WHAT OF THE VINE?

War Ravages in the Wine Districts of France.

Barbaric Treatment of the Inspiriting Liquids.

The Germans as Bibbers, Spillers and Spoilers.

Clicquot, Cognac and Beer Ruthlessly Ruined.

THE GRAPES AND HOPS DESTROYED.

A Gloomy Prospect for Lovers of the Sparkling Cup and Flowing Bowl.

BORDEAUX, March 1, 1871.

Subjoined is a statement showing the number of acres of vineyard under cultivation in fifteen of the Departments of France which were occupied by German troops, viz.:—

	Acres.		Acres.
Aisne	22,200	Lower Alsace	23,000
Aube	37,000	Upper Alsace	29,500
Doubs	20,000	Upper Saone	24,500
Marne	44,000	Seine	7,000
Upper Marne	33,500	Seine and Marne	22,000
Meurthe	40,000	Seine and Oise	50,000
Meuse	32,000	Vosges	12,300
Moselle	14,000		

The aggregate total foots up 484,000 acres. To this should be added the district of Touraine, the Department of Nièvre and portions of Brittany and Normandy, in regard to which I have not been able to obtain as yet reliable information. I may fairly assume, however, that the grand total will fall little short of 600,000 acres. The average yield of manufactured wine, I am informed, varies from 400 to 900 gallons per hectare. As 2.471 acres are equal to one hectare, it follows that the production of wine in the invaded districts can be roughly estimated at 160,000,000 gallons. I will not attempt to say what the approximate value of the produce may come to; but take, for the sake of argument, only half a dollar per gallon and we have the formidable sum of $80,000,000. The greater portion of this was lost to France the past year, and there is little prospect that it will be otherwise with the crop of 1871.

RAVAGES OF WAR.

[illegible]

wealthiest quarter of that city—the Faubourg National—was subjected to a fire which lasted for eight hours. Never was destruction more complete. In the whole quarter there was literally not a stone left on the other. Well, it comprised not only the storehouses, but also the residences of hop growers and hop merchants. They comprised an exceedingly wealthy community, but have lost all they possessed. Many among their number boasted of millions, the economy of many a years' hard work; all must return to first principles. What makes their lot still harder to bear lies in the prospect of seeing their country annexed to Prussia. The citizen of Strasbourg is essentially French, and the thought of a change of nationality adds to the prostration into which he has fallen by reason of the exigencies of war.

THE GRAPE CULTURE,

forming, of course, only a branch of agricultural pursuits, it may prove instructive to know what the total annual revenue derived from agriculture in some of the invaded districts amounts to. I have compiled from sources which I believe to be thoroughly reliable the following:—

STATEMENT SHOWING THE AVERAGE YIELD ANNUALLY OF FARM PRODUCTS IN SOME PARTS OF FRANCE.

Department.		Department.	
Aisne	$26,600,000	Oise	$20,530,000
Ardennes	12,000,000	Pas-de-Calais	29,800,000
Aube	14,000,000	Lower Alsace	16,500,000
Doubs	10,200,000	Upper Alsace	11,000,000
Marne	21,000,000	Upper Saone	12,500,000
Upper Marne	10,400,000	Seine	4,500,000
Meurthe	15,000,000	Seine and Marne	22,000,000
Meuse	12,200,000	Seine and Oise	25,600,000
Moselle	12,800,000	Somme	22,600,000
Nord	37,400,000	Vosges	12,000,000
Grand total			$350,000,000

If we add to this fifty millions derived from other departments, the figures of which I have not at hand, we find the peasantry and the farmers of the invaded country deprived of an annual income of no less than $400,000,000.

These figures, which are probably much below the reality, speak eloquently in favor of a speedy cessation of hostilities. Consider for a moment, then, that by reason of the unprecedented drought of last year, the suffering of the country has been much aggravated by the extraordinary severity of the weather during the winter months.

TOTAL VALUE OF LIVE STOCK IN SOME OF THE DEPARTMENTS.

In addition to the foregoing statement I subjoin a table showing the estimated number of live stock which existed at the outbreak of the war in the various departments. Some of the invaded provinces fared worse than others, but I believe it is not much out of the way to assume that fully one-half of the property must be considered as lost. Again, it must be borne in mind that many of the invaded districts are stripped entirely of food and litter for horse or cattle, and that the majority of the country people have no means to make purchases elsewhere.

The table below shows the estimated number and the total value of live stock in the following departments of France:—

Department.	Horses.	Mules.	Oxen and Other Cattle.	Sheep.	Hogs.	Total Value.
Aisne	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	$15,580,000
Ardennes	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Aube	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Doubs	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Marne	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Upper Marne	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Meurthe	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Meuse	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Moselle	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Nord	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Oise	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Pas-de-Calais	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Lower Alsace	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Upper Alsace	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Upper Saone	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Seine	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Seine and Marne	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Seine and Oise	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Somme	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Vosges	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Total	990,000	8,000	[illegible]	[illegible]	[illegible]	$101,000,000

CONVICTION OF TWO NEGROES FOR MURDER IN SOUTH CAROLINA.

They Are Sentenced to Death.

Henry Cannon and Taylor Palmer, both colored, have just been convicted in the Court of General Sessions for Union county, South Carolina, of the murder of George Mattison Stevens, on December 31, at eight P. M.

HISTORY OF THE CASE.

A little before dark, on the last day of the last year, George Mattison Stevens, a drayman, with Benjamin Robinson as driver (both whites), left Union Court House to go after a barrel of whiskey. Going to a point five miles from town, by the Meansville road, they took a road on their return leading out into the Spartanburg road. After getting into the Spartanburg road, about eight [illegible]

BASE BALL NOTES.

At the meeting of the "professionals," held at Collier's, No. 840 Broadway, on Friday evening—notice of which appeared in the HERALD of yesterday—Mr. Young, of the Olympics, offered the following resolution in relation to the selection of umpires, which was adopted:—

Resolved, That the question of selecting an umpire between contesting clubs be arranged by the visiting club presenting the names of five persons to the local club to select one of their number, and that sufficient time be given before the day of play to make such arrangement. The persons named for such selection shall be known as competent persons, and shall be members of three or more clubs. In case the selected umpire shall fail in attendance at the game another umpire shall be chosen by the captains of the contesting clubs.

In relation to the vexed question of "revolving," which has been so much discussed of late, the following resolution, which was offered by Mr. Thacher, of the Chicago Club, and was adopted by the association, will, it is hoped, forever settle the whole matter:—

Resolved, That in all cases where the services of a player are claimed by more than one club each club shall select the president of another club, and these two a third, which three shall decide on the question, and their action shall be binding, and who shall have power to send for persons and papers.

As one of the primary objects of this meeting was the selection of stated periods for each club to make its tour or tours during the season it is very much to be regretted that the Mutuals, the Athletics, the Boston nine and the Haymakers did not decide upon a definite period or periods for their trips. The Olympics, the Chicagos, the Forest City, of Cleveland, and the Forest City, of Rockford, however, did better, as each has determined upon the date of their starting, the route they will take and the games they will play. The following is the programme for the Olympics, who, it will be seen, are to be the first in the field:—May 15, Cincinnati; May 17, Rockford; May 18, Chicago; May 20, Cleveland; May 22, Troy; May 24, Boston; May 27, Philadelphia.

The White Stockings, who are now on their way to New Orleans, where they will play the Lone Stars, the Southerners and the R. E. Lees, "just for practice sake," will follow next to the Washingtonians and proceed as follows:—May 29, 30 and 31, New York; June 1, 2, 3, Boston; June 5, 6, 7, New York; June 8, 9, 10, Philadelphia; June 12, Baltimore; June 13, 14, 15, Washington.

The Forest City of Cleveland will follow in the wake of the Chicago boys, and will play in Troy June 12; in Boston June 13, 14, 15; in this city June 16, 17, 19 and 20, in Philadelphia July 1, 2 and 3; in Baltimore July 4 and 6, and in Washington July 7, 8 and 9, returning thence home.

The Forest City of Rockford will next "appear in public," and will carry out the following programme:—June 17, Chicago; 19th, Troy; 22d, Boston; 26th and 27th, New York; 28th and 29th, Philadelphia; 30th, Washington; July 5, Pittsburg, and July 7, Cleveland.

Considerable unpleasant comment has been made in regard to the conduct of the Athletic Club of Philadelphia in engaging Cuthbert after he had signed papers with the Chicago Club; and in this connection Mr. James N. Kerns, president of the former organization, makes public the following letter, which he recently sent to the board of directors of the Chicago Club:—

In reply to your letter regarding the engagement of Mr. Cuthbert with the Athletic Club, we have to state the following facts, with the truth of which you are as conversant as are we. When Mr. Cuthbert signed the agreement to play with your club he expressly stipulated with your manager, Mr. Foley, in the presence of members of your nine, that the contract was not to be binding unless the consent of his family could be obtained to reside in Chicago. Mr. Foley, on behalf of your club, assented to this arrangement, and at the same time remarked, "Leave this to me; I will fix it all right." Agreeably to this understanding, Mr. Foley came to this city a short time ago, and had an interview with Mr. Cuthbert's family, offering them great inducements to go to your city, all of which were positively refused by them. Since then other gentlemen in the interest of your club have called on them in regard to this matter, and with like result. While in our city Mr. Foley, in a conversation with the directors of the Athletic Club, fully admitted that the above understanding existed at the time of Mr. Cuthbert's signing with your club, and the same was acknowledged to several gentlemen of this city in Mr. Reach's store. Under these circumstances Mr. Cuthbert considers that he is in no way held by his agreement with your club. His signing with you, according to Mr. Foley's own admission, was conditional upon the consent of a third party, which party peremptorily refuse such consent. Taking into consideration the above facts we consider that your club have no claim whatever to Mr. Cuthbert's services, and that they belong only to the Athletic Club, who will pay him as a member of their nine during the coming season. Had we the slightest reason for believing Mr. Cuthbert legally engaged with your club we should relinquish our claim immediately, as we have always done where a doubt existed. For the Athletic Base Ball Club.
JAMES N. KERNS, President.
JAMES L. HAMILL, Corresponding Secretary.

Beubel, who had signed papers, unconditionally, with the Forest City Club of Cleveland, and afterward joined the Athletics, was promptly discharged by the directors of the latter club the instant they were assured that he had contracted with the Cleveland club, thus establishing a precedent which it would have been well for the directors of several other clubs to have followed prior to the adoption, by the National Professional Association, of the above resolution on "revolving."

At a meeting of the Atlantic Club held in Brooklyn a few days ago the following players were elected members of the club and will play this season in the first nine:—Price, catcher; Wiggins, a fine fielder, formerly of the Brooklyn Athletics; James Hall; Remsen, of the Alphas; McKnight, of the Buckskin Club, of Gloversville; Harry Jones, of one of the college nines, and D. Potts, a fine left-handed pitcher. The club will play under the rules of the Amateur Association this season.

The Prospect Park parade ground, Brooklyn, will this season be thrown open to the amateur base ballists, and, as it is half a mile long and a quarter of a mile wide, there will be quite room enough for several games to be played at one and the same time.

SMUGGLING ON THE CANADIAN BORDER.

Gentlemen Who Have Their Tailors in Canada.

[From the Ogdensburg (N. Y.) Journal, March 17.]

On Wednesday afternoon Captain Peter Robertson, of the Custom House in this city, put his official hand, in the name of the United States, upon a considerable amount of valuable clothing. From certain indications, not necessary to mention, he suspected somebody would undertake, about these days, to make an illegal importation, and for several days had his government eye open.

Stepping into the express office on Wednesday afternoon he found eleven packages done up in strong manila paper, and directed to parties in New York, Providence, Lawrence and Boston. He took them into custody and conveyed them to the Custom House, where investigation showed them to be suits of clothing, for which measures had probably been taken. The packages altogether contained eighteen coats, nineteen pairs of pants and twelve vests, all of the very best cloth and made in the latest fashion and in the best style. It would appear that the measures had been taken by some agent of a Montreal house and the garments made to order. The express officer knew nothing about the goods beyond the fact that about noon a carter drove up to the office door and dumped these packages upon the sidewalk and disappeared. All being properly marked to go by express they were taken in, and had it not been for the vigilance of Captain Robertson would now have been well on their way to destination, and the Treasury Department defrauded of $250 or $300 in duties. In one package were a couple of pieces of silks for ladies' dresses. The whole value of the property is probably about $600 in United States currency.

It is possible that the gentlemen to whom they were directed may become uneasy in relation to their detention, and in order to assure them that the goods have been properly cared for we subjoin the name upon and destination of each package:—

T. W. Huse, Franklin House, Lawrence, Mass.
General Charles Roome, No. 47 West Thirty-third street, New York.
J. K. Foster, 42 Summer street, Boston.
W. A. Crandall, Providence Tool Company, Providence, R. I.
James R. Floyd, New York city.
E. H. Littlefield, 285 Essex street, Lawrence, Mass.
J. C. Carson, 133 Greenwich street, New York city.
James Affleck, Hudson River Railroad, 470 West Thirtieth street, New York.
John M. Carroll, 339 East Eighteenth street, New York.
E. Merrifield, 127 Lexington avenue, New York city. In this package were the two pieces of silk, for dresses.
A. C. Stone, 263 Essex street, Lawrence, Mass.

BROOKLYN POLICE HEADQUARTERS.

The Brooklyn Police Headquarter colors will shortly be given to the breeze from the pinnacle of the commodious building on the corner of Court and Livingston streets. The Commissioners have, since the organization of the present Board, been much cramped and incommoded in the discharge of their official duties, owing to the want of sufficient room at the old headquarters, corner of Washington and Johnson streets. Here the entire business of the department has been carried on under difficulties since May last, and the rapid growth of their work will not longer admit of their remaining in this building, which was originally constructed for a private residence. The new building on Court street is well adapted to the requirements of the Police Commissioners, while the location is central and the neighborhood an agreeable one. The Board of Aldermen will authorize the leasing of the latter place at their session to-morrow afternoon.

There were 339 arrests in Brooklyn during the past week.

THE ATALANTA BOAT CLUB.

The members of this club, which was organized twenty-three years ago, will open the season at their boat house, foot of Christopher street, on the 5th of May, when a review of the crew will be had by the President, Ransom Parker, Jr. On the 12th of June the annual regatta for the champion belt of the club will take place, the participants using single sculls and a seventeen foot boat. The belt is now held by Mr. Edward Losee. After the contest for the belt a row will take place between Messrs. Smith and Leevy for a handsome gold watch and chain. Dr. Russell Withers, captain of the crew, will arrange other races for the day. The club numbers sixty members. Their boathouse will be a model of neatness the coming season, and worthy of imitation in many respects.

THE ERIE RAILWAY LITIGATION.

Mr. James H. Coleman's Receivership.

Fisk, Jr., and the Union Pacific Railway Company.

The case of James Fisk, Jr., vs. The Union Pacific Railway Company came up yesterday in the United States Circuit Court, before Judge Blatchford, on the motion of Mr. Emott, with whom was Mr. S. J. Tilden, counsel for the defendants, to take from the file a bill in equity and the declaration. The complainant, Fisk, observed Mr. Emott, commenced a suit in the Supreme Court of the State of New York on the 31st of July, 1868, against all the persons named in the complaint, and that cause was removed by petition to the United States Circuit subsequently. He had not heard from the other side any question as to that removal. He (counsel) stated, in view of the opinion of Judge Nelson and of his Honor, that that cause came into this Court by the presentation of a petition as late as the 3d of August, 1868. The complainant Fisk had commenced in this Court a suit against all the persons who were described as defendants in his suit in the State courts with the exception of George Ashman, who was understood to be dead. That suit in the State courts was an equitable action. His Honor had had the case before him and had stated his opinion in the matter. That equitable action asked that Fisk should be made the holder of 20,000 shares. The matter was finally removed to the United States Circuit Court. The act of 1868 declared that copies of all papers, pleadings, depositions and testimony might be entered in this court, and that the suit might proceed in this court as if brought upon the original suit. Under that statute, as well as of July, 1866, the application might be made and the suit removed at any time before trial, but not after issue joined; and copies of the pleadings might be used in this court with the same effect as the originals. The act of 1866 was to enable a portion of the defendants to bring a suit in this court and leave out others who had not agreed to the bringing of the suit. In fact, the Court should be enabled to make up the record. The point was that both those statutes gave the right to remove the suit at any stage of the proceedings; but it must come in the shape in which it was brought in the court below. The meaning of the act was that the case should come in here on the pleadings which had been put in in the State court, if there had been pleadings. The only point necessary for him to make at present was that it was the suit which was removed from the State court; the suit in the shape it was brought in the State court with all its parties and no more, and with all the incidents attached to it, was the suit that was now before this court. Where a party had placed himself on the record, and that suit was removed here, that was the identical suit before this court, unless the party got leave of the Court to make an amendment. The suit in this case was against all the parties named in the bill in equity, with the single exception of a person named Davis, who was not a party to the suit until long after its removal from the State court into this court. A supplemental complaint was filed, and Davis was made a party to it long after the removal of the suit. He was not an original party to the original suit. He supposed that that bill in equity, with Davis out of it, was the legitimate child of the State court, and he thought that anything else was a bastard. A suit might have been entered for legal as well as for equitable relief. They might have gone on the equity side and on the law side, for which they might have asked, but did not. The suit had assumed a definite, formal shape; it was on the equity side, with an injunction in it. It came into this court in its original shape; it could not, therefore, be changed, and it must go on as if commenced in this court upon the original papers. If the plaintiff had commenced the suit in this court he would file a bill and get subpœnas issued to each of the defendants to answer, and after seeking this equitable relief he could not be allowed to create a new branch of this litigation on an action for damages that he brought, claiming four and a half millions of dollars against those defendants for refusing him the stock which in the equity suit he claims they should have issued to him. There was incompatibility between those two actions. These two suits could not go on together. The only complaint that he had made to the bill of complaint was that Davis could not be made a party to the suit. He could only be made a party to the suit by supplemental proceeding. He did not belong to the suit, which could only proceed against all the parties, and against them alone. Davis was never served with the papers until after the papers were removed into this court, and Judge Nelson held that it was not competent for the State court to do anything only to put the case referred to them into this court and that there was no power in the State court after that to change the form of proceeding.

Mr. David Dudley Field opposed the motion, and read an affidavit of John W. Sterling to the effect that James W. Davis was made a party to the suit on the 23d of March, 1868, before the petition of the Credit Mobilier was made to remove the suit into this court. His learned friend's position was this—that the moment one defendant out of thirty-one petitioned to remove the case the whole case must stop, because they could not be served with the papers in the State court, and they could not be served here. In such a case the court would have no jurisdiction. That would be a denial of all justice, and it would be impossible for Congress to enact such a law. The suit was brought against thirty-one defendants. Six of them had appeared in the State court, and the others had not been served. Five of the six petitioned to remove the cause into this court, and it was so removed. The question was debated in the State court whether it was a proper removal, and if removed at all when the petition was filed. Mr. Tracy made an affidavit that the petition was filed on the 16th of March, 1868, and some one said it was in August. It should be held that the case did not come here as to the other defendants until they applied. They did not serve Davis with the papers; for the moment an order of the court was made that the cause was in this court they did not serve him. They could not prosecute Davis without the other parties, because he could turn round and say that the suit was not against him. The plaintiff had filed a declaration in order to cover a legal cause of action. It was filed on this theory in the State court, if you are entitled to relief, equitable or legal, on the facts of the complaint you get it, whether it be one or the other. The subscription of 20,000 shares was written on the books of the company and remained there to this day, but the treasurer of the company, by the advice of counsel, refused to receive the money on the ground that fifty-five per cent was not the whole amount paid by the other stockholders. If the plaintiff was a stockholder he was entitled to an account in equity, and if not a stockholder, then the Court would see that he had a legal right to sue for damages. Congress could not take away from a man his legal rights; if it could put him into the federal courts, they were to ascertain what his rights were.

After some brief remarks from Mr. E. W. Stoughton on the law of the case Mr. Samuel J. Tilden referred to Judge Nelson's opinion, in which the learned Judge decided that the cause in question should be removed from the State to the federal court, and said that opinion was clear that the suit, in all its entirety, and with all matters appertaining thereto, did come into the jurisdiction of this court at the time stated. He stood on the legal theory of this court which he said that the whole case came here from the State court, and came whether the party petitioned or not. Judge Nelson said that if there were outside parties, and if they were deemed material in the matter, they should be regarded as subordinate to the principal litigation.

After some further argument the Court took the papers, and reserved his decision.

The Erie Railway and the English Stockholders.

The case of James Fisk, Jr., the Erie Railway Company and J. D. White vs. Heath and Raphael was next argued. This case had been removed from the State to the United States Courts. Under an order of the State Courts Mr. James H. Coleman had been appointed receiver, and now holds, as such receiver, sixty thousands and fifty-six shares of Erie stock, which the defendants, who reside in England, claim should be restored to them. In the United States Court there was a discontinuance of the suit as against the defendants, whereupon an order was issued by Judge Blatchford that Mr. Coleman should hand over the stock in question to the owners, or to their authorized agents or attorneys. Notice to this effect was served by the Clerk of the United States Circuit Court upon Mr. Coleman, who was requested to attend on Monday next before the Clerk for that purpose. However, a few days since, Mr. Coleman, through his counsel, obtained a stay of proceedings from Judge Blatchford until he should receive a direction from the Court as to what were his duties in the matter, believing as he did that he still had some obligations under his receivership to the State court by which he was originally appointed, and also because another receiver, Mr. Charles Robinson, had been appointed in the State court in the present suit. Mr. Coleman is under a bond in the sum of $100,000 for the due and faithful discharge of his duties as receiver, his sureties being Mr. Peter B. Sweeney, Mr. Terence Farley and Mr. Bradley, and he desired a direction from the Court as to what his powers and duties were in the premises.

It was stated on the opening of the argument that Judge Cardozo, who had a similar motion set down before him, had adjourned it till next Saturday.

Mr. Clarence Seward, with whom was Mr. DaCosta, read the petition of Mr. James H. Coleman, which stated that he held the stock in question subject to the orders of the Court for the *bona fide* owners of the same. He had applied to his counsel for instruction in the premises, and they had advised him that he could not safely transfer this stock without acquainting this Court and the State Court of his present position, and he therefore asked this Court to instruct him what to do. A similar application had been made to the State Court.

Mr. T. C. Buckley appeared for the sureties of Mr. Coleman, in order to see that their interests were protected. He also appeared for Mr. Coleman.

There was no appearance by counsel on the part of Fisk and the Erie Railway.

The Judge intimated that if parties desired to be heard in this case, as it now stood before him on the petition, they could only be heard through Mr. Coleman.

Mr. Southmayd, with whom was Mr. Evarts, appeared on behalf of the English stockholders. He pitched vigorously into the Erie Railway Company, and characterized the detention of the stock in question as an act of robbery. He contended that as the suit under which Mr. Coleman had been appointed a receiver had been brought into this court his plain duty was to obey the order of the court, and hand the stock over to its proper officer. Unless the administration of justice had become a burlesque in this country it was time that this robbery of those English stockholders should be stopped. He had never seen a greater prostitution of the judicial character than had been seen in this cause. He would rather cut off his right hand than be guilty of such a thing, and he hoped the lightnings would strike him before he would come within gunshot of such proceedings. The Erie Railway Company kept the stock of the defendants; kept themselves in power by voting on it; and when they got through at their meetings they voted themselves a unanimous vote of confidence, and that must go on so long as the courts of New York permitted them to keep stock that did not belong to them. There was danger that $6,000,000 of the stock that belonged to these Englishmen would get into the hands of a man of whom they knew nothing except that he was a Poughkeepsie horse dealer or jockey. This was a frightful condition of things, and demanded the gravest consideration of the Court.

After a reply from Mr. T. C. Buckley, on behalf of Mr. Coleman, and as to how far the Court had jurisdiction to interfere in the question generally,

A suggestion was thrown out by counsel for Mr. Coleman to the effect that if the proceedings were discontinued in the State court and an order entered there similar to the one enacted by Judge Blatchford on the discontinuance before him, it might have, and probably would have, the effect of relieving Mr. Coleman from all responsibility.

After some further argument the case was adjourned to Saturday next, when, in all likelihood, Judge Blatchford will render his decision.

THE COURTS.

UNITED STATES COMMISSIONERS' COURT.

The Keep Perjury Case.

The case in which the boy Adolph Keep is charged with having committed perjury, as alleged, while giving testimony in the Nicholas counterfeiting case, was commenced yesterday before Commissioner Davenport. Keep had testified on the trial that when the Secret Service detectives made the descent on Nicholas' place Nicholas was sick in bed; but got up as they entered and sat by the side of the bed, remaining perfectly still, making no motion whatever.

Special Treasury Agent Newcomb, who was with the Secret Service detectives, gave testimony before the Commissioner to the effect that when the detectives entered Nicholas was not sitting by the bed, but at a table, on which was a counterfeit plate, upon which he was at work with a graver. The further hearing of the case was adjourned.

Petitions and Adjudications in Bankruptcy.

During the week ending on the 18th inst. a voluntary petition in bankruptcy was filed by Charles L. Young, and William Gillett, Edmund P. Sanger and Walter Scott have been adjudicated involuntary bankrupts.

MARINE COURT.

The Case of the Neptune.

Before Judge Curtiss.

Judge Curtiss, of the Marine Court, in pursuance of his announced intention to probe the charges brought by the colored sailors of the ship Neptune against Captain Peabody, yesterday morning took up the case of Alloyse. This was the one who had not only his hands but his feet frozen. He charges that the captain dragged him from the forecastle while he was unable to walk from the condition of his feet without assistance, forced him to walk up and down the deck while it was covered with water, and afterwards sent him aloft, besides shoving him about. Testimony on his behalf was introduced, and on the other side a release of all claims against Captain Peabody. The case was then laid over to Monday.

SUPERIOR COURT.

Decisions.

By Judge Jones.

Nelson vs. Luling.—Order granted.
Lloyd vs. Steinberger.—Same.
Rice vs. The Lorillard Fire Insurance Company.—Same.
Stuyvesant vs. Browning.—Same.

SUPREME COURT—CHAMBERS.

Decisions.

By Judge Barnard.

Liebig vs. Liebig.—Decree of divorce granted.

SUPREME COURT—CHAMBERS.

The English Owners of the Erie Railway Shares.

Before Judge Cardozo.

Erie Railway Company vs. Heath et al.—An effort was made yesterday morning for a hearing upon an application by the receiver of the 60,000 shares of stock in the Erie Railway Company alleged to be owned by parties in England, as to what disposition he shall make of the same. There was a formidable array of counsel present on both sides, ready and evidently anxious to enter upon a prolonged argument in the case. The Judge decided, however, to do nothing in the premises until Judge Blatchford, of the United States Court, before whom a similar application was pending, had given his decision in the matter.

SUPREME COURT—CIRCUIT.

The Hogan Will Case.

Before Judge Sutherland.

Sarah C. Hatch vs. Carla M. Feugnet.—The argument on a motion in this case for a new trial, set down for yesterday, was adjourned one week.

BROOKLYN COURTS.

UNITED STATES DISTRICT COURT.

A Liquor Dealer in Trouble.

Before Judge Benedict.

Francis McKenna, a liquor dealer at the corner of Myrtle and Classon avenues, was arraigned yesterday on the charge of having violated the revenue law by drawing spirits from barrels and not destroying the stamps and brands. He was held to bail in $2,000 to await trial.

SURROGATE'S COURT.

The Business of the Past Week.

Before Surrogate Veeder.

Surrogate Veeder, during the past week, admitted to probate the wills of Mary Hall, Barbara Goldsmith, Rebecca D. Harlough, James McNally, Patrick Doyle and Isaac H. Jones, all of the city of Brooklyn.

Letters of administration were granted on the estates of the following named deceased persons, viz:—Anna H. Pierce, Frederick W. Stevenson, Julia Ann Forbert, George Hargan, Elizabeth Murray, William Phraner, Rachael E. Smith, Anne Hancox and James Curr, all of the city of Brooklyn.

Letters of collection were granted on the estate of John G. A. Vagt, of the city of Brooklyn.

Letters of guardianship of the person and estate of Annie R. Wingfield were granted to Edwin Terry; of George Koch and Wilhelmina Koch, to George Lacker, and of Marion Curr, to James Curr, all of the city of Brooklyn; of Annie E. Williamson, Reuben V. Williamson, Gertrude Williamson, George H. Williamson and Magdalen Williamson, to George R. Williamson, all of the town of Gravesend.

COURT OF APPEALS.

The Prospect Park Litigation—Argument Closed in the Case.

ALBANY, March 18, 1871.

Argument in the case of the Commissioners of the Prospect Park vs. James Armstrong was concluded in the Court of Appeals to-day. H. C. Murphy, Joshua A. Van Cott and J. N. Taylor appeared for the plaintiffs, and Samuel Hand and William W. Goodrich for the defendant. The case was argued at great length. The case is a test suit, and involves the question of the right of the city to sell any land taken for the Park by the right of eminent domain. About five millions of dollars are involved in the decision. A very large number of the solid men of Brooklyn have been up here during the time the argument was going on, and as they are not of the same stamp as the individuals who loiter about the legislative lobbies when there are thousands of dollars at stake in a bill, it is reasonable to suppose that they were not insane enough to suppose that their presence would in any wise affect the decision in the case one way or the other.

TWO COUNTERFEIT CULPRITS CAGED.

The Curious Young Man Who Wanted the "Queer."

The Southern, the Umbrella and the Hatter's Eye.

The Court of Special Sessions yesterday sported a calendar of twenty-three cases, mostly of the assault and battery or cruelty to animals order of offence. In the former line the injured were generally of a forgiving turn of mind and the prisoners were, as a consequence, discharged; in the latter the

OLD HORSE PHILANTHROPY

of Mr. Bergh and his assistants was rewarded by fines of from five dollars to ten dollars inflicted on the animal maltreaters. A Massachusetts Irishman lost a silver watch on the New Haven steamer. The oroide chain was found in the possession of Daniel Sullivan, of Brooklyn, and Daniel was sent for six months to the Penitentiary. A pickpocket named Thomas Connery, alias English,

OPERATING ON BROADWAY

on Friday, while the St. Patrick's procession was passing, was observed by a detective policeman, and as a silver watch was found on the ground in close proximity to Thomas, the Judge sent him for six months also.

Julia Curry, a respectable-looking girl, of some four and twenty summers, charged William Pinnel with attempting an indecent assault. One month in the Penitentiary was the result to William. The most important case yesterday was one of which

THE QUEER

was the subject. Two slouchy specimens of humanity, named respectively Henry Palmer and Edward Haskins, were charged with fraud by a Yankee pedler, from the Granite State, named Melvin R. Gove. This was a sharp, wide-awake young man of some five and twenty years, who gave his direct examination very coolly, but weakened considerably on the cross-examination. His statement was as follows:—I arrived on last Friday in New York and went to Paige's hotel; after which I went out to see the curiosities of the city; among other things I remembered having received a letter when at Providence, R. I., in reference to a remittance which was acknowledged by a firm named Owens, of 58 Liberty street, in this city; this letter further stated that, on settling for a certain balance, a box, stated to be at the express office, containing $2,500 worth of property, would be delivered to me;

OUT OF PURE CURIOSITY

I went to look after this firm in Liberty street, and while standing on the side opposite No. 58 I was accosted by a man and told the firm had moved to No. 78 Nassau street; I accompanied him thither, and entered room No. 1; there I found the two prisoners; Palmer was seated at a desk, and I took a seat beside him; after some conversation as to whether I was a right party I produced the letter; he then offered to show me some samples, and pulled out a roll of bills,

WHICH LOOKED GENUINE.

I compared them with some I had, and could not distinguish the difference; he then offered $100 worth for fifteen dollars; I closed with this offer, and Palmer tied up $100 of them in a pasteboard box, and asked me where I would have it directed; first I selected New Haven, but afterwards decided on New London; the parcel was given to a man in the office, who left to have it expressed as directed; I never received anything for my fifteen dollars.

Cross-examined—I am a pedler; am not married; go to church sometimes; did not come here to buy counterfeit money; was on my way to Albany; the letter was addressed to my name but was not for me; only went to Owens out of curiosity; I expected to get $100 for fifteen dollars.

Counsel—Did you expect to get $100 in counterfeit money?

Pedler—I expected $100.

Answer the question yes or no. Did you bargain for and expect to get this $100 in legal or counterfeit money?

The witness here broke down and got confused, but

EQUIVOCATED

and would not explicitly admit the guilty feature of the exchange.

William Hine, in the employ of the prisoner as errand runner, &c., for a few days previous to the arrest, deposed that he got a package from the prisoner Palmer to take to the express office, and after going some distance turned back, as he had forgotten where he was sent; had sent packages previously by express; never inquired what the business of his employers was; thought he was in a lawyer's office; his salary was to be ten dollars a week, but he only received two dollars.

The Judge commented on his innocence.

Detective John Dunne, who made the arrests, found some papers belonging to a lawyer named House, and circulars from a firm in Liberty street.

The prisoners' counsel now made an address to the Court, at the close of which Judge Dowling remarked, briefly and to the point:—

"The Court finds the prisoners guilty." After a pause he continued, "I have been obliged to find this verdict because although it is evident that the complainant is

A VERY DISHONORABLE MAN,

justice must make use of even such instruments and in the same way with the witness used, who was in your employ (to the prisoners). The country is flooded with circulars from such men as you and something should be done to stop it. In this case it is the people of the State whom you have offended and not the complainant, who is unworthy of any apology. The sentence of the Court is that you, each of you, be sent to the Penitentiary for six months and stand committed until you pay a fine of fifty dollars."

The next case was assault and battery. The assaulter, when he stood behind the rail, exhibited the appearance of a highly respectable man of about thirty years of age. He was

A SOUTHERN "BLOOD,"

and exhibited a fine blonde mustache, a strong chin, and hair carefully parted down the back of the head. The assaulted was a hatter. The assault took place in the store of Knox, No. 533 Broadway. William E. Johnstone was the outraged man of hats, and a mild young creature, with a maidenly blush, he looked as he mounted the stand, swore and took his seat. His story of wrong was to the effect that Thomas H. Broome entered the store and negotiated for a hat. No *chapeau* on the premises would satisfy him although he tried many, pronouncing each in turn imperfect. This imputation the hatman mildly contested, which riled the Southern Broome sorely, who announced the fact of his Southern extraction; of his having fought the Yankees for four years, and his willingness to continue the struggle. He called him a Yankee son of a b—h, and then laid on the hatman's head with an umbrella. He drew a small penknife and finally, after some further words, jabbed the hatman in the eye with the umbrella. After all the circumstances had been considered, Broome, the "blood" was ordered to pay, and did pay, a fine of twenty-five dollars.

ORANGE AND GREEN.

An Orangeman's Daughter who Flaunts Her Flag.

Ellen Pilow lives in Thirteenth street, near avenue A. She is an enthusiastic admirer of the Prince of Orange. Last Friday she had the orange flag hanging out of her window and floating defiantly on the Patrick's day breeze. Crowds of excited Milesians stood around her door gesticulating furiously and calling on her in unmistakable tones to take in

THE HATED EMBLEM

or her life would not be safe. The bold Ellen shouted back "no surrender." "I'll never take in the color my father fought and died for!" but rained down on their devoted heads a shower of flower pots and other crockery. The officers on the beat tried to arrest her, but she barred the door against all comers. The woman was still triumphant. Yesterday, after the excitement of the prolonged struggle of the day preceding she succumbed to the influence of too much stimulant and officer Conway succeeded in arresting the heroic Amazon. She was brought before Judge Scott, at Essex Market Police Court, about half-past three in the afternoon,

DEFIANT STILL,

and boldly declaiming her rights as an Orangeman's daughter.

"Judge," said Ellen, "I'm an Orangewoman. My principles are no surrender; that all the Fenians may go to the bottomless pit. I renounce all popes and popery, all nuns and all monks and monkery. I defy Fenians and Fenianism. They can never conquer me. I'm an Orangeman's daughter, and I'm English descent."

Ellen was committed to allow her to regain her equanimity.

RAILROAD ROWDYISM.

Daniel McDavitt and Henry McCann, alleged leaders of a gang of rowdies who assaulted a conductor on a Newark and New York Railroad train on Friday night, were fully committed to jail yesterday morning in the Newark Police Court. The scamps raised almost a riot on board the train, to the great annoyance and fear of the respectable passengers.

A few nights ago one of the Philadelphia trains was delayed an hour at the Newark depot, under exceedingly peculiar circumstances. One Joe Grinnel, a fireman, it appears, had deserted his wife, and a warrant was issued for his arrest. Armed with the warrant, a constable pounced on the fireman of the train in question, supposing him to be Joe. He protested, "No, no, no; I'm not Joe," but the constable would not believe him, and he escorted him to the city prison. He was confronted by the deserted wife, who at once said like the prisoner, "Oh! no no; that ain't Joe," and he was released. Instead of Joe it was Harry Palmer. He hurried back to his train and got in an hour behind time.