

THE COURTS.

Tweed Discovers a Technical Error in His Indictment.

ACQUITTAL IN THE ELECTION CASES.

Important Verdict in the Communipaw Land Suit.

Judge Woodruff will commence, on Wednesday morning, October 21, at eleven A. M., at the court room 27 Chambers street, the hearing of reviews in bankruptcy and appeals in equity from the District Court and writs of error. Judge Shipman will hold the Court for the trial of issues on the jury calendar.

What should be an effectual lesson to owners of vicious horses was enforced yesterday on a verdict before Judge J. F. Daly, of the Court of Common Pleas. Mrs. Dr. Bronson was walking through the street when a biting horse, owned by C. E. Decker, ran at her, knocked her down and severely injured her. Suit was brought for damages, and a verdict for \$300 was rendered in her favor.

One of the old suits long pending against the city, brought by the clerks attached to the old Bureau of Elections, of which Cornelius Carron was the head and front, with a snug salary of \$,000, reached a finality yesterday before Judge J. F. Daly, of the Court of Common Pleas. Thomas McMullen, who got a salary of \$4,000, brought suit for the same, and for some reason or other there being no defence made, a verdict was given in his favor for the full amount with interest.

Yesterday Judge Benedict sat and resumed the hearing of criminal trials. William Edwards pleaded guilty in the United States Circuit Court yesterday to an indictment charging him with breaking open letter boxes. He is remanded for sentence.

Michael Hawkins was tried for breaking open a letter box. After a short trial the jury acquitted him.

James W. Carey, mate of the American ship Sovereign of the Seas, was put on trial in the United States Circuit Court, charged with having inflicted cruel and unusual punishment on one of his sailors, Annies Brignardello. After the examination of one or two witnesses, who were called on the part of the prosecution to prove the alleged offence, the case was adjourned till Monday next.

The Concordia Association of Baltimore brought suit, through its agent, Mr. Scherbenberg, for an injunction to restrain the actress Miss Marie Wolf from appearing on the stage in this city contrary to a contract by which she stipulated not to appear on the stage in any city in the United States for one year. Yesterday the case was to have been argued before Judge Robinson, in the Common Pleas, Chambers, but counsel were not ready and the argument was adjourned to Tuesday next, Judge Robinson giving the fair defendant meantime permission to follow her profession in this city.

THE TWEED SENTENCE.

After William M. Tweed has spent nearly a year on Blackwell's Island his counsel or some one for them have discovered an alleged material discrepancy between the finding of the jury and the record of the sentence. It is claimed that the jury found him guilty of a simple "misdeemeanor," whereas the finding on the court record makes him guilty of the several misdemeanors charged upon. Upon this discrepancy the counsel insisted that the sentence of fine and imprisonment for each misdemeanor was not warranted by the verdict. With a view to bring the matter to a legal test, and a probable one, doubtless, of shortening the term of Mr. Tweed's imprisonment, a motion was made yesterday in the Court of Oyer and Terminer, before Judge Brady, to make the record conform to the finding of the jury. The argument, of course, was purely technical, but as ingeniously made as Mr. Tweed's counsel, David Dudley Field and ex-Judge Comstock, could make it. No one outside of the counsel seemed to care much about it, making it plainly apparent that the interest at that once centered in the fortunes of the great ex-Mayor of Tammany and Master of the Municipal Fund had subsequently been transferred to the record of the case. It was urged for the motion that the change in the record asked for was one of the greatest importance in the history of the case, and would shorten his term of imprisonment. It was urged, further, that if the Judge made a mistake it was the duty of the Court, which is superior to the Judge, to correct it. The Court, after representing the majority of the people, while a judgment of the Court represented only a minority of the people, and that the defendant had a right to demand a correct record of what was done. There was no appeal to the sympathies of the Court, but simply asking that it was corrected. The Court, after consulting Messrs. W. H. Peckham and District Attorney Phelps spoke in reply. They contended that the charge was made in a proper and correct manner, and that the Court had no jurisdiction. At the close of the argument, which was very brief and containing only the above points, Judge Brady took the papers, reserving his decision.

THE ALLEGED ELECTION FRAUDS.

After various delays and misapprehensions the trials of the sixteen republican inspectors of election, charged with violating the Election laws at the last election, was entered upon yesterday before Judge Brady in the Court of Oyer and Terminer. Augustus A. Levy was first put on trial, and, he having been acquitted, as the report below will show, it is probable that the prosecution against the others will not be pushed any further. Ex-Judge Fullerton, Mr. Purdy and Mr. Morrison were counsel for the accused; Colonel Fellows and Colonel Wing were counsel for the State. Being given of Levy's appointment as inspector of the Twelfth election district, Eighteen witnesses, contained in one, two, and three, were called to testify. He was acquitted, and the jury returned a verdict in his favor, but got no satisfaction—got laughed at. Mr. Fullerton—They laughed? Mr. Morrison—Yes, they laughed. Mr. Fullerton—They are a gang now? Mr. Morrison—Oh, yes. Mr. Fullerton—What position were you in when the witness closed? Mr. Fullerton—I did not occupy any position. Mr. Fullerton—Yes, you did; not officially, but physically. Judge Brady—He means where you stood. Witness—I believe near the door. On further cross-examination the witness admitted that, so far as he knew, the numbers announced are correct, and the inspectors might have seen the inside of the ballots, but he did not know. Fellows admitted that he did not check, but argued that the letter of the law was violated, though the inspectors arrived at a correct conclusion. While the counsel was stating what the case should be, Judge Brady said, "I am glad that counsel concurs with the Court." (Laughter.) Judge Brady (to the witness)—The only omission proved was that the ballots were not left open on the table, and he should not ask the jury to convict or acquit. But the statute contemplates that the ballots should be left open after being taken out, so that the watcher can see where they are, otherwise his position would be no advantage. The evidence was that he did not open all the ballots, and in this he committed an error, and he would leave it to the jury whether it was willful or not.

FRAUDULENT LAND SALES.

The case of James Shees and Ellen Kiley vs. Thomas Larkin and John D. Monell was yesterday continued in Part I of the Court of Common Pleas, before Judge Logie. The defendants were charged with fraudulently exchanging property under water in Communipaw Bay, to which they had no title, for the steaming Pope Catlin, belonging to the plaintiffs. The case was begun on the 11th inst., and has since occupied the attention of the Court. Messrs. Townsend and Wood, counsel for the plaintiffs, introduced voluminous testimony showing a widespread system of fraud existing in regard to Communipaw property. It was shown also that fictitious maps were put on file in the County Clerk's office. Copies of the maps and of the deeds mentioned in the pretended exchange of the defendant's property were introduced. It appeared that of the conspirators Larkin was the pretended owner of property, and Monell, a lawyer by profession, was the pretended attorney. The latter was not convinced of their truth at first. His subsequent consciousness and the stated objections to making the transfer to Monell. The latter quieted his objections by suggesting the obtaining of the opinion of the Attorney General, the Attorney General of the State of New Jersey, on the question as to whether the State laid claim to the lands. A letter making the inquiry was sent by Monell to the Attorney General. The latter answered it, saying, "The State does claim the land." This was altered to "The State does not claim the land," and the deed was executed. He afterwards heard that Larkin owned no property in Communipaw, and caused a search to be made by a reputable lawyer of Jersey City. This gentleman reported that Larkin owned no property and had owned none in Communipaw. Another search was brought on the 11th inst. by Messrs. Van Cott and Francis Byrne, counsel for the defendants, who admitted most of the facts, although under protest. The jury found a verdict for the plaintiffs, and the sum of \$6,000, with interest from the date of the transfer. Stay of execution was granted for thirty days.

CONFEDERATE COTTON.

The suit of Nelson Clemente vs. Francisco Yuteria was argued in Supreme Court, General Term, yesterday, before Judge Davis Daniels and Lawrence. Plaintiff alleges that in 1863 the defendant took and converted to his own use 270 bales of cotton which belonged to plaintiff, and lay at Camargo, Mexico; that he took them away on a steamerboat to Matamoros and thence to Socca del Rio and there shipped them to Liverpool, England. Two defenses are entered—that the cotton was sent to Clemente by the Confederate Government, and that his contract with the Confederate authorities was void; and secondly, that the defendant was a rebel, and that the cotton was sold to him by a rebel merchant. The matter came up on appeal from a decision of Judge Donohue, who refused to vacate an order of arrest, but reduced the bail from \$125,000 to \$60,000. No decision was rendered, the Court taking the papers.

BUSINESS IN THE OTHER COURTS.

SUPERIOR COURT—SPECIAL TERM.

Decisions. By Judge Curtis. Klecker vs. Coie.—Order of reference to A. J. Patterson vs. Stillman.—Extra allowance of \$300 to plaintiff. Gardner vs. the Mayor, &c., New York; Josephson vs. the Third Avenue Railroad Company; the Harlem Bank vs. Geary et al.; Hoffman vs. Treaswell; Malloy vs. Yuttiger; Rhodes vs. Arthur.—Order granted. By Judge Van Vorst. Haasock vs. Heydahl.—Order signed.

MARINE COURT—PART I.

Action for False Imprisonment.

Quigley vs. Todd.—This was an action for arrest and false imprisonment. The plaintiff, a clerk in the jewelry store of G. Lawrence, No. 97 Fulton street, was arrested by the defendant, who is a peddler, in March last, when the defendant purchased a pair of sleeve buttons, he wrapped them up for him and took his money; that some days after the defendant called and desired to return the goods, which being declined, he went out, got a policeman and had plaintiff arrested; that he was detained at the station house more than an hour and a longer time at the Tombs Police Court, and that he was imprisoned for a longer time than he was entitled to. The defendant offered evidence to show that he was arrested by a policeman, and that he was imprisoned for a longer time than he was entitled to. The Court, after hearing the evidence, granted judgment for the plaintiff, and awarded him \$100 damages.

MARINE COURT—PART II.

Adopted Self-Destruction.

John Marshall, a married man, residing at No. 61 Ely street, was charged with a charge of having attempted to commit suicide by drowning in the North River. He had been drinking to excess, and was probably suffering from delirium tremens when he threw himself into the river. He was rescued by the fire department, and is now recovering in the hospital.

TRIALS OF POLIOEMEN.

Some sixty-five cases of complaints against policemen were disposed of yesterday by Commissioners Dabecker and Duray, and about the same number by President Mattell and Commissioner Voorhis. Officer Larkin, of the Eighth precinct, was charged by Captain Williams with drinking gin in company with a friend while on duty in the street. The Captain said he noticed the officer walking up the street with a gentleman, and he followed him to see what he was about. When they got to the corner they ordered a drink, and the bartender of the store in front of which they stood brought on the liquor. The officer then drank the gin, and the Captain and the gentleman who accompanied him, who remained behind him ready to receive it. The case was referred to the Grand Jury, and the officer was acquitted.

THE NEW COURT OF ARBITRATION.

Yesterday was the first day for the transaction of actual business in the new Court of Arbitration at the Chamber of Commerce. At two o'clock, when Judge Panocher arrived, there were several gentlemen in attendance who were interested in the first case on the calendar. One of the counsel announced to the Judge that an important witness had failed to appear, and that the case was adjourned, which was granted, to the 23rd inst. There are a large number of cases on the calendar, and the Court is expected to be very busy.

COURT OF GENERAL SESSIONS.

A Young Man Sent to State Prison for Fifteen Years for Robbing a Lady in the Street. The prisoner disposed of yesterday by the Recorder was James O'Brien, a young man, who was convicted a week ago of robbing Mrs. Sallie D. Elliott of a pocketbook containing \$20 while she was passing through Forty-seventh street in the middle of the day. His honor, in passing sentence, was of the opinion that O'Brien was a habitual thief, and that he was a danger to the community, and he sentenced him to State Prison for fifteen years.

ANOTHER BORDAL LABEL.

An indictment for libel was found yesterday by the Grand Jury on the Kings county Oyer and Terminer, against Demas Barnes, publisher of the Brooklyn Argus. The publication which is charged as libelous referred to the relations alleged to exist between the late Mayor and George Wilson, which appeared in the Brooklyn Argus on the 24th of August last. The indictment was transferred to the Brooklyn City Court, in order to hasten the trial.

WORK OF THE CORONER.

At an early hour yesterday morning the body of an unknown man, about forty years of age, was found lying on the sidewalk at the corner of Fort-street, between Seventh and Eighth streets. The deceased had dark brown hair, light mustache, and wore a dark mixed coat, dark striped pants, gray undershirt and brown shoes. The remains were sent to the Morgue, and Coroner Kessler notified. Coroner Kessler was yesterday called to No. 331 Broadway, where he was informed that a young man, named Mary Kerwin, six years of age, who died from the effects of acids received about two weeks ago by a bottle of acid which she had broken, was found on the fourth floor of the building at No. 331 Broadway, which was owned by the late Mrs. Mary Kerwin. The body was taken to the Fifth precinct station house and the Coroner notified. While D. Dines, a boy over nine years of age, whose parents live at the corner of 122d street and First avenue, died yesterday from hemorrhage, a fall while at play during school recess. Coroner Croker was called to hold an inquest.

THE GLENNING TRIAL.

The Pistol Followed by the Bible—Glendening's Arrest and His Subsequent Interview with the Injured Girl Described—The Line of Defense Foreshadowed.

The trial of the Rev. John S. Glendening was resumed before the Presbytery at Jersey City yesterday. The attendance of spectators was larger than on the previous days. Many witnesses were present who had not previously attended, and the gallery of the church was assigned to the witnesses for the prosecution.

THE GLENNING TRIAL.

Mr. Dodd, for the defence, submitted to the Presbytery that while they were perfectly willing, if the Presbytery should so decide, that the trial should proceed and that his testimony be admitted, they declined to waive their legal rights in the case, and they reserved to themselves the right to sit all the testimony at the summing up of the case, to demand the exclusion of hearsay testimony, and to protest against any verdict by the Presbytery if hearsay testimony were admitted. He said that he had consulted an eminent jurist, and from the advice he received he felt compelled to take this course.

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AMERICAN ARBITRATION IN ITALY.

The question of boundary, just decided by Mr. Marsh, American Minister at Rome, in favor of Italy, related to the mountain Cravairola, which was claimed both by Italy and Switzerland. The arbitrators were unable to agree and the question was, accordingly, referred to Mr. Marsh as umpire.

MARRIAGES AND DEATHS.

Married. BERNHARD-MORRELL.—At the Methodist Episcopal church, Greenwich, Conn., on Wednesday, October 14, by the Rev. G. E. Glover, Mr. RICHARD W. BERNHARD, of New York, and Miss MARY E. MORRELL, of Greenwich, Conn.

DEATHS.

DEATHS.—On Thursday, October 16, MONTGOMERY D. MILLER, aged 62 years. His late residence, No. 425 West Twenty-second street, on this (Saturday) afternoon, at half-past one o'clock. Friends of family are invited to attend the funeral, on Sunday, October 19, at one o'clock P. M., from his late residence, No. 425 West Twenty-second street.

DEATHS.—On Thursday, October 16, Mrs. CATHERINE GILBERT, in the 73rd year of her age. Her late residence, No. 17 East Tenth street, on Sunday afternoon, October 18, at two o'clock P. M. The relatives and friends of the family are respectfully invited to attend the funeral, on Sunday, October 19, at one o'clock P. M., from her late residence, No. 17 East Tenth street.

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