NEW YORK CITY.

THE COURTS.

UNITED STATES CIRCUIT COURT.

Alleged Perjury Case.
Before Judge Benedict.

The United States vs. James McLoughlin, alias John H. Fuller.—The defendant is charged with having, in July last, made and subscribed to a false and malicious affidavit, in which he charged Collector Joshua F. Bailey with corrupt practices in his capacity as a collector of internal revenue in the Fourth Collection district in this city.

The defendant was one of the parties who were induced by others, alleged to be Blandell, Belknap and Dupuy, who were suborned, as alleged, to make certain affidavits against Mr. Bailey.

The first witness called was

Commissioner John Osborn, before whom the affidavit was made, and who issued a warrant for the arrest of Mr. Bailey on the charges contained in the said affidavit of defendant. Mr. Osborn testified that the defendant was the person who made an affidavit and subscribed to the same before him in July, 1868; believes him to be the man; the affidavit in question was made for the purpose of procuring a warrant for the arrest of Commissioner Osborn; on that affidavit issued a warrant for the arrest of Mr. Bailey.

The affidavit was then put in evidence.

Mr. Beebe, counsel for the defendant, objected.

Overruled.

Affidavit read.

The affidavit was, in substance:—John Fuller, the defendant, being sworn, said that he resided at 306 Avenue D, in this city, and was by profession a cigar maker; in the month of April, 1867, was introduced to Mr. Bailey, Collector of Internal Revenue, Fourth Collection district, by Charles J. Harrington; stated to Mr. Bailey that he desired to get into the business of cigar manufacturing on his own account, and I wished to do so as cheaply as possible; Mr. Bailey then informed him that it would cost him $500; told him that he (defendant) had not that amount of money; Harrington then asked defendant how much money he had, and the latter replied about $350; this money the Collector consented to take to arrange the matter for him; subsequently he received word from the Collector that "it was all right;" on the 7th of April defendant called at the office and paid Mr. Bailey the sum of $350, at the same time paying Harrington $100 for the bondsmen, whom he did not know and did not himself procure; on paying the $350 the Collector gave him a permit for his business.

The foregoing is the substance of the affidavit alleged to be false and untrue.

Ambrose Mencily testified that there was no such premises as 306 avenue D in this city.

Joshua F. Bailey, sworn—Recognized the prisoner (who was pointed out to him) about six weeks ago, after his (the prisoner's) arrest; the prisoner, to his knowledge, was never introduced to him in April, 1867, or at any time, by Harrington or any one else; never saw him, to his knowledge, in his (Mr. Bailey's) office; never was paid $350 by the prisoner and never gave him a permit to carry on the business of a cigar manufacturer; never took a bond from the prisoner for such a purpose; there is no record in his office of a bond having ever been given by the prisoner to carry on such a business. Mr. Bailey's testimony was a complete refutation of the statements contained in the prisoner's affidavit.

Mr. Childs, Deputy Collector of the Fourth district, testified that it was not the duty of the Collector to issue permits for any business; there was no record in the office of any bond having been given by the defendant for carrying on the business of a cigar manufacturer.

William McLoughlin, brother of the prisoner, testified that defendant's name was James McLoughlin; the residence of defendant was at 63 Catharine street; in June his residence was 89 Cliff street; saw him two or three times a week in June and July last; within the last two years the family did not reside in avenue D.

The case was not concluded at the rising of the court. The trial will be resumed this morning at eleven A. M.

UNITED STATES DISTRICT COURT.

The Blaisdell and Eckel Whiskey Case.
Before Judge Blatchford.

The United States vs. Aleah Blaisdell, John J. Eckel and John McLaren.—This case was continued yesterday morning, the attendance being as large as on the previous days.

Inspector Barrows was recalled in relation to the seizure of the distillery in Fifteenth street, of which the defendants were owners, and he corroborated his previous testimony in relation to the hose and the cistern to which it was attached on the premises for the alleged purpose of removing whiskey without paying the tax thereon.

James F. Desendorf was the next witness. He deposed that the rectifying establishment and the distillery were fifty feet apart, and they were built for Blaisdell and Eckel. Witness took charge of the rectifying establishment. Eckel had charge of the proceeds in the fall.

Cross-examined by Mr. Knox—Did not know of any brands being used in the distillery except that of the inspector, Mr. McCarty; before that the brands used were those of Inspector Pratt; went to a law office in Broadway, where he signed a paper in relation to sending the application to Washington to have the distillery released; had been one of the defendants in the present case, but a nolle prosequi was entered in relation to him.

Re-examined by District Attorney Courtney—Had a conversation with Mr. Blaisdell, Mr. Tisdale and Mr. Secor on the subject of what share of the proceeds should be given to the government and what to the company; had no particular remembrance of the conversation; Mr. Secor said the establishment could not be run properly without a rectifying house; heard during the conversation that an arrangement had been made at Washington to pay twenty-five per cent of the tax, and that the district officers should be taken care of.

The prosecution rested its case and Mr. McCarthy stated to the Court and to the District Attorney that he desired to cross-examine some of the witnesses who had given testimony in behalf of the prosecution. The names of the witnesses being handed to the clerk, Mr. Keefe called them over and notified the parties their attendance would be required in the court in the morning. The court then adjourned till eleven o'clock this morning.

SUPERIOR COURT—CHAMBERS.

A Case of False Pretence—Probable Cause Sufficient to Justify a Detention for Trial.
Before Judge Barbour.

A writ of habeas corpus and certiorari was sued out in the Superior Court, before Chief Justice Barbour, in behalf of one Patrick Welsh, returnable yesterday morning before Justice Barbour, at ten o'clock. At the opening of the court the prisoner was brought up from the prison, in obedience to the order of the Court. Assistant District Attorney George W. Blunt appeared upon behalf of the people, while William F. Kintzing, appeared as counsel for the prisoner.

Mr. Kintzing said that upon the 31st day of last December the prisoner—an old man, somewhere in the neighborhood of sixty years of age—was arrested upon an alleged charge of false pretence preferred by one Myers. He was committed for trial, since which time he has been incarcerated in one of the cells of the Jefferson Market prison, a period of over three weeks; that he asked for the discharge of the prisoner upon the ground that the affidavit as taken against him was wholly insufficient to warrant his further detention. The facts as contained in the affidavit showed that upon the 10th of November last the prisoner purchased a looking glass from the complainant for twenty-five dollars, paying three dollars cash down at the time and agreeing to pay one dollar a week afterwards until the glass was all paid for, alleging at the time that he was the proprietor of the Shewell House, a well-known hotel in the city. The glass was delivered. Subsequently it turned out the defendant was not the propieter, and the consequence was that the complainant was defrauded out of the balance of his money. For the purposes of this motion counsel demurred to the affidavit, admitting all the facts therein contained, and contended it was no false pretence within the meaning of the statute. It has been decided that a false pretence is not within the statute when the exercise of common prudence and caution on the part of the person deceived would have enabled him to avoid the imposition. The statute was passed to protect the weaker part of mankind. It is true the defendant may have told a lie when he said that he was the proprietor of the Shewell House, but something more than that must be established to justify a conviction. It is not every lie that will constitute the crime. Counsel then cited the case of the People vs. Stetson (4 Barbour), where an indictment was found against a party for obtaining a watch from a party upon the false representation that the defendant was a constable and had a warrant against such person, issued by a justice of the peace, for the crime of rape, and that he would settle the same if the person defrauded would give the defendant the watch; all these facts were conceded and their falsity, and yet the Court held that it did not amount to a crime. It was not such a pretence as was calculated to deceive a person of ordinary prudence and discretion. Counsel contended that this case was much stronger than the case now before the court. The complainant trusted the defendant—in other words gave him credit. If he was a man of even ordinary intelligence he ought to have known that it was not likely that the proprietor of the Shewell House would want to buy a looking glass on such terms as the complainant parted with his property in this case. Prosecutions of this character are getting to be looked upon with a great deal of disfavor by the courts, as they are generally trumped up charges, brought for no other purpose than that of collecting a debt or satisfying private malice. Counsel then asked for the discharge of the prisoner, at the same time regretting that any police magistrate should have been so indiscreet as to have acted as the magistrate acted in this case. District Attorney Blunt said he thought the affidavit showed that a false pretence had been committed, and that the magistrate acted properly in the matter in holding the accused for trial.

Chief Justice Barbour said that the affidavit showed probable cause, and that was all that was required to appear before a magistrate to justify a committal for trial. The prisoner obtained the property by representing himself as the proprietor of the Shewell House, which was false; that orders of arrest were granted every day upon affidavits of just such a character. Whether the charges could be sustained upon the trial was another question. The writ must be dismissed and the prisoner remanded. The accused was subsequently bailed.

SUPERIOR COURT—TRIAL TERM—PART I.

Action for Alleged Negligence.
Before Judge McCunn.

H. B. Kirkland vs. Arthur Leary.—This was an action to recover damages to the amount of $814, alleged to have been sustained by plaintiff. It appeared that on the 14th of September ninety-nine bales of cotton were shipped by plaintiff from Charleston to New York by the Granada. Only forty-two bales were forwarded by that steamship, and the remaining forty-nine the following week by the Alabama. Plaintiff claimed that by reason of the defendants not sending the ninety-nine bales at once a loss was sustained by him, inasmuch as the price of cotton had decreased twenty-four per cent. The defendant denied that he was bound to forward the cotton by any particular vessel, but was only obliged to send it as quickly as possible, and that owing to the great accumulation of freight on board the Granada on the day in question it was found impossible to take all the bales of cotton. Further, that the action was brought against the agent instead of the steamship company itself.

The jury found for the plaintiff in the full amount claimed.

Counsel for plaintiff, L. Marsh; for defendant, C. Egan.

COURT OF GENERAL SESSIONS.

Before Gunning S. Bedford, Jr., City Judge.

There was a very large calendar of cases in this court yesterday.

HOMICIDE OF A COLORED MAN BY HIS WHITE MISTRESS—REMARKS OF JUDGE BEDFORD.

Margaret Brown, indicted for killing Upton Murray, was placed at the bar.

Mr. Hutchings said:—This defendant is indicted for murder. The Grand Jury generally in all cases of homicide find an indictment for that degree, although the facts may warrant only a conviction for manslaughter in some one of the degrees. The deceased was a colored man with whom she lived, and the evidence shows that they lived together as man and wife. They were often seen to quarrel when intoxicated. They had been quarrelling during the fore part of the 3d inst., and the deceased had a razor in his hand during the day, which was taken from him by a person named Jackson, who heard a skirmish and saw the deceased run after the prisoner. He then went back and saw that the deceased was cut in the throat. He was taken to a physician in Sullivan street and his wound examined. An eye witness says that he hit her in the face, and she struck the deceased with her hand. There seems to be no premeditation or malice; it was simply committed in a drunken altercation. She has offered through her counsel a plea of guilty of manslaughter in the third degree, which I regard it as my duty to accept. I would not ask a jury to return a verdict for a higher degree than that of manslaughter, and it might only be the fourth degree.

SENTENCE.

Judge Bedford, in passing sentence, said:—Margaret Brown, the Grand Jury have indicted you for murder in the first degree. Upon the statement made by the District Attorney I concur with him, and believe that, should you have been tried, a jury would have rendered a verdict of manslaughter in the third degree. Should you have been tried before me and the verdict be of that character I would have sentenced you to the State Prison for five years; but having pleaded I shall take that into consideration; yet at the same time I do state that I have no sympathy for a white woman who degrades her sex by living with a black man, as the testimony showed you did. The sentence of the Court is that you be confined in the State Prison for three years and six months.

BURGLARIES AND SENTENCES.

John Smith, who was charged with burglariously entering the butcher shop of Wm. Frost, 885 Sixth avenue, on the 30th of December, and stealing a small quantity of pork, pleaded guilty to an attempt. In consequence of his youth and that being his first offence, Judge Bedford said he would not brand him as a felon, but would give him a chance to reform. The sentence was one year's imprisonment in the Penitentiary.

Terence Carroll was jointly indicted with Joseph Farrell for an alleged burglary. The charge was that on the 9th inst. the crockery store of Richard Fitzpatrick, 15 New Bowery, was entered and a lamp worth one dollar stolen. Carroll said that Farrell had nothing to do with the offence, and upon his statement he was discharged. Carroll was sent to the State Prison for two years.

Charles Barclay, was jointly indicted with William Devere and Walter Harris for burglary in the third degree. The charge was that on the 11th of December the clothing store of Jacob Levy, 85 Warren street, was burglariously entered and over $1,000 worth of overcoats stolen. The property was recovered by detectives, who traced it to 26 Chestnut street. William Devere demanded a trial, the only evidence being that he was seen in and around this house on the day of the burglary. The jury rendered a verdict of guilty of grand larceny.

The City Judge in passing sentence said:—Barclay, you plead guilty to this indictment. It is a burglary in every sense of the word. One thousand dollars' worth of property was taken, and the door bore the marks of a "jimmy," showing that you are both professional thieves. I will send you to the State Prison for four years and six months. As for you, Devere, whom I believe to be as deeply implicated as Barclay, having demanded a separate trial, and the jury pronouncing you guilty, I will send you to the State Prison for five years. Quite a scene followed, a young girl having uttered a wild scream when she heard the doom of her beloved.

ALLEGED FALSE PRETENCES.

Solomon B. Merkel, who was dressed in naval uniform, claiming to be an assistant surgeon in the United States navy, was charged with obtaining $400 from Ebenezer Oliver on the 14th of November. The accused was a nephew of the wife of the complainant. In the course of the trial it came out that John H. Gregory gave a note for $450, and Mr. Oliver went security for the payment. Through a legal technicality the jury were directed to find a verdict of acquittal. The Judge cautioned the accused, remarking that if he were brought before him again he would be dealt with severely.

GRAND LARCENY.

Kate Cahill, who was charged with stealing sixty-three dollars' worth of ladies' apparel from Mrs. Adelia Berry, 238 West Twenty-first street, on the 24th of December, pleaded guilty to an attempt at grand larceny. The accused was employed as a servant. The City Judge in passing sentence said there was a great deal of stealing going on in houses by servant girls, and he would have made an example of her were it not that the complainant requested him to be lenient. She was sent to the Penitentiary for one year.

MARINE COURT.

Before Judge Curtis.

Lippman et al. vs. Armstrong.—The plaintiffs, in August, 1866, gave the defendant, a lawyer, who was engaged as counsel by the plaintiffs, a check for $500.

Mr. Armstrong claims that this was in payment of professional services rendered to Lippman & Ellery. They allege that it was a loan and now sue for its repayment. The evidence showed that the defendant, Armstrong, drew for the plaintiffs their articles of copartnership and subsequently and during the succeeding years was their advising counsel, and while it further showed that such consultations were frequent and on various points of the law governing the purchase and sale of stocks, it was admitted that there were no actions in court and no specific charges. When the plaintiffs wanted to know how to act in certain stock transactions they applied to defendant and he invariably instructed them. Just previous to the dissolution of the plaintiff's firm, their principal clerk went to defendant's office and expressed the gratification the firm felt with the result of his services, and offered him a check for $1,000 in payment for the same. Defendant, saying that he had not earned more than $500, accepted that sum and gave a receipt in full. The firm now repudiate the action of their clerk and say it was a loan.

After a brief charge from Judge Carter, the jury found for the plaintiffs in the sum of $250. This was in effect awarding to the defendant the same amount for his services. Messrs. Brown & Estee for plaintiffs; William Walter Phelps for defendant.

COURT OF SPECIAL SESSIONS.

A Full Court and Heavy Calendar—The Case of the Belligerent Printers—Kleptomania.
Before Justice Dowling.

The court was crowded yesterday in every part by persons interested in the cases tried and the usual loafers and plugs of the vicinity, to whom the proceedings before his Honor are as entertaining as the morning matinées are to fashionable society. The atmosphere was therefore anything but pleasant, especially to those who had to sit within a few feet of the burning, fiery furnace the court officials insist in keeping in full blast. There were fifty cases on the calendar, thirty-five of which were petit larceny.

Mary McGuire was charged with stealing a pair of breeches, the property of Joseph Manony, and wearing them. Sent to the Island for two months.

A VIGILANT CUSTOM HOUSE OFFICER.

Rudolph Andreas, a poor German immigrant, accused Patrick Daly, a Custom House officer, of theft. It appeared that the latter met the former in Duane street, and, being suddenly inspired by a sense of his duty to the government, first suspected that the bundle of clothes which Andreas carried under his arm contained a large amount of smuggled diamonds, silks, &c., and then gribbed it from the astonished and indignant Teuton and walked away. These facts were elicited on the examination of the witnesses. Deputy Collector Smith testified that he thought Daly was justified in what he did, but Justice Dowling having a different opinion a long and somewhat bitter conversation between Mr. Spencer (who appeared for the prisoner), Mr. Smith and Justice Dowling took place. On the representation of the Custom House officers Daly was discharged, and it did not appear that anything was done to recover the poor man's bundle.

BELLIGERENT TYPOS.

The case of Aaron Vanderworker and Thomas G. Nottage, two employés of the *Tribune*, was then called. It will be remembered that these belligerent types got into a snarl lately which resulted in the latter striking the former in the face, and that a complaint was entered before a police justice. There were several witnesses to prove the fact of the assault. A slip of printed paper headed "Bogus" was produced as justification for the blood shed from Vanderworker's proboscis. The only portion of squib which was taken exception to was where allusion was made to two doubting Thom-asses. The prisoner's counsel read this part with great emphasis for the benefit of the court.

Judge Dowling—I don't see what this has to do with the assault, except you want to prove that your client is an ass.

Aaron Vanderworker, being questioned by the Court, confessed that he had offered to compromise the matter with Nottage for $100 and his expenses, but the offer was not accepted. The evidence showed that a very bad feeling exists between the native and foreign born men in the room of the *Tribune* building in which Nottage and Vanderworker are employed.

The prisoner was fined ten dollars and discharged.

A CASE OF SUPPOSED KLEPTOMANIA.

Anna Morey and Julia Remsen were accused by Adelaide Rosenthal with shop lifting. Mr. Howe, counsel for the accused, asked for a postponement of the trial in order that he might bring witnesses to prove that the ladies were very respectable persons, who need not steal for a living. He expressed a belief that it was a case of kleptomania. The prisoners were remanded for investigation.

COURT CALENDARS—THIS DAY.

SUPREME COURT—GENERAL TERM.—Nos. 3, 40, 41, 65, 71, 72, 77, 78, 79, 80, 82, 85, 89, 90, 91, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102.

SUPREME COURT—CIRCUIT.—Nos. 975, 461, 1051, 1091, 765, 1158, 1161, 1163, 531, 797, 1167, 1169, 1173, 1177, 1179, 1183, 1185, 1187, 1189, 1191.

SUPREME COURT—CHAMBERS.—Nos. 5, 9, 26, 42, 43, 53.

SUPERIOR COURT—TRIAL TERM.—Part 1.—Nos. 523, 267, 449, 387, 29, 351, 389, 163, 529, 531, 533, 543, 545, 547, 551.

COURT OF GENERAL SESSIONS.—Before Gunning S. Bedford, Jr., City Judge—The People vs. Stephen Handsworth, larceny from person; the same vs. Julius H. Weman, grand larceny; the same vs. Catharine Wilks, grand larceny; the same vs. Daniel New man, grand larceny; the same vs. George Remplar, felonious assault and battery; the same vs. Thomas Pooler and William Jones, robbery; the same vs. Kate O'Neill, grand larceny; the same vs. Thomas Dempsey, burglary; the same vs. James W. Morrison, William Lewis and James W. Tallmadge, grand larceny.

CITY INTELLIGENCE.

THE WEATHER YESTERDAY.—The following record will show the changes in the temperature for the past twenty-four hours, as indicated by the thermometer at Hudnut's pharmacy, HERALD Building, Broadway, corner of Ann street:—

3 A. M.	32	3 P. M.	35
6 A. M.	32	6 P. M.	34
9 A. M.	32	9 P. M.	32
12 M.	32	12 P. M.	32

Average temperature 32⅝
Average temperature on Monday 35¾

BURGLARY.—The studio of R. L. Pine, 515 Broadway, was burgariously entered on Sunday night last, and seven paintings, valued at $500, were stolen.

SUDDEN DEATH.—The Board of Coroners were yesterday notified of the sudden death of Miss Ann Jane O'Brien, aged sixteen, who expired yesterday morning at her parents' residence, 419 West Sixteenth street. Coroner Flynn will hold an inquest.

FOUND DROWNED.—The remains of an unknown man, aged about thirty-eight, having a dark suit of clothes on, dark complexion and very dark hair, was found floating in the slip near Jackson street. The body was taken to the Morgue for the purpose of identification and inquest.

RESCUED FROM DROWNING.—A laboring man, name unknown, fell overboard yesterday from pier No. 5 East river, and would no doubt have been drowned had not Captain Collins, of the schooner White Swan, at the imminent risk of his own life, jumped into the water and rescued him.

DEATH FROM BURNS.—Coroner Keenan was yesterday notified that Eliza Jane McCue, aged three years, had died on the 15th inst., at 414 East Eleventh street, from the effects of burns received on the 3d inst. by her clothes catching fire from a stove. As the cause of death was an accidental one the Board of Health declined to take action. The jury rendered a verdict of accidental death.

THE ROGERS MURDER.—The Coroner's inquest on the late Charles M. Rogers, which was to have been continued yesterday, was indefinitely postponed, or rather adjourned, until some clearer evidence against the parties already detained on suspicion can be obtained, or those suspected and yet at large can be captured.

A WOULD-BE MURDERER SHOOTS HIMSELF.—At three o'clock on Monday morning, at the oyster saloon No. 128 Bowery, an intoxicated man named Richard Greene got into an altercation with Patrick Hogan. While cocking a revolver to shoot the latter it was accidentally discharged, the ball passing through Greene's hand. Such is the report made by the police of the Sixth precinct.

A RAILROAD CONDUCTOR KILLED.—Yesterday morning Charles R. Gillett, aged twenty-nine, and a conductor on the Erie Railroad, was put in charge of freight train No. 26, from Port Jervis, and while he was seeing that the train was properly switched off he was caught between two of the cars and terribly crushed about the body. He died soon after being admitted to the New York Hospital. Coroner Keenan held an inquest and obtained a verdict of accidental death.

THE ALLEGED BOWERY ARSON CASE.—Sagfried Dobim, who is charged by the Fire Marshal with attempting to set fire to his clothing store on the Bowery, on Sunday night last, was arraigned before Justice Dodge at the Jefferson Market Police Court yesterday morning. From the testimony submitted it was concluded to hold the accused for further examination. Meanwhile he was allowed his liberty on giving $1,000 bail.

FELL OVERBOARD.—About eight o'clock yesterday morning, as the Harlem boat Sylvan Grove reached her pier at Peck slip, the deck hands put out a plank from the lower deck. The tide was so low that the pier was midway between the decks of the steamboat. Another plank was accordingly put out from the upper deck, down which a few passengers had passed, when the plank slipped, precipitating a gray-haired old man in the water. By the prompt exertions of the deck hands and some of the passengers the man was rescued.

SUICIDE BY AN ANGRY HUSBAND.—Yesterday Joseph Wagner, aged fifty years, a native of Germany, quarrelled with his wife about some domestic matters of minor importance, in their residence in Second avenue, between Sixty-fifth and Sixty-sixth streets, when high words ensued and a grand row was the immediate result. So enraged did Wagner become at the taunting language of his wife that his temper got the better of him, so he hastily bade good by to his family and rushed into the cellar, where he placed a loaded pistol between his teeth and sent the bullet crashing into his brain, instant death ensuing therefrom. Coroner Flynn intends holding an inquest to-day.

ASSOCIATION OF EXEMPT FIREMEN.—The annual meeting of the above association, composed of the members of the old Volunteer Fire Department, was held last evening at the Caledonian Club rooms (old 33 Hose house), Sullivan street, the president, Philip W. Engs, in the chair. After the adoption of the minutes of the previous meeting the president announced the death of five members during the last year, among whom was Joseph M. Price, who was twenty-one years treasurer of the association. The election of officers for the ensuing year being next in order, the following gentlemen were chosen:—President, Philip W. Engs; First Vice President, Zopher Mills; Second Vice President, A. F. Ockerhausen; Recording Secretary, George W. Wheeler; Financial Secretary, Francis Hagadore; Treasurer, John S. Giles. An election was then held for four trustees (one to fill a vacancy), which resulted in the selection of Frederick A. Ridabock, John J. Gorman, A. F. Ockerhausen and Edward Lane. The annual report of the trustees of the benevolent fund was then read, showing a permanent fund of $100,000, with an additional amount of $10,000 still in the hands of the treasurer. After the reception of the report a vote of thanks was passed to the Caledonian Club and the New York Firemen's Association, after which they adjourned.

CO-OPERATIVE GROCERY STORE ASSOCIATION.

A meeting of parties who are about organizing themselves under the above title was held last evening in the Seamen's Mission, corner of Dover and Pearl streets, for the purpose of furthering the object in view. Captain Edward Richardson, of the Seamen's Savings Bank, occupied the chair, and Mr. James Wiseman acted as secretary. The following constitution and by-laws were adopted:—

ARTICLE 1. That the name shall be the Fourth Ward Co-operative Grocery Store Association.

ART. 2. That the object of this association shall be the opening of a store in the Fourth ward, where members shall be supplied with all articles sold in the store at a small percentage on the actual cost.

ART. 3. That a capital of $2,500 be raised, in 500 shares of five dollars each.

ART. 4. That all goods shall be bought and sold for cash only.

ART. 5. That a board of directors shall be chosen every six months by the members of this association, such election to take place the last Tuesday in May and November.

ART. 6. That the board of directors shall consist of president, vice president, treasurer, secretary and six directors.

ART. 7. That the superintendent, together with what help shall be necessary for carrying on the business, shall only receive remuneration.

Among other things the by-laws contained the following provisions:—That the superintendent shall be obliged to furnish bonds to the amount of $2,500. That a committee of three shall examine the books every three months, and as much oftener as they may deem necessary, and shall lay a balance sheet before the board at their meetings in January, April, July and October of each year. No member will be allowed more than twenty shares. No liquor will be kept under any circumstances. That each member shall pay twenty-five cents initiation fee. That ten per cent shall be paid down upon subscribing and the balance shall be paid twenty-five cents a week on each share. This constitution and by-laws may be amended or altered at any regular meeting upon a two-thirds vote of the members present.

On motion Mr. J. L. Rue was elected treasurer.

About a dozen persons then stepped forward and enrolled themselves as members, after which the meeting adjourned until Thursday week. It is the intention of the society to open the "co-operative grocery store" on the 1st of May.

SLEIGHING.

Yesterday's Turn Out—The Sport Not Particularly Good—The Thoroughfares and the Equipages.

The number of outdoor sports which can be enjoyed during the winter season are very limited and to a large extent are dependent upon severe weather for their existence, so much so indeed that the number of days which give any opportunity for such enjoyment is very limited. Sleighing and skating are chief among the sports of the wintry months, and whenever an opportunity exists for participating in these popular pastimes a general turnout is made by those who are able to indulge in them. Yesterday was a carnival day among the lovers of sleighing. While pedestrians down town were laboriously picking their paths over the drifted snow or among the still more unpleasant puddles of water which covered the sidewalks, while carmen were shouting and swearing at their slipping, reeking, tired out horses, and while passengers in cars and stages were cursing that much abused personage, the clerk of the weather, large numbers of more fortunate individuals were bowling over the surface of the snow in the upper parts of the city and the suburbs, rejoicing that old Mother Earth had once more wrapped herself in her snowy mantle and provided them with the opportunity of scudding along once again upon its crystalized surface. Everybody who had a sleigh was out, of course, and scores of others who were not fortunate enough to possess one cheerfully parted with their greenbacks to an obliging livery stable keeper for the honor of having temporary ownership of one. Everything which was upon runners was laid under contribution, and as a consequence vehicles of all sizes, shapes, price and quality were observable in the crowded thoroughfares. There was the magnificent four-in-hand establishment, the horses decked in splendid harness, shining all over with bright metallic mountings; the rakish looking Portland, drawn by some fast trotter whose quickly plying feet raised a mimic snow storm; the family sleigh, heavy and strong in appearance, suggesting thoughts of the steady, solid character of its owner; the lively cutter, reminding one of swift travelling; the box sleigh, a style of vehicle now becoming very fashionable; the apology for a sleigh in the shape of some packing case put on runners; the country sleigh, which carries its own history in its very appearance, and a hundred other sort of equipages as different in shape as in color, and as different in value as in shape.

The merry jingling, tingling music of the bells seemed to pervade the air, and in all quarters their silvery voices smote upon the ear. Papas were out with their daughters, who, carefully wrapped in costly blankets, gave evidence, with their sparkling eyes, of the pleasure they were experiencing; sportsmen rattled along behind their favorite animals, showing off their speed as they dashed past slower steets; young men were out with their sweethearts, drowning the sound of the bells with the sweet whisperings of love; gentlemen who love the sports of the field jogged quietly along, watching the sport and taking mental notes of who and what they saw; in fact people of all sorts availed themselves of yesterday, no doubt prompted to some extent by the fear that there could not be much more of the sport during this winter. The sleighing was fair, but not by any means first class. On Fifth avenue the sun, which shone quite warmly in the morning, thawed the snow in many places so much as to leave the stones quite bare, and even in the Park and on the lane there were to be found many uncovered spots. The snow was uneven, too. In some places there was plenty and in others very little, but everywhere it was very soft and too easily cut through by the runners to allow the sleighing to be really good. But still, was it not better than none? Was there not snow enough and was not the day fine? Away with all complainings! Hitch up the horses, out with the robes, on with the furs and the gloves and the mufflers, and away for the Park, to see whether an enjoyable time cannot be spent.

FIFTH AVENUE.

New York's finest thoroughfare was all alive yesterday, more especially in the afternoon, with the cavalcade of pleasure seekers passing along to and from the Park. The turnout of the "upper ten" was general. Lovely ladies, whose features are well known and whose beauty is the subject of conversation at balls and receptions, never looked more beautiful than they did as they sat in the handsome sleighs; gallant gentlemen, whose only enjoyment is to be found in the pleasure of ladies' society, never talked more sweetly or acted more gallantly than they did as they sat wrapped beneath the same robe as covered the objects of their admiration. In fact, judging from appearances, there can be no place where ladies and gentlemen can enjoy themselves better on a fine day than in a comfortable sleigh behind a good team. On goes the carnival, up comes the cavalcade, away the flying equipages speed; behind us a mighty moving procession, before us a long array of sleighs. All New York must be out to enjoy the general sport and all must have chosen Fifth avenue as the most pleasant road to the Park.

THE PARK.

In the Park the sleighing was much better than upon the avenue, though even here it was not impossible to find the bare road showing through its fleecy mantle. The main roads were all crowded throughout the afternoon and well into the evening. Here it was not difficult to pick out many of our best known citizens as they passed to and fro, at least when they were not going so fast as to make it possible to see no more than their horses' ears and their own backs. Commodore Vanderbilt was trotting his handsome double team of bays at a quiet pace, while near by his son was putting along a black horse at considerable speed. Mr. French was in the box of a handsome sleigh, carefully handling the ribbons of four blacks, which were very splendidly harnessed. Otto Coop went flying up the hill behind a big black trotter that went like lightning, and Mr. Waterman was keeping "Old Tom" down to his work in fine style. But on the procession goes, through the Park and still onward to

HARLEM LANE.

Here the scene was remarkably lively, as almost all the persons who left the Park were behind horses which could make fast time, or which at any rate their drivers thought could do so. Impromptu races were the order of the day on all hands, and a good deal of good-mannered banter was indulged in by the contestants as they passed and repassed one another. All along the lane, up McComb's Dam and even to High Bridge, the procession stretched, and some few persons even took the narrow road which runs along by the Harlem river. All the saloons on the roadside were thronged and their piazzas were filled with spectators who amused themselves not only with watching the performances of the horses, but also with giving vent to somewhat noisy ejaculations when they saw anything like a trial of speed going on. The fun during the entire afternoon was fast and furious, and even the falling shadows of the coming darkness failed to have the effect of driving people homewards. Long after the lamps were lighted the merry shout, the ringing laugh and the jingling bells could be heard reminding the homeward bound that the carnival was not yet concluded, but that night would find the lovers of sleighing still busy in the pursuit of their favorite pleasure.

VELOCIPEDES.

Opening of a School in Brooklyn.

The velocipedal mania has broken out in the City of Churches, and already there are to be found among its respectable inhabitants several gentlemen who take their walks abroad—or rather their rides abroad—upon two wheels. The art of propelling a velocipede is a scientific one and one which requires practice before any person can be proficient. It is no easier for a man to use one of these new "hobbies" without learning how to do so than it is for a novice to skate easily the first time he goes upon the ice. The thing needed is not so much physical force as what is technically and expressively called "knack," and it is, therefore, not unusual to see one of these new vehicles propelled by a slight man much more easily than by a robust, muscular one. Teaching is necessary to a beginner, and to fill this need and provide the dwellers in Brooklyn with the opportunity of becoming thoroughly posted in the use of velocipedes, Professor Burnham last night opened a riding school. The opening was celebrated by an exhibition of riding on these "instruments" by experts. Mr. Burnham himself showed what could be done by a proficient in their management and guidance. Under his controlling hand the two-wheeled affair seemed to be managed with the greatest ease. Round and round the room he flew at a very quick pacee, now turning round in a space incredibly small and again taking up a zig zag course. The velocipede seemed almost to know his very will and to shape its course only at the suggestion of a thought. Other gentlemen exhibited themselves and their velocipedes, giving further illustrations of the extreme ease with which an expert can propel one of these novel vehicles. Several of the visitors inspected the machines, some of them put one leg over, some tried to move but altered their minds, and a few actually got in the way and made an attempt to preserve their balance and that of the "hobby" they bestrode. This was evidently no easy thing to do, while failing seemed exceedingly easy, and one unfortunate beginner came several times to grief, covering himself up as he lay upon the floor with the vehicle which had caused his fall. It is said that quite a number of persons in Brooklyn have already purchased velocipedes and that they may be seen on Clinton street every fine afternoon.

CUBA.

Rumors About Count Valmaseda—General Quesada Appointed Commander-in-Chief—Miserable Condition of the People of Neuvitas.

NEUVITAS, Jan. 11, 1869.

We have nothing definite here as regards the contending parties in the field. Numberless reports are rife, but nothing upon which reliance can be placed.

Yesterday the Spanish war steamers Juan de Austria and Piasco de Garay arrived here. Rumors, which I have traced to them, state that Valmaseda had passed through to Las Tunas, destroying Sihanicori, Coscorro and Guaymaro, and that quite a battle had taken place at Unique. I place no reliance on the statement.

We are entirely surrounded here and have no communication with the interior. Three Americans, who passed through the lines, arrived here on the 9th. They state that General Quesada has been appointed Commander-in-Chief of all the insurgent forces and that he has brought 3,000 rifles and plenty of ammunition; that small bodies of men are constructing ditches and trenches all over the country and the utmost enthusiasm prevails.

Yesterday the Governor here called a meeting of the citizens, with a view of raising a volunteer force of sixty or seventy men for the field. He was very much disgusted at the want of "patriotism" displayed and was insulting and abusive in his remarks.

This place and its inhabitants, with the exception of a few rumsellers, are in a miserable condition. The resources are cut off and there is no way for the poor people to make their daily bread. Four of the principal commercial houses, which were the mainstay of the town, as they purchased or shipped the produce of the district, are nearly bankrupt, as all their funds are locked up on the sugar estates and commerce is entirely prostrated. The Governor does not see this, but, with the characteristic blind despotism of all Spanish military officers, he demands that the suffering inhabitants shall pay voluntarily what they have not got.

General Dulce as a Pacificator—His Amnesty Proclamation—News of the Insurrection—Miscellaneous Items.

HAVANA, Jan. 13, 1869.

As the steamer was about starting on the 9th I obtained and forwarded to you in the original the decree of General Dulce granting the liberty of the press. In it the citizens of Cuba are granted full permission to express their thoughts through the medium of the public prints, without any censorship or other requisite whatever, always responsible to the law and before the courts. A number of the articles are taken up in pointing out who are the parties to be held responsible, and article five, the last, declares that neither the Catholic religion in its established principle nor slavery shall be subjects of discussion until the Cortes has passed upon them.

The decree, though not all that could be wished, has opened a new era here, and, perhaps naturally enough, the people, like a schoolboy let loose from restraint, indulge in some eccentricities. Numberless ephemeral sheets have appeared made up of an advertisement or two and a tremendous editorial, in which "Libertad," "Hombres," "Libres," "Pueblos," and words of similar import, like the names of star actors in theatrical bills, are in very large letters and everything else in very small. Unfortunately for him whose duty it is to collect the current news of the day for the benefit of the public, they contain nothing as to events going on in the island.

As yet nothing has been said as to the liberty of worship, and consequently this matter remains in the same condition. Though the Cubans are to a man Catholics and ardent supporters of the faith, this has caused much dissatisfaction, as it is regarded as denoting the continuance of a policy whose effect is to prevent a foreign emigration to the island which might become inimical to the sovereignty of Spain. Probably from the fact that all can see and hear, while a fair proportion cannot read, the drama is not to be equally privileged, and a censor will overlook all dramatic works prior to their performance.

When consulted upon the question of the censorship over the telegraph, his Excellency inquired what had been the previous custom, and upon being informed that everything at all questionable had been submitted to Lersundi in person, he stated that he wished the privilege "much extended," but nothing really definite was decided upon, and the government still retains to itself the right to examine all despatches submitted, and while, doubtless, more liberty will be allowed, each one will have to stand on its own merits.

The promised amnesty proclamation appeared in the *Official Gazette* of last evening. In its terms it is as full and complete as could be desired. As to its effect it is, of course, too early to judge. I translate it, as follows:—

SUPERIOR POLITICAL GOVERNMENT OF THE EVER FAITHFUL ISLE OF CUBA.

"Oblivion of the past and a hope in the future." These words, written and signed by me, involved a promise to the fulfilment of which respect to authority and the rectitude of my conscience impelled me. It was nevertheless prudent, before realizing it, to examine all and every one of the circumstances which produced the difficult situation in which this island of Cuba is now placed. The examination made and the conclusion arrived at, it is natural that I should be the first to enter upon a course which is to reconcile all interests, gratify all legitimate aspirations and open a wide and unclouded horizon to the