# BEHIND THE COUNTER.

## Mysteries and Miseries of the Palaces of Fashion.

**Tricks of the Trade—The Caucasian Slave and His Driver—The Secrets of Shopping—How Women Are Humbugged—Remnants and Old Stock.**

"What can I have the pleasure of doing for you, sir?"

"I want a pair of warm gloves."

"Cloth—any particular size?"

"No, I want them to fit pretty easily."

The man behind the counter turned to the shelves which were filled with boxes of various sizes and colors having narrow white labels pasted in front, on which were scratched some curious hieroglyphics. After taking down several of the boxes and not finding what was wanted he said, "I am sorry to keep you waiting so long, but the fact is I am almost worn out."

"Why; how is that?"

"One of my young ones was poorly last night; I sat up with him, and having to come in so early this morning."

"I thought you had pretty good hours in these stores now?"

"Ah, sir, the public knows very little about our hours or ourselves."

"If you can give me any details worth publishing, I am a reporter for the HERALD, and can soon make the community acquainted with the merits of the case."

"I would be very glad to explain the entire system to you if you will take the trouble to come to my place this evening."

Having obtained the name and address (which are suppressed for obvious reasons), and made an appointment, which was punctually kept, the following is the result. Being seated in a small front room (the man occupied three on the third floor of a large tenement house in one of the poorest quarters of the city), the conversation was opened by the reporter.

REPORTER—How long have you been at the dry goods business?

CLERK—About twenty years. During that time I have held situations in most of the large houses in New York. I went into business in a small way, once for myself, but failed, and I was

OBLIGED TO GO BEHIND THE COUNTER

again to support my family.

REPORTER—Is it difficult to get a situation in one of these houses?

CLERK—Well, that depends. In some of them you go straight to the manager and, taking off your hat, make application. In others, however, one has to go to Mr. Somebody; then, hat in hand and bending low until your body forms the proper

CURVE OF DEEP HUMILITY,

you beg that he would introduce you to Mr. Somebodyelse, and this last one may or may not think it worth his while to mention you. So you have to take your chance.

REPORTER—But once you get in of course you are all right?

CLERK—Not exactly. First, you are given the

RULES OF THE ESTABLISHMENT

to read, which consist mostly of the offences for which you are liable to be fined. Then you receive a book to enter the amount of every sale made during the day; and you must look pretty sharp that no one else sells any more than you do.

REPORTER—Why, this must keep up a constant warfare among the men?

CLERK—It does, and it is the cause of numerous complaints of inattention and rudeness to customers.

REPORTER—How so?

CLERK—Well, you see, a man is called forward, that is desired, by

THE SHOP WALKER

to come and wait upon a lady. She may not be quick enough at buying to suit him, so he tries to get rid of her as quickly as possible, that he may get another likely to purchase.

REPORTER—The shop walkers then have control over the men?

CLERK—They have, and most brutally they use it sometimes, shouting at you as if you were a dog, and if your face shows the smallest trace of resentment they threaten to report you, and that is instant dismissal. Those fellows are worse than any slave driver America has ever known.

REPORTER—Surely they would give a man of family some notice before discharging him?

CLERK—Not an instant. You may be twenty years in the employ of one of those large houses, and be

DISCHARGED AT A MOMENT'S NOTICE

for some trivial offence. Time and health they grind out of you, and while they are making millions you get a mere subsistence.

REPORTER—What are the usual wages paid to clerks?

CLERK—They range all the way from five dollars a week to twenty. In some houses they have, besides the salary, premiums, or, as we call them, "P. M's."

REPORTER—May I ask you what they are?

CLERK—They are a kind of bonus given to the salesman for getting rid of old goods and remnants.

REPORTER—The general impression is that remnants and old goods are sold at reduced prices?

CLERK—I know it is, but it is a wrong impression. Remnants sometimes bring a

HIGHER PRICE AS REMNANTS

than they do in the piece.

REPORTER—But why?

CLERK—Because women are such fools and the salesmen push them to make

THE "P. M."

REPORTER—Do all the stores in New York give these "P. M.'s," as you call them?

CLERK—All but one; and in some of the houses a man gets one-third of all he can overcharge a customer during the day.

REPORTER—The goods are generally marked; then how can he overcharge?

CLERK—The goods are marked, true enough; but if a lady comes in to buy a shawl, for instance, it may be marked ten dollars. But if the clerk sees she likes it very much, and is determined to have it, he may charge her sixteen for it. He then gets two for himself.

REPORTER—Don't you think this

LOOKS LIKE SWINDLING?

CLERK—Most certainly I do. But if you happen to get into one of those houses, and you don't do that sort of thing occasionally to show your cleverness and interest in your employer's business, you'll find a Saturday night come when they'll tell you they don't want you. If you ask why, you are answered, "Well, you don't suit our trade."

REPORTER—This is a frightful state of things.

CLERK—I have known instances to occur—they are not common to be sure, but I have seen a great many of them in the course of my experience—where a lady was shown an article at a price; she didn't think it good enough, and being the best in stock, the clerk would

PRODUCE IT AGAIN AND AGAIN

until he had reached the price the customer intended to pay for what she wanted.

REPORTER—And this with the knowledge of the firm?

CLERK—Most assuredly. That is one of the

TRICKS OF THE TRADE.

REPORTER—But are ladies so easily taken in as that?

CLERK—Lord bless you! they are the softest things in the world. After a pretty general experience of them for forty years I tell you if you can get a woman's attention you can make her believe anything.

REPORTER—You don't seem to have a

VERY HIGH OPINION OF THE SEX?

CLERK—On the contrary I admire them very much, and nothing would please me better than to see some of the poor, friendless things who are struggling for an existence in this city get the places of those lazy louts who ought to be out doing man's work under God's sky.

REPORTER—You think, then, this is a field of labor that ought to be opened up to women?

CLERK—I do; and I also think that those women who are running so furiously after the ballot would confer a much greater benefit on their sex if they would shame those big, able-bodied fellows from behind the counter and make room for the women.

REPORTER—Do you think the

WOMEN COULD STAND THE WORK

and the hours?

CLERK—Of course they could; they do at present. The hours certainly are unnecessarily long, but time will remedy that.

REPORTER—What are the hours?

CLERK—Generally from seven to half-past in summer, and half-past seven to eight in winter, to seven and eight at night. Then out of that you are allowed half an hour for dinner, and about once a month, in your turn, you are obliged to come at six o'clock in the morning.

REPORTER—What do they come on those days so early for?

CLERK—They must take their turn to dust off and arrange the shelves and goods.

REPORTER—And the

CASH BOYS;

at what time are they expected?

CLERK—Always an hour and a half before the men.

REPORTER—How much do they get?

CLERK—Two dollars a week.

REPORTER—Of course these little boys are not subject to be fined?

CLERK—Yes, but they are, though. I have known the poor little chaps, after two weeks' work (and, mind you, they are never allowed to sit down during the day), going home with a dollar and a half and two dollars instead of four—the rest eaten up by fines.

REPORTER—Would you just give me a few of the

OFFENCES FOR WHICH THEY FINE?

CLERK—Being five minutes late in the morning or in returning from dinner, omitting to enter a sale in your book, taking a wrong address or being away from your post (at which you are

OBLIGED TO STAND ERECT

at a distance of nine inches from the counter) longer than five minutes. Each one of these costs twenty-five cents, and in a busy day even a careful man might commit the whole of them.

REPORTER—What becomes of these fines?

CLERK—At Arnold & Constable's, and, I think, Lake & McCreery's, they are formed into a fund for the benefit of the sick; but all the others pocket them.

REPORTER—They must amount to a good sum at the end of the year?

CLERK—I should think they do. Why, at Stewart's, they are

SOMETHING ENORMOUS.

REPORTER—Don't you think that where there is so large a body of men they could have things much better if they combined, like other trades?

CLERK—No doubt they could, but there is no union among them. You see, they are composed of such distinctly opposite elements that concerted action is impossible.

REPORTER—What do you mean by "opposite elements?"

CLERK—Nationalities. The dry goods clerks of this city are composed of Germans, Scotch, English, Welsh and Irish, with about one per cent of Americans.

REPORTER—There are a good many women employed in these large stores, are there not?

CLERK—Yes; a few saleswomen in most of them and a great number of work girls. You would scarcely believe it, but I assure you I saw it myself, in one of those palace stores there used to be—I don't know if it still exists—a notice pasted on the elevator, written by the proprietor himself, forbidding those

POOR CREATURES

to ride up in the elevator, and compelling them to go up and down six stories on foot four times a day.

REPORTER—In the matter of sickness, what is the rule?

CLERK—The salary is stopped for all time you are away from the store, whether your absence is caused by illness or not. If you are not there you will not be paid.

REPORTER—You said something about dull season; to what did you refer?

CLERK—At the end of each season—that is, as soon as

THE DULL TIME

comes—on the 1st of January and 4th of July—a large number of men are discharged from all the houses and remain out of employment some two or three months.

REPORTER—This must cause great distress among them?

CLERK—Frightful, sir; frightful! They are mostly an improvident, hard drinking lot, and the few who are able to put a little aside from the miserable pittance they get soon have it eaten up by their families.

REPORTER—Surely when the men know the dull time is coming on they ought to be prepared?

CLERK—Well, you see each one thinks himself the best man, and is sure he will be the one to be kept; besides, it costs a good deal to

KEEP WELL DRESSED,

for if they get shabby their chances of going are redoubled.

REPORTER—But in the summer they give the men a holiday?

CLERK—Some of them do; but others force them to take one and make them pay for it.

REPORTER—They oblige them to absent themselves?

CLERK—One of the drivers, or ushers, or shop walkers, as they are called, goes around to the men with a list in which is set down the time each man must take, and the poor fellows are obliged to comply without a murmur.

REPORTER—Surely there must be some means to

REMEDY ALL THIS?

CLERK—If these men only knew their own power it would not last long. There is at least in New York and the surrounding cities some five or six thousand men employed in this business, and not one-quarter per cent of them are voters.

REPORTER—Here, then, is a huge chance for Tammany—loads of exiles from every land.

Thanking the clerk for his kindness, and hoping, should any further information on the subject be required, he would be in the same amiable disposition, the reporter took his leave.

# THE TONNAGE TAX.

## What a Steamship Agent Has to Say About Collector Murphy's Latest Proposals.

**The Public to be Made to Pay All Taxes on Steamships—What the Companies Pay at Present—Something About the Ceremony of Fumigation.**

The notes of coming battle which Collector Murphy has lately been vigorously trumpeting forth to an interested world have at last stirred the phlegmatic souls of the agents of the foreign steamship lines, and they begin at last to believe that some action is really going to be taken against them. They do not, however, manifest very extreme anxiety, apparently feeling convinced that the jealousy of Congress has already placed as heavy a burden upon their shoulders as they can bear, and that, therefore, unless the policy of wholesale subsidies to American lines be adopted—a very improbable consummation of the fight—they are tolerably safe. If still heavier taxes are imposed upon them they must either stop running or charge increased rates for passengers and freight. But perhaps their sentiments and plans may be better understood from a perusal of the following interview, which a reporter of the HERALD had yesterday with the agent of the Cunard Company. Passing from Bowling Green through a gloomy hallway into the business office the reporter was directed to the private room of the agent—a room containing

EXACTLY ONE CHAIR,

which the agent himself occupied. This last arrangement is a cunning transatlantic device to prevent callers taking up too much of the agent's time. No matter how important may be the object of a visit, it will scarcely be very protracted, while the caller is compelled to stand with his hat in his hand, or lean his elbows upon a desk. The politeness of the trick is, of course, something that English business men would deem altogether beneath their notice.

"What do you think, sir," said the reporter, "of Collector

MURPHY'S PROPOSITION

to impose the tonnage tax upon every arrival of every vessel?"

"Well, I don't think much about it in any way (with a shrug of disgust). It doesn't matter very much to us what Congress does in these matters."

"How is that?"

"Well, of course, we are only a business corporation, and must, therefore, in any case make a fair dividend on our capital. If Congress imposes this tax upon us it will not come out of our treasury, but out of the pockets of the merchants of the city and the passengers who use our line. We shall charge bigger rates, that is all there is in it. We shall have the trouble of collecting and paying the tax, but it will be

NO PECUNIARY LOSS TO US."

"Is that the way you arranged it in the times when you had to pay the tonnage tax, as Mr. Murphy proposes you should do again?"

"Well, no, scarcely; because we never paid the tax except under protest. No attempt to impose such a tax upon us was made until after the war. Then we paid it for four or five years; but at each payment I put in a protest to the effect that such a tax was not only unjust, but unconstitutional and contrary to the treaty of commerce between Great Britain and the United States. We have now

A CLAIM AGAINST THE GOVERNMENT

on that very head of several hundred thousand dollars, and we shall press it until it is paid. And if the attempt is made again to collect this tax we shall again protest against its legality."

"And if it be decided by the courts that the government has the power to exact it?"

"Well, then, as I have before said, our customers will have to pay it."

"Have you made any arrangements in concert with the other companies affected to represent to Congress what you deem the injustice of the measure?"

"No, sir" (with a very decided and wise shake of the head), "not exactly. I don't care what the American Congress chooses to do with us. As I have said, they can't touch our profits, because we shall shift all that they choose to impose upon us upon the backs of American merchants. If we can't run our line here with a profit we shan't run it at all."

"How much would this tax involve?"

"About $700 or $800 each vessel. The tonnage tax is

THIRTY CENTS A TON.

A vessel of 3,000 tons would therefore have to pay $900. Perhaps the tax would be on all our arrivals about $100,000 a year."

"As much as that?"

"Yes, quite. You can see what a big sum would have to come out of somebody's purse; not out of ours, mind."

"What other taxes have you to pay now?"

"Well, the tonnage dues we pay once a year—thirty cents a ton upon every vessel that enters the port in the course of the year. Then we pay five dollars and fifty cents entry dues each trip of each vessel; health officer's dues six dollars and fifty cents each vessel; ten dollars for each death that may take place at sea; and lastly, fifty dollars for fumigating the vessel on arrival during the summer months."

"That last item is a curious one?"

"Yes, But it is necessary and right, and if there was only anything done for it we should not mind paying it. But they do scarcely anything. They certainly don't

EFFECTUALLY FUMIGATE

the ship, except when perhaps there has been a great deal of contagious disease aboard."

"Do you pay any harbormaster's dues?"

"No, we escape that, because we have our docks in Jersey and so keep our own harbormaster. If we came here, as I believe they wanted to make us, we should pay a cent and a half a ton on each vessel."

"Mr. Murphy says you ought to pay tax in some shape or another upon your profits; you don't pay income tax?"

"AND WHY SHOULD WE?"

"Well, you make money in the country and enjoy the blessing of doing business under a secure and stable government. Isn't it fair that you should help to support it?"

"No; not at all. We don't get American protection. We have the protection of our own flag. We give certain services to American citizens and we expect to get a return from our capital for doing so."

"There has been a change in the capitation tax, hasn't there?"

"Yes; but it hasn't yet come into operation. It is going to be reduced, I believe, from two dollars and a half to one dollar and a half."

# THE COURTS.

**The Income Tax Law Before the United States Supreme Court—The Boston, Hartford and Erie Railroad Company in Bankruptcy—Humpus Between Collector Murphy and Marshal Sharpe—Alleged Violations of the Internal Revenue Law—Business of the State Courts for February.**

### UNITED STATES SUPREME COURT.

**Constitutionality of the Income Tax—Federal Taxation of State Officers.**

WASHINGTON, Feb. 4, 1871.

No. 329. *James Buffinton vs. Joseph M. Day—Error to the Circuit Court for the District of Massachusetts.*—The defendant in error was judge of the Probate Court for Barnstable county, Mass., and the plaintiff in error, as Collector of Internal Revenue, exacted of the judge the income tax on his salary. The tax was paid under protest and this action was brought to recover the amount. The Court below held that the tax was unconstitutional, and the judgment was for the plaintiff for the amount claimed. The government brings the case here, where it is contended that the tax is constitutional, on the general principle that, "in the exercise of the granted powers, the federal government is supreme; that under the general power of taxation every man and everything throughout the country (exports excepted) are subject to taxation in the discretion of Congress; provided that the power be exercised for the purposes declared in the constitution, and with uniformity, &c. And it is said that the right of taxation here involved is simply that which would have been enjoyed by the State had it remained independent, and itself sustained the burden and enjoyed the rights of government which it has turned over to the general government. The taxation of State officers on incomes derived from their salaries is exactly what is done by the States, and the right to do the same for the object designed was granted to the United States under the general power of concurrent taxation. It is not a tax on the State officer, as such, any more than if imposed by the State itself, for similar reasons. Nor is it a tax on the revenue of the State, for it is clear that when the salary has been paid it belongs to the officer who receives it and is no longer the property of the State. But if it be true that it is a tax on the revenue of the State, then when a tax, in all respects similar, is imposed on State officers by the State itself, the singular spectacle is exhibited of a State taxing its own revenue. On the other hand it is insisted that if State officers or their emoluments are taxable at all by the federal government, that taxation may be carried to the point of destruction, and the existence of the State as a body politic and its right to have a government, with executive, legislative and judicial departments; to have State offices filled and their duties performed, would be made to depend upon the will and forbearance of Congress. To admit the principle contended for here, it is submitted, would be to admit the power of Congress to tax the State government out of existence. This was the view also taken by the court below, whose judgment the writ of error seeks to have reversed.

### UNITED STATES DISTRICT COURT—IN BANKRUPTCY.

**The Boston, Hartford and Erie Railroad Company.**

Before Judge Blatchford.

Petitions in bankruptcy have been filed in New York, Connecticut and Massachusetts, against the Boston, Hartford and Erie Railroad Company, whose road runs through these three States. Among the petitioners against the company are Adams' Express Company and a Mr. Alger, and it is alleged by parties in the case that the Railroad Company are in a hopeless state of insolvency, and that for eighteen months they have not paid the interest on their first mortgage bonds. When the case came before the court, two weeks ago, a point was raised as as to the jurisdiction of the court, but that was overruled, and it then appeared that counsel could not go on with the argument, as they had not been served with the necessary papers.

Yesterday, when the case was called, it transpired that a stay of proceedings, granted by Judge Woodruff [illegible] Circuit Court, had been issued upon the application of the railway company. The arguments upon this stay will be heard before Judge Woodruff next Saturday, and, pending a decision upon it, the proceedings will be suspended before Judge Blatchford.

**Salary of Bankrupts' Employe.**

*John Sedgwick, Assignee of John M. Berrian and Cornelius A. Berrian, Bankrupts vs. Henry H. Casey.*—This cause came on for argument upon bill, plea and replication filed. The plaintiff, as assignee of J. M. and C. A. Berrian, sued in equity to recover salary alleged to have been earned by the bankrupts.

Among the questions discussed on the argument were: first, whether the statutory limit of two years in the second section of the Bankrupt act applied to an action of this nature; second, whether the remedy by bill in equity or an action at law was the most appropriate; third, whether the cause of action set forth arose prior to May 14, 1868, or was a continuing one as upon a trust.

The Court, after a lengthy discussion, took the papers and reserved his decision.

**Petitions in Bankruptcy.**

The following petitions have been lodged in bankruptcy within the past three weeks:—William E. Brockway, George D. Earl, Jeremiah Carpenter, Jepina S. Kelham, Leonard Atwood, Francis H. Holmes.

**Discharges.**

Roswell Graves, George E. Boardman, Henry Waldron, Josiah C. Waters, Philip Opper, Moses Walack.

### UNITED STATES DISTRICT COURT—IN ADMIRALTY.

**Decision.**

*James W. Leavitt et al. vs. George W. Jewett and others.*—Yesterday Judge Blatchford rendered his decision in this case. This is a libel filed by the owner of the three master schooner Franconia against the owner of the steamer Lodona, to recover for the damages sustained by the libellants by means of a collision which occurred between the two vessels, between six and seven o'clock P. M. on the 31st of October, 1868, in the upper bay of New York harbor, between Governor's Island and Robbins' Reef light. The schooner was bound inward and the steamer was bound outward. The question to be decided was whether the steamer was in fault in not having the lights required by law, in not keeping a good and proper lookout, and in not rounding the schooner by an earlier or a different change of course. The Judge decides that the steamer was in fault, and gives a decree for the libellants, with costs, with a reference to a Commissioner to ascertain the damages.

### UNITED STATES CIRCUIT COURT.

**Dispute Between Marshal Sharpe and Collector Murphy—Another Deadlock.**

Before Judge Blatchford.

*In the Matter of the United States vs. One Case of Silk.*—A motion came up in the Circuit Court yesterday, at the instance of Collector Murphy, in reference to the above matter. The Marshal had endeavored to seize the case of silk, but was unable to do so, and therefore made his return upon his writ. The question now for the Court to determine was whether the Collector, under the laws of Congress, is entitled to hold custody of seized property until the final adjudication of the Court. The Marshal, represented by Mr. John Sedgwick, his counsel, claims that, after the monition is issued to him, he is the proper custodian to the property. After hearing the arguments the Judge took the papers and reserved his decision.

### UNITED STATES COMMISSIONERS' OFFICE.

**Charge of Not Cancelling Revenue Stamps.**

Before Commissioner Shields.

*The United States vs. Bernard Rourke.*—Defendant is a distiller in Forsyth street. He had been charged with having neglected to cancel and destroy a number of revenue stamps on whiskey barrels which, it was alleged, belonged to him. Mr. Robert N. Waite appeared as counsel for the defendant. It appeared from the evidence of the government witnesses that the stamps on some of the barrels had been obliterated, but not entirely destroyed, and that some of the stamps had the appearance as if an attempt had been made to cut them with a knife. The defendant was discharged.

**Passing Counterfeit Money.**

*The United States vs. Charles Lewis.*—The defendant was held for examination for passing a twenty dollar bill of the National bank of Portland on John P. Senninger, 383 Broome street.

**Charge of Uttering a Fraudulent Bond.**

Before Commissioner Osborn.

*The United States vs. Stephen Sherlock.*—The defendant is charged with having forged, altered and published a fraudulent bond, with intent to defand the United States. The facts of this case have been already fully reported in the HERALD. The defence was entered upon yesterday. Mr. Henry C. Dennison, of 922 Sixth avenue, was examined. The bond in question was put in the hands of the witness, and, in reply to a question, he swore that the signature to it was not the defendant's; that it was the handwriting of Stephen Sherlock, a cousin of the defendant. Among the other witnesses examined for the defence were Mr. Henry Brewster, Mr. William F. McKay and Mr. D. G. Rollins, Jr., counsellor-at-law.

The further hearing of the case was adjourned to the 7th instant at ten o'clock.

**Violation of the Revenue Law.**

*The United States vs. J. B. Martinez.*—Defendant, who carried on business at 717 Broadway, is charged with a violation of the revenue law in connection with the sale of cigars. Two witnesses—Robert Hunt, a revenue officer, and Nelson D. Thayer, deputy collector in the Sixth district—were examined in support of the prosecution. Adjourned to Wednesday, February 8.

**Alleged Smuggling of Laces and Silks.**

On Friday night a man named Duncan was arrested by the police in Jersey City with a bag upon his back. Mr. Fowler, Chief of Police, detained the man, caused an examination of the bag and found that it contained valuable dry goods, worth about $3,000 or $4,000. Duncan was brought before Commissioner Moorehead, in Jersey City. Investigation led to the disclosure that the goods in question had been landed from the steamer Europa, on the New York side, that they were being conveyed away to some hiding place at the moment Duncan was arrested, and that they had been smuggled into the country by Andrew Wright and Robert Smith, who are in the employment of the owners of the Europa, one of them, we learn, as purser or officer. The two latter were arrested on board the ship, brought before Commissioner Shields, and each held to bail in the sum of $4,000. The matter, however, did not stop here. It was placed in the hands of Colonel James S. Chalker, special agent of the United States Treasury, assisted by Captain C. H. Brackett, of the same department, and yesterday afternoon, from the information received by these officers, and by proper authorization, they seized the establishment of Thomas Wilson and James Gilligan, in Church street, arresting those parties at the same time on a charge of having been engaged in smuggling, and in collusion with the officers of the Europa already named. They were taken before Commissioner Shields, and held to bail in the sum of $10,000 each. The government officers state that the goods found in the defendants' store are worth $25,000 or $30,000, consisting of linens, laces, silks, &c.

### THE STATE COURTS FOR FEBRUARY.

To-morrow, being the first Monday in the month, is the beginning of the February business in the courts. Though the shortest month of the year, it promises to keep judges and lawyers, to say nothing of clients, unusually busy.

In the Superior Court, General Term, Judges Ingraham, Barnard and Cardozo will preside. The same Judges, who have held the General Term last month, worked with such spirit and zeal in disposing of cases on the calendar that only some fifty cases, and these non-enumerated motions, remain to be disposed of this month.

Judge Barnard will sit in Chambers. The calendar here is very heavy. The motion calendar is set down for 12 M. each day.

Judge Sutherland will preside at the county Oyer and Terminer. There is also a large calendar here, but mainly of petty and unimportant cases.

Judge Brady holds the Circuit and Judge Ingraham the Equity branch of the Special Term.

In the Superior Court the General Term will be held by Judges Barbour, McCunn and Spencer. Judge Friedman sits in Special Term and Judges Monell and Jones hold the Trial Term.

### BROOKLYN COURTS.

#### SUPREME COURT—SPECIAL TERM.

**The Grand Street Railroad Row.**

Before Judge Pratt.

A short time since the Supreme Court rendered a decision ordering that a new election be held for Directors of the Grand street and Newtown Railroad Company, the court holding that the last election was illegal on the ground that votes on certain shares had been rejected. The new election is ordered for the 6th inst.

Yesterday Mr. Johnson made a motion before Judge Pratt to have the election postponed, which his Honor granted. After Mr. Johnson left the court room Mr. Bergen, the counsel for the stockholders, who contested the last election, made his appearance in court and moved that the opposing counsel, Mr. Johnson, be directed to serve him that day (yesterday) with a copy of the order he had obtained, so that a motion might be made on Monday to have it vacated. Mr. Bergen claimed that the other side desired to have the election postponed until the Legislature had passed a bill now before them, taking the right of electing directors from the stockholders and transferring it to the bondholders.

Judge Pratt granted Mr. Bergen's motion also, and the case will therefore come up again to-morrow.

#### CITY COURT—SPECIAL TERM.

**Spoiling a "Case"—Another Lawyer After His Fees.**

Before Judge McCue.

A Mrs. Rosanna Fleig retained a lawyer to institute a suit for limited divorce against her husband, Beatus Fleig. The lawyer took the necessary steps, served the complaint, &c., but before the action came to trial Rosanna had a reconciliation with Beatus and withdrew the suit. When the lawyer saw that his case was "spoiled" he went for his fees. There was some hitch or other—at any rate he didn't get what he demanded, and yesterday made application to Judge McCue for an order requiring Mr. Fleig to pay him $250. He represented that Fleig was worth between $60,000 and $70,000.

Fleig's counsel contended that the claim was exorbitant, inasmuch as the suit had been withdrawn at an early stage of the proceedings. Decision reserved.

#### SURROGATE'S COURT.

**Wills Admitted—Letters of Administration—Bequests.**

Before Surrogate Veeder.

Surrogate Veeder during the past week admitted to probate the wills of Henry Perry, of Connecticut; Catharine V. D. Schenck, of Flatbush; John R. Hazard, John J. Merritt, William Drake, William E. Gardiner and Lydia J. Carle, of Brooklyn. The following bequests appear in the will of Lydia J. Carle:—To the American Board of Foreign Missions, $500; to the American Bible Society, $500.

Letters of administration were granted on the estates of Charles E. Sears, William McCarty, Mary Foley, Martha Larkin, John Schnichling, Louisa C. Ogden, George S. Ogden, Robert McElhinney, Edward Richmond, Ludwig F. Walker, Peter Blake, Georgina Wight and Pedro Louis Parrenguary, all of Brooklyn.

### THE COAL MINING TROUBLES.

**Meeting of Railroad and Coal Companies' Delegates.**

An important meeting of railroad presidents and coal mine proprietors was held here on Friday, in the office of the Delaware, Lackawanna and Western Railroad Company. There were present Mr. Gowan, President of the Reading Railroad; Judge Packer, President of the Lehigh Valley Railroad; Mr. Dickson, of the Delaware and Hudson Canal Company; Mr. Ewen, of the Pennsylvania Coal Company; Mr. Sam Sloan, of the Delaware, Lackawanna and Western Railroad; Mr. Clarke, President of the Lehigh Navigation Company, and Mr. Borden, of the Coal Operators' Association of Philadelphia. A large meeting had been held the day before in the last-named city, and a strong effort was there made to effect such a combination as would break up the Pennsylvania Miners' Union, which is perpetually annoying the companies by strikes. There are at present about 35,000 of those men on strike, part of whom have been out since December 1, and the balance since January 10.

Mr. Borden, the representative of the Operators' Association, was instructed by his constituents to oppose

THE MONTHLY AUCTION SALES

of coal by the Scranton Company, but fearing the result of such an opposition, he refrained. Mr. Gowan could not do more than exchange views until he had consulted his constituents. Other delegates present were similarly placed, and the meeting therefore resolved itself into one for interchange of views and suggestions. The Lehigh operators were not represented, and it was deemed best on that account, and to enable the gentlemen to think the subject over and consult together, to postpone any

PRACTICAL ACTION

until a future day. The losses incurred by the companies and by the railroads by idle mines and lack of freight was fully talked over. The Delaware and Hudson Canal Company are losing about $250,000 a month and other companies in proportion by the strike. On the basis of three dollars a ton at the shipping point many of the miners were earning five dollars a day and several one dollar an hour. The Lackawanna region miners have been kept out of the union by the receipt of wages about thirty per cent higher than was paid in other mines, but the companies having suffered long enough in this way are now ready to unite with others in any feasible plan that may be adopted to

BREAK UP THE MINERS' UNIONS;

or to prevent the recurrence of strikes. The railroad and coal companies say they do not want to interfere with the unions, and they are willing to pay the highest price for labor that the market will afford; but while the miners are willing to co-operate to share the profits they are not willing to share the losses also. And as a matter of self-protection the companies must adopt some stringent mode of action. Practical measures will be proposed and adopted at the next meeting, when a much larger representation of interests is expected.

### THE NATIONAL CAPITAL.

ST. LOUIS, Feb. 3, 1871.

The State Senate this afternoon passed a concurrent resolution instructing Senators and Representatives to Congress to vote against further appropriations to the national capital at Washington, and also requesting them to urge a removal of the capital to some more central and convenient point.

# DOMINION OF CANADA.

**Great Fire in Coburg—Loss One Hundred and Fifty Thousand Dollars.**

COBURG, Ontario, Feb. 4, 1871.

A large fire occurred here last night, originating in the store occupied by Sutherland & Co., on King street, and spreading westward to the telegraph and express office, and eastward to McCallum & Sons', dry goods, and Jeffrey & Co., hardware merchants, and the Bank of Toronto. The whole block was destroyed. The losses are as follows:—McCallum & Co., $60,000, insurance $20,000; Sutherland & Co., $35,000, insurance $80,000; Jeffrey & Co., $28,000, insurance not known. The Bank of Toronto saved all its valuables and papers. Jeffrey & Co. saved about half of their goods in the warehouse, but the contents of their retail department were lost. The contents of the Montreal Telegraph Company's and the Express Company's offices were saved. McCallum owned three stores, and Jeffrey & Co. owned their own and the bank building. The total loss is probably $150,000.

# MARRIAGES AND DEATHS.

**Married.**

DENNIS—SMITH.—On Wednesday, February 1, at the residence of the bride's parents, by the Rev. W. Clark, Mr. J. L. DENNIS to LIBBIE A., daughter of E. L. Smith, Esq., of this city.

FOX—GREENLEAF.—On Wednesday, January 18, at the residence of the bride's mother, by the Rev. J. G. B. Heath, EDWARD A. FOX to JENNY GREENLEAF, all of this city.

GRAHAM—LAUGHLIN.—On Thursday, February 2, by the Rev. Dr. Peck, ARCHIBALD GRAHAM, Esq., of Port Jervis, N. Y., to Mrs. MARY LAUGHLIN, of Brooklyn. No cards.

PERRIN—VERGNES.—On Thursday, February 2, at the bride's residence, by the Rev. Mr. Eebert, RAYMOND S. PERRIN to AUGUSTINE VERGNES, daughter of Dr. Maurice Vergnes, of New York.

SNODDY—JOHNSON.—On Wednesday evening, February 1, at the residence of the bride's mother, No. 26 Madison street, by the Rev. Dr. Morgan Dix, WILLIAM J. SNODDY to MAGGIE E. JOHNSON, all of this city.

Belfast papers please copy.

STURGES—KEECH.—On Wednesday, February 1, at the residence of the bride's parents, by the Rev. Dr. Montgomery, AUGUSTUS W. STURGES to ISABELLE V., only daughter of Thomas T. Keech, all of this city.

**Died.**

BALDWIN.—In Brooklyn, on Thursday, February 2, SUSIE, youngest child of Henry and Susan A. Baldwin, aged 4 years, 2 months and 13 days.

The relatives and friends of the family are invited to attend the funeral, from the residence of her parents, No. 47 Fourth avenue, this (Sunday) afternoon, at two o'clock.

San Francisco (Cal.) and Poughkeepsie (N. Y.) papers please copy.

BIRGEN.—At Dobbs' Ferry, on Saturday, February 4, Mrs. MARIA MAGDALENA BIRGEN, after a short illness, aged 48 years.

Notice of funeral hereafter.

BOLLES.—In Newark, N. J., on Friday, February 3, at his residence, NATHAN BOLLES, aged 85 years.

The funeral will be attended from his late residence, No. 6 West Park street, on Tuesday afternoon, at two o'clock. The relatives and friends of the family are respectfully invited to attend. Interment in Mount Pleasant Cemetery, Newark, N. J.

BRENNAN.—In Brooklyn, on Friday, February 3, JOHN BRENNAN, native of county Longford, Ireland, aged 47 years.

The relatives and friends of the family are requested to attend the funeral, from his late residence, Quincy street, near Classon avenue, this (Sunday) afternoon, at half-past two o'clock. From thence to Flatbush Cemetery.

BRUSH.—At his residence, in Williamsburg, L. I., on Tuesday, January 31, after a protracted illness, JESSE BRUSH.

The relatives and friends of the family are respectfully invited to attend the funeral, from his late residence, 172 Second street, Williamsburg, this (Sunday) afternoon, at two o'clock.

San Francisco (Cal.), papers please copy.

BRYMER.—On Thursday, February 2, MARIA BRYMER, aged 83 years.

The relatives and friends of the family are invited to attend the funeral, from her late residence, 135 Reade street, this (Sunday) afternoon, at one o'clock.

BURKE.—On Saturday morning, February 4, MARY, the beloved wife of Edward Burke, a native of Lowhill, county Kilkenny, Ireland, aged 58 years, 1 month and 10 days.

The relatives and friends of the family and those of her sons, Lawrence, Edward, Jr., John and Michael; also her son-in-law, William Grogan, are most respectfully invited to attend the funeral, from her late residence, 95 Henry street, on Monday afternoon, at one o'clock.

BURTNETT.—On Friday, February 3, at the residence of his son William, 13 Cottage place, DANIEL BURTNETT, in the 78th year of his age.

The friends of the family are respectfully invited to attend the funeral, from the Ashton Memorial church, Forty-eighth street, between Sixth and Seventh avenues, on Monday morning, at eleven o'clock, without further notice. Remains will be taken to Tarrytown, N. Y., for interment.

BUTTLE.—On Saturday evening, February 4, MARY ADELAIDE, daughter of Robert and the late Mary P. Buttle, in the 4th year of her age.

Notice of funeral hereafter.

CHICHESTER.—On Saturday, February 4, FANNIE T., wife of Aaron Chichester, aged 39 years.

Service at her late residence, No. 25 Madison avenue, Elizabeth, N. J., on Monday afternoon, at two o'clock. Funeral from the residence of her sister, Mrs. W. H. Brincerhoff, 341 West Houston street, New York, on Tuesday morning, at ten o'clock. Relatives and friends are invited to attend.

CLAIR.—On Saturday, February 4, at her late residence, No. 324 East Twenty second street, MARGARET CLAIR, a native of county Cork, Ireland, aged 57 years.

Her remains will be taken to the Church of the Epiphany, on Second avenue, between Twenty-first and Twenty-second streets, on Monday morning, at ten o'clock, from thence to Calvary Cemetery for interment.

CUNNINGHAM.—On Saturday morning, February 4, after a lingering illness, JAMES CUNNINGHAM, aged 35 years.

The funeral will take place from his late residence, 24 James street, this (Sunday) afternoon, at two o'clock.

DAVIS.—On Friday, February 3, GEORGE M., only child of DeWitt C. and Leona H. Davis, aged 13 years.

The friends of the family are respectfully invited to attend the funeral services, this (Sunday) afternoon, at half-past two o'clock, at 38 Seventh avenue. The remains will be taken to Cooperstown for interment on Monday morning.

FOWLER.—On Friday, February 3, MARIA JANE, wife of George Fowler and daughter of the late David M. Doremus, of New Rochelle.

The relatives and friends of the family are invited to attend the funeral, from the Memorial church of Bishop Wainwright, West Eleventh street and Waverley place, this (Sunday) afternoon, at one o'clock. The remains will be interred at Newtown, L. I.

FRANK.—On Thursday evening, February 2, at nine o'clock, Mrs. MARTHA FRANK, wife of Levi Frank, aged 53 years.

The funeral will take place this (Sunday) morning, at ten o'clock, from No. 228 East Forty-ninth street, between Second and Third avenues. Relatives and friends of the family are invited to attend; also members of Mount Nebon Lodge, No. 257, F. and A. M.; Lebanon Lodge, No. 9, I. O. B. B.; congregations B'nai Mamiam and Chebra Ahawah Achim.

The Brethren of Mount Nebon Lodge, No. 257, F. and A. M., are respectfully invited to attend the funeral of the beloved wife of Brother Levi, and mother of Joseph and Marx Frank, from her late residence, 228 East Forty-ninth street, on Sunday morning, at ten o'clock. A. P. SEMEL, Master.

Lebanon Lodge, No. 9, I. O. B. B.—The officers and members of this lodge are herewith requested to attend the funeral of Mrs. Martha Frank, the wife of our worthy ex-president, Levy Frank, on Sunday, the 5th, at ten o'clock A. M., from 228 East Forty-ninth street, near Third avenue. By order.

S. HAMBURGER, Secretary.

GEE.—On Saturday, February 4, GEORGE GEE, aged 46 years, 2 months and 7 days.

The relatives and friends of the family are invited to attend the funeral, on Monday morning