THE COURTS.

Proceedings in the Courts Yesterday.

More Whiskey Frauds—Bank Defalcations—The Oakley Case—The Erie-Ramsey Railroad Litigation—Wall Street Speculations—The Van Saun Case—The Fourteen Day Act—Just Sentence on Burglars.

UNITED STATES COMMISSIONERS' COURT.

More Whiskey Frauds.

Before Commissioner Betts.

The United States vs. Martin R. Cook.—The defendant, a member of the whiskey firm of S. H. Fellows & Co., was yesterday arrested on information furnished to Collector Bailey, of the Thirty-second district, that he (defendant) had defrauded the revenue through his alleged connection with the old whiskey ring. The case was brought for examination before Commissioner Betts, who held the accused in $3,000 bail.

The Merchants' Exchange National Bank Case.

Before Commissioner Shields.

The United States vs. E. J. Oakley.—The defendant was the cashier of the Merchants' Exchange National Bank, and is charged with having embezzled over $30,000 worth of the funds of said bank. The defendant waived an examination, and was held to await the action of the Grand Jury.

SUPREME COURT—CHAMBERS.

The Ramsey Contempt Case—A Reference Ordered to Report Damages.

Before Judge Barnard.

The Erie Railroad Company vs. Joseph H. Ramsey.—Pursuant to adjournment the motion in this case to punish Joseph Ramsey for contempt and to have a reference ordered to estimate the amount of damages sustained by the company in consequence of the alleged contempt came up yesterday. The defence set up was that the injunction was improvidently granted and should not be continued, first, because the injunction itself rested on information and belief, and the facts alleged were denied; that the plaintiff had not cause of action to uphold the injunction; that the suit was in a court of equity in this district to restrain further proceedings in another district, and upon a state of facts on which no such action could be sustained; and lastly, the injunction should not be continued in a case when the general term of this district had decided that such an injunction was absolutely void, and anybody might lawfully disregard it.

Judge Barnard, after some discussion on the part of counsel, made to the effect that Joseph H. Ramsey was declared guilty of contempt in having disobeyed the injunction order made on the 25th of November, 1869, by proceeding farther in the action, wherein Joseph H. Ramsey was plaintiff and the Erie Railway Company and others were defendants, and that such misconduct tended to defeat and impair the rights and remedies of the plaintiff, and did actually impede and prejudice the rights and remedies of the Erie Railway Company in the cause pending in this court between the said company as plaintiff and Ramsey as defendant. It was further ordered that a referee be appointed to ascertain and report what damages the Erie Railway Company had sustained by such misconduct.

The case was then adjourned to March 1.

Action for Forty-five Thousand Dollars Against the Liverpool, New York and Philadelphia Steamship Company.

E. S. Jaffray et al. vs. The Liverpool, New York and Philadelphia Steamship Company.—This was an action instituted in 1866 to recover from the defendants the sum of $45,968 for damages to cargo shipped at Liverpool in the fall of 1865 in the steamer City of Baltimore, in consequence of an accident to that vessel while at anchor in the Mersey. The defence was that the accident was caused by a peril excepted in the bill of lading. Mr. Buckley now moved on behalf of the company to examine certain witnesses residing at Liverpool by commission, and as their names could not be given it was asked that the said commission be regarded as an open one; that is, to allow witnesses to be examined without their names being set forth.

Judge Barnard granted the motion and the stay of proceedings until the first Monday in May.

SUPREME COURT—SPECIAL TERM.

The Seward Will—The Arguments Postponed.

Before Judge Cardozo.

William H. Seward and George M. Grier, Executors of Samuel S. Seward, Deceased, vs. Edwin P. Seward et al.—The testimony in this case, which is a suit in equity, has concluded. The suit was brought for a general settlement and final disposition of the will of Samuel S. Seward. At the conclusion of the evidence the summing up was adjourned till February 24.

SUPERIOR COURT.

The Van Saun-Barr Case.

Before Judge Spencer.

Van Saun & Wheeler vs. Barr.—This case, which caused so much excitement in Wall street and the other rialtos where merchants and others most do congregate, was set down for further argument yesterday. Judge Curtis, of the Marine Court, appeared for the defendant and moved on the case for hearing. Judge Spencer concluded that he could not give sufficient time to the case, and by consent of counsel it was adjourned over till the 24th inst. The parties interested then left the court.

COURT OF COMMON PLEAS.

Motion to Be Discharged Under the "Fourteen Day Act."

Before Judge Van Brunt.

In the Matter of William Bauner and Samuel Bauner, Bankrupts.—This was an application to be discharged under the Fourteen Day act. The petitioner set forth the debtors had been discharged under the Bankrupt law of the United States; that the Register in Bankruptcy had made an assignment of all their property, and that they were imprisoned at the suit of one John Marks, a creditor.

Counsel for the creditors contended the Fourteen Day act did not apply, and that the petition was faulty and defective in not having annexed thereto schedules of the debtors' property.

Counsel for the petitioner replied that as the property had all been assigned they had no property to schedule.

The Court sustained the objections of counsel for the creditors and dismissed the petition. Runkle & Engiehardt for petitioner. Mr. Compton for creditors.

Action for Damages—Dismissal of the Complaint.

Before Judge Loew.

John Hahn, Administrator, vs. Charles Curtis.—The son of the plaintiff was run over by one of the cars of the old line of telegraph stages on the corner of Grand street and the Bowery, in 1864, of which the defendant was part owner. The boy, along with several others, jumped on one of the Harlem Railroad freight cars, and on getting off was run over and killed. The father now brings suit for $5,000. The Court dismissed the complaint on the ground of entire negligence on the part of the boy and none on the other side.

COURT OF GENERAL SESSIONS.

Decisions.

Before Recorder Hackett.

At the opening of the court yesterday Gustav Turner pleaded guilty to an indictment charging him with stealing from Adolph Hank, on the 22d of January, a gold watch and chain, valued at $150. There were five similar complaints against him, and the Recorder imposed the full penalty of the law, which was imprisonment in the State Prison for five years.

Margaret Conhey was placed on trial, charged with stealing fifty-eight dollars' worth of clothing from James O'Shea on the 12th of May. The evidence was insufficient to sustain the indictment, and the jury promptly rendered a verdict of acquittal.

Michael Hurley, who was indicted with three boys for burglariously entering the machine shop of Jeremiah Welsh, Jr., in East Tenth street, on the 27th of January, was tried. The only testimony against the accused was the statement of one of the thieves, and Hurley having proved his good character the jury rendered a verdict of not guilty without leaving their seats.

William Creedon pleaded guilty to assaulting John Corney on the 1st inst., and was sent to the Penitentiary for six months.

A COLORED BURGLAR SENT TO THE STATE PRISON FOR TWENTY YEARS.

George Smith, a colored man, was tried and convicted of burglary in the first degree. The testimony for the prosecution showed that on the evening of the 23d of January the prisoner called at the house of Mrs. Butcher, No. 252 West Twelfth street, and asked for something to eat. His wants were kindly supplied, but Mrs. Butcher, not liking his appearance, called in an officer and told him her suspicions and requested the policeman to look after him. While they were conversing the prisoner opened the door with a night key and entered the hall, having a bag on his arm. As soon as he saw the officer he ran out of the house, but was captured after running three blocks. The Recorder, in passing sentence, stated that whenever a man, black or white, was convicted of burglary by clear evidence he would impose the highest penalty the law allowed. Smith was sent to the State Prison for twenty years. This sentence may appear to be severe and injudicious, seeing that no property was stolen, yet the crime was complete and such prompt and severe punishment cannot but have a beneficial effect in deterring burglars from entering dwelling houses in the night time.

TWO WHITE BURGLARS SENT TO SING SING FOR TEN YEARS.

Joseph McGowan, who was jointly indicted with David Degnan, charged with burglary in the first degree, pleaded guilty to the second grade of that offence. They were charged with having burglariously entered the dwelling house of Garret E. Winants, 464 West Twenty-third street, on the night of the 31th of January. A bronze ornament, worth thirty dollars, and an album, valued at fifteen dollars, were stolen. The Recorder said that by pleading guilty the prisoner saved himself ten years. He was sentenced to the State Prison for the period of ten years.

ARSON IN THE THIRD DEGREE.

Allen G. Taylor, a young man about twenty years of age, pleaded guilty to arson in the third degree by advice of his counsel, Mr. Kintzing. He was charged with having wilfully set fire to the house of Harris Goldstein, 512 Grand street, on the morning of the 27th of January. It appears that the prisoner rented the lower part of the premises as a liquor saloon, while the upper portion of the building was occupied by several families. The Recorder, in passing sentence, observed that there were no extenuating circumstances in the case and that the prisoner endangered the lives of a number of human beings for pecuniary gain. The extreme sentence was meted out to him, which was incarceration in the State Prison for ten years.

COURT OF SPECIAL SESSIONS.

Before Judge Dowling.

The calendar of the above court numbered twenty-nine cases, nearly all of which were for assault and battery, several of which were of a very serious character.

BITING A NOSE OFF.

William Pipes, a sailor on board the bark Etna, from Shanghae to New York, while the vessel was in dock got drunk and made so great a disturbance on board that the cook, David Clennie, begged of him to go to bed and not disturb all on board. Words ensued of an aggravating character, in which the nationalities of the two men (one being Scotch and the other Irish) were freely bandied about. At length words got to blows, and in the conflict Clennie's nose was bitten off. Clennie presented a frightful disfigured appearance. Mr. Hummel was assigned by the Court to defend Pipes, but could not prevent the extreme sentence of the law being passed upon him, and he was sentenced to six months imprisonment.

WHISPERING IN THE EAR OF JUSTICE.

James Clancy, a young man, about nineteen years of age, was charged by Thomas Curley, of the Twenty-seventh precinct, with assaulting him as he was going into the station house on Thursday evening last.

Curley, having given his evidence, rose from the chair and whispered to Judge Dowling and Mr. Fellows, the Assistant District Attorney, who was on the bench with the Judge, "He is the biggest thief in New York; he is always loafing about to steal."

Judge Dowling (very audibly spoken)—One of the beauties of the law is that any charge made against a prisoner shall be made in his hearing; sit down, sir, and let us know about this. Now, sir, has this young man been arrested for disorderly conduct?

Officer—No, Judge; he is a thief.

Judge—Ever been arrested?

Officer—No; he is too smart for that.

Judge—Then he was too smart for you; you couldn't catch him? What was it he stole, and when, and where?

Officer, after a considerable hesitation, said he could not recollect, and when pressed for an answer virtually admitted it was a false charge.

Judge—Now, let us see what this young man has to say about it. Are you a thief, sir?

Clancy, the complainant—No; I arrived in this country only a month ago, and am waiting for my father, who, I expect, will be here soon, and then we are going to settle here. I am quite a stranger here, and have friends who can prove it.

Judge—So I believe. This young man is evidently what he says he is, and I shall dismiss this complaint; for I certainly could not believe the officer.

The defendant then left amid the evident satisfaction of the court.

THE DISCORDANT PIANO.

Mr. Haines, of 46 Union square, writes to ask that a correction may be made in the report of the above case given in the HERALD of Sunday. It was stated that at the suggestion of the Judge, Mr. Haines did not wish to prosecute the charge against Mr. Cantagazeni. Mr. Haines says that what he told the Judge was that he did not wish to "persecute" Mr. Cantagazeni.

COURT CALENDARS—THIS DAY.

OYER AND TERMINER AND SUPREME COURT—CIRCUIT.—Part 1.—Nos. 1805, 1807, 1831, 1877, 1767, 4247, 879, 1495, 1931, 1935, 1451, 1961, 1971, 1975, 1954, 1985, 2001, 1973, 1981, 1997. Part 2.—Nos. 1598, 1603, 244, 1488, 498, 34, 336, 1120, 1566, 932, 62, 1590, 484, 1602, 1594, 1576, 1524, 1636, 1612, 1616.

SUPREME COURT—SPECIAL TERM.—Demurrer.—No. 29. Law and fact—Nos. 192, 58, 252, 260, 236, 63, 125, 186, 205, 247, 248, 264, 62, 109, 130, 161, 181, 221, 227, 28, 29, 42, 51, 56, 59, 76, 79, 81, 87, 88, 92, 93, 95, 101, 102, 114, 116, 122, 123, 131, 133, 135, 138, 148, 157, 165, 170, 177, 182, 184, 188, 209, 211, 229, 242, 249, 251½, 269, 270, 271.

SUPREME COURT—CHAMBERS.—Nos. 223, 234, 235, 243, 246, 285, 286, 287, 308, 323, 335, 341, 349. Call 350.

SUPERIOR COURT—TRIAL TERM.—Part 1.—Nos. 1151, 803, 133, 132, 677, 1343, 1341, 1347, 1349, 1355, 1357, 1359, 1361, 1369. Part 2.—Nos. 2048, 2109, 1760, 1762, 2118, 1914, 2010, 1806, 1878, 2104, 2106, 2110, 2112, 2114, 2116.

COMMON PLEAS—TRIAL TERM.—Part 1.—Nos. 477, 714, 171, 1701, 740, 537, 691, 705, 732, 464, 769, 770, 772, 773, 774. Part 2.—Nos. 342, 701, 703, 113, 776, 777, 780; 781, 782, 783, 784, 785, 786, 787, 788.

MARINE COURT—TRIAL TERM—Part 1.—Nos. 65, 352, 4754, 201, 333, 334, 288½, 289, 303, 306, 315, 322, 325, 327, 328. Part 2.—Nos. 4522, 146, 161½, 206, 207, 208, 17, 324, 284, 285, 292, 294, 297, 298, 305, 311, 314.

COURT OF GENERAL SESSIONS.—The people vs. Charles Dupell, rape; Same vs. James Lee, William Welsh and James McCarty, robbery; Same vs. Edward Welsh, Elias McKnight, Peter Scully, Thomas Lyons, James Hedlin, burglary; Same vs. John Robinson, felonious assault and battery; Same vs. Francis Kelley, felonious assault and battery; Same vs. Charles D. Bowen, John Gross, James Welsh, grand larceny; Same vs. James Martin, larceny from person; Same vs. Charles Parks, assault and battery; Same vs. Sarah Brown, petit larceny.

BROOKLYN COURTS.

UNITED STATES COMMISSIONERS' COURT.

An Assistant Assessor in Trouble.

Before Commissioner Jones.

United States vs. G. W. Tompkins.—The defendant, who is an assistant assessor of the Second district, was arrested on the charge of having obtained seven dollars from Ferdinand Vanreuter, a liquor dealer, corner of Harrison and Flushing avenues, under the plea that the money was for payment of special tax. Tompkins was discharged on his own recognizance to appear this morning for examination.

The Post Office Frauds.

United States vs. George Judson.—The hearing of this case, in which the defendant, who was cashier in the Brooklyn Post Office, is charged with stealing moneys collected on unpaid letters, was resumed yesterday afternoon. Several letter carriers were examined with reference to the payment of moneys thus collected to the defendant, and the further hearing was adjourned.

COURT OF SESSIONS.

The Alleged Seduction Case.

Before Judge Troy.

The trial of Victor Vandervoer, indicted on the charge of having under promise of marriage seduced Maria Joslyn, his housekeeper, was resumed yesterday morning and occupied the attention of the court the entire day. A number of letters, alleged to have been written by the complaining witness to defendant, in which she stated that she knew he was a married man, and which were in variance with her character as a virtuous woman, were read in evidence. The defence was that the woman was not of previous chaste character. The jury being unable to agree, were discharged. They stood eight for conviction and four for acquittal.

Serious Charge Against a Police Officer.

James Morgan, a boy, pleaded guilty to having stolen $200 from the Navy Yard. The prisoner stated that he met officer Gleason, of the Fifteenth precinct, with his uniform and badge under a civilian's suit, and requested his assistance to enable him to restore the money; that Gleason told him not to do that, took $160 from him, got him drunk and then arrested him. The officer denied the charge, and gave the District Attorney a list of names by whom he claims he will exculpate himself.

BROOKLYN COURT CALENDAR—THIS DAY.

BROOKLYN CITY COURT.—Nos. 144 to 163, inclusive.

SINGULAR CASE.—On the 2d day of last September a little child of Mr. James W. Kelley, who resides in Congress street, in this city, swallowed a steel beltpin nearly two inches long, with a glass head. Several physicians examined the child, some expressing the opinion that the pin remained in the stomach and others that it had passed through into the bowels. The child has suffered much pain since the accident, its appetite has been very capricious and it has at times been considerably emaciated. It has lately had an attack of whooping cough, and after one of the paroxysms of the disease, about two weeks since, vomited up the pin, which, of course, had lain in its stomach since the accident—a period of over five months. The pin was considerably rusted by the action of the gastric juice, although the point was as sharp as ever and the glass head remained intact.—*Lynn (Mass.) Transcript.*

NEW YORK CITY.

A Man Shoots Himself in the Mouth—Stealing "in Fun"—Foreign Postal Service—Bailey's Whiskey Raid—A Valise Dodge—Customs Cartage—Miscellaneous Arrests and Incidents.

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.	44	50	3 P. M.	49	46
6 A. M.	45	46	6 P. M.	48	42
9 A. M.	51	47	9 P. M.	46	39
12 M.	50	47	12 P. M.	44	38

Average temperature yesterday 44
Average temperature for corresponding date last year 45¾

Yesterday John P. Buffit, of No. 180 Seventh avenue, was knocked down by a coach in Broadway, near the Fifth Avenue Hotel, and injured.

Under the order of the Board of Police Superintendent Kennedy has been compiling evidence in the case of the Prince Arthur assassination hoax, with a view of ascertaining where it came from. Charges have been preferred against Sergeant Taylor, of the Twenty-ninth precinct, and the trial set down for next Monday. Several reporters and others have been subpœnaed as witnesses.

The Arion Society, assisted by the New York Sing Academy and by Mme. Parepa-Rosa (Agatha) and Miss Pauline Canissa (Aennchen), will repeat the grand German romantic opera of Weber, "Der Freischutz," at the Academy of Music in this city, on the eve of Washington's Birthday. Their great mask ball, so popular for the last fifteen years, takes place to-morrow, at the same house, and to judge from the programme, it promises to be the pitch of the season.

Christian Richter, proprietor of a lager beer saloon at 425 West Twenty-fifth street, was yesterday morning arraigned before Justice Cox, at Jefferson Market, by officer Glick, of the Sixteenth precinct, charged with violating the excise law, by selling liquor to a boy under eighteen years of age, named Dennis O'Connell. Thomas Casey, of 540 West Twenty-eighth street, testified to seeing Richter sell the boy four drinks of brandy, which made him so beastly drunk that he was unable to walk. He gave bonds in the sum of $300 to answer the charge.

During the month of January of the current year there were sent to Europe the following number of letters:—British, 250,502; Bremen and Hamburg (including German mail), 126,197; North German Union, 40,174; France, 22,529; Belgium, 3,839; Netherlands, 6,455; Switzerland, 11,119; Italy, 5,673; making a total of 466,198 letters. Those received from Europe are as follows:—British, 214,321; Bremen and Hamburg, 86,234; North German Union, 61,823; France, 24,535; Belgium, 2,509; Netherlands, 4,611; Switzerland, 8,515; Italy, 6,795; making a total of 409,463 letters. Grand total sent and received, 875,661.

The customs cartage system, as introduced by Collector Grinnell, under the superintendence of Mr. J. P. Lindsay, went into full force yesterday. By yesterday noon all the importers, as was ascertained at the Custom House, had their cartmen licensed, and not a single complaint was made. The number of district cartmen to do the government work is not yet complete, but applications are being received hourly, and Mr. Lindsay hopes to have a full force at work by Monday. The new system, it is alleged by the officers, works to a charm, and the longer it endures the more will importers and merchants be satisfied with it.

The following is a correct list of the places of business of wholesale liquor dealers—sixteen in number—for which warrants were issued to Collector Bailey on January 10, and whose owners have been subjected to accusation of fraud upon the revenue since that date:—22 Monroe street, 44 Broadway, 58 and 60 Broad street, 17 Water street, 68 Broadway, 36 Front street, 37 Eleventh avenue, 12 Cedar street, 36 Broadway, 102 Wall and 22 Ridge streets, 728 and 732 Washington street, 77 Broad and 27 South William streets, 229 and 230 West street, 105 Water street, 182 and 184 Pearl street.

A young man named Aaron Goldstein was charged before Judge Dowling yesterday, on the complaint of Rosa Brown, No. 41 Baxter street, with stealing from her room two dresses of the value of sixty-five dollars. She stated that she lived in a tenement house, and that she met the prisoner on the stairs. On her return she found her rooms broken open and the dresses gone. She said she did not wish to press the charge if she could get her dresses. The Judge instructed the officer to go with the prisoner and get the dresses. He did so and then returned to the court with the prisoner, who was committed to answer for the robbery.

About eight o'clock yesterday morning the attention of officers Grennan and King, of the Eighteenth precinct, were called to a man who lay dead on the sidewalk in Nineteenth street, near avenue B. On going to the spot the officers found the man bleeding from a wound in the heart, and a pistol lying on the walk beside him. In the crowd that soon gathered was a person who recognized the body of deceased as that of Jacob Dortelimer, a German shoemaker, forty-five years of age, who lived in Houston street, near avenue C. Deceased had placed the muzzle of the pistol in his mouth and discharged it, the ball passing upwards and lodging in the brain, causing almost instant death. Very little could be learned concerning deceased, and no one seemed to be aware of the motive which prompted him to take his life. The body was taken to the Morgue and Coroner Rollins notified to hold an inquest. During the investigation it is expected some further light will be thrown on the matter.

Yesterday morning detectives Casey and Quinn, of the Broadway squad, discovered two well known "sporting characters" of the Eighth ward, named Charles Wilson and Edward Hall, promenading down Broadway, having in their possession a large sized valise, and, surmising they had been on a thieving excursion, arrested them. Upon conveying them to the station house in Mulberry street the valise was discovered to be no more nor less than a cleverly arranged machine for "lifting" goods from the counters of stores. The valise, instead of opening in the centre, as is customary, was nailed and securely strapped up, while the end had been cut open and a spring lock placed in the inside, which opened by a string obtruding from an obscure place. In the inside of the valise were found two pieces of silk, valued at $140, which were subsequently found to have been stolen from the store of Colwell, Taylor & Co., at the corner of Grand and Mercer streets. A complaint was preferred against them by one of the members of the firm upon the prisoners being arraigned before Justice Cox, at Jefferson Market, to which they pleaded not guilty, but were held for examination.

THE EASTERN DISPENSARY.

A meeting of the Medical Board of the Eastern Dispensary, was held yesterday forenoon at eleven o'clock in the Trustees' Hall, corner of Grand and Essex streets. Owing to the inclemency of the weather there were not so many persons present as was expected, although the room was, nevertheless, pretty well filled. Dr. B. J. O'Sullivan, President of the Board, read a very able and interesting paper on "The Clinical Resources of our Hospitals and Dispensaries." The Doctor said he did not deem a few brief remarks on this subject out of place in an association such as theirs, which was essentially a practical one, as most, if not all, the members have had ample opportunities to study disease in its various phases and in a truly scientific manner, which clinical experience alone affords. It is obvious to all, said he, that our city presents in its well arranged and, for the most part, well governed hospitals and dispensaries, abundant material for study. Their number and size, the construction of the wards, the numerous patients, the varied classes of diseases and excellent order, all tend to prove that our city is excelled in this respect by few others in the world. How different a few years ago? Then a person desiring to post himself thoroughly in any particular branch of the profession which he may have chosen found it necessary to go to France, Germany or Great Britain for teachers as well as subjects from which to obtain the desired information. He deemed it pertinent to the subject to inquire how the resources of the institutions above referred to are developed at the present day, and what seems to be the principal object of those holding responsible positions therein. He, for one, was of the opinion that bedside instruction in our hospitals and the class teaching in our dispensaries were not all that could be desired. With a few honorable exceptions he was sorry to see that personal aggrandizement, professional pride (of a peculiar kind) and college clique competition seemed to be the sole object for which they labor, for the aim seems to be to make the most of the position and to extend the personal fame of the teacher or the practitioner. Dr. O'Sullivan spoke at considerable length, and in the course of his remarks suggested several very effectual remedies for the above mentioned evil, which were warmly applauded by his hearers.

Short addresses were also made by Drs. Rodgers, Griscom, Nichols, Loines and Garrish, after which the meeting adjourned, to meet on the first Tuesday in March.

PERSONAL INTELLIGENCE.

Prominent Arrivals in This City Yesterday.

General A. J. McKay, of New York; Dr. C. W. Bassett, of Boston; G. F. Towle, of the United States Army; Colonel P. Crowley, of Port Jervis; Judge G. M. Wilson, of Chicago; Colonel Charles Poulson, of Philadelphia; Colonel R. S. Stevens, and Colonel G. A. Randall, of Kansas, and Judge A. H. Sandford, of Goshen, are at the Metropolitan Hotel.

General Hamer, of the United States Army; James B. Andrews, of Baltimore; E. B. Morgan, of Aurora; W. G. Fargo, of Buffalo; J. W. Le Barnes, of Washington; Dr. P. Earle, of Massachusetts; W. P. Walker, of Maine; W. J. McAlpine, of Albany, and H. McElroy of the United States Navy, are at the Astor House.

General J. R. Anderson, of Richmond; T. Roessello, of Washington; Amasa J. Parker, and J. W. Ramsay, of Albany; Elmore P. Ross, of Auburn; E. B. Judson, of Syracuse; Colonel W. M. McKim, of Boston, and Judge George Greene, of Iowa, are at the St. Nicholas Hotel.

Captain A. C. Curtis, of her Britannic Majesty's steamer Monarch; George Peabody Russell, of Salem, Mass.; R. H. Pruyn, of Albany; E. O. Tufts, T. Whitridge, Colonel J. H. French, J. Selwyn and Colonel C. O. Wright, of Boston; A. P. Peabody, of Cambridge, Mass.; Colonel J. M. Vanbuskir, of Pennsylvania; J. Rice of Philadelphia; J. B. Libby, of Portland; C. L. Bushnell, of New Haven; Dr. C. T. Collins, of Great Barrington, and W. Frothingham, of Albany, are at the Fifth Avenue Hotel.

Captain E. R. Bliss, of the United States Navy; Dr. S. R. Childs, of Saratoga, and T. H. L. Fuller, of Nashville, are at the St. Charles Hotel.

T. McFarlane, of Quebec; H. S. McDougall, of Montreal, and Charles Chouteau, of St. Louis, are at the New York Hotel.

Beauveau Boice, of Philadelphia, and B. McIlvain, and W. McKie, of the United States Army, are at the Albemarle Hotel.

Colonel Gorloff, Captain Belderling and Captain Biremaksky, of the Russian Army; Lucien Robinson, of Elmira; T. B. Rumrill, of Springfield; General J. T. Owens, of Philadelphia, and Commander H. P. Pickling, of the United States Navy, are at the Hoffman House.

Edward and Thomas S. Southworth, of West Springfield; H. S. Humphries, of Philadelphia, and Thomas Morrow, of Albany, are at the Coleman House.

Major W. S. Purdey, of the United States Army, and A. E. Chadwick, of Florida, are at the Irving House.

Prominent Departures.

Viscount Pazos, Manuel Sacro, W. P. Deuckla and J. F. Joy, for Washington; Governor Burnside, for Rhode Island; Mr. Bummer, for Chicago; Commander Kellogg, for Washington; Judge J. Redmond, for Boston; O. B. Skinner, for Cleveland; J. M. Morehead and R. S. Hubbard, for Connecticut.

LITERATURE.

Review and Criticism of New Books.

UP BROADWAY AND ITS SEQUEL. A Life Story. By Eleanor Kirk. New York: Carlton, publisher.

The autnor of this work is known among a certain "literary" class in this city as the writer of numerous magazine articles touching the question of woman's wrongs. "Up Broadway" is, so far as we are aware, the first lengthy work from her pen, and we could wish, for the sake of true womanhood, that it was anything else than what it is. We are told that it is a true story. It narrates the experiences of the author with one of that wretched class of women known as "night walkers," whom Mrs. Kirk discovers by means of her beggar child, and whom she rescues from degradation, visits her betrayer, and learns from him that he still cherishes an ardent affection for the fallen woman and his illegitimate child. The wind up is that Mr. Blank marries Mary (such is her name), and the pair are now enjoying earthly felicity.

Such, in brief, is "Up Broadway," or, rather, such is the "story." Had it rested with the marriage of Mary we should positively have given it no notice whatever. As a literary production it cannot be commended. The style is that of the very trashy sensational American and English novel. Mrs. Kirk writes with contemptuous disregard of the proprieties of the English language. In endeavoring to depict low life she utterly fails. If she did not assure us that hers was "a true story" we should unhesitatingly refuse to believe that clergymen moving in the highest society visit low dens on Mulberry street for immoral purposes. Many of them probably do go astray, but they generally possess sufficient intelligence to avoid such a locality as Mary's hovel was situated in. Wealthy men and men who hold good social positions do not usually pursue "night walkers," whose terrible avocation is almost solely piled, as any police report will show, and as various works that we have read abundantly testify, among the more ignorant and depraved class of men, of no social standing and of small means wherewith to gratify their brutish appetites. Furthermore, however great an incentive to precocity misery may be, we do not think that little girls are given to philosophizing, even under the most aggravating circumstances, as the daughter of Mary is made to philosophize in this book. And when Mrs. Kirk enters into "high life" she is equally unfortunate. Broad street brokers are not necessarily refined in their manners; we hear, indeed, that some of them are actually coarse, illiterate persons, and that very many are given to the use of slang phrases when "on the street." But Mrs. Kirk describes a gentleman who, in a dialogue with her, speaks of Erie as "on a regular bender," and promises to be with her "in a jiffy." He also desires to know what poor unfortunate is in "a tight place," and confesses that Erie has treated him uncommonly well—"thanks to a bright eye to the windward." We deeply regret that this broker did not explain whether it was absolutely necessary for bright eyes to be directed windward if a mortal desired to be "uncommonly well" treated. As for "a regular bender," "a jiffy" and "a tight place," we have heard these phrases used among men, but we think they are seldom, if ever, addressed by a gentleman to a lady, save in jest between intimates.

We think that we have sufficiently shown "Up Broadway" to be utterly unworthy of serious consideration as a literary production. There is, however, a "Sequel," which explains the object with which the story was written, of so pernicious a character that the book is invested with an importance it could not otherwise have possessed. The moral we are asked to deduce from the trashy story is to be found in our stringent marriage laws. Mrs. Kirk believes in "affinities." Albert D. Richardson, she tells us, was "a man who, for love's sake, was most foully murdered." He was as much a martyr as Lincoln. She desires "to do away, as far as possible, with the old established idea that marriage by priest or minister is a God-ordained rite." It is her opinion that "the day that prostitution in so-called married life is abandoned, that day will show fewer (?) brazen females on our streets and fewer adulterers." In contracting matrimonial alliances there is not sufficient consideration given to the questions of "fitness, adaptability, soul fitness and sympathy." Subsequent to marriage, if a man and woman find, "after mutual and conscientious effort, that they are unable to keep that (the marriage) vow; that instead of attracting they repel each other more and more the longer they live together, it is difficult for any reasonable person to understand why they should remain in bondage." As regards the forming of a second tie, "the guarantee against a second mistake must lie with the individuals themselves." Mrs. Kirk writes quite flippantly about "the benefits of experience" in contracting this new alliance, but she does not tell us what the woman is to do if *it* proves a mistake. Shall she form a third, a fourth, a fifth, and so on to the end of the chapter? We should judge this to be her idea, for she tells us directly after that "all the business of life is experimental. Nothing is absolutely guaranteed; everything must be tried for, and all protestantism is but a slipping off of the guaranteed noose."

We have selected the quotations given in the foregoing paragraph hap-hazard from the book. Can society conceive any doctrine, short of absolute incense, more meretricious than this? Let us imagine this book placed in the hands of young girls and their ideas of the married state formed upon the theories here promulgated. Is it not disgraceful that a publisher of standing and respectability should be found willing to aid in the dissemination of a principle that aims at the destruction of the most sacred pillar of our social fabric? We can hardly decide whether it is more damnable to write or to publish such narratives as that before us. A few years ago "Up Broadway" and its "Sequel" could have appeared from no other press than that of the individual who published the *Day's Doings* of those times. Unfortunately we find the press of the present day advocating this doctrine of "freedom in marriage," gravely discussing the question of "affinities" and defending the act of a woman in deserting her husband for another man whose libertine arts had deadened her to duty, to shame, to virtue. And it is solely because the subject has attained so much prominence that we notice this book in the HERALD. We can no longer ignore or treat it contemptuously. As in Rome, Athens, Sparta and almost every other part of the pagan world in the past, it seems destined to convulse Christian civilization in the future. It is, therefore, our duty to aid the virtuous in repressing it and to recommend that every moral parent place works advocating the pernicious doctrine upon his or her *index expurgatorious*. Certainly while there is everything in "Up Broadway" to disgust we can find nothing in it that is either instructive or entertaining—even to the most prurient mind.

THE SCAFFOLD.

Execution of a Murderer in New Brunswick.

History of the Case—Verification of the Old Adage that Murder Will Out—Story of a Woman's Trust and Man's Perfidy—Evidence Against the Prisoner—His Defence and Conviction—Particulars of the Execution—Confession and History of the Convict.

ST. JOHN, N. B., Feb. 15, 1870.

On the 14th of September last human remains were discovered near the Black river road, twelve miles from St. John. On the following day Coroner Earl visited the spot and found the skull of an adult, with a bullet hole in the left side; also the remains of a female and child's clothing lying near. An investigation commenced, which lasted from September 16 to October 2. Inquiries were made for five days. At length one Robert Warden, a coachman, was found, who stated that he remembered driving a Mr. Munroe and a Mrs. Clark from Lordly's Brunswick House to the Black river road in October, 1868. They professed to be going to Collins', and left him on the road, about half a mile beyond Bunker's, to which he returned. They, however, soon afterwards returned to Bunker's, not finding the persons they wanted at home, as Munroe stated, and he drove them back to town, taking Mrs. Clark on this occasion to Mr. Lake's boarding house. On the following Saturday the same coachman, at the request of Munroe, drove the same parties to the same place. On both occasions Mrs. Clark was accompanied by her little girl. On the second occasion the woman and child did not return. The last that Warden saw of them together the woman was carrying the child in her arms on one side of the road, Munroe was walking on the other, and all seemed proceeding towards Collin's. After leaving them and coming back to Bunker's Munroe told Warden that the woman had gone to the people whom she wanted to see and found them at home. Munroe was about three-quarters of an hour absent. Warden was ready to take dinner when Munroe came back, but he hurried him away without dinner, taking a glass of brandy himself and paying the bill. Munroe was sweating when he came back and remarked that it was a hard walk.

The coachman was taken out to the place which he had described as that where he left the parties on both occasions, and without knowing where the remains were found he pointed out a place on the Black river road, nearly opposite the spot where the remains of the woman and child were found. John Warden subsequently identified John A. Munroe as the person he had driven to Black river road. He also testified to having, by Munroe's order, seen to the despatch of Mrs. Clark's trunk on Monday morning. Munroe, who was on the floats that morning, informed him that the lady had come in and he, Warden, got Hatfield to take down the trunks, Munroe paying him for so doing, checking it and sending it off.

ARREST OF MUNROE.

These and other facts having led to the arrest of John A. Munroe, the prisoner, in his intercourse with various officials, furnished some important additional links in the chain of evidence. He identified Mrs. Clark as Sarah Margaret Vail, of Carleton, and mentioned some facts connected with his early intimacy with her, the sale of her property, their trip to Boston together, their return to St. John, her taking up he quarters at Lordly's, the second trip to the Black river road, as detailed by Warden, her going to see her friends, her return on Monday and his seeing her off, having barely time to shake hands with her after seeing to her tickets and trunks.

THE EVIDENCE.

The facts of Munroe having visited the woman called Mrs. Clark at the hotels, Mrs. Lordly protesting strongly against his doing so while Mrs. Clark was staying at her house, of Munroe's intimacy with Miss Vail, of her having borne a child to him known as Ella May Munroe, of his being with her occasionally after the birth of the child, of her having sold her property and getting for it the sum of $600, of Miss Vail stating that she had given the money to Munroe and being in the habit of receiving several small sums from him, were testified to by various witnesses in the preliminary investigations. The various parts of the clothing found with the remains of the woman and child were identified as those which had belonged to Sarah M. Vail and child. Her sister, Mrs. Crear, identified an embroidered skirt made for Miss Vail, under Mrs. Crear's inspection, and various other articles, both as regards materials, trimming and workmanship. Portions of the dress of the child were also identified by her and other witnesses; also beads given to the child by a little girl when she was at Mrs. Lakes, and above all a little truss made of lead sewed up in cotton, which it was proved had been used in connexion with a disease to which the child was subject. These several facts were considered very remarkable and very complete, but they were not all. Mrs. Crear believed herself able to identify the hair of her sister by part of the remains with hair, which had been very abundant, as several witnesses testified having been worn in a particular manner. She also identified a tooth of her sister, which projected in a peculiar manner.

Meanwhile the trunk of Sarah Margaret Vail, uncalled for and with a check No. 705, was found in the office of the International Steamship Company, Boston. It was sent back to St. John in charge of the officers of the company. Both the trunk and its contents were particularly identified in detail by several witnesses as that of Mrs. Clark, otherwise Miss Vail. The recovery of the trunk caused quite a sensation. Its contents included a photograph of John A. Munroe. It was also proved that the trunk had been opened by the United States Customs officers on the voyage, no one appearing to have charge of it when it was being forwarded in the New England from St. John.

A long array of witnesses was produced to prove that no persons answering to the description of Mrs. Clarke or Miss Vail and child had been seen at or near Black river on Saturday, the 31st of October (Hallowe'en), on the following Sunday or Monday morning. No such persons had been at Collins' or in any of the other houses around Black river. The last that had been seen of them, so far as any evidence could be found, was when Warden saw the woman carrying her child, she walking on the one side of the road and Munroe on the other, on the place beyond Bunker's, already so frequently alluded to