THE COURTS.

Increasing Complications of the Consolidation Act.

MATRIMONIAL MISALLIANCES.

Illegal Imprisonment on a Charge of Passing Counterfeit Money.

BUSINESS IN THE OTHER COURTS.

There was an extended argument yesterday before Judge Speir, holding Special Term of the Superior Court, in regard to an injunction sought to be obtained prohibiting the production of "Les Deux Orphelines." A. Oakey Hall appeared for the theatrical manager asking for the injunction, and was opposed by ex-Judge Warren, of Cincinnati. Judge Speir took the papers.

Arthur Smith was yesterday held by United States Commissioner Betts, charged with perjury in swearing to the ownership of certain property while acting as bondsman.

THE CONSOLIDATION PUZZLE.

Increasing Complications as to the Consolidation Act.

Before Judge Loew.

The new Consolidation act seems to be a puzzle in courts, and particularly as affecting the question whether the audit of the Board of Supervisors is as conclusive in a suit under the act against the city as in mandamus proceedings against the county. A new phase of the question came up yesterday in the Court of Common Pleas, Special Term, before Judge Loew.

James Haskell, one of the custodians of the Court House—a position to which he was appointed by the Board of Supervisors, and which Board had duly audited his bill, has brought suit for $1,200 salary. The defence is that he not only did not perform any duties but refused to do anything. A motion was made yesterday to strike out the answer as frivolous and further, because, as claimed, the audit of the Board of Supervisors was not final. After quite a lengthy argument between Mr. Dean and Mr. West, Judge Loew allowed the answer to be amended.

MATRIMONIAL MISALLIANCES.

A Suit for Alimony and its Results—May vs. May.

There was yesterday an unusual rush of abandonment cases. An effort was made through a writ of certiorari brought before Judge Westbrook yesterday in Supreme Court, Chambers, for the discharge of John May. This is hardly an abandonment case in the popular sense, but legally comes in this catalogue. The specific charge was neglect to pay alimony, a neglect running through three years. His wife had him arrested and put in prison, where he was stricken with paralysis, after which he was released, but was subsequently rearrested and committed to jail. It was claimed that he had given up all the money he had and that alimony was to be collected in the same manner as other debts. Opportunity was given to put in other affidavits. Another case was where it is sought to release from prison Albert Peck, he having been committed to the custody of the Commissioners of Charities for alleged abandonment of his wife. A third case was where a similar effort was made on behalf of James Murphy, said to have been formerly a police detective. He is charged with failure to pay $7 alimony to his wife. The two latter cases were prosecuted by Douglas A. Levien, Jr., Assistant Corporation Attorney, and opposed by Colonel Spencer. Judge Westbrook took the papers.

Police Court Clerk Blundering.

Another instance of escaping the penalty of the violated law through the stupid blundering of a police court clerk was yesterday brought to the attention of the Court. Michael Conklin was committed on a charge of disorderly conduct and sent for six months to the workhouse on Blackwell's Island. He was brought before the court on a writ of habeas corpus, obtained by Mr. Abe H. Hummell, and his discharge asked for on the ground of errors in the commitment. It was shown that the commitment failed in not being sufficiently specific in regard to the offence. The worst blunder was directing the commitment of "Mrs. Conklin" instead of Michael Conklin. Although the fact of women of both sexes is conceded outside of legal tribunals, Judge Westbrook did not feel willing to admit it as court precedent, and so directed the discharge of the prisoner.

ALLEGED ILLEGAL IMPRISONMENT.

Alleged Illegal Detention in the Tombs on a Charge of Passing Counterfeit Money.

A peculiar case, which requires explanation at the hands of police officials, came up yesterday before United States Commissioner Shields. The facts, as set forth in the papers and by the prisoner, James Travers, are as follows:—On the 13th of June Travers, who resides in Brooklyn, and appears to be a hard-working poor man, took it into his head to take a trip to New York. He visited the lager beer saloon of Henry Meyers, at No. 8 Broadway, where he presented an English sovereign in payment for a glass of the beverage. Travers states that he bought the sovereign from a man whom he met in the street, giving him $5 25 for the coin. After making the purchase he proceeded to a broker's office to get change, where he was informed that the sovereign was counterfeit, but the broker, as alleged, presenting the effects of some late encounter in a black eye and a rather seedy appearance generally, Travers concluded that the broker was joking him. From this office he proceeded to the lager beer saloon of Meyers, and on presentation of the sovereign, Boniface took it for examination to the same broker's where Travers had previously applied. The result was the arrest of Travers by the police, on a charge of attempting to pass counterfeit money. He was locked up in the Tombs and brought before Justice Flammer for examination. Being an offence over which the United States authorities are alone supposed to have jurisdiction the proper course would have been to send the prisoner immediately before a United States Commissioner, but Travers was imprisoned in the Tombs from the 13th of June until yesterday, when his case was sent from the District Attorney's office before United States Commissioner Shields. The sovereign had disappeared, so that, after a prompt examination, Mr. Shields discharged the prisoner, and permitted him to go to his family in Brooklyn. The man seemed overjoyed at his release. Travers was advised to proceed against the parties who caused his arrest, and who, from the present aspect of the case, may be fairly chargeable with a fraud, as neither of them put in an appearance in either the Police or Commissioner's Court.

BUSINESS IN THE OTHER COURTS.

SUPREME COURT—TRIAL TERM—PART 3.

Advertising Bill Against the City.

Before Judge Davis.

A suit was brought against the city yesterday for $9,503, including interest, for publishing Corporation advertisements in the *Metropolitan Record*. The case came up yesterday for trial. The defence was that the plaintiff, being at the time Health Commissioner, could not recover anything, on account of the charter forbidding any officer of the city being interested in any contract or matter involving payment of money from the city treasury. Judge Davis thought that this was a point that should be decided by the General Term, and he directed a verdict for the plaintiff, subject to the decision of the General Term.

SUPREME COURT—CHAMBERS.

The Books in Contract of the Central Branch Union Pacific Railroad.

Before Judge Donohue.

Samuel L. Tredwell vs. Ralph M. Pomeroy, Effingham H. Nichols, et al.—This was a motion to compel the production and an inspection and copy, or permission to take a copy, of the books, papers and documents in which are recorded the proceedings of the parties in interest in the contract for the construction of the Central Branch Union Pacific Railroad, and which are in the possession or under the control of Effingham H. Nichols, Treasurer of said parties in interest. Coming regularly on to be heard, and on reading and filing the petition of Samuel L. Tredwell, plaintiff herein, and after hearing Samuel C. Mount, of counsel for said plaintiff in favor of said motion, and Daniel T. Walden, of counsel for defendant in opposition thereto, it is hereby, on motion of said Samuel C. Mount, ordered that said Effingham H. Nichols produce and discover to the plaintiff herein the aforesaid books, papers and documents, and forthwith deposit the same with the Clerk of the county of New York, and leave the same there on deposit for the space of thirty days; and that said plaintiff, his attorneys, agents and counsel be at liberty to inspect and peruse the same at all reasonable times, and to take copies thereof or extracts therefrom from time to time, as he may be advised, so as to enable said plaintiff to use the same upon the trial of the issues joined in this action.

SUPREME COURT—SPECIAL TERM.

Decisions.

By Judge Van Brunt.

The Board of Supervisors of New York vs. Ingersoll.—Demurrer overruled.

Casserby vs. Manners.—Judgment for plaintiff.

By Judge Donohue.

Chittick vs. Lewis.—Motion granted.

National Broadway Bank vs. Bergstem et al.—Case settled.

Oakley vs. Hannahs et al.—Demurrer sustained.

SUPREME COURT—CHAMBERS.

Decisions.

By Judge Davis.

Cladin vs. Hyman.—Motion denied with $10 costs.

In the matter of Schiff.—Motion denied with leave to renew.

Stanton vs. Stanton.—Memorandum.

Funk vs. Funk.—Reference ordered.

By Judge Donohue.

Catlin vs. Catlin.—Opinion on motion to confirm referee's report; opinion on motion for stay.

Chapman vs. Chapman; Glogowski vs. Benziger; Excelsior Savings Bank vs. Campbell.—Memorandums.

Vandewater vs. Brady.—Reference ordered.

Wallace vs. Powers; Chaim vs. Cammerer.—Orders granted.

Hoffman vs. Beaton.—Granted.

Dallorso vs. Dallorso.—Reference ordered.

COMMON PLEAS—SPECIAL TERM.

Decisions.

By Judge Loew.

Weller vs. Bang.—Extra allowance of $250 granted.

Lyons vs. Richards.—Motion denied, without costs.

Faulkner vs. Faulkner.—Referred to Jerome Buck.

Rauch vs. Rund.—Motion denied, without prejudice to a renewal before Judge Robinson.

MARINE COURT—PART 1.

A Stock Transaction.

Before Judge McAdam.

William Heath et al. vs. William E. Whitney.—This action grows out of the late financial panic. The plaintiff was a customer of William Heath & Co., well known stock brokers, and shortly before Jay Cooke & Co.'s failure deposited with plaintiffs $500 margin, with directions to purchase on his account 100 shares of Western Union, which was done. On the morning of the grand smash Mr. Whitney, judging from indications that there was about to be a fall in the stock market came to his office prepared to sacrifice margins which he had placed with various brokers, among them this one with the plaintiffs, and on his arrival finding a notice to make a further deposit he went down to plaintiff's office, and, finding none of the partners in, directed their clerk to have this stock sold immediately, on which order the clerk left at once for the Stock Exchange. The Defendant says that he at this time noticed that Western Union, by the indicator in the private office, was quoted at 86 and a fraction; that he waited some twenty minutes, but the clerk did not return, the stock being still about the same figure; that on his way up he stopped for a cigar at Rudolph's, when he found it had fallen to 84, and later in the day was surprised at getting a notice that he had been sold out at 80. He then called on one of the partners and was told that that was the best they could do, but says that from the conversation he learned that there had been such delay in selling as justified him in refusing to pay them the loss which they claimed on the sale—$600—and for which this suit is brought. Mr. Quincey, one of the partners of Heath & Co., testified that as soon as he received Mr. Whitney's message (which the clerk says was immediately) he called to him a member of the Stock Exchange, Mr. Buckingham, thinking it safest not to wait to find Mr. Heath, and after learning from him that he thought Western Union then stood at about 86, directed him to sell 100 at the market, that Buckingham returned a moment after saying the stock was offered at 84, and on being again directed to sell at the market, did so, but only succeeded in realizing 80. It seems that 79 was about the lowest point to which the stock fell that day, and soon after this transaction rallied again. Mr. Buckingham corroborated Mr. Quincey, testifying that this was the best that could be done at the time. A number of brokers were called as to the state of the market, none of whom seemed to be able to fix with accuracy the price of the stock in question at any given hour. The case was summed up at considerable length by Mr. Marbury for plaintiffs and Mr. Hill for defendant, and resulted in a verdict in plaintiff's favor for $400, the jury expressing the opinion that with due diligence they thought the plaintiffs might have made a sale at 83.

SURROGATE'S COURT.

The Cruger Will Case—Legacies of $200,000 in Question.

Before Surrogate Robert C. Hutchings.

The case in which the will of Harriet Douglas Cruger bequeathing, among other legacies, over $200,000 worth of property to be divided between the American Bible Society and the Presbyterian Board of Foreign Missions, is contested by the heirs-at-law, on the grounds that the testatrix was of insufficient mental capacity to make a will, and had been unduly influenced to leave the legacies to the religious corporations, came on for continued hearing in the Surrogate's Court yesterday.

Reuben Harris, a colored waiter, who had been many years in the employ of the testatrix, testified as to her condition of mind prior to the making of the will; she would often meet friends on the street and ask them to dinner parties at her residence, having made no provision for such festivities; she sometimes gave large dinner parties, and would insist upon having the tables remain for days, and one time for four weeks, just in the condition they were in at the conclusion of the feastings; on one occasion, when Dr. Parton administered the sacrament to her, she sent for a very large quantity of wine, and, after receiving the sacrament, had the wine locked up, to be used only by herself until it was all drank, saying she must do this to obey the injunction, "Drink ye all of it." The case was adjourned, to be summed up on the 22d of September.

MARINE COURT—CHAMBERS.

Decisions.

By Judge Joachimsen.

Woods vs. Houston.—Motion granted, with costs to abide event.

Goldsmith vs. Schaffer.—Motion granted, with costs to abide event.

Worth vs. Flynn.—Motion denied, with $10 costs.

Cunder vs. Bader.—Motion granted.

Baldwin vs. Johnson.—Motion granted, costs to abide event.

Dunsmore vs. Hall.—Motion granted, costs to abide event.

Rouse vs. Caldwell.—Motion granted, costs to abide event.

Terwilliger vs. Hutchinson.—Motion granted, costs to abide event.

Van Voorhies vs. De Courcy.—Motion denied, without costs.

Soler vs. Thompson.—Motion granted on terms.

Bunns vs. Gunning.—Motion granted.

Judd vs. Bernan.—Default opened on payment of costs.

Beardsley vs. Braisted.—Order of arrest vacated, with $10 costs.

Butler vs. Conger.—Motion denied, with $10 costs.

Tingue vs. Doellner.—Motion granted on conditions.

Watrous vs. Young.—Motion granted, $10 costs to abide event.

Hirsnkind vs. Yennl.—Motion granted on conditions.

Brown vs. Levy.—Motion granted on conditions.

Rhunis vs. Hawley.—Motion granted on conditions; costs of defendant to abide event.

Lyddy vs. Driggs.—Motion denied; $10 costs.

Guainto vs. Cummings.—Motion granted on conditions.

Goodwin vs. Schmitt.—Motion granted on conditions.

Lawrence vs. Dooley.—Motion denied; $10 costs to abide event.

Tappen vs. Tompkins.—Motion denied; $10 costs to plaintiff.

Tompkins vs. Tappen.—Motion to open; default granted; $10 costs to defendant.

Decker vs. Gasse.—Order of reference granted.

Menke vs. Wagner.—Order of reference granted.

Tietjen vs. Anderson.—Motion granted for June 25.

Funke vs. Martin.—Judgment by default.

Byrne vs. Van Tuyle Manufacturing Company.—Motion granted for October.

Dohen vs. Hilborn.—Motion for costs denied.

Kennedy vs. Head.—Motion denied and bail reduced to $2,500 and cause placed on calendar, Part 1, for June 25.

Hudson vs. Universal Self-Lighting Lamp and Gas and T. Company.—Default noted against plaintiff.

Olenick vs. Tonnennotz.—Motion granted on payment of costs.

Kimball vs. Anderson.—Default noted.

Brilliant vs. Abraham.—The defendant may be relieved on payment or all the costs occasioned by his desire to make this a test case.

Talente vs. Hough.—The sum of $16 86 should be deducted from the costs and credited to defendant. No costs to either side.

Davis vs. Russell.—Motion granted for July 1; $10 costs to abide event.

Boya vs. Roersein.—Motion granted, with costs.

Hoyt vs. Cohen.—Motion denied; $10 costs to abide event.

The Eagle Condensed Milk Company vs. Bryan.—Motion denied, with $10 costs.

Gobinsky vs. Cohen.—Motion denied, with $10 costs.

Merriam vs. Watrous.—The $10 credited in this Court may be credited in part payment of the judgment obtained in the City Court. No costs of this motion.

Croeit vs. Luckly.—Motion granted, with $10 costs to abide event on defendant complying with conditions.

By Judge Alker.

Brown vs. Levy.—Motion denied, with $10 costs.

Hayward vs. Theis.—Motion granted for June 25.

GENERAL SESSIONS.

The Evers Shooting Case—Conviction and Sentence.

Before Recorder Hackett.

Yesterday the trial of Frederick Evers, charged with firing a pistol at James Curran on the 13th of April, was resumed. Mr. Howe called Francis T. Shay, who narrated the circumstances of the shooting. He saw Curran jump out of the doorway of the saloon, and rush towards Evers, grasp him by the throat or coat collar and strike him in the face, saying, "What! You down here again?" the prisoner replied, "Don't interfere with me; let me alone; I am not troubling you;" he pulled away from him, and got away three feet towards the gutter, when Curran made a rush for him, as though he was going to butt him with his head; he had his hands on his coat as if he was going to draw a knife or pistol; the prisoner drew away from him, and then he (the witness) heard the report of a pistol.

Frederick Evers, the prisoner, was then called and examined at great length. He testified that about the 20th of January last Curran threatened to throw him overboard; that every time he met the complainant about South street he called him names and interfered with him in the transaction of his business in shipping sailors, Curran being a rival in the same business; that he frequently assaulted him, and on one occasion he had him arrested and bound to keep the peace, and that Curran several times threatened to kill him; on the evening of the shooting the complainant grabbed him by the throat and said, "I will kill you, you Dutch son of a b—h! are you here again?" Curran struck him several times and tore a button off his coat before he could get away from him; he told him to let go of him; the complainant said, "I will kill you, and grabbed for his pocket," whereupon he (Evers) put his hand in his pocket, pulled the pistol out and shot him; he knew the desperate character of Curran, and, believing his life to be in danger, he discharged the pistol. The case being submitted by the Court, the jury rendered a verdict of guilty of an assault with a dangerous weapon, with intent to do bodily harm, coupled with a recommendation to mercy.

The Recorder said to the jury that he would have to respect their recommendation, but he believed it to be ill advised. This was one of those cases which were constantly occurring where, upon a foolish quarrel, a man draws a pistol and takes the life of his antagonist. If men will carry pistols they ought to be held responsible for the consequences of improperly using them. His Honor regretted, for the sake of an example to the reckless men of the community, that the jury did not convict Evers of an intent to kill. The prisoner was sentenced to the State Prison for three years.

Burglary.

John Kelly, indicted for burglary in the second degree, pleaded guilty to the third grade of that crime. On the 17th of this month he entered the apartments of Ellen McGrath, No. 336 Pearl street, and stole clothing valued at $40. Sent to the State Prison for five years.

Larcenies.

Peter Dauth and Herman Pohner, charged with stealing a watch, valued at $30, from the person of Martin Deichert, pleaded guilty to an attempt to commit the offence.

John Sullivan, who on the 17th of June stole a gold watch and chain, valued at $125, from Abraham Samuels, pleaded guilty to an attempt.

These prisoners were each sent to the Penitentiary for two years.

Dennis Sullivan, a little boy, who on the 6th of June stole $12 from the person of William H. Chase, pleaded guilty to an attempt to commit the offence. He was sent to the House of Refuge.

Assaults.

John Duff pleaded guilty to assaulting Charles W. Paul, on the 23d of May. The sentence was one year's imprisonment in the Penitentiary.

Patrick McGinnis, who cut James Graham in the face with a knife, on the 24th of May, pleaded guilty to assault and battery. He was sent to the Penitentiary for six months.

The Gill-Sullivan Homicide—An Alleged Murderer To Be Tried Next Monday.

Among the indictments presented by the Grand Jury yesterday was a bill against Mark Gill for murder in the first degree, in shooting Mortimer Sullivan, last Friday, at a saloon on the corner of Greenwich and Murray streets. In the afternoon the prisoner was arraigned, and through his counsel, ex-Judge Garvin, pleaded not guilty.

District Attorney Phelps said he was ready to proceed with the trial at once.

Recorder Hackett set the case down peremptorily for next Monday.

COURT CALENDARS—THIS DAY.

SUPREME COURT—CHAMBERS—Held by Judge Westbrook.—Nos. 49, 65, 83, 101, 111, 145, 165, 172, 177, 182, 183, 188, 192, 193.

SUPREME COURT—SPECIAL TERM—Held by Judge Donohue.—Demurrers—Nos. 4, 25, 31, 18. Issues of law and facts—Nos. 85, 166, 117, 192, 195, 202, 215, 218, 219, 221, 226, 11, 15, 30, 34, 144, 146, 163, 18, 86, 199, 16, 57½, 69, 83, 84.

SUPREME COURT—CIRCUIT—Part 2—Held by Judge Van Brunt.—Nos. 3022, 1578, 3376, 3356, 2360, 3552, 3628, 3202, 3054, 1014, 3210, 1838, 1012, 2064, 2066, 2068, 2070, 2072, 2074, 2076. Part 3—Held by Judge Van Vorst.—Nos. 1657, 611, 441½, 1145, 3127, 637, 3619, 1041, 292, 1653, 1643, 447, 2291, 317, 1671, 1499, 3191, 3209, 3190, 3129.

COMMON PLEAS—TRIAL TERM—Part 1—Held by Judge Robinson—Court opens at eleven A. M.—Nos. 4290, 4239, 4136, 4079, 4237, 4098, 4113, 4275, 344, 1805, 3770, 866, 1363, 1214, 2477, 1264, 1036, 4051, 3540, 3694. Part 2—Held by Judge J. F. Daly—Court opens at eleven A. M.—Nos 1370, 4291, 1838, 2631, 2570, 2571, 2739, 2092, 4276, 4279, 42, 1625, 2605, 4219.

MARINE COURT—TRIAL TERM—Part 1—Held by Judge McAdam.—Nos. 5460, 5451, 2373, 2478, 3195, 3286, 5469, 4696, 5004, 5005, 5362, 5428, 5483, 5491, 5492, 5510, 5412, 5243, 4856, 5580. Part 2—Held by Judge Gross.—Nos. 4463, 3120, 4069, 4498, 4804, 3722, 4128, 5446, 5219, 4671, 3244, 3498, 4398, 5468, 5222. Part 3—Held by Judge Spaulding.—Nos. 3922, 3281, 5486, 5466, 3965, 4448, 4859, 5384, 5385, 5403, 5550, 5223, 5224, 5225.

COURT OF GENERAL SESSIONS—Held by Recorder Hackett.—The People vs William Rilly, robbery; Same vs John Nolan, felonious assault and battery; Same vs Mathew McCabe, felonious assault and battery; Same vs John McCarty, burglary; Same vs Hyppolyte Roger, Grand larceny; Same vs Adam Sollars, larceny; Same vs James Mooney, larceny; Same vs Henry Sletting, larceny; Same vs Lizzie Grady, larceny from the person; Same vs John Woodlock, larceny from the person; Same vs William Stone, larceny from the person; Same vs Mary Mohn, larceny from the person; Same vs George Wallace, larceny from the person; Same vs Julius Mendelsonn and Edward Harvschild, forgery.

BROOKLYN COURTS.

OYER AND TERMINER.

Philip Kleinman Sent to the State Prison for Three Years and a Half.

Before Judge Pratt.

After the opening of the court yesterday morning, counsel for Philip Kleinman, on trial for killing William Platford, in the Eastern District, on the 23d May last, addressed the jury at considerable length, contending that the case was one of justifiable homicide. He was followed by the District Attorney for the people, who argued against any such verdict.

Judge Pratt charged the jury, and in the course of his remarks, read them the different degrees of murder and manslaughter. The jury, after remaining out a short time, returned a verdict, convicting the prisoner of manslaughter in the third degree. Judge Pratt thereupon sentenced Kleinman to the State Prison for three years and six months.

Counsel for defence asked that John Kleinman, the prisoner's son, who was indicted with his father, be discharged, as there had not been sufficient evidence adduced to warrant his detention. The District Attorney desired to examine the case before taking any steps, and the Court therefore declined to grant John's discharge.

SUPREME COURT—SPECIAL TERM.

Convict Labor.

Before Judge Pratt.

In June, 1869, Charles D. Bigelow was awarded the contract for the work of convicts at the Penitentiary for five years, with a promise of renewal at the expiration of that time. The contract was recently reawarded to him by the Supervisors, but the resolution was vetoed by the Supervisor at Large. Bigelow, who represents the Bay State Shoe Company, appealed to the Court for a mandamus to compel the awarding of the contract. Judge Pratt yesterday rendered a decision in his favor.

CITY COURT.

Decisions.

By Judge Neilson.

Galloway vs. Farrell.—Judgment for plaintiffs for amount due on bond and mortgage.

Corrigan vs. Corrigan.—Application to modify order as to alimony, &c., denied.

Simpson vs. Fuller.—The demurrer to complaint frivolous; motion to strike out granted with costs; answer on the merits may be put in if defendants stipulate to refer.

O'Brien vs. McCort.—Motion to set aside judgment as irregular denied with costs; defendant may answer on stipulating to refer.

Mead vs. Mead.—motion as to alimony granted; memorandum on papers filed.

White vs. Albert.—Order giving time to make case, &c., granted, costs to abide event.

Harlem vs. Sniffen.—An amended answer was put in in time, and after notice of trial, inquest irregular; no costs of application.

Brown & Bro. vs. Hume.—Motion to make answer more definite, &c., granted.

COURT OF APPEALS CALENDAR.

BUFFALO, N. Y., June 23, 1874.

The General Term of the Fourth Department day calendar for June 24, 1874, is as follows:—Nos. 103, 158, 177, 178, 184, 187, 51, 14, 26¾. This will be the last day. All stipulated cases were ordered on this calendar.

THE PUBLIC PURSE.

How the People's Money Goes.

Protracted Meeting of the Board of Apportionment.

THE CITY FINANCES OVERHAULED.

The Comptroller to Solve the Riddle.

The proverbial period for hydrophobia to germinate is supposed to be nine days. The time it takes for the Board of Estimate and Apportionment to make up their minds to convene a session is just as long, as was demonstrated yesterday by their holding a meeting just nine days subsequent to their last adjournment.

Pursuant to the call of the Mayor the Board held a session yesterday morning, at eleven o'clock, at the Comptroller's office. The members of the press seem to be of no account in the Comptroller's compassion; they are dished off with the least possible facilities, and such room as is assigned them is of the smallest possible compass.

It seems the meeting of yesterday was somewhat of a holiday occasion. The rigid examination of the revised estimates from the various departments by President Vance and Commissioner Wheeler foreboded a gigantic conflict. These gentlemen had come to a settled conclusion that they would, under no circumstances, vote for any appropriation unless they thoroughly understood the particular service to which it is to be applied. In order to inform themselves on the subject Mr. Wheeler, as Secretary of the Board, addressed communications to the various departments requesting detailed statements of expenditures. Some of these replied, while others did not; but when the estimates are to be voted upon the latter will find out their mistake in not furnishing the necessary information.

The Comptroller got himself up in holiday attire. The Mayor observed his usual stolidity.

The hour of meeting, eleven o'clock, arrived, with every member of the Board in his place. Adjutant General Storrs occupied the flank of the Comptroller, behind him sat General Martin T. McMahon, Tax Receiver; General Dickinson was sentry behind him, and scattered around the room were several prominent citizens, among them Mr. John Mullaly, ex-Commissioner of the Board of Health, and a number of heads of departments.

The Secretary read the minutes of the previous meeting, which were adopted.

The COMPTROLLER moved that in view of the laws authorizing a reapportionment of the public moneys to be collected by taxation for the years 1864–65, the Board proceed to reconsider and revise the estimates which had been submitted.

Mr. WHEELER opposed the motion, remarking that he would not adopt it in its present shape.

Mr. VANCE—I also am opposed to the resolution, for reasons which I shall hereafter state.

Comptroller GREEN—I have offered the resolution solely for the purpose of adopting some method by which we can get through with the complicated business before us. We have a great labor before us with little time to do it in.

Mr. VANCE—But we can get at this matter in another way. We can consider the estimates as a committee of the whole.

Comptroller GREEN—I am ready to agree to that. What I want is to get through the work. If an item should be read and be objected to, let it be laid over for future consideration. I do not desire to prevent any gentleman from exercising his discretion in relation to the tax levy. On the contrary, I wish to afford every facility for the purpose.

Mr. VANCE—We require certain information before we can act upon some of the estimates.

Comptroller GREEN—I request the Mayor to put my resolution to take up the estimates in accordance with the law, and to read them item by item.

The resolution was then put and lost by the following vote:—

Affirmative—Comptroller Green, 1.

Negative—Mayor Havemeyer, Mr. Vance and Mr. Wheeler, 3.

The Comptroller seemed greatly astonished that His Honor voted against him, and plainly showed his rising choler.

Mr. WHEELER now moved to take up the estimates in detail, which the Comptroller said, in evident glee, was just the very purport and object of his resolution.

Mr. WHEELER—We did not see it in that light. I desire to get at the matter in my own way.

Comptroller GREEN—Well, I agree to that.

The resolution was then put and adopted.

The estimates for the Common Council were read, in which the item of $25,000 appeared for clerk hire in the Board of Aldermen, and $15,000 for clerk hire of the Assistant Aldermen. The Comptroller wanted to know why this first named could not be reduced to the latter amount.

Mr. VANCE explained that a great deal of back work was done and that this item included the salary of the clerks to the Board of Supervisors.

On the Mayor's "contingencies" another wordy debate followed. Mr. Vance moved to defer action on the contingencies, which the Comptroller opposed, saying that the Chief Magistrate of 1,000,000 inhabitants should not have his powers curtailed to such an extent.

Mayor HAVEMEYER—I don't like to be clipped. I may need some additional help. I do not like to be crowded.

The COMPTROLLER said that many things arise in the Mayor's office where he has to offer a suitable reward, and cited the vitriol outrage in Harlem. It was a pity the Mayor could not be intrusted with some discretionary power. (Here Mr. Vance made some remark, when the Comptroller said he was not addressing himself to the President of the Board of Aldermen.)

However, the estimate was laid over.

On the estimates of the Finance Department a lively debate took place.

Mr. VANCE—I object to the Comptroller's estimate. I do not think it is a proper one. In this connection let me state that a communication signed by myself and Mr. Wheeler has been sent to the Comptroller. It contains all our objections to his budget in detail, but we have received no answer to it. We must, therefore, lay over his estimates.

Comptroller GREEN—Owing to the pressure of business I have not been able to attend to the matter.

The estimates of the Police Department, of Buildings, &c., were taken up and all laid over. When it came to the Health Department Mr. Vance moved to lay them over.

The Comptroller wanted to know why these were not passed.

Mr. VANCE—Because I shall have several amendments to propose.

Mr. GREEN—Why don't the gentleman propose them? What is the use to read over the schedule—we might as well read as many Scotch novels. Do I understand that the gentleman will not vote for any appropriation?

Mr. WHEELER (interrupting)—I certainly will not. We expect to come to some results before we get through.

Mr. GREEN—I don't want to see the time of the Board wasted.

Mr. VANCE—It is exceedingly difficult to answer the Comptroller's question. Mr. Wheeler and myself have united in sending a letter requesting the Mayor to call a meeting of this Board. When we did meet we found the estimates of the various department in manuscript, fragmentary and ready made opinions as to the amounts asked. We now want additional information, so we sent letters to the various departments requesting the same, after speaking to the Mayor on the subject. As soon as the answers are received we shall be able to tell all about the budget. I would now state once and for all that while I have a very high opinion of every member of this Board I will not take any ready made opinion. For myself I am going to show the public whether $33,000,000 bonds are falling due or not. No amount of pressure will have any effect upon me to vote than as the interest of the city demands or my conscience dictates. This body stands here as the highest imperial power. We stand between the Legislature and the people to raise money by taxation. My object in having the estimates read in full is to get at the details, and I cannot see what objection any member can have. The Comptroller is able to help us out. Why don't he do it?

The COMPTROLLER proposed to have a recess, but the estimates of the other departments were taken up and laid over.

Mr. HATCH made some explanation regarding his department; also as to the great efficiency of the Fire Marshal, whose estimate was to be reduced from $13,400 to $6,000; also the Bureau of Combustibles, from $19,000 to $5,000.

All the estimates were laid over and the Board took a recess until eleven o'clock this morning.

Before adjourning the following preambles and resolutions were offered by the Comptroller and adopted:—

Whereas advances have been made to contractors and others, in anticipation of collections of assessments levied or to be levied on property benefited by street improvements, such as regulating, grading, paving, curb and guttering, flagging, sewering, improving the Boulevards, &c., amounting to several millions of dollars more than has been collected from assessments; and whereas this large amount of advances in excess of collections of assessments has been provided by temporary loans in the form of assessment bonds; and whereas a considerable amount has become a charge upon the city at large by the reason of the vacation of assessments by orders of the Supreme Court, for which long bonds must be issued, as provided by law; and whereas there are included in the street improvements above mentioned a large number of works in the upper part of the city, now in progress by days' work, entirely under control of the Department of Public Works, on which large advance payments have been made, and which, before they are completed, will require an expenditure of a very large sum, of which there is no estimate, and which can be provided only by the further issue of bonds; and whereas, the large amount of bonded indebtedness thus imposed upon the city of New York should be limited as much as possible to the actual requirements of the city for public improvements; therefore

Resolved, That the Department of Public Works be requested to inform this Board of the estimated amount which will be required to complete the works now in progress by days' work, whether under ordinances of the Common Council or by special laws, and also the estimated amount required to complete contracts for public improvements, payable in part or in whole from assessments, whether under ordinance of the Common Council or by authority of special laws.

Whereas, chapters 303 and 308, passed respectively April 30 and May 1, 1874, authorize the Board of Estimate and Apportionment to reconsider, revise and redetermine the estimates heretofore made for the support of the government of the city and county of New York for the year 1874; and whereas, these acts were delayed nearly three months in their passage in the Legislature, having been introduced in the Senate on the 10th day of February, 1874; and whereas, these enactments afford the city Government of Estimate and Apportionment an opportunity to effect a reduction in the expenses of conducting the city government, and consequently a reduction of taxation; and whereas, the act, chapter 504, entitled, "An act to consolidate the government of the city of New York and further regulate the same," passed April 30, 1874, requires that all the expenses of conducting the government shall be provided by one authority, to wit: the Mayor, Aldermen and Commonalty of the city of New York, thus rendering it necessary, in order to conform to the spirit and intent of said act, to consolidate under one head certain expenditures which have heretofore existed under two heads; and, whereas, various items which were included in the previous estimate for 1874 are by laws since passed required to be left out, and the operation of the Consolidation act heretofore mentioned require certain other items to be omitted; and, whereas, action has been delayed on this subject till nearly one-half the year has passed, and there remains but a very short time within which the important work of revision of estimates is to be completed; and whereas, it is essential in this business, involving the consideration of so many details and such large and important interests, that the Board should in its action proceed systematically and methodically; now, therefore,

Resolved, That the Board now proceed to reconsider, revise and redetermine the estimates heretofore made for the year 1874.

Resolved, That said estimates be read through in order, item by item, and that any amendment suggested thereto shall be proposed at the time the item is read, and the question then taken thereon unless the proposed amendment gives rise to a debate, in which case it shall be passed and reserved for future consideration.

Schedule of officers, clerks and employés other than day laborers and foremen of day laborers of the Department of Public Parks, with their salaries and the funds from which the same are payable. Dated this 18th June, 1874:—

COMMISSIONERS' OFFICE.

Name.	Official Designation.	Salary.
H. G. Stebbins	President	$6,500 00
D. B. Williamson	Treasurer	3,000 00
William Irwin	Secretary	4,500 00
Isaac Evans	Assistant Secretary	3,000 00
D. P. Lord	Chief Clerk	3,000 00
F. C. A. Hecker	Clerk	1,200 00
John Watkins	Janitor	1,277 50
SUPERINTENDENT'S OFFICE.		
C. Ryan	Superintendent	5,000 00
R. Derriker	Landscape gardener	3,500 00
C. B. Trimble	Clerk	2,000 00
John Beckett	Messenger	912 50
William A. Conklin	Cl'k in charge of animals	2,500 00
John G. Sebald	Drawbridge tender	700 00
Benjamin Bates	Drawbridge tender	700 00
METEOROLOGICAL OBSERVATORY.		
Daniel Draper	Meteorological Director.	4,000 00
Thomas B. Ingram	Clerk	1,500 00
DISBURSING CLERK'S OFFICE.		
W. Van Valkenburgh	Disbursing Clerk	4,000 00
J. F. Belton	Clerk	1,800 00
W. H. Hoyt	Clerk	1,800 00
G. H. Harrison	Clerk	1,500 00
M. E. Sterne	Clerk	1,200 00
H. Carpenter	Messenger	912 50
J. McLaughlin	Messenger	912 50
PROPERTY CLERK'S OFFICE.		
William E. Beames	Property Clerk	2,500 00
LANDSCAPE ARCHITECT'S OFFICE.		
F. L. Olmstead	Landscape Architect	5,500 00
H. A. Martin	Clerk	1,800 00
A. M. Whittemore	Messenger	912 50
ARCHITECT'S OFFICE.		
Julius Munckwitz	Superint'g Architect	4,500 00
Arthur Kranse	Draughtsman	1,095 00
ENGINEER'S OFFICE.		
John Bogart	Engineer	5,200 00
Frank E. Caulkins	Assistant Engineer	1,800 00
Otto Sabeth	Draughtsman	1,500 00
H. Hermans	Rodman	1,200 00
Daniel Campbell	Rodman	1,095 00
Edward A. Miller	Rodman	1,095 00
Patrick Phillips	Axeman	1,033 75
W. A. Jeffries	Axeman	912 50
CIVIL AND TOPOGRAPHICAL ENGINEER'S OFFICE.		
George S. Greene	Civil and Topo. Eng'r	3,500 00
Isaac W. Maclay	Assistant do	4,000 00
J. J. R. Cives	Division Engineer	3,000 00
C. S. Smith	Division Engineer	3,000 00
R. L. Cook	Division Engineer	3,000 00
G. A. Cushing	Division Engineer	3,000 00
S. B. Smith	First Ass't Division Eng.	2,000 00
E. C. Morrison	First Ass't Division Eng.	2,000 00
S. S. Haight	First Ass't Division Eng.	2,000 00
F. Griffenberg	Draughtsman	1,800 00
E. L. Heusner	Draughtsman	1,500 00
Matthew Cox	Rodman	1,277 50
J. C. Halstead	Rodman	1,277 50
Thomas Fox	Rodman	1,277 50
S. F. Boggs	Chainman	1,033 75
Warren Barlow	Clerk	1,095 00
F. W. Brown	Messenger	730 00
BUREAU OF CONSTRUCTION.		
Wm. H. Grant	Engineer in Charge