THE WAR ON THE CUBANS.

Examination of General Goicouria.

The Complaint Dismissed and the Accused Discharged.

The Cubans Enthusiastic Over the Result.

UNITED STATES COMMISSIONERS' COURT.

Before Commissioner Betts.

The United States vs. General Goicouria.—The examination in this case was resumed yesterday. The court room was densely crowded, several ladies being present.

Mr. Phelps appeared for the government and Mr. Lowrey for the defendant.

The first witness called was George W. Hall, agent for the Pennsylvania Iron Works, at No. 71 Broadway, who testified he met General Goicouria in the building, in the front office, on the second floor; saw other gentlemen there; did not know their names.

Q. Did you receive a check in payment for arms last month?

Mr. Lowrey objected, as he wished the examination to be confined to the defendant.

Examination resumed—Received a check for guns from William Gonzales, who was in the office; a Mr. Reed took them from his works in Chester, Pa.; a number of strangers were present at the time; met Gonzales several times since; his interviews with General Goicouria occurred first on the 16th of June at his office; Mr. Reed introduced him to the General; had a bill for presses at the time; handed him the bill, but did not ask him for payment; Mr. Reed introduced him to the General as the agent of the Pennsylvania Iron Works; the General told him the parties were out and the bill would be paid the next morning; called again on the General about the bill, and he said the parties were out; called again and the bill was paid; did not receive payment for other articles at the same place.

Mr. Charles H. Pond testified that he was a merchant, doing business at 179 Broadway; deals in articles appertaining to arms; did not know of any guns being delivered at his place of business; knew General Goicouria; did not know of the arrival of any military goods at Milford which were put on board a steamship; had business relations with General Goicouria for some years; had applications for war materials from the General during the last six months; had applications within the past two months; the applications did not result in the purchase of any goods by General Goicouria.

Q. Did they result in the purchase of such goods by other parties?

A. That question I decline to answer, as it might tend to criminate myself.

After some discussion the question was admitted, and the witness testified that parties came to him on the recommendation of Goicouria, and he sold them arms; some goods in which he had an interest were shipped to him from Governor's Island to Milford; could not tell the exact time they left; thought the goods left Governor's Island indirectly by his orders; gave directions for the vessels to go when they were ready; had an understanding with a party that if he shipped his goods on board of a vessel he should be paid for them; did not know the name of the vessel; the vessel was to be on the Long Island Sound.

Mr. Lowrey objected to the witness stating with whom he had the understanding, unless it was connected with the case as the District Attorney should not be permitted to go on with guesswork in the matter for the purpose of other prosecutions.

The Commissioner permitted the witness to answer.

Examination resumed—Had an understanding with Mr. Mora that if the goods were delivered on a vessel he should be paid; the goods about which the understanding took place were guns, cartridges, &c., the amount being about $70,000 or $80,000; have had so much conversation with General Goicouria that he could not remember if he had any conversation with the General on the subject of the understanding he had with Mora; Mr. Gonzales had no knowledge of his conversation with Mora.

Hugh Sloan, second steward on the steamer Catharine Whiting, deposed that he was a seaman for nine years; the Catharine Whiting lay at the Atlantic Dock till Saturday, 26th of June; she left that afternoon and anchored off Bedloe's Island; the crew numbered thirty-two; there was one passenger; he believed that he was the defendant; thought he might be the purser; did not know what the Whiting had on board; signed articles to go to Galveston and Key West; the Whiting lay in the stream till she was taken to the Navy Yard; she had steam up one day.

Cross-examined—Was subpœnaed by one of the marshals; the Marshal told him he should make a good thing if he would come; he said he would make $100 out of it; the money was to be paid by Deputy Marshal Davis, who was employed by Marshal Barlow to look after Cuban matters.

Mr. Lowrey here asked Mr. Phelps, the District Attorney, to reproduce the informer French, but the latter said that French, having fears for his personal safety, went about his own private business, as he and Barlow had told him that he would not be required any more.

Mr. Lowrey was sorry for that, as he had obtained some facts about the antecedents of French which would discredit his testimony.

The government here closed their case.

ARGUMENT OF COUNSEL.

Mr. Lowery then rose and said—May it please the Court, I ask to have the accused discharged from custody, being, as far as the evidence here presented goes, as innocent a man as any one in this court room. I need not suggest to your Honor the necessity of distinguishing between those things which are probable and those which are merely suspected, and here it will be proper to first advert to the offence charged against General Goicouria. The District Attorney agrees to limit the discussion to the sixth section. There is nothing whatever in the evidence to connect him in any way with the third section—that is, fitting out and arming a vessel intended to cruise and to commit maritime hostilities.

Mr. Phelps—I don't agree to that.

Mr. Lowery—Then I ask the District Attorney to describe the offence under the statute he claims was committed by General Goicouria.

The Commissioner—That is but fair and right.

Mr. Phelps—I have no objection to that. The evidence shows here that the offence was committed against both the sixth section and third section of the statute.

Mr. Lowrey—Then you proceed on two charges—one under the third section and one under the sixth section. Now, with regard to the first charge, it is held that before you can convict on this charge it is necessary to determine that there has been a vessel or ship fitted out and armed with an intent—that intent being to cruise and commit hostilities; and it must be fitted out and armed, and the intent exist in the mind of the accused that such armed vessel was to be used in the manner described in the statute. So that, therefore, if it should be found in reference to the Catharine Whiting—the only vessel named—if it should be found that that vessel was fitted out and armed, and one in its character and equipment qualified to cruise and to commit hostilities on the high seas, it must still be found to have been fitted out, armed and equipped by the accused in this case, General Goicouria. With regard to the vessel herself no evidence has been given whatever concerning her character in that respect. She is described merely as a steamer with a crew of thirty-two men—certainly not a fighting crew. There is no evidence that she was provisioned, munitioned or prepared for cruising; nothing at all to convict the vessel as a cruiser, and failing to convict the vessel the prosecution certainly fails to convict General Goicouria. For it is not to be supposed that it will ever happen, as it never yet did happen, that a common passenger found on board a ship will be condemned by the law relating to vessels as cruisers. This section has no relation to such a vessel as this, engaged in peaceful pursuits of commerce and carrying passengers. It is to be presumed that the Catharine Whiting was merely such a vessel; and if she was not the District Attorney would be only too ready to prove that she was a vessel capable of cruising. This part of the case falls to the ground by the weight of its own absurdity. And even if the vessel was equipped and armed that fact does not connect General Goicouria with the purposes of such arming and equipment from the fact that he was found on board. The testimony says that he was represented and had the appearance of a passenger. Some one said he was a purser, and some one says he was introduced by a name not his own. But that is nothing. The District Attorney will have to argue this absurd and untenable proposition—that whenever a vessel shall be seized by the Marshal it shall be deemed to be an armed vessel, and any person found on board shall be presumed to know that such vessel was armed and equipped as a cruiser destined to commit hostilities. So far as the destination of the vessel was concerned it has been proved that the vessel was destined for Galveston by the way of Key West. Your Honor will be bound by the evidence, and from that we find that the vessel was bound on a lawful voyage, without any equipments of any kind whatever—nothing at all about her to bring her within the description of the vessel named in the third section. The more serious offence must be decided as to the sixth section; and here, in this connection, I must call attention to all the circumstances surrounding the case. General Goicouria is accused of an offence made so by prohibition. He is accused of an offence in which he bears a certain relation to General Washington and Benjamin Franklin, once called traitors, and who might have been made to stand in some court to answer such charges as General Goicouria stands charged with here. The real offence is one which reflects no infamy on private character. It is not forbidden for the accused or for any man to desire to aid his country and the friends of his country by any means within his power, provided the thing done is not specifically forbidden by the statute. And long distant may be the day when it shall be forbidden to any man in this country, not only to sympathize with but to aid all the efforts of any people wherever situated to gain good laws, good order and good government for themselves as such as happily we enjoy. I think we may go more fully and in a more efficient way into the consideration of the offence charged against General Goicouria by considering first whether he comes within the prohibition of the statute, by taking up the conditions of this offence. First, then, there must be a military expedition to be conveyed hence against the dominions of any foreign prince or potentate. Now it has not been testified by any one what was the ultimate purpose of the expedition concerning which some evidence has been given, but which has not been proven to have been an expedition, although the term has been constantly used in speaking of it. I only use the term because the thing itself is best known by it. This was not in reality a military expedition, within the meaning of the law, so far as the proof goes. There is no proof whatever of any organized military expedition. No one witness has sworn that any one connected with a supposed expedition intended to commit hostilities against Spain. And your Honor cannot infer that at the present time there is any war existing between Spain and her colonies. Our government has not recognized such a state of things, and your Honor has no means of knowing of such a fact—if the fact existed—than through the political branches of the government. And the government, so far as you are informed, is entirely unaware there prevails any disorder, civil war or disturbance of any kind within the territories of Spain.

The District Attorney has failed to show that it was the purpose avowed or withheld of any person whose name was mentioned with the supposed enterprise to commit hostilities against any person, against any foreign prince or State, except against the potentate who rules over Gardiner's Island, where they landed. And if it had been shown to your Honor's satisfaction that there had been organized an enterprise or military expedition such as is forbidden to be carried on or set on foot here against the territories of a foreign Power the accused has not been implicated therein. To sustain the charge against the accused it must be proved that he had begun this expedition; that he had set it on foot, and that he prepared and provided the means for a military expedition. Now I insist your Honor will search in vain for any proof that he provided or prepared in any way the means for the prosecution of this expedition or any other expedition. And yet, perhaps, it may be proper to limit the inquiry to the expedition concerning which there has been some proof. Now with that expedition, whatever it was, there is not a scintilla of evidence connecting General Goicouria with it. The prosecution point to his purchase of material susceptible of use in war, but concerning which there is no further evidence as to what final use it was proposed to put it to. Mr. Pond distinctly denies that he furnished General Goicouria with any arms, and he denies also that any arms were sold or furnished by him to others at any request of General Goicouria or by his intervention. He denies any knowledge of an expedition, and he did not know where the arms he sold to others were going to. Mr. Cody has shown that the Catharine Whiting was part of an expedition. The only right to call it a Cuban expedition at all is deduced from the fact that Mr. Christy when he went on board the Juno found some Cubans on board. French testified that he was enlisted by Colonel Ryan to go to Cuba and fight against Spain, but there is no connection whatever established between the Catharine Whiting, Colonel Ryan and General Goicouria.

The District Attorney will argue that there is probable cause to commit him for providing means through Pond for a Cuban expedition. But every one of the propositions I submit as against such a decision is sustained. First, that there is no proof satisfactory to your honor of any forbidden expedition. Next, that they are not able to show he purchased arms for any expedition.

It was said he had a hat in his cabin found there after his arrest, and as having that hat is seized upon as a link to connect him to the Cuban expedition, because some similar hats were found among the parties arrested. The evidence is that he owned that hat for a long time, and that was just the sort of a hat wanted for a warm climate like Cuba.

Mr. Phelps—Have you been there?

Mr. Lowrey—Yes; and I hope Cuba will ere long receive all American citizens as fellow citizens, and that there we shall have accorded to us the same rights as in any State of the Union; then I hope we shall be permitted to wear our hats in peace. And now I reiterate that it is not unlawful to be connected even with an unlawful enterprise or expedition. It would not be unlawful for me, having heard that an expedition was about to be fitted out of the kind, forbidden by law, and being led by my sympathies to connect myself with that expedition, to go on board and desire to shed my blood in aid of the purpose contemplated by the expedition. Would it not, therefore, be lawful for General Goicouria, whose home is in Cuba, to go on board a vessel in this harbor and seek to get there? It is not an unlawful thing to form the purpose here and then go to Cuba and there shed his blood for the just cause he has espoused. It would not be an unlawful act for him to persuade others to combine with him.

Mr. Lowrey quoted precedents in support of his views on this point, and proceeded. The laws seeks only to guard our own government and country from useless and unnecessary complications. The purpose of the act is more to preserve our national unity than to suppress the hopes or sympathies or to control the aims of any persons within our territories, except so far as they might seek to carry into ultimate performance their hopes and aims and objects, in the manner expressly forbidden. I repeat there is no evidence to satisfy justice or to satisfy your Honor that General Goicouria should be held to bail on a charge that he attempted to set on foot an armed expedition, or that he attempted to fit out a vessel, with an intent that that vessel should cruise on the high seas and commit hostilities against the citizens of another State. The only vessel that can be recognized by the Court in this matter is the Catharine Whiting, and she is not a vessel intended by the act—not a vessel capable of cruising and committing hostilities on the high seas. But even so far as regards General Goicouria there has been no evidence to connect him with that vessel. So that the government fails on its preliminary charge against General Goicouria on that branch of the alleged offence. And in conclusion it fails, because there is no evidence here whatever of the fact that there was an expedition of the sort forbidden, or if there was that General Goicouria had any knowledge of it. I submit the case of the accused with perfect confidence in the learning, impartiality and integrity of the Court.

Mr. Phelps, Assistant District Attorney, addressed the Court for the prosecution in an able speech, reviewing the testimony as it reflected most upon the accused, and strongly urged the vindication of the laws.

REMARKS OF THE COMMISSIONER—HE DISMISSES THE COMPLAINT.

Commissioner Betts then delivered his ruling on the case. He said—There is really no question of law involved. The question is one purely of fact, and probably I am as well qualified to decide now, with the impressions of the testimony fresh upon my mind, as I would be by letting the matter lie over for further deliberation and consideration. There are two questions, as stated by counsel, involved in the case. One is whether any expedition was begun or set on foot from here against Spain and in aid of the party in Cuba contending there and fighting against the Spanish government. The other question is whether, if any such expedition was set on foot, General Goicouria came within the provisions of the statute as having taken a part in beginning or setting on foot or providing and furnishing the means for it. These two questions are independent. Although the evidence in the case bears on both, I am satisfied that the government have proven that an expedition was set on foot from here intended as against Cuba. The testimony of French is positive on this—that he was enlisted with three hundred other men, who all submitted to the same orders as to their movements. Independent of that, when the tugs were seized there were found on board maps and charts having reference to proposed movements and operations in Cuba and flags appropriate for the liberating army in Cuba. There was also a standard on which was worked the word "Cuba." All these circumstances combined with the positive testimony, shows that this was a military expedition consisting of certainly over one hundred men, organized for the purpose of invading the island of Cuba. Therefore as to this military expedition I hold that the government has made out the case. The important question then is, Whether General Goicouria is proved to have begun, set on foot or provided the means of this expedition. The testimony of French points to no single act on the part of General Goicouria which connects him either with beginning or setting on foot or providing or furnishing the means for this expedition. There are many acts which parties living here may rightfully engage in to aid the insurgents in Cuba. It is in accordance with law that any one here should, if they thought fit, provide them with arms and munitions, if they did not go so far as to organize a hostile expedition. If General Goicouria was simply engaged in providing arms and munitions in aid of the cause of Cuba as against Spain, provided he did not allow his efforts to go so far as to organize an expedition, his acts were in that case within the limit of the law. If the government seeks to charge him with going beyond that, it rests with the government to prove it. But it is the duty of the Court to put the most favorable interpretation upon his acts in this respect, and so far there is nothing in French's testimony to implicate him in a criminal act, nor has the government proved that he took any active part in organizing the expedition.

The Commissioner reviewed the testimony of other witnesses, and continued—We now come to the leading feature of the case—the capture of the Catharine Whiting. Now, if the government had shown by testimony that the Catharine Whiting was employed and engaged to carry the expedition to the island of Cuba, and that General Goicouria was then on board under an assumed name and character, that would be a strong circumstance to indicate his activity in providing these important means to make the expedition effective. But the government has failed to establish the fact that the Catharine Whiting was to be engaged in that way beyond suspicion. She hauled into the stream with a crew shipped for Galveston. But independent of the circumstance of Gen. Goicouria being there, there was nothing on board that could be regarded as suspicious. It would certainly be beyond the question to say that his being on board was to make the character of the vessel suspicious, or that he is to be condemned because he was on board the Whiting. Under all the circumstances of the case I hold that the government has not produced sufficient evidence to show that General Goicouria has in this matter gone beyond the limits of that sympathy and co-operation with Cuba which by law he can feel and express. The prisoner is therefore discharged.

At the close of Commissioner's remarks there was commenced a clapping of hands which changed into tremendous cheers, again and again given. Soon the whole courtroom was in general confusion, the General's, compatriots pressing forward to embrace him and congratulate him. Several ladies were in court, and they mingled with the enthusiastic throng, shaking hands and smiling upon all. Thus ended the Goicouria examination.

NEW YORK CITY.

THE COURTS.

COURT OF OYER AND TERMINER.

Before Judge Cardozo.

The court opened at half-past ten o'clock yesterday morning, when the following cases were disposed of:—

FORGERY.

Daniel Marsh, a man of about forty-five years, was arraigned for forgery in the first degree. It appears that some time in 1867 he drew his check on the Ocean National Bank for $2,100, which check he had duly certified, as he had that amount deposited in the bank to his credit. Subsequently, however, he altered the check by making it $21,000, and passed it to a broker by the name of Harriott. Judge Stuart, who appeared as counsel for the accused, asked the Court to adjourn the case so as to allow him time to obtain a commission to examine witnesses to prove an *alibi*. Judge Cardozo postponed the trial until Monday next.

LARCENY.

Sobiski Johnson pleaded guilty to an attempt to commit grand larceny and was sentenced to Sing Sing at hard labor for two years.

BURGLARY.

William Sheppard, Michael Lanegan and Florence O'Connor were arraigned on the charge of burglary. They were three rather decent looking boys, ranging from twelve to fifteen years of age. They pleaded guilty to an attempt at burglary in the third degree, but as this was shown to be their first offence and probably owing to the result of evil counsel, and company, the Court suspended sentence and suffered them to go.

GRAND LARCENY.

John Williams pleaded guilty to grand larceny and was sent to Sing Sing for four years.

August Feigenuny was arraigned on the double charge of grand larceny and larceny, and having pleaded not guilty was remanded for trial.

BURGLARY.

George Rammond, George Simms and Felix Ferris were arraigned on the charge of burglary. Simms pleaded guilty to the third grade of the offence and was sent to the State Prison for two years. The trial of the other two was postponed to Monday.

The jurors summoned were then discharged until Monday next, on which day the Court will again sit.

SUPREME COURT—CHAMBERS.

Decisions.

By Judge Sutherland.

Hodge vs. Pyer.—Motion denied, without costs to either party.

In the Matter of the Application of the Lower Hudson Steamboat Company for a Dissolution.—Motion granted.

Randolph vs. Randolph.—Evidence insufficient, &c.

Meeker vs. Cutler, Jr.—Motion denied, without costs to either party.

Chester et al. vs. Boone et al.—Motion denied, without costs to either party.

Nichols vs. Crocker.—Default opened and motion to be heard on its minutes, without costs to either party.

SUPERIOR COURT—SPECIAL TERM.

Decisions.

By Judge McCunn.

Gehegan vs. Butler—Motion to place cause on short calendar denied and case referred.

The Hardaway Bolt and Spike Company vs. Caldwell.—Motion for stay granted.

Wolf vs. Schener.—Referred to Wm. M. Tweed, Jr.

Phelps vs. Zinn.—Motion to vacate order granting costs denied with ten dollars costs.

Ely vs. Kumpf.—Referred to Wm. Aiken.

Simon vs. Simon.—Report of referee confirmed and judgment of divorce granted.

Adams vs. Adams.—The same, and referred to William M. Tweed, Jr.

Dayton vs. Stuyvesant Insurance Company.—Case and amendments settled.

Birdsall vs. Hexter.—Motion to strike out answer granted, unless the defendant consent to refer. In that case the subject matter is referred—short notice.

Rapp vs. Hochherz.—Motion to discharge defendant from arrest granted.

Jonanique vs. O'Neill.—Motion to refer granted.

Bird vs. Hartley.—Motion to discharge from arrest granted.

Conway vs. O'Keeffe.—Motion granted.

Campbell vs. Trautman.—The affidavits in this matter are so contradictory that I refer the case to William M. Tweed, Jr., to take proofs as to the truth or falsity of the charges.

Henderson vs. Stone.—Motion to set aside order of reference granted, unless the plaintiff elect to receive amount certified to be due on the execution now in the hands of the Sheriff and thirty dollars costs.

Hills vs. Ree.—The defendant must furnish the last bill of particulars, to come duly certified, and must also produce before the referee all the papers and books relating to the transaction in litigation.

Castle vs. O'Roberts.—Motion to strike out answer denied with costs.

Johnston vs. Williams.—Referred to William M. Tweed, Jr.

Lynch vs. Moore.—I can't change the order of Judge Freidman in this case. I therefore deny the motion to serve a reply; but the plaintiff can give evidence of the facts he wishes to set up in his proposed reply before the referee.

Lang vs. Lang.—Motion for alimony referred.

Ballou vs. Mortimer.—All interrogatories and cross-interrogatories allowed.

Townshend vs. Gould.—Motion to renew application for a new trial granted.

Murphy vs. Butler.—Motion to place cause on short calendar denied. Cause to go to a reference and short notice of hearing allowed.

The Same vs. The Same.—The same.

In the Matter of Nellie Kempf and Mary Stemmog.—Motion to discharge prisoners from arrest denied.

Morent vs. Dixon.—Motion to confirm referee's report granted. Allowance $250.

Gibbons vs. Gibbons.—Motion denied, as there is a reference now pending in the matter.

Anthony vs. Atkinson.—Judgment for plaintiff.

Speir vs. Newton.—Motion to reduce allowance denied without costs.

Gerker vs. Platt.—Motion to discharge from arrest denied, with cost.

O'Mahony vs. Belmont.—Motion for a permanent injunction and receiver granted. Defendant (Belmont) to pay the funds in his hands into the hands of the receiver and the receiver to deposit the same in the Irish Emigrant Savings Bank, there to remain subject to the order of the Court.

The Memphis El Paso, &c., Railroad Company vs. John F. Prickerell.—In this case application was made to me, ex parte, to dissolve an injunction granted by myself, upon the ground that the subject matter in dispute had been adjudicated upon by the Common Pleas of this city. I find, on looking at the papers, that although the circumstances differ in some minor details, yet, in substance, the facts here and the facts in the Common Pleas are substantially the same, and as this matter has been passed upon by that court—a court of co-ordinate jurisdiction—I must, therefore, vacate the order of injunction granted by me.

Adelaide M. De Lavelette vs. James Fisk, Jr., et al.—Motion granted and cause referred to William M. Tweed, Jr.

The Same vs. William Lloyd et al.—Same disposition.

COURT OF GENERAL SESSIONS.

Before Judge Bedford.

BOLD LARCENIES—SPEEDY JUSTICE.

Joseph Morgan was tried and convicted of grand larceny, the evidence showing that on the 3d inst., when Peter Bruner, a furniture dealer, was returning from the bank with a package of money containing $1,600, to pay his employés, the prisoner ran up and snatched the package. He ran away and was pursued by a number of citizens. Judge Bedford, in passing sentence, observed that the prisoner not only committed a daring larceny, but added perjury to that crime. The highest penalty of the law was imposed, which was five years' imprisonment in the State Prison at hard labor.

Joseph Reeves pleaded guilty to grand larceny, the charge being that, on the 23d of June, 1869, he stole a package of money containing $1,537 from the store of Frederick Freese, 915 Broadway. The City Judge said this was also a bold theft; but, in consideration of the prisoner pleading guilty, he reduced the punishment to imprisonment in the State Prison for three years and six months.

Florence Mahrneder pleaded guilty to an attempt at grand larceny, he having stolen a silver watch, valued at thirty dollars, from Antonio Diswold, on the 28th of December. He was sent to the State Prison for two years.

Julius Down pleaded guilty to an attempt at burglary in the third degree, the indictment charging that on the 28th of June the accused burglariously entered the premises of James R. Cutchinson, 42 First avenue. He was sentenced to the Penitentiary for one year.

John McCormack gave the prosecuting officer a similar plea, he being charged with entering the shoe store of George Craig, 95 Beaver street, on the 21st of June and stealing twenty-eight dollars' worth of property. The prisoner was remanded for sentence.

George H. Farrell, who was charged with burglariously entering the premises of Gerard Manistadt, 240 South street, on the 28th of June, pleaded guilty to an attempt. As there were mitigating circumstances, the Judge sent him to the Penitentiary for six months.

COURT CALENDARS—THIS DAY.

COURT OF OYER AND TERMINER.—Adjourned to Monday, July 12, at eleven A. M.

SUPREME COURT—CHAMBERS.—Reserved cases.—Nos. 43, 46, 51, 65, 70. Call 71.

MARINE COURT—TRIAL TERM.—Nos. 3293, 3302, 2908, 3187, 3108, 3238, 3320, 3322, 3102, 3307, 3150, 3384, 3379, 3375, 3386, 3390, 3391, 3392, 3393.

COURT OF GENERAL SESSIONS.—The People vs. James Smith and James Murphy, robbery; Same vs. Joseph Hayes, rape; Same vs. James O'Connell, felonious assault and battery; Same vs. Rachel Acklay, grand larceny; Same vs. August Feigenancy, grand larceny; Same vs. Same, grand larceny; Same vs. Same, larceny; Same vs. Charles B. Cassell, grand larceny; Same vs. Nathan N. Lowoenick, grand larceny; Same vs. John W. Russell, embezzlement.

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, corner of Ann street:—

	1868.	1869.		1868.	1869.
3 A. M.	66	69	3 P. M.	73	84
6 A. M.	69	70	6 P. M.	74	81
9 A. M.	70	74	9 P. M.	63	75
12 M.	73	78	12 P. M.	62	75

Average temperature yesterday.................75¾
Average temperature for corresponding date last year.................68¾

STREET COMMISSIONER'S OFFICE.—Awards of contracts on a large number of small jobs—grading, flagging, &c.—were made yesterday by Street Commissioner McLean.

FATAL FALL FROM A WINDOW.—Coroner Keenan was notified yesterday afternoon that Thomas Geary had died in Bellevue Hospital from the effects of injuries received on the morning of the 4th inst. by falling from the second story window of premises No. 295 avenue C, to the basement. Geary was thirty years of age, a native of this country and by occupation a book pedler. An inquest will be held on the body.

TO THE HEIRS OF THE LATE LIEUTENANT COLONEL J. FRED. PEARSON.—L. N. Fewell, of Manassas Post Office, Virginia, has sent a letter to a gentleman of this city, stating that he is the custodian of the sword of the late Lieutenant Colonel J. Fred. Pearson, of the First regiment of New York Volunteers. Mr. Fewell states that the sword was captured at the battle of Manassas Junction, and that Colonel Pearson was fatally wounded while gallantly directing his command in action.

ACCIDENTAL DROWNING.—Yesterday afternoon a man named Thomas Finley, living at 333 Spring street, while engaged in filling with water the tanks of the steamship Queen, lying at the foot of Houston street, North river, fell overboard and was drowned. The body was subsequently recovered and taken to the Twenty-eighth precinct police station house, where Coroner Flynn was notified to hold an inquest. Deceased, who was about thirty-eight years of age, has left a widow and five children.

THE ECLIPSE OF THE MOON.—There will be a partial eclipse of the moon on July 23, invisible in America. This eclipse will be visible in Eastern Asia and Australia. A little more than one-half the moon will be immersed in the shadow of the earth. This eclipse precedes the great total solar eclipse of August 7, which will be nearly total in New York and total in Burlington, Iowa, Louisville, Ky., and south of Raleigh, N. C. The width of the line of totality is about one hundred miles. The eclipse begins in New York at twelve minutes after five o'clock in the afternoon.

UNION LEAGUE.—This committee met at twelve o'clock yesterday at the St. Nicholas, and continued in session till nearly three o'clock. In the absence of Governor Geary, Vice-President Goddard presided. Thomas T. Baker, of New York, was secretary. The following gentlemen were present:—Messrs. Rich, of Maryland; Dell, of Arkansas; A. G. Mackey, collector of the port at Charleston, S. C.; Alexander Pinkney, Van Cleit, McWaters, of New York; Volney Green, of Brooklyn. Steps were taken to secure the appointment of republicans to office, and the pending elections in Texas and Mississippi were considered. Some other matters were also considered in private session and the committee adjourned to meet in Philadelphia the first week in August.

CENTRAL DISPENSARY.—The surgeons' report of this institution for the past quarter is as follows:—The number of new patients treated in the different classes at the institution, viz:—Class of heart and lungs, 238; women, 47; head and abdomen, 338; surgery, 125; eye and ear, 30; skin, 79; vaccination for April and May, 114; new patients visited for three months, 1,105; total number of prescriptions dispensed, 2,850. This institution is located in the Twenty-second ward, near the Park, and is doing great good among the poor that abound in that district in the miserable shanties and tenement houses. The directors, mostly business men, have supplied the means to carry on the work and now send out an appeal to the public to come forward and share in the result.

THE SECOND AVENUE RAILROAD ACCIDENT.—Yesterday morning Coroner Flynn commenced an inquisition at his office in the case of Joseph Shaffer, the child, four years of age, who died at No. 163 Chrystie street from the effects of injuries received on the Second Avenue Railroad. Only two witnesses were examined, one of whom, John B. Lewis, deposed that he saw the accident. The driver of car No. 32, of the Second avenue line, was going at an unusual rate of speed, and after the child was knocked down and trampled upon the driver refused to stop when called upon, and was pursued three blocks by the witness, and then an officer took the driver in charge. Mr. Lewis seemed to think the driver was behind time and was going fast to make up. John S. Smith saw the accident, and in his opinion the car was going at the usual rate of speed; the driver stopped as soon as possible after the accident. Deputy Coroner Shine made a post mortem examination on the body and found that deceased had sustained a rupture of the liver. Deceased was not run over, but only trampled upon. The investigation will be concluded to-day.

COMMISSIONERS OF CHARITIES AND CORRECTION.—The regular meeting of this Commission was held yesterday. The following appointments were made:—Martin Ten Eyck, Clerk at Labor Bureau; William Bumstead, Keeper at Penitentiary, vice Corrigan, resigned; Thomas Redden, Night Watch at Lunatic Asylum. The salaries of Samuel G. Lewis, John Mullane and Daniel Mullane, of the Outdoor Poor Department, were increased to $1,000, and that of Michael Mehan to $800 per annum. It was ordered that five men, one cook and ten boys be transferred from Hart's Island to school ship Mercury. The receipts of the past two weeks were $29,191, including $25,000 for Infants' Hospital and $1,700 for Board of Education. A department for the relief of sick at their homes was organized, and rules prescribed for its government. This department is for the purpose of having poor patients treated at their homes and furnished with medicines free of cost. A resident physician is appointed for each district, and it will be his duty, on notification by the superintendent, to visit the sick and prescribe the necessary medicines, which shall be compounded and furnished by the apothecary to the institution. When hospital treatment may be required the district physician shall so certify and the patient be conveyed to to the hospital in an ambulance provided by the department.

POLICE INTELLIGENCE.

THE THOMPSON STREET STABBING AFFRAY.—John Holmes, William Henry Lawrence and Williams, three colored men, arrested yesterday by officer Laughlin for being concerned in a stabbing affray in Thompson street, in which Frank White (colored) was dangerously wounded by a knife wound, were brought before Justice Dodge at the Jefferson market yesterday morning and committed without bail, to await the result of White's injuries.

ALLEGE FELONIOUS ASSAULT.—A young man named Solomon Lazarus was yesterday arraigned before Justice Shandley at Essex Market Police Court, on a charge of felonious assault and battery. From the statement of the complaining witness, Mrs. Mary Hoffman, it appears that on the night of the 5th of July Lazarus was standing in the front basement of No. 48 Forsyth street, and there fired off five barrels of a revolver. The two last shots entered the room of Mrs. Barbara Moser, in the above mentioned house, and one of the bullets entered that lady's side, inflicting a severe but not dangerous wound. Lazarus claims that the shooting was accidental and gave bail to answer at the Court of General Sessions.

DARING BURGLARY BY THREE BOYS.—About four o'clock yesterday morning, as officer Richard Hanlon, of the Twenty-ninth precinct, was patrolling his post, and when passing the house of Dr. Thomas R. Conrad, of No. 42 East Forty-second street, he heard noises proceeding from the doctor's house, and rightly believing that burglars had gained an entrance there called to his assistance officer Morrissey, with whom he entered the house through the rear basement door, which was found to have been forced open. On searching about the officers discovered three boys, named Henry Blacke, Henry Smith and William Lane, secreted in a closet. In the basement were found a jimmy and a dark lantern of regulation pattern. The youthful burglars were about making off with a quantity of silverware, wearing apparel and bed clothing, of the value of $600, when discovered. The prisoners were brought before Justice Dodge yesterday and committed to answer without bail.

THE CUSTOM HOUSE.

Collector Grinnell has instituted a vigorous investigation into the Weighers' Department of the Custom House and discovered numerous frauds in this especial branch of the department practised under his predecessors. Two of these criminally suspected weighers escaped to Europe; two more are at present in prison. The Collector, understanding the nature of this affair, has taken precautions to prevent a recurrence of these illegitimate transactions. The weighing process consists in determining the value of foreign merchandise, and is, therefore, a very important branch of custom house duty. This business involves responsibility and requires to be supervised by men in whom are reposed the utmost trust and confidence. Of course, in the present fashion of making political appointments, it is not easy to secure competent men for the discharge of this work. Collector Grinnell, however, has exercised such wise and intuitive discrimination in the selection of men to fill the various departments under his control that the entire business is now being conducted with complete efficiency and satisfaction.

THE CITY CREDIT.

Opening of Proposals for City Tax Relief Stock.

At the Comptroller's office yesterday proposals for $2,767,000 of the city tax relief bonds were opened. The amounts of the proposals made and the premium on each, as given below, show conclusively that the credit of the city stands high among the financiers. No awards were made, but in all probability they will be announced to-day. The bids made are as follows:—

Bidders.	Amount Bid For.	Premium.
Chas. D. Matthews	$25,000	$100.53
Chas. D. Matthews	40,000	101.63
C. T. Bonner & Co.	20,000	101.00
New York Life Insurance Co.	250,000	101.18
New York Life Insurance Co.	250,000	101.20
New York Life Insurance Co.	250,000	101.26
New York Life Insurance Co.	250,000	101.28
L. J. White	10,000	100.91
L. J. White	10,000	101.13
L. J. White	10,000	101.26
L. J. White	10,000	101.31
Market Fire Insurance Co.	25,000	100.00
Market Fire Insurance Co.	25,000	99.00
East River Savings Institution	5,000	100.25
Henry Bothe	1,000	100.00
C. Clark	3,000	100.50
North River Savings Bank	25,000	101.00
North River Savings Bank	10,000	101.12½
Mrs. H. G. Hawkins	4,000	101.75
Mrs. H. G. Hawkins	4,000	102.00
Mrs. H. G. Hawkins	4,000	102.10
T. D. Lane	6,000	100.00
Mahlon Apgar	5,000	100.50
Mahlon Apgar	5,000	101.00
Robert Usher, Jr.	1,000	100.00
F. Childs	2,500	101.50
Joseph Dowling	5,000	101.21
G. K. Sistare (whole or none)	2,767,000	101.01
G. K. Sistare	1,000,000	101.10
G. K. Sistare	1,000,000	101.20
G. K. Sistare	767,000	102.01
S. V. Hoffman	30,000	100.51
Ketcham & Clark	10,000	102.03
N. Y. State National Bank	20,000	100.03
N. Y. State Natl. Bk. of Albany	20,000	100.06
Albany Savings Bank	5,000	100.25
Albany Savings Bank	5,000	100.50
Albany Savings Bank	10,000	100.75
Albany Savings Bank	10,000	101.00
Albany Savings Bank	10,000	101.25
Nelson Duckworth	33,000	101.50
Newburg Savings Bank	20,000	100.50
W. H. Hoople	5,000	100.25
W. H. Hoople	2,000	100.00
C. H. Clark	3,000	100.00
J. P. Taylor	10,000	102.00
F. G. Blanchard	12,000	103.00
S. S. Sands & Co	5,000	101.00
Frank & Gans	10,000	100.01
Frank & Gans	10,000	100.01
Frank & Gans	10,000	100.00
Frank & Gans	10,000	100.02
Frank & Gans	20,000	100.02½
W. W. Conckiin	7,000	100.00
W. J. Quinlan, Jr.	25,000	102.00
W. J. Quinlan, Jr.	25,000	101.75
B. F. Wheelwright (President)	50,000	100.26
B. F. Wheelwright (President)	50,000	100.52
B. F. Wheelwright (President)	50,000	100.60
B. F. Wheelwright (President)	50,000	100.61
B. F. Wheelwright	50,000	100.76
B. F. Wheelwright	5,000	100.30
B. F. Wheelwright	25,000	100.25
B. F. Wheelwright	25,000	100.50
Third Avenue Savings Bank	50,000	100.25
Third Avenue Savings Bank	51,000	100.00
Third Avenue Savings Bank	50,000	99.50
J. B. Taylor	1,000,000	101.15
J. B. Taylor	1,000,000	101.75
J. B. Taylor	1,000,000	102.13
P. White	2,000	101
W. & J. O'Brien	11,000	101.25
Franklin Savings Bank	50,000	100.00
Metropolitan Savings Bank	122,000	100.00
Dry Dock Savings Bank	250,000	101.25
Dry Dock Savings Bank	250,000	101.12½
Jos. Cox (Brooklyn)	400,000	101.00
Citizens' Savings Bank	50,000	101.16
Citizens' Savings Bank	50,000	101.02
Citizens' Savings Bank	50,000	100.92
Citizens' Savings Bank	50,000	100.82
Citizens' Savings Bank	50,000	100.72
Citizens' Savings Bank	50,000	100.62
Citizens' Savings Bank	50,000	100.52
Citizens' Savings Bank	50,000	100.42

Total amount of proposals, $12,084,500.

LABOR MOVEMENTS.

End of the Cap Makers' Strike.

The cap makers, male and female, who have been on strike for nearly five weeks, went to work yesterday, the employers having agreed to pay the advanced rates. Since the strike the cap makers' shops have been completely deserted, the employers not having attempted to get new hands. Some capitalists a few days ago offered to open a factory and employ all the old hands on strike, the offer was accepted. It is thought that the fear of losing the services of their old employés altogether led the bosses to grant the advance and end the strike.

The Harlem Railroad Brakemen.

The strike of the Harlem Railroad brakemen is now perfectly hopeless for the men. Mr. Vanderbilt conceded an advance of five dollars per month to the brakemen of the luggage cars, but the men working on the passenger cars he thought "got enough," and he has succeeded in filling the places of the strikers with men competent to do the work.

The Troy Delegation.

The Troy delegation of women in this city for the purpose of collecting money for the strikers, have thus far collected $1,076. No society applied to for aid has refused thus far.

Trouble at the Harlem Iron Works.

A few weeks since this company discharged a society iron moulder on account of his writing a letter to a non-society man. All the union men left work, and have prevented the company getting fresh men. The owners of the works have applied for a warrant for the arrest of the society on the "conspiracy" tact, but no magistrate could be found to grant one. The employers state that the man was discharged because he was a poor workman and not on account of his letter writing.

Quarrymen's Strike.

There is a strike now in progress among the quarrymen employed on the work of James Martin, Fifty-third street and Broadway and on Fiftieth street and Sixth avenue, against a reduction of wages. About fifty men are on strike.

Operative Bricklayers' Union No. 2.

There was a very full meeting of this co-operative society at its hall, corner Twenty-third street and Second avenue, many new members being present for the first time, and who were induced to join the Union because of the great reduction of the initiation fee from twenty-five dollars to five dollars. The death of John McCann was reported and the sum of sixty dollars was appropriated, according to the bylaws of the Union. A communication was received from the president of N. L. U., giving notice that the third annual session of the National Labor Union will be held in Philadelphia, beginning at ten o'clock A. M. on the 16th day of August next. A great many new members appeared at this point, and after undergoing a rigid examination and taking the following pledge were admitted to fellowship:—

PLEDGE.

You hereby solemnly and sincerely pledge your honor as a man that you will not reveal any private business or proceedings of any individual action of any of its members; and that you will, without equivocation or evasion, and to the best of your ability, so long as you remain a member thereof, abide by the constitution and bylaws and the particular scale of prices of work adopted by it; that you will acquiesce in the will of the majority, and that you will at all times, by every honorable means within your power, procure employment for members of this Union.

On the first Monday of August all journeymen bricklayers who are not society men will not be permitted to work where any members of the different unions may be employed.

QUARANTINE.

The Well Passengers on the Frolic Released—The Yellow Fever Disappeared.

The yellow fever has totally disappeared from Quarantine and yesterday all the well passengers on board the Frolic were allowed to come to the city, after having obtained a complete outfit of new clothing. There are at present but one or two persons on the hospital ship who belonged to the ill starred Saratoga, but they have very nearly recovered their health and will, in a day or so, be permitted to go their ways in peace. The Saratoga, which is now anchored in the lower bay, although she has been thoroughly cleansed and fumigated, will be kept at Quarantine until the cold weather comes about. Of course no person will be compelled to remain with her, at least none of her former crew.

THE POST OFFICE.

In this department there have been no removals or appointments since the recent ones announced in the HERALD. The erection of a new Post Office is the great theme of conversation and speculation among the employés in the office. General Jones, the Postmaster, feels, as did his predecessors in office, that the present accommodations—more particularly in the letter delivery department—are totally inadequate to supply the growing wants of the public. He has had full and sufficient reason for complaint against the general government for this lack of accommodation for our citizens. The general hope and expectation is that the present grounds for complaint will soon be removed, that the long continued dilly-dallying about the selection of a site will be terminated, that the question of the public interest will be transcendant to private spoliating schemes, and that somewhere, only the sooner the better, a suitably massive building will be erected for our General Post Office.

THE BALTIMORE SAENGERFEST.

[From the Baltimore American, July 8.]

The special committee of the Executive Committee of the Saengerfest, consisting of Messrs. George P. Steinbach, A. C. Keene, A. Kummer and Otto Hunckel, waited on Governor Bowie yesterday and had an interview on the subject of a parade of the military during the continuance of the Saengerfest, and it was decided that it should take place on Monday next. The nine regiments of infantry composing the First division of the Maryland National Guard are to form the parade, but it is thought neither the cavalry nor artillery will be ordered out. The matter will be determined to-day. The staff and the officers of the regiments will meet at Adjutant General Bier's headquarters to-day for the purpose of making the arrangements for the display.

THE CASE OF HOWARD.

Sentence of John Howard, Jointly Indicted with William Varley, alias "Reddy, the Blacksmith," for Robbery---Remarks of Judge Bedford and District Attorney Hutchings---Letter from the Mayor of Boston---Interesting Statements.

COURT OF GENERAL SESSIONS.

The court room of General Sessions was crowded this morning, the intimation having been given that Judge Bedford would sentence Howard, who was jointly indicted with the notorious "Reddy, the Blacksmith," for a bold robbery perpetrated at a saloon in Chatham square.

JUDGE BEDFORD'S ADDRESS TO THE PRISONER.

The Clerk called Howard to the bar, and City Judge Bedford addressed him as follows:—

Howard—You were jointly indicted with Thomas Brennan and William Varley, alias "Reddy, the Blacksmith," for robbery in the first degree, alleged to have been perpetrated in the drinking saloon of the said Varley, at No. 7 Chatham street, in this city. Thomas Brennan was placed upon trial and the jury promptly convicted him of the charge. After conviction the District Attorney informed me that Brennan was a notorious thief and the associate of cut-throats and an ex-convict; I therefore deemed it a duty which I owed to the community to mete out a severe penalty in the hope that it might prove a warning to similar characters. I therefore sentenced him to the State Prison for the term of fifteen years. The District Attorney then called the case of William Varley, alias "Reddy, the Blacksmith." The people were ready and anxious for a trial, but Varley, for reasons best known to himself, fled the city. The bail was immediately forfeited and a bench warrant issued for his arrest. The District Attorney, through his assistant, Mr. Hutchings, with the full determination to do his duty in this case, then placed you on trial on the 18th day of last June. The jury, after hearing the evidence, convicted you of robbery in the first degree, with a recommendation to mercy. Upon the rendition of this verdict I remanded you for sentence, stating at the time I had reason to believe that an attempt had been made to put you in the position of a scapegoat and that it would be monstrously unjust to send you to the State Prison for a long term while another whom the evidence showed to be implicated with you is still at large. Upon the trial you testified in your own behalf, thereby rendering yourself liable to a cross-examination. But the District Attorney, with all his ability and energy, failed to elicit anything against you, and was unable to call any one to prove that your antecedents were bad. I remanded you for sentence, in order, for my own satisfaction (the jury having recommended you to mercy), to ascertain through my officers what your past life had been. I now learn from them, that as far as the city of New York is concerned, and as far as they have been able to ascertain, that you are an entire and perfect stranger; that you are a sailor by profession, and was never arrested in this city; all this you yourself testified to on the trial. The story you then gave was substantially as follows:—That you were a sailor and had followed the sea ever since you were fifteen years of age; that you were on a frolic on the night in question, and that it was your misfortune and not your crime to be at Varley's during the trouble, and that you had nothing whatever to do with the robbery. I believe, Howard, that you were under the influence of liquor at the time and that you saw a fight going on, and, sailor-like, "pitched in;" but I do not believe that you were aware of the fact that a man was being robbed, and I do not believe that you ever received a single dollar of the proceeds of the robbery. If the punishment was in my discretion I would use a broad one; but the statute makes it imperative upon me to send you to the State Prison for a term not less than five nor more than twenty years. I am compelled, under my official oath, to sentence you to the State Prison for the term of five years—the lowest known to the statute—but shall (heeding the suggestion of the jury, who recommended you to mercy, and also with the concurrence of the District Attorney) intercede with the Governor for your pardon, simply because, considering all the circumstances, I deem it my bounden duty to do so.

REMARKS OF ASSISTANT DISTRICT ATTORNEY HUTCHINGS.

Mr. Hutchings then rose and said:—I deem it my duty to state that I concur entirely in the remarks which have been made by your Honor. They do credit to you as a judge. All that the law requires is that the guilty should be punished, not that innocent men should suffer for the deeds of the guilty for the purpose of satisfying public clamor. I had such serious doubts of the guilt of Howard that, in the language of a certain evening paper in this city, I presented the case more to the jury as a judge than an advocate, which article was headed, intending to be ironical, "A model prosecuting officer." The jury, however, found him guilty, but recommended him to mercy. The verdict itself showed the doubts the jury had of the guilt of Howard, for I cannot believe that if they were certain of his guilt they would have recommended him to mercy. The proper course for them would have been, if they had doubts of his guilt, to have acquitted him. I am satisfied, after a full examination of the case and an investigation into the antecedents of the prisoner, he being unknown to the police or the residents of the Fourth ward, that his story was true—viz., that he was a sailor and that he had been on shore only a few days. If the complainant was robbed in this saloon of $500, as he testified, I am satisfied that Howard had no part in the transaction. I hold in my hand a letter, which has been brought to me by the father of this young man. You may recollect that the prisoner stated he was a sailor, but his father was a respectable merchant in the city of Boston, which is corroborated by the appearance of the father. Mr. Hutchings then read the following

LETTER IN FAVOR OF THE PRISONER FROM THE MAYOR OF BOSTON.

This is to certify that John Howard, of this city, has the reputation with those who know him, of being an honest, well meaning young man. After proper inquiry I am satisfied that he is not one who would commit a dishonest act for the sake of gain, and hope that his good character may protect him from suspicion of wrong.

NATHAN B. SHURTLIF, Mayor.

Mr. Hutchings continued—This letter shows that your Honor is corroborated in your opinion by this official of the city of Boston, who is well acquainted with his father. I would also state that I shall join in the application to the Governor for the pardon of this young man, and your Honor can make an order to keep him in the City Prison and not to send him to the State Prison, you having performed the duty which the law requires of you, until that petition is presented to the Governor.

Judge Bedford—Let such an order be entered.

Mr. Hutchings—I deem it my duty to move for the discharge of a young man named Smith, also indicted with Howard, and who is also a sailor. I had a conversation with officers, who stated that they did not believe that he (Smith) had any part in the transaction. In fact, Graham, the complainant, on both trials—the trial of Brennan and that of Howard—never implicated Smith as having a part in the robbery. It is a fact that he was in the saloon at the time, but Graham did not testify that he touched his person, or had anything to do with the robbery.

Judge Bedford suggested that a *nolle prosequi* be entered in the case of Smith.

HEAVY DEFALCATION.

The Cashier of the Central National Bank an Absconding Defaulter—Loss to the Bank of $100,000.

The fact has leaked out that the Central National Bank, of No. 320 Broadway, has recently suffered heavily from the dishonesty of Wm. H. Sanford, its cashier. The discovery of the loss was not made until Saturday last. On the previous Thursday Mr. Sanford left the bank in the day time, ostensibly to visit his sick child, who he said was at Westport, Conn. Mr. Sanford lived at Flushing, L. I. On Friday, at the furthest, he was expected by the president of the bank to return from Westport. He failed to do so, however, and as he had not been heard from a messenger was sent to Flushing to inquire as to the cause of his absence. There the messenger learned that Mr. Sanford had not been to Westport and had no child at that place. His wife and family knew nothing of his whereabouts and were much alarmed at his absence, as he had not been home since Thursday morning. On learning of this state of affairs the suspicions of the directors of the bank were aroused. An examination of the cashier's desk at the bank was made, and in a box, which had to be forced open, a note was found, which solved the mystery. The note ran thus:—"Pray forgive me. I have taken nothing with me. God bless my poor family. They are destitute." This brief but touching missive was addressed to Mr. Wheelock, the president of the bank.

On examining closely into the affair it was found that Sanford had failed to account on the books for $100,000 in bonds which had been placed in his hands by the correspondents in country banks to be deposited in the Central National Bank for safe keeping. The bank has assumed the responsibility of the loss, and will pay it from the surplus recently left after paying the half yearly dividend. This surplus is said to be more than three times the amount of the defalcation.

Sanford, the defaulting cashier, is a man of about forty years of age, and has occupied the position of cashier in the bank from its commencement. He was at one time a partner in the well known firm of Clark, Pardee, Bates & Co., and they became his bondsmen when he applied for the position of cashier to the bank. He was generally esteemed by all who knew him, and inspired the utmost confidence regarding his integrity. His manners were very unassuming, his habits inexpensive and his moral character unimpeachable. Possessing a large salary, an economically managed home at Flushing and a small family, it was thought that he could not fail to have saved money. But it appears that, unknown to the directors of the bank, he has speculated heavily, and to save himself temporarily from heavy losses appropriated the bonds placed in his hands for safe keeping. Misfortune, however, pursued him, and it is probable that he lost the whole of the $100,000 thus appropriated. His family, consisting of a wife and three children, and his mother, whom he supported, are left entirely without means, and are in terrible suspense regarding the fate of the unfortunate man.