NEW YORK CITY.

THE COURTS.

UNITED STATES CIRCUIT COURT.

The Credit Mobilier War—Transfer of Hostilities to the United States Court.

James Fisk, Jr., vs. The Union Pacific Railroad Company—the Credit Mobilier of America, Directors, &c.—All the process pleadings, depositions, testimony and other proceedings in the above entitled suits were on Monday filed with Mr. John A. Shields, deputy clerk of the United States Circuit Court. The hearing in this involved and complicated case is therefore removed from the Supreme Court of the State to the United States Circuit at the instance and on the petition of the defendants. The case will probably be placed on the calendar for the April term, when Judge Nelson will hold court.

UNITED STATES DISTRICT COURT—IN BANKRUPTCY.

Decision—Order of Arrest by a State Court in the Case of a Bankrupt.

Before Judge Blatchford.

In the Matter of Solomon Megel, a Bankrupt.—The bankrupt's voluntary petition in bankruptcy was filed December 11, 1867. He was adjudicated a bankrupt on the 13th December, 1867. On the 17th December, 1867, an order was made by a Justice of the Supreme Court of the State of New York, in a suit commenced against the bankrupt on the 14th December, 1867, by Leopold Wise and Morris Wise, on the ground that the plaintiffs in the suit had a sufficient cause of action against the bankrupt on a money demand or contract, and that the debt was contracted by false and fraudulent representations of the bankrupt, and requiring the Sheriff of the city and county of New York to arrest the bankrupt.

The affidavit and the facts showed a case of a debt created by the fraud of the bankrupt, and such a debt as, under section 33 of the act, would not be discharged by a discharge in bankruptcy.

It is argued on the part of the bankrupt that the creditors by proving their debt have, under section twenty-one of the act, waived all right of action and suit against him.

That this court must inquire into and determine on this application the question as to whether the debt in question was in fact created by the fraud of the bankrupt.

It was held by this court that so much of section twenty-one of this act as imposes a penalty for proving a debt cannot be considered as applying to a debt which by section 33 is not dischargeable. The order of arrest must be regarded, at least for the purposes of this application, as an adjudication by the State courts that as between the parties to the suit in which the order is entitled, that the arrest was founded on a debt from which a discharge in bankruptcy would not release the bankrupts. The decision concluded as follows:—

It results that the order of arrest cannot be vacated, nor can the proceedings of the creditors in arresting the bankrupt be set aside. But as the debt sued in the State court by the creditors is a provable debt the suit must be stayed until a determination is had as to the discharge; whether the debt be one that will not be discharged. The further proceedings of the creditors in the suit must be, therefore, stayed, in accordance with the provision of section twenty-one, to await the determination of the court in bankruptcy on the question of the discharge.

SUPREME COURT—SPECIAL TERM.

The Union Pacific Railroad Litigation—The Books Still in the Safe—The Combination Key—Strange Developments About the Credit Mobilier—Running the Machine—Grand Division of Seven Hundred and Fifty-two per Cent and Great Expectations.

Before Judge Barnard.

James Fisk, Jr., vs. the Union Pacific Railroad Company.—This case, pursuant to adjournment, came up yesterday. It will be remembered that at the previous meeting the Court directed Mr. T. C. Durant to produce the books of the company.

Mr. Barlow, on behalf of the defendant, stated that Mr. Durant had written to Benjamin Ham, the treasurer, who resides near Elizabeth, and who retains the combination key, acquainting him with the order of the court. In reply Mr. Durant received a communication from Mr. Ham stating that he would be in New York, but, not having arrived before the time set down for the hearing of the case, the defendants were in the same position. He (Mr. Barlow) thought Mr. Ham was unwell.

Thomas C. Durant, the vice president of the company, was then placed upon the stand and examined by Mr. Field.

Q. Since the adjournment of the court have you taken any steps to obtain the combination of the lock of the safe? A. I have.

Q. What steps have you taken? A. I wrote a letter to Mr Ham and sent a special messenger with it.

Q. Who was the special messenger? A. One of the boys in the office; I don't recollect his name.

Q. Have you had any communication with Mr. Ham except by letter? A. No.

Q. Have you intimated that any other officer of the company should have some communication with Mr. Ham? A. I have not intimated the fact to any officer whatever.

Q. How soon do you suppose could you see Mr. Ham? A. I presume to-day; he will probably be in town in the course of the day.

Mr. Field then observed that he was very reluctant to again ask for a postponement of the case. He had received a telegram requiring his presence in Washington.

Mr. McFarlane objected to any postponement of the case. He thought that if the merits of the case were shown the bill would be altogether dismissed. The proceedings before the court placed his clients in a very embarrassing position; and then he was of opinion that upon a motion the court would dismiss the bill.

Mr. Field said he had received no notice of motion. He thought that a motion to dismiss a bill without notice was something peculiar.

Mr. McFarlane replied that it was not half as peculiar as the proceedings now being taken.

Judge Barnard—I think the proper motion would be one resisting the adjournment.

Mr. McFarlane said he was doing so. He considered that upon certain things upon the mere calling the attention of the court to the features of the bill the court would dismiss it altogether, and he contended that when the merits of the case became known to the court, no further judicial step could be taken in the matter. His main proposition was that upon this bill as it stood before the court, the entire proceedings were entirely unauthorized upon it and could not possibly be the subject of any judicial action. He drew the attention of the Court to the several paragraphs of the bill, including particularly the eleventh, which referred to the alleged right of the plaintiff to become a stockholder in the Union Pacific Railroad Company. The plaintiff said he made certain subscriptions by legal force, of which it became the duty of the company to issue to him a certain number of shares of stock and—

Mr. Field contended that counsel were not in attendance to waste the time of the Court, and the gentleman, he thought, forgot that upon a motion to postpone the merits of a case could not be entered into at all. Whether there was any merit in the bill or not must be decided at the proper time. The simple question at present before the Court was whether the case should be adjourned till Saturday next.

Mr. McFarlane protested against the adjournment, if it were to eternity as well as to the posse comitatus now surrounding the company's premises.

Mr. Field said there was not the slightest occasion to be theatrical, for it did not amount to anything, and the motion might as well be discussed in the manner lawyers usually discussed such matters. The merits of the case could not be talked of now, but the simple question of adjournment. He thought, however, when they did come to be discussed the gentleman would have just as much as he could do; but this was not the time.

Judge Barnard said that the universal practice of the Court had been that where the plaintiff had commenced a case the testimony on his behalf before any motion for a non-suit can be entertained by the Court, and although motion now made for the dismissal of the bill was not a non-suit, it amounted to the same thing. Under these circumstances he did not think he would be justified in granting the motion until such time as the plaintiff or those on the part of the plaintiff had exhausted their testimony in this case. At the present time, therefore, the motion for the dismissal of the bill could not be entertained.

Mr. McFarlane referred to the unfortunate position in which his clients were placed under the present proceedings, and again submitted that the bill ought to be dismissed. Besides, he argued that the officers now in possession of the company's offices and property were nothing but trespassers.

The Court thought that the company's safe was all the officers were in charge of. (Laughter.)

Mr. Barlow said that the company's safe was not all the property. The sheriff and his officials were trespassers, nor had the Court any authority to keep them there. He would, therefore, ask the Court to modify the injunction and vacate the writ of assistance.

Mr. Field said there was something in this case which was almost incredible, and of which he could satisfy the Court in two minutes. He had been furnished with a copy of a certain bill, in which Henry McComb, formerly a director of the Union Pacific Railroad, was the plaintiff, in which he swore that—

Mr. Barlow objected.

Mr. Field only wanted to put forward the statement contained in the bill in answer to the application made by Mr. Barlow to remove the sheriff. Mr. McComb swore that the Credit Mobilier was making the road all the way, in consequence of which the Credit Mobilier was able to divide 752 per cent, on the capital, and expected to divide 500 more. Mr. Field was about to continue the reading of the bill when

Mr. Barlow strongly objected against its being read.

Mr. Tracey said there was an answer to it.

Mr. Field said he was only reading the statement of Mr. McComb, a director of the Pacific Railroad, in reply to Mr. Barlow's application for the modification of the injunction.

Judge Barnard hoped that the statements relative to the case would be confined to the transactions in New York, as he had as much as he could do to attend to them.

The hearing of the case was then adjourned till Saturday next, at twelve o'clock.

Counsel for plaintiff, Messrs. Field and Sherman; for defendant, Messrs. McFarlane, Barlow, Allen, Clark, Bell and Allen.

Further Revelations—A New Complaint—Rare Disclosures About the Working of a Railroad.

James Fisk, Jr., has filed a second supplemental complaint, averring that since the first supplemental complaint he has been informed of the following facts:—That some of the defendants resisted the service of the previous injunction by violence, and did, notwithstanding it, proceed to hold an election; that the defendants have applied to Congress to legalize their action and to oust this State of its jurisdiction over them; that the Credit Mobilier has spent its assets and has no property in the State; that the defendents pretend that the entire capital of the Union Pacific Railroad Company and its first mortgage bonds, and the bonds received by it from the United States, have been expended on the road, and that it has no property within this State except bonds pledged as collateral for loans; that these pretences are false and an attempt to conceal the assets of the company from the court and its receiver; that the defendants now set up that only 247 miles were built under contract with the Credit Mobilier and the rest of the road was built under contracts with Oakes Ames and J. W. Davis; but if this be the fact all the contracts are fraudulent and the directors of the company were interested therein and the contracts in fact made by themselves with themselves for themselves; that the profits of such contracts have been divided among the directors and some of the stockholders; that the books of the two companies would show these facts, but that the directors of the companies have conspired to prevent the plaintiff having access to them. The plaintiff then prays for additional relief and a new injunction beyond those already obtained by him. The following affidavit was also offered in support of the complaint:—

The affidavit of Edward Ensign sets forth that he is managing clerk in the office of Field & Shearman, the plaintiff's attorneys; he had heard read a copy of the complaint sworn to by the plaintiff in a suit of Henry S. McComb vs. the Credit Mobilier of America and others, commenced in July term, 1868, now pending in the Supreme Court of the State of Pennsylvania, which said copy is duly certified by the Chief Justice and prothonotary of said court; that the said McComb is now and was at the time of making the said complaint a director of the Union Pacific Railroad Company, and he believes him to be well acquainted with the affairs of the Credit Mobilier of America; that the sixth paragraph of said complaint is as follows:—The Union Pacific Railroad Company, a corporation organized under an act of Congress, to which your orator craves leave to refer; credits, privileges, powers, lands and bonds in large and liberal measure have been bestowed upon said railroad by Congress to the end that it may construct and operate a line of railroad and telegraph from Omaha, in Nebraska, westward to a point where it may connect with another railroad coming east from the Pacific coast. The Credit Mobilier of America, under lawful contracts and managements, authorized by its charter, has constructed nearly the whole of the work up to this time done by or for said railroad company, and is bound by its agreement to do much more. In this work the said railroad company has bound itself to pay to the said Credit Mobilier a compensation large enough to make the employment exceedingly profitable. In consequence thereof the said Credit Mobilier has been able to divide among its shareholders dividends consisting of Union Pacific Railroad Company's bonds, Union Pacific Railroad Company's stock, and cash, amounting in the aggregate to 752 per cent on the capital of the said Credit Mobilier, paid in as $752 per each share of $100. There is still a large surplus undivided of profits already made, equal, as your orator believes, to at least 500 per cent of its capital, and the said capital itself, or any part thereof, has not been used nor expended or lost in the business of the company. The capital of the said Credit Mobilier of America is worth, and as your orator believes would sell in any market where its true value is known, for at least $500 per share of $100.

Judge Barnard then granted the following injunction:—it appearing satisfactorily to me, by the affidavit of Edward Ensign and by the second supplemental complaint herein, duly verified by the plaintiff, that sufficient grounds for an injunction exist, I do hereby order that the defendants, the Union Pacific Railroad Company and the other defendants, refrain from receiving from the United States any bonds or grants of land and from issuing any mortgage bonds or land grant bonds; and I do further order that the said Union Pacific Railroad Company, the Credit Mobilier of America and all the other defendants in this action, their officers, agents and servants, refrain from removing out of this State, or from the offices or rooms where they now are, the books and papers of the said two companies or of either of them, or any books or papers relating to the contracts mentioned in the said second supplemental complaint, or any of such books or papers, and from preventing or binding the plaintiff from examining the said books or papers, or any of them, until the further order of this court, and in case of disobedience to this order you will be liable to the punishment therefor prescribed by law.

SUPREME COURT—CIRCUIT—PART .

Action Against a Bank.

Before Judge Peckham.

Henry Verhuven and Charles Knoblauch vs. The Manufacturers' National Bank.—This was an action of replevin to recover the sum of $5,000, the value of a treasury certificate. It appeared that on the 14th November, 1867, a treasury gold certificate was stolen from the plaintiffs. Several handbills were issued apprising the community of the fact. One of the notices was posted in the defendants' bank describing the stolen property as a gold check. Subsequently a person came into the bank and presented a $5,000 certificate for payment which was given. The teller immediately sent the certificate to the treasurer, but payment was refused on the ground that it had been stolen. Plaintiffs then brought an action against the bank for replevin and obtained an injunction restraining the reissue of the check. The defendants claimed that the notice posted in the bank did not describe the property as a certificate, but as a gold check. The Court directed a verdict for the defendants, and as there had been an injunction directed the jury to pass interest on the value of the check as damages.

SUPERIOR COURT—TRIAL TERM—PART 2.

A Kangaroo Case—Fat Women and Crocodiles—Is an Insurance Company a Wild Animal?—How is it Caught?—Alleged Fraudulent Overestimates.

The Barnum-Van Amburgh Museum and Menagerie Company vs. The Commonwealth Insurance Company.—This is a suit to recover $2,500 on a policy of insurance on a certain wild show establishment, which, like its predecessor, was not by any means proof against the devouring element. Doubtless the inhabitants of the menagerie entertain vivid recollections of the occurrence. The half melted fat woman, who, with the ring-tailed monkeys, porcupines and other living curiosities, must certainly have not forgotten the lucky event, as it is said she was considerably reduced in weight, while her friends had their extremities most uncomfortably singed. The incidents on the occasion were, it will be remembered, exceedingly humorous and afforded much amusement to late strollers on their way home. The escape of the stuffed tiger was quite an exciting affair, and never did policemen behave so heroically, especially when, after the intense agony of the populace, the bogus animal was successfully captured, doubtless much intimidated by the appearance of a dozen pistols at his head. Nobody was eaten, dead or alive, so that the services of the coroner were not called into immediate requisition. The property which so pliantly yielded to the flames was insured in no less than fifty companies, the majority of which refuse to pay the plaintiffs, on the ground of alleged fraudulent over-valuation. On the same ground, too, the present defendent resists this claim, contending that the plaintiffs' over-estimate to a large degree the property destroyed. Among the curiosities claimed to be over-valued are white mice, a stuffed ox, ringtailed monkeys and other unimportant articles. The hearing of the case will be resumed to-day.

SUPERIOR COURT—SPECIAL TERM.

Decisions.

Judge Jones rendered judgment in the following cases yesterday morning:—

Moran vs. McSnoggan.—Motion granted.

Hey vs. Leopold.—Order granted.

In the Matter of James Elgar.—Motion granted.

Samuels vs. Newman.—Order granted.

Butz vs. Burtcell.—Motion granted.

Austin vs. Hickman.—Affidavit of service of summons defective.

Austin vs. Colbert.—The same.

Burns vs. The Second Avenue Railroad Company.—Order settled. Papers in clerk's office.

COURT OF GENERAL SESSIONS.

Before Judge Bedford.

Assistant District Attorneys Hutchings and Tweed appeared yesterday for the people in this court.

The Grand Jury has been transacting a great amount of business during the term. They brought in another batch of indictments yesterday, upon which the prisoners were arraigned.

GRAND LARCENIES.

Wm. Wolfe pleaded guilty to an indictment charging him with stealing a trunk containing clothing valued at $76, the property of Wm. H. Havenor. It was stolen from the dock of the Pacific Mail Steamship Company on the 20th of March. Judge Bedford, in passing sentence, remarked that he was informed Wolfe had served a term in the State Prison for a similar larceny and was an ex-convict from the Penitentiary. The present case was very clear, and his Honor sentenced him to the State Prison for four years and six months.

William H. Chambers pleaded guilty to an indictment charging him with obtaining the sum of $291 68 from John B. Henroe on a bogus check draw upon the Nassau Bank of Brooklyn, purporting to have been signed by H. W. Wilson, who did not keep an account in the bank. Counsel for the prisoner made an eloquent appeal in his behalf, and asked for clemency in view of the respectability of his wife. The City Judge said that he could not, consistently with his oath of office, suspend sentence, but he would not brand him as a felon by sending him to the State Prison. The sentence of the court was one year's imprisonment in the Penitentiary.

James Wright, who was charged with larceny from the person, pleaded guilty to that offence. He was charged with stealing a pocketbook containing $4 45 on St. Patrick's Day from Daniel Lysacht. The Judge modified the sentence to two years and six months imprisonment, because the prisoner gave an honest statement of the case, he having exonerated Chales Clark, who was jointly charged with Wright, but against whom there was no testimony. Mr. Hutchings consented to his discharge.

John Williams and Richard Jones, who stole a hawser line from a canal boat lying at pier No. 43 East river, on the 9th instant, pleaded guilty to petty larceny. They were each sent to the Penitentiary for six months.

Charles Brown (colored) was tried and convicted of grand larceny, he having stolen on the 11th inst. a silk dress, the property of Laura Freeman. He was sentenced to the State Prison for the term of five years.

Judge Bedford instructed the Clerk to enter upon the minutes that the court adjourned in order to give the members of the bar an opportunity to attend the funeral of Mr. J. M. Sutherland, son of Judge Sutherland.

COURT CALENDAR—THIS DAY.

SUPREME COURT—CIRCUIT.—Part 1.—Nos. 1517, 1525, 1533, 1593, 1595, 1599, 1605, 1607, 1609, 1611, 1613, 1615, 1617, 1623, 1625, 1627, 1629, 1631, 1633. Part 2.—Nos. 432, 589, 79, 1056, 1388, 3792, 1414, 1416, 1418, 1420, 1422, 1424, 1426, 1428, 1430, 1432, 1434, 1436, 1440, 1442, 1444, 1446. Part 3.—Nos. 650, 949, 160, 1236, 1344, 1368, 1537, 1559, 1561, 1563, 1565, 1567, 1569, 1571, 1575, 1577, 1579, 1583, 1589, 1591.

SPECIAL TERM.—Nos. 165, 191, 161, 202, 237, 238, 239, 240, 241, 243, 244, 245, 246, 247, 248, 179, 189, 212, 223, 166, 210, 225.

COMMON PLEAS—TRIAL TERM—Part 1—Equity calendar.

MARINE COURT—TRIAL TERM.—Nos. 2225, 2234, 2163, 1802, 1562, 1563, 2138½, 2241, 2252, 2259, 2260, 2262, 2266, 2267, 2268, 2269, 2271, 2272, 2274, 2276, 2277, 2278, 2280, 2281.

COURT OF GENERAL SESSIONS.—Before Judge Gunning S. Bedford, Jr.—The People vs. Charles Steck, Charles Harold, Adam Kissenger, of homicide. The same vs. John Smith, James Smith, burglary. The same vs. Charles Smith, grand larceny. The same vs. John Stern, grand larceny. The same vs. William Shute, grand larceny. The same vs. Elizabeth Watson, grand larceny. The same vs. Margaret Redden, Mary Martin, 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.	42	3 P. M.	49
6 A. M.	45	6 P. M.	45
9 A. M.	50	9 P. M.	40
12 M.	44	12 P. M.	40

Average temperature 44¼
Average temperature Monday 35¼

THE DEATH OF MR. FARRON.—Coroner Flynn yesterday held an inquest on the body of ex-Councilman Thomas Farron, late of No. 212 Grand street, who died suddenly on Monday afternoon. Disease of the heart was the cause of death, and the jury accordingly rendered a verdict to that effect.

FELONIOUS ASSAULT.—Officer Samuels, of the Fourteenth precinct, yesterday morning, at two o'clock, found on the street Michael McLaughlin, of 117 Mulberry street. The man was suffering from severe cuts, which he alleges he received at the hands of an unknown man in Brookes' Assembly Rooms, 307 Broome street, during the progress of a ball. His wounds were dressed by Dr. Armstrong, of the Central Police Office.

OCCULTATION OF REGULUS.—On Thursday morning, March 25, about forty minutes after two o'clock, the moon in its onward course around the earth will obscure from the view the first magnitude star Alpha Leonis. The star will emerge from behind the moon's disc at thirty minutes after three o'clock. Our satellite will cross the meridian at forty-one minutes after nine o'clock this (Wednesday) evening.

CAPTURE OF YACKANET.—It will be remembered that some ten days ago Mary Carter, alias Yackanet, was so fearfully beaten by her colored husband, Philip W. Yackanet, in West Broadway, that the Coroner deemed it advisable to take her ante-mortem statement. Yackanet was arrested yesterday morning in Philadelphia by officer Smith, of that city, and arrived in this city last evening. His wife has so far recovered as to justify her discharge from Bellevue Hospital.

ARREST OF AN ALLEGED CONFIDENCE OPERATOR.—Some time last September Peter Routey, clothier, No. 713 Broadway, was the recipient in payment of a suit of clothes of a bogus check drawn on one of the banks by the party ordering the clothes. The check proved to be worthless. Yesterday the victimized party saw a man on the street whom he recognized as his debtor, and caused his arrest by officer Waldron, of the Twenty-fifth precinct. The accused, who gave his name as Henry Just, was locked up at the Central Police Office.

FATAL FERRY CASUALTY.—On the 24th ult. Henry Peters, a lad eleven years of age; in stepping from one of the boats of the Hamilton Avenue Ferry Company to the bridge had his left leg caught between the boat and bridge and terribly crushed. He was conveyed to the New York Hospital, where he lingered till yesterday, when death ensued. Coroner Flynn was notified, and after empanelling a jury to view the remains delivered them to his distressed mother, who lives in Eighteenth street, between Fourth and Fifth avenues, Brooklyn, whither they were taken for interment. As soon as the attendance of the necessary witnesses can be secured the investigation will be proceeded with.

ENLARGEMENT OF THE STATE CANALS.—A meeting was held yesterday afternoon at the Produce Exchange to take measures for the enlargement of the State canals and to effect greater economy in their management. Colonel Edward Hincken, President of the Exchange Board, was in the chair, and introduced Mr. Israel T. Hatch, of Buffalo, who spoke exhaustively upon the history of the Erie Canal, and alluded to the corruption existing in the administration of its affairs. Resolutions were passed to petition the Legislature to create an amendment to the constitution which would give authority to borrow upon the pledge of the canal revenues such sums as might be necessary to improve the canals to their maximum capacity for transportation in order to prevent a division of trade by competitive routes. The resolutions requested also the appointment of a board of engineers to examine the condition of the canals and report to the next Legislature.

ALLEGED MALPRACTICE—CORONER'S INQUISITION.—An inquest was commenced at eleven o'clock yesterday morning before Coroner Rollins at the Coroner's office in the City Hall, in the case of Mrs. Philippi, who, as already published, died on the 17th inst., as alleged, from malpractice at the hands of Dr. Gabriel J. Wolfe, of No. 251 East Tenth street. The deceased, who lived with her husband at No. 60 Third street, according to the statement of the latter, told him before her death that Dr. Wolfe, on the 11th inst., performed an operation upon her. Upon this statement, as will be remembered, Dr. Wolfe was arrested and is still in custody pending the result of the Coroner's inquisition. The accused, who is a German, as also was the deceased, is a very pleasant looking gentleman, and was represented at the inquest by Colonel Levy as counsel. The husband of the deceased, who is quite a young man, was subjected to a long examination—the main points of which has already been published in the HERALD—after which Sophia Ortlieb was called to the stand; but before her examination was concluded the inquest was adjourned until this morning. Dr. Wolfe's counsel asked that he might be allowed to stand on bail, but the Coroner refused.

POLICE INTELLIGENCE.

ALLEGED EMBEZZLEMENT.—Christ Rice, a clerk in the employ of Frederick Perlvigh, of No. 368 West Thirty-eighth street, was arraigned before Justice Ledwith at Jefferson Market yesterday, charged by his employer with embezzling the sum of fifty dollars from him on the 15th of June last. He pleaded not guilty to the charge, but was committed to answer.

ALLEGED THEFT OF BARRELS.—John McCarthy, a junk dealer, living at No. 354 Cherry street, was yesterday arrested by detective Heidelbergh, of the Second precinct, on the charge of stealing fifty half barrels, valued at eighty dollars, belonging to John Hill. Mr. Lawrence Smith, of No. 93 Canal street, the complainant in the case, deposed to putting the stolen property in the prisoner's possession. In his examination before Justice Hogan McCarthy stated that he bought the barrels in good faith, having no knowledge whatever that they had been stolen. The accused was held for trial.

ALLEGED FELONIOUS ASSAULT.—Frederick Holden, a boatman, residing at Milliport, N. Y., was arraigned before Justice Ledwith, at Jefferson Market, yesterday afternoon, by an officer of the Twenty-eighth precinct, upon complaint of Morris Hart, of 601 Greenwich street, a carman, who charges that while engaged loading a wagon with coal at the foot of Leroy street, the prisoner, who is an entire stranger to him, began to dictate to him which coal he should take, at which he remonstrated, when Holden drew a six barrelled revolver from his pocket and pointing it at him threatened to shoot him. He pleaded not guilty to the charge, but was committed without bail to answer.

THE HOOSAC TUNNEL.—By the report of the Commissioners of the Troy and Greenfield Railroad and Hoosac Tunnel, submitted to the Legislature yesterday, it appears that up to February 1 the total length of the tunnel bored was 9,338 feet, leaving to be bored 15,662 feet. The length of the east end heading is now 5,282 feet; of the east end enlargement, 2,500 feet; of the west end heading, 4,056 feet; of the brick arch 931 feet. Of the whole length of the central shaft (1,050 feet), 583 feet have been finished, leaving 467 feet to be completed.—*Boston Journal, March 23.*

BROOKLYN CITY.

THE COURTS.

UNITED STATES COMMISSIONERS' COURT.

The Alleged Drawback Frauds—Conclusion of the Evidence—The Case to be Argued Thursday.

Before Commissioner Jones.

The following additional testimony was taken in this case yesterday:—

WM. H. BRINKERHOFF'S TESTIMONY—CALLED FOR THE GOVERNMENT.

To Assistant District Attorney Parris—I was in A. M. Wood's office as clerk when he was collector; was there from 1866 to 1868; when I first went there I was bookkeeper, then cashier and afterwards had general charge of the accounts; I am familiar with Laidlaw's handwriting; (claim No. 51,190 shown witness) the name of Laidlaw on these papers is a very poorly written signature for Laidlaw's, but I should say it was his; (other claims handed witness) I should say that the signatures were Laidlaw's; I could not say positively that the signatures are Laidlaw's, but I think they are his; Laidlaw wrote sometimes a very nice hand and sometimes very irregularly; Laidlaw writes with both hands, and writes almost equally well with each; I used frequently to see Dickinson in the office with papers in an envelope; some of these papers were bonds; I have seen Laidlaw give Dickinson bonds; I have seen Riessenberger and Dickinson out together with Laidlaw; I saw Riessenberger give Laidlaw $300 in Flannigan's liquor saloon, in Court street; Laidlaw owed me $469, and he borrowed this money of Riessenberger to pay me; I found 184 bonds filed for drawback in the Collector's office, in Court street, stowed away in a trunk; before a certificate was given that bonds had been filed it was necessary to refer to the list and see if the tax had been paid by the parties named in the certificate; I did not know that any of those certificates of bonds filed were fraudulent; towards the last, when I saw so many of the papers in the trunk, I began to suspect they were fraudulent.

Cross-examination.—To Mr. Hollis, counsel for Laidlaw—One of the seals of the office was on Laidlaw's desk, and the other was on the cashier's desk; the seals were never put in the safe; they were out in the office night and day; the office of the Second Collection district was broken open three times; I have been a bookkeeper for twenty-five years; I saw the bonds yesterday for the last time before this morning; I saw them before that about six weeks ago; I took them from a drawer and sent them to Mr. Tracy; I picked them out of the trunk at the request of no one; some of the papers were loose and some were in envelopes; I was looking for papers to make out a bond in court; Mr. Laidlaw and Mr. Millhouse had access to the trunk; Laidlaw left the office the 1st of April, 1867; it was after Laidlaw left the office that I began to suspect that the bonds were fraudulent; I commenced to make up the account that took me to these trunks after Mr. Laidlaw left; I remember when the Collector of the Second district ceased to be Mayor, and I think it was just after this that I commenced making up this account; I never had sole charge of this bonded account until the time I speak of; my desk was between Laidlaw's and Millhouse's desks, and nearer to the latter than the former; from my observation and knowledge Laidlaw and Millhouse were both almost constantly engaged in the office; I saw so many bonds as to raise my suspicion after Laidlaw left; the account remained unfinished for nearly a year—almost done, but not quite; I had the papers at hand necessary to make out the account; Mr. Birkett succeeded Mr. Laidlaw; and he and Millhouse had the sole charge of the bonded account; the bonds in the trunks, among which I found the ones put in evidence, I put in charge of the successor of Mr. Laidlaw; I put the bonds in evidence in the safe, and I sent them about two months ago to Mr. Tracy, at his request; Mr. Torrey was in the office when I got the papers from the drawer in it; I didn't ask anybody for the papers; I had a key to the safe and drawer, and got the papers myself; I don't know who was in the office at the time, but presume there was somebody; Dickinson, Laidlaw and myself used to dine together before Laidlaw left; when I took the bonds to Mr. Tracy I was not connected with the Second district in any capacity; I heard Reissenberger speak of the bonds between the time of my putting them in the drawer and my sending them to Mr. Tracy; (claim 57,812 shown witness) the three "L's" look like Laidlaw's writing I should think the signature his; I have seen Laidlaw make a "d" with a loop; I can't recall any particular time when he made a "d" or an "a" with a loop; I have seen Laidlaw hand out certificates that bonds had been filed; I never have learned that Mr. Riessenberger was anything but a stock broker; I first learned that Riessenberger had to do with the drawback claims two and a half months ago; Mr. Riesenberger was a broker, buying and selling on his own account and for others; he had bought and sold stocks for me before he lent Laidlaw the $300; when I saw Dickinson and Laidlaw transacting business I did not know that Riesenberger had any connection with it; Riesenberger never endeavored to procure through me certificates that bonds had been filed.

To the Commissioner—At the time these bonds were filed, there was no occasion for the surities to come and qualify at all; it was a matter of course to take any bond that came in properly filled out without inquiring as to the sufficiency of the sureties; Laidlaw's duty was to endorse these bonds and send them over to the Superintendent of Exports; these bonds are not so secured; according to the custom in the office it was the duty of the deputy having charge of the bonds to give a certificate to any man who presented a bond; I got acquainted with Riesenberger in 44 Broad street; I know Arnold, and made his acquaintance about the same time that I saw Riesenberger; I was at this office ten or fifteen different times; we were speculating in gold and that was all that caused me to go there; the first business that called me to my office was to see about some stock operations; the office looked like an office in which not much business was done; the bonds were put in the drawer because they were not properly endorsed; I put them there for the purpose of inquiry; I intended that Mr. Laidlaw should go and see them; I suggested to Laidlaw that he had better look after these papers; I knew nothing about any steps being taken in this matter until Riesenberger made the affidavit; three or four weeks after this I saw Riesenberger, and he told me that there was trouble brewing, and that Laidlaw, Dickinson and several others were implicated; nothing was said about my being a witness; he spoke to me about these bonds two or three days before Mr. Tracy asked for them; he said he wanted to see the bonds that had been sent over by Korn and Dickinson; I said they were in the safe; Riesenberger said he would like to see them; there was a day appointed to show them; I took them to a place in Water street, New York, and showed them to him; it was in a tobacco warehouse; he looked them over and took the names off; I took the bonds back, and, two or three days or a week after, showing them to Riesenberger, I got the letter from Mr. Tracy; have not been in the office since August last; I did not take the bonds from the drawer when I brought them to Mr. Tracy; when I took them from Water street I took them home and kept them there till I gave them to Mr. Tracy; I was in New York, on Broadway, when I saw Riesenberger, and he asked to see the bonds.

The case was here adjourned till Thursday morning at ten o'clock.

BROOKLYN INTELLIGENCE.

THE BOARD OF SUPERVISORS.—The Board of Supervisors met yesterday afternoon, the President, Superintendent Osborne, in the chair. The County Treasurer asked for authority to borrow $200,000 for the purpose of paying the State tax due in April. The tax amounts to $845,000. A resolution authorizing the County Treasurer to borrow the money was adopted. Several communications were received from the Jail Committee, after which the Board adjourned.

FATAL ACCIDENT ON A FERRYBOAT.—George Crowles, the fireman on board the ferry boat Nassau, running on the Catharine ferry, was almost instantly killed yesterday morning by being struck on the head with the crank connected with the engine. The deceased was engaged in oiling the machinery at the time, and, it is said, was doing so in violation of the rules of the company. The jury returned a verdict that the deceased came to his death through his own carelessness.

THE FATAL CASUALTY IN SACKETT STREET.—An inquest was held yesterday by Coroner Jones over the body of George Walsh, the boy who was run over and killed by engine No. 2 in Sackett street, near Columbia, on Monday. The deceased, who was between fourteen and fifteen years of age, stated before his death the accident was the result of his own carelessness, and that the members of No. 2 were not at all to blame. The jury returned a verdict of death from accidental injuries.

ALLEGED INCENDIARY FIRE—ARREST FOR ARSON.—Between six and seven o'clock yesterday morning a fire broke out in the grocery store of Daniel Ruther, in Carroll street, near Nevins. The flames were extinguished before any great damage had been done; and on an investigation being made the police, as well as the Fire Marshal, concluded that the fire was of incendiary origin, and immediately suspected Ruther. Inquiries revealed the fact that he had his stock insured in the Mechanics' Insurance Company for $350, and that there was an insurance on the house, which is owned by Charles Rushmore, of $3,000. Officer Woodruff arrested Ruther, and yesterday afternoon he was taken before the Fire Marshal. The officer testified that there had been a quantity of kerosene poured into a hole in the floor and that he found matches lying about loose. There had also been a fire in the cellar, but that had the appearance of having died out. The accused was held for further examination.

THE EXCISE LAW.

Meeting in Brooklyn, E. D., in Favor of the Law.

A mass meeting of the citizens of Brooklyn, Eastern District, was held last night in Washington Hall, corner of Broadway and Fourth street, for the purpose of expressing views in defence of the present Excise law.

At eight o'clock Rev. WILLIAM H. BOOLE read the call for the meeting and nominated as chairman Mr. J. W. Bulkley.

A long list of vice presidents and secretaries having been read, Rev. Dr. Andrews, of St. John's Methodist Episcopal church, Bedford avenue, offered up a prayer.

Mr. James A. Bradley read the following preamble and resolutions:—

Whereas we learn with deep regret that desperate efforts are being made at Albany by the liquor dealers and their friends to modify in many of its essential features the present wholesome Excise law, and

Whereas the Excise law as it is has been found to produce by a vigorous enforcement of its provisions the most beneficial results, both moral and physical, and greatly tends to the protection of life, property and happiness of the community and the peaceful enjoyment of the Sabbath, therefore

Resolved, That we do most firmly protest, in the name of law, order, morality and in our individual rights, against any modification whatsoever of the said law, and call upon our representatives at Albany to use their influence in all proper ways to prevent any change in the same.

The foregoing was adopted by acclamation.

Judge Culver was then introduced, and after having reviewed the Excise law, said that they had gathered there that evening in a somewhat impromptu and informal manner to give their support to the Metropolitan Excise law of 1866. For 110 years in the State of New York they had been guarding and fighting around this matter of alcoholic drinks. Some of those in favor of repealing this law urged as a plea that shutting up on Sunday and not allowing our German fellow citizens to indulge in their national customs was wrong. But he had yet to learn whether the educated, intelligent Germans did not look on this subject just as he did. He had never talked with any intelligent German minister or any intelligent German merchant in his office but said it was right to do away with the liquor traffic on the Sabbath in order to keep the day sacred. He asked them that night whether they could shut down on the Irishman with his whiskey on Sunday and let the German have his lager? He told them that all this clamor about their German fellow citizens came from the German dealers and other dealers in the business. It did not come from the great mass of the people. Let him tell them that they were not going to let this law be repealed. It had been said that the majority up at Albany must yield. If they yielded those who favored the law were gone. The liquor sellers intended nothing short of absolute unqualified repeal and they should be resisted by every possible device.

Rev. William H. Boole next addressed the meeting, and spoke at some length on the morality of the Excise law and the necessity for its continuance in its present stringent form. He devoted the greater part of his remarks in criticising a local Williamsburg paper for favoring the repeal of the law, and castigated the editor severely for arraying himself on the side of impiety and disorder.

A couple of other speakers followed, but their remarks were substantially the same as those who preceded them.

SUBURBAN INTELLIGENCE.

NEW JERSEY.

Jersey City.

THE TAMMANY ASSOCIATION.—The charter for the Tammany Association of Jersey City was sent to the Legislature yesterday, where it will probably pass without any opposition. The organization will be controlled by shareholders, the shares being fixed at ten dollars each. One member of the Legislature has subscribed for 1,000 shares. It is supported and promoted by the New York Sachems, so that the era of New Jersey democracy, which has been hitherto regarded as heterodox, has well nigh passed away.

THE HORSE CAR OUTRAGE—FURTHER PARTICULARS.—The account of the outrage which took place on a Hoboken horse car published in yesterday's HERALD has created intense indignation both in Jersey City and Hoboken. The driver of the car, Patrick Dunne, is blamed on all sides for his neutrality in the affair, while the conduct of the cowardly passenger who sat in the car, and offered not a word of remonstrance, is looked upon as cool-blooded and heartless in the extreme. According to the statement of the driver it appears that the young woman came from the Five Corners to the ferry on the car of which Pat Doyle is conductor. The ruffian who perpetrated the outrage was ejected from the car