NEW YORK CITY.

THE COURTS.

UNITED STATES CIRCUIT COURT.

The Davis Perjury Case.
Before Judge Benedict.

The United States vs. George B. Davis.—The trial of this case was resumed yesterday, the prisoner appearing in court free from all the excitement and perturbation of mind exhibited by him on the previous day.

Mr. Lepaugh, counsel for the defendant, deemed it his duty, however, to object to the trial proceeding urging that his client was not in a proper state of mind to be put upon his trial.

The Court overruled the objection and directed the case to proceed. The first witness called was

United States Commissioner John A. Osborn, who testified that the affidavit made by defendant before Justice Dodge was read to defendant by him (witness) on the 11th day of June, 1868, and he (defendant) then swore and subscribed to it. A warrant was issued on that affidavit, and on that warrant Collector Joshua F. Bailey was arrested and subsequently held to bail on the charge contained in the affidavit examined and discharged. A charge was then preferred against the defendant for perjury, and witness issued a warrant for his arrest, and after examination on the charge of perjury held him to await the action of the Grand Jury.

Joshua F. Bailey, Collector of the Thirty-second district, sworn and examined:—He testified that the defendant (Davis) was at his office in October, 1867, when he voluntarily made statements to him (witness) about the firm of Jones & Co., wholesale whiskey dealers, and in which defendant was a salesman; defendant at that interview showed plaintiff a plan representing layers of pipes, which he stated ran under ground between the stores of Jones & Co. and the stores of Harris, Gaines & Co., connecting the distillery of Jones & Co. with the bonded warehouse of the latter; defendant at the time said that there was a good deal of excitement and watchfulness exhibited at the premises of these parties, and that he was afraid to go there alone, but that if Mr. Bailey would send an officer to protect him and some one to do the digging he would go down and expose the frauds which he alleged were being there committed; he also said that he did not wish to have Jones & Co., his employers, suspect that he had made these statements against them voluntarily, but wished to be placed under arrest; witness put him under conditional arrest, it being understood that it was only for appearances; the affidavit made by Collector Bailey in reference to the two concerns of Jones & Co. and Harris, Gaines & Co. he merely made on information and belief and on the strength of the statements made by the defendant, and which he (defendant) said he was willing to swear to; on inquiry the Collector ascertained that the defendant's charges against Jones & Co. and Harris, Gaines & Co. were altogether unfounded, and no action was taken in the premises and no further attention was paid by him to defendant; the latter, however, six months after these occurrences went before Justice Dodge at the Jefferson Market Police Court and made an affidavit of perjury against Collector Bailey, in that Mr. Bailey had sworn falsely in the matter of Jones & Co., although the charges made in that case were only sworn to on knowledge and belief emanating from what the Collector had derived from the complainant in that case himself; witness was arrested, and the examination that followed resulted in the impeachment of Davis, his arrest, examination and indictment by the Grand Jury and the present trial. The foregoing facts were elicted from Mr. Bailey's examination, and the case was adjourned to this morning.

SUPREME COURT—CIRCUIT—PART 1.

The Sharkey Conversion Case—Verdict for Plaintiff.
Before Judge Peckham.

Gertrude W. Sharkey vs. John Kelly, Sheriff, &c.—The plaintiff is the wife of Marquis de Lafayette Sharkey, formerly a merchant of this city, who, it will be remembered, was confined for nearly a year in Ludlow street upon proceedings instituted against him as a judgment debtor for alleged fraudulent concealment of property. Numerous motions were made, before almost every one of the judges of the Supreme Court, as well as the Superior and Common Pleas, and in each instance these applications were opposed by the creditors, Messrs. Goodwin & Co., with a persistency that was remarkable. Finally he was discharged.

In the course of the various levies made by the Sheriff's officers the furniture of Mr. Sharkey's domicile was seized, and this action was instituted by his wife, claiming that the property belonged to her in her own right before marriage. In support of this an ante-nuptial contract, properly signed and sealed, was produced, by which it was stipulated that she should have a house, lot and furniture of the value of not less than $25,000. The contract was signed by plaintiff in her maiden name, Gertrude W. Brown, and bills made in that name for portions of the property were also produced in support of the genuineness of the contract.

The defence claimed that the contract was a forgery, drawn after the marriage, and ante-dated, and argued in support of this from the evidence of plaintiff's father, Mr. Brown, who testified that the seals were affixed before his signature was written. A small portion of the signature was concealed by the seal, which they claimed, and showed that the seals were not affixed prior to the signature.

The plaintiff claimed that this was perhaps owing to the folding and smoothing of the document causing the seal to slip slightly while moist.

The jury, under a favorable charge of the Court in support of the plaintiff's case and the probability of her theory, returned a verdict in her favor for the sum of $6,210, including interest, the full amount claimed. For plaintiff, Raymond & Coursen; for defendant, Brown, Hall & Vanderpoel, and Mr. Fullerton for the creditors of Goodwin & Co.

SUPREME COURT—CIRCUIT PART 2.

Action for Damages to Property—Sinking of a Pier.
Before Judge Cardozo.

Shepard H. Payne vs. James Kennedy et al.—The defendants are owners of the ship Jeremiah Thompson and the plaintiff is a cartman and brings this action for the recovery of $1,500 damages. He alleges that on the 29th day of August, 1866, the defendants' ship was unloading a cargo of iron at pier No. 45 East river. A team, comprising a span of horses, a truck, harness and other appurtenances, were at the time on the pier, in charge of a driver who was in plaintiff's employ, and were there by right and in pursuance of legitimate business. The pier broke down and sunk, carrying the team with it. The horses were drowned, the truck greatly damaged, the harness destroyed, and the driver, plaintiff's servant, seriously injured, rendering him for a long time unable to work. Plaintiff seeks to recover damages for the loss and injury to his property and loss of services of the driver, and for damage to his business by the delay caused in obtaining a satisfactory pair of horses to replace those lost. Plaintiff alleges negligence on the part of defendants.

In the course of the trial defendants moved to strike out all claims for compensation for loss of time in procuring new horses; but the Court ruled that the plaintiff was entitled to reasonable time in which to procure new horses and to compensation for such loss of time if entitled to recover in the action at all. Case still on trial.

SUPREME COURT.

Important to Real Estate Agents and Brokers.
Before Judge Peckham.

John G. Hodge vs. Frederick M. Peyser.—This was an action to recover commissions for renting certain premises belonging to defendant, situate in Pearl street, for the term of twenty-one years, at an annual rent of $12,000. The lessee, by the terms of the lease, had the right to purchase the property within five years for the sum of $150,000.

The plaintiff claimed a commission of one per cent upon the aggregate rent, which was $252,000. The defendant insisted that plaintiff was not entitled to more than $600, and offered to allow judgment to be taken for that amount. The jury found for plaintiff for the full amount claimed, $2,520. D. C. Briggs and A. H. Hitchcock for plaintiff; A. L. Pinney for defendant.

SUPERIOR COURT—TRIAL TERM.

Action on a Railroad Contract.
Before Judge Jones.

George W. Chapman vs. J. Edgar Thompson.—This was an action to recover $47,000 with interest under the following circumstances:—The complaint alleged that on September 15, 1857, the defendant was indebted to J. R. Cooke $7,500 for 150 tons railroad iron sold to him at the rate of $50 a ton. From the evidence it appeared that Cooke was employed by the Pittsburg and Steubenville Railroad Company to construct a bridge over the Ohio river, and which he had partly completed when the company ceased operations, fearing that the work could not be entirely completed before the winter floods set in. Cooke then sold the remaining iron to the defendant, Thompson, president of the road, for the purpose of securing the bridge. This iron, Cooke alleges, was afterwards sold by Thompson to Jewett, president of the Indiana Railroad Company, to whom defendant referred plaintiff for payment. Part of the money was paid and the balance refused. Subsequently Cooke was employed by the defendant to negotiate the exchange of one half million of the first mortgage bonds of the Pittsburg and Steubenville Railroad Company for a like amount of the second mortgage bonds, which, after some considerable labor, as alleged, he effected, charging for his services seven and one-half per cent, amounting in the whole to $42,000, which he alleges was never paid him. On the 23d of July Cooke transferred his claim for services to the plaintiff, who now seeks to recover. The defence is a general denial of all the allegations in the complaint. Mr. Fullerton for the plaintiff, Mr. Greene for defendant.

SUPERIOR COURT—TRIAL TERM—PART 2.

Alleged Breach of Contract.
Before Judge Monell.

Mahoney vs. Cristadoro.—The action in this case was brought to recover $1,000 for an alleged breach of contract. Plaintiff averred that the defendant agreed to let him have a cigar store in his tonsorial establishment under the Astor House, the annual rent to be $2,000. Plaintiff quitted his situation in order to take possession, but the defendant, he alleged, refused to allow him to take possession on the ground that the proprietor of the hotel had not given his consent. Verdict for the defendant.

SUPERIOR COURT—SPECIAL TERM.

Decisions.

Judge McCunn rendered judgment in the following cases:—

Trufant vs. Morrill et al.—Motion granted and referee appointed.

Smith et al. vs. Smith.—Motion granted.

White et al. vs. American Steel Tool Company.—Motion granted.

Carpenter vs. Leeke.—Motion granted, without costs.

Barnum & Van Amburgh Museum Company vs. Ætna Insurance Company.—Motion granted.

Draper vs. Compagnie Generale Transatlantique.—Motion granted.

O'Connor vs. Cummings.—There is no reason for disturbing the form of settlement in this case.

Theodore Grolil vs. Pauline Grolil.—Motion granted and referee appointed.

COURT OF COMMON PLEAS.

Action to Recover on an Attachment.
Refore Judge Barrett.

Richard Hendrickson vs. Kelly & Hoey.—This was an action to recover the value of wines and liquors sold under an execution taken by the Sheriff in favor of Hoey against one Pittman, the proprietor of a hotel at Long Branch. From the evidence it appeared that in the summer of 1867 plaintiff sold to Pittman a quantity of provisions, amounting to $1,600; plaintiff had also become security for the rent of the hotel kept by Pittman to the amount of $500, also endorsing a note for the same party for $600. Pittman was unable to pay the indebtedness and gave a mortgage to secure it. This mortgage was foreclosed by Hoey a few days after it was given, who was a security for Pittman; the latter consenting, part the of mortgage property was sent to New York for sale, but it was seized by the Sheriff under an attachment taken out by Hoey. The plaintiff now brings an action to recover the value of the property seized, claiming that the mortgage was given to secure the debt due to him, and that the Sheriff (Kelly) was a trespasser in taking it out of his possession.

It was claimed by the defendants that the mortgage was no consideration, and was given to defraud the other creditors, of whom Hoey, one of the defendants, was one. Verdict for the plaintiff, $1,200, with interest.

COURT OF GENERAL SESSIONS.

Convicted of Larceny.
Before Judge Bedford.

The first case disposed of yesterday in this court was a charge of an attempt at grand larceny made against Charles Davis, who went to the feed store of Jacob Eagerson, No. 165 West street, and ordered $325 worth of feed to be sent to Mr. Marshal O. Roberts, Fifth avenue. Mr. Roberts testified that he did not know the prisoner, and gave him no authority to order the goods. The jury convicted him, and Judge Bedford, in passing sentence, said that he had been defrauding persons for the last two years and he would now send him to the State Prison for two years and six months.

Charles Donnelly pleaded guilty to an attempt at grand larceny, the indictment charging that on the 10th inst. he stole $400 worth of clothing, the property of James Wissing. He was sent to the Penitentiary for two years.

The Grand Jury brought in a large number of indictments, upon which the prisoners were arraigned and pleaded not guilty. The Court then adjourned.

SIXTH DISTRICT CIVIL COURT.

Action on a Purchase of Goods.
Before Judge Loew.

Posnaski vs. Shears.—It appears that the agent of Posnaski sold to the defendant counters, boiler, chairs, stools, and so forth, being furniture of the premises 187 Church street (now about being torn down for the extension of that street), for $100. The defendant took part of the goods away, but failed to take the counters. Defendant alleged that he had purchased the counters only for between seventy-five dollars and ninety dollars, and that when he went to look for them he could not find them on the premises. A man named Baldwin (called on behalf of defendant) testified that he had purchased the counters, together with the wood work of the building, for fifty dollars. A Mr. De Coma testified, on behalf of the plaintiff, that he had no authority to sell the counters, but only the wood work. Judgment for plaintiff, the Court holding that defendant must look to the agent for redress, and that the defendant was entitled to the counters.

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.	56	58	3 P.M.	59	60
6 A.M.	60	58	6 P.M.	59	57
9 A.M.	57	59	9 P.M.	58	53
12 M.	61	59	12 P.M.	57	52

Average temperature yesterday.....57

Average temperature for corresponding date last year.....58¾

THE FIRE IN CEDAR STREET.—In the report of the fire at No. 26 Cedar street which appeared in yesterday's HERALD it was stated that the premises were occupied by O'Day & Brother as a cotton sample warehouse. Mr. O'Day states that the firm ceased to occupy the building on the 1st of April last, and no fire has occurred in their premises.

BOARD OF SUPERVISORS.—This Board convened on Tuesday afternoon, with the president, Supervisor Roche, in the chair. A number of resolutions rescinding taxes alleged to have been erroneously assessed were adopted. The ordinance accompanying the county tax levy was read and adopted, a few of the ordinary bills were audited and the Board adjourned to meet again at the call of the Chair.

NEW YORK STATE ASSOCIATED PRESS.—At the annual meeting of the New York State Associated Press yesterday, at the Metropolitan Hotel, in this city, the following officers for the ensuing year were elected:—President, Joseph Warren, of the Buffalo *Courier;* Secretary and Treasurer, E. H. Roberts, of the Utica *Herald and Gazette;* Executive Committee, Jacob C. Cuyler, of the Albany *Express;* H. O'R. Tucker, of the Troy *Times;* C. E. Smith, of the Syracuse *Journal;* George G. Cooper, of the Rochester *Union and Advertiser,* and Mr. Thurston, of the Elmira *Advertiser.*

THE CASE OF JOHN RENANGNANI—HIS DEATH.—Yesterday afternoon Coroner Flynn received information from Warden Brennan, of Bellevue Hospital, of the death of John Renangnani, the Italian lad, late of No. 13 Crosby street, who alleged that on the 27th ult. he was pushed from the platform of one of the New Haven cars, in Fourth avenue, near Twenty-eighth street, by conductor, or some one else attached to the car, and had one of his feet crushed. The ante-mortem statement of deceased was published in the HERALD of Saturday last. There is a boy who is said to have seen deceased pushed from the platform of the car, and he will be forthcoming to-day, to which time the investigation was adjourned.

DROWNING OF A DEPUTY SHERIFF.—On the evening of the 17th of March last John H. Hart, the deputy sheriff, was seen in a lager beer saloon in Second avenue, near Thirty-first street. On leaving that place Hart proceeded towards the river and was seen no more alive. Yesterday morning about seven o'clock the remains of Mr. Hart were found floating in the water off the foot of East Twenty-third street and identified by the official badge which he wore on his breast. The body being conveyed to the Morgue, was subsequently recognized by the relatives. Coroner Schirmer held an inquest in the case and the jury rendered a verdict of death from drowning. It is believed that Mr. Hart accidentally fell overboard. Deceased was thirty-one years of age and a native of Ireland. He was formerly a member of the Eighteenth precinct police.

SUICIDE OF A PRISONER.—On Tuesday afternoon Charles Roth, a German barber, who lived at No. 385 Madison street, having been addicted to drinking to excess and threatening to kill his wife, was arrested on her complaint and taken before the magistrate at the Essex Market Police Court, by whom he was committed. During the night Roth was discovered hanging to one of the iron bars of the cell door with his necktie, which he had used for that purpose. The body was instantly cut down and examined, but too late to save him, life then being extinct. Coroner Keenan gave permission for the removal of the remains to the late residence of deceased, where Coroner Flynn held an inquest. Deceased was forty-eight years of age and a native of Germany. He is thought to have been in a partially deranged state of mind.

WOMEN'S TYPOGRAPHICAL UNION, NO. 1.—A meeting of the Women's Typographical Union, No. 1, was held last night at No. 68 East Broadway, but in consequence of the "rain" of Jupiter Pluvius the assembly was rather limited. There were only twenty "typos" and eight "typoesses" gathered on the occasion, and all felt that their "matter" would have to "stand over" until some future occasion. The object of the meeting, which was presided over by Miss Lewis (an able advocate of woman's rights) was to elect a delegate to represent the women in the National Typographical Union, which meets at Albany on the 7th of next month, for the purpose of urging the claims of the women "typos" to obtain a charter from that body. After a desultory conversation the meeting adjourned to Friday week.

POLICE INTELLIGENCE.

ALLEGED DISHONEST DOMESTIC.—At Jefferson Market yesterday detective Philip Reilly, of the Twentieth precinct, appeared, having in custody Margaret Spaulding, accused by Mrs. Elizabeth Applin, of No. 403 West Twenty-ninth street, with stealing fifty-one dollars and forty-five cents from her. Margaret was a domestic in the complainant's employ, and left about the time the money was missed from a dress pocket in one of the upper rooms of the boarding house. The girl was held to answer at the General Sessions.

HIGHWAY ROBBERY.—About one o'clock yesterday morning while Thomas Moore was passing through West Houston street, near Mercer, he was assaulted and robbed of his watch and chain by three men, two of whom, John Bell and John Leadley, were arrested and committed by the Jefferson Market Justice on the charge. Bell was seen to throw the watch away by officer O'Brien, of the Eighth precinct, who, with Hutchinson's aid, arrested them.

THE DEADLY ASSAULT ON MARGARET MCDONALD.—Peter Matthews, of "Slaughterhouse Point" (Fourth ward), who was arrested early yesterday morning on the charge of committing a deadly assault on Margaret McDonald, of Newark, N. J., by striking her on the head with a club, as heretofore published in the HERALD, was yesterday arraigned before Judge Hogan and committed to the Tombs to await the result of his victim's injuries. Margaret, who is thought to be in a very precarious condition, is under the care of the surgeons in Bellevue Hospital.

ALLEGED FORGERY OF A CHECK FOR $300.—Yesterday afternoon a respectably dressed young man presented himself to the paying teller, George W. Hunt, at the Importers' and Traders' Bank, corner of Nassau and Warren streets, and offered for certification a check for $300, purporting to be drawn by O. E. Wood, 25 Nassau street, to the order of Chauncey Watson. It was at once detected as a counterfeit, and Crain was given into the custody of an officer. He then confessed that the check had been given him by Robert R. Ferris, doing business as a clerk at No. 67 William street, who was subsequently arrested by officer Scott, of the Twentieth precinct. The prisoners were taken yesterday afternoon before Alderman Moore, at the Tombs Police Court. Mr. Hunt, the paying teller, testified as to the presentation of the check by Crain, and Mr. Wood that the signature was false. The accused were thereupon committed to answer in default of $1,000 bail each. Crain said he was born and resided in Brooklyn, was twenty-two years of age and a clerk in the office of the Erie Railroad. Ferris also said he was a native of Brooklyn, twenty years of age, and a clerk by occupation.

THE LIPPMANN HOMICIDE CASE.

Testimony of One of the Attending Physicians—Post-Mortem Examination.

In the case of Mr. Alexander Lippmann, late City Marshal, who died at No. 417 Sixth street, from the effects of violence received while in the discharge of his duty, as already reported in the HERALD, no progress was made yesterday, with the exception of taking the testimony of Dr. Krackowizer, one of the physicians who attended the deceased after the commission of the assault upon him, and the facts developed in the post-mortem examination.

Below will be found copies of the depositions made by the medical gentlemen:—

TESTIMONY OF DR. KRACKOWIZER.

Ernest Krackowizer, M. D., being duly sworn, deposes and says:—I reside at No. 16 West Twelfth street; I was called to see deceased, in consultation with Dr. Joseph Kammerer, on Sunday, the 16th inst., at half-past ten o'clock A. M.; I was told deceased had received a blow on the right side of the head with a flat board, which felled him to the ground, rendering him unconscious for a short time; that after being brought home he vomited; Dr. L. A. Voss was called and attended him till the 6th of May; Dr. Kammerer was then called to attend him; during all that time the patient was kept in bed on strict diet; when I saw the deceased I found him in bed, rational, but dull; there was no paralysis; the pulse was about sixty or sixty-five per minute; the left pupil somewhat dilated and answered very slowly to the light; he was sighing and yawning frequently; our opinion was that in consequence of the injury he was suffering either from meningitis, or exudation into the ventricles of the brain, or from commencing abscess of the brain substance proper; the treatment pursued by Dr. Kammerer consisted of application of ice to the head and the administration of iodide of potassium; from having witnessed the autopsy made by Dr. Joseph Cushman I am of opinion that death was caused by extravasation of blood in the left arachnoidal sack and effusion into the ventricles, and that said extravasation was the direct result of the injury received.

POST-MORTEM EXAMINATION.

Drs. Joseph Cushman, J. C. Martin and William Shine, being duly sworn, depose and say:—We have made a post-mortem examination of the body of Alexander Lippman, at 417 Sixth street, twenty-three hours after death; body well nourished; there were no marks of violence on the body externally; on removing the scalp we found four ecchymotic spots on the upper portion of frontal bones; on removing the skull-cap we found the external aspect of the dura mater much congested; beneath the dura mater and within the arachnoidal sack we found about four ounces of clotted blood diffused over the entire left hemisphere of the brain, the surface of which was much congested; a large amount of serum was found in the right ventricle; all other organs of the body were healthy; death, in our opinion, was caused by extravasation of blood in the arachnoidal sack on left side and effusion of serum into the right ventricle, the result of injuries received.

The further investigation of the case will be continued before Coroner Schirmer at ten o'clock this morning, at the Coroners' office, No. 11 City Hall.

SINGULAR CASE.

Suspicion of Foul Play—Exhumation of a Body.

A singular and somewhat suspicious case of death was partially developed before Coroner Keenan at his office in the City Hall yesterday afternoon. On Wednesday of last week, as already reported in the HERALD, the body of an unknown man was found floating off Riker's Island, towed ashore and made fast. A rope was found fastened around the body, and Coroner Siebs, of Newtown, Queens county, being called held an inquest. There was no medical examination of the remains, as required by law, and the fact of a rope being secured about the body of deceased aroused suspicion in the minds of the jury, but they could find no other facts or circumstances in corroboration of their theory that deceased had died a violent death. The body was buried near Newton, and subsequently the effects found were identified by Mrs. Ann Gallagher, now living at No. 97 Cannon street, as belonging to her husband, Charles Gallagher, whom she thinks was murdered, and so stated to Coroner Siebs. She stated that late on the night of the 11th of October last her husband, then living at No. 262 Stanton street, left home with three or four men, who returned in an hour or two afterwards without him. Since that time Mrs. Gallagher has seen or heard nothing of her husband till his body was found off Riker's Island. She further alleges that three or four weeks previously these same men who took her husband away had made threats against his life, but what the trouble was between them did not transpire. Yesterday Coroner Siebs and the District Attorney of Queens county had an interview with Coroner Keenan, during which they expressed a strong desire to have the body of Gallagher exhumed and brought to this city, in order that the manner in which he met his death may be thoroughly investigated. That investigation Coroner Keenan thought more properly belonged to the Coroner of Queens county, as there the body was found; but he told Coroner Siebs and the District Attorney of Queens county that if the proper authorities consented that the remains should be exhumed and brought to the Morgue, either himself or one of his associates would take the matter in charge and undertake to solve the mystery, if mystery there be about the case. What course will be pursued in regard to the matter seems not yet to have been fully determined upon.

THE POLICE BOARD.

The Fight Over the Presidency Comes to a Glorious End, Everybody Feeling Particularly Good Natured and Nobody Hurt.

The great war for the President's chair of the Police Board, which a few days ago promised to be long and wearisome, has turned out to be after all "short, sharp and decisive," much to the gratification of a great many people who had taken an interest in the contest for reasons they could scarcely explain themselves. It will be remembered that at the outset the "dead lock" occurred on account of Mr. Brennan being the democratic candidate and Mr. Manierre the republican candidate, each being supported for the position by his political associate. Had the contesting parties determined to continue in their opposition to one another, without giving heed to the voice of compromise, there certainly would have been a standstill in the Board for many a day—probably until the expiration of the term of at least one Commissioner. Yesterday the Board held a meeting, and all the members, after a little consultation, came to the conclusion that the best way to put an end to the fight would be to compromise, and so Mr. Manierre nominated Judge Bosworth for President, and, on the motion being put, he was unanimously elected. Mr. Brennan then nominated Mr. Smith for treasurer, who was also elected unanimously. Thus ended the great Police Board battle. Now that the Board is organized the general opinion seems to be that there will be some considerable changes made in the department in the matter of transferring the various captains from their present precincts to others in which their services will be of more benefit to the community at large. A little shake up all around among the captains will do no harm, and the quicker a change is made in certain precincts the better for the public weal.

THE EXCISE LAW.

The Meeting of the Board of Excise Yesterday—The Subject of the Reduction of License Fees Discussed and Referred to the Committee on Applications.

The Board of Excise met yesterday afternoon, the president, Judge Bosworth, in the chair. The announcement made in the HERALD last week that the subject of reducing the license fees would probably be discussed at the meeting of the Board on the 19th inst., had the effect of drawing together in the court room a large number of temperance men and liquor dealers. A delegation from the temperance society of Kings county presented a set of resolutions of the society, expressive of the opposition of temperance men to a reduction in the license fees, and the liquor dealers of this city presented the following communication:—

TO THE HONORABLE THE BOARD OF EXCISE FOR THE METROPOLITAN DISTRICT OF THE STATE OF NEW YORK:—

The undersigned, on behalf of some seven thousand persons interested in the traffic in wines, liquors and beer, as hotel, store and saloon keepers in this district, respectfully request that a modification of the rates heretofore imposed may be made in the licenses about to be granted.

As your Board are well aware, there are engaged in this business many worthy and respectable citizens of moderate resources, whose whole capital and means of livelihood are invested therein, and who could not suddenly withdraw from it without sacrificing such capital and their only means of support, to whom the present rate of taxation is an oppressive burden.

It seems to us but reasonable that to such, as well as to all others, the rate should be apportioned as in ordinary taxation to the amount of capital invested and business transacted.

Considering the laxity with which the laws regulating this traffic have been heretofore administered, and the rigor with which the present law has been enforced, the alacrity and apparent cheerfulness with which it has been obeyed are certainly commendable.

It seems to your petitioners as though the time had now come in which some discrimination could with propriety be made; and we believe that by such discrimination the law will be administered more than heretofore in the manner contemplated by those who assisted in its passage. We feel borne out in this view by the fact that a bill essentially modifying the present law passed one branch of the Legislature at the session just closed, almost without opposition and by a large majority, and only failed in the other branch from causes entirely outside the merits of the question involved.

In the modification of rates asked for above your Board will, in the due exercise of the powers delegated to your honorable body, have removed the great disparity between the rates imposed in this district and those in other parts of the State—a disparity, we believe, not in accordance with the original intention of the law.

MR. NOAH CHILDS (on behalf of the liquor dealers) advocated the modification of the law in the matter of reducing the license fees. In his opinion there would be no private selling of liquor on Sundays if the modification was made, but private selling of liquor on Sundays for the sake of gain would continue as long as the Board compelled the dealers to pay the high fees they were now compelled to pay.

REV. MR. HALE, of Kings county, said that he represented the Kings County Temperance Society. He differed, as did the society he represented, with the liquor dealers as to any modification in the law, and particularly as to any reduction in the license fees. The members of the society were opposed to the granting of any license to a liquor dealer under any circumstances. They contended that if it was right to sell liquor, it was not right to exact a license for the selling, but that if it was wrong no legislative enactment could make it right. They, however, did not intend to insist on that point. The Legislature, the speaker believed, intended in passing the Excise law that dealers in liquor should be made to pay the largest possible sum for the privilege granted them, and he felt that the religious and moral sentiment of the world was set against the liquor traffic. If the law was passed on the same principle that regulations are made in France to license houses of ill-fame—that if a bad thing must be tolerated it must be taxed heavily for the privilege—all right-minded men would see to it that all the good that could possibly be made to accrue to the advantage of the law should be made. What the temperance men did object to was that facilities should be extended to a traffic that was sending thousands to untimely graves. They had no personal enmity against dealers in liquor as a class, but they could not stand by and see death and destruction dealt out to our young men without lifting a hand to stay the calamity. If the temperance men had their own way they would shut up all liquor shops. What they asked was that the Board would do the best thing they could to satisfy the 30,000 temperance men in this State who, on the liquor question, stood squarely on the same platform with with the society which the speaker represented. It was said in advocacy of the reduction of the license fees that some of the liquor dealers were unable to make any money while the present high fees were charged. He for that very reason would oppose the reduction, and if the keeping up of the present license rates would finally have the effect of forcing all the liquor dealers out of the business he would be all the more desirous of seeing them kept up to the present standard.

MR. DAVID S. PAIGE, a liquor dealer, said that he had not intended to make any remarks on the reduction question when he first came into the room, but after what he had just heard he felt it his duty to say a few words on the subject. The statement that the whole world was in sympathy with the temperance movement and its many strange opinions was not true. He went to Europe some time ago, and from the time he left New York until he returned he did not hear a glass of water asked for. (Laughter.) In England he found a bar in the vestibule of St. Stephen's Hall, where the lords and commons drank to their heart's content all kinds of liquors, and he also came across a bar within 200 feet of the palace of the Tuileries, where liquor was sold on Sundays. The Emperor himself could hear the clicking of the glasses from his bedroom window. As for the thirty thousand people in Kings county whom the temperance society contended were with it in the issue against the liquor dealers, he knew the great majority of them were women and children. The idea of the society's saying it represented thirty thousand persons recalled to his mind the three tailors of Tooley street, who called themselves the people of England. When the temperance folks came to the scratch where did they find themselves? Where were the thirty thousand persons last fall at the election? Were they voters or mere men in buckram? Liquor dealers were all property owners and paid taxes, and were interested in the faithful enforcement of the laws as much as the temperance advocates. The latter, to add to their persecutions of the liquor dealers, declared that they loved the dealers. In the speaker's opinion they loved the liquor men as wolves love lambs. He was once of the opinion that too strong an infusion of the foreign element into our midst would be rather damaging than otherwise. He had changed his opinion in that respect of late years, and believed that but for the foreign element in the State the people would have very little liberty left, Sunday or any other day in the year. The men who mouthed so strongly against the liquor dealers were, in nine cases out of ten, office-holders or men who have not got much, but who wished for much.

Commissioner LINCOLN—What are you liquor dealers after?

MR. PAIGE—We attend to our own business.

Commissioner LINCOLN—What is your occupation—a manufacturer of liquors?

MR. PAIGE—I am a hotel keeper. The only manufacturing I do is manufacturing drunkards—as the temperance society, I suppose, believe.

MR. HALE remarked that the best way to answer a liquor dealer was to let him talk. The only truth Mr. Paige had spoken during his harangue was that he was a manufacturer of drunkards. The delegation from Kings county in the room were owners of property gained honestly. If the gentleman who had just taken his seat desired to discuss the merits of the temperance movement he was willing to meet him at any time and discuss the matter to his heart's content.

MR. PAIGE—I'll meet you.

MR. HALE—I would state, to correct the gentleman, that I did not say the whole world was in sympathy with the temperance movement, but the religious and moral sentiment of the world.

The Rev. J. LANSING TAYLOR then spoke at some length against the reduction of the license fees, when, on motion of Commissioner Manerre, the communications from the temperance society and the liquor dealers were referred to the Committee on Applications and Judge Bosworth.

The Board then adjourned.

THE BOARD OF HEALTH.

The Board of Health held their regular weekly meeting yesterday afternoon, the President, Mr. Lincoln, in the chair. There was very little business of any public importance transacted.

The Finance Committee reported favorably on paying the chemist of the Board $2,000 per annum, the salary to be in lieu of all compensation for any professional services he may render to the Board.

The same committee reported adversely on the increasing of the salaries of the inspectors to $2,400.

Commissioners Brennan and Lincoln were appointed a committee to report upon forty places in this city which they may deem suitable for the erection of drinking hydrants.

A sub-inspector reported that house No. 348 First avenue was in a dangerous condition. The report was referred to the Inspector of Unsafe Buildings.

In the matter of marriage certificates, which was referred to the counsel for his opinion last week, Mr. Eaton reported that "the certificate of a marriage by a notary or by any other officer not specially authorized by law to solemnize marriage shall not be considered evidence of such marriage."

Mayor Hall's communication to the Board on dogs, yesterday mentioned in the HERALD, was read and referred to the counsel.

It was ordered that the matter of the East River Park Shooting Gallery should be again referred to the Superintendent for his report.

The Board then adjourned.

ATTEMPTED ASSASSINATION.

A Porter Deliberately Attempts to Kill a Fellow Employe.

At Jefferson Market yesterday was ventilated one of the most deliberate attempts to take life that has been made since Real killed officer Smedick.

It appears that for some time a feud has existed between Maurice T. Byrnes, a porter, and Hiram Levy, a salesman in the establishment of Kelly & Co., Nos. 486 and 488 Eighth avenue. On Monday last it was renewed, and much hostile feeling was engendered. Byrnes, to the superintendent and others, boasted that he would kill Levy if he had to swing for it; but nobody supposed he would attempt to carry his threat into execution.

Between eight and nine o'clock yesterday morning Byrnes armed himself with a five barrelled revolver, walked up to within a few feet of Levy, who was behind the desk, and levelling it at him remarked, "You have got it now." He fired, the ball passing close to Levy's head and entering the wall. Before he had an opportunity to renew the attempt he was disarmed by Neil Tracy, who owned the weapon. On his examination at Jefferson Market, where he was arraigned by officer McConnell, of the Twentieth precinct, Byrnes said, "I did it, but I did not intend to hurt him." He was committed for trial without bail.

ARMY INTELLIGENCE.

Brevet Major General Rufus Ingalls has been detailed as member of the New York Retiring Board, vice General Reeve, relieved.

The order assigning First Lieutenant Bathwell to duty as Indian Agent has been revoked, and he will report for duty in the Department of the Missouri.

Captain Alexander Sutorius, of the Third cavalry, has been relieved from the recruiting service and will join his regiment in New Mexico.

General Canby, in general orders, assigns Captain Edward Collins, Seventeenth United States Infantry, to duty as Military Commissioner and Superintendent of Registration and Election for the Ninth division of Virginia in addition to his duties as commanding officer of the port of Farmville. Brevet First Lieutenant C. P. McTaggart has been assigned to duty as Military Commissioner and Superintendent of Registration and Election for the Eighth division of Virginia.

NAVAL INTELLIGENCE.

Rear Admiral Montgomery has been detached from the command of the naval station at Sackett's Harbor, N. Y., on the 10th of July, and placed in waiting orders. Commodore James R. McKinstry relieves Admiral Montgomery.

Ensign Sidney A. Simmons is ordered to the Lancaster.

Paymaster Frank Clark is ordered to the receiving ship Fortune.

Charles J. Pettit, clerk in the Navy Department, has resigned and been transferred as secretary of the Pacific squadron.

The Brooklyn Navy Yard—Sailing Orders for the Sabine—Her Intended Cruise—The Disposition of Other Naval Vessels—Interesting Information.

Although the usual routine work in the several departments of the Brooklyn Navy Yard jogs along at present, as usual in times of peace, without any apparent excitement, an evidence to strangers of system and order only to be found in places under military or naval rule, there are at this station one or two items of interest, the work they point to being in process of completion that will interest every "blue-coated" member of the United States Navy in the world.

Lying conspicuously prominent among a fleet of smaller vessels at the dock is the old sailing frigate Sabine, a stanch, oaken-sided craft, that has done gallant service in many climes and carried on her decks scores of officers of the naval service who have made names that in part supplanted the heroes of the early history of the nation, and will live long, even for the future generations of the Republic to read and dwell upon, with that reverence and admiration that in years gone by, the then children perused the wonderful achievements of that period of the nation's infancy. The latest service of the Sabine was that of a schoolship, where many youths were taught seamanship and educated to be gentlemen, the majority of whom now either occupy positions of trust on board United States naval vessels in all parts of the world, or are discharging the duties of first class seamen in a manner to do great credit to their instruction. Since then the old frigate has been lying "in ordinary" at this station, with none to do her honor, fully a period of sixteen months. Now she is again in process of thorough repair, to take, when completed, an important part in the prestige of the nation's naval glory. An army of workmen externally and internally are engaged upon her, with a view of appropriately fitting her for the comfortable reception of the graduating class of midshipmen of 1869 from the Naval Academy, Annapolis, where examination begins to-day. They will number about sixty, and these young naval gentlemen, after years of study, with their diplomas in hand, are ordered to join the sturdy old Sabine, in Boston, early in June, where she will be at anchorage, and in pleasant order for their reception.

When fully together, these gentlemen will have the pleasure of remaining in Boston until after the 4th of July, being present at the "national peace jubilee," and all the "jubilees" that grow out of it. Then they will journey in that far-off world, which is seen by those in this arena of stirring practical life through a golden haze, the land of gorgeous despotism, mystic religious rites and leagues of pilgrims wending their way Mecca-ward, through the Mediterranean to the Holy Land—a land where poetry has most flourished, pervading every walk of life, and furnishing the medium of instruction, worship and pleasure. They will cast anchor in the bay of Naples, where the old ship at night will seem literally ploughing an ocean of molten silver, throwing aside millions upon millions of diamonds, each with its dazzling halo of light; each appearing as large as the palm of one's hand; they will wander in latitudes where favors are abundantly dispensed by the god of waters; they will gossip with the fine-looking, lazy Turks, in their tarboosh and turban, even in the streets of Constantinople; and then they will wander in Brazil, at Rio Janiero, and at Cape Town, the southern extremity of Africa. It will be a voyage for instruction that comes but once in a life under such pleasant auspices, even to the most veteran naval officers, and well will the class of '69 commune with all the representatives of the intelligent races they meet, upholding the fair fame of the land of their birth.

The officers that reported