THE COURTS.

Alleged Frauds in the Sub-Treasury—Interesting Divorce Case—Matrimonial Unhappiness — Presentment of the Grand Jury—Inadequate Accommodation for Criminals—The Fifth Avenue Pavement Nuisance.

UNITED STATES COMMISSIONERS' COURT.

The Alleged Frauds in the Sub-Treasury Department—Discharge of the Accused.

Before Commissioner Osborn.

The United States vs. Henry A. Allen.—The defendant in this case, the keeper of the United States Sub-Treasury, was charged with presenting certain false and fraudulent vouchers for supplies to the department, with intent to defraud the United States. It appeared that in the month of October last goods amounting to the sum of $144 were furnished. The defendant certified the bill as being correct, although the money could not be paid without the certificate and approval of the Assistant Treasurer. Subsequently another bill was presented for further supplies furnished, including the amount set forth in the first account. The complaint charged the defendant with offering fraudulent vouchers, upon which the bills were paid at the United States Sub-Treasury Department. Testimony has already been taken in the case, the matter having been fully placed before the court. Mr. Wheeler (Messrs. Goodrich & Wheeler) having summed up on behalf of the defendant, Assistant District Attorney Purdy replied on the part of the prosecution.

Commissioner Osborn, in rendering his decision, briefly reviewed the facts as they had been presented to the court. The evidence, he said, went to show that at the time in question there was a very great looseness displayed in the manner in which some of the departments of the Sub-Treasury were conducted. In this case the goods supplied were submitted to the defendant and he signed upon them the word "correct," meaning that the items charged and the prices were proper. No evidence had been adduced on the part of the prosecution showing to whom the money had been paid or who paid it. The books, however, showed that the money had been paid to some one. Moreover, there was no evidence to prove that Allen presented the bill, caused it to be presented or received the money. The answer given by Allen was that he placed the bill in question somewhat carelessly on his desk, and that was all he knew about it. The question now was whether a jury would convict Allen upon the testimony, had there been evidence enough to send him before the Grand Jury. As he understood the statute the evidence of the government should be direct and positive, and and at least so circumstantial as to infer that Allen purposely or carelessly left the paper on his desk in order that it might be abstracted and presented for payment. It was not proved that Allen received one dollar of the bill. If the fact had been shown that he collected bills from customers it might be a strong presumption to point to this case. No evidence, however, had been shown to that effect. Although the prosecution might be in possession of other facts in relation to the matter, under the circumstances the defendant should be discharged.

Alleged Revenue Frauds.

The United States vs. Jeremiah O'Brien.—The defendant was charged with carrying on the business of a wholesale tobacco dealer at No. 72 Oliver street without having paid the special tax. He was held under $800 to await examination.

Nonpayment of the Whiskey Tax.

Before Commissioner Shields.

The United States vs. George A. Cassebeer.—In this case the defendant, of No. 191 Bowery, was charged with doing business as a wholesale liquor dealer without having paid the special tax required by law.

The Commissioner held him under $500 to await examination.

SUPREME COURT—SPECIAL TERM.

The Glasson Divorce Case—Matrimonial Difficulties and Queer Developments.

Before Judge Barnard.

John J. Glasson vs. Margaret A. Glasson.—This was an action for divorce on the ground of adultery. The complaint set forth that in the month of June, 1839, the plaintiff and defendant intermarried, the issue being three children, two of whom are now living, aged twenty-eight and twenty-six years respectively; that in the month of September, 1868, at No. 73 Charles Field street, Providence, R. I., the defendant committed adultery with one John B. Howell. The complaint also charges acts of a similar character on subsequent occasions, and further avers that the defendant, since December, 1868, up to the present time, lived with the said Howell, without the knowledge of the plaintiff, until March, 1869, and that he had not cohabited with the defendant since he became acquainted with the same. The defence was a general denial of the acts of adultery set forth in the complaint, and an averment to the effect that having obtained a divorce from the plaintiff on the ground of ill-treatment she went to reside with the said Howell as housekeeper and companion to his daughter.

Few of the prominent parties intimately connected with the proceedings were very youthful looking. Mrs. Glasson is decidedly over half a century old, while Mr. Howell was a man said to have been married over forty years. Ex-Judge Porter and Mr. Godfrey appeared for the plaintiff and Messrs. S. G. Courtney and Hill for the defendant.

The first witness called was Mrs. Howell, a feeble looking lady, who testified that on one occasion she entered the room in which Mrs. Glasson usually slept and found there her husband, partially undressed, and Mrs. Glasson in bed.

Miss Libby Howell, her daughter, testified that she never heard of Mrs. Glasson until her father came to her, while on a visit at Sing Sing, and brought her with him; they went home together, and her father gave up his room to Mrs. Glasson, and moved to a room adjoining his own; Mary, the servant girl, came up and made a statement to witness' mother about her father being in Mrs. Glasson's room; went down the front stairs, and on going into the room found her father in bed with Mrs. Glasson; a knocking at the door was heard and her father went and opened it; her mother then came in and her father then put them both out; next day they went to the kitchen to make some tea; met her father, who said, "If you ever repeat what you heard or saw last night you will not live two days;" he also said he wished he had choked both of them, meaning witness and her mother; witness went to a lawyer with her mother, who told them not to enter the house again unless for their clothes; went back and was met by her father, who took the keys of her room from her; said to him, "Where will I go to sleep to-night?" he said he did not care.

After some further examination the hearing of the case was adjourned till this morning.

SUPERIOR COURT—TRIAL TERM.

Important Question of Practice—Opinion by Judge McCunn.

The Brooklyn Oil Works vs. Daniel Brown et al.—On application for the adjournment of the trial in the case Judge McCunn delivered the following interesting opinion:—

By some courts the adjournment of a trial is held to be so much a matter in the discretion of a judge at *nisi prius* that his denial of the postponement cannot be assigned for error. In this State a refusal of an adjournment is not the subject of exception, but may be reviewed on motion for a new trial. For while we held the exception in denial of an adjournment to be within the discretion of the judge at trial, still we admit it was not an arbitrary discretion, but a discretion controlled and regulated by fixed principles of practice. These rules are of incalculable importance in the administration of justice, and since they have been permitted of late to fall into disuetude it cannot be amiss to recall them to the attention of the profession:—First, a motion for adjournment must be based upon an affidavit, and will not be entertained on a statement ore tenus; second, the affidavit must exhibit these essential conditions—an affidavit of merits; the materiality of the absent evidence; due diligence in the endeavor to procure the attendance of the witness, and an assurance of his probable attendance at the time proposed for the adjournment. The affidavit should properly be made by the party, not by the attorney. If after notice of trial the party had an opportunity to subpœna the witness, or to take his testimony de bene esse and neglected these precautions, he cannot claim to have exercised due diligence. The defendant must swear positively that the witness is material, not merely to a belief. The practice now is to swear that the defendant is advised and believes the witness to be material. These are the requisites of the common affidavit and are sufficient, if not defeated by counter affidavits, to entitle the party to an adjournment. But if there has already been a postponement of the trial at the instance of the party soliciting the present adjournment in any other circumstance raising a supposition that his application is merely for delay, then he must present a special affidavit. At this juncture the discretion of the Court is larger and more liberal than under other circumstances. The special affidavit must exhibit by a statement of facts the materiality of the witness. If the Court can see that the evidence proposed to be given by the absent witness is immaterial, the trial will not be adjourned. So a full admission of the facts proposed to be proved by the absent witness will defeat an application for postponement. One of the most essential inquiries in a case of this kind is, did the witness go away before notice of trial, for if he did not, then there must be some other or positive cause for postponing. In this case the affidavit is faulty in all its parts, and does not comply with any of the requirements. I shall, therefore, order the trial to proceed, unless defendants stipulate to allow an inquest on the next adjourned day, if they are not ready to proceed; if they so stipulate, then the cause stands adjourned until Monday next (The parties stipulated, and the case was adjourned.) *En Passant.*—In the case of the Queen v. McGee, there will be found one of the most delightful discussions on record on this important question. Then Mr. Daniel O'Connell placed himself firmly on the broad principles I have enunciated above, and although the bias of the court evidently drifted in favor of the royal plaintiff, yet Mr. O'Connell so clearly put his propositions, that the position he assumed had to be recognized, and the case adjourned accordingly.

SUPERIOR COURT—SPECIAL TERM.

Decisions.

By Judge Barbour.

Charles Dabney vs. Edward Samet et al.—Motion denied, with five dollars costs.

Asa Hall vs. James M. Paine et al.—Motion granted.

Edgar F. Brown et al. vs. Wm. G. Ford.—Extra allowance of five per cent granted.

John Stewart et al. vs. Eugene Von Schoening.—Motion granted.

Commercial Warehouse Company of New York vs. John S. Graber.—Motion denied, with ten dollars costs.

H. B. Claflin et al. vs. C. S. Zacharie et al.—Same.

Charles W. Crosby vs. George D. Sutton.—Motion granted and referee appointed.

Hans Neilson et al. vs. Michael Long.—Motion granted.

Alexis E. McIlvaine et al. vs. Henry E. Davies, Jr., Public Administrator.—Same.

John Eames vs. Ann Eames.—Motion denied without costs.

Solon Fanen vs. David Hester.—Motion granted and cause referred.

COMMON PLEAS—SPECIAL TERM.

Decisions.

By Judge Van Brunt.

Porter vs. Buckman.—Motion granted.

Linnen vs. Chapman.—Motion to set aside referee's report granted.

Dalton vs. Taylor.—Allowance of $750 granted.

Heiden vs. Butt.—Allowance of five per cent granted.

The Gordon Manufacturing Company vs. Barclay.—Motion denied, with leave to renew on further affidavits.

Derby vs. Hartman.—Motion denied if the defendant pay within ten days all taxes and assessments, which are liens upon the proceedings.

Baker vs. Stephens.—Default opened, appeal to be submitted at Special Term.

Bach vs. Haber.—See memorandum with clerk.

Newfield vs. Chevra Ausclei Beth Reuben.—This was an application for a perpetual injunction to restrain the defendant from controlling or interfering with the property of the society composed of the plaintiff and others, on the ground that the vice president was improperly and irregularly elected. All the issues were referred to a referee, who reported in favor of the plaintiff, and on this report the clerk entered a judgment accordingly. A motion was made to set aside this entry on the ground of irregularity. Judge Van Brunt granted the motion and held the judgment as entered to be null and void. He adds that the practice in chancery required that all decrees and judgments should be entered only upon the direction of the Chancellor or Vice Chancellor. There was nothing in the code which indicated that any change in the practice in this respect was intended. The code provides that in an action had before a referee his report shall be the decision of this court, and judgment shall be entered as upon a decision of the court. It had always been the practice that in cases tried in equity the court should direct the entry of the judgment, and the clerk had no authority to enter the same without such direction. It followed that in a case of a report of a referee that the court must direct the entry of the judgment upon such report.

COURT OF GENERAL SESSIONS.

Presentment by the Grand Jury—Inadequate Accommodation for Criminals—The Fifth Avenue Pavement Nuisance—Important Improvements Suggested.

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

The Grand Jury came into court yesterday at noon with a batch of indictments, and the foreman stated that they had finished their business. He handed the following presentment to the Judge:—

The Grand Jury having visited Hart's, Randall's, Ward's and Blackwell's islands, and the City Prison, known as the Tombs, have the honor to report to this honorable court.

That the prison, known as the Tombs, however suitable at the time of its construction, is now inadequate to meet the wants which the great increase of population and more than corresponding increase of crime requires.

The faulty original construction, and the inadequate accommodation for the vast number committed for safe keeping, combine to make it expedient to remove the institution to some more eligible part of the city. As now constructed, the cells are unheated in winter and unventilated in summer, damp and unhealthy at all times, and unfit for the purposes for which they are used. In addition to these structural difficulties the arrangement and publicity of the cells, when their over-crowded state is considered, render it difficult to regulate the discipline of the prison.

Should it be decided to erect another prison the valuable site now occupied by the City Prison might be sold, and would in a large measure meet the expenses of a new structure and, besides, appropriate and adequate accommodation for all the prisoners committed, suitable court rooms adjoining might be provided, which would obviate the necessity and risk of taking prisoners through the streets when about to be tried, as has now to be done.

The general management of the City Prison meets the approval of this inquest, due allowance being made for the permanent and structural difficulties referred to. More attention to the external neatness of the prison and enclosures is very desirable. The jury refer with pleasure to the institutions on the islands, where similar objections do not exist. They were pleased with the general arrangements and cleanliness that came to their notice, and commend the working of the industrial schools, and more especially that upon the school-ship near Hart's Island.

The jury considered the question of a removal of the Penitentiary to Hart's Island. The distance from the city, the ample room for the most extensive arrangements upon that island and the prospective necessity for all the present buildings upon Blackwell's Island for charitable purposes, all point to a not far distant day when that will be the policy, if not the necessity, of the city authorities.

The Grand Jury are happy to bear testimony to the ample provision which our public authorities have made for the sick and destitute among us and with great satisfaction record their approval.

On another subject, however, they regret the necessity of calling the attention of the authorities to an insufferable nuisance. They refer to the condition of Fifth avenue, which has been made nearly impassible for carriages and pedestrians, and the destruction of health and property to an extent almost incredible to those who have not witnessed it, by an attempt to cover the excellent pavement of that avenue with the vile and perishable mixture that now disfigures it. All of which is respectfully submitted. B. L. SOLOMON, Foreman.

LUCIUS S. COMSTOCK, Secretary.

Judge Bedford said:—

Mr. Foreman and gentlemen of the Grand Jury—I have this moment learned that you have completed your labors for the term—having passed upon 156 cases. It affords me pleasure to congratulate you, not only upon the extraordinary number of cases disposed of, but also as regards the manner in which you wielded your power—ever exercising a sound discretion; whenever there was not evidence sufficient to warrant an indictment you promptly dismissed the case, while on the other hand, where the evidence warranted, your body as promptly found a bill. You are now discharged from further attendance, with the thanks of the court.

BROOKLYN COURTS.

UNITED STATES DISTRICT COURT.

The Wallabout Improvement.

Before Judge Benedict.

The argument in the matter of the motion made on the part of the United States for an injunction restraining the Wallabout Commissioners from continuing the work of improving the Kent avenue basin until they place crib work on the government side of the basin in the same manner as they have on the city side was to have been heard yesterday afternoon. Mr. McCue, of counsel for the Commissioners, however, asked for a postponement, in order that he might have an opportunity to prepare certain other affidavits to be submitted in argument, and the case was therefore postponed until Monday next. District Attorney Allen appeared for the United States.

UNITED STATES DISTRICT COURT—IN BANKRUPTCY.

Bankrupt Discharged.

Mr. John F. Race, who had beed adjudged a bankrupt on his own petition, was discharged yesterday.

UNITED STATES COMMISSIONERS' COURT.

A Charge Dismissed.

Before Commissioner Jones.

United States vs. Nathan Cohen.—The defendant is a pedler, and was arrested a few days since on the charge of carrying on his business without paying special tax. An examination of the case was held yesterday and resulted in the discharge of the accused.

SUPREME COURT—CIRCUIT—PART 2.

The Long Island Railroad Catastrophe—Action to Recover $50,000 Damages.

Before Judge Gilbert.

Edward Van Gassbeck vs. The Long Island Railroad Company.—This is an action growing out of the terrible catastrophe on the Long Island Railroad, near Willow Tree station, on the 23d of April last, by which several persons were killed and a number of others more or less injured. The plaintiff was on the train, which left Hunter's Point at half-past ten A. M. on the day in question, his destination being Huntington, L. I. The train was speeding along, and had arrived at a point near Willow Tree station, when, as claimed, a rail broke and it was thrown from the track. Plaintiff, with others, was partially buried in the wreck; his head was crushed, collar bone fractured and right arm paralyzed. Subsequent examination of his injuries revealed the fact that there were no less than thirty-four wounds on his scalp and head. Plaintiff also alleged that previous to this catastrophe his sight had been impaired, and he had gone to Berlin, where he was treated by oculists, who succeeded in partially restoring the visionary powers which he had lost; that he was then able to ride a horse down Broadway, New York, alone, but that the injuries which he had sustained by reason of the accident had destroyed his sight, and he was now obliged to be led about by a boy. He therefore brought suit to recover damages in the sum of $50,000.

The defence was a general denial, and it was further claimed that the accident was not the result of any negligence on the part of the company, but the result of causes beyond their control, as not only the tracks but the rolling stock were in good condition.

The case is still on.

For plaintiff, Jenks, Ward and De Costa; for defendants, Brown, Daly and Rapallo.

SUPREME COURT—CIRCUIT—PART I.

Interesting to Real Estate Agents.

Before Judge Pratt.

Holland and Walter H. McComber vs. Henry C. Mangles.—Plaintiffs brought suit to recover $500 alleged to be due them in accordance with an agreement made with defendant. They claimed that defendant promised to pay them that amount if they sold a certain piece of property at a certain sum. They found a purchaser, but then the defendant refused to sell the property. It appeared in the evidence that plaintiffs were paid $150 on account when the defendant originally received the deed of the property, which in the first place they, as real estate agents, found for him before he purchased. The jury rendered a verdict in favor of plaintiffs for $360.

NEW YORK CITY.

Everyday Items of News About the Metropolis.

"Found Drowned"—Accidentally Shot—Juvenile Depravity—Where is Balsky? A Taste for Music—The Larceny Brigade—Smallpox Abating—Yellow Fever in Port.

The following record will show the changes in the temperature of the weather 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:—

	1869.	1870.		1869.	1870.
3 A. M.	42	38	3 P. M.	39	38
6 A. M.	41	39	6 P. M.	35	37
9 A. M.	39	39	9 P. M.	32	36
12 M.	39	40	12 P. M.	31	34

Average temperature yesterday.......37¾
Average temperature for corresponding date last year.......37¼

An interesting discussion on geology was participated in by the members of the Lyceum of Natural History, Mott Memorial Rooms, last evening. Professor B. N. Mott presided. The late discoveries of Dr. Carpenter were the principal subjects under consideration.

Rev. M. P. Gaddis inaugurates the first of the People's Course of Lectures, at Day Hall, corner of Fourth avenue and Eighteenth street, to-night. Subject—"Abraham Lincoln and His Times." Mr. Gaddis is from Cincinnati, Ohio, having represented that State in the House of Representatives.

The remains of a man, whose name is unknown, were yesterday found floating in the dock at the foot of pier No. 54 East river. Deceased was about fifty years of age, had dark hair and whiskers, and wore dark pants, gray knit shirt, and woollen comforter about his neck. Coroner Schirmer was notified to hold an inquest on the body.

The American Literary Association held their first regular meeting on Saturday evening last, at which the following officers were elected:—President, Mr. J. C. Monday; Vice President, J. C. Livingstone; Recording Secretary, E. P. McLean; Corresponding Secretary, George Knaggs; Treasurer, Robert J. Horner; Sergeant-at-Arms, W. S. Brophy.

Captain James O'Rourke, superintendent of the hospital ship at the lower Quarantine, reports that on Sunday last there were admitted to hospital from the steamer Stars and Stripes, which arrived from Port au Prince, Thomas Simpson, oiler, and Charles Cox, waiter, both of Philadelphia, suffering from yellow fever. Thomas Simpson had black vomit when admitted, and died in two hours afterwards.

Owing, perhaps, to the rather inauspicious condition of the weather last evening the temperance meeting held in the Trinity Methodist Episcopal church, Thirty-fourth street, near Eighth avenue, was very poorly attended, there being not more than 150 persons present. Addresses were made by Wm. E. Dodge, Rev. J. Hyatt Smith, Mr. P. Jemet, Rev. J. M. Ludlam, General Riley and one or two others.

The auction sale of jewelry by Leeds & Miner, which began last week, was closed yesterday. An Oriental pearl necklace brought $625; a pair of diamond, emerald and pearl pendants, $540; a cluster diamond and emerald pin and earrings, $820, and various other articles from $400 down to $100. In addition to these a large number sold at varying prices, from $100 to $2. The sale was largely attended.

Coroner Keenan yesterday held an inquest at No. 75 Henry street on the body of John Farissey, who was drowned on Sunday evening by falling into the dock at the foot of Montgomery street, East river. Deceased, who had been drinking somewhat freely during the afternoon, is thought to have been under the influence of liquor at the time of the occurrence. Deceased was upwards of eighty years of age and a native of Ireland.

For several years past an old and respectable gentleman named Hepburn has been employed to transmit the papers from the various police courts to the Court of Special Sessions, being compelled to receipt for each complaint in a book kept in each court. On the 1st of January last he was ousted from his position to make room for a politician of small calibre, who it is reported can neither read nor write and is compelled to solicit some one of the various policemen detailed at the courts to make his entries and affix his autograph to the bottom.

The Sanitary officials assert that the period for alarm in smallpox has passed, and that there is a gradual decrease of cases daily. Some concern having been felt on account of the new scourge—relapsing fever—Dr. Harris has secured statistics showing that seventy-five cases have been treated and all recovered. The disease is confined to the river fronts, in the cellars, among the poor, starved and dissipated, but, being contagious, the physicians of the Board of Health are endeavoring to suppress its spread.

Dr. Paine, assistant superintendent of St. Luke's Hospital, yesterday informed Coroner Schirmer that Peter Angbart, a German, forty-eight years of age, had died from the effects of a gunshot wound. On the 6th ult. deceased was out in Jamaica, L. I., gunning for rabbits, with his son-in-law, Leonard Mawer, and in trailing his rifle after him through the bushes the hammer was caught by a twig, partially pulled back, and then falling upon the percussion cap exploded it. The result was a bullet through Angbart's right hand, which was partially over the muzzle of the gun at the time it went off. Death was the result of the injuries. The remains were removed to the late residence of deceased, No. 339 East Fifty-fourth street, where an inquest was held.

A very full and complete report of a case of death was yesterday made to the Coroner's office by Sergeant George B. Kass, of the Fourteenth precinct. He stated that on Friday evening, John McFee, thirty-one years of age, and born in Ireland, was found lying on the sidewalk in Mulberry street, near Prince, grossly intoxicated, and his head bleeding from cuts supposed to have been received by falling on the sidewalk. After having his wounds dressed at the station house by Police Surgeon Feazer, McFee was detained till the following Sunday and taken to the Tombs and discharged by Alderman Moore. Before leaving the court McFee was seized with fits and conveyed to his residence, 26 Rivington street, where death ensued last night. Coroner Schirmer was notified to hold an inquest on the body. Such satisfactory reports are rarely made by the police sergeants.

POLICE INTELLIGENCE.

The difficulties of the Balasky-Biddle shooting case are increasing. Biddle is yet in the Tombs, as he can neither be bailed nor examined in consequence of the absence of Balasky, who has left the city to avoid the consequences of a civil suit. Judge Dowling seems determined to secure the appearance of Balasky if possible, and has taken measures accordingly.

Henry Walting, a Dane, was brought before Judge Dowling yesterday, at the Tombs, charged with stealing from his employer, Albert Commyer, No. 7 Rector street, a watch, value fifty dollars. A pawnbroker's ticket representing the watch was found in the possession of Walting when arrested by officer O'Neil, of the Twenty-seventh precinct. Judge Dowling committed Walting to answer.

The only case worth recording at the Harlem Court yesterday was that of Henry Slater, who was charged by Charles P. Grabert, a butcher, at the corner of 126th street and Third avenue, with stealing a pair of chickens. The prisoner is employed by Grabert, and on Sunday morning last managed to leave the shop, as he thought, unperceived, with the chickens in his possession, intending, of course, to have a good dinner. His employer, however, had seen him, and, following him with an officer, they found the chickens about being cooked for dinner. Committed.

Catharine Ryan, a child of nine years of age, was yesterday afternoon brought before Justice Coulter, at the Yorkville Police Court, charged with drunkenness. Officer Clarkson, of the Twenty-first precinct, stated that he found her on Sunday night lying helplessly intoxicated at the corner of Twenty-seventh street and Lexington avenue. In answer to the magistrate's inquiries the little creature said that she lived down town with her mother. She was allowed to go home.

Officer Ogden, of the Ninth precinct, yesterday morning arraigned John Williams before Justice Cox, at Jefferson Market, upon complaint of James Corning, charged with burglariously entering the cabin of the ice barge Antarctic, lying off the foot of Barrow street, on Sunday night by means of forcing open the door, and stealing a quantity of rope valued at thirty-three dollars, a portion of which was found in his possession by the officer. He denied the charge, but was committed in default of $1,000 bail to answer at the General Sessions.

Yesterday morning as officers Gorside and Brennan, of the Second District Court squad, were in the tenement house 418 East Twenty-third street for the purpose of arresting William Holden, a desperate character, upon a warrant issued at the instance of Owen Cullen, a resident of the same house, who charge she threated to shoot his wife and himself. Holden's wife hurled a tea cup at officer Gorside, striking him in the forehead, inflicting a severe wound, from which the blood flowed freely. After the assault had been committed by the woman several of her male friends made a rush for the officer, but were kept at bay only by his drawing a revolver and threatening to shoot the first one that laid hands on him. Holden and wife were arraigned before Justice Cox and locked up in default of bail to answer the charges.

The following persons were arraigned before Justice Cox, at Jefferson Market, yesterday morning, and held to answer charges of petit larceny:—Pat Ryan, of No. 284 Atlantic street, Brooklyn, on Sunday night met Mary Smith and accompanied her to No. 93 Greene street, having five dollars in his wallet, where he remained all night. When he got up yesterday morning he discovered his money gone, and charges that Mary stole it, as she was the only person in the room. She denied the charge, but was locked up to answer. Thomas Collins was found with 150 pounds of old iron in his possession, which he had stolen from John Pflunger, of 411 West Forty-first street, and was committed to answer. Andrew Delany, of 221 First avenue, on Saturday night formed the acquaintance of Charles Hughes, and the two went on a spree together, which wound up, as Andrew alleges, by Hughes stealing his watch, valued at fourteen dollars. The prisoner denied the charge, but was committed to answer at the Special Sessions.

On the 28th of September last A. Cantaezan hired a seven octave piano, valued at $400, from the firm of Haines Brothers, East Fourteenth street, and ordered it sent to his residence, No. 299 Fifth avenue, entering into a contract with the owners to pay a certain amount monthly for the use of it, also binding himself not to remove it without informing them. The firm allege he paid the rent regularly for a few months, when he suddenly absconded, taking their property with him. A few days since they ascertained he had placed it in the auction room of Johnston & Van Tassell, in Nassau street, where it was sold. Yesterday morning Napoleon J. Haines, one of the firm, appeared before Justice Cox, at Jefferson Market, and made an affidavit in accordance with the above facts, on which a warrant was issued and placed in the hands of officer Kelly, of the Court Squad, who yesterday afternoon arraigned the "speculator." He denied the charge set forth in the affidavit, but was locked up in default of $1,000 bail.

SUBURBAN INTELLIGENCE.

NEW JERSEY.

Jersey City.

THE NEW WARD.—The announcement in Sunday's HERALD that the bill creating a new ward in this city would be introduced this week in the Legislature aroused many of the slumbering politicians, who were on the *qui vive* yesterday to obtain some specific information from the members of the Assembly on their way to Trenton. Ex-Alderman Connolly and P. J. Meehan, of the Seventh ward, waited upon Assemblyman Doremus and urged the adoption of a section in the bill fixing the dividing line at North Third street, instead of Pavonia avenue, as at first intended. The creation of the Ninth ward has not yet been agreed upon by the caucus, two members being opposed to it. The new ward will be almost wholly democratic, being a portion of the Seventh, the great democratic stronghold of Hudson county.

Hoboken.

YOUTHFUL DEPRAVITY.—Four boys, all New Yorkers, named William Butler, Ben Black, Henry Dunberger and Alfred Gorrill, whose ages ranged from ten to fourteen years, were taken yesterday morning from the cells, where they had passed the night in a state of intoxication, and were presented before the Recorder. They were all well dressed, three of them being employed at bookbinding and the fourth a clerk in a Bleecker street cigar store. Officer Kennedy stated that they came over from New York on Sunday and became so drunk that when he arrested them two of the number could not stand up. The Recorder refused to listen to the supplications of the mother of one of the boys and sent them to the county jail for ten days each.

NEW YORK ROWDIES COME TO GRIEF.—Among the prisoners brought before Recorder Pope yesterday were two New York rowdies, giving the names Watson Allen and John Williams, who travelled around the liquor saloons on Sunday night and refused to pay for drinks anywhere. Aaron Miller, who was one of the victimized parties, followed them, when they turned on him, knocked him down, and were in the act of kicking him when officer Kaiser's club fell upon Allen's head, completely stunning him. Previous to this they threw another saloon keeper, named Julius Schlatter, down the steps of a basement and injured him severely. Kaiser procured aid enough to overpower the roughs and convey them to the police station, where they were locked up for the night. The Recorder sentenced them to thirty days in the county jail, and regretted that he was not empowered to send them to the State Prison.

Hudson City.

DISCHARGE OF THE GRAND JURY.—The Grand Jury were discharged yesterday forenoon by Judge Bedle, who complimented them on the promptness with which they transacted their business. It has not transpired whether any of the leaders in the Erie strikers' riot were indicted. The customary dinner was served up at Allen's Hotel. Judges Bedle and Randolph and the Clerk of the Court were among the guests.

PRECAUTIONS AGAINST THE ROGERS GANG.—Sheriff Mount has a strong guard at the County Jail to dispose of the ruffians who may be foolhardy enough to come to the aid of Rogers, the burglar. There is not a particle of truth in the statement published in one of the morning papers yesterday that a plot for the murder of the keeper and the blowing out of the end wall of the jail was discovered. The whole story was a Bohemian *canard*. A squad of the Hudson City police is detailed for duty at night outside the jail, and these are prepared to give even a better account of the desperadoes than Judge Randolph with his twenty years' sentence. It is worthy of remark that Rogers has become so altered in his demeanor since the sentence was pronounced that he admits the justice of his doom, and expresses the hope that he will be able to give proof of a thorough reformation before half the term expires. While Judge Randolph was addressing him he burst into tears, and was overwhelmed with emotion at the announcement that the gallows was the most fitting punishment for the crime. It will be remembered that Rogers held a pistol to the head of Mr. Johnson, who was sleeping while his house was being robbed, and there is little doubt that had he awoke and made a noise Rogers would have left him a corpse. Hence the severity of the sentence. Rogers pleaded guilty to the burglary at Mr. King's, so that he is an adept in the profession.

Bergen City.

A MERCHANT HOPELESSLY INSANE.—Mr. Charles Chapman, a resident of Emory street, was for a long time an inmate of a lunatic asylum but was discharged on the grounds of improvement and partial restoration. Last week the old malady revisited him and he became so violent on Saturday that he was strapped on a bed. The police then took him into custody and he is now in the county jail, whence he will be removed to the State Asylum. Mr. Chapman was a merchant of more than ordinary ability and enterprise, but he sustained some slight reverses in business which led, it is believed, to his present affliction. He is forty-two years of age.

Millburn.

ANOTHER ALLEGED RAILROAD MURDER.—On Saturday night, about eight o'clock, Mr. Theodore Overmüller, a respectable middle aged resident of this place, and a passenger on the last Morristown accommodation train from New York, fell into a raceway which crosses the track and under the platform and sustained injuries about the head which resulted fatally. He fell forward into the water, so that his head was immersed and, being stunned, the probability is that he was drowned. The raceway was entirely open and unprotected, and the citizens openly charge the company with Overmüller's death. A meeting of citizens was held some time ago and the attention of the company drawn to this very matter, but it seems they saw fit to let it continue in its dangerous condition. The people, consequently, are now much excited and indignant, seeing that a human life has been sacrificed, as alleged, by carelessness. Yesterday Dr. Dodd, Essex county physician, viewed the body, and ordered Coroner Chase, of Newark, to hold an inquest. A jury was sworn, the body viewed and the proceedings adjourned till to-day. Overmüller leaves a wife and three children. Dr. Dodd could see no indication that deceased had been drinking prior to death.

Trenton.

THE LIBEL CASE IN THE MERCER COUNTY OYER AND TERMINER.—The case of Charles W. Jay, editor of the *Union Sentinel*, who was indicted for an alleged libel on Judge David Naar, was called at the opening of this court yesterday. Judge Beasely granted a postponement of the case until the next term, which commences on the second Tuesday of May next. Jay, who is defending his own case, made an affidavit to the effect that United States Senator John P. Stockton was an important witness in the case and could not be produced until Congress adjourned.

THE LEGISLATURE met last evening. The debate on the fifteenth amendment will take place to-day in the Assembly, while the Senate will dispose of the Justices' bill. The bill amending the charter of the consolidated city in Hudson county will not be introduced till next week. It is somewhat curious that the name of the new city has not yet been promulgated. The debate on this bill will attract great attention in Hudson county, and several prominent men have engaged rooms already at the hotels for next week. The details of the bill will be arranged in caucus, so that there will be little delay in pushing it through both houses.

ANOTHER JERSEY MURDER.

A Man Beaten to Death and His Body Hid in the Bushes—Escape of the Murderer—Full Details of the Tragedy.

A brutal murder took place at Carmanville, near Bloomingdale, in Passaic county, N. J., at a late hour on Saturday night. The name of the victim of this tragedy is David Sisco, better known by the cognomen of "Old Snuffy Sisco's son," the head of a family of a wife and two children. The name of the murderer is John Nixon, who seems to have been a drunken, worthless sort of man, much the counterpart of the D. D. Eckelson recently sentenced for the murder of Peter Stokum, in Bergen county.

It seems there has been a feud between Sisco and Nixon for some time past, and as the parties frequently met in the taverns at Bloomingdale a dispute or quarrel was often the result. On Saturday night the two men met in one of the taverns at the above named place, and, as usual, they were both somewhat belligerent in their conversation and actions. Their quarrel ran quite high for some time, but as it was quieted down before they left the bystanders present thought it over.

WASHING OFF THE BLOOD.

About nine o'clock both men left together for home. David Sisco was never afterwards seen alive. His non-appearance by Sunday morning caused great consternation among his family, and a search was instituted. Mrs. Sisco, learning that her husband had been out the night before with Nixon, went over to his house to make inquiries. Entering abruptly, in her haste, she surprised Nixon in the very act of washing blood from his hands and boots. Upon asking Nixon (who did not seem much disconcerted by her presence) what had become of her husband he told her she would find him

DOWN AMONG THE BUSHES

where he was lying drunk and could not get further. Mrs. Sisco then went to the place, but could not find her husband; but while engaged in the search, to her astonishment, she observed Nixon dragging her husband's body by the ears from near a lane leading to the house, and, depositing it among the bushes, hide it from sight.

DISCOVERY OF THE BODY.

Awaiting until Nixon had departed, she repaired to the spot, still supposing her husband to be drunk. To her consternation she found him cold and dead, and bespattered with blood from the wound which had caused his death. The wound was upon the head, where he had been struck evidently with a sharp stone. The skull just above the nose was split entirely through with the stone or whatever instrument the murderer used. The face was so mutilated as to scarcely be recognizable, evidently from kicking.

BEFORE THE MURDER.

Those who were present at the tavern state that Nixon and Sisco had shaken hands together, taken a drink and "made up" all their difficulties. From all accounts, however, it seems that, while on their way home, a fresh quarrel broke out, which ended in the murder. When Nixon arrived home he told his brother he had murdered Sisco, but being drunk at the time but little attention was paid to what he said. As soon as the body was found the exasperated neighbors rushed to the house to arrest the ruffian, but he had made his escape. A large party was organized to pursue him in every direction, but at last accounts he had not been captured. He is a notoriously bad character, and has, it is said, already served a term in the State Prison.

THE CORONER'S INQUEST.

The body of the murdered man was taken home about eleven o'clock and an inquest held. The physician summoned said the blow upon the forehead, heretofore referred to, must have been the cause of his death, as no man could live an instant after having received such a wound.

THE FACTS ELICITED

at the inquest were substantially the same as the above, although there is some discrepancy as to who discovered the body first after the murder. Nixon's wife said she had asked her husband how he had gotten his hands and clothing so bloody, to which he replied that he had "killed Dave Cisco, or nearly so, he guessed." He also told his brother the same; but, as before stated, he thought it only meaningless mutterings of a man under the influence of liquor. It was also proved that Nixon stayed with his brother after the discovery of the body, but no attempt was made to arrest him, for which great indignation has been expressed. On Sunday night he helped himself to his father's best clothing, after breaking into the house, and then made off. A verdict was rendered by the Coroner's jury that David Sisco came to his death at the hands of John Nixon.

Both men worked together in the new canal of the Bloomingdale Hard Rubber Works until about a month ago, since which time they have not been working at all.

THE EXCITEMENT

in and about Bloomingdale is intense, and the most diligent efforts are being made to capture the murderer. So exasperated are the people that it is whispered he will never be brought to a trial if he is caught where trees are so convenient. There is much ill-feeling also expressed that the brother did not detain the murderer when he became aware of what had happened. It is thought that Nixon cannot escape his pursuers. The place of the murder is about two miles from Bloomingdale and some thirteen or fourteen miles north of Paterson.

LONG ISLAND.

RESCUED FROM DROWNING.—About twelve o'clock Saturday night a man, whose name could not be ascertained, but who is supposed to belong to Hunter's Point, fell into the mill creek from the bridge connecting Astoria with Ravenswood and came very near being drowned. His cries attracted the attention of three young men of Astoria, who launched a skiff and put off to his assistance and succeeded in rescuing the unfortunate stranger, but not without some danger to one of their number, named Taylor, who, in his efforts to save the drowning man, was so nearly overcome that his companions with difficulty rescued him.

THIEVING IN QUEENS COUNTY.—Within the past few months Long Island, and especially Queens county, has been annoyed by a series of petty depredations. Harness, wagons, fowls, tools and all descriptions of wearing apparel have been missed by their owners. These operations do not seem to be the work of any organized gang or of professional thieves. Whether a result of want, lack of employment or sheer viciousness, it is certainly a new development of crime. As an illustration, it will be remembered that two men from New York were recently arrested for chicken and harness stealing in Newtown, and are now in the county jail. Upon inquiry it was found that one of the prisoners is a real estate owner in New York, and no motive can be assigned for the crime.

THE NEWTOWN ELECTION.—The election on the question of a police force for the township of Newtown, L. I., was held in Newtown village yesterday. The ballots in favor of the movement were prepared in blank, each voter having the privilege of filling in the number of proposed policemen, &c. The attendance at the polls during the forenoon was light, but the afternoon trains from Hunter's Point and other stations brought a swarm of men, who did valiant service at the bars of the neighboring saloons. Three of the Newtown justices were in attendance, and the constabulary was well represented during the afternoon. Six hundred and nine votes were cast in all, only thirty-five of which were in favor of the proposed police system, leaving the movement defeated by 574 votes. The prevailing impression among the people seems to be that they are already overtaxed on account of improvements now in progress, and hence the emphatic negative to the question.

WESTCHESTER COUNTY.

STATE PRISON MONTHLY RECORD.—The total number of convicts in the male department of Sing Sing Prison on January 1 was 1,173. During the month 29 were received, 34 discharged and 1 died, leaving the total number of males remaining on January 31 1,167. In the female prison there were on the 1st of the month above stated 122 inmates. Since then there were received during the month 4; discharged, 3. Total remaining January 31, 123—making the grand total of convicts in both prisons 1,290.

SCALPS.—We were shown by Mr. N. B. Van Slyke, this morning, an Indian scalp, duly dried and stretched, which he obtained the other day from Colonel D. W. C. Poole, now at the Whetstone Agency. The Colonel told him of a "big Injun," who came to the fort where he was stationed the other day, with a buckskin suit, decorated—like ladies' cloaks with astrachan fur—with the light hair of white women, for which three or four scalps of white women must have been required. Ugh!—*Madison (Wis.) State Journal, Jan. 28.*

THE CITY FATHERS IN SESSION.

Another Protestant in the Field—Annual Reports—Donations—Wooden and Belgian Pavements—Curbing, Crossing, Lighting and Other Work Ordered—The "Fifth," "Sixth" and "Eighth" Assistants.

The Board of Aldermen met yesterday afternoon, pursuant to adjournment, with the president, Alderman Coman, in the chair. There was a large attendance of members and, of course, a full representation of the "third house." The handsome John Williams—the Dundreary of the Board—was not present, and his chair was occupied by the blithe and natty assistant of Judge Bixby, who sat in close confab with his particular friend and rival—in dress and beauty—Alderman O'Brien. The rubicund Alderman Cunningham was among the absentees. His absence, however, would not have been noticed were it not from the fact that his chair was vacant for a time, but was afterwards well filled by Mr. Charles Moore, from the First ward. Alderman Barker's mustache was present, and, of course, he must have been behind it, as few other men could raise or carry such a hirsute affix to their faces.

There was but little time lost in getting to work when a quorum was found to be present. The President, with his usual and peculiar briskness, called off the titles of the numerous papers which encumbered his desk, and announced their reference to the appropriate committees or order to "lay over" or be "placed on file." Among the

PAPERS PRESENTED

were a number of resolutions providing for paving, regulating, grading and lighting several streets in different parts of the city. A communication was received from the gentleman from New Jersey who holds the honorary position of Public Administrator in this city, who was "waked" in Paterson, N. J., and resurrected and elevated to the lucrative post he now holds in New York by the omnipotence of the ruling metropolitan powers. The communication from this gentleman from New Jersey contained the titles of certain actions commenced against him in his official capacity, and like the report transmitted by him last week and given by him "on information and belief" as a correct record of the financial transactions of his department is of little value, except in providing a "fat" job for the printers and to encumber the shelves in the clerk's library. Communications were received from the Mayor, accompanying the reports of the German Savings Bank and the trustees of the Cooper Union. This latter shows the balance of cash held by the trustees January 1, 1870, to have been $4,058, receipts from various sources during the year, $40,027, making the total assets for the year $44,085 and the expenditures $43,871, leaving a balance on hand of $213. The communications were ordered on file.

PROTESTING AGAINST A DIMOND.

A protest was received from one James P. Rogers, who claimed to be entitled to the seat now held by Alderman James G. Dimond. The claim is based on the usual grounds, and as the usual grounds are rather unsettled, the protest will probably sink into oblivion or the waste basket. The matter was referred to the Committee on Protests, of which Alderman Miller is chairman. This last mentioned gentleman shortly afterward arose, and after adjusting nicely his green silk necktie, announced that the Committee on Protests would meet at noon on Wednesday in the aldermanic chamber, and that the first case to be taken up would be the protest of Nicholas Seger against Mr. J. W. Guntzer. The inevitable Lane will, no doubt, be on hand with his "official tally," and will endeavor to demonstrate that he is a "long lane" and "has no turning."

The Board then took up the list of

GENERAL ORDERS,

and adopted resolutions directing as follows:—To lay crosswalks at Fourteenth street and Fourth avenue; to curb, gutter, &c., Twentieth street, from avenue A to the East river; West street, from Hammond street to Tenth avenue, and 124th street, from First avenue to the East river; donating $3,004 87 to St. George's church, $2,789 17 to St. Thomas' church and $116 to St. Paul's church; to lay gas mains in Forty-sixth street, from Second avenue to the East river; to erect gas lamps in front of the German Evangelical church, in Fifty-first street, between Tenth and Eleventh avenues; in front of St. Stephen's church, East Twenty-eighth street, and opposite No. 231 East Eleventh street; to pave Macdougal street, from Spring street to Eighth street; Eighteenth street, from Sixth to Tenth avenue; Forty-sixth street, from Second avenue to the East river; West street, from Hammond street to the Tenth avenue; Forty-first street, from Eighth avenue to the Hudson river, and Second avenue, from Eighty-sixth to 123d street, with Belgian pavement. The question of paving Thirty-third street, from Lexington avenue to the East river, and White street, from Broadway to West Broadway, with wooden pavements were referred to the Committee on Street Pavements. Among other matters the Board granted authority to the civil and police justices to appoint janitors in their several courts, ordered the repairing and refitting of the Jefferson Market Court rooms, directed the regulating and paving of Fifty-ninth street from Tenth avenue to the Hudson river and 125th street from Fifth to Sixth avenue, and then adjourned until Thursday at two P. M.

Board of Assistant Aldermen.

The Board met yesterday afternoon, the President, Mr. Reilley, presiding.

After the minutes of the previous meeting were read and approved a few unimportant resolutions were presented and referred.

ARMOR FOR THE POLICE JUSTICES.

A resolution was adopted directing the Street Commissioner to furnish each of the police justices of the city with a suitable badge, baton and staff of office.

MORE ASSISTANT CLERKS.

A resolution was adopted giving the Clerk of the Board of Aldermen power to appoint a gentleman, whose duty it shall be to supervise and prepare for publication in the Corporation newspapers all matters relative to the Common Council, his salary to be the same as is paid to the Sixth Assistant Clerk of the Board of Aldermen.

The Clerk of this Board was also authorized to appoint two additional clerks in his office, to be called the Fifth and Sixth Assistants, and the Clerk of the Board of Aldermen was directed to appoint an "eighth" assistant at a salary of $2,000 per annum.

At this rate the Boards will not be satisfied until each member has a man "appointed from his particular district."

BELGIAN PAVEMENT.

The Croton Aqueduct Department was directed to have Nineteenth and Twentieth streets, from Sixth to Tenth avenue, paved with Belgian pavement.

DONATION TO A CHURCH.

The Comptroller was directed to draw his warrant in favor of the pastor of the Church of the Incarnation, in Madison avenue, for $3,377 23, as a donation, to be applied in payment of taxes for the work of opening the avenue.

CRIME IN NEW YORK STATE.

Murder Near Ithaca.

A brutal murder was committed near Ithaca last Thursday night. The murderer is a young man named Joseph Wood, aged about twenty-five years, and his victim was an elderly man who resided upon and cultivated a farm near Ithaca. Wood had been in his employ, and was the accepted suitor of the old man's daughter. Recently they had disagreed, and the farmer had discharged Wood and broken up the proposed alliance. Thursday evening Wood procured a hatchet at Ithaca, and, returning to his late employer's residence, attacked and literally hacked the old man to pieces. The daughter went to her father's aid and assaulted his murderer with a stick of wood. The murderer sated his vengeance and then fled. The Sheriff of Tompkins county offers a reward of $300 for the arrest and delivery of Joseph Wood, the murderer, at Ithaca. He is described as being about twenty-five years old, about five feet nine or ten inches in height, and weighs from 150 to 160 pounds; blue eyes, short, sandy chin whiskers; dark hair, bald from the crown of the head back; had on a dark sack coat, yellow pants, dark stripe down the leg; clothes well worn.

Suicide by a Woman.

Mrs. Mary Ann Brooks, of Waterville, Oneida county, committed suicide last Wednesday night by drowning. About three years ago Mrs. Brooks was deserted by her husband and left to care for three small children. Since the flight of the wretch the poor woman has had a severe struggle to support herself and children, and her despondency at times has been very great. Her trials have been weighing upon her mind with unusual force of late, and the suicidal act is correctly attributed to her grief and destitution. Wednesday night or early Thursday morning she left her bed, proceeded to the grist mill of Mr. Jones, on Mill street, and threw herself in the raceway. Her body was recovered early Thursday morning. Mrs. Brooks was about forty years of age. She leaves three children.

Heavy Burglary and Larceny.

On Wednesday night the hardware store of Armstrong & Gage, of Penn Yan, Yates county, was entered by burglars, who blew open the safe therein with powder, and then abstracted the contents, money and papers. The amount of money taken has not been learned yet, but it is large, supposed to be $8,000 or $10,000. One of the firm, who was about buying a farm, had the purchase money in the safe, and this must have been known to the burglars.

A DOUBLE-ENDER LOCOMOTIVE.—A locomotive firm in Taunton, Mass., have just put upon the Taunton and New Bedford road a new mammoth locomotive which is an entire novelty, being what may be called a "double-ender," and is appropriately named "Janus." It is constructed to run forward and backward alike, and is double in all its parts, the engineer's standing place being in the centre. The weight of the machine is sixty tons.