"NOT WISELY, BUT TOO WELL."

A Legal Lecture on Courtship and Marriage.

A Young Bavarian Orphan Charges Her Cousin with Seducing Her—Judge Bedford Locks the Jury Up for the Night.

The whole of yesterday was occupied in the General Sessions in the trial of an indictment for seduction found by the Grand Jury against Henry Fleissig, who was charged with seducing Ida Schwab on the 3d of July, 1869.

The complainant appeared to be a genteel, modest and refined looking young lady, and gave her testimony through an interpreter in a very becoming manner. She said that she was born in Bavaria, that her parents were dead and that she came to this country on the 2d of July, 1869, accompanied by a little brother, bringing with her a letter to the accused from her brother in Germany. They arrived at Hoboken on Friday and stopped at a hotel that night, and on the following morning a messenger accompanied her and her little brother to the prisoner's store. She wanted to proceed immediately to Cincinnati, where her relatives resided, but Fleissig insisted upon her remaining with him, and sent over for her trunks. She remained at his store a couple of hours and then he took her over to his aunt's house, in Third avenue, where she stayed two days, sleeping, however, in a neighbor's house. Miss Schwab proceeded to say that the prisoner was her first cousin, that he wanted to marry her, and while in the parlor sitting on a lounge he accomplished his desires, saying,

"I'LL MARRY YOU ANYHOW."

The prisoner induced her little brother to leave the room by giving him fire crackers, and Miss Schwab affirmed that she would not have yielded if he had not promised to marry her. Upon the following day he went with her to the depot and

KISSED HER GOOD-BY,

telling her to write as soon as she arrived in Cincinnati. She gave birth to a child in March, 1870.

Counsel for the accused subjected the young lady to a rigid cross-examination, and made out that the act committed was done forcibly, against her will, he holding his hand over her mouth.

Dr. Kitchen, a physician at the Lying-in Asylum in Lexington avenue, testified that Miss Schwab was a patient at that institution and gave birth to a child on the 28th of March.

Moses Schwab was the next witness, whose statement confirmed the testimony of the complaining witness. At the conclusion of the testimony for the people counsel for the prisoner moved that the Court should take the case from the jury, because there was no corroboration of the complaint. The motion was refused.

Henry Fleissig then took the stand, and in

A COOL AND SURLY MANNER

proceeded to emphatically deny the serious charge preferred against him. He never treated her improperly, and did not at any time promise to marry her. On the 11th of January he was arrested by Sergeant Phillips and taken to Mr. Strasburg's, in Maiden lane, and asked to marry Miss Schwab, which he refused to do, whereupon he was taken to a police court in Fifty-seventh street, where, for the first time after parting with her, he met her. He was there charged by her with

MAKING HER "UNHAPPY,"

which he denied, and again refused to marry her. He was then taken into custody, but subsequently bailed.

Assistant District Attorney Sullivan subjected Fleissig to a severe ordeal. The latter answered many of the queries of counsel in an insolent tone.

A number of witnesses, who were engaged in the bronze powder business in William street, testified to the good reputation of the defendant, who was engaged in the same business.

Counsel for the accused read the testimony of Herman Fleissig, which was taken by commission at Bavaria. He stated that he was the brother of the prisoner, and had taken improper liberties twice with Ida Schwab in his father house, and that she acknowledged to him that previously she had had carnal acquaintance with a younger cousin named Goldman.

Judge Bedford intimated that, as there were a number of cases on the calendar for Wednesday, this case must be finished that evening. Accordingly the court took a recess for half an hour, after which the summing up of counsel took place.

Counsel for the prisoner made a brief but eloquent argument in favor of his client, followed by Assistant District Attorney Sullivan, who launched

THE CURSE OF THE LAW

against the seducer, and, in eloquent terms, argued that the testimony demonstrated the guilt of the accused.

Judge Bedford, in charging the jury, said that the accused was indicted by the grand jury under the statute which the Legislature in 1848 saw fit to pass, whose object and aim was for the future

PROTECTION OF FEMALE VIRTUE,

the brightest jewel in the diadem of woman. The jury had to pass upon two questions:—First, the question of credibility, and secondly, if the female is sufficiently corroborated under the statute, which said that no man could be convicted of seducing a chaste girl under promise of marriage unless the prosecutrix be corroborated by other evidence. The accused emphatically denied the gravamen of the charge, so that it was for the jury to determine which of the witnesses told the truth. His Honor said that at that late hour of the evening he would not point out in detail the testimony, but simply allude to the two facts proved by the prosecution, which might go to corroborate

THE STORY OF HER WRONGS,

the birth of a child in March, and the fact that when her little brother returned to the room where his sister and the prisoner were sitting together he found the door locked. The Judge called attention to the prisoner's good character, and said that all reasonable doubts were to be given to him. In conclusion, his Honor said that if the jury were of the opinion that the prisoner committed perjury it was high time for them, as law abiding citizens, to promptly render a verdict, so as to let it go forth to the world that when men, who will win a young girl's confidence and rob her of her virtue and then betray her simply because she yielded, are brought to trial by the District Attorney, twelve of his peers will deal with him according to law.

The jury retired at fifteen minutes to seven o'clock, and, after being absent twenty minutes, returned to the court room and asked for further instruction respecting the question of corroboration.

Counsel for the prisoner made several requests and

QUITE A COLLOQUY

took place between the jurors and the prisoner's counsel. Judge Bedford, in his usual lucid manner, endeavored to answer the questions of law propounded to him. The jurors again retired to their room for consultation. Previous to doing so the foreman said they were all agreed as to the question of sexual intercourse, but some of them were not clear as to the corroborative evidence respecting the promise of marriage. Judge Bedford alluded to the two letters written from Cincinnati to the accused, in which Miss Schwab said it was her "first duty" to write to him and to the remark of the prisoner at the cars that he would come soon after her.

The jury not having agreed at half-past eight o'clock his Honor felt it to be his duty to keep them together for the night.

THE PUBLIC HEALTH.

Dismissal of Inspectors—The Lime Burning Nuisance—Filthy Docks—The Tricks of Undertakers—Defaulting Clergymen.

A session of the Board of Health was held yesterday, President Bosworth in the chair. Health Inspector Murray reported that Malone's lime burning kiln, in West Twelfth street, is a nuisance, and he recommends that the business of lime burning in the built up portion of the city be discontinued. He also reported against the plaster of paris establishment of Wetherspoon & Brothers, in West Thirteenth street. The reports were sent to the Sanitary Committee.

Dr. Ceccarini, from the Sanitary Committee, reported in favor of dismissing all the Assistant Inspectors. The committee's recommendation was carried out. The Sanitary Committee reported that they had witnessed the dredging of the dock between Thirty-seventh and Thirty-eighth streets, North river, and they found that the docks are breeding spots of noxious gases. They recommend the dredging of the docks between Thirty-eighth and Forty-first streets and the destruction of a canal boat belonging to Gamble & McNeil, which lies out at the foot of West Thirty-eighth street as a receptacle for stale fat. The committee promised a full report upon fat melting at the next meeting of the Board.

Dr. Morris made the following report on contagious diseases:—

The following comparative statement of contagious diseases, reported to this Bureau for the past two weeks ending November 26th inst., is respectfully submitted:—

	Week Ending Nov. 19.	Week Ending Nov. 26.
Typhus fever	4	6
Typhoid fever	30	51
Relapsing fever	3	5
Smallpox	1	2
Scarlatina	42	55
Measles	19	29
Diptheria	12	5

The increase in number of typhoid cases is the result of an outbreak in a public institution, where bad drainage, insufficient water supply, overcrowded dormitories, and a general unsanitary condition of the premises have been the local causes producing this fever. Scarlatina and measles, as usual at this season of the year, are rapidly increasing in frequency. By far the largest proportion of the cases reported are from that section of the city lying above Fourteenth street.

Dr. Russell supplied the names of the following gentlemen who have not reported marriages within the time specified by law:—

Rev. W. H. Clowry, 308 East Thirty-seventh street; Alderman Schlichting, 304 West Thirty-ninth street; Alderman Coman, Rev. A. J. Canary, 398 East Thirty-seventh street; Rev. B. Galligar, 308 East Thirty-seventh street; Rev. H. Toelke, 98 St. Mark's place; Rev. L. S. Weed, 378 Broome street; Rev. A. Longacre, 60 Seventh avenue; Rev. S. Babbitt, Nyack; Rev. J. A. Foersch, 62 Stanton street; Rev. J. A. Millett, 111 Second avenue; Rev. L. Stennerger, 240 West Thirty-sixth street; Rev. C. Berckman, 22 Seventh avenue, and Rev. H. Raegener, 101 Seventh avenue.

Dr. Russell reported delinquent undertakers, who had evaded the law by burying persons without first obtaining a permit. The first case is that of George W. Rooney, of 1,443 Third avenue. It appears that on the 15th November he removed from the House of the Good Shepherd the body of Kate Martin and conveyed it to Calvary Cemetery on an old coupon of a burial permit. His excuse is that he had not time to get a permit and he resorted to "an old trick of the trade" to oblige the sisters of the institution. The other is that of Louis Zugner, employed by his father, Lorenz Zugner, of Melrose, who, on November 19, removed the body of Mathews Hanck from 645 East Eleventh street to Melrose, via Harlem bridge, without having obtained a permit. The papers were referred to the District Attorney for the prosecution of the offenders.

THE ASPINWALL CABLE EXPEDITION.

The Loss of the Cable—The Dacia at Kingston—The Expedition Abandoned for the Present—Sickness Among the Crew—The St. Thomas, Porto Rico and Jamaica Cables.

KINGSTON, Ja., Nov. 16, 1870.

My last despatch on the 8th inst. informed you of the arrival of the cable steamer Dacia, of the loss of the Aspinwall cable and there being sickness upon board. Since then the steamer has been fumigated, while the crew and cable hands were sent by Sir Charles Bright high in to the mountains for change of air. Of those sent to the hospital three have died, viz.:—Richardson, who made the splices; Wittingstall, assistant foreman, and an ordinary cable hand. Seaton, the foreman, died at sea. Sir Charles Bright, Mr. France and Captain Dowell attended the funeral.

The cable expedition (steamers Dacia and Suffolk), convoyed by her Majesty's ship Vestal, will leave this on Monday, the 21st, for St. Thomas, and will lay the cable from St. Thomas to Puerto Rico, and from Puerto Rico on to Jamaica. The grappling for the Aspinwall cable will not be resumed until later in the season, and the electricians left by Sir Charles Bright on the Isthmus will join the expedition immediately and proceed to St. Thomas.

Sir Charles Bright arrived here on the 6th instant (Sunday), in the cable steamer Dacia, from Aspinwall, reporting loss of cable on the 27th. The following particulars were prepared for your correspondent by Sir Charles Bright himself:—

The Dacia, Captain Dowell, R. N. R., arrived at Colon on the 18th ultimo, but owing to the heavy sea and wind the laying of the telegraph cable could not be commenced until the 24th, when the shore end was landed, with the assistance of the boats and crew of the Vestal.

At three P. M. the Dacia started, laying the cable, and was soon followed by the Vestal, which then took the lead, as the compasses of vessels laying telegraph cables are liable to error from the change which is continually going on in the masses of iron on board, as the cable is paid out.

By noon on the following day (the 25th) the expedition was in lat. 10 57, long. 79 13—102 miles from Colon. On the 26th the sea increased and no observation was obtained, but the total distance run by dead reckoning was 242 miles. The Californian (steamer) passed close to the Dacia at one in the afternoon.

At half-past three on the morning of the 27th an irregularity was observed in the electrical tests. The ship was stopped to pass the cable from the stern to the bow, in order to pick it up for about two miles, to the place where the variation in the tests showed itself. During the change, which is made by means of a hawser and chain passed round the outside of the ship from forward to aft, the wind shifted, and the mizzen, which had been set to bring her head to the wind, was taken aback. The hawser, instead of passing clear away from the ship's side, fouled it and was cut through, letting the cable go to the bottom. This took place in lat. 14 degrees, 12 minutes; lon. 77 degrees, 46 minutes—320 miles from Colon. The Dacia made two attempts at grappling afterwards, but the weather was so bad that nothing could be done, and, being short of coals, she had to return to Kingston.

The weather may prevent her from taking up the cable and completing the work for some time; but there is no cause for apprehension as to the ultimate accomplishment of this, the depth (900 fathoms) being very much less than the depths from which other cables have been recovered.

CHILDREN'S AID SOCIETY.

Annual Meeting and Reports—A Good Exhibit.

The annual meeting of this society was held yesterday at the Metropolitan National Bank. Mr. W. A. Booth presided. The secretary, Mr. C. L. Brace, read the minutes of the last annual report, which were confirmed. According to the treasurer's report, the balance on hand on November 1 was $1,105, the receipts from all sources being $215,829. The aggregate payments for the year amounted to $214,186 78; paid temporary loans, $25,000; paid amount of subscriptions to Rivington street lodging house fund, $16,000; cash on hand November, 1870, $2,768, the total being $175,935. The Secretary then read the analysis of receipts and the analysis of payments, showing that the aggregate payments for the whole term of years now footed up $940,181.

The report further showed that a year ago the society was indebted to the Newsboys' Lodging House fund $30,000, and owed at bank $6,000 borrowed money. Now it owed nothing. The building fund of the Newsboys' Lodging House is invested in securities, and now amounts to seventy thousand dollars, having increased ten thousand by interest. It is separated from the ordinary assets of the Children's Aid Society, and kept entirely distinct. The Treasurer's report includes a list of schools, number of pupils on the rolls and average attendance. The Secretary's report is quite a lengthy document, which gives a very clear idea of the general working of the society, especially in regard to the advantages derived from the institution generally. The concluding portion of the report asserts that the society could point to this year's work as the largest and most important ever accomplished by the society. The report sets forth that some twenty thousand different children had been under the moral and educational influences of the various branches of the organization. The report concluded by an earnest appeal for charitable contributions. The officers of the past year were unanimously elected for the incoming season. It was finally ordered that the voluminous reports of the Treasurer and Secretary be published in pamphlet form. The usual routine business having been transacted, the meeting adjourned.

NAVAL INTELLIGENCE.

Necessity for an Increase of Men in the Navy—The Frigate Delaware Going Out of Commission.

It is understood that Mr. Secretary Robeson, of the Navy, will request, in his report to Congress, an additional number of men for the navy. The present complement allowed by Congress is entirely too small for the wants of the service. It is utterly impossible for the department to maintain an efficient and respectable naval force abroad with the allowance now given. There are at least twelve ships fitting out which must lie idly at their wharves in consequence of the want of sailors to man them. Some of these days we shall doubtless find a member of Congress who can solve the great problem of keeping a respectable fleet afloat to represent our government and to care for American interests abroad without men or money. When that genius is discovered our navy will probably represent in a proper way our country in foreign lands, where our strength and position are gauged by the number of pennants and the weight of battery that we can maintain. Chinese tactics have lost their effect. We must keep up a navy or give up any idea of holding a rank with the first rate Powers of the globe.

The United States frigate Delaware, Commander Earl English, was inspected on Monday at the Brooklyn Navy Yard by a board of officers composed of Captains Woolsey and Clitz and Commander Braine. The ship was found to be in excellent order, considering the long cruise she had completed in foreign seas. All her running rigging, stores, &c., are being discharged and placed in store, and the ship's crew will be paid off about Saturday next. The officers have been detached, and will proceed to their homes on Saturday.

Naval Personals.

At their own request Lieutenants Ira W. Trask and C. H. Frederick are, by direction of the President, honorably discharged from the service under the provisions of the act of Congress.

Master Samuel Ames, Ensign William A. Hadden, Paymaster J. A. Smith, Chief Engineer George G. Barry, First Assistant Engineer George E. Tower, Second Assistant Engineers Levi T. Stafford, Albert Dixon and John A. Tobin, and Carpenter L. Hanscom are ordered to the California on the 10th of December.

Lieutenant Commander J. H. Sands is detached from the Washington Navy Yard, Passed Assistant Surgeon George S. Culbreth from the New York Navy Yard, Assistant Paymaster J. C. Burnett from the receiving ship Vandalia, Assistant Surgeon J. W. Ross from the Tallapoosa, Lieutenants J. C. Morony and Ed. T. Strong and Boatswain H. E. Barnes from the receiving ship Ohio, Acting Gunner Charles Moran and Sailmaker Nicholas Lynch from the receiving ship Vermont, Ensigns Horace A. Blanchard and Henry O'Hundy from the Boston Navy Yard and ordered to the California on the 10th of December.

Ensigns M. Belles, F. M. Symonds, A. A. Boyd, J. S. Jacob, E. H. Gheen, W. L. Field, E. W. Very, Alfred Pierce and W. H. Reeder are detached from the Delaware and ordered to Washington for examination for promotion.

ARMY INTELLIGENCE.

By an order of the War Department, just issued, the Superintendent General of the Recruiting service at Cincinnati is requested to forward, in detachments of convenient size, 500 recruits from those which are or may from time to time become disposable at the depot to Atlanta, Ga., where they will be reported, on their arrival, to the commanding general of the Department of the South, for assignment to the Eighteenth infantry.

FLEETWOOD PARK.

Two Trotting Races—Lady Ross the Winner of the First and Lady Weller of the Second.

"What delightful weather!" "A charming day for the season!" "Delicious—delicious!" These were the words that greeted our ears as gentlemen passed in at the gates at Fleetwood Park yesterday afternoon. "Delicious, is it?" responded an old gentleman with a cane. "Well, it won't be delicious long, mark my words. Here's the barometer," and he pointed with his cane to his right boot, from which protruded the joint of his big toe, which seemed greatly enlarged. "There's the barometer; and that fellow says look out for a storm pretty soon. I tell you this hot sun is a weather breeder, and that old fellow, (pointing again at his toe) says so in language there's no disputing. I know him." Not wishing to dispute the oracle we moved towards the judges' stand, and were just in time to hear the sound of the bell summoning the horses for the first trot.

The air was really charming—balmy, soft and summerlike, and the avenues leading through the Park, the Harlem lane and Central avenue seldom presented a finer spectacle of stylish horses or more beautiful vehicles. Few, however, of the thousands that were out stopped to witness the trotting. In fact, trotting, to use a slang phrase, is "played out" for this season. The people have had enough of it, and they are willing to let the horses have the rest necessary to recuperate them for the season of 1871.

Two trots were announced to come off during the afternoon, the first being a purse and stake for $500, mile heats, best three in five, between John Lovett's bay mare Lady Ross, to wagon, and M. Whipple's chestnut mare Angeline and Dan Mace's brown gelding Brown Dick, in harness. They had five heats, one of which was a dead heat, and Lady Ross won it. She was the favorite throughout at long odds.

The second trot was for a sweepstakes of $150, mile heats, best three in five, in harness, between Mr. Kenzie's black mare Lady Weller, Mr. Manee's chestnut mare Louise, and Mr. Casey's chestnut gelding Hickey. The black mare Lady Weller won the race in three straight heats, distancing both the others in the end. She is a finely formed, square trotter, of splendid action, about fifteen hands and three-quarters high, with four white feet and a blaze face, looking very much like one of the Harry Clay family. Her third heat, in 2:33, proves her a trotter of great merit. What her pedigree was, or her age, did not transpire; but when we left the Park there seemed to be a great desire to buy her by a number of the spectators.

The following are the details of the trotting:—

THE FIRST TROT.

FLEETWOOD PARK, Nov. 28.—Purse and stake $500, mile heats, best three in five.

J. Lovett entered b. m. Lady Ross, to wagon	2	0	1	1
M. Whipple entered ch. m. Angeline, in harness	1	0	2	3
Dan Mace entered br. g. Brown Dick, in harness	3	3	3	2

TIME.	Quarter.	Half.	Mile.
First heat	38	1:17½	2:41
Second heat	38	1:16	2:36½
Third heat	38¼	1:17½	2:39½
Fourth heat	39	1:19	2:42½
Fifth heat	39	1:20	2:44

First Heat.—Lady Ross was the favorite at $50 to $20 over the field. Angeline won the pole, Brown Dick the second place and Lady Ross outside. Angeline had the best of the send-off, Brown Dick second, Lady Ross a length behind. The horses kept the positions they had when started around the turn and down the hill to the quarter-pole in thirty-eight seconds. Going along the lower turn Brown Dick broke up and fell in the rear. At the half-mile pole, which was passed in 1:17½, Angeline led one length, Lady Ross second, one length in front of Brown Dick. Coming up the backstretch Lady Ross broke up and Brown Dick took second place. The horses trotted prettily up to the three-quarter pole, where they were lapped on each other, Angeline leading, Brown Dick second, Lady Ross third. The latter then made a fine burst, and, coming up the home-stretch, passed Brown Dick and finished a close heat with Angeline, the latter winning by only a neck. Time, 2:41. Brown Dick was a length behind.

Second Heat.—Lady Ross was still the favorite at twenty-five to fifteen against the field. Angeline and Lady Ross were parallel when the word was given, Brown Dick a length behind. Going around the turn the mares were yoked together, but as they went down the hill Lady Ross took the lead, and was a length in front at the quarter pole in thirty-eight seconds, Brown Dick four lengths behind. Lady Ross opened three lengths of daylight around the lower turn, and was four lengths in front at the half-mile pole in 1:16, Brown Dick four lengths behind. There was no change of positions up the backstretch; both mares trotted finely and quite steadily, while Brown Dick was up and down all the way. Coming into the homestretch Lady Ross had to be urged, the clip having begun to tell on her, and Angeline commenced closing. A fine struggle to the stand terminated in a dead heat between Angeline and Lady Ross. Brown Dick was six or eight lengths behind. Time of the heat, 2:36½.

Third Heat.—Lady Ross was away first, Angeline second, Brown Dick close up. On the turn Lady Ross led two lengths, Angeline two lengths ahead of Brown Dick. At the quarter pole Lady Ross was still two lengths in front, in thirty-eight seconds and a half, Angeline second, one length ahead of Brown Dick. Going around the lower turn Lady Ross opened the gap, and was three lengths in front at the half-mile pole, in 1:17½, Angeline second, one length in advance of Brown Dick. Going along the backstretch Brown Dick took second place, Lady Ross keeping a commanding lead all the way. At the three-quarter pole she was four lengths clear of the others, who were head and head. Lady Ross struggled on steadily and won the heat by one length, Angeline second, two lengths in front of Brown Dick. Time of heat, 2:39½.

Fourth Heat.—Lady Ross was now the favorite, at one hundred to ten against the field. Brown Dick and Angeline were head and head when the word was given, Lady Ross half a length behind. The latter soon overtook the others, however, and going down the hill to the quarter went to the front. She led two lengths at the pole, in thirty-nine seconds, and was four lengths in front at the half-mile, in 1:19; Brown Dick and Angeline side and side. Lady Ross made a large gap on the backstretch, and came into the homestretch ten lengths in front of the others, who were close together. Lady Ross came home an easy winner by eight lengths, in 2:42½, Brown Dick second, four lengths ahead of Angeline, the latter having broken up badly on the homestretch.

Fifth Heat.—Lady Ross was away first, Angeline second, with Brown Dick close up. On the turn Lady Ross trotted rapidly away from the others, and was three lengths ahead at the quarter pole, in thirty-nine and a half seconds; Angeline and Brown Dick head and head. Going around the lower turn Lady Ross continued to lead, but the others were closing on her. At the half-mile pole, which she passed in 1:20, she was two lengths ahead of them. On the backstretch Angeline broke up and fell in the rear. Lady Ross was three lengths ahead at the three-quarter pole, Brown Dick second, three lengths in front of Angeline. Lady Ross having nothing to urge her, came on at a steady gait, and won the heat by four lengths, Angeline second, one length in front of Brown Dick, the latter having broken badly at the drawgate.

THE SECOND TROT.

SAME DAY.—Sweepstakes $150; mile heats, best three in five, in harness.

Mr. Kenzie entered blk. m. Lady Weller	1	1	1
P. Manee entered ch. m. Louise	2	2	dls.
J. Casey entered ch. g. Hickey	3	3	dls.

TIME.	Quarter.	Half.	Mile.
First Heat	40½	1:20	2:41
Second Heat	37½	1:16	2:35
Third Heat	38	1:14½	2:33

First Heat.—Hickey won the pole, Louise the second place, Lady Weller outside. Hickey had the best of the send off, Louise second, Lady Weller third. Going round the turn Hickey went to the front, and led four lengths to the quarter pole, in forty seconds and a half; Louise second, one length ahead of Lady Weller. The latter trotted finely around the lower turn and took second place. Hickey passed the half-mile pole two lengths in front of Lady Weller in 1:20½. Louise two lengths further off. Coming up the backstretch Lady Weller went to the front for a short time; but at the three quarter pole Hickey had a neck and shoulders the best of it. Getting into the homestretch Hickey broke up, and Louise came on, with a hop, skip and jump gait, and passed under the string on even terms with Lady Weller. The judges gave the heat to the latter. Hickey was three lengths behind. Time, 2:41.

Second Heat.—Lady Weller took the lead, Louise second, Hickey third. On the turn Lady Weller trotted clear away from the others, and at the quarter pole was six lengths ahead of Louise, in thirty-seven and a half seconds; Hickey two lengths behind Louise. Going around the lower turn Lady Weller and Louise broke up, but they soon recovered, and Lady Weller passed the half-mile pole in 1:16, five lengths in front. Louise was ten lengths in advance of Hickey. Lady Weller was eight lengths in front of Louise at the three-quarter pole, Hickey a distance out. Lady Weller broke on the homestretch, but came in a winner of the heat on a jog by ten lengths, in 2:35. Louise was second and Hickey was just inside the distance flag.

Third Heat.—Lady Weller went away with the lead and was four lengths in front at the quarter pole in thirty-eight seconds, ten lengths ahead to the half-mile pole in 1:14½, and came home in 2:33, distancing both the others in the easiest style imaginable.

THE METAIRIE RACES.

NEW ORLEANS, Nov. 29, 1870.

To-day was the second day of the Metairie races. The hurdle race was won by Beacon, beating Chalmette, Wild Cat and Tangle Foot.

The second race, club purse $500, mile heats, resulted as follows:—

Kildare	1	1
Victory	2	2
Waltz	3	ds
Tamberline	4	3
Donovan	5	4

Time, 1:51—1:48.

THE FAIR SEASON.

Charity, Liberality, Elegance and Taste.

The Hebrew Charity Fair—The Principal Stalls—Rebecca at the Well and a Real Live Lottery—The Post Office and the Floral Temple.

This evening the Charity Fair at the Twenty-second regiment armory in Fourteenth street, in aid of the Mount Sinai Hospital and the Hebrew Orphan Asylum, will be thrown open to the public. It already promises to be one of the brilliant displays of the season in spite of the confusion and disorder incident to putting up the decorations and finally arranging the stalls. Altogether there will be no less than

FIFTY-FIVE STALLS,

attended by at least 150 of the most attractive, beautiful and popular ladies of the city. One of the most striking is Mrs. Heyman's tea stand. The stall is fitted up with singular taste and is a model of what a tea store ought to look like. In the background there is a handsome oil painting of a Chinese marriage ceremony, and the counter is not only furnished with the necessary scales and weights, but is anorned with a number of elegant caddies, some of them of genuine Chinese manufacture, and inlaid and enamelled with inimitable delicacy of Mongolian art.

Mrs. S. A. Lewis' stall will also certainly be one of the leading objects of attention. It will be adorned with a very fine oil painting of an allegorical subject, in which the Goddess of Liberty is the leading figure. Another of its *pieces de resistance* is a handsome wooden model of a schooner, fully rigged, and ready in every respect to pass into the hands of some lucky youthful navigator.

Mrs. Keller will introduce an altogether novel form of charitable money-making. She is to preside in the character of

REBECCA AT A WELL OF LEMONADE.

She will be assisted by a couple of negro boys, and, when completed, the general effect of this original and interesting scene will be, no doubt, very striking.

Mrs. L. Lavenbury's stand is also arranged with exceedingly good taste, and is well furnished with articles of real value and beauty.

Miss R. Friedlander will keep a lottery office of a novel character. She has collected some $1,500 in contributions, and has invested the money in United States securities, varying in denomination from fifty to $500. Tickets for just double the value of the bonds will be issued, and a grand drawing at the close of the fair decide the lucky winners.

THE FLOWER STAND

will be a magnificent triumph of decorative skill. It will consist of a circular temple, the pilasters and dome of evergreens, and the interior filled with bouquets of various sizes, and a galaxy of the more prominent beauties connected with the Purim Association. There are to be two refreshment stalls. One on the ground floor will be devoted to the purveying of cold refreshments, under the superintendence of Mr. Cohen and Mrs. H. Leo. In the other, which will be located in the gallery, elegant lunches and suppers may be obtained. It is to be in charge of a pretty well known up town restaurateur.

One special and unique feature of the Fair will be

AN ART EXHIBITION,

consisting of a very fine and valuable collection of paintings and works of art, including a number of Mr. Constant Mayer's pictures. The remainder of the paintings have been lent to the fair by the owners of some of the finest private galleries of the city. There is also to be a Post Office, run on the usual charity fair principles, and Professor Nichols, the glassblower, has volunteered to daily give an exhibition, the articles which he may make and sell going, of course, to swell the funds of the bazaar.

Such are briefly a few of the more prominent features of the fair. At present the work of general decoration is of course unfinished, and it is impossible to say more than that it promises to be a brilliant and strikingly successful effort. The work of preparation was carried on all through last night, and to-day will be completed only an hour or so before the fair opens. There can be no doubt that a bazaar where preliminaries display so much

ENERGY AND GOOD TASTE

and in aid of so worthy an object will receive the generous support of the public. Simply regarded as a show it will be worth a visit, while it is to be hoped that the greater part of those who may pass a pleasant hour among its glittering stalls will open their hearts and give liberally to the relief of the suffering poor to whose needs it is intended to minister.

The French Fair.

Encouraged by the immense success which has thus far attended their efforts the ladies in charge of the French bazaar have decided to continue it until Friday evening. But being in the interest of the suffering, and to prevent as much as possible the great crush of the preceding nights, they have also decided to increase the price of admission to one dollar. By general request Mr. Le Franc will sing again this evening "Les Girondins." It was at first intended to close out the bazaar with a *tombola* or grand lottery; but that idea has been abandoned and the goods remaining unsold on Friday evening will be disposed of by auction.

THE FIRE TENDER CASUALTY.

Mr. Millard's Death Investigated—No Malicious Intent Shown, but the Necessity of More Care in Going to Fires.

The death of Mr. Thomas Millard, late of Brooklyn, on Thanksgiving eve, in Broadway, near John street, by the tender of engine No. 6, has heretofore been quite fully published in the HERALD. Yesterday afternoon Coroner Flynn investigated the case at his office at the City Hall. Considerable interest was felt in the matter, and the relatives of Mr. Millard were represented by counsel, as also was the Fire Department. Subjoined will be found a synopsis of the evidence elicited.

Mr. Thomas C. Millard, 153 East Fifty-first street, deposed that the deceased was his father; recognized the body at the Morgue; deceased was so deaf that he was in the habit of carrying an ear trumpet;

HE WAS SHARP-SIGHTED,

but used glasses for reading; he was in the habit of going from this city to his home, 582 Lafayette avenue, Brooklyn, after dark; was very careful in his movements. Deceased was sixty-seven years of age, a native of Connecticut, and had retired from business. On the day of the accident deceased had been to see his sister, living in New Jersey.

Joseph Derry deposed that on the night of the accident he was driver of tender No. 6, the engine of which is located in Cedar street; he is a fireman, but was detailed as driver on that night; there was a fire at 62 Fulton street; the first I knew of a man being run over was on returning from the fire; we were only five or six minutes at the fire and an officer told me that a gentleman had been killed; the witness then went to the engine house, and afterwards to the Second precinct station; in driving down Fulton street to the fire the tender was going slow; had

NO LIGHTS ON THE TENDER;

we usually light them after getting to the fire; have been accustomed to driving, and been in the department since it was organized; passing through Broadway did not feel a shock as if we had run over something; did not see deceased; there was a stage between the engine and the tender; the accident occurred a little after seven o'clock P. M.

George Jacobs, fireman of engine No. 6—On the evening of the 23d was riding on the tender; went to a fire in Fulton street; did not notice that we ran over anything in Broadway; there was a man got on the tender; he had on a gray Kossuth hat; the man, I think, got off the tender near John or Fulton street; think the tender could not have

PASSED OVER A BODY,

without having felt a shock; the witness ordered the man off the tender; we were going at a gait slower than usual on that evening.

The testimony of officer Weber, of the Second precinct, who found the body of deceased as he was breathing his last, was read to the jury.

Walter Furlong, foreman of engine No. 6, testified that according to the rules and regulations of the department we drive no faster than the men running ahead of the engine can keep out of the way.

Andrew Wilson, a letter carrier, living at No. 252 Third avenue, testified that on the night of the occurrence he jumped on the rear step of tender No. 6 and when nearly opposite Dey street saw a man passing from the west side of Broadway and was

STRUCK BY THE WHEEL

of the tender, knocked down and run over; the witness called to the driver that he had run over a man, and he told me to get off; he may not have heard distinctly what I said; think the driver could not have seen deceased before he was run over; the witness went back to where the deceased lay and found him dying; the horses attached to the tender were going

ON A BRISK TROT;

was not ordered off the tender till the man had been run over; knew I had no right to ride on the tender.

The testimony of Dr. McEwen, who made a post-mortem examination on the body of deceased, was read to the jury. He found a compound comminuted fracture of the thigh, and in the doctor's opinion death resulted from shock from the injuries received.

The Coroner charged that there was no malicious intent shown on the part of the driver of tender No. 6, and the jury rendered a verdict of death from injuries received by being accidentally run over.

CUBA.

The Election of the Duke of Aosta—The Celebration in Havana—Reception of the News by the Havaneros—Comments of the Press—Reported Killing of "Bombeta" and Cavada—The Burning of Estates Commenced—Items from the Insurrectionists.

HAVANA, Nov. 23, 1870.

We have a king! *Viva el Rey!* After much tribulation Spain has been furnished with one of those articles so much in keeping with the age and without which it is so difficult for a people to get along—an article which the great Jehovah gave the Israelites in His wrath, and which seems to have been an instrument of wrath ever since. *Viva el Rey!* A most necessary prayer—so it is addressed to the Almighty—for worse chances of a continued existence than has the new King of Spain it were hard to conceive. Nevertheless, Havana was awakened this morning by a most unseemly racket of guns, bells and the royal march. The Riego Hymn, having an unsavory flavor of the great unwashed, has gone out. Bunting, too, soon appeared in all the balconies, and it began to be told about that three days of rejoicing had been decreed by his Excellency the Captain General—no longer the creature of successful revolution, but the viceroy of a king. Soon the following announcement, contained in an extra of the *Official Gazette*, appeared on the street:—

SUPERIOR POLITICAL GOVERNMENT OF THE PROVINCE OF CUBA.

Their Excellencies the President of the Council of Ministers and the Colonial Minister in telegrams of the 17th inst., received to-day, communicate to me that the National Assembly in virtue of its sovereignty has elected his Royal Highness the Prince Amadeo de Saboya Duke of Aosta King of Spain by 191 votes, and in celebration of this welcome news I have decreed as follows:—

First—The celebration of *Te Deum* at nine to-morrow morning in the cathedral, and a reception at one o'clock in the evening at the Palace.

Second—That day and the two following are holidays, and officials will appear in full uniform.

Third—The national banners will float over the public edifices for three days, and these buildings will be illuminated each night. The political government invites its loyal inhabitants to unite in these demonstrations.

Through the Captain General's Office the necessary orders will be issued for the firing of guns and the grand parade which will take place. CABALLERO DE RODAS.

HAVANA, Nov. 23, 1870.

As I write three celebrations are in progress, and the "truly loyal" of Spain seem to be affected favorably. It is, however, as yet too soon to judge of the effect of the election upon the Spaniards in this island. They are almost, without exception, monarchists, and will, no doubt, happily receive news of any solution of the long existing difficulty, though the great mass of them have been supporters of Prince Alfonso or the Duke de Montpensier. Occasional sly allusions are heard to the "Maccaroni King," which shows, nevertheless, that the proud and intensely patriotic Spaniard doesn't like the idea of going away from home to find a ruler.

The journals, as a matter of course, accept the situation, but treat the election rather gingerly. The *Diario de la Marina*, in making the announcement, says:—

On the 16th of November, 1870, the laborious work of finding a king to sit on the throne of San Fernando and Carlos V. was concluded. This high honor has fallen to Amadeo Fernando Maria, Prince of the ancient House of Savoy, named and proclaimed king by the Constituent Cortes. We salute respectfully the choice of the national representation, the new King of Spain, and only beg Heaven to crown the choice in the happiness of the nation.

The *Fox de Cuba*, after certain allusions to the history of Spain, in which, not unnaturally, it finds a parallel case, says:—

To-day we celebrate a like instance. The telegraphic news which we gave yesterday, taken from the New Orleans journals, of the proclamation as King of Spain of Amadeo de Saboya, is confirmed by official announcement. The Spaniards of this province, who, attending to other duties, have not taken part in this election, are nevertheless obliged to respect and obey the new monarch. It only remains for us to ask God that those who have taken upon themselves the great responsibility of the election have proceeded with the same faith, patriotism and wisdom as the Judge of Caspe, and the reign of Amadeo the First, be as long, as glorious and as prosperous for Spain as the never-to-be forgotten one of Isabel la Catolica.

Although no announcement of the fact appeared in the journals this morning, it is generally understood that official information has been received of the capture and shooting of Generals Bernabe de Torona, known as "Bemoeta" and Cavada, prominent insurgent leaders. As of all news received here the "official" is least reliable, it needs to be confirmed before accepted as true.

As has been for some time anticipated, the insurgents have commenced burning estates in the Cinco Villas, and grave fears are entertained that the destruction is likely to become very great. Private letters state that three of the larger estates in Cienfuegos have