard Totten, the following day, requiring him to make such alterations as would render them safe, and correct the defects in their construction. No attention having been given this notice, Superintendent McGregor ordered a survey of the buildings to be made as a preliminary step towards their alteration or demolition by him. This survey was accordingly made on the 9th inst., and a report returned to the effect that the entire walls of the two upper stories, also a portion of the party wall, should be taken down and the anchors securing the walls replaced with stronger ones. The use of inferior mortar is presumed to be the cause of the improper condition of the walls. This report is now awaiting the approval of the court, pending which no further steps can be taken.

APPEARANCE OF A VIRULENT DISEASE.—A few cases of the disease commonly known as "spotted fever" are reported to have appeared in a tenement house in Grove street in this city. Two children who were taken with the fatal malady died on Saturday last, only a short time after they were first attacked. There are others down with the disease. As there is an ordinance of the Board of Health relating to infectious and epidemics, which requires physicians to report all cases of this strange malady which are brought under their notice, it is to be hoped they will, as soon as practicable, comply with the provision of the ordinance alluded to whenever a case presents itself.

THE POLICE MUTUAL AID SOCIETY.—Sergeant William H. Lofferts, of the Twenty-sixth precinct, and President of the Police Mutual Aid Association, has submitted his report for the quarter ending on Saturday last, by which it appears that nine members have died during the quarter, and the sum of $7,349 has been collected, all of which has been disbursed for the relief of the families of those who have died. The number of members of the association in good standing is two thousand one hundred and nine. Since the organization of the association on the 13th of October, 1863, there have been collected from members $25,687, and this amount has been paid out to the families of twenty-four members who have died during that time. The society has lost thirty-two members by death since its formation. Henry Wheeler, of the sanitary squad, was recently elected secretary of the association.

THE PROPOSED INTERNATIONAL MARITIME EXHIBITION AT HAVRE.—Yesterday afternoon the first meeting of the New York Provisional Committee for promoting in this city the American department of this exhibition—organized under the patronage of the Emperor of the French, the Prince Imperial, the municipal administration of Havre and the French Ministers of Marine, Public Works and Commerce—was held at the Baron Bolleau's, Consul General of France, Bowling Green, Broadway, and organized a permanent committee with a view to invite leading representatives of American nautical industry to take part in the forthcoming exhibition. Among the members of the committee are Captain J. J. Comstock, Captain S. Harding, A. Iselin, Hincken, Precht, manager of the New York and Bremen line, and Isaac Tayler, President, and others. The bureau of the exhibition will be at 40 Broadway, and it is contemplated at the next meeting to memorialize the Legislature, as in the case of the recent Paris Exposition, to give a grant in promotion of the enterprise, the better to enable the nautical interests of the United States to participate and compete in the advantages of the exhibition.

THE CITIZENS' ASSOCIATION AND MUNICIPAL REFORM.—Yesterday the committee of the Citizens' Association visited the various city prisons, with a view to investigate their present condition and report any recommendatory improvements that may be required. The Association also proposes to take in hand other departments of the municipal administration, and are about to present a memorial to the Mayor and Corporation on the subjects of taxation, the city debt, the markets, wharves and piers, with suggestions for the better development and utilization of the city's property and resources.

AMERICAN AID TO THE DESTITUTE SWEDES.—The total amount received by Mr. Walroth, the treasurer of the fund in this city on behalf of the suffering Swedes, up to this date is $15,000. About $25,000 in addition to this has been subscribed, but not as yet paid in. In the meantime, according to the latest advices, the famine continues unabated, and a memorial on the subject has just been addressed to Secretary Seward on behalf of three hundred thousand Swedes by Mr. W. W. Thomas, of Portland, Me., who formerly represented this government at Stockholm.

PROBABLE REMOVAL OF ANOTHER LANDMARK.—The gray and gloomy looking structure situate at the corner of Broome and Elizabeth streets, and familiarly known as the First Baptist church, is about being disposed of by the trustees to the highest bidder. It was built in 1762, and since that period has been intimately associated with the progress, struggles and whatever of change has occurred among the Baptist congregations of this city. Latterly a portion of the front of the house has been used as the office of the American Bible Union—an organization engaged in the publication of a new translation of the Scriptures, a matter which is the cause of some division among the Baptists of this country. The sale of the church is all but accomplished, the requisite authority to sell having been obtained from the Supreme Court, although not yet consummated. It is undetermined where the congregation will build a new church or worship *ad interim*.

NEW YORK CATHOLIC SUNDAY SCHOOL UNION.—The regular monthly meeting of the Catholic Sunday School Union, composed of delegates from the teachers connected with the various church schools, was held last evening at their rooms, 48 Fourth avenue. There was a very large attendance of members. The executive committee presented their annual report, from which it appeared that the organization is in a flourishing condition, with a handsome balance in its treasury, and that the attendance at the schools during the past year has been excellent. The Very Rev. Father Starrs, Vicar General of this archdiocese, being present on invitation, addressed the members briefly, expressing his gratification at the good results flowing from the organization in affording to the Catholic youth of this city that instruction which would enable them to save their souls, and announced his desire to aid the union by every means in his power. After transacting some routine business the meeting adjourned.

FEARFUL ACCIDENT.—A man named Andrew Thompson, aged 60 years, who resides corner of Third av. and 113th street, and is employed as switch tender at Fourth avenue and 132d street, was run over by a Harlem freight train going north about forty-five minutes past ten yesterday morning and had both his feet cut off. He was conveyed to the house of a relative on 126th street, between Third and Fourth avenues.

FATAL RESULT OF TIGHT LACING.—Coroner Schirmer was yesterday called to hold an inquest at No. 12 Jones street on the remains of Miss Emma A. Toms, a young lady nearly twenty-three years of age, who died suddenly. Deceased, who was a well known Sunday school teacher, went with a number of friends on Sunday afternoon to the dedication of a Methodist Episcopal church in Eleventh street. The services being over deceased was returning home, when suddenly, without any complaint on her part, she fell to the pavement in a state of insensibility. She was immediately conveyed to a drug store on Third avenue, where Police Surgeon Kimbark was summoned; he could render no permanent relief, and death ensued soon afterwards. From the testimony adduced it appeared that deceased, who was inclined to corpulency, had been in the habit of lacing unusually tight, which had a tendency to produce congestion of the brain and other organs, resulting in apoplexy. Deputy Coroner S. N. Leo, M.D., made a post mortem examination on the body, which showed beyond a doubt that death resulted from apoplexy of the lungs. The jury accordingly rendered a verdict to that effect. Deceased was a very estimable young lady and enjoyed the respect and confidence of a large circle of friends and acquaintances.

FATAL FERRY CASUALTY.—Coroner Keenan was yesterday notified to hold an inquest at the New York Hospital on the body of Nicholas Messenger, a man whose death ensued from injuries received on Friday last at the Pavonia ferry, foot of Chambers street, North river. The particular manner in which he received his injuries did not appear, but will be shown at the investigation to-day.

POLICE INTELLIGENCE.

DEFRAUDING A SAVINGS BANK.—Yesterday morning Mr. Edward Hosler, first teller of the Citizens' Savings Bank, No. 53 Bowery, appeared before Justice Hogan, at the Tombs, and made a complaint against John Edward Schaefer, an auctioneer, charging him with forgery. On the 2d instant Schaefer appeared at the bank and made a deposit of $5, receiving a pass book in which he was credited with the amount. On the 8th instant Schaefer drew a draft for $40 and presented it to Charles W. Held, second teller of the bank, to whom he also handed his pass book, which showed a deposit in his favor of $500. Mr. Held accordingly paid the money. The day following Schaefer drew another draft for $44 in favor of J. Bennett & Co., or order, who presented the draft for payment. It was then discovered that the figures in Schaefer's pass book had been altered and forged from $5 to $500. Search was accordingly made for Schaefer, and yesterday he was arrested by officer Riker, of the Sixth precinct. On being taken before the magistrate the accused confessed his guilt and was committed to the Tombs for trial without bail. He is twenty-six years of age, a native of Germany, and lives at No. 260 Bowery.

THE COMPLAINT AGAINST JACOB OTTO.—The case of Jacob Otto, a ticket agent at No. 75 Robinson street, arrested about two weeks ago, charged with defrauding Charles McCarty out of $3,447, the particulars of which have already been published in the HERALD, was under examination before Justice Hogan, at the Tombs, yesterday afternoon. John Dunlop, clerk in the office of the Bremen line of steamers, 15 Broadway, testified that on the 23d of September last he sold tickets of passage to Liverpool to Charles and Dennis McCarty; the tickets were not sold directly to the McCartys; on the margin of the book from which the tickets were cut the name of Otto appeared. Testimony was then introduced for the defence, and several witnesses were sworn with the view of proving that at the time McCarty gave his money to a man in the ticket office, 75 Robinson street, to get exchanged into gold, Otto, the defendant, was at Bath, L. I., where he kept a hotel. The examination is not yet concluded.

THE ALLEGED MURDER CASE.—John Burnett, alias "Red Jacket," who had been arrested on the charge of being concerned in the murder of Steffenbach, in a saloon at the corner of Twenty-fifth street and Third avenue, on the night of the last election in December, was again brought up for examination before Justice Dodge yesterday. Two other witnesses were put on the stand, and their evidence being but corroborative of the former witnesses, Justice Dodge discharged the accused from custody on the ground of insufficiency of evidence.

MUNICIPAL AFFAIRS.

BOARD OF ALDERMEN.

This Board convened yesterday afternoon, pursuant to adjournment, with the President, Alderman Coman, in the chair. A large amount of routine business was transacted in the way of ordering the opening of streets and erecting of gas lamps in various portions of the city. Communications were received from various property holders in Cortlandt street asking for the laying of the Nicolson pavement in that street, and another communication asking for the laying of the Belgian pavement.

A communication was received from the Public Administrator setting forth the facts that during the past year there had been distributed to the next of kin, creditors or others duly entitled to receipts from the estates administered upon, the sum of $64,535 76, and that $9,083 72 had been paid into the city treasury from estates to which no claimants had appeared.

Resolutions were offered and appropriately referred, directing the Clerk to furnish to the members of the Board the necessary stationery for the transaction of business, and also to furnish to the members appropriate badges and staves of office.

A resolution was offered by Alderman Miller, and adopted by the Board, directing the paving and repairing of South street, between Jackson and Corlears streets, and Corlears street, between South and Water streets, between the railroad tracks, at the expense of the railroad company using those streets; and in the event of the company refusing to comply with the directions of the resolution, the Street Commissioner is ordered to do the work and charge the expense to the railroad company.

The President announced that William McGuire had been appointed Reader to the Board, and then announced the following as the standing committees for the ensuing year:—

Accounts—Messrs. Ward, O'Brien and Cushman.
Assessments—Messrs. Repper, Norton and Cuddy.
Arts and Science—Messrs. Miller, O'Brien and White.
Charities and Donations—Messrs. Coulter, Miller and Cuddy.
Croton Aqueduct—Messrs. Hardy, Ward and Repper.
Ferries—Messrs. McGrath, Hardy and Miller.
Finance—Messrs. Moore, Hardy, Farley, McQuade and Coulter.
Lamps and Gas—Messrs. Norton, Connor and Repper.
Lands and Places—Messrs. Moore, O'Brien and Miller.
Law Department—Messrs. Hardy, Coulter and Cushman.
National Affairs—Messrs. Miller, Cuddy, McQuade, Connor and White.
Markets—Messrs. O'Brien, Connor and Ward.
Ordinances—Messrs. McGrath, Coulter and Connor.
Printing and Advertising—Messrs. McQuade, Moore and McGrath.
Public Health—Messrs. Farley, Norton and Ward.
Railroads—Messrs. Cuddy, Hardy, Moore, McQuade and Connor.
Repairs and Supplies—Messrs. Connor, Miller and Cuddy.
Roads—Messrs. McQuade, Farley and Coulter.
Salaries and Offices—Messrs. Farley, Hardy and O'Brien.
Sewers—Messrs. Coulter, Miller and Moore.
Streets—Messrs. Cuddy, McGrath and Miller.
Street Pavements—Messrs. Ward, Hardy and McQuade.
Street Openings—Messrs. O'Brien, McQuade and Farley.
Wharves—Messrs. Connor, Norton and McGrath.

The Board then adjourned to Monday evening next at five o'clock.

BOARD OF COUNCILMEN.

Communication from Certain Councilmen Claiming Seats in the Board—Standing Committees for the Year.

The Board met yesterday afternoon, the President, Mr. John Stacom, presiding.

After the presentation of a few unimportant resolutions the following communication was received:—

TO THE BOARD OF COUNCILMEN OF THE CITY OF NEW YORK:—

The undersigned respectfully represent to your Board that at the last charter election held in and for the city of New York the undersigned respectively were duly elected to the office of Councilmen, as appears by the statement of the result of said election, on file in the respective offices of the Clerks of the Common Council and County Cl