THE COURTS.

Equity Calendar—Charge of Perjury—A Will Suit—Action for False Imprisonment—Business in the Court of General Sessions.

UNITED STATES CIRCUIT COURT.

The Equity Calendar.

The equity calendar of this court for the February term (except appeals in equity and reviews in bankruptcy from the District Court) will be held by Judge Blatchford in the District Court room on Monday, February 27, at eleven o'clock A. M., and cases on it will be assigned to be heard by him during the two weeks commencing March 20.

UNITED STATES COMMISSIONERS' COURT.

Charge of Perjury.

Before Commissioner Shields.

The United States vs. Alexander Cristalar.—Defendant had been charged with committing perjury in a bankruptcy case. He was arrested some time since and released on bail of $10,000. His bail ran out. Yesterday he appeared before the Commissioner and renewed it to appear for trial when called.

Alleged Counterfeiter.

The United States vs. James Harper.—The defendant, who keeps a liquor saloon at 298 Green street, Jersey City, was held for examination by the Commissioner on a charge of having attempted to pass a fifty and a twenty-five cent stamp upon a saloon keeper in Grand street, New York—one Juden—in payment for drinks. It is claimed that the defendant, when arrested, attempted to destroy other bogus stamps which he had in his pocket.

A Cigar Case.

Before Commissioner Davenport.

The United States vs. Charles Eggerding.—Defendant, a cigar manufacturer and dealer in the Bowery, has been held to await the action of the Grand Jury on a charge of having packed cigars in boxes that had been previously used.

SUPREME COURT—CIRCUIT.

Suit Between Two Sisters, Growing Out of Their Mother's Will.

Before Judge Sutherland.

Sarah C. Hatch vs. Clara M. Pinguet.—The facts connected with this suit having been fully given in the HERALD in an action brought before the Supreme Court, Special Term, it is unnecessary to recapitulate the entire details. The plaintiff and defendant are sisters, and daughters of Dr. Hogan, who died in this city several years since. Their mother, who survived her husband, died April 20, 1867. There is a third daughter, but she has retired to a convent and is no party to the present proceedings, which are brought to set aside the will of Mrs. Hogan and a deed of hers giving and conveying the bulk of her estate to the defendant. The property comprises real estate on Madison avenue and in Macdougal, Eleventh street and other streets of the city, the whole constituting a valuable estate. Nothing whatever was given to the plaintiff. It is claimed on behalf of the plaintiff that the will and deed were procured through undue influences upon the deceased by the defendant and her husband, Dr. Pinguet, with whom she lived several years prior to her death. Mr. Roswell D. Hatch, the well known lawyer, is husband of the plaintiff, and, after the death of Dr. Hogan, had charge of the estate for several years, and under his management, it is claimed, raised it from a condition of mere solvency to paying a rental of $25,000 a year. It is quite a mixed up case, and the trial, which began yesterday, promises to be one of unusual interest as well as length. The Court sat till five P. M. listening to the opening of the case by the plaintiff's counsel, ex-Judge Cowles, with whom are also associated Mr. Edwards Pierrepont and Mr. Stoughton. There is a goodly array of counsel on the other side, including the Coudert Brothers and Messrs. Stewart, Lane & Thomas.

A Superintendent Paid for Services.

Wilson vs. McLeon & Lints.—In this case, the particulars of which were reported yesterday, being a suit to recover $2,000 for alleged services in superintending the construction of two steamers for the defendants, the jury gave a verdict yesterday for the plaintiff. The verdict was for $2,910, covering interest and costs of suit.

MARINE COURT—PART I.

An Action for False Imprisonment.

Before Judge Joachimsen.

John Reid vs. Henry Kearney.—This was an action for false imprisonment and malicious prosecution, damages being laid at $1,000. The plaintiff claimed that on the charge, of which he was innocent, of purloining twenty-five cents from the till of defendant's grocery store, he was arrested, locked up in a cell at the Charles street police station and bailed to appear at the Special Sessions; that on his subsequently being brought there, no person appearing against him, he was discharged. The defence was that one of the employés in the store, having seen plaintiff take some small sum, he was directed to watch him; that he did so and after counting the cash on hand one morning and leaving defendant alone in the store a moment, on his return he found this sum missing; that this was communicated to defendant, when he caused his arrest. As a reason for non-appearance in court defendant stated that he was delayed in coming down with his witness, and that he arrived just in time to see Reid coming out of court after his discharge. The case was summed up at considerable length by ex-Recorder Smith for plaintiff and J. G. Boyd for defendant. Verdict in favor of plaintiff for $100.

A Boat Case.

Reynolds vs. Wright et al.—The plaintiff hired his boat to defendants for the purpose of transporting merchandise at a stipulated price per day. The question in the case was whether defendants were liable for certain days when the boat lay unemployed, defendants claiming that the custom was in their favor. The plaintiff testified that he was towed to Communipaw by defendant's order, with the assurance that he should lose nothing by the delay. Judgment for plaintiff, $755 90, with costs and allowance.

COMMON PLEAS—TRIAL TERM—PART I.

An Excavation Accident.

Before Judge Joseph F. Daly and a Jury.

Samuel D. Horton vs. Patrick McDonald.—In this case, which was to recover damages for falling into an unprotected and unlighted excavation adjoining the sidewalk in Bleecker street, the facts of which have already appeared in the HERALD, the jury have found a verdict in favor of the defendant.

COURT OF GENERAL SESSIONS.

Before Recorder Hackett.

EMPANELLING OF THE GRAND JURY—A BATCH OF THIEVES SENT TO THE STATE PRISON BY THE RECORDER.

The Grand Jury entered upon the discharge of their duties yesterday. Mr. Charles H. Fellows was appointed foreman.

Before Mr. Sullivan proceeded with the regular calendar a number of prisoners were arraigned, some of whom pleaded guilty to the charges preferred against them.

Walter Callaghan pleaded guilty to grand larceny in stealing a silver watch and hat, worth forty-eight dollars, on the 19th of January, from Paul Unkrunt. There were two charges against him, and the Recorder imposed the full penalty, which was five years in the State Prison.

John Ennis, jointly indicted with Theodore J. Johnson, charged in burglariously entering the premises of August T. Leitheiser, 40 East Eighteenth street, and stealing $204 worth of clothing, pleaded guilty. He was sent to the Sing Sing Prison for four years and six months.

John Williams, who, on the 6th inst., stole thirty-four shirts, valued at forty dollars, the property of Myer Diefus, pleaded guilty to grand larceny. Four years in the State Prison was the sentence.

John Irving pleaded guilty to a similar crime in stealing, on the 3d of this month, a gold watch, valued at seventy-five dollars, from Egbert Jones. He was sent to the State Prison for three years and six months.

Michael Fox, a professional pickpocket, pleaded guilty to petty larceny from the person. On the 9th inst. he stole a silver watch, with fifteen dollars, from John Charlton while he was looking at a procession in the Bowery. The Recorder has no sympathy with the light-fingered gentry, and consequently sent Fox to the State Prison for four years and six months.

William Byrnes was charged with stealing a chest of tea, valued at fifty-five dollars, on the 6th of February, from the store of John Lee, 492 Hudson street. He was sent to the State Prison for two years.

David Benjamin pleaded guilty to an attempt at grand larceny. He stole eighty dollars worth of clothing from Margaret Shea on the 11th inst. As the property was returned the sentence was modified to eighteen months' incarceration in the State Prison.

James Walsh, who was implicated with James Murphy in stealing a set of light harness on the 25th of January from Charles Newman, pleaded guilty to an attempt, and was remanded for sentence.

James Armstrong pleaded guilty to assault and battery, the charge being that on the 29th of September he cut Henry Hays with a small knife. He was sent to the Penitentiary for three months.

Peter Oakes and Daniel Brown were tried upon a charge of stealing a bearskin robe from Henry Clews' sleigh on the 25th of January. Mr. Hummel appeared for the defendants. The evidence not being sufficient to establish their guilt the jury rendered a verdict of acquittal.

Frederick C. Lewis, who was the foreman of the Knickerbocker Ice Company, pleaded guilty to one indictment charging him with embezzling fifty-two dollars from the company on the 7th of October. There were three charges against him, the aggregate amount stolen being $1,400. The accused fled from the city, and was brought back from the South under a requisition. Counsel asked to have the sentence postponed till Friday.

John White and John Lofters (boys) pleaded guilty to stealing sixty dollars' worth of dry goods, on the 18th of November, the property of Slocum & Furman. The Recorder sent them to the House of Refuge.

ANOTHER DIAMOND ROBBER SENT TO THE STATE PRISON.

Richard N. Rice was tried and convicted of a daring grand larceny. The evidence showed that on the evening of the 2d of December the prisoner and a man named Henderson went into the jewelry store of William Moir, 315 Hudson street, and asked to look at a diamond cross, and while standing at the counter a confederate rushed into the store, snatched the cross and jumped into a wagon and escaped. Henderson was convicted last month and sent to the State Prison for five years.

The prisoner defended himself, and from his impudent demeanor convinced the jury that he was a bad fellow. His associate, when arrested by Captain McDonnell, was found in possession of skeleton keys, and Rice had a number of blank checks. The prisoner said that his father was the Superintendent of the Michigan Central Railroad, and was worth $40,000,000; that he himself had an income of $9,000 a year, and that if he had had time he would have produced Vanderbilt and Fisk to show who he was. Assistant District Attorney Sullivan cross-questioned him severely. He said he never went by the name of Sweeny; had seen a man called "Dan the Snatcher;" didn't know Dan Noble, and declined to answer whether he knew a man named Price. The jury convicted Rice without leaving their seats, and the Recorder promptly sentenced him to the State Prison for five years.

Dr. Christian Wuest was tried upon a charge of grand larceny, Adolph Conrad alleging that on the 1st of September last the accused took some furniture from 95½ Cannon street to a house in Essex street. The testimony showed that a misunderstanding arose between the parties, growing out of domestic infelicities, the complainant charging that his wife lived with Dr. Wuest and left him. He admitted that she had to seek Dr. Wuest's protection when he (Conrad) attempted to kill her. The accused proved his good character and the jury rendered a verdict of not guilty.

Michael Donnelly was convicted of an assault with a dangerous weapon with intent to do bodily harm, he having cut Charles Hamptman in the shoulder with a pocket knife, at a coffee saloon in Bayard street. He was remanded for sentence.

George Wilson pleaded guilty to an attempt at grand larceny, having stolen forty dollars' worth of sewing silk, on the 16th of January, the property of Deppler & Kammerer. He was sent to the Penitentiary for one year.

ADJOURNMENT OF THE COURTS.

To-day being a legal holiday all branches of the different courts have adjourned until to-morrow.

COURT OF APPEALS.

ALBANY, Feb. 21, 1871.

The following decisions were rendered in the Court of Appeals February 21, 1871.

Judgments affirmed with costs—Adams vs. Blancan, Kelly vs. Falconer, Farrington vs. Russell, Parmelee vs. Thompson, Britton vs. Lorenzo, Willetts vs. Sun Mutual Insurance Company, Litchfield vs. Johnson, Frink & Thompson.

Judgments reversed and new trials granted—Stith vs. Moorehouse, Durnell vs. Moorehouse, Leroy vs. Market Insurance Company.

Judgment of Supreme Court reversed and judgment ordered for plaintiff, with costs—Doupe vs. Genin.

Order of Superior Court of the City of New York reversing judgment and granting new trial reversed, and judgment on report of referee affirmed, with costs—Coleman vs. Eyre.

Following is the Court of Appeals day calendar for February 22, 1871:—Nos. 124, 105, 138, 142, 143, 38, 116, 153.

THE CASE OF THE SHIP NEPTUNE.

The Charge Against Captain Peabody and His Mates—Fearful Suffering at Sea.

The further hearing of this case was resumed yesterday before Commissioner John A. Shields. Mr. Robert Andrews appeared as counsel for the defendants. Mr. De Kay represented the District Attorney. Inasmuch as the particulars of this remarkable charge, when they were first published, attracted a great deal of attention and excited much indignation in the public mind, we feel it due to the interests of justice to give an extended report of the evidence, embracing the sworn statements of several of the witnesses for the prosecution, one of whom yesterday testified that he had got frostbitten on the voyage; that he had held his frostbitten hand to the fire, and that, after that, the little finger of his left hand dropped off. For the present the public will judge for themselves whether the testimony, so far as it has been given, bears for or against the accused.

CONTINUATION OF THE CROSS-EXAMINATION OF EDWARD REISS, ONE OF THE COLORED SEAMEN OF THE NEPTUNE.

Q. You said that the mate struck you at the topsail halyards—what mate, first or second? A. First mate, and he then took me into the cabin.

Q. Was the captain in the cabin then? A. No; the mate took me in his private room; it was his own room, in the cabin.

Q. How did the mate punish you there? A. Striking me blows with his fist and kicks with his foot; there was no one else there but us two.

Q. Was this before or after the captain put something on your hands? A. Before.

Q. Was it the same day the captain put something on your hands? A. It was not the day the mate took me into the cabin that the captain gave me something to put on my hands.

Q. When was it? A. It was the following morning; it was in the cabin the captain dressed my hands; I went to the cabin alone and the captain dressed one of my hands; he gave me something to put on my hand.

Q. Did the captain strike you immediately after dressing your hand? A. No.

Q. When was it the captain struck you in the face with his hand? A. The day after the day upon which my hand was dressed.

Q. Where were you when the captain struck you that day? A. In the cabin; there was no one present.

Q. What time was it then? A. About ten in the morning.

Q. Is this the time the captain told you to go forward to the pump? A. Yes.

Q. Why did you go to the cabin that morning? A. I went there to have my hand dressed.

Q. Was your hand frozen at that time? A. No.

Q. What was the matter with it? A. The hand was inflamed.

Q. What made it inflamed? A. A blow received on the wrist.

Q. From what? A. It was due to a blow received from the first mate.

Q. When did you receive that blow? A. It was on the occasion when the first mate struck me at the topsail halyard.

Q. Was your hand swollen when you went up to reef the main topsail? A. It was.

Q. Was it not inflamed then? A. It was inflamed.

Q. Was not the striking done by the mate after you had reefed the main topsail? A. The reefing was finished before the mate struck me.

Q. How many days before you went up to reef the main topsail had your hand been inflamed? A. Four days.

Q. Had you complained to anybody about your hand being inflamed before you went up to reef? A. Yes, to all the officers at once.

Q. When did you complain to them? A. On the second day after it began to inflame.

Q. Where were all these officers at the time you complained? A. They were not altogether at the time; I spoke to them all about it separately on the same day.

Q. When was it the captain told you to go forward to the pump? A. I do not know the date.

Q. Was it the day he dressed your hand? A. It was not.

Q. How many days after the day he dressed your hand was it that he ordered you to go forward? A. It was the next day; I went forward; I did not tell the captain that I would not go forward. I did not tell him that I could not pump with one hand; that was not the time the captain struck me twice with his hand.

Q. When did he strike you twice with his hand in the face? A. It was at another time, when my hand was frozen.

Q. About how many days out from Liverpool were you when that occurred? A. About four weeks and a half.

Q. Can you tell what month? A. I cannot tell. About the end of the month of January.

Q. When did your hands first become frozen? A. Both hands were not frozen all the time.

Q. Which hand became frozen first? A. The left hand.

Q. When? A. At the time of the second fall of snow, when we were about four weeks and a half from Liverpool.

Q. What were you doing when your left hand got frozen? A. I was in the rigging at the time.

Q. What rigging? A. Maintopsail.

Q. What were you doing there? A. I was up at work there, making fast a gasket that was flying loose, making it up in a bundle; there was another man there beside myself; his name is Wass; he got his hands frozen, too, at the same time; there were others who [had] their hands frozen the same day.

Q. What were they doing when they got their hands frozen? A. They were working about the ship; they were scattered about the ship.

Q. Were not all the men who got frozen at that time colored men? A. Yes; none of the white men got frozen at that time; there was a white man named Kelly and a little American boy in my watch; I can't say if his name was Pomeroy; I do not know if he was twenty-three years of age; it was very cold then; there had been snow about ten days before.

Q. Was it before or after your hand was frozen that the captain put a poultice on your hand? A. About five days after my hand got frozen.

Q. When was it that your finger dropped off? A. When I was in the forecastle, about two weeks and a half after the freezing.

Q. Did the finger drop off before or after you came into port? A. About six days before arriving; it dropped off the left hand.

Q. Did you warm your hands at the kitchen fire after they were frozen? A. Yes.

Q. Was there frost in them at the time you were warming them at the fire? A. Yes; it was the second mate who slapped my hand while I was warming it at the fire.

Q. Did not the second mate tell you that if you did not leave the fire you would lose your hand? A. No.

Q. Did he tell you to leave the fire? A. No.

Q. Was it after you had warmed your hands at the fire that you felt this pain from which you could not sleep? A. It was after the time I was at the fire.

Q. When was it that the second mate called you out of your bunk? A. It was before I was frozen; I got out; I went to the lee wheel; the second mate struck me there; I relieved a man at the wheel; I don't remember who; he was a colored man.

Q. Did this colored man see the striking? A. He did not see it; there was another man, Moore, at the wheel; he is a colored man; I took a turn at the wheel; I remained at it six hours; that was not the regular time.

Q. Do you recollect complaining at any time to the second mate of rheumatism? A. Never; I never told him I was sick.

Q. How long before the arrival of the vessel had you been sent above the deck into the rigging? A. For the last six days of the voyage the captain had not sent me aloft.

Q. Do you recollect an Italian sailor falling from aloft and being killed? A. Yes; I was sent aloft between the falling of the Italian and our arrival in New York.

This closed the cross-examination of this witness.

TESTIMONY OF WILLIAM OLLIVER.

William Olliver, a colored seaman, deposed—I am a sailor; sailed on the 26th of December in the Neptune from Liverpool; the first time I was ill-treated by the captain I had a sore throat; I went to the cabin to the captain and asked him to give me something for my throat; he asked me to let him look; he looked at my throat and said there was nothing the matter with it; he gave me something in a vial, told me to put it on my tongue and swallow the spit; next day my tongue pained me; I went back to the captain; he said I was skulking, and shoved me out of the cabin with both his hands; he did not kick me then; my fingers got frozen about four weeks ago from snow; that was when there was snow on the deck; I went to the captain and told him something was the matter with my hand; he said there was nothing the matter with it; he struck me in the back with his hand; I cannot tell if it was closed; he told me to go out of the cabin, and I did; I went to the pump and worked there with one hand; the next time I was ill treated by the captain was when I had gone on the crotchet yard; Harry Williams was with me; the sail was flapping, and I took hold of the sail with my left hand, which was frozen, and the sail took the skin off; I came down; my fingers were bleeding; the first mate asked me where I was going; I showed him my hand; I went to the captain and showed my hand to him; he said nothing was the matter with it, that I was skulking; he kicked me in the back and punched me with his fist; I went to the forecastle, and went on deck again; I showed the second mate my finger; he said, "You had better go to the captain and get it dressed;" I said I had been there before; I remained on deck pumping after that; on another occasion the captain kicked me behind; he dressed my hand twice; I only went to him twice, and he dressed my hand; I did not go up again aloft while my hand was bleeding; my second hand became frozen when we came on the coast; I have complained to the second mate about my hands, saying I could not pull; he said, "There is nothing the matter with your hand, and if there is I will freeze your head;" the first mate never struck me; the second mate struck me while I was aloft; on another occasion he knocked me flat on the deck with his fist.

Cross-examined—When I went into the cabin the first time I saw the mate there with the captain; the mate was writing; the captain did not dress my hand the first time I went to him; the captain told me there were chilblains on my hand and he dressed it; he made finger stalls for me and put them on; I did just as the other men did on board as to work and no more; I never refused to brace around the yards.

Redirect—I never refused to perform my duty in my watch.

Charles Johnson, a colored sailor, deposed—Captain Peabody about four weeks ago ill-treated me by forcing me into the cold weather, and then I got my hands frozen; I went to the captain and told him my hands were frozen; he gave me some salve and put it on my fingers and I went to work; it made me worse; I went back to the captain, and he gave me more salve and it made me worse; the captain never ill-treated me, except shoving me about; I told him my hands were frozen; he said, "Frozen be d—d;" he never struck me; the second mate, when I would be pulling a rope, would squeeze my hand with the rope in it; the first mate never ill-treated me; I saw the captain kick Olliver the Thursday night before we came in.

The further hearing of the case was then adjourned to to-morrow morning.

INTERNAL REVENUE.

Officers of Internal Revenue Not Authorized to Make Seizures Outside of Their Own Districts—Decision by Commissioner Osborn.

Yesterday, in the United States Commissioners' Court, Commissioner Osborn rendered a decision, which we give below in full, on a very important point. Two officers—assistant assessors of internal revenue—connected with the Third collection district, went into another district and made a seizure therein, acting under the impression that they were vested with authority to do so. The Commissioner holds that by this act they exceeded the powers vested in them by the law of Congress, and that they could not perform official duty outside the limits of their own jurisdiction unless specially authorized to do so by the Secretary of the Treasury.

THE DECISION.

The United States vs. John Everett and Frederick Porter.—The following is the decision of Mr. Commissioner Osborn, above referred to:—

The defendant, Everett, is charged with having failed or neglected to efface the marked stamp and brand from a whiskey barrel at the time the contents were drawn off or emptied therefrom, in violation of section forty-three of the act of Congress passed July 20, 1868; and further, he, together with Porter, is charged with having dispossessed or recovered the said empty barrel after the same had been seized by the complainants, John D. Carroll and Frank V. Wardle, as assistant assessors of internal revenue. The evidence shows that the complainants were assistant assessors of the Third collection district, and not internal revenue officers in and for the Thirty-second district by virtue of any commission. The question arises—have the complainants, under their commission, authority to act as revenue officers outside of the Third collection district; and, if not, then can the charge of rescuing the property, as alleged against the defendants, be maintained? The complainants may be justified in attempting to secure the barrel as evidence of the fraud on the first charge, yet they cannot claim protection after the seizure as internal revenue officers unless they had authority to act outside of their special district, for the statute does not provide for the criminal redress against persons rescuing property so seized or detained, unless the person or persons seizing the same are internal revenue officers acting within their jurisdiction. Section 31 of the act of July 20, 1868, reads as follows:—"That from and after the passage of this act no assessor or collector shall be detailed or authorized to discharge any duty imposed by law on any other collector or assessor." The proper interpretation of this section seems to me to confine every collector or assessor, together with their deputies and assistants, to the district to which they are appointed, and any act or thing done by such officer beyond the limits of his official district is not done as by an internal revenue officer, unless he be specially commissioned to act by the Commissioner of Internal Revenue or by the Secretary of the Treasury. It is judicious that such territorial jurisdiction should be confined to the officers specially appointed to act therein, and not suffer officers of other districts to meddle with and disturb the system inaugurated by the assessment and collection of revenue. If the chief officers were found derelict or inefficient in the discharge of their duties the statute provides for such a misfortune, and the Supervisor is called on to take such action as the case will justify. Section sixty-seven of the act of July 13, 1866, which is claimed by the government as authorizing any internal revenue officer to seize or detain property subject to forfeiture, and which may furnish evidence of fraud, authorized complainants to seize and detain the barrel as internal revenue officers. Such a construction is too general. Congress must have meant, when the law was under discussion, that "any internal revenue officer" within the jurisdiction of his commission, for there are officers in every district throughout the United States, and to such as are appointed to their respective districts can this law only apply. If the statute permits officers of revenue in general to perform duties anywhere and everywhere, then section fifty-one of the act of July 20, 1868, has no force and effect. There is a contradiction, and one or the other must be declared null and void. Wherefore, with the views I have expressed, the complainants were not officers of revenue beyond the limits of the Third collection district, and the accusation against the defendants that they were resisted in the discharge of their duty as assistant assessors and the property seized by them rescued, cannot be maintained in law, and the complaint on that charge is dismissed and the defendants discharged. The evidence on the charge of failure to efface the stamp, brand and mark is full of contradictions as to the barrel being empty; yet, under all the circumstances, I fail to detect any criminal intent on the part of the defendant Everett in the transaction. He is therefore discharged.

The District Attorney for the government; William J. Gibson for the defendants.

FEMALE FINANCING.

WOODHULL & CLAFLIN IN A "CORNER."

Rich Scene in the Marine Court—The Aspirant for the Presidency Charged With Being Naughty—Woman's Wrongs Versus Woman's Rights—The Verdict of a Jury Thereon.

Prolific of tragic, melodramatic and amusing stories of everyday life as are our halls of justice in this city, it but seldom happens that from the gloomy courts, in the red building beside the great marble eyesore of municipal economists, yclept in legal irony, the Marine, is emitted a genuine sensation. Perhaps the jurisdiction of the court, although recently enlarged, is too limited; but, whatever the reason, the fact is as stated. Part two of that tribunal, however, presented yesterday

A SCENE NOT OFTEN WITNESSED.

There Judge Gross sat on the bench, and a full bar of junior lawyers, youthful and sympathetic, patiently regarded him. A few ladies occupied seats near the table devoted to the professors of the black art of law; heavy-headed old bucks, red in the face with excitement, chuckled in the background, and a heavy delegation of curious people filled the court to repletion. Among the former, conspicuous by their odd attire, sat behind awfully wise looking and whispering counsel

THE CELEBRATED FEMALE BROKERS

of Broad street—Victoria C. Woodhull, the classic-countenanced candidate for Presidentess in 1872 or any other time that may be convenient, and the pensive, mild Tenny C. Claflin, the special favorite of disembodied spirits of departed financiers,

In maiden meditation,
Fancy free.

Both ladies were dressed exactly alike—that is, in high Tyrolese hats, green and blue cloaks and gorgeous front finery of inexplicable pattern, except that Tenny C. displayed in the most aggravating way

A WONDROUS SHIRT FRONT,

with pearl buttons. Behind these conspicuous ladies alternately smiled and frowned a warrior called Blood, who, it seems, is a sleeping partner in the firm of Woodhull & Claflin. Every inch a soldier, with his side whiskers and hair standing out threateningly on either side, he must have recalled to the minds of his attendant admiring friends the glorious days when he commanded a regiment of flying Dutchmen in the far West. The foreground of the picture was equally interesting. Facing His Honor, with an expression as determined as a pretty mouth, dimpled cheek and flashing eyes could make it, Mrs. Sarah Norton, the man-defying advocate of woman's rights, sat and looked delightful in her becoming widow's weeds. Before her, at the other side of the same table, were two young lawyers—one

A BEAUTIFUL BLONDE, WITH SIDE WHISKERS,

advocates for a lady who nestled close to their elbows. She was Miss Annie L. Swindell (most unfortunate cognomen for man or woman), a lady in middle life, piquant in expression, neither nice nor ugly, wearing a brown suit, topped by a bonnet of the same hue, with just one coil of sanguinary colored silk surmounting the lot.

This was the feature in Part 2 of the Marine Court yesterday morning as the clock struck ten.

Evidently it was a big case; and when, nervously grasping a pile of manuscript, the blonde lawyer stroked his fine mustache, winked severely at his brother, the other youth, and rose to address the Court

THE SILENCE WAS PROFOUND.

The counsel stated the case with more precipitation than coolness. From his speech the following story was obtained. It contains the main points of the case for the plaintiff:—Annie L. Swindell was a school teacher; she made some money in that capacity, and came to this city for the purpose of investing it in business, teaching the young idea how to shoot having proved a monotonous occupation. In a moment of weakness she read a copy of *Woodhull & Claflin's Weekly*, and in that sheet discovered that the editors, who were also brokers in Wall street, advertised that they were an ever help in time of need to working women. Accordingly she called on the Broker Sisters and had a talk with them. She was asked if she had any money.

"Yes," said she, "I have some."

"Well," said Mrs. Woodhull, "let us have your money; we will double it in three weeks."

The plaintiff said she did not want to invest her money in any speculation.

"Oh, there's no risk whatever," answered Mrs. Woodhull; "we guarantee women against losses; the money will be returned in case the speculation turns out disastrous."

After some conversation and frequent interviews, on the 12th of August last plaintiff gave Mrs. Woodhull $500, all the money she had. Time sped and so did the money. Plaintiff asked

HOW THE SPECULATION WAS GOING ON?

and at length a statement was presented to her in which it appeared that from sundry and divers transactions in the gold market the sum of eighteen dollars and some cents remained of the $500. The plaintiff refused that sum, and did not believe that the loss in the speculation was so great. The contract between the plaintiff and defendant was verbal, and, said the counsel, it was the old story of the spider and the fly.

Counsel for the defendants argued that it was an ordinary transaction in Wall street business, and no blame could attach to their clients for the loss that was sustained by the plaintiff.

The first witness called was Miss Swindell. She told her story in a straightforward fashion, as given above in the abstract of her counsel's address. When cross-examined she testified that she had been urged by Woodhull & Claflin to get customers for them among ladies in a certain boarding house; that, growing suspicious of the firm, she asked for money; that Tenny C. Claflin got angry, and said,

"WE DON'T WANT TO HAVE ANYTHING MORE TO DO WITH WOMEN,"

and that eventually she was employed in the office of the firm as corresponding secretary, with permission to study the mysterious business of Wall street brokerage. As corresponding secretary she often wrote, under directions, a good deal about "points" which she did not understand. Mrs. Woodhull told her that as the brokerage on the $500 would be so small she would not charge any expenses, but would give her the whole profits of the speculation.

The charming

MRS. SARAH NORTON

then took the stand, and regarded the Teutonic swearer-in with a steadfast, fearless gaze as that good-natured Boanerges of the court roared out the words of the obligation. She gave her evidence at the rate of five hundred words a minute, more or less. The unfortunate stenographer of the court cast himself on his paper impetuously, but after a few seconds of tremendous effort threw up his blunted pencil with an agonized sigh of helpless despair.

She said, among other things, that she believed the suit was brought for revenge; that Miss Swindell was an improper person, and that there was no foundation for allegations.

Having been asked if she was in the habit of corresponding, and giving an indignant denial, the following letter to Miss Swindell was identified as hers and was read by counsel. Mrs. Norton afterwards sweetly communicated to the HERALD reporter the startling intelligence that the letter was ironical:—

A LETTER FROM MRS. NORTON.

FRIDAY NIGHT, Oct. 18, 1870.

MY FRIEND—Went to Philadelphia last Sunday night and just returned; found the signs of your coming in the shape of a slip of paper poked under the door, with half-past three as the hour on which you honored me, but what day? Have a lot to do to make up for lost time, and shall be very busy until Wednesday of the coming week; but if it is anything important come down Sunday night. I shall be here at work. If the door is closed, as it usually is on Sundays—the street entrance I mean—ring, and some kind fairy as black as thunder, but clever withal, will open to you. Yours for independence, though it be in a "den." NORTON.

MRS. VICTORIA WOODHULL ON THE STAND.

Mrs. Victoria Woodhull was the next witness. She gave her testimony in a very clear and emphatic manner, and on the cross-examination exhibited a temper and a disposition equal to any emergency, as becomes a strong-minded woman, a female broker or the authoress of "The Tendencies of Government." She testified as follows:—

I am principal of the firm of Woodhull, Claflin & Co. and chief directress of the *Woodhull & Claflin Weekly*; was in the office of the firm at the time that the transactions which are the subject of this suit were first opened; am not certain whether any other persons were present at the time.

Q. State what took place between you and Mrs. Swindell in connection with the subject matter of this suit? A. I cannot state now exactly all that was said on the occasion; I remember Miss Swindell coming into the office and asking for Mrs. Woodhull; I was there, but very busy at the time, and I, having told her that I was Mrs. Woodhull, asked her to sit down; after a time I accosted her, requesting to know her business; she said, "I have heard a good deal about your firm, and was anxious to see your office;" as I was still busy I said to her, "Madame, have you any business with me?" she replied that she had been a teacher a good many years, and had become tired of it; that she had come to New York to engage in other business; "I have heard of your success, and I had an idea that I would like to try the street myself, but I have made up my mind to invest my money in gold stocks;" I then told her it was a risky business, and advised her, if she had any money, to keep it—the advice I would give any woman, unless she understood the business; she said she did not understand the brokerage business and had never invested money in stock, but that she desired now to do so; she came several times to the office and always spoke on the same subject of investing her money; I told her I did not want to take her money or any woman's money; I said to her "It is a great risk unless you know what it means to lose money, that in a loss of this kind you cannot recover, and the risk is great;" she answered, "I know well enough what the business is, and I understand what a loss is;" I told her, "This may positively result in a loss, and I do not wish you to feel as if I wished you to invest your money in this way;" after this she came to the office and gave me the money; I accepted it, and at once gave it to the colored boy and told him to take it to the Gold Room; Miss Swindell knew at the time that the money was to be invested in gold; I told her I did not think it could be invested that evening, as it was late; she said, "I would like to have it invested at once, as gold is fluctuating," and asked me, "Can not it be invested this evening?" I went to the Gold Room myself to see if it could be invested; it was so invested that day; after accepting the money from Miss Swindell I said to her, "Miss Swindell, I have guaranteed to protect your margin in this operation as I would my own," and I did so.

Q. Did you state to her what the rate of commission would be? A. I don't remember that I did at the time, but I think I did.

Q. Did you tell her to invest her money in gold or stocks and if she did that she never would have to work any more in all her life? A. (Emphatically.) No, sir.

Q. Did you tell her that if she lost her money in gold speculation that you would repay her? A. I did not; I told her that I would guard her money as carefully as I would my own; she understood the matter as well as I did, and spoke of

THE FLUCTUATIONS OF GOLD

quite understandingly; the money she gave me I put into the same stock as I put my own.

Q. Into the same gold pool? A. Yes.

Q. How much money was in that pool? A. Perhaps $1,000 or $1,500.

Q. What became of that money? A. It was lost; we were buying gold at the time; that was about the time that Napoleon was about leaving Paris, when fluctuations were great and the market uncertain; we lost at that time almost all that we had invested in gold.

Q. When you took this $500 from Miss Swindell to use as you say, was it understood or was anything said about your acting as her broker? A. She told me to use it at my discretion; she came to the office almost every day after that and talked about the state of the gold market; she consulted the gold indicator just as often as I did myself; she was in my employ as a copyist for four or five weeks; I first employed her to attend to the correspondence, but she was unfitted for that.

Q. At the time of the closing of this transaction you rendered a statement to plaintiff as to how the account stood? A. Yes; it was rendered from the office.

[Statement put in.]

Q. Is that a correct statement? A. I think it is.

Q. It leaves a balance due her of $18 62? A. Yes, sir; I am ready and willing to pay that sum.

Q. From the time plaintiff put that money in your hands till the action was commenced did she ever ask you for the $500? A. No; she never asked me for the money, but I had a conversation with her in the office after the money was lost; I said to her, "We have all lost very heavily; I feel, however, very bad for you, knowing that you have not much means and that you are not making money, like others," Miss Swindell said, "I don't mind that; I knew it was a risk; that would not affect me, and I would not speak again about it if you could give me some employment; in that case I would be perfectly satisfied; I knew what I was about when I invested the money and I am perfectly satisfied;" I don't think any one was present at this conversation. The money, with other money, was sent to Farr & Co., our brokers.

Statement put in marked by the Court and the question of its admissability as evidence reserved.

CROSS-EXAMINED.

Q. Who was this Farr? A. He was our broker; he alluded to the orders we sent him; he bought and sold gold for us as we ordered him.

Q. When did you first speak to the plaintiff about her having any money? A. I don't know that she was ever asked any question about money; she told me first that she had some money; it was not my business to ask her if she had money; her statement was a voluntary one.

Q. You said you would guarantee her money the same as your own? A. No; I said I would guard and protect her margin as I would my own.

Q. When she handed you the money what did you do? A. I handed it to the colored boy to take to the Gold Room.

Q. Did you not say "Hand that to the Colonel?" A. I did.

Q. Who is

"THE COLONEL?"

A. A man who acts as our broker—that is, attending to our business, watching the markets, giving orders for buying or selling.

Q. Was this Colonel Blood acting with Farr & Co.? A. No.

Q. Then do you mean to say that Colonel Blood took the money you sent by the colored boy—this pool—and gave it to the firm of Farr & Co? A. The boy took the money I gave him to the Gold Room and handed it to the Colonel.

Q. Is Colonel Blood a member of your firm? A. He is.

Q. Who compose the firm? A. Woodhull & Claflin compose the firm.

Q. Is it not Woodhull, Claflin & Co.? A. It is.

Q. Who is the Co.? A. I am not disposed to answer that question.

Judge Gross—You must answer the question.

Witness—Colonel Blood is the man who is the Co.

Q. Any one else connected with that firm? A. No. Colonel Blood is the Co. No one else is connected with the firm.

Q. Did you not say that Colonel Blood was your broker? A. I don't remember saying so.

Q. Is your business the business of a broker? A. It is part of our business. When Miss Swindell gave me the money she told me to use it just as if it was my own. She understood how it was to be used—that it was to be invested in gold.

Q. Then she did not authorize you in express terms to employ Farr & Co. in its investment? A. She did not. Some days—soon after we bought the gold—there was

A SUDDEN FALL,

and we were then losing. She came to the office and learned the fact. I subsequently got a letter from her counsel demanding a settlement.

Q. When she first consulted you, and before she gave you her money, did you not give her to understand that she should not lose her money? A. I did not; but I told her I would take pains to guard her margin.

Q. Did you not say it would not do for you to let working women lose? A. I did not; I said I was deeply interested in working women; I preferred not to have margins from working women, except they had some experience in the business; I never said anything to working women to influence them coming into our office; no doubt we have many persons saying bitter things against us.

Q. Do you know a Mrs. Tucker? A. I do.

Q. Did you enter into a similar transaction with her? Objected to. Sustained.

Q. Has not your mind been too much taken up

WITH PRESIDENTIAL MATTERS

to have a clear recollection of all the matters connected with this transaction? A. I don't remember all.

Q. Have you not advertised yourself

A CANDIDATE FOR THE PRESIDENCY?

A. That is not your business, sir; it has no bearing on the case; if the Court thinks it has, I shall answer it. (Laughter.)

Judge Gross—It is irrelevant; we have not come to the Presidential campaign yet.

Counsel—Women candidates for so distinguished an office as the Presidency of the United States cannot have time to remember the smaller business matters.

Mrs. Woodhull—Perhaps you might not.

Counsel—I am not a candidate for the Presidency.

Mrs. Woodhull—Well, I should think not, indeed (laughter)—(warming up)—you asked the other witnesses if they were strong-minded women; now, I am

A STRONG-MINDED WOMAN,

and I would feel insulted if you men thought I was anything else; I claim to be a strong-minded woman, and I feel proud of it.

Counsel—Is that from your speeches before the Congressional Committee?

Mrs. Woodhull—No, sir.

This ended the spicy and all the important part of Mrs. Woodhull's testimony.

After some other testimony the case was closed.

THE CHARGE.

After the testimony was closed Judge Gross charged the jury that they were to pass upon the evidence as it was detailed by the several witnesses; hold the scales of justice evenly balanced, and render a verdict in accordance with the testimony. He charged that if they believed the plaintiff's version of the case they should render a verdict for the plaintiff in the full amount with interest from the time the money was deposited; but if they believed the defendants' version the plaintiff was entitled only to $18 62, the balance between the amount deposited and the margin lost.

THE VERDICT.

The jury, after deliberating a short time, returned a verdict for plaintiff of $358 54, with an extra allowance of twenty-five dollars.

ALLEGED BRIBERY AT THE CUSTOM HOUSE.

Suit to Recover Four Hundred Thousand Dollars.

Yesterday morning an important suit was commenced in the United States District Court before Judge Blatchford and a jury. It is that of the United States vs. Richard Baker, William G. Weld, Frederick Baker and George W. Weld, trading in this city under the firm name of Weld & Co.

On the 10th of October, 1868, the defendants imported into New York from Manila, by the ship Franklin, a large quantity of sugar, worth about $400,000. An entry of the goods was made at the Custom House; but the government claim that this entry was fraudulent, and did not, upon the face of it, represent the true value. It was made, as the government alleges, for the purpose of misleading and deceiving the Collector of the port. Not only this, but there is a further allegation on the part of the United States that the defendants bribed the official weigher at the Custom House to give a false return of the weight of the sugar, which actually weighed 2,252,434 pounds, while the weigher returned the same as weighing only 2,175,644 pounds. By this act, it is asserted on the part of the government, that the sum of $400,000 became forfeited to them, and they now bring this action to recover that amount from the defendants, on the ground that the latter got the sugar through the Custom House fraudulently weighed.

The answer of the defendants is a general denial of the main allegations put forward by the government.

The case was stated to the jury by Mr. Thomas Simons, United States Assistant District Attorney, the District Attorney in person, Mr. Noah Davis, being also present.

The defendants' counsel are Mr. Sidney Webster and Mr. James B. Craig. The case, which will occupy several days, was, after some little progress had been made, adjourned to Thursday.

JOHN ALLEN'S SUCCESSOR.

The Murderer Johnson in Prison Again.

Mercy Thrown Away—His Villanies Summed Up—Scene in the Special Sessions.

The appearance of the crowd occupying the benches in the Court of Special Sessions yesterday was so strikingly different from what is ordinarily presented that all concerned or connected in any way with the business of the court made it the subject of general comment. Usually the seats are filled by those well known criminals of the street, the basement saloon or the panel house; the companions of criminals and violators of every law, social and moral; men who would as readily thrust the bowie knife into the heart of a fellow creature, if it would tend to hide their crimes, as place their hands in his pocket and steal his money or jewelry, or enter his house and purloin his goods. They recognize no law and submit to nothing that would be likely to deter them from constantly committing acts of

VIOLENCE, RAPINE AND EVEN MURDER.

Yesterday, however, there were men of respectability and a great number of the gentler sex present, although when the court opened there was nothing to indicate, at first, that anything out of the ordinary course of business would transpire either for their amusement or instruction. The most remarkable feature, however, was the immense gathering of colored persons of both sexes, who were quietly ensconced in their seats, their sable features presenting a strange contrast to those of their pale brethren, while their jet-like, piercing glances seemed to penetrate everywhere and through everything, scarcely excepting the columns supporting the building, literally "going through" all.

THE REASON FOR THIS CONGLOMERATION

was soon made apparent. There was to be an old thief, burglar, highway robber and murderer, all in one, tried—one of the most frightfully brutal and disgusting "men of color" that ever stepped across a court room. At ten o'clock Justices Dowling and Shandley took their seats upon the bench, and the motions being declared in order, the calendar, comprising nineteen cases, was laid upon the table.

After William Hyer, a New York rowdy of the first water, had been sent across the "waters of lamentation" for six months for depriving Mary French of her stockings and several other garments of a necessary character, and Henry Gilligan was also despatched on a similar journey for four months, for stealing nine billiard balls, the case of The People of the State of New York vs.

JOHN JOHNSON, THE MURDERER, WAS CALLED.

Now all the dusky faces on the benches seemed to become still more darkened, and they leaned forward in breathless anxiety to catch every word of the evidence and to learn the fate of their unfortunate, but unmerciful "brudder." In the present instance Johnson was charged with deliberately walking into the store of Ludwig Renn, 178 Spring street, and stealing from the hands of Mrs. Renn a piece of haircloth valued at fifteen dollars. It was not the value of the article or the manner in which he perpetrated this last act that created the excitement concerning him, but

THE MAN'S PREVIOUS DISGUSTING, REVOLTING CAREER,

as subsequently revealed in the court. Reared in the neighborhood of the Five Points, Johnson took to crime as early as he could walk or speak, and, be it said, quite as naturally, to all appearance, as to either of these natural acquisitions. Ludwig Renn stated the facts of the present case very briefly, showing that when he saw Johnson enter his place he was filled with terror and did not attempt to prevent him at the moment, because he knew the desperate character of the man. Evidence was next given as to his previous crime, which so far overstretches the present one as to render it scarcely worthy of remark. At the age of twelve years he was engaged in the

LUCRATIVE BUSINESS OF POCKET-PICKING,

and being taken one day with his hand in a lady's pocket, he was arrested, convicted and sent to a reformatory. This was no reformation to the determined and resolute young African. He was there two years, and was no sooner released than he was engaged in highway robbery, being taken with two others for clubbing a gentleman in the street, and after robbing him of all his property "departed, leaving him half dead." By a quibble as ingenious as the subtle mind of Johnson could produce, he was acquitted with a reprimand that the next time he would feel the "iron hand" with rigor. Within two months of this time he was suspected of being one of a gang of roughs who

BURGLARIOUSLY ENTERED A DWELLING HOUSE

in East Twelfth street and stripped the place of everything that could be removed. He afterwards allowed an admission to escape his lips while under the influence of liquor that he knew all about this burglary, and after a little investigation Johnson found himself within the well guarded precincts of the State Prison for five years. Pretending to be entirely penitent for his past crimes and misdeeds—he was always plunging headlong into vice when free—some friends interested themselves in him and he was released. Notwithstanding his promises to reform he was no sooner allowed to breathe the atmosphere of liberty than he

STAINED HIS HANDS WITH HUMAN BLOOD,

murdering Henry Schlosser in the month of December, 1866, at 46 Thompson street, with a shoemaker's knife, because he endeavored to prevent him from stealing several pairs of gaiters. He was arrested for this, and the evidence was so strong against him that

HE WAS SENTENCED TO BE HANGED

by Judge Russel on the 14th of February, 1867. After the effort to obtain a stay of proceedings on the part of his counsel an appeal to the Supreme Court resulted in a reversal of the judgment, and he got off with four years' imprisonment in the State Prison. His counsel subsequently ascertained that a great part of his villany had been kept back by his friends, and he expressed the opinion that the murder of Schlosser was a most cold-blooded massacre.

Three weeks ago Johnson was released, and coming to New York obtained five dollars from a friend, to whom he stated that he would never do anything again that would place him within the clutches of the law.

HOW WELL HE KEPT THIS PROMISE

is clearly demonstrated by his present offence. This friend visited him on Monday evening in his cell in the Tombs, and Johnson endeavored to convince him that he was innocent, but the gentleman turned upon him and said, "You contemptible scoundrel! you know you are guilty." After a deal of prevarication he admitted it, and gave a further hint that he was

"AFRAID HE WOULD DIE ON THE GALLOWS

yet." There is little doubt that he would murder and smile over the operation. Judge Dowling, in sentencing him yesterday morning, repeated all the foregoing facts, carefully recalling incident after incident of the fellow's life, and stated that he deeply regretted he was unable to impose a heavier penalty than that allowed by the Court.

"You are the worst of the worst, the deepest-dyed of the blackened in crime, the most thorough scoundrel New York can produce," said his Honor. "No punishment that the law can inflict, not even the terror that would be struck into the soul of the ordinary culprit with the gallows before him, affects you in the slightest.

YOU WERE SENTENCED TO DEATH

for a most bloody offence—the worst crime recognized by the law—you were snatched from the halter and death almost by a miracle, and launched again into the light of hope, and a chance for repentance and a better life was afforded you; but you refused all good, all that might tend to soften that brutal heart. I now send you to the Penitentiary for six months and impose a fine of fifty dollars, and you will stand committed until that amount be paid, while I will take care that during my term of office the fine shall not be remitted."

The prisoner was as immovable and as cool as the stone which composed the prison walls, and left the court with as little concern as he would exhibit in taking a meal.

ANOTHER HORSE STEALING CASE.

Yesterday another horse thief, in the person of a young man named George Kelly, was brought before Justice Bixby, at the Yorkville Police Court. The facts in this case are that on Monday night Kelly went to the stables of John Perry, between Sixth and Seventh avenues in Fifty-sixth street, and stole therefrom a horse. He was subsequently arrested in Twenty-eighth street and Third avenue by officer McGinley, of the Twenty-first precinct, having the horse in his possession. After the horse had been given back by the Court to Perry he refused to make a complaint against Kelly, on the inexcusable ground that the beast might have walked out of the stable of its own accord, and thus strayed into the possession of Kelly. The fact is, however, although of course it cannot be proved, that the case was "compromised"—compounding a felony—by friends of the prisoner, who must have "seen" Perry. This is the only method of escape that thieves of every class have when caught in the very act of stealing, and the "little game" only too frequently succeeds in defeating the ends of justice. It would have served Perry right if the Court had refused to give up the horse unless the charge was sustained.

WHISKEY "MAKES THE MARE GO."

A Drunken Dutch Farmer Drives Over a Woman.

Yesterday afternoon, as Frederick Neuse, a farmer from Dutch Kills, L. I., was recklessly driving down towards the ferryhouse at the foot of East Thirty-fourth street, he ran over Mrs. Gallagher, of No. 377 Fourth street, Williamsburg. Mrs. Gallagher is a heavy, middle aged lady, yet she displayed remarkable activity in endeavoring to avoid being run down, which probably saved her life, but did not save her from being struck by the wheels of the vehicle, which gave her some severe bruises and rolled her into the gutter. The drunken owner of the horse and wagon continued to drive on, however, as if nothing had occurred, until arrested at the ferry by an officer. Justice Bixby, at the Yorkville Police Court, held him for being intoxicated as well as for reckless driving.