NEW YORK CITY.

THE COURTS.

UNITED STATES CIRCUIT COURT.

Assignment of Criminal Cases.

Before Judge Benedict.

In the United States Circuit Court yesterday, Judge Benedict called the criminal calendar, and announced that he should sit during the remainder of this month to try criminal and revenue cases, giving the preference to criminal cases.

The cases of George B. Davis, indicted for perjury, in making a false affidavit against Collector Bailey; John D. McHenry, indicted for perjury in falsely testifying in the Rollins case, and of Owen Keenan and James Bagley (two noted politicians), indicted for whiskey frauds, were among those set down for trial at the present term.

In the two cases in which ex-Collector O'Callaghan is charged, with others, with frauds in connection with the illicit removal of whiskey from certain distilleries, the case in which he is jointly charged with Ulrich has been set down for trial this term, while in the other District Attorney Pierrepont said that from present indications he believed it would never be moved on, and it was, therefore, reserved generally.

The Leipzinger and Beringer whiskey fraud case being called, District Attorney Pierrepont announced that the defendants had fled, and that their bonds would be prosecuted.

There being no criminal cases ready for immediate trial, Judge Benedict asked if any revenue cases were ready, and there being none, the court was adjourned for the day.

UNITED STATES COMMISSIONERS' COURT.

Alleged Blackmailing.

Before Commissioner Shields.

The United States vs. Henry Etts.—The defendant in this case was charged with falsely representing himself as an internal revenue officer, and as such extorting money from several parties. The first charge was preferred by William Protosem, a cigar dealer, who testified that Etts came to his place of business in the Ninth avenue, and represented that he was an internal revenue officer, and demanded to see his (complainant's) license. The latter was not able to produce his license at the moment, and thereupon defendant told him that unless he paid over twenty-five dollars he would be taken to the internal revenue office and proceeded against. Complainant at first refused, but on their way to the office he offered fifteen dollars to be released. The defendant took the money and left. His next attempt in the blackmailing line was on Henry Schenberger, who, suspecting he was a professional blackmailer, had him arrested. The evidence was very conclusive, and defendant was held for trial.

SUPREME COURT—CIRCUIT—PART I.

Curious Question of Liability.

Before Judge Sutherland.

Edward Bridget vs. Christian Reimburg et al.—The plaintiff is the owner of a frame house at No. 111 Delancey street, and the defendant, Reimburg, owns the adjoining property. In the course of some excavations made by the defendant on his own premises the plaintiff claims that the defendant dug under and otherwise impaired the foundations of his (plaintiff's) house. Damages were laid at $2,000, and the contractor having charge of the work was made a co-defendant. The principal question in the case was as to the liability of the parties to properly support and prop the house endangered by the work. The jury returned a verdict for the plaintiff in the sum of $300.

COURT OF COMMON PLEAS—TRIAL TERM.

Extraordinary Case of Fraud and Deception by an Attorney—A Judicial Opinion of a Member of the Bar—A Hard Case.

Before Judge Daly.

Frances Waylan vs. John Livingston, Philip Seebold and Francis Hoffman.—The developments upon the trial of this case, which has occupied this court for over two days and which was concluded yesterday, are luckily among the rarities in the annals of the New York bar. The action was brought against John Livingston as administrator of the last will and testament of John Waylan, deceased, and against the other defendants as his sureties on his bond as administrator. Mr. John Waylan, formerly a dentist, of this city, died some years ago, leaving a will in which this plaintiff (his widow) was sole legatee. She was in feeble health, and a Mr. John Livingston was her counsel. He persuaded Mrs. Waylan, his client, to renounce the executorship of the will and to permit him to administer upon her deceased husband's estate and to be guardian of her children. She complied with his suggestion and he was appointed administrator, giving two sureties in the sum of $2,000 each. After the proper time had elapsed to administer the estate Mrs. Waylan applied to Livingston to pay over to her the residue, which amounted to between $6,000 and $7,000 after paying all indebtedness. Livingston put her off with promises, and finally, being weary of waiting, she found upon investigation that the sureties he had given were utterly worthless, both being insolvent. She thereupon, in June, 1866, applied to the Surrogate to remove Livingston, both on account of fraud in obtaining from her a renunciation of the executorship and administration, and also, under the statute, upon the ground that his sureties were insolvent. Mr. Livingston appeared before the Surrogate and denied the allegations of fraud; but the sureties, upon being examined under oath, proved to be utterly worthless, and thereupon Livingston consented to the entry of an order that he give new sureties within five days, or that his authority as administrator be revoked. Mrs. Waylan's counsel being satisfied that that was the best thing for her, as, the original fraud in obtaining the administration being denied by Livingston, it was doubtful whether he could be removed on that ground, and new security would afford her every protection, consented to abandon the charges of fraud, and that the order be entered. Mr. Livingston thereupon procured and filed a new bond as administrator, signed by the two co-defendants in this action in the penalty of $14,000 each. Subsequently, after a tedious protraction before the Surrogate, a decree was made by the Surrogate in September, 1867, directing Livingston to pay certain debts, allowing him commission, &c., and ordering him to pay plaintiff the sum of $6,165 80. Livingston appealed from this decree to the Supreme Court, by which all proceedings against him were stayed.

In the latter part of April, 1868, his appeal was dismissed for want of prosecution, with costs, and a few days afterwards, after a personal demand for the payment under the decree upon Livingston, Mrs. Waylan's counsel applied to the Surrogate for an attachment against Livingston for not paying over the money. This the Surrogate refused upon the ground that an attachment was a harsh remedy, and that Mrs. Waylan must first issue an execution upon the decree against Livingston, and if that was returned unsatisfied she must sue the sureties; and if she then did not get her money he would issue an attachment, and not until such steps had been taken. Execution was thereupon issued on the decree against Livingston, upon which the Sheriff realised the sum of $14 11, and that was the total. Execution was, of course, returned unsatisfied on the 26th of June, 1868. In July the sureties were notified of Livingston's default, and requested to pay, which they failed to do, and early in September this action was commenced against them on the bond.

The defendants set up through their counsel as a defence, that Livingston asked them to sign their names to the bond without telling them what it was, saying it was a mere matter of form, and that he wanted them to sign their names; that Livingston was their landlord, and could favor them or disfavor them as he saw fit, and to oblige him and insure his will they signed the bond without any knowledge of the responsibility. One of the defendants also testified that there was no seal on the bond opposite his name, and the defence claimed on this point that the bond was therefore void, and for both reasons. They further claimed that the plaintiff or her attorney were guilty of fraud and negligence in concealing from the bondsmen the previous amount of Mr. Livingston and the frauds which they alleged against him, and also that they had conspired with Livingston in procuring the signatures of the sureties upon the bonds in order to secure the plaintiff's debt.

Judge Daly ruled that the fraud of Mr. Livingston in procuring the signature could not affect the plaintiff; that there was not the slightest evidence to sustain the charge of conspiracy with Livingston, nor to show that the plaintiff was in any way privy to or knowing of these representations; that neither she nor her attorney was under any obligation or duty to seek out the sureties and communicate to them the previous frauds of Livingston; that such a proposition as matter of law was entirely anomalous and unheard of; that as to the affixing of the seal after the bondsmen had signed, if such were the fact, it did not vitiate the bond for two reasons:—First, that the bond would have been perfectly good without any seal, as the sureties could not be allowed to set up a defect in a bond given by themselves, and which the creditor, for whose benefit it was given, had seen fit to object. The objection might have been taken by the plaintiff, but not by the sureties. Second—That the seal not having been put upon the bond by the plaintiff, or with her knowledge and consent, and, being the act of a stranger as to her, did not vitiate the bond; and thirdly that the addition of the seal was in no event a material alteration, because the bond would have been good without it, as before stated, and the seal was a superfluity.

In commenting upon the case Judge Daly said it was unprecedented in enormity in his experience on the bench or at the bar. It was a great hardship that these defendants, who were honest, straightforward, though, perhaps, rather too unsuspecting men, should suffer through the devices of this man Livingston, whom the counsel had very properly denominated "a scoundrel," but it was the defendants' misfortune. He was glad to say, however, that the case was without a precedent at the New York bar, so far as he knew, and he considered it an honor to the profession that there was but this one case of its kind. Livingston was a disgrace to himself, to his country, to his race and to his profession.

The Court directed the jury to find a verdict for the full amount claimed, $6,[illegible] 90, inclusive of interest.

R. W. Townsend and A. R. Dyett for the plaintiff; Piper and Flammer for the defendant Seebold, Adams, McLeod and Adams for Hoffman. Livingston was not represented.

MARINE COURT.

A Novel Case—Suit Against Fire Commissioner Wilson—The Judge's Charge—The Plaintiff Ordered Into Custody.

Before Judge Curtis.

Reid vs. Wilson.—This action was brought for money had and received to the amount of $275, the plaintiff alleging that that sum was paid to Wilson to compensate him for time expended and services rendered in procuring the appointment of the plaintiff upon the police force. The proof was that the plaintiff was rejected on account of physical disability. The plaintiff, Martin Reid, swore positively that he paid Wilson the money. It was sought to corroborate his testimony by that of a man named Thomas Early. Wilson, the defendant, swore positively that Martin Reid had never paid him a cent, and that the whole story was a falsehood. He was corroborated by Cornelius Reid, a brother of the plaintiff, who swore that the plaintiff told him that he was going to get money out of Wilson, and also at the time he alleges he paid the money to Wilson that he was borrowing money for stage and car fare. The testimony being all in

Judge Curtis charged the jury as follows:—

GENTLEMEN OF THE JURY:—I need not, perhaps, say to you that this is a case of the gravest importance. It involves the reputation of the defendant in the community, and probably your verdict will determine whether he is to occupy in future the same position of trust and honor that he now occupies and has occupied for many years; and in view of that consideration I trust that you will give this case a very careful deliberation. It is difficult, perhaps, to comprehend how a man who for a series of years has occupied positions of trust and confidence in the community could so far forget his relation to it, could so far forget himself as to do a thing of the kind alleged against the defendant, unless it be explained upon the theory of the old Latin saying that "it is easy to descend into hell." It is conceded in the proof that up to the time of this transaction, at least, the defendant has been a man of good moral character, and so far as his reputation is concerned it never has been assailed. But, at the same time, gentlemen, you are not to presume from that fact conclusively that he or any other man is incapable of such a deed, if you are satisfied from all the evidence that he actually committed it. The only legal ground, as I took occasion to intimate to counsel upon both sides, on which this case can rest for a recovery to the plaintiff is upon the theory that there was an understanding between the plaintiff and defendant that this money was to be paid to Mr. Wilson, the defendant, for his time and services in securing this appointment, because it is antagonistical to a principle of law that the plaintiff should recover upon any other theory—a principle of law which declares, applying it to this case, that if this money was to be paid for the purpose of corrupting the Police Board, the plaintiff, even if that theory should be established by the proof, even if it should be established to your satisfaction that money actually was paid, could not recover; and you will bear that in mind. And I may say in this connection, perhaps, the Police Board itself has been somewhat reflected upon by the theory of the plaintiff in this trial. The Police Board, gentlemen, was one organized under the law for the purpose of protecting the community, and they possess under the law the right of making appointments upon the police force, and it would be a very sad thing to be compelled to believe that those men who are appointed by the Police Board for the purpose of protecting society and the community owe their appointments to corrupt influences. Therefore, gentlemen, in view of that consideration, give this case a very careful consideration. Now this question is entirely one of fact. The plaintiff goes upon the stand and swears that this money was paid to Mr. Wilson, the defendant. It is contended that he is corroborated by the testimony of Mr. Early. I need not remind you that you are the supreme judges of the credibility of witnesses. I call your attention, however, as perhaps there are some new jurors on this panel, to two familiar principles of law. One is that the plaintiff is obliged to establish his right to recover by a preponderance of proof; that preponderance of proof does not, however, necessarily consist in the greater number of witnesses brought on one side or the other; it does consist in the greater credibility given by the jury to the testimony as it falls from the lips of the witnesses. As, for instance, if in your judgment the surrounding circumstances would justify such a conclusion, you would have the perfect right to believe one witness as against ten. Another familiar rule is, that if you are satisfied that any witness on this trial has sworn falsely to any matter that is material in the issue, that witness is not to be believed with regard to any other matter unless he be corroborated. Now it is claimed, as I said before, that the theory and the testimony of the plaintiff are corroborated by the witness Early. You saw both the plaintiff and his witness upon the stand, and you have not lived, gentlemen, as long as you have, and you do not occupy the position in the community that you are presumed to occupy from your position as jurors, without knowing a little something of human nature. The defendant goes upon the stand and indignantly, as I judged from his manner, denies that he ever had any transaction of this character with the plaintiff in his life; and he says another thing that is somewhat remarkable in one view of the case—that he never saw the witness Early in his life. Now, if that statement be true, if you are satisfied that Mr. Wilson swore truthfully upon that stand, then this is one of the most outrageous cases of conspiracy to defraud and to swear away the reputation of a man, which is dearer than his life, that it has ever been my misfortune to hear of. And, however this trial may terminate, whatever conclusion you may arrive at, I trust that there will be some one sufficiently interested in the due administration of the public justice to see to it that the perjurer, whoever he may be, does not escape punishment. Now, it is contended on the part of the defendant that he is corroborated in some particulars by the brother of the plaintiff, and it is sad to see brothers in a court of justice opposed to each other; but in this case it may result from the necessities and the circumstances which surround both. Cornelius Read swears (and I trust you will not forget that testimony, because if the testimony be true, in my judgment, it disposes of this matter entirely) that his brother stated to him that it was his purpose to bring some kind of action against Mr. Wilson. You remember the conversation as stated by the witness Read. If his testimony be true, and of that, as I stated before, you are the supreme judges, the fact of this conspiracy not only to defraud but to swear away the reputation of a public officer, and upon the stand calling the living God to witness to the truth of the statements given, is fully established. And I may say that if men of that description (and I don't undertake to say that the plaintiff is a man of that description—that is a matter for you to pass upon) are to be believed, then the reputation, then the name of no man is safe. Now, gentlemen, you have heard all this evidence. It is for you to say which side has told the truth, which side has committed the perjury. That perjury exists is beyond question. You should finally consider this case carefully for another reason. A great many able men have claimed to discern in the alleged mismanagement of the different branches of government in the United States signs of a decay of public institutions. If a practice such as is hinted at by the theory on one side in this case exists then we certainly in the city of New York are in the hands of a terrible misgovernment; but if, on the contrary, it be false it is your duty to vindicate the character and reputation of men who strive to serve the public honestly and faithfully.

The jury retired and found a verdict for the defendant.

Mr. Cephas Brainard, counsel for Mr. Wilson, requested the Court to commit the plaintiff and his witness to the custody of the police authorities.

Counsel for plaintiff opposed the request, and the Court decided as follows:—

The Court—I am satisfied that a felony, to wit, that of perjury, has been committed, and as a public servant and in the interests of public justice I deem it my duty to comply with the request of counsel in ordering the plaintiff and his witness into custody.

Read and his witness were taken in charge by the officers of the court, and Mr. Wilson and his counsel proceeded immediately before Justice Dodge to prefer a charge of perjury against them.

COURT OF GENERAL SESSIONS.

Before Judge Bedford.

District Attorney Garvin and Assistant District Attorney Tweed represented the people yesterday.

BURGLARIES.

Wm. Conners pleaded guilty to an indictment charging him with entering the dwelling house of Alexander McKeever, No. 33 Monroe street, on the afternoon of the 28th of April and stealing eighty-five dollars' worth of wearing apparel. The prisoner, on being asked by the clerk what he had to say, said that he was sorry for what he had done and asked that his Honor would give him one more chance. Judge Bedford, in passing sentence, observed that he had sympathy for his wife and child, but he could not, either as a man or a judge, have any for him. You are an ex-convict, continued the City Judge, and I hold in my hand two indictments against you—one for burglary and the other for larceny. In the larceny case you acted the part of a thief and a coward in seizing a woman by the throat and nearly strangling her to death. The sentence of the Court is that you be sent to the State Prison for five years.

Frank Deane, who was indicted for entering the house of Edward Joyce, No. 27 East Broadway, on the night of the 20th of December, and stealing eighty-three dollars' worth of property, pleaded guilty to grand larceny.

Judge Bedford remarked to the prisoner that, had he gone to trial, he would have been convicted of the burglary; that he had been more fortunate than others in not being arrested, because his associations were bad, and he (the Judge) had reason to believe that he was connected with a gang of thieves. He was sent to the State Prison for three years and six months.

GRAND LARCENY.

William F. White, a colored man, pleaded guilty to grand larceny, he having on the 25th of March stolen $345 worth of wearing apparel, the property of William H. Rutzer, 1,337 Broadway. He was sentenced for four years to the State Prison.

FORGERY.

August Herty, who was indicted for forgery in the third degree, pleaded guilty to the fourth grade of that offence. He was charged with forging an order upon Mr. Otto C. Ahrens, 104 Second avenue, on the 28th of April, by which he obtained a suit of clothes belonging to the complainant. The property was recovered.

The City Judge, in disposing of this offender, said that the forgery was of a mean, sneaking character; for he represented by a forged order that he was the husband of a certain lady, and sent a little boy whom he met in the street for a suit of clothes. Believing that it was the prisoner's first offence, the District Attorney accepted a plea of forgery in the fourth degree. He was sent to the Penitentiary for one year.

John Turner was placed on trial charged with burglary in the first degree, the complainant being Mrs. Sarah Nathan, residing at 99 Hester street. She swore that upon her return from market on Saturday, the 24th of April, she saw two men in her back parlor, one of whom was the prisoner, who struck her in the face; he escaped that afternoon, but she gave a description to the officer on the post, who arrested him the following day. The accused proved that he was a carpenter and worked steadily at his trade; and another witness swore that he was with him at the hour of the alleged burglary, and ran across the street, when they heard of the occurrence, to the house of the complainant. When the prisoner was arrested and brought to the complainant he denied having been in the room, but admitted that he was in the yard. Mr. Howe declined to sum up the case, being satisfied to leave it under the Judge's charge. Judge Bedford delivered a very clear and impartial charge, and, after deliberating for half an hour, the jury rendered a verdict of not guilty.

A FELONIOUS ASSAULT.

Carl Kirchgesener was tried upon an indictment charging him with committing a felonious assault upon Mary Marx, on the 7th of April. The testimony showed that the prisoner had ill will against his sister-in-law and visited her place. He entered the room with a razor in his hand, and assaulted her. The complainant, Miss Marx, was in the room at the time, and was assaulted by the prisoner, who inflicted serious injuries upon her hand and cheek. From the cross-examination of Judge Stuart (who was assigned by the court to defend him) it appeared that the prisoner had no ill feeling towards Miss Marx. The Judge argued that the accused could not be convicted of an assault with intent to kill. District Attorney Garvin made a forcible and eloquent appeal to the jury, claiming that the testimony showed the prisoner to be guilty of a malicious and aggravated assault, and that it was to juries that society looked for the protection and preservation of human life. The jury rendered a verdict of guilty of an assault with a dangerous weapon, with intent to do bodily harm.

Judge Stuart contended that the indictment was wholly insufficient to sustain the verdict, and moved an arrest of judgment.

Judge Bedford denied the motion, and in sentencing the prisoner said:—

PRISONER—You have been tried and convicted of a cowardly and dastardly act. It appears that, without provocation and armed, as it were, for the occasion, you visit No. 410 East Thirteenth street. You enter the room, and, it may be, to gratify a rankling vengeance, immediately advance towards your sister-in-law and inflict a serious wound in her side, endangering her life. And then, not yet satiated, but still eager for more blood, you hastily approach a young girl, who, terrified at your conduct, begs for her life; you, heedless of her entreaties, deliberately approach her and inflict a severe wound on her throat and then nearly succeed in severing her hand from her wrist, thus disfiguring and maiming, and I may say impoverishing her for life, for she earned her daily bread as a sewing girl. Your conduct is fiendish and atrocious, and deserves the severest penalty known to the law, which is five years in the State Prison.

ALLEGED MURDER.

Among the prisoners arraigned was Wm. Nicholson, charged with the murder of Patrick McCormick. Mr. Howe, his counsel, stated that although the indictment was for murder in the first degree the District Attorney would find upon an examination of the papers that the offence was only manslaughter in the third degree. The prisoner was remanded.

SPECIAL SESSIONS.

Before Judge Dowling.

The calendar was unusually small, only twenty-three cases altogether, of which twelve were charges of assault and battery and eleven petty larceny. Most of these pleaded guilty and the offences were of trifling character. Only few features of interest revealed themselves in the cases that were tried.

A TRAINOR IN TRAINING.

Philip Trainor is a cartman. On the first of the month he devoted his energies, with horse and cart, to carting furniture for moving families. His tariff of exorbitant charges did not satisfy his cupidity. Mrs. Sanger whose household *lares et penates* he had engaged to move, carelessly left her pocketbook containing twenty-five dollars on the table. Trainor was charged with picking up this pocketbook and pitching it out of the window, with the view of making himself richer by this means. Mrs. Sanger detected this little game of one-handed pitch, and after recovering her pocketbook caused the arrest of Trainor. Such was Mrs. Sanger's narrative to the Judge. Her plain story could not be shaken by the badgering of counsel.

"I think, Trainor," said the Judge, after the conclusion of the testimony, "that you need a much severer punishment than I shall give you. It is bad enough that the rapacity of landlords compels people to move, and that those moving have to submit to the further rapacity of cartmen without being robbed besides."

"But the woman got her money back," interposed the prisoner.

"It was no thanks to you she did," answered the Judge. "You set deliberately to work to rob her. I shall put you in training for a month at the Penitentiary, and hope the process of training will make you that *rara avis*, an honest cartman."

AN ARGOSY NOT ALL AN ARGOSY.

Edward Cahill, according to the complaint preferred against him, has a taste for literature. He was charged with taking from No. 142 Nassau street a book valued at three dollars, entitled "The Argosy." It did not prove an argosy of literary wealth to him.

"What was the character of "The Argosy?" asked the Judge of the complainant, Mr. Dyer.

"Principally made up of Reid's works," Mr. Dyer answered.

"The prisoner was proposing to enter on a course of reading," observed the Judge, whose facetious propensity rarely lets slip the opportunity of a possible joke. "I'll give him a month at the Penitentiary to digest what he has been reading, by which time he will doubtless be willing to pay for his future literary pabulum."

AN EARLY CALL AND THE RESULTS.

James Houston called at the residence of Lewis Block at an early hour three mornings since. Mr. Block, as head of the house, naturally inquired the purpose of his visit. Mr. Houston was not in a mood to undergo catechising. Mr. Block still pursued his investigations. Mr. Houston put in a further demurrer, and, as Mr. Block said, savagely beat him in his own house.

"How is this?" the Judge asked the prisoner.

"I was never in his house, your Honor," promptly asserted the accused.

"Positive on that point?"

"Perfectly positive."

A young lady testified that all, or rather only, accoutered as she was in her *robe de nuit*, she went into the hall, on hearing the altercation, and there saw the prisoner beating Mr. Block, and now identified him beyond all question.

"Are you positive on this point?" the Judge asked her.

"Perfectly positive."

"Two negatives make a positive in grammar," said the Judge," but two positives make positive more positive in a court of justice. I fine you fifty dollars."

ALLEGED AN ALIBI.

Ever since the famous Pickwick trial an alibi has been a strong and favorite plea of those charged with breaches of the law. Maria Dayton, a most robust female of Celtic descent, entered this plea upon being accused by Mrs. Ida Scott of stealing a dress of hers. Mrs. Scott lives at New Market, N. J. In August last she came to this city, and, as she stated, engaged the prisoner to superintend the cooking and laundry affairs. In four days the prisoner left, and afterwards the dress was missing. Three days ago she saw Maria at the Cortlandt street ferry house having on the identical stolen dress.

"Know positively the dress was yours?" inquired the magistrate.

"Could tell it among a thousand," she answered.

"What do you say to this charge?" the Judge asked the prisoner.

"Last August I was in Philadelphia," she answered, "I never worked for this woman."

"You could swear to this?"

"On the Bible. Never saw her in my life till she arrested me."

"Where did you get the dress?"

"I bought it at a second hand store in Philadelphia."

"I do not believe a word you say," sharply spoke up the Judge. "You are a bad woman—one of many bad women who haunt intelligence offices and hire yourselves out to work for no other purpose than robbery. I send you two months to the Penitentiary."

A PEDLER LAYING IN HIS STOCK.

Pedlers have an undoubted right to occasionally replenish their stock in trade beside the legal mode; but there are ways it should not be done. Charles Schirmehan, a young gentleman of strongly marked Hebrew features, was charged with stealing a gold pen and pencil from Mr. Schneider. The evidence showed that he was looking at some goods under pretence of purchasing and that, thinking no one was watching him, helped himself to the pen and pencil.

"What's your business?" asked the Judge.

"A pedler."

"Went to this place to replenish your stock in trade, I suppose."

"Yes."

"Is peddling good business?"

"Yes."

"Have been making money at it."

"Yes."

"Hard work, isn't it?"

"Yes."

"Well, I'll give you a chance to get rid of some of your money and rest yourself awhile. I fine you $50 and sentence you one month to the Penitentiary."

ASSUMING POLICE DUTIES.

Michael Murray was charged by Mr. Mooney with assault and battery. The complainant stated that he is employed to keep watch at the railroad tunnel at Thirty-second street, and that his principal duties are to keep persons from going into the tunnel and riding on freight cars. Murray was on a freight car and he ordered him to get off the car. Murray not liking his mandatory way pitched into him and gave him a severe beating.

"Why didn't you call for a policeman?" the Judge asked the complainant.

"I thought myself a good enough policeman."

"It seems you were not, for you got the worst of it, and a good policeman never allows anybody to get the best of him."

"That's so," laconically remarked Mooney.

"I think you were assuming policeman's duties," said the Judge, "that hardly belong to you. I shall remand the prisoner for further inquiry in the matter."

COURT CALENDARS—THIS DAY.

SUPREME COURT—CIRCUIT.—Part 1—Short causes. Nos. 977, 1733, 1795, 1968, 1979, 4551, 2449, 2685, 2833, 2853, 2877, 3001, 3007, 3053, 3139, 3225, 3229, 3261, 3283, 3307, 3339, 3391, 3411, 3415, 3429, 3531, 3553, 3555, 3559, 3609, 3657, 3671, 3693, 3715, 3733, 3751, 3753, 3777, 3789, 3809, 4057, 4061, 4167, 4181, 4213, 4233, 4311, 4329, 4343, 4257, 4363, 4375, 4389, 4393, 4401, 4453, 4507, 4529, 4543, 4549, 4557, 4567, 4569, 4605, 4611, 4613, 4615, 4627, 4629, 4635, 4637, 4649, 4755, 4759, 4765, 4775, 4793, 4805, 4811, 4815, 4819, 4821, 4823, 4835, 4839, 4841, 4845, 4855, 4857, 4877, 4879, 4885, 4887, 4891, 4911, 4913, 4915, 4925, 4939, 4941, 4977, 5035, 5065, 5075. Part 2—Nos. 4931, 1300. Part 3—Short causes—Nos. 4186, 4632, 1312, 1898, 2032, 2272, 2286, 2340, 2356, 2544, 2566, 2642, 2672, 2720, 2732, 2802, 2854, 2862, 2910, 2996, 3018, 3080, 3092, 3110, 3186, 3224, 3270, 3274, 3318, 3340, 3360, 3362, 3376, 3412, 3422, 3426, 3428, 3494, 3544, 3553, 3570, 3574, 3588, 3608, 3640, 3680, 3716, 3728, 3732, 3734, 3816, 3828, 3834, 3844, 3992, 4082, 4138, 4142, 4180, 4216, 4230, 4240, 4284, 4326, 4330, 4338, 4342, 4364, 4368, 4382, 4390, 4394, 4396, 4402, 4404, 4408, 4416, 4424, 4464, 4466, 4510, 4530, 4544, 4546, 4560, 4570, 4574, 4576, 4608, 4610, 4616, 4624, 4634, 4644, 4646, 4790, 4792, 4804, 4806, 4818, 4820, 4830, 4834, 4844, 4850, 4854, 4856, 4858, 4862, 4874, 4878, 4880, 4882, 4888, 4892, 4894, 4896, 4916, 4918, 4924, 4926, 4928, 4940, 5002, 5022, 5024.

SPECIAL TERM.—Issues of Law and Fact.—Nos. 216, 217, 218, 219, 220, 221, 223, 224, 225, 226, 228, 229, 230, 231, 231½, 232, 233,234, 235, 236.

CHAMBERS.—Nos. 110, 111, 112, 116, 121, 127, 129, 129, 130, 131, 144. Call, 149.

SUPERIOR COURT—TRIAL TERM.—Part 1—Nos. 889, 893, 390½, 879, 426, 409, 917, 789, 881, 939, 941, 943, 945, 947, 949.

COMMON PLEAS—TRIAL TERM.—Part 1—Nos. 1131 611, 254, 617, 619, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641. Part 2—Nos. 517, 171, 548, 642, 643, 645, 646, 647, 648, 649, 650, 651, 652, 654, 655.

MARINE COURT—TRIAL TERM.—Nos. 2227, 2480, 2698, 2210, 2344, 2394, 2681, 2703, 2704, 2704½, 2705, 2706, 2707, 2708, 2709, 2710, 2711, 2712, 2714, 2715, 2716, 2717, 2718, 2719, 2720, 2721, 2722, 2733.

COURT OF GENERAL SESSIONS.—The People vs. George Grey, burglary; Same vs. Cornelius Collins, do.; Same vs. George Dupont, do.; Same vs. John Fogerty, do.; Same vs. Charles Cohen and George Fisher, do.; Same vs. Nettie Mynert and Annie Jamison, grand larceny; Same vs. William A. Overton and Charles Overton, felonious assault and battery; Same vs. Edward Riley, grand larceny; Same vs. Frederick Brandow, do.

CITY INTELLIGENCE.

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

	1868.	1869.		1868.	1869.
3 A. M.	47	52	3 P. M.	62	65
6 A. M.	52	51	6 P. M.	56	60
9 A. M.	55	58	9 P. M.	58	52
12 M.	58	62	12 P. M.	56	56

Average temperature yesterday....57
Average temperature for corresponding day last year....55½
Average temperature Wednesday....55
Average temperature for corresponding date last year....57¾

DROWNED MAN IDENTIFIED.—The body of the man recently found in the dock foot of pier 22 East river, has been identified as that of James Carey, late a resident of Brooklyn. Deceased, who was fifty years of age and a native of Ireland, left home on Monday last to come to his work in this city, and was seen no more by his relatives. He is thought to have been accidently drowned. The body has been delivered over to the relatives for interment. Deceased has left a crippled widow and four children.

SHOCKING CASE OF INFANTICIDE.—Wooster Beach, M. D., yesterday made a post mortem examination at the Morgue on the body of the male child of Eliza Hetzel, late a domestic at 239 East Forty-seventh street. The doctor found a compound fracture of the skull, showing that the mother had used great violence to cause the death of her illegitimate offspring. Owing to the absence of witnesses the investigation was postponed till next Tuesday. Eliza, who stands charged with the crime, is still detained in Bellevue Hospital.

METROPOLITAN ENGINE COMPANY, NO. 9.—There appears to be conflicting statements in regard to the late difficulty between the foreman of this company and several ex-members of the company. The parties arrested for assault and battery on the former were brought before Justice Shandley at the Essex Market Police Court on Saturday last; but, no complainant appearing, the prisoners were discharged as is usual in such cases. The court authorities deny that any assault was committed on Foreman Bent within the precincts of the court as has been stated in some of the daily papers.

ASCENSION DAY.—This festival, with which the Paschal time closes, was celebrated yesterday in all the Catholic and Episcopal churches throughout the city. There are no especial ceremonies for the feast, except the removal of the Paschal candle, which had been lighted at each mass since Easter. This candle represents the Saviour and the light which he imparted to the world from the time of His resurrection until he ascended into Heaven. In several of the churches the musical services were very fine and fully in accordance with the spirit and importance of the festival.

THETA DELTA CHI FRATERNITY.—The twenty-second annual convention of the Theta Delta Chi Fraternity commenced its session at the Astor House yesterday morning, and will remain in deliberation for two days. Delegates are present from the various chapters in all parts of the Union, and a very enthusiastic gathering of the brotherhood is assembled. Among those yet to arrive are several prominent Southern gentlemen, who are interested in reorganizing the chapters which were suspended by the late civil war.

DEATH IN SECOND STREET.—Yesterday morning Coroner Rollins was notified from the Board of Health that Mrs. Silberstein had died early yesterday morning in childbirth, at her residence, No. 306 Second street. Mrs. Boch, of No. 128 Willetts street, officiated as midwife, and Dr. Michael Schom, of No. 322 Third street, was the attending physician. The Board of Health would not grant a burial permit, and hence a reference of the case to the Coroner for investigation. An inquest will be held on the body of Mrs. Silberstein to-day, and the facts connected with her death will be developed.

MILITARY ORDER OF THE LOYAL LEGION.—At the meeting of the New York Commandery, held at Delmonico's on Wednesday evening, the following were elected officers for the ensuing year:—Commander, Admiral D. G. Farragut; Senior Vice Commander, Major General William B. Franklin; Junior Vice Commander, Brevet Colonel Horatio C. King; Recorder and Treasurer, Brevet Brigadier General Charles A. Carleton; Register, Surgeon George Peck, United States Navy; Chancellor, Captain Robert A. Ripley; Council, Commodore A. Ludlow Case, United States Navy; Brevet Lieutenant Colonel Loomis L. Langdon, United States Army; Captain John J. Almy, United States Navy; Brevet Brigadier General John N. Bell, and Paymaster James W. Watmough, United States Navy.

NEW YORK MAGDALEN SOCIETY.—The thirty-sixth anniversary of this institution was celebrated yesterday afternoon. A large number of ladies and gentlemen, friends of the institution, attended the exercises, which were held in the chapel. The Rev. Dr. Ward, of the American Board of Missions, presided. After singing and prayer, the report of the treasurer, Mrs. Charles Fanning, was read by her husband. The balance on hand at the close of last year was $1,366 44; receipts for last year from all sources were $6,993 15; expenditures for same time, $7,614 62; balance on hand, $694 97. It appears from this report that the salary of the chaplain is $500 per annum; of the matron, $300 per annum, and of the two teachers $200 each. The chaplain, Rev. Charles C. Darling, devotes his entire time to the asylum, but does not reside therein. The report of the Secretary, Mrs. A. Merwin, was read by the chaplain, Rev. Mr. Darling. At the close of last year there were 37 inmates in the house, and the number for this year is exactly similar. During the year 134 inmates were admitted, and of these 36 were placed in situations, 30 returned to friends, 43 were discharged at their own request to seek employment, 6 left without permission, 7 were expelled and 7 transferred temporarily to hospital. Addresses were subsequently made by Rev. Dr. Cuyler, of Brooklyn; Rev. Stephen H. Tyng, Jr., and Rev. Mr. Brodt, of this city.

POLICE INTELLIGENCE.

STABBING AFFRAY.—John Gallagher, accused of stabbing Wm. Murray several days ago, as reported at the time in the HERALD, was yesterday arrested by an officer of the Third precinct and brought before Justice Hogan, at the Tombs. The officer stated that it was believed the injuries of Murray would prove fatal. The Judge ordered the temporary commitment of the prisoner, and directed the officer to port the case at the Coroners' office.

APPEARANCES NOT ALWAYS DECEITFUL.—A peculiarly shabby looking youth was seen by detective Stevens, of the Fifth precinct, with a well filled bag, trying to negotiate with a cartman. The officer thought there might be something in it (that is in the bag) worthy of his official investigation. It turned out that the bag contained eight writing cases, of the value of sixty-five dollars, which had just been stolen from the hatchway of the store of Samuel Houston, No. 130 Church street. The accused, who gave his name as John West and aged nineteen, confessed to stealing them. He was yesterday taken before Justice Hogan, at the Tombs, and committed for trial.

CHARGE OF PASSING WORTHLESS CHECKS.—L. W. Creighton, formerly in the stationery business, was yesterday arrested and brought before Justice Hogan, at the Tombs, on a charge of passing worthless checks. There are a large number of complaints. The checks were principally on the Manhattan, Marine National and Eighth National Banks, and for small sums, from fifteen to twenty-five dollars each. Roundsman Croker, of the Tombs squad, has been for some time looking for him. For two days and nights he "piped" a dwelling house in Brooklyn, a young lady in which he was courting; but it seems the young man had been previously forbidden the house by the stern parent. Officer Snyder, of the Seventh precinct, happened to see him yesterday on a ferryboat, and at once arrested him. He was temporarily committed.

THE ALLEGED STOLEN CENTRAL AND UNION PACIFIC RAILROAD BONDS.—This case, the particulars of which were fully reported in yesterday's HERALD, was to have undergone an examination yesterday at two P. M. before Justice Hogan, at the Tombs. Detectives Irving and Coyle, of the Police Headquarters, promptly at the hour named, brought their prisoners into court. After some discussion between counsel, among whom was Mr. Clarence A. Seward, son of the late Secretary, the examination for the better accommodation of all parties was postponed till the 18th instant. Meantime the accused parties, William Muir and William H. Herrick, gave bail in $10,000 each for their appearance.

ALLEGED CONFIDENCE OFFICE.—Yesterday, at Jefferson Market, were arraigned, by detective Joseph Sands, of the Ninth precinct, parties who gave their names as Sam Cox (evidently assuming the Congressman's livery) and William Van Wagner, occupants of a basement office corner of Charles street and Greenwich avenue, on the charge of obtaining money by false pretence. It is charged by the officer that the occupants of the basement, who have, by false representations, secured a permit from Marshal Tooker to conduct business as an intelligence office, have, by trick and device, swindled various parties out of various sums from fifty cents to $1 50 each. Detective Sands had ten complainants in court, but as Justice Ledwirth was busily engaged at a quarter past four, the usual hour for closing, in hearing other cases, no complaint was taken up to that time, notwithstanding that the principle sufferers were present.

THE CONDITION OF THE SOUTH.

Highly Interesting Meeting of the New York Fruit Growers' Club—Emigration to the South—Remarks of Generals Imboden, Cabral, Tochman and Dr. De Leon—The True Feeling of the Southern People Explained.

The New York Fruit Growers' Club met yesterday afternoon at their rooms No. 35 and 37 Park place, Dr. Hallock in the chair. Mr. Carpenter presented a number of strawberry plants of the Charles Downing variety, originally from Kentucky, for free distribution among the members. He also stated that he had reliable information that small and other fruit, particularly pears, are being grown in large quantities in Missouri, where they ripen several weeks earlier than in New Jersey, and that this year we may look to Missouri for our early fruit, even for strawberries, which will be shipped in refrigerator crates. After debating for some time the best way in which to plant and grow strawberries, the principal question of the day came up—the matter of emigration to the Southern States—about which several gentlemen from the South were expected to speak.

The first who addressed the meeting was General Tochman, of North Carolina, a native of Poland, but long a resident of the South. He said that the question under consideration was prompted by the intention to obtain correct information as to where producers should go; and he could only say that farmers, gardeners and others tilling the land should go South. He was not biassed by the natural feeling of nativity, as he was not a native of the South, but of the North of Europe. But he has been long enough in the country and through every part of it, to enable him to judge. From statistical tables the information is gained that the rate of mortality is less and of longevity greater in the South than in the North and West. The exports of the South are larger than those of the North, East and West combined; this was so before the war, and is so now. The war has impoverished the people, but has not changed the climate nor destroyed the fertility of the soil. He would read from the report for 1867 of the Statistical Bureau at Washington, that the population of the Southern States for that year was 9,568,709, while their exports were $328,406,757. The population of all the other States in the same year was 24,916,765, and their exports $243,202,243; hence while the Southern States had but twenty-eight per cent of the entire population, they furnished sixty-nine per cent of the toal value of exports, or $34 32 per head, while the pro rata share in the other States is but $25 75. This is not accidental or an isolated instance. The same difference has been maintained since the beginning of the government. Before the war, in 1860, according to the United States census taken in that year, the population of the Southern States was 10,259,007, of all the other States 21,185,963. The average amount of corn raised per head in the South was 53 2-100 bushels, in the Northern and Western States only 19 bushels. After the war, in the year 1866, the population of the South had decreased to 9,560,709, and yet, while one-half of their newly made "fellow citizens of African descent" refused to work, expecting each the gift of land and mules from the federal government, the average yield of corn for each inhabitant, white and black, of the South, was 33½ bushels. The population of the Northern States in the same year was 24,916,767, and the average yield of corn for each 24 bushels. These figures are based upon the census of 1860 and upon the reports of the Statistical Bureau at Washington. This can be attributed to no other cause than the geniality of climate and greater productiveness of the soil. Some may consider this view wrong and reply that the larger surplus in the South results from the fact that the consumption is less and that the farmers of other States consume more of their products. This is true, but it only proves what he would demonstrate. The Northern farmer consumes only during the 109 days of winter and produces nothing, while during the same time even the Southern farmer produces more than he consumes. And this is one of the additional reasons why labor is better remunerated in the South. True, not every spot is fertile and healthy; it is the same in this regard as in other States, and such localities should be and are avoided. But he would specially invite the attention of the meeting to Virginia. That State lies in the same latitude as the Promised Land, the same skies were garnished for Virginia, upon which the Saviour gazed. The Pleiades, Orion, Arcturus rose and shone over the patriarchs of the Bible and they do so to this day over Virginia. That State has an extent of 61,352 square miles, being about 428 miles from east to west and 210 miles from north to south. No other State in the Union has such a varied surface or such a variety of climate, and products are as varied. Tobacco, sweet and white potatoes, wheat and other grain are indigenous to the soil, and the fig and olive of the Promised Land also abound. In mineral wealth Virginia is not surpassed, except by the gold region, and in coal and in the availability of water power it challenges comparison. There are now 771 miles of railroad and two other routes, the Ohio and Chesapeake and the Norfolk and Western Railroad are in course of construction, offering speedy access for all products of the soil and industry to home and foreign markets. To this land of promise the Northern people are invited by the inhabitants. They fought as well as they could so long as the war lasted, but they have submitted honestly and in good faith, and call upon those whom they looked upon as enemies in war, but as earnest friends and fellow citizens now, to "move on to Richmond" with their hoes and ploughs and spindles and mills, and help to rebuild the Mother of States and of Washington. A farm of 300 or 400 acres can be purchased there for what it costs to go with a family to the Northwest or to the Pacific. Long credits are offered, so that a farmer of moderate means can secure himself a homestead for less means than anywhere else.

Mr. Bruyn believed that the statistics given did not state the case truthfully. Among the exports the product of the shoe industry, hay, iron, cotton and the like does not figure, nor the Northern trade down the Mississippi. Another gentleman, however, thought that this was not the way to make such objections, but if the gentlemen from the South would glorify their States, then let them do so.

General Tochman stated that he would not lower the productive industry of any part of the country, as he felt the whole and every part of it to be his country, but the figures he gave were from the census of the United States, and if that is not true what on earth can be?

After some further remarks upon this, Mr. Fuller suggested that it had been represented that in certain counties of Virginia—Warrington, for example—Mosby and his spirit are still rampant; that a white man from the North cannot remain there. He knew Virginia to be a fine State, far superior to many portions of the West, but he wanted to know whether by going there one does not jump into a hornet's nest. General Tochman declared these injudicious and disadvantageous reports to emanate from people called "carpet-baggers," and not from honest, permanent settlers. There were men from New York, Massachusetts and from the West who have located there and settled permanently, and they were never molested, but received in society and treated as friends and neighbors. The same rule applies in the South as in the North—a decent man, entitled to respect, is welcome in society; others are not. This conversation was continued for some time between Mr. Fuller, Mr. Bruyn and General Tochman, when the latter stated that General Imboden could speak with better knowledge of individual localities in Virginia than he could. The mention of General Imboden's name was received with applause; but he wished to defer what remarks he desired to make and introduced General Cabral, of Florida, who, though a native of Virginia, lived a lifetime in the former State and represented it for several sessions in Congress.

General Cabral would make no speech, but only in a conversational way commune with those present on the advantages offered by the South to emigration from the crowded districts in the cities, as well as from agricultural sections, where the price of land has risen too high. The information which Mr. Fuller has received must be unfounded. They in the South had lost all except their lands. They have no future before them but in the increase in the value of these lands, that can only be done by an increase of population, which must come from the teeming millions of the North. It is therefore their interest to offer every inducement to and invite immigration, instead of repelling it. Governor Wise was known as a man of extreme opinions on the Southern side during the war, and he (the speaker) had asked him what his feelings were in regard to immigration, and the Governor replied, "Go, tell them to come, and God bless them for coming." There may be individual instances where a rancorous feeling is expressed, but with nineteen-twentieths of the Southern people all the animosities of the war are buried. They fought the fight as best they could; they believed it honestly to be their interest to do so; they failed; and now, by common accord, they are all determined to show by their acts that they are henceforth and forever good citizens of a common country. Those who under the first impulse of disappointment and despair had left the country have returned to the land which was the grave of their ancestors and will be the home of their children; and whatever complaints they may have against measures of administration, they believe the sytem of government to be the best. There are some new residents in the South who make themselves specially odious, as he knew a case where a late Confederate officer visited the house of a Freedmen's Bureau agent, and, on leaving the house, the latter made the remark that his house had never before contained so much spoiled meat. Of course in the non-reconstructed States it could not be expected that the military officers of the government would be regarded with peculiar affection. There was no feeling of equality between the citizen and the military; the one was the subject and the other the ruler, and hence there could be no cordiality between them.

The hour for adjournment having arrived it was agreed that that subject should be further discussed at the next meeting of the Club. After a few words from Dr. De Leon—to the same purport as those of General Cabral—General Imboden thanked the Club for the courtesy they thus extended to him, and stated that he would write to a number of Northern men who have lately settled in various parts of Virginia and read their answers at the next meeting. And he was, he said, more encouraged in this by an event which had lately happened. The man who alone among men possesses the full reverence of the Southern people met with President Grant, at the latter's invitation, in the White House—the two representative men of the two sections. He considered this of greater importance for the future of the country than anything that had happened since they laid down their arms at Appomattox, and he hoped that the people of the North would imitate their President. Mr. Carpenter expressed the thanks of all present to the gentlemen from the South who had thus acceptably spoken and explained the condition of sentiment among their people, and then the Club adjourned.

CHAMBER OF COMMERCE.

Annual Election of Officers—Resignation of Mr. Chittenden—Congratulatory Despatch on the Completion of the Pacific Railroad.

A meeting of the Chamber of Commerce was held yesterday afternoon for the annual election of officers.

Mr. Low, of the Executive Committee, offered a list of resignations during the year, which were accepted. The president here vacated the chair and Mr. A. R. Wetmore took his place. Mr. Low then read the following list of officers proposed for the ensuing year:—

President—William E. Dodge.
First Vice President—George Opdyke.
Second Vice President—R. Warren Weston.
Treasurer—Francis S. Lathrop.
Secretary—George Wilson.
Executive Committee—Walter S. Griffith, chairman; Abiel A. Low, Samuel D. Babcock, Philo C. Calhoun, Wilson G. Hunt, A. R. Wetmore, William M. Vermilye, Charles H. Marshall, George W. Lane, Jackson S. Schultz.
Chairman of Committee of Arbitration—Josiah O. Low.
Member of Committee of Arbitration—Joseph Stuart.
Committee on Mercantile Library—Henry K. Bogert, chairman; Wilson G. Hunt, John K. Myers, William E. Dodge, Jr.; Henry F. Spaulding.
Trustees of the Institution for the Savings of Merchants' Clerks, to serve for the term expiring May, 1872—Joseph Gaillard, Jr.; John Armstrong, John D. McKenzie.
Committee on Gold Statistics—Samuel B. Ruggles, chairman; James Brown, William T. Coleman, Denning Duer, George S. Coe.
Member of the Board of Commissioners for Licensing Sailors' Boarding Houses or Hotels in the Cities of New York and Brooklyn—George F. Chester.

The following letter of resignation was read from Mr. S. B. Chittenden:—

NEW YORK, May 5, 1869.

A. A. Low, Esq., Chairman of Executive Committee, &c.:—

DEAR SIR—I am reminded that the annual meeting of the Chamber of Commerce occurs to-morrow, at which officers for the ensuing year are to be elected.

Though sincerely grateful for the undeserved honor of a repeated election to the office of Second Vice President I am constrained by imperative private reasons to decline re-election. If, therefore, my name should be mentioned as a candidate please suppress it. Very truly yours,

S. B. CHITTENDEN.

The ticket was unanimously elected.

Mr. Dodge said he felt complimented on his reelection as President of the Chamber and he trusted he should act his part so as to meet with their continued confidence and approval. He would beg to throw out a suggestion that the hour of meeting be changed from one to two o'clock, as the latter hour was better adapted to the necessities of business men.

Mr. S. B. Ruggles offered a resolution that next Saturday the Chamber of Commerce of New York send a message to the Chamber of Commerce, San Francisco, congratulating them on the completion of the Pacific Railroad. Mr. Ruggles proceeded to say that the bill which was introduced in the House of Representatives to construct the Union Pacific Railroad was the work of a New York member, Mr. Briggs, and made its appearance simultaneously with the destructive movement of secession. While one section of the republic was seeking to destroy, another was laboring to build up, the republic.

Mr. Low thought the motion was very opportune.

The President made a few remarks in reference to the construction of the Union Pacific Railroad, and considered there was a great deal of unnecessary and unmeaning criticism on the work in question. It was as well constructed as any other railroad has been in its preliminary stages, and in the usual way and in the course of time would be gradually brought to perfection as a railroad.

The motion was adopted and a committee of four appointed to transmit the message, consisting of Messrs. Ruggles, Low, Opdyke and the President.

Mr. Opdyke offered the following resolution, which was accepted:—

Whereas Congress at its last session appropriated $2,000,000 for the improvement of the harbors and rivers of the United States, to be apportioned under the direction of the Secretary of War, and whereas obstructions exist in the East river to the great detriment of safe navigation, therefore,

Resolved, That this Chamber respectfully ask of the Secretary of War an early and sufficient apportionment of this appropriation to remove these obstructions.

The committee appointed by the Chamber to confer with Professor Pierce, Superintendent of the United States Coast Survey, reported progress. The Professor observed to the committee that our harbor, with its great conveniences, is the cause of the assembled and ever growing population around us, and great care should therefore be taken to preserve it and keep it from injury. A detailed report may shortly be expected from the superintendent and his associates. After hearing the report of the Finance Committee the Chamber adjourned.

ROBBERIES IN BROADWAY.

A Clever Detective Case—Recovery of Stolen Property.

For several months Mr. Henry Lux, boot and shoe dealer at No. 743 Broadway, has suspected that an organized system of robbery was being carried on by some person in his employ, aided by outside parties. Mr. Lux determined to fathom the mystery of the sudden and strange disappearance of valuable stock, covering a period of several months and a large sum. With this object in view he kept a close watch over his employés, but failed to trace the robberies to any one in his employ.

A few days ago he called at the Fifteenth precinct station house and had an interview with Sergeant Ferris—one of its most astute officers—who had his theories as to who committed the robberies. The result was that special officer John G. Tully, of the Fifteenth precinct, was detailed to work up the case, discover the guilty parties, if possible, bring them to justice and recover the property. Mr. Tully entered into the case with a determination to succeed. His first effort was to discover the habits and resorts of Mr. Lux's employés. For several days he watched their every movement, and on Tuesday was impressed with the idea that Abraham Greenwood, one of the messenger boys, was the principal in the robberies.

On Wednesday Mr. Tully arrested Greenwood, who, on being charged with the offence, made a voluntary confession and offered to show the detective the parties to whom he had sold the stolen property.

Accompanied by the young man (Greenwood), who is only seventeen years of age, the detective visited the premises of Timothy Mullens, No. 553 Third avenue, where he recovered $210 worth of the property, which, it is alleged, had been sold by Greenwood for $20 50; the store of John Baldwin, No. 3 Peck slip, where (it is alleged by Greenwood) he sold forty dollars' worth for six; the premises of Owen McMahon, No. 86 Frankfort street, where he alleges he sold twenty dollars' worth for eight, and the shop of Wolf Marx, No. 320 Pearl street, where twenty-nine dollars' worth of property was sold for three.

The total value of the property stolen, extending over a number of months, is not precisely known, but as over $300 worth has been recovered it must be largely in excess of this sum.

At four o'clock yesterday an examination was entered into before Justice Ledwith, counsel appearing for one of the accused—Mullen. The counsel conducted a lengthy cross-examination of Mr. Lux, and had a legal set-to with the Justice, in which Mr. Ledwith, as usual, curtailed it very materially. The parties were held for trial. The receivers, of course, deny all knowledge that the property was stolen, but it is understood they do not deny having become possessed of so much of it as was found on their respective premises.