THE COURTS.

THE MANDAMUS MANIA.

The Comptroller and the City Creditors Still at Loggerheads—The Case of Mr. Sparks.

The Case of the Hercules Life Insurance Company.

BUSINESS IN THE OTHER COURTS.

Judge Benedict sat in the United States Circuit Court yesterday, and empanelled the Grand Jury for the ensuing term. Mr. Stephen Hyatt is foreman. The Judge made a brief charge, pointing out to the Grand Jury the nature of their duties, after which the Court was adjourned until Tuesday next, when the trial of criminal cases will be proceeded with.

Judge Blatchford will sit to-day in the United States District Court, for the purpose of hearing motions in bankruptcy, and in other branches of the court.

Nine sailors belonging to the American ship Leavitch, W. W. Baker captain, from Liverpool to this port, were taken before Commissioner Davenport yesterday to answer a charge of having refused, during the voyage, to obey orders. They were held for examination.

A supplementary list, completing the number of persons who have been nominated as supervisors of election for the Sixth Congressional district, has been filed in the Clerk's office, United States Circuit Court, where it is open to the inspection of the public.

It will be seen by a report below that an important division has been given by the Court of Appeals in regard to the Westfield disaster. It reverses the verdict for damages given in these suits, the ground of reversal being that no suits can be maintained, as the casualty took place on Sunday, on which day no contracts, express or implied, can hold between the conveyors and travellers.

It was another mandamus field day in the State courts yesterday. Judge Fancher, sitting in Supreme Court, Chambers, excepting the time given to listening to the further argument of counsel in the Adams Express Company litigation, had his time principally occupied in hearing arguments upon applications for mandamuses against the Comptroller. Judge Joseph F. Daly, holding Special Term of the Court of Common Pleas, also gave most of the day to hearing counsel upon applications of a similar character. A report of the cases will be found below.

THE MANDAMUS MANIA.

The Cry Is, "Still They Come"—No Accounting for an Accountant—A Colored Cleaner's Claim—Money Demands of an Assistant Court House Janitor—Mr. Sparks' Salary.

It was supposed that the long list of applications for mandamuses against the Comptroller, published two days since in the HERALD, was an exhaustive one. It does not prove to have been so. The cry is "Still they come." In Supreme Court, Chambers, before Judge Fancher, and also in the Special Term of the Court of Common Pleas, before Judge Joseph F. Daly, nearly all of yesterday was occupied in the argument of additional applications for mandamuses against the chief custodian of the municipal exchequer.

AN ACCOUNTANT LOOKING AFTER HIS OWN ACCOUNTS.

Opening the new mandamus fusillade was an application before Judge Daly, made by Mr. John H. Strahan on behalf of John V. Outwater, for a peremptory mandamus against the Comptroller directing the payment of $11,887 50, claimed for services rendered in 1871 in examining, copying and comparing tax rolls of real and personal estate and bank rolls. The defence made by Assistant Corporation Counsel Andrews was that there had been no audit of the account by the County Auditor, and that he could not legally pay the same until it had been thus audited and allowed and duly approved by himself. In support of this proposition he cited the decision given in April last, by Judge Barrett, in the case of Brown vs. Green. On the other hand it was strenuously urged by Mr. George P. Andrews, Assistant Corporation Counsel, that the relator had performed the work in question; that the claim had been audited and allowed by the present Board of Supervisors, and that he was entitled to the pay he claimed. The case is to be further argued this morning.

A COLORED CLEANER AND ASSISTANT COURT HOUSE JANITOR.

John S. Duffin, a colored gentleman, claims $180 from the city for cleaning the Register's Office, such cleaning alleged to have been performed in the latter part of 1870 and beginning of 1871. Patrick Martin wants $240 as assistant janitor of the new County Court House, a position he claims to have filled about the same time. Comptroller Green having refused payment to the gentlemen, they put their claims in the hands of Mr. Abraham R. Lawrence, and he applied yesterday to Judge Fancher for writs of peremptory mandamus against the Comptroller. It was claimed that both bills had been properly audited and allowed and that there was no justifiable reason for withholding the money. Mr. Andrews urged in defence that Griffin was not employed by the county, but by the Register, and that he should look to the latter for his pay. As to Martin, it was insisted that his name does not appear on the pay rolls, and that he never was recognized by the Court House Commissioners as assistant janitor. Judge Fancher took the papers, reserving his decision.

THE SALARY OF MR. SPARKS.

Closing the day's mandamus matters was the hearing before Judge Daly of the argument by Mr. Andrews, on behalf of the Comptroller, and A. Oakey Hall, for Mr. Sparks, the popular clerk of the criminal courts, about the latter's salary. The inevitable mandamus was discussed, and a variety of technicalities dissected, and the Judge took the papers, with notes of the statutes and Supervisors' resolutions. Mr. Sparks claims $6,000 for salary as clerk for both the Court of General Sessions and the Court of Oyer and Terminer; but the Comptroller says he is entitled to $4,500, which, it is claimed, is not only less than his legal salary, but very beggarly pay for a man of Mr. Sparks' experience and incessant labor.

BUSINESS IN THE OTHER COURTS.

SUPREME COURT—CHAMBERS.

The Hercules Life Insurance Company.

Before Judge Fancher.

In June last the Hercules Life Insurance Company became insolvent, and Mr. John H. Kitchen was appointed receiver. By order of Judge Pratt the policy holders were reinsured in another company. Towards this sum $30,000 were paid, while $70,000 remained on deposit in the Insurance Department in Albany. There were due on policies accrued before insolvency some $60,000, nearly all of which was assigned to the President of the company, who paid many of them from his own pocket, hoping to save the company from going into insolvency, among them one of $2,500 on the life of Horace Greeley. The President claims that the amount due on these policies should be preferred. Instructions were asked from the Court in the matter, and he took the papers for examination.

Decisions.

By Judge Fancher.

Lilly Treadway vs. Edward T. Treadway.—Report confirmed and judgment of divorce granted, with costs. Custody of child awarded to plaintiff.

In the matter of the petition of C. E. Roberts, &c.—Reference ordered to take proof, &c.

Jones vs. Jones, &c.—Report confirmed and order of reference to take proof of account and amount, &c., ordered.

Gilbert vs. Gilbert et al.—Reference ordered.

Olwell vs. Primrose et al.—Petition granted.

By Judge Ingraham.

A. M. Allerton and others vs. Samuel W. Allerton, Jr.

SUPERIOR COURT—SPECIAL TERM.

Decisions.

By Judge Curtis.

Taylor et al. vs. Hoyt.—Motion to place cause on special calendar denied. Motion costs to abide event.

O'Brien et al. vs. Bierdon.—Motion for judgment of dismissal of action granted, with $10 costs of motion.

Perry vs. Chester et al.—Order that judgment of Court of Appeals be made the judgment of this Court.

Brown vs. Lett.—Default opened with leave to defendant to answer upon paying plaintiff's costs on action and $10 costs of approving motion.

Bruce vs. Davis et al.—Order that issues be placed on special calendar for trial.

Graves vs. Flash.—Order for the production and deposit of books of account to be examined by both parties, &c.

McCulloch Lead Company vs. Strong.—Order that defendant make and file a new undertaking.

By Judge Sedgwick.

The First Baptist Church of Harlem vs. Barak G. Coles et al.—The motion to continue injunction is denied, with $10 costs.

Popham vs. Wilcox et al.—The plaintiff should have judgment in accordance with conclusion, with costs. Findings and conclusion filed.

COURT OF COMMON PLEAS.

Decisions.

By Judge J. F. Daly.

Henry McKelsey vs. Deborah J. Keisey.—Motion denied.

Elijah J. DeRonde vs. Charles Olmstead.—Allowance of $5 granted.

COURT OF GENERAL SESSIONS.

An Alleged Assault by Two Brothers.

Before Judge Sutherland.

The first case called in this Court yesterday by District Attorney Rollins was an indictment against Patrick McShane and Charles McShane charging them with assaulting Henry McNulty with a cart rung and a club, at their liquor store, in Jackson street, on the 9th of March. A number of witnesses were examined for the defence, who contradicted the statement of the complainant. The jury rendered a verdict of not guilty in the case of Charles McShane, and they failed to agree upon the guilt or innocence of Patrick.

Forgery.

Charles F. Tensfield, who was indicted for forgery in the third degree, pleaded guilty to the fourth grade of that offence. He was charged with having on the 26th of February passed a check for $258 upon Charles A. Schiern purporting to have been signed by T. Page. He was sent to the State Prison for two years.

Obtaining Goods by False Pretences.

Solomon Wise, who on the 11th of August falsely represented to John J. Carle that he was sent from the United States Hotel for two gross of matches, pleaded guilty to obtaining goods by false pretences. The prisoner was sentenced to the Penitentiary for his unwise and dishonest act.

An Acquittal.

Anna Molten was tried upon a charge of stealing a gold watch and chain, valued at $40, on the 19th of August, from the apartments of Augusta Isaacs, No. 57 Ridge street. The testimony was not legally sufficient to sustain the allegation, and the jury rendered a verdict of not guilty.

TOMBS POLICE COURT.

Sullivan's Ride.

Martin Schultz, of Kingsland avenue, Williamsburg, L. I., came over to New York on Tuesday last with a horse and wagon valued at $250. He left the vehicle in the neighborhood of Washington Market, and, while absent, Officer McDermott, of the Twenty-seventh precinct, observed a man named Mortimer Sullivan jump into it and drive off. The officer gave chase and succeeded in arresting Sullivan. The latter was arraigned yesterday and held by Judge Dowling in $1,000 to answer at the General Sessions.

A Sidewalk Robbery.

On Tuesday afternoon Officer Stevens of the Fifth precinct, saw a man named Frank Quinby snatch up a case of goods in front of Good & Wilson's warehouse, No. 53 Walker street, and walk off with it. He followed him and took him to the station house, where the package was opened and found to contain hosiery and ladies' handkerchiefs valued at about $100.

Officer Fields, of the same precinct, afterwards arrested Barney Maguire and James Harvey, who were in Quinby's company at the time he stole the case.

All three were arraigned yesterday before Judge Dowling and each held in $5,000 to answer at the General Sessions.

How Mrs. Border Was Sold Out.

Mrs. Hetty Border formerly kept a boarding house at No. 52 Crosby street and had occasion, on Tuesday last, to remove to No. 42 Chrystie street. She accordingly moved her furniture, consisting of beds, bedding, carpets, &c., worth in all about $300, to her new abode and left it there unwatched while temporarily absent. Taking advantage of this circumstance a man named John Williams conceived a happy thought of "raising the wind" at Mrs. Border's expense. He accordingly repaired to a furniture dealer, and, bringing him to the house in Chrystie street, represented himself as the owner and disposed of the entire lot for the sum of $20. On Mrs. Border's return her consternation was great and a serious controversy arose between the lady and the dealer as to the question of titles. Williams, however, was arrested and yesterday was brought before Judge Dowling and held for examination.

ESSEX MARKET POLICE COURT.

Shocking Case of Mayhem.

Yesterday morning Denis Sullivan and Michael Hart, longshoremen, met in South street. There had been an ill-feeling existing between them for some time, and a word from Sullivan on this occasion kindled it afresh. The result was a fierce war of words, a wild, furious spluttering and interchange of the foulest epithets, a clinch, a fight and a fall, Sullivan rolling in the gutter with Hart on top of him, holding on to his right ear by his teeth with the grip of a bulldog. A policeman who had hastened to the scene of the encounter parted the combatants, when it was found that Hart had completely bitten off Sullivan's ear. The former was thereupon arrested, and yesterday Justice Fowler, at the Essex Market Police Court, held him, in default of bail, to answer.

COURT CALENDARS—THIS DAY.

SUPREME COURT—CHAMBERS—Held by Judge Fancher.—Nos. 75, 107, 151, 167, 173, 174. Call, 207.

COURT OF GENERAL SESSIONS—Held by Judge Sutherland.—The People, vs. Herman Pramschafer, felonious assault and battery; Same vs. James Smith, felonious assault and battery; Same vs. William Dillman, burglary; Same vs. George Heizerle, burglary; Same vs. John Haggerty, burglary; Same vs. Edward Iceburg, Terence Heleen and Edward Holtan, burglary; Same vs. Henry Peters, Henry Belmont and James Lawrence, larceny and receiving stolen goods; Same vs. William Moloney, larceny and receiving stolen goods; Same vs. Hugh Maxer, larceny and receiving stolen goods; Same vs. William H. Mackail, grand larceny; same vs. Thomas Jobin, grand larceny; Same vs. Eugene Smith, grand larceny; Same vs. Frederick Lesixon and John McClellan, grand larceny; Same vs. John Scully and Charles Gilroy, grand larceny; Same vs. John Sullivan, grand larceny; Same vs. Thomas Mackey, larceny from the person; Same vs. Henry E. Fuller, larceny from the person; Same vs. Charles McLoughlin and James Smith, larceny from the person.

BROOKLYN COURTS.

UNITED STATES COURT.

A petit jury was called yesterday in the United States District Court, before Judge Benedict, and a calendar of twenty-three cases called. The most important of these was that of Frank W. Jones, who is charged with a violation of the Pension laws. The case will be tried on Monday next.

SUPREME COURT—SPECIAL TERM.

Decisions.

By Judge Pratt.

M. Carroll vs. E. Carroll.—Referred to E. J. Low to settle issues.

B. T. Robbins vs. D. Johnston.—Motion to change venue from Kings to Suffolk. Granted. $10 costs.

SUPREME COURT.

The Pinder Divorce Case.

Last spring Mrs. Pinder commenced a suit against her husband, William Pinder, Jr., a dealer in gentlemen's furnishing goods, at 203 Fulton street, for absolute divorce on the ground of adultery. A motion was recently made for alimony and counsel fees, and it was referred to a referee to take proof as to facts. Before the referee it was shown that Mr. Pinder was only a clerk, receiving a salary of $5 a week, and that he had frequently requested his wife to return and live with him.

Judge Pratt rendered a decision yesterday denying the motion for alimony, but allowing $85 for counsel fee, this sum to include the referee's fees. T. W. Butcher for plaintiff, I. M. Pray for defendant.

COURT OF SESSIONS.

Lucette Myers Again in Jail.

Before Judge Moore and associates.

Lucette Myers, who was arrested in connection with the Goodrich murder case, but who was subsequently released, was rearrested yesterday in this city by order of District Attorney Britton and taken to Brooklyn. She was taken into the Court of Sessions, when the District Attorney presented the following affidavit:—

The People of the State of New York vs. Kate Stoddard—City and County of New York, ss.—Winchester Britton, being duly sworn, says that Lucette Myers is a necessary and material witness for the people in the trial of this indictment, and that there are substantial grounds of belief that the said Lucette Myers will depart from the jurisdiction of this Court unless she is held to bail to appear as a witness on the trial of this indictment.

WINCHESTER BRITTON.

Sworn to before me, October 1, 1873.—HENRY A. MOORE, County Judge, Kings county.

Mr. Britton asked that bail be fixed in a sufficiently large amount to secure the attendance of the witness.

Judge Moore said he should fix bail at $1,500.

Lucette Myers then addressed the Court, stating that she would give no bail, and that they might shut her up if they chose.

A commitment was made out, and the "parrot that never talks" is now an inmate of Raymond Street Jail. She occupies an adjoining room to that of Lizzie Lloyd King, alias Kate Stoddard. It is said the action of the District Attorney was owing to information which he had received to the effect that Mrs. Myers was about to leave the city.

Burglars Sentenced.

Daniel Casey was convicted of burglariously entering the Delaplaine House, on the 28th of June, and sentenced to one year's imprisonment in the Penitentiary.

Henry Barnet and John Kerwin were convicted of housebreaking on the 29th of August. The former was sent to the Penitentiary for three years and eight months and the latter for two years.

THE WESTFIELD CASES.

The Judgment of the Court of Appeals.

The judgments in the City Court in favor of Mrs. Madden and others against the Staten Island Railroad Company for damages arising from the Westfield disaster have been reversed by the Court of of Appeals, and the complaint dismissed on the ground that the State Courts have no jurisdiction in such cases. The case of Mrs. Madden against the company was tried three times before the City Court. The jury disagreed on the first two trials, but gave a verdict in favor of the plaintiff for the full amount claimed. ($5,000) on the third trial. The defendants then appealed to the General Term, at which the verdict was confirmed. The case was then taken before the Court of Appeals, and argued by able lawyers in March last. The decision, adverse to the sufferers, will probably have the effect of stopping all further litigation. Had the reversal been on any other ground than that of want of jurisdiction the complaints would not have been dismissed, but a new trial ordered.

COURT OF APPEALS—DAY CALENDAR.

ALBANY, Oct. 1, 1873.

Court of Appeals day calendar for Oct. 2.—Nos. 13, 15, 29, 22, 38, 41, 42, 43.

COMMISSION OF APPEALS CALENDAR.

ALBANY, Oct. 1, 1873.

The calendar of the Commission of Appeals for Thursday is as follows—Nos. 529, 196, 202, 203, 205, 207, 208, 209. The Commission adjourned until tomorrow at 10 A. M.

A LIFE CONVICT'S LAMENT.

McKenna, Who Killed Lunny in Clarkson Street, Complains that He Has Been Misled by His Counsel—He Wants a New Trial—His Letter to the Herald and an Interview with Him at the Tombs.

The following letter was yesterday received at the HERALD office from Peter Joseph McKenna, a convict in the Tombs, who has been sentenced to imprisonment for life for killing a man named Michael Lunny, by stabbing him in the abdomen, at No. 64 Clarkson street. Subsequently a reporter of the HERALD had a long conversation with McKenna in his cell, and if the story given by him then (a summary of which follows) is true McKenna seems to have been, to some extent, the victim of injudicious advice as to his plea of guilty. The letter reads as follows:—

TO THE EDITOR OF THE HERALD:—

DEAR SIR—I am confined for my term of life for a crime that I am not guilty of. I have been sold by my counsel. Is there no law in New York? I claim nothing only justice. Is a man to be put out of his boarding house and followed and stabbed in the public street, and then to get a term of life in prison for saving his own life? Dear sir, you will please send me a reporter immediately, for I claim protection from the government of this city. I am here away from my people. I have not one single friend in this country, only God, and in His name and the citizens' of New York I claim a fair trial. Dear sir, I have been forced to take this place by my counsel's advice, and a man who calls himself a man of justice. Judge Brady did not wish me to take the place I did; but I did not know the law or understand anything as to a plea. For the love of God and the affection of an aged mother do something for me. Send me a reporter who will take me from here, and I claim a just trial.

PETER JOSEPH MCKENNA,
Tombs, First Tier.

M'KENNA'S STATEMENT.

When the reporter arrived at the Tombs McKenna was feeling his position very deeply, and it required the excercise of considerable patience to get from him a connected story of what he deemed his wrongs. Substantially his statement was as follows:—

I had boarded with Lunny for about three and a half years when this thing occurred, which was on Saturday night, the 9th of July. I was employed on board the steamship Merrimac, which traded between New York and Rio Janeiro, and was not at the house more than two weeks every three months. I had been a friend to them many times, got them respectable boarders and did what I could to help them. On this Saturday night Lunny told me directly I got in that his wife was very downhearted, for they had not got enough in the house to carry them over to Monday. I told him I would help them if I could. I always paid my rent in advance. I had not any money by me, but I went out and borrowed $5 and gave it to them. I returned to my supper, and while I was eating it Lunny proposed that I should go out with them to market and get a "clam chowder." Lunny, his wife and I went out together. We had two drinks each while we were out. When we got home I went to bed, and I was woke up by a "muss" between Lunny and his wife. There was fighting going on. I went out in the lobby, and did not interfere until I saw Lunny was going to give her a long kick. Then I stepped in and begged of him not to ill-treat his wife. He was under the influence of drink, and he charged me with being intimate with his wife. It is false. He thought all the men in the house were so. The man's mind was full of that idea. He was very quarrelsome, and he ordered me out. I told him I would go, and I asked him to give me my pants and vest and I would go. He told me he would throw them out of the window to me. I remonstrated against this, but as he had a carving knife in his hand I went down stairs, and I put on my pants. The woman put her head out of the window and screamed "Murder!" Three men came along and they took up a stone and drove the panel of the door in. I went along the street putting on my clothes as I went, and I took a clasp knife from my pocket to cut a chew of tobacco. Lunny overtook me, having the carving knife in his hand, and tried to strike me with it. At the moment I forgot that I had the knife in my hand and I struck him with my fist; the knife cut him and he died. I knew that he was drunk. I knew that he was then bound over to keep the peace, and he had cut me with a knife before and had stabbed another man. What I did was in self-defence. Lunny's own wife, though she was to receive $1,000 from the 'Longshoremen's Society, would have confirmed this story. My employers, whom I have worked for ever since I have been in this country, would have given me a character, and I should have been able to put my case before the jury so as to show that I didn't intend to murder this man. I have, however, no money. I paid my counsel $25, and they took the Coroner's depositions and convicted me on those. Some men here have done worse, a good deal, than I have. Some yesterday were sentenced, one to two years' imprisonment and others to ten days' imprisonment each. Is that fair? Is that justice?

THE NEW STEAMER GOETHE.

Her Arrival at the Hoboken Dock—Particulars of the Voyage and Dimensions of the Vessel.

The new steamship Goethe (Captain J. A. Wilson), of the Eagle or New Hamburg line of steamers, arrived at her dock in Hoboken yesterday morning. She is the first steamer of this new line which has come to America, and is perfectly new in every part. She left Hamburg on the 12th of September, and put into Leith (Scotland) on the 14th ult., where she was detained for eight days—that is, up to the 20th ult. The cause of the delay was owing to some flaw or slight injuries on one of the valves. During her stay in Leith the valve was repaired and other precautionary measures taken. The Goethe made the remainder of the voyage to New York Bay in ten days, and reached her dock yesterday at ten o'clock A. M. Her arrival was expected on the 25th ult., but the foregoing incidents seemed sufficient to account for her delay.

The Goethe is an iron built steamer, having no wood whatsoever in her construction except what is to be seen on deck. The frame and plates and even the houses are all of iron.

The system of compound engines, with high and low pressure, is used. The steamer was built in Glasgow by Robert Napier & Sons. It is 375 feet keel, 40 feet broad and 33 feet deep. The passenger accommodations are superior to those of most lines in any particulars. There is an evident difference in the construction of the saloons. The first cabin is almost extravagantly furnished and decorated. The second cabin passengers are accommodated on the main deck, the same as the first, and the steerage passengers occupy that portion of the spar deck which in most steamers is used as the second cabin. The number of the crew, all told, is 120. Besides Captain Wilson, the prominent officers are First Officer Toosby, Second Officer Lingius, Third Officer Druscher and Fourth Officer Dircque. The steamer brought a total of 288 passengers, with the German mail and a full cargo of merchandise. Her registered tonnage is 2,900 tons, and her engines are 3,000 horse power.

The Goethe is the first built steamer of eight which are at present in course of completion. They will be named after the German poets, Goethe, Schiller, Herder, Lessing, Wieland, Klapstock, Gilliert and Th. Koerner. The contract price of each steamer is $800,000. The dock purchased by the company adjoins the Hoboken ferry, on the New Jersey side of the Hudson, and cost $600,000. It is 80 feet wide, 704 feet long, and has a shed built upon it 650 feet long and 80 feet wide. There is also a bonded warehouse on the premises 100 feet square and five stories high.

The exhilarated Teutons of Hoboken showed their manifestations of enthusiasm over the arrival of the Goethe yesterday by flinging out their flags and bunting to the breeze from the tops and windows of several hotels and private residences. The next steamer of the line, which is also a new one and similarly built, will arrive in about six weeks hence.

The Goethe had a very rough voyage from the start. No deaths or accidents happened on board. The first officer assured the writer that steerage passengers are supplied with staterooms and separate dining rooms, with tables which, when not in use, may be raised out of the way to the ceiling.

MUNICIPAL AFFAIRS.

Annual Report of the Commissioner of Public Works—What Has Been Done and What Is Doing—Evils to be Remedied—A Reduction in Expenditure—Financial Statement.

Commissioner Van Nort has sent to the Mayor a report of operations in his department from April 11, 1872, to April 30, 1873; also a report for the three months ending July 31, 1873, as required by the new charter. The Commissioner makes the following comparative statement of expenditures for the years 1871 and 1872:—

On taxation, a reduction balance of $469,250. On special and trust accounts, $4,467,980.

Seventy-one thousand nine hundred and twenty-seven and fifteen-hundredths square yards of Belgian pavement, and 23,957 28-100 square yards of Guidet improved stone pavement were laid, the latter being laid on South Fifth avenue and on the extension of Church street.

In the repairs of 230 miles of stone pavements the sum of $154,232 was expended. The repairs to 21 miles of wooden pavements cost $72,616.

The laying of water pipes has rapidly progressed, nearly 22 miles of piping having been laid during the year. A gain of $106,285 has been effected by increasing the receipts and decreasing the expense of collection. Though the aqueduct is in excellent condition, it is considered that the construction of an additional aqueduct and storage reservoir will decrease expense and give an abundant supply of *aqua pura* to the community. The new storage reservoir at Boyd's Corners contains 3,000,000,000 gallons, and is now complete. Work on the masonry on Tenth avenue and Ninety-third street will be so far completed that water can be admitted into the pipes. Nowadays 100 gallons of water can be counted as the consumption of each inhabitant, instead of thirty, as in the olden time, consequently the water mains south of the old reservoir are all too small.

The amount expended for regulating, grading, curbing, guttering and flagging streets is $555,358, being $248,976 less than the previous year.

The city still owes the gas companies $866,000 for gas furnished in 1871, the companies having refused to accept the reduction made by the late Board of Audit, and commenced suits for the payment of their claims.

The cost of repairing and cleansing sewers has been reduced forty-five per cent.

By an act of the Legislature, the Boulevard, roads and avenues north of Fifty-ninth street were transferred from the Park Department to the Department of Public Works in June of last year. The force employed on these works has been maintained with no change in numbers. The superstructure of the Boulevard, from Fifty-ninth street to 155th street has been very nearly completed and the construction of sewers begun. Seventh avenue, from 110th street to the Harlem River, was completed and preparations made for the construction of sewers. The avenue St. Nicholas, from 110th street, at Sixth avenue, to 155th street, near Tenth avenue, is rapidly approaching completion. The improvement of Tenth avenue, from 155th street to Fort George (191th street), is vigorously prosecuted, a portion of the temporary superstructure having already been placed upon it. One hundred and forty-ninth street is being regulated and graded from river to river. The grading of the avenues bordering on the Morningside Park and of the Riverside Drive has been commenced. Under an ordinance of the Common Council Seventy-second street, from Eighth avenue to the Hudson River, is being paved with the Telford-Macadam pavement.

Ninety-eight contracts were advertised during the year, of which twenty-five were awarded. The estimated cost of the works contracted for during the year is $2,406,092. The pay of the inspectors is not sufficient to induce respectable men to accept the positions. Contractors take improper advantages to increase their profits.

The Commissioner has been enabled to reduce his estimates for 1873 to $1,650,000, being a reduction of $500,000 on the appropriation for 1872.

The Common Council has as yet issued no order reducing the number of extra lamps, but 117 have been removed and only 27 new ones placed. The present number is 1,231, which cost the city, at reduced rates, $50,934 annually. There are 543½ miles of gas piping laid in this city.

The appropriation of $75,000 for the repairs of public buildings, such as the markets, has proved utterly inadequate, though valuable alterations in Washington and Fulton markets have been made. The removal of the department offices to the City Hall effects a saving of $238,000 annually in office rents.

During the 119 days of the bathing season the total number of bathers was 531,140. New baths at the Battery and up town are wanted.

In the Bureau of Collection of Assessments $3,631,456 was collected, $634,256 was returned in arrears, assessments for $138,235 were vacated by order of the Supreme Court, and $5,916,706 remain uncollected. On July 1, 1872, the fees of the collector and deputies were reduced about one half, and on January 1, last they were entirely abolished by the Commissioner, and fixed salaries substituted therefor. The total cost of collection of assessments was $32,089. At the old rates of fees it would have been $107,675.

In extending the sewerage system, 6 29-100 miles of sewers, one-half mile of culverts, 4 35-100 miles of underground drains, and 67 receiving basins have been built. The city has now 288 54-100 miles of sewers, 6 2-100 miles of underground drains, 14 72-100 miles of culverts, and 3,854 receiving basins. Many of the old sewers are defective and improperly constructed; some of the outlets have sunk below the level of low water, preventing the discharge of the sewage, and causing the foul sewer gases to be driven back to the houses by every rise of the tide.

A Serious Charge Against One of Mayor Havemeyer's Marshals.

Yesterday Colonel Wendell, Acting Private Secretary of the Mayor and Chief Clerk, took testimony in the case of Captain Alexander S. Taplainyi, Marshal of the Marine Court, Aldermen Morris and Kehr sitting as Associate Justices in the absence of the Mayor. The complainant is a German named Gorge Schroler, lately keeping a lager beer saloon at No. 219 Centre street, who charges in his affidavit that Captain Taplainyi, on September 17, came to his place with a warrant of execution issued at the suit of one H. M. Glass, for $538 65, and levied upon Schroler's property; that he offered to put a keeper in charge for $5 per day and allow Schroler to continue business; that complainant paid $15 for a paper; that, finally, the Marshal entered the place, turned out Schroler's clerk (bookkeeper), and, going behind the bar, took all the money in the drawer, sold liquors over the counter and put the money in his pocket; that, with two friends, the Marshal ate, drank and smoked the property of Schroler, seized property exempt by law and was intoxicated. At the examination yesterday Schroler testified to all the facts covered in his affidavit and sustained them in all material points. He was subjected to a critical cross-examination, but was not shaken in his testimony. Counsel for Marshal Taplainyi, who is an Italian, and was a captain of artillery in our late war, claims that when the witnesses for the defence are heard he will be able to contradict the complaint in all particulars. The examination will likely extend through several days.

The Park Commissioners.

The Park Commissioners met yesterday morning and audited the following bills:—For maintainance, $1,482 52; construction, $916 68.

The civil engineer of the Department was ordered to make a new map of the streets to be laid out in the southern part of the village of Kingsbridge, including all practicable changes suggested by property owners, and which would not be detrimental to the public interest.

Comptroller's Receipts.

Comptroller Green reports the following amounts paid yesterday into the treasury:—From Receiver of Taxes—Collections of personal tax, $106,572. Bureau of Arrears—Arrears of taxes, assessments, water rent and interest, $2,251. Bureau of Water Registrar—Croton water rents and interest, $3,638. Bureau of City Revenue—Market rents and fees and house rent, $107. Health Department—Penalties for violation of Health laws and ordinances, $1,250. Public Administrator—Commissions on intestate estates, $350. Fire Department—From sales of Fire Department manure, $62. Mayor's Second Marshal—Licenses, $297. City Courts—Fees Fourth Judicial District Court, $239; fees Ninth Judicial District Court, $2—$241. Total—$114,771.

Interest on City Deposits.

Comptroller Green was yesterday notified that the following deposits had been made with the City Chamberlain for interest on the city and county funds deposited in the designated depositories for the month ending September 30, 1873:—

Merchants' National Bank	$3,205
Irving National Bank	657
Bank of the Manhattan Company	1,117
German American Bank	657
Total	$5,638

KNIGHTS TEMPLARS IN THE CITY.

Columbia, No. 2, and De Malay, No. 4, Commanderies, Knights Templar, of Washington, whose invitation to be reviewed by Mayor Havemeyer and the Board of Aldermen was accepted at the last meeting of the Board, about three o'clock yesterday arrived from the dedication of the Masonic Temple in Philadelphia, *en route* to Hartford. To the number of about two hundred strong they entered the City Hall Park, from Broadway, and, passing by the Hall, which was decked in bunting in honor of the event, without notifying the civic authories of their approach, passed out on the east side and marched to the New Haven boat at Peck slip. None of the civic authorities were aware of their presence until they had passed out of the Park, and the Mayor deeply regretted that owing to "somebody's blundering" he and the authorities had failed to extend to so distinguished a body the courtesies for which New York is so celebrated, when organizations from sister cities honor it with their presence.

BURIED IN A CISTERN.

Yesterday morning, while the workmen were engaged in excavating for new buildings in Grand street, near Fifth, Williamsburg, a large cistern, which had been filled with ashes and which had been partially undermined, caved in, and one of the workmen, named John Cahill, was buried under the débris. He was rescued with considerable difficulty, and was found to be severely, if not fatally, injured. He was sent to the Eastern District Hospital.

THE PITTSBURG POSTMASTER.

Proceedings Commenced Against Colonel Stewart—His Defalcations Alleged To Be More Than $33,000—A Disgusting State of Affairs at the Post Office in Pittsburg.

PITTSBURG, Sept. 29, 1873.

This morning District Attorney Swoope commenced civil proceedings in the United States District Court against Colonel John H. Stewart, late postmaster, whose removal for embezzlement has already been mentioned in the HERALD. Suit was also issued against John Stewart, father of the ex-postmaster, and James Kelly, as sureties in debt on the official bond of the delinquent. The amount claimed is not to exceed $75,000. Further investigation into the affairs of the Post Office show that for a long time past the whole mail service of this city was in a most deplorable condition. Every regulation of the department was openly violated, and to the letters everybody had access, whether they were the sworn employés of the office or not. No rules of any kind were in force, and it is not to be wondered at that valuable letters and packages disappeared one after another as regularly as they were mailed. More than a year ago District Attorney Swoope, whose office is in the Post Office building, suspected that something was wrong in the management of the department, and he acquainted Mr. Stewart with his views; among other things the fact of employés being in the worst stages of intoxication—so drunk, indeed, that they were unable to navigate through the halls. Stewart at the time promised to give the matter his attention, but if he did there was no perceptible improvement in the state of affairs. Drunkenness was as common as neglect was manifest. Thus matters went on from bad to worse; valuable letters disappeared and no trace of them could be found. Complaints were made to the postmaster, but this failed to bring about any change in the regularity or security of the mails. Finding that no complaints had reached Washington and that no improvement in the condition of the Post Office was made after repeated demands upon the special agent assigned to this district, Mr. C. M. Gould, the District Attorney, wrote to the Postmaster General, enclosing the complaint of parties of Cannonsburg as to the loss of valuable letters between that point and Pittsburg, during which no change of mail occurred, and suggesting that the condition of the Post Office at Pittsburg was such as to demand a special investigation. Not until the evil complained of had become almost unbearable were measures taken to afford the people relief. Major Patherbridge came on and summoned to his assistance several special agents from abroad, and then commenced a thorough investigation, which, as already stated,

DISCLOSED CRIMINAL NEGLIGENCE

in almost every department. In addition to the defalcation by Postmaster Stewart, which is stated to be upwards of $33,000, it was found that he was paying his employés a less salary than the sum for which he filed vouchers at Washington and swore were correct. He also placed upon his pay rolls and paid out of the government funds persons who were not employed in the office at all and who rendered no service of any kind or character. Among those may be mentioned a clerk at the livery stable of Patterson & Stewart (the last named of the firm being the postmaster), who received regularly quarterly payments as a clerk at the rate of $1,500 per annum. A daughter of a former postmaster also drew regularly a handsome salary, for which no service whatever was rendered. On taking possession of the office Mayor Patherbridge made a demand on Colonel Stewart for the money in his possession. Then it was discovered that the postmaster had never made any deposits in the United States depository, but that he had kept his accounts in two banks. He declined to show his bank books, asserting the government had no business with private property, and not until harsh measures had been threatened were the books delivered up. The balances in both banks to his credit did not exceed $1,300.

No one can imagine what Colonel Stewart did with the vast amount of money he is known to have taken. It is said he was lavish in his contributions to the expenses of the republican party, and only recently came down handsomely for the entertainment of Generals Grant, Sherman, Sheridan and others on the occasion of the reunion of the Society of the Army of the Cumberland. He had the reputation of being a "deuced clever fellow," and he put up without stint for every administration display that was made. His office was the resort of republican bummers, who drank with him and borrowed from him, and who are now the loudest in his condemnation. To get this man in position as a reward for his services to the administration, to retain his influence among a certain class of voters, an old and most worthy citizen, against whose personal integrity there rested no solitary blot, was suspended. McClelland, the person alluded to (poor old man, he is dead now) was not an active partisan and not vigorous enough to give a strong hand to the running of the political machine. He was laid on the shelf and a good, sound radical, who fairly worshipped the sphinx at Washington, put in his stead. The change and its attending circumstances speak volumes.

BROOKLYN POSTAL CONSOLIDATION.

Yesterday the new consolidated Post Office arrangements for Brooklyn, Williamsburg and Greenpoint went into operation, under the direction of Postmaster Charles C. Talbot, who succeeds Mr. Samuel Booth. There are now to be forty-four trips from the Central Post Office to New York and back weekly, twenty-six to the Williamsburg station and a similar number of trips to the Greenpoint and Brevoort stations. The average number of letters hitherto received at the Central Post Office, including reception and delivery, has been about 30,000 daily, and of newspapers about 35,000 per week, while at Williamsburg the number of letters has been about 80,000 per week and at Greenpoint about 6,000. Hereafter they will all be passed through the Central office, which will, therefore, receive and deliver over a quarter of a million letters per week, and from 40,000 to 50,000 newspapers. This mass of mail matter is transported by wagons furnished by contractors known as mail messengers, who are required to furnish as many wagons and horses as may be necessary for speedy transit. This branch of the service is divided into three routes, of which one is from Brooklyn to New York, one from the Central Post Office in Brooklyn to the Brevoort and Williamsburg stations, and one from the Williamsburg to Greenpoint station.

POLICE MATTERS.

The Board of Police Commissioners reduced the salary of the Superintendent of Police yesterday from $7,500 to $6,000 per annum, the term of the reduced salary to begin on the 1st inst.

MARRIAGES AND DEATHS.

Married.

ALLEN—PERKINS.—On Wednesday, October 1, at the residence of the bride's parents, by Rev. Dr. Dickinson, assisted by Rev. M. C. Julien, ETHAN ALLEN to HARRIET IDA, eldest daughter of Hosea B. Perkins, Esq.

DAND—REID.—At 383 Myrtle avenue, Brooklyn, on Tuesday, September 30, 1873, by Rev. Dr. Thompson, NICHOLAS DAND to MISS JENNIE R. REID, eldest daughter of Mr. R. G. Reid, both of Brooklyn.

GAMBLE—GAUTIER.—At Rome, N. Y., on Tuesday, September 30, by the Rev. Dr.