THE COURTS.

In Memoriam of the Late Francis B. Cutting—Alleged Post Office Fraud—The Sub-Treasury Note Robbery—The Three Million Erie Suit—The Sheridan Wife Murder Case—Important Decision in a Railroad Litigation—The Jury in the Wall Street Broker Fraud Case Disagree and Are Discharged—Business in the Court of Special Sessions.

UNITED STATES CIRCUIT COURT.

The Late Francis B. Cutting—In Memoriam—Meeting of the Bar.

A meeting of the members of the bar was held yesterday in the United States Circuit Court room to take action in relation to the death of Francis B. Cutting.

Among those present were Judges Woodruff, Ingraham and Sutherland, Wm. M. Evarts, District Attorney Pierrepont, John McKeon, General Charles W. Sandford, ex-Judge Davies, Charles O'Conor and Surrogate Hutchings and James W. Gerard.

Ex-Judge Davies called the meeting to order, and Judge Woodruff was called to the chair. Judges Ingraham, Blatchford, Benedict, Barbour and Daly were elected vice presidents, and Recorder Hackett and Surrogate Hutchings secretaries.

Mr. Evarts introduced a series of resolutions eulogistic of Mr. Cutting, and tendering the condolement of the members of the bar to his bereaved family.

Mr. Evarts, before moving the passage of the resolutions, briefly recited the salient points in Mr. Cutting's career. He was a man of the most brilliant talents and of the kindest heart, always helping the deserving and struggling junior members of the bar. Notwithstanding his ill health in his later years he never burdened others with any complaints, but endured his afflictions with patience and exemplary equanimity.

James W. Gerard seconded the resolutions, saying that, although he had left the bar, he had not forgotten the respect due to its illustrious members. Mr. Gerard then spoke of the leading members of the bar who had died within a few years—Hoffman, Noyes, Lord, Van Buren, Brady and Cutting—a galaxy of men of whom any bar might be proud. Mr. Cutting, Mr. Lord and the speaker had been fellow students in the same law office, and the speaker knew Mr. Cutting well, and had met him over and over again in contests at the bar, and never had a hard word passed between them. It was difficult to criticise Mr. Cutting. He had no weak points, either as a lawyer or a man. He was like a perfect statue, that only a carping fault finder could take exception to. The causes he won were vastly disproportionate to those he lost. He never believed he could lose a cause, and always acted on that supposition in trying one. Mr. Gerard said that Mr. O'Conor had christened Mr. Cutting as the Murat of the bar; he (the speaker) would rechristen him as the Chevalier Bayard of the bar. He was the beau ideal of a Christian gentleman and lawyer.

Charles O'Conor claimed that he was a strict cotemporary of Mr. Cutting; about of the same age, admitted to the bar about the same time, and constantly associated with him in the active pursuits of the profession. Mr. Cutting had sprung from an excellent stock. He was the perfection of manly beauty. He seemed to spring at one bound to the topmost round of his profession, and retained his position unassailed. As a *beau ideal* of a lawyer his superior had not appeared at the New York bar. He was not a "case lawyer." He relied on great principles to win his victories. He came to the bar as the compeer of a galaxy of the best and most profound lawyers who have ever been clustered together at the New York bar, and he soon showed the highest measure of professional excellence, and had not his superior at the bar. Physically, morally and intellectually he was all that man could be, and possessing such qualities he of necessity became as a Saul among his brethren, and was the leader among leaders. He was scrupulous to a nicety about his professional honor, and never stooped to a mean action.

The resolutions were then unanimously adopted.

On motion of General Sandford it was resolved to send a copy of the resolutions, signed by the officers of the meeting, to the family of Mr. Cutting and to the press for publication.

UNITED STATES COMMISSIONERS' COURT.

Alleged Fraudulent Withdrawal of a Letter from the Post Office—A Serious Case.

Before Commissioner Shields.

The United States vs. William Harney.—The defendant, an Irish youth of about eighteen years, was charged with having obtained a letter from the custody of the post office authorities through false and fraudulent representations. The circumstances of the case are rather novel considering Harney's youth and the fact that he was not particularly hard up for the needful. It appeared that defendant, who is a native of the county of Waterford, Ireland, emigrated here some six months ago. On the steamer he became acquainted with another youth of about his own age, named William Thompson, and between them there arose an intimacy that led to the most confidential relations on the part of the latter, and to the commission of the act which was very near consigning young Harney to a State prison for a number of years. Harney learned all about his fellow voyager's family, and after being in the city a little time and having lost sight of Thompson a bright idea struck him. He wrote to Pere Thompson in Ireland, dating his letter from Bellevue Hospital, informing him that his son was very ill and was under medical treatment in that institution, and asking for a remittance of money forthwith, defendant stating that he was head surgeon and directing the letter to be addressed to William Thompson, New York Post Office. Thompson senior was not so green as his countrymen are supposed to be, and, instead of enclosing and directing the funds as suggested, he wrote to the head surgeon of Bellevue Hospital, who, suspecting a fraud, communicated with Post Office detective Gayler. This official wrote a decoy letter, addressed to William Thompson, and advertised it. The bait took; the defendant called and claimed the letter and received it, but was the next moment pounced upon by Gayler. On the examination Mr. Parris, ex-Assistant United States District Attorney, appeared for the defendant, and on the close of the case for the prosecution contended that no offence against the statute had been committed, inasmuch as the letter obtained by the defendant was actually a letter intended for him and for nobody else.

The Commissioner saw the point, and he had no alternative but to dismiss the complaint and discharge the prisoner.

Ex-Collector Bailey's Defalcations—Suits Against his Bondsmen.

By instructions from the Comptroller of the Treasury, sent through Solicitor Banfield to District Attorney Pierrepont, the latter has instituted suits in the United States Circuit Court against ex-Collector Bailey's securities to recover $605,951, the amount of deficiencies which an examination of Bailey's accounts has shown to exist.

Two bonds were given for Collector Bailey, the first on May 5, 1865, for $100,000, the sureties being Messrs. George Opdyke, Thomas F. Durant, Augustus Schell, Eliot C. Cowdin and Charles P. Kirkland, and the second on August 11, 1866, with the same sureties, except that Mr. George Douglas was substituted for Mr. Schell.

The sureties justified in $40,000 each; but as the sureties, by the terms of the respective bonds, are jointly and severally bound, it is more than probable that it will be judicially decided that each surety is responsible to the government in the full amount for which the bond on which he is surety is given.

The Alleged Robbery at the United States Sub-Treasury.

Before Commissioner Osborn.

On the 11th of June $20,000 in ten dollar Treasury notes (greenbacks) were stolen from the United States Treasury at Washington. They were numbered consecutively from 3,530,001 to 3,500,000, inclusive. Seven thousand nine hundred dollars in these notes were traced by Colonel Whitely to the Stuyvesant Bank, corner of Broadway and Astor place, where they had been deposited by one Charles S. Marion. The bank refused to give up the money until legal steps were taken by the United States authorities, when, in obedience to a writ, the money was produced before Commissioner Osborn, before whom Marion was also taken and held in $5,000 bail for examination.

The case being called on for hearing George E. Stewart, the bookkeeper of the bank, testified that the money was deposited to pay three notes. The further examination was then adjourned. Counsel for Marion asserted that he could abundantly show that his client was an innocent holder of the money in question.

SUPREME COURT—CHAMBERS.

The Rival Railroads at War—The Three Million Erie Suit.

Before Judge Barnard.

The Erie Railway vs. The Lake Shore and Michigan Southern Railroad Company and The New York Central and Hudson River Railroad Company.—This case came up for the settlement of the order adjourning the motion for an injunction on the defendant's terms. Mr. Justice Barnard said that owing to the necessity of preparing for the trial of one man on a capital charge, and bringing up some arrearage business in the General Term, he had been able to make up his mind as to but one point of the terms suggested—viz., that he could not enjoin the company from selling tickets.

Mr. Beach said they desired, if any terms were to be imposed, to be heard on those terms. He desired to present certain new affidavits in that connection.

Mr. Shearman objected to any further hearing of the question. It had been fully argued on the previous day.

Mr. Beach said that the only thing that had been argued was the question of adjournment. When they had adjourned yesterday it was understood that the question of whesher any terms should be imposed was open.

Mr. Shearman replied that he had, before coming into Court, fully informed the other side of the terms he intended to ask, and that the question of terms had been under discussion.

Justice Barnard said that he considered the adjournment and the reference only as closed questions, but unless he could find some one to hold Over and Terminer he could not now hear the discussion.

Judge Barnard then left, saying he would return when Oyer and Terminer would adjourn.

Having again resumed the bench, Mr. Lanning, for defendants, asked that the order for reference be made a separate order and that the referee be a man who lives in the western part of the State, as it would involve a great deal of trouble and expense to bring witnesses to New York. He also asked that they be not obliged to serve their affidavits before hearing, and that no preliminary injunction be granted. In support of this motion he read the affidavit of Horace P. Clark, the president of the Lake Shore and Michigan Southern Railroad Company, which says it would be entirely incompatible with the operations of the road that any injunction, whether general or partial, should be granted, and on behalf of defendants he declines to accept any postponement accompanied by any such conditions as the injunction would impose. He respectfully insists that defendants are entitled to a reasonable opportunity to present to this court the facts by which they can refute the complaint of plaintiff, if time be allowed them. Since his election, on May 4, 1870, to the presidency of the Lake Shore and Michigan Southern Railroad, he has issued no order changing the manner in which the business had been previously transacted with regard to the interests of the plaintiff or the New York Central and Hudson River Railroad. He is son-in-law of Commodore Vanderbilt, but it is not true, as stated in the complaint, that a majority of the directors are interested in both companies, or that the two railroads are run in the same interest. The Lake Shore road is conducted in its own interest, and not for the advancement of the New York Central and Hudson River Railroad.

Having read this affidavit counsel stated that they had prepared several other affidavits, but from want of time they were imperfect. He could not, however, take the time of the court in reading them, but would wait for the final hearing. He thought, however, the affidavit of Mr. Clark would be sufficient on this motion for postponement.

Mr. Beach said the equity of the complaint had been fully answered by the affidavits presented, and it did not appear that the Erie Railroad were suffering very materially.

Mr. Shearman said he would like to hear the other affidavits, for if they were like the preceding ones they would help the case for plaintiffs.

Judge Barnard proposed to submit the papers.

Mr. Beach said he was willing, only he did not want any injunction against them.

Mr. Shearman said a great deal had been said about their not having applied for an injunction previously. The law provided against that by enacting that eight days' notice should be given, and that was done, and now the injunction is applied for. The defendants claim that the Erie Company have broken the contract, but the affidavit in which this assertion is made proves the contrary.

Mr. Doolittle said they were opposed to any postponement if a preliminary injunction was imposed on them, as in case they should consent they had no appeal and should take the consequences. One point in the complaint should be conclusive against the injunction, and that is, that what they complain of existed since 1866. The plaintiffs desire that the gauge at Buffalo shall be changed.

This is a matter which it is doubtful if any court would grant, as it is a matter which interests the whole community. This plan of having a different gauge is one that is becoming obsolete.

Mr. Lanning then read the affidavit of Addison Hall, Superintendent of the Lake Shore Railroad, to the effect that the business left for them to decide upon was given to the New York and Erie and the New York Central equally, and there was no favoritism between the one and the other. The freight left uncontrolled, which was very little, was given to the shorter route.

Charles M. Gray, Assistant Freight Agent, corroborated the statement of Mr. Hall.

The affidavits of Charles H. Lee, one of the first directors of the State Line Railroad; Robert N. Brown, Superintendent of the State Line road; Benjamin F. Smith, General Western Agent of the Erie and afterwards of the Central; Charles M. Chadwick, Local Freight Agent; John A. Birch, General Ticket Agent of the Buffalo and State Line Railroad; and that of James Tillinghast, Assistant Superintendent of the State Line and afterwards of the Central road, and of Solomon Dollett, were read, and went to show that the favor complained of by plaintiff towards the Central Railroad did not exist.

Mr. Fairchild remarked that unless it was likely that a permanent injunction would be granted a preliminary one should not be granted. He would show the Court they were not entitled to one. The plaintiff did not own the contract and had not title to it. Suppose they did own it, the contract expressly states that if any of the parties to the contract think they have cause for complaint it must be settled out of court by referees who are railroad superintendents, and who are chosen by the party complaining and by the road complained of. Furthermore, the contract is against two statutes. One clause of the contract says that the parties to it shall not encourage and take any part in any railroad from Buffalo to the State line of Pennsylvania. While by the statute it is ordered that where two lines cross or meet with any other line that line shall afford the same facilities to the one as to the other, and that road has power to make connection with and run on the track of the road it meets with.

At the conclusion of his argument the Court adjourned the further hearing until ten o'clock this morning.

COURT OF OYER AND TERMINER.

The Sheridan Wife Murder Case—The Jury Empanelled.

Before Judge Barnard.

The People vs. Thomas Sheridan.—It being announced in the HERALD that Thomas Sheridan would be placed on trial for his life, charged with the murder of his wife, the court room was filled yesterday morning with a most disreputable crowd of the great unwashed, who always put in an appearance on such occasions. However, as the Sheridan trial is not one of very powerful interest many of those who were in the room probably came there with the view of seeing Real sentenced, as it was supposed in this room he would receive his doom. This occurred, however, in the General Term room, and the unique circumstance thus happened of one murderer receiving the penalty of his crime and of another who had just commenced the first act in the drama of his trial, and both at the same time. Sheridan, who is a stout, burly-looking man, with a dark blue eye and a fair beard and the reverse of anything one would suppose a murderer to be, entered court with a steady step, and seemed throughout the trial in a calm, composed state of mind. During the selection of the jury the accused sat near his counsel, and when anything occurred in their examination of a jocular tendency he would join in the laugh and would remark upon it.

Two hours were occupied in making up the jury. Mr. Edwin James challenged several peremptorily and made some good hits. For instance, when a juryman who happened to be a bellhanger by profession was called, Mr. James said he would not do as he was too much accustomed to hanging to feel the responsibility of his situation. Again, an undertaker appeared only to be challenged peremptorily by Mr. James, who thought that he would hang his client from choice; and thus the frequency of murder trials has begot a feeling of nonchalance and there is nothing of the solemnity befitting such an occasion.

The jury consists of the following gentlemen:—Edward Hasler, Henry Horstall, William Ahrens, William S. Cozzens, Joshua Bradshaw, James Browne, Jr., Herman S. Aldridge, Myer Hamberger, Samuel Field, Henry C. Belden, Augustus Fergen and Seth Ely.

The trial was postponed to Wednesday next.

SUPREME COURT—GENERAL TERM.

Decisions.

By Judges Barnard and Cardozo.

Charles E. Burrell, Executor, vs. Julia M. Boardman and Others.—Judgment affirmed, with costs.

By all the Judges of the June Term.

The Waverley National Bank vs. Mary A. Halney and Others.—Judgment reversed and new trial ordered; costs to abide event. Opinion by Judge Ingraham.

Edward M. Gannon vs. Maria Bird et al., &c., &c.—Judgment affirmed, with costs. Opinion by Judge Ingraham.

Jesse N. Bolles, Receiver, vs. John A. Duff et al.—Judgment reversed and new trial granted; costs to abide event. Motion denied. Opinion by Judge Cardozo. Presiding Judge Ingraham dissenting.

Elizabeth M. Conklin vs. J. Rowanna Brown.—Judgment ordered for plaintiff on the case submitted. Opinion by Judge Cardozo.

P. R. Cassidy vs. Ann D. Le Fevre et al.—Judgment affirmed, with costs. Opinion by Judge Ingraham.

CRIMINAL CASES.

The People vs. Tredwell W. Remsen and James Hannegan.—Judgment affirmed. Opinion by Judge Cardozo.

Martin Allen vs. The People.—Judgment reversed and new trial ordered. Opinions by all the Judges, Presiding Judge Ingraham dissenting.

The Harlem Railroad Depot—Important Decision.

In the Matter of the Application for the Appointment of Commissioners, &c.—Confirmation of report of commissioners is vacated and reference ordered to new commissioners. The rights of the owners under the order reversed.

Judge Barnard, in his opinion, says that the fact that the Chamberlain accepted the money did not debar the city from its appeal. The city could be compelled, by motion, to refund, as could a party who had obtained his money on a judgment afterward reversed. As to the merits, he holds the railroad "takes the fee, and in my judgment should pay the city its full value without any reference to the question of its present use for streets and avenues. Any other doctrine would operate unjustly to a municipal corporation. With the petitioner the question is not what the land is worth, subject to the easement, but what is its fair market value? If this is not the correct rule the compensation to the city should be merely nominal, and not $25,000. The evidence, uncontradicted, established that the property taken—the fee—is worth $370,000, and I am at a loss to understand how this valuable property can be taken by the petitioners upon paying $25,000."

COURT OF GENERAL SESSIONS.

The Case of Van Eten, the Wall Street Broker—Disagreement of the Jury—Bail Refused for the Prisoner and He is Remanded to the Tombs.

Before Recorder Hackett.

Shortly after eleven o'clock the Recorder took his seat on the bench and the Clerk called the jury in the case of Louis M. Van Eten. This body having been unable to agree last evening were kept together all night. The defendant was charged with altering a genuine check for $113, drawn by Fisk & Hatch, and increasing it to $7,000. The foreman, in response to the regular question, said they were unable to agree upon a verdict.

JUDICIAL EXPERIENCE.

Recorder Hackett, on sending the jury to their room after the first disagreement, observed that in the whole course of his judicial experience he had never known a case where the preponderance of testimony was so strong as it was against the accused, and for that reason he felt it to be his duty to lock them up for the night. They were discharged from the further consideration of the case.

Mr. Fellows stated that he would oppose bail in the case, and moved that the prisoner be remanded to prison.

Judge Stuart urgently requested his Honor to fix bail, so that the accused might be liberated during the warm weather. He could furnish a reasonable amount of good bail, and as it would be impossible for him (Judge Stuart) to try the case in the early part of the July term, he hoped the Court would not press the trial on next week. After some further discussion his Honor revoked the order to set the case down for next week, and left the question of bail open for further consideration.

CLOSE OF THE TERM—MUTUAL GOOD FEELING.

The court then adjourned for the term. It is due to Recorder Hackett and the prosecuting officers (Messrs. Tweed and Fellows) to state that they have addressed themselves with unusual assiduity to the performance of their duties during the month; and that, in the efficient administration of criminal justice by the presiding judge of this court, the citizens of New York have the strongest assurance that their lives and property will be protected. The Recorder will permit no criminals, whether of low or high grade, who are guilty, to go unwhipped of justice. Although District Attorney Garvin has not appeared in court very often, he has been in daily attendance at his office and kept an intelligent and wakeful eye upon the machinery of justice to see that it moved along rapidly and smoothly.

COURT OF SPECIAL SESSIONS.

Before Judges Dowling and Shandley.

TREATMENT FOR A ROUGH.

Some short time since a rough, named Charles McCoy, attempted to force an entrance into Funck's Park while a private party had the place engaged, and, upon being remonstrated with by Mr. Funck, assaulted the latter. McCoy was sentenced to two months in the Penitentiary.

SUMMER HATS.

A few days ago Frank Emerson, who was and is still possessed of as shocking a slouch hat as ever man was owner of, yielded to the temptation of stealing from No. 116 Fulton street one dozen of new straw hats. He was sent up for five months.

A MILK ADULTERATOR.

Most people will be glad to learn that John Dunne, of the milk depot corner of Forty-eighth street and Lexington avenue, was fined $50, not because that individual has so many enemies but because he was caught adulterating the milk other people were buying of him as the genuine article.

THE OLD STORY.

Mary Stuart, a colored girl, was sent to the Penitentiary for four months for having stolen $22 from one Charles Tell, a white man, while both were in a room together in Laurens street.

ONE OF THE BRUTES.

Thomas Hesslon, one of that class of brutes, the wife beaters, was sentenced to six months in the Penitentiary. The story his unfortunate wife told was horrible to listen to—blows, knocks down, kicks on the body while down, &c., &c.

HOOP SKIRTS.

Ellen Devanny got four months for stealing hoop skirts from 83 Baxter street.

TEN MILLIONS OF DOLLARS.

A Myth Dies and Leaves a Mythical Estate to a Pedler—How He "Sold" the Southern Press and How He Advertised Himself Cheaply—An Original Piece of Humor.

A myth has recently died, leaving a mythical fortune of $10,000,000 to a gentleman who is not so mythical, but really only a pedler of improved gas burners, which he has been most industriously hawking in the Southern States. The matter is only worthy of notice at all because this pedler, Mr. Harry Miller, has perpetrated a somewhat original "sell," in which he makes himself the hero and heir to a legacy of $10,000,000 in solid cash.

Miller, it is said, is and has been a very good-natured, jolly and jocose sort of a fellow, who has cut over large territory in a very brief interval, dwelling upon the virtues of a very superior kind of gas burner, for which he is wisely endeavoring to establish a national reputation. Hence the appropriateness of lionizing himself by this startling yarn, that he is now among the first ten richest men in the Union.

Whether Miller desired credit or not does not appear. At any rate, it is very evident that Miller was anxious for notoriety, and therefore got the forces of his brain together in a very quiet and convenient council, and very deliberately organized this stupendous tale. He, doubtless, thought that the story would take, and that it would be an easy matter to gull the whole community as to its truth. Miller had some capital—for he is already well known and is a town celebrity in every Southern settlement. Well, Miller goes to work to grind out the ideas which he has taken to grist, and the first remarkable production is this admirable specimen of "cheek:"—

No. 51 CHAMBERS STREET,
NEW YORK, June 11, 1870.

PROPRIETOR OF THE MOBILE REGISTER, Mobile, Ala.:—

SIR—By the death of the late Hon. H. Clay Miller Mr. Harry Miller, who is at present engaged in selling gas burners or fixtures in your section or in Georgia, has by will fallen sole heir to the estate of Judge Miller, valued at $10,000,000. The last heard from Mr. Miller he had left Savannah for Mobile or Selma. Please notice this matter in your paper and send a copy to me, &c. Very respectfully,

J. E. SIMMONS, Attorney for Estate of Judge Miller.

Having adroitly caused this card to be inserted in the Mobile *Register*, Mr. Miller subsides into his *non est inventus*. Just at that convenient moment when he suddenly grew rich, to the extent of a dozen blocks of New York real estate, Mr. Miller, the real, genuine and *bona fide* heir of "the late Hon. Henry Clay Miller," allows his person to elude the vigilance of the widest newspaper circulation in the Southern States, where he has lately exploited in the profitable enterprise of selling gas burners. Surely this very remarkably reticent disposition of $10,000,000 Miller is highly commendable. He doubtless wishes in this hour of providential exaltation, brought about by "the late Hon. Henry Clay Miller," to escape from the vulgar gaze of the world. To suppose that anything else could account for Miller's taciturnity is doing violence to his beautiful diffidence. Of course hundreds of the Southern papers at once printed Mr. J. E. Simmons' agreeable note, and in doing this little advertising bills had to be made out by the several journals. The kind reminder of Mr. Simmons to the Mobile *Register* was responded to by that and other papers, and No. 51 Chambers street was flooded with bills setting forth the advertising as debited to the estate of "the late Hon. Henry Clay Miller." These notes collected, and at No. 51 Chambers street is the office of Rufus F. Andrews. Southern gentlemen arriving in the city discovered the singular fortune of Mr. Miller by reading it in the Southern papers, and at once repaired to No. 51 Chambers street, where these letters were found *en masse*.

Of course there is no such person as J. E. Simmons at 51 Chambers street, no such estate, no $10,000,000, no "the late Hon. Henry Clay Miller," and the plot, therefore, transpired. There is, however, a Mr. Simmons at 41 Chambers street, who practices in the United States Courts; but, of course, he cannot be the gentleman, as the number of his office falls short of the designated place by ten units, and he has no such initials as "J. E." But the letters and bills remain, and the papers, so ready to assess the legatee, have only mortgaged their own hopes, and must suffer. The following letter is from one of the victimized journals:—

OFFICE OF THE ATLANTA CONSTITUTION,
ATLANTA, Ga., June 13, 1870.

Mr. J. E. SIMMONS, 51 Chambers street, New York:—

DEAR SIR—Enclosed you will please find bill for advertising for Mr. Harry Miller. We mail you a copy of our paper containing notice to-day. The city papers noticed the matter. Yours truly,

W. A. HEMPHILL & CO., per D. L. A.

The enclosed bill reads thus:

OFFICE OF THE ATLANTA CONSTITUTION,
ATLANTA, Ga., June 15, 1870.

Mr. J. E. SIMMONS, 51 Chambers street, New York,
To W. A. HEMPHILL & Co., Dr.
June 15—To advertising two squares one week........$10 00
(Notice to Mr. Harry Miller)

A further claim is thus presented:—

MOBILE, Ala, June 16, 1870.

Mr. J. E. SIMMONS, Attorney, 51 Chambers street, New York.
To DAILY REGISTER,
Corner Royal and St. Michael streets, Dr.
To advertising for Mr. Harry Miller......................$10 00

Where is Miller?

GHOULS IN PORTLAND HARBOR.—The *Portland Argus* gives currency to a story, which seems too terrible to be true, in regard to the drowning of Mr. J. W. H. Rogers, of this city, in Portland harbor last week. It is to the effect that although Mr. Rogers was known to have with him a large sum of money, a gold watch and valuable pin, none of the property was found on his body; that when he was found there were some signs of life; and that a schooner was seen to send out a boat at the time of the disaster, which reached one of the men struggling in the water, and that the occupants partially raised him for a few moments, then dropped him back and rowed away. It is said that to all this proceeding there were several witnesses; and the deduction is that Mr. Rogers was robbed while still alive and then left to perish. It is said that the schooner is known, and officers are in pursuit of her. It is to be hoped for the credit of humanity that the whole story will prove unfounded.

NORTH CAROLINA.

Theatre of the Ku-Klux Operations—Arrest, Indictment, Trial, Conviction and Sentence of Negro Ku-Klux—Startling Developments in the Alleged Ku-Klux Region—Radical Plan for Making Political Capital.

GRAHAM, Alamance County, June 27, 1870.

This is the seat of the county Governor Holden recently declared to be in a state of insurrection, and this county is the centre of that region of the State especially designated by his Excellency as the theatre of the operations of the Ku Klux Klan. In the adjoining counties of Orange, Caswell and Rockingham many outrages of a most flagrant nature have been perpetrated by this notorious secret organization, but no clue could be obtained as to the perpetrators until a little over two months ago. Ex-State Senator J. W. Stephens was assassinated in the Court House at Yanceville, in Caswell county; a negro named Outlaw was hung in front of the Court House here; four negroes were hanged and several were whipped in Orange; and similar outrages occurred in other adjacent counties. Many supposed that these midnight assassinations and crimes were committed by men belonging to the Ku Klux organization from an adjoining county, the plan being to avoid detection; that the members of the Klan in one county were to avenge the injuries of the other, and thus prevent the possibility of identification, should disguises fail. If a negro in Orange burned a barn and his guilt was established in the minds of the people a courier was at once despatched to Alamance or Rockingham; a troop of mounted, armed and disguised men returned with him, and the morning following the night of their visit would find the alleged barn-burner suspended by the neck from the limb of a tree, with an appropriate placard of warning pinned on his back; or if a negro committed petty larceny he was soon after taken from his house at midnight and unmercifully whipped. Who or what class of people committed all these outrages it is impossible to say; but recent developments establish the fact that there are negro Ku Klux as well as white Ku Klux, and in this very county, too.

At the June term of the Superior Court, commencing on the 13th inst., three negroes, indicted for "Ku-kluxing," or otherwise whipping while disguised, at midnight, men of their own color, were tried, convicted and sentenced to six years each in the Penitentiary by Judge Fourgee, who is notorious as a radical politician. The negroes' names are Allan Paisley, Oscar Albright and Dick Thompson, and the evidence in the case was substantially as follows:—One evening about the close of the month of February last, at eight or nine o'clock, Paisley called at the house where Albright and Thompson resided in company with two other negroes, named Duke Hatmaker and James Foust. Paisley asked them if they did not have a grudge against some negroes in the neighborhood, to which they replied that they did not. Paisley then told them that himself and companions belonged to the celebrated Ku Klux Klan; that they were on one of their raids that night; that they had some work to do, and he urged Albright and Thompson to join the Klan and go to see some "niggers put through." They then told Paisley, who seemed to be the captain, that they had no desire to join the Ku Klux, as they were credibly informed that Ku Kluxes would be shot down without mercy by the soldiers if found out. Paisley then raised a club, and his two companions drew revolvers and threatened if Albright and Thompson did not go they would kill them on the spot. Upon this they concluded to go, and Paisley proceeded to initiate them in all the secrets and mysteries of the Ku Klux organization, explaining its nature and objects. He informed them that he not only had a large number in that neighborhood, but that quite an organization existed at Graham, and he charged them in the most positive and serious manner that if they ever divulged the secrets of the organization, or even breathed any of the acts done by it, they would suffer death by the means of hemp and a tree. Soon after this ceremony was concluded Paisley produced disguises, which consisted of a long white shirt and a cap for concealing the face, with holes cut for the eyes. After dressing in these the party went to the house of one Henderson Cobb, colored, who was called out from his bed. Paisley demanded if he belonged to the League. Cobb replied that he did not. Paisley responded that he was a liar, and ordered each of his disguised companions to give him five blows each with their clubs, which they did with the greatest alacrity. Cobb was then ordered back to the house, told to go to bed and not to stir until morning after day. This gang of negro Ku Klux then wound up the night's performance by whipping Monroe Freeland and another negro who was spending the night with him very severely. They were arrested soon afterwards, Hatmaker and Foust escaping, and upon the evidence as above were each sent to the Penitentiary for six years.

The striking feature of the affair is that since his arrest Paisley has stated that the understanding among his organization was that they should whip numbers of colored men severely and create the impression by threatening themselves individually in the presence of their victims that the whipping was being done by white men. This would have the effect of inflaming the minds of the negroes, and would also induce negroes to join the organization, which, as soon as it became sufficiently strong in numbers, would make white men the objects of its midnight operations. This is but proof of the radical plan in the campaign about to open prior to the elections in August for an entire Legislature and full Congressional delegation, and this is the manner in which that skilful politician W. W. Holden has contrived to make an excuse for raising white regiments of soldiers and calling out the militia. The radicals are determined if they cannot carry the elections by fair means to resort to fraud, intimidation and terrorism. It is generally believed that a majority of the outrages committed in this section of the State have been done under the direction of radical leaders to make political capital. Ex-Senator Stephens, who was murdered at Yanceville, is supposed to be a victim of this sort of political engineering, and a self-constituted negro guard at the court house are currently alleged to be his murderers.

THE EXCISE LAW.

The following general order in relation to the enforcement of the Excise law will be promulgated to the police force to-day:—

GENERAL ORDER—NO. 12.
OFFICE SUPERINTENDENT OF POLICE,
NEW YORK, July 1, 1870.

Captain ——, —— Precinct:—

SIR—At a meeting of the Board of Police, held on the 27th ult., the following resolution was adopted:—"Resolved, That the Superintendent be and is hereby instructed to notify the captains of the several precincts to see that the Excise law, and particularly those provisions of it which require that licensed places be closed between the hours of one and five o'clock in the morning, and that no intoxicating liquors be sold or given away on Sunday, be efficiently enforced; and that the captains of the several precincts will be held responsible for any neglect or inefficiency in executing this order."

You will cause the above resolution to be promulgated to the force under your command, and give instructions and take measures to accomplish the objects of the Board, expressed in the resolution. You are desired to notice that captains will be held responsible for any neglect or inefficiency in executing the order of the Board, and therefore will give your personal attention to the injunctions of this order.

JOHN JOURDAN, Superintendent.
GEORGE W. DILKS, Inspector.

A memorial from a large number of our prominent citizens has been addressed to the city authorities, setting forth the alarming increase of disorder and crime in the city on Sundays to be traced to the general disregard of the Sunday provisions of the Excise law, and praying that the law may be fairly enforced. This action on the part of the people does not come a moment too soon. As the public know, however, the prayer of the memorialists has been anticipated by the recent action of the Board of Police, directing Superintendent Jourdan to put the law in force. The press will doubtless be able to chronicle an improved state of things on Sundays as the result.

THE BALTIMORE ROBBERY.

How One Hundred and Seventy-five Thousand Dollars Were Stolen in Broad Daylight.

[From the Baltimore Commercial, June 29.]

One of the most daring robberies ever perpetrated in Baltimore, and certainly the largest one of the kind, occurred yesterday morning about ten o'clock at the office of the Maryland Fire Insurance Company, northeast corner of Post Office avenue and Second street. One of the clerks of the company had brought from the office of the Safe Deposit Company a trunk containing a number of bonds and other securities valued at $175,000, as also papers of record belonging to the insurance company, and temporarily placed it in the rear of the counter. Two men at that moment came in and made inquiries relative to insurance on certain property. While the attention of the clerk was engaged with them another party came in, but soon after disappeared, and with him the trunk was gone. The robbery was only discovered after the departure of the men, who all passed through the Exchange or Post Office Building into Exchange place or Lombard street. Nothing definite as to the route afterwards taken by them has been learned.

The above facts were announced in the *Evening American* of yesterday. It is since stated that after the papers had been taken out the trunk was securely locked and placed by the clerk in charge of it in the rear of the counter, near the middle of the room, with his coat thrown over it. He then left the room for a few minutes, and upon his return discovered that it had disappeared. The trunk had not been in the building more than fifteen or twenty minutes when it was taken. There is no clue as yet to the bold perpetrator of the robbery, though he was seen by several persons to leave the office with the trunk in his possession and go across the street to the rotunda of the Post Office.

Of the property stolen but about $40,000 are negotiable, many of the securities being registered and their payment stopped. The detectives are at work, and it is hoped that the thieves may be speedily captured and brought to justice.

WHAT MIGHT HAVE BEEN.

A Startling Transaction—A Loathsome Plague Locked in a Coffin—A Woman Dies With Smallpox on Blackwell's Island—The Body Brought to This City for Burial—A Large Funeral Unconscious of a Terrible Danger.

The particulars regarding one of the most audacious transactions, prejudicial to the health and well-being of the city, has just been unearthed by a HERALD reporter, the mere contemplation of which sends a shudder to the heart.

The city of New York has, perchance, escaped a plague within the past week, and, although unconscious of it, the putrid monster of smallpox has been introduced into our midst, under the most curious and deplorable circumstances, the nature of which should be immediately and thoroughly investigated by the Board of Health. Some time since the wife of Edward Stone, a commercial traveller, during his absence from the city, was stricken down with the most virulent type of smallpox, and was at once taken to the Smallpox Hospital on Blackwell's Island for treatment. The lady was very beautiful and very charitable. It was through charity that she caught the fatal disease. Under the skilful care of the physicians of the hospital the lady soon became convalescent. On Sunday, the 19th inst., she was so far recovered as to be able to write to her husband; but while doing so she incautiously sat near an open window, thereby taking a slight cold, which immediately produced a relapse, and she died the following Tuesday.

According to the regulations both of the Board of Health and those governing the disposition of patients at the Smallpox Hospital, a person dying with this disease must be buried on Blackwell's Island. Mrs. Stone was accordingly buried in the graveyard attached to this institution, and that, too, with as little delay as is generally manifested in the final disposition of cases of this nature. Soon after her interment her husband returned and learned of her death and burial. Being very much attached to her his grief was intense, but the thought of her being buried in unconsecrated ground and in what was but little better than a pauper's robing was the sharpest thorn in the crown which the grim messenger had placed on his brow. But Mr. Stone had seen much of the world, much of the people who dwell in it, and he also knew something of the moral integrity of officeholders, and consequently he knew the value of money in any little transaction one might chance to have with them. So he immediately sought one of the surgeons and entered into negotiations with him for the recovery of his wife's body. Of course such a flagrant breach of the law and of humanity required to be well "greased," and so it cost Mr. Stone $500 to reopen that unconsecrated grave. The body was resurrected and taken to the beach and again buried in the sand until a favorable opportunity presented itself for taking it over to the city. But in spite of every effort the corpse remained in its transient resting place nearly two days before anything like a fair prospect of getting away with it presented itself to the monsters who had it in charge.

ON THE WATER ALL NIGHT WITH A CORPSE.

One week ago yesterday, however, at about ten o'clock in the evening, the box was again unearthed and taken into a boat for transportation. Two sturdy men grasped the muffled oars, and a third seated in the stern with the rudder, for the double purpose of steering and keeping watch for danger, made up the load of the living and the dead, the physically and the morally corrupt, who launched out upon the darkened waters of the East river.

Rowing carefully to the close vicinity of the shore they drifted leisurely along, looking intently for some favorable place to land. But the night being hot there were many people stirring, and even the policeman found it more pleasant to patrol the river, where he could enjoy the cool breezes, rather than the more heated portions of his beat. From point to point they pulled and yet no favorable landing place could be found. It was long past midnight, and as daylight would soon uncover their pestiferous rascality they concluded to abandon the attempt and strike for another locality.

THE CORPSE LANDED IN BROOKLYN.

With this resolution they rounded the southern end of the island and rowed directly for the Brooklyn shore, where, after some little delay, they succeeded in effecting a landing. The husband was at once notified and the body was transported to the shop of an undertaker, where it was more fittingly attired for a Christian burial, after which it was placed in another coffin and taken to the residence of her husband in Twenty-seventh street, New York. If money could do this much it certainly could procure a burial permit, and as one was not long wanting, the next thing to do was to procure sepulture and make necessary arrangements for the funeral.

UNCONSCIOUS MOURNERS.

Last Saturday the friends and relatives of the deceased lady and her mourning husband gathered at his residence in large numbers. In their midst sat a pent-up pestilence, and they gathered around it unconscious of their danger. The coffin was not opened, but it was not an air-tight one, and even had it been who will undertake to say that none of the seeds of that terrible and loathsome disease did not escape? The body was already in a putrid state; so far advanced in decomposition that it was not presentable, and yet men, women and children gathered around it and listened to the funeral discourse.

This being over, the coffin was placed inside a pine box, such as is generally used for such purposes, and lifted into the hearse. The mourners took seats in their carriages, and the funeral cortege started in the direction of Greenwood Cemetery, where after the usual ceremonies it was buried. Any intelligent person can comprehend the danger attending such a transaction as the above, and in spite of our Board of Health, and official integrity generally, one can but shudder at the dreadful thought in relation to this flagrant disregard for law and humanity, and at "what might have been."

THE CRESCENT CITY FIREMEN.

Visit to Our City—Contests of Speed—Exciting Races on the Tapis—A Sign of Reconstruction at Last.

On the 24th ult. Mechanics' Engine Company, No. 6, and Hope Hook and Ladder Company, No. 3, of New Orleans, took their departure for an extensive tour of the Northern cities. A local paper, noting their departure from the Crescent City, remarks:—

"A more gallant and gentlemanly set of men have never gone from among us. Brave, chivalrous and generous, they are the *beau ideal* of Southern firemen. We give them over to our contemporaries of the North as men whom we honor here, and whose friendship honors us. The traditional courtesy of the Southerner will find in these gentlemen representatives that will augment rather than diminish it."

They are expected to arrive in this city about the 1st of July, under the *chaperoning* of Mr. George L. Catlin, who left last week for Cincinnati, by Jim Fisk's orders, to extend to them the courtesies of the Erie Railway.

The firemen of New Orleans have long been noted as extremely fast runners, especially the two companies now soon to be *en route* for this city. As many of the HERALD readers may not be aware of the style in which firemen's races are run in New Orleans, and as the Mechanic and Hope boys will run during their visit, a description may be here given of their mode of racing. Twenty-five or thirty men, with one officer, as the arrangements may call for, start from the half-mile post on a well made race track, with a medium sized hand engine, with suction in position, and with fifty feet of hose on the reel. A running start is taken. Near the judges' stand is placed a box of water, where the engine, on its arrival, is backed, suction fixed, brakes manned and water forced through the hose, the engine not to be touched by any person who did not start from the half-mile post with it. During the summer of 1869 No. 6 participated in these contests, and succeeded in reducing the time from 3:04 to 2:41¾. At the State fair in the spring of the same year they did a mile under the same conditions in six minutes and thirty seconds, and at a base ball festival in September a quarter of a mile in one minute and eight seconds. The hook and ladder companies have similar races, twenty-five men taking a fully equipped truck, with six ladders, hooks, axes, &c., run the half mile, halt, strip the truck, elevate all the ladders against a building, including the four story one, with hooks and axes on the ground, ready for action. This was done by Hope, No. 3, in a trifle over four minutes.

Our visitors will not be likely to make this time during their stay with us, as the fatigue of travel, change of climate, new track and other obstacles will stand in the way. But there is one thing certain—that they will receive an old time welcome from the hands of the firemen of this city, both of the present and past departments, more particularly, perhaps, from the old Americus 6 boys, many of whose portraits now ornament the house of Mechanics 6, in New Orleans.

We learn that Nos. 6 and 3 expect to run on the 4th of July on some one of the tracks in the vicinity of this city. During their trip they will visit Cincinnati, Philadelphia and other cities. Among the officers who accompany the party are Robert E. Diamond, William Johnson, Thomas Lynch, P. C. Gaffney, A. Graush, P. Lahey, John Murray, H. Fuchs, William H. Kilpatrick, John T. Condon, Daniel Hurley, William Swain, William King and G. Angel.

The appearance of the Crescent City boys on Broadway will be novel in the extreme, as there is as much difference in the swagger, dress and general bearing of the New Orleans and New York firemen as between a segment of well drilled infantry and a procession of calathumpians.

Hope, No. 3, had five new ladders manufactured before leaving for their approaching contest. Mechanics', No. 6, bring their new hand engine.

THE SKULL MYSTERY.

Dr. Cushman has made an examination of the skull found in the premises No. 26 Dowaing street, and, after a close scrutiny, feels satisfied that it had been stowed away there for many years. From certain marks on the skull and its general appearance, there remains no doubt that it had been in the hands of surgeons for scientific purposes. Nothing further is likely to be obtained concerning it.

CUBA.

Despondency of the Spaniards—More Troops Applied for and Refused—Anticipated Return of De Rodas to Havana—The Havana Press on the President's Message—Cholera Among the Troops and Soldiers—Capture of a Convoy.

HAVANA, June 25, 1870.

The Spaniards of this city are at present in a very melancholy frame of mind, and meetings of the Casino Español, in consideration of the situation, are numerous. There has ceased to be, if there ever was, any confidence in the early restoration of peace. What a few hundred determined men can do against the power of a great nation was demonstrated in the Florida war, a thing often referred to here as showing that the present struggle, carried on with many more advantages than had the poor Indian, is like to continue for an indefinite period. In despite of the rose-water reports of the Captain General the truth leaks out. Army officers returning from the field, where they have had a far better opportunity for obtaining a correct knowledge of affairs than have the authorities themselves, blurt out the truth with the characteristic frankness of their profession, and say that nothing has been accomplished towards the suppression of the insurrection; that it is stronger than ever; that the Cubans fight like demons when they are likely to accomplish anything by it, oftentimes dropping their muskets and launching themselves with desperate energy on the troops, machete in hand.

Again, the effect of the real condition of affairs upon all mercantile interests here is severely felt. This tells the truth. The favorable reports do not restore property to its value previous to the insurrection; do not raise the rents, which are now comparatively small, buildings which formerly rented for sixty ounces now remaining unoccupied, though offered at twenty and thirty. Little confidence is felt and all business operations are cramped and conducted with undue caution. The necessity for more troops is beginning to be recognized and freely talked about. Indeed, it is confidently stated that the Casino Español, which is really the convention that governs the island, recently telegraphed to Madrid asking for 20,000 more troops, the expenses of which they would pay, and the response came back, "We cannot send you even five more men." And so there is tribulation among the Spaniards; for who knows but the pretty uniforms of the volunteers may ere long have to be carried to the field, there to be soiled and shot at by the hated followers of the tri-colored banner? His Excellency, he of Rhodes, has not been able to fulfil his promises. His popularity has much decreased. It is thought he ought to go to Spain, and that he will soon after his return, now daily expected. But who knows? And what then? Another figurehead, to be received with much ceremony and no enthusiasm, to issue bombastic proclamations, try and fail and go home, and so on, perchance, until, like a certain Viceroy of Spain in the case of Mexico, one comes out, acknowledges the independence of the island and returns again wiser and no better.

To add to the general perplexity and discomfiture, epidemic cholera has broken out along the coast and in the garrisoned places, and is making dreadful havoc among the unacclimated troops, worn down as they are by their arduous labors during the past season. It is said, too, to be prevalent among the war vessels cruising about the island, and some of the officers and many of the men on the gunboats and men-of-war have already died. The yellow fever cases as yet in the city have been very few, but a goodly number of sailors have been sent to the hospital from the various war vessels in the harbor. All this furnishes cause of depression, which neither the impertinent message of Grant or the resultant action of Congress is sufficient to remove, and incites gloomy forebodings for the future.

The *Diario de la Marina* considers the President's message in three long articles, published in as many successive issues. The first treats of the character of the contest, defending the Spaniards from the charges of cruelty and claiming for them, on the contrary, the greatest clemency, as shown in the proclamations of Lersundi, Dulce and De Rodas. It justifies the killing of prisoners, on the ground that they have no recognized political status before the world, and, therefore, can only be treated as malefactors. The second considers the situation of the insurgents and the law of nations applicable thereto. In it the *Diario* cheerfully and fully coincides with the learned and erudite Chief Magistrate. A parallel is drawn between the insurgents and the patriots struggling for liberty during the American revolution, and, naturally, no similarity is discovered. The third considers the detention of American vessels, the treatment of American citizens in the island and the confiscation of property belonging to them. Of vessels it states there have been but two detained, the schooner Mary Lowell and the steamer Lloyd Aspinwall, and it is argued that the suspicious circumstances surrounding them justified the action. It refers with some bitterness, in this connection, to the expeditions of the Hornet and Lillian. In the matter of the treatment of American citizens it states that they are subject to the laws of the country and liable to punishment for offences. It refers to the fact that many who have claimed to be such were in reality not American citizens, but claimed to be in order to seek immunity for their crimes. It denies that any property of American citizens has been confiscated.

Advices from the Eastern Department state that the rains have caused an inundation of the rivers Buey and Hicotea, covering a vast extent of country, and that all operations have consequently been paralyzed.

The insurgents continue active in the jurisdiction of Colon, in the Western Department, and we have now reports of small encounters from that section with the same regularity as from the Cinco Villas. The last of these took place in the mountains of Salchica and resulted, according to Spanish accounts, in the dispersion of the insurgents with one killed. The only point of interest from Trinidad is a statement in the *Imparcial* that a detachment of troops recently went out from that city on a reconnoissance and coming upon two insurgents sleeping killed them.

The cholera to an extent, has broken out in Havana. It is confined to the low miasmatic localities and to the poorer classes, among whom it is said to be raging with considerable virulence. Fires are kindled at various points in the localities mentioned during the evening and some other sanitary steps taken. Quite a large number from among the troops have died from the disease.

A telegram received here, stating that the Cortes had suddenly adjourned until November, and that three war vessels had sailed from Cadiz with sealed orders, has excited much interest and speculation here.

A private letter, dated Gibara, the 18th, states that the insurgents had captured a convoy comprising fourteen carts, loaded with prisoners, while moving between Camasan and Bijaru, in the jurisdiction of Holguin. It was intended for the supply of certain posts in the country.

The Latest from the Camaguey—No Rebels Found—Second Cargo of the Upton—Freemasons Released.

HAVANA, June 26, 1870.

His Excellency the Captain General, under date of the 24th from Puerto Principe, informs us that the calamity of the Upton has caused great dismay among the insurgents; that the second cargo landed is more valuable than the first, and that among the killed is Mestre, the one-handed. The columns are unable to find any enemy. One of them wandered over a space of forty-four leagues without encountering any. Another had caused some twelve deaths, among them a "Yankee so-called colonel," whatever that may be. Arteaga and family, coming to present themselves, had been made prisoners, and two others had been hanged for the same offence. The telegrams from Santa Clara, Santi Espiritu and other points are becoming wofully unimportant, being generally taken up in announcing the death of one or two insurgents.

Ten foreigners, arrested for being in attendance on a Masonic meeting, have been released. A number of them called on Mr. Dunlop, her Majesty's Consul General, and expressed their thanks for his efforts in their behalf.

THE SLAUGHTER HOUSE CASE IN NEW ORLEANS.

Rights of Citizens Under the Fourteenth Amendment—Discharge of C. A. Weed.

[From the New Orleans Picayune, June 26.]

This morning Judge Durell rendered his decision in the Weed habeas corpus case. It is impossible, at this late hour, to give the full text of the decision, but the substance of it was as follows:—

He held that the charge of conspiracy was not well founded, inasmuch as Mr. Weed was pursuing, in conjunction with the highest law officer of the State, his rights in the courts of the States. Those rights, he stated, had been defined not only by the lower courts of the State, but in the Supreme Court of the State. The improvidence or providence, the legality or illegality of the issuing of the injunction by the Eighth District Court, could not be considered in determining the question before him. The prosecutor's suit, he said, was a suit for damages, if he has suffered. If the State court should decide against him he could appeal to the Supreme Court of the State, and should that decision be adverse he could carry the case to the Supreme Court of the United States on a writ of error.

Mr. Weed, he asserted, could not possibly be held to be a conspirator against any right, civil or political, of the prosecutor; he had only sought to enforce his supposed rights of property through the medium of the law as administered in our courts of justice. He was particular to say that the opinion he was delivering did not in any way call in question or conflict with the very able opinion recently delivered by Justice Bradley. Under this decision the Butchers' Association have no recourse until the meeting of the Supreme Court of the United States.