THE TRANSIT OF VENUS.

Work of the American Astronomers in Japan.

A JEALOUS CLOUD.

The Second Contact and Photographs Secured.

Close following the full and interesting official reports of Professors Watson and Peters, published in yesterday's HERALD, comes the equally instructive one transmitted from Nagasaki, Japan, by Professor G. W. Davidson, to the Transit Commission at Washington. The labors of the chief astronomer at Japan have already been epitomized in special cable despatches sent to the HERALD on the morning after the occurrence of the celestial phenomenon. Appended will be found the more complete and detailed record of the work done by the Japan expedition.

REPORT OF PROFESSOR GEORGE DAVIDSON.

UNITED STATES TRANSIT OF VENUS STATION, NAGASAKI, Japan, Dec. 19, 1874.

Rear Admiral C. H. DAVIS, President Transit of Venus Commission, Naval Observatory, Washington:—

DEAR SIR—The report of the operations of the party will be as brief as possible. The organization effected by the commission was as follows:—

Prof. George Davidson, United States Coast Survey, Chief Astronomer, in charge of the party.
Mr. O. H. Tittman, United States Coast Survey, Assistant Astronomer.
Mr. W. S. Edwards, United States Coast Survey, Second Assistant Astronomer.
Mr. S. R. Seibert, United States Treasury Department, Chief Photographer.
Mr. H. E. Lodge, First Assistant Photographer.
Mr. F. H. Williams, Second Assistant Photographer.

Finding that I was short-handed in the photographic department, I employed at Nagasaki Mr. Uyeno as third assistant photograher. In recording, copying and duplicating, I was frequently compelled to use the services of Master George F. Davidson, and sometimes those of my wife. We left San Francisco August 29, five weeks after the other Northern parties; arrived at Yokohama September 23, and the instruments in charge of Mr. Edwards left for Nagasaki next day. Having obtained the necessary authority from the government to make the necessary examinations and locate my station in any part of the Empire, to receive and ship the instruments free of duty, and to have the use of the government telegraph lines for any longitudes required, I left Yokohama, and reached Nagasaki October 6. To the Japanese government I had offered to allow some of their young officers or students to accompany my party to witness the operations and learn the methods and means employed in such work, and they appointed the following gentlemen to accompany and assist me:—Lieutenant K. Otomo and Midshipman K. Isomo, Imperial Japanese Navy, and Mr. T. Mageme, of the Mombusho, as interpreter and negotiator.

It was also arranged that Professor David Murray, Chief Councilor of the Educational Department of Japan, and Mr. Y. Hatakeyama, Director of the Imperial College, should join me about December 1. Subsequently Captain N. Y. Yanagi, Chief of the Bureau of Hydrography, and esteemed one of the most learned men in Japan, joined the party in November. Upon the return of Mr. Isomo to Tokei, his place was supplied by Midshipman J. Kaneki. Messrs. Murray, Yanagi and Hatakeyama and Magome were required by the government to make special reports of the operations of the party.

MANOEUVRING FOR A POSITION.

At Nagasaki the cable connects with Vladivostok and the southern ports of China, and, although I felt certain of better weather elsewhere in Japan within reach of the telegraph line and more favorable atmospherical conditions for observing at great altitudes, yet the shortness of the time for preparation compelled me to select this station. The previous three months had been marked by unceasing rains, but on the 5th of October the bad weather broke and changed for the better. After an examination of the hilly country immediately surrounding the bay upon which Nagasaki is situated, I chose a steep, bare hill, about one mile south of the southern part of the city, and obtained permission from Miyagawa-Kensei, of Nagasaki district, to open a road to the top of it. The chart of Nagasaki Bay will give an idea of its general location, while the records contain a sketch of the immediate topography of the summit. So soon as this road was completed, the ground on the narrow ridged crest of the hill was prepared for the piers and the houses and instruments carried up. Piers for the transit and equatorial instruments were built, and the iron piers for the photographic apparatus placed in position. The utmost care and precaution were exercised in these preliminaries. However, before this work was completed Professor Hall telegraphed me that he would be ready for work October 15, and as he had written me urging the completion of the telegraph longitudes between our stations before December 9, lest he should remain there frozen in until spring if it were delayed, I determined to give up my time to that longitude work. For several reasons I selected a transit station in the grounds occupied by the telegraph company. I was informed that no arrangement had been made with the company for this special work, and no plan of operations had been agreed upon.

THE TELEGRAPHIC LONGITUDE SYSTEM.

Upon representing the case to Mr. Th. Russell, the manager of the great Northern Telegraph Company, he promised me the free use of the cable for the work, and placed me in communication with Mr. Carl Neilsen, the electrician of the company. I urged upon him the advantage of our sending clock signals directly through the cable, and upon examining our connections and methods of work he reported favorably, and I was enabled, by means of the insulated nature of the clock helices, to break circuit directly on the main line. But as the clock signals were too short for transmission the armature was held back at certain definite breaks in each minute. Of course there were many little incidental difficulties in the way, but after ten days' work three nights were obtained wherein several hundred clock signals were sent to and received from each station.

Mr. Russell, on behalf of the companies, gave us the line for one or two hours each night, and Mr. Neilsen, when not on regular duty, gave his time wholly to our assistance. To the other gentlemen of the company we are also indebted for their willing assistance in our operations. The work of the telegraph longitude station was done with the United Staets Coast Survey meridian instrument No. 2; field chronograph 4,848, and relays used in the San Francisco Cambridge work. Without these I could not have done the work until after the transit of Venus. This telegraph work was completed on the 7th of November, and on the 8th I transferred all our time and labors to the transit of Venus station.

PREPARATORY SURVEYS AND EXPERIMENTS.

And I may here state that I selected a base line and made the necessary measures for connecting by triangulation the telegraph longitude station with the transit of Venus station. Up to November 14 the observations for occultations were made, but there was a blank in the list from that date to December 2. I soon found, however, that the labors of the day, and the regular work of preparation, practice and observing was as much as could be done.

In order that I might be familiar with the phases of Venus I had large painted boards placed on Meridian Hill, three miles north of the transit station. These phases were to represent the cusps, Venus when ten seconds on, when forty seconds on and when wholly on the sun's disk. They were made of the size which Venus would present in the telescope; the only error being in our then uncertainty of the exact distance.

I have recorded the practice upon these objects in the regular day book, observing upon them whenever practicable in all sorts of weather, and also practising my assistants. The regular observations for time and latitude were made by Mr. Tittman and Mr. Edwards. Toward the 9th of December I also observed in the Coast Survey meridian instrument. Some delay was occasioned in this work on discovering that the levels of the Stackpole transit, 1507, were useless; but, fortunately, I had the United States Coast Survey meridian instrument, with extra levels, which, after much trouble, I fitted in the transit. I determined the value of the micrometer and the equatorial intervals of 1507, and Mr. Edwards determined the inequality of the transit axis pivots, which was large and not regular.

THE PHOTOGRAPHIC APPARATUS

was in good working order early in November, but for nearly two weeks there was not sufficiently clear weather for drill and practice. Upon the first good day experiments were made for the best focus of the objective, and satisfactory negatives gave me a focus one inch shorter than assigned to the lens. After this adjustment was effected the lens and reticulated plate never required changing. The values of the level scale on the reticulated plate and on the engineer's level were determined by Mr. Tittman. In the quick photographs proposed at IV and I contact I had made frames for holding half a dozen half plates, each to obtain the sun's sun.

It would give six pictures per minute, but with proper mechanical means would give twice that number. Mr. Seibert devised a method of getting a small part of the sun's limb and the centre; to which I added the electrical method of recording each time of exposure. By this means exposures can be obtained about each second; but with proper mechanical appliances it could be made to give two per second. All things being considered, after our experience I should prefer the half-plate exposures. To the skill and workmanship of Messrs. Seibert and Williams I am indebted for the execution of the foregoing work, and much more that almost daily arose in the preparation of the photographic arrangements, and to all for their willingness, aptitude and steady attention to duty. To make the photographic branch of the transit labors a success I directed Mr. Seibert to spare no means for its accomplishment, either in the hiring of extra assistants or the purchase of material. Upon the arrival of Dr. Murray he cheerfully assumed the duty of recorder in the photographic room, besides assisting in any other manner required.

THE APPLIANCES ALL MADE READY.

Everything was in good working order before December, and I felt that, so far as the means at our disposal was concerned, nothing had been overlooked. The printed instructions had been carried out as systematically as practicable. The only deviation I made was in not taking down the heliostat every night of transit work, and directing the middle transit thread on the middle thread of the reticulated plate before and after transits. The very act of removing and replacing such a heavy and unwilling mass as the heliostat was, in my judgment, risking not only the safety of the reflector, but was nearly sure to jar the iron pier, if anything would. But the transit was always referred to the meridian mark before the examination of the photographic plate adjustments, and every morning and evening was referred to the mark, so that we must know its distance from the meridian very closely. Notwithstanding our being in readiness we had many annoyances to hinder uniformity and smooth results in the character of the instruments. With the heliostat we had constant trouble, and I was compelled to clear it several times and also that of the clock movement. The chronograph ran irregularly in spite of attention and care, and was a source of constant annoyance with its frightful noise. On the 9th the chronograph and the heliostat were running fairly well. The spring governor of the equatorial broke, and there being no instrument-maker here, and as no springs had been furnished with it, I took the instrument apart and replaced the broken spring. After running one day or so I had to take the clockwork, &c., apart and clean again. Then the second spring broke, and again I replaced it with part of a watch spring. After more trouble with the spring and another cleaning I got it running well about two weeks before the transit. The value of the screw of

THE DOUBLE IMAGE MICROMETER

I determined upon two nights by transits of Polaris, and Mr. Tittman determined it upon one night. And here I may mention that there were several nights when the equatorial with this double image micrometer would not show the companion of Polaris, and at all times the star itself was irregular and deformed. Whenever the sun was visible I examined it to judge of the general character of the limb, and of the spots for sharpness and steadiness, and for the exhibition of the faculæ in comparison with my observations of it in the Sierra Nevada in the summer of 1872. The conclusions which I arrived at from those experiments have been fully verified and confirmed. At this station I have failed to recognize any faculæ. A few days before the 9th, the weather was thickening; the nights were in part clear, but the days cloudy, heavy and threatening. On the 8th, I obtained good transits for time, and repeated them at four A. M. of the 9th. Suddenly thereafter the clear, bright, starlight morning sky was wholly covered with clouds that grew thicker until sunrise.

THE TRANSIT AT HAND.

About eight A. M. all the adjustments of the photographic apparatus were examined; the distance between the ends of the measuring rods and the reticulated plate measured, and soon after through a break in the clouds the reversed photographs were successfully made. Then the weather changed; two strata of clouds were seen to have formed—an upper stratum of cirrus and cirro-stratus, forming a loosely coherent screen, while below that and resting on the mountain, three or four miles south of us (and 1,950 feet elevation), was a dense stratum of cumulo-stratus coming up slowly from the southwest with a steady movement.

At half-past nine A. M. this lower stratum became so dense that our hopes were gone, but about ten minutes after ten o'clock a break occurred in it and the sun was visible through the upper stratum with variable distinctness. At intervals it was too bright to observe with the unassisted eye at the equatorial, and the shades of glass were too few. I had another set furnished by the Coast Survey, but on preliminary examination of the sun three had been broken by the sun's heat. I used the lightest shade furnished with the instrument (not the thin ones), and when I commenced watching steadily, about two minutes before the predicted time, so as to include the time of the English prediction and also to search if Venus was visible off the sun's limb, the outline of the sun was moderately steady, yet not sharply cut and defined, and I would have liked a great deal more light. As I kept up the beat of the chronometer I felt sure that the predicted time had long passed, when the clouds rather suddenly thickened and the faintest outline only of the sun was visible.

JUST TOO LATE FOR THE FIRST CONTACT.

Yet I could not risk unscrewing the colored glass, and before I could have done so the sun's limb brightened and the limb of Venus was seen just entered upon the sun at the exact spot at which I had been steadily looking for over three minutes. From my practice on the artificial Venus I judge the planet was ten seconds on at the time I noted. About seven or eight seconds thereafter and when Mr. Davidson had made the record I called out "Commence" to the photographers. The sun's limb was quite steady just before the first contact, and at the brightest intervals I could not see any approach of Venus nor any different indications at the expected (real) point of contact than at adjacent parts of the limb at which I occasionally glanced.

THE EPOCH

which I noted after the first contact was one minute thirty-six seconds later than the American prediction. Mr. Tittman was observing with the Coast Survey Hassler Equatorial of three inches aperture, and when I called out to the photographers to commence exposures he noticed that Venus was already well upon the sun's limb at the exact spot at which he was looking. Captain Yanagi, with the United States Coast Survey Resous telescope, No. 35, of one inch and a half aperture, took his eye from the instrument as if he had not seen the planet. I now prepared to obtain measures of the distance of the planet on the sun, as I had practised; but, though visible, it was too faint to admit observations of precision. I tried here, as before first contact, to observe with the unassisted eye, but sudden openings in the clouds rendered it too full of risk to my eyesight. When the planet was about half way on the sun's limb the images brightened, and I made

FOURTEEN MICROMETER READINGS

of the cusps, with varying conditions of the sun's brightness. The cusps were not as origat as I could desire; a lighter shade of dark glass would have enabled me to get more certain measures. When near second contact I turned the micrometer to zero for the observation. This contact I got as well as such an observation can be made, and although I do not think it was noted exactly, yet I feel satisfied that it has not an error of two seconds. It was noted about two minutes after the predicted time. There was no black drop or band or true ligament, only a slight disturbance of the limbs that prevented instantaneous and sharp separation as I had observed in the total solar eclipse of 1869, in Alaska. But this disturbance was exactly similar to what I have been accustomed to meet with in twenty-nine years' experience on the Coast Survey work at all moderate elevations. It was similar to the disturbance which I noticed in the artificial Venus in Washington and Nagasaki.

THE SECOND CONTACT OBTAINED.

Mr. Tittman reports that he got the second contact well:—"The sun was seen through the haze or thin clouds, and the limb not much disturbed. The line of light broke clearly, and in an apparent true continuation of Venus' limb." He says that when he took his eye from the telescope Captain Yanagi called "time" to his assistant, thus noting the epoch of the event four seconds latter than Mr. Tittman. After the second contact I commenced micrometer measurements of the separation of the limbs of Venus and the sun, and with varying phases of brightness and unsteadiness, until the images became too faint. I obtained seventy-eight micrometer readings. I had mounted the United States Coast Survey meridian instrument No. 2 to observe the passages of the limbs of the sun and Venus at meridian, and also arranged that Mr. Tittman should observe the difference of declination of the upper limb of the sun and the limbs of Venus in the Stackpole transit, 1507.

MERIDIAN TRANSITS OF THE LIMBS.

Near culmination the sun was partially obscured and I used the light shades of the sextant, giving a light orange image of the sun. The record was made on a fillet of coast survey chronograph 4,848, and I noted the passage of the sun's first limb over nine threads, and of the first limb of Venus over eight threads, second limb of Venus over eight threads, second limb of sun over six threads. Mr. Tittman made nineteen micrometer readings of the sun's upper limb, and the upper and lower limbs of Venus. Clouds then prevented observations for a few minutes, but at ten minutes after noon I commenced measuring the horizontal diameter of Venus with the double-image micrometer under varying phases of visibility. In this work I obtained forty-four micrometer readings and capital results. Mr. Tittman obtained nine and Professor Murray six readings, when the clouds obscured the sun completely. Clouds increased and nothing more seemed probable.

A WORK OF SUPEREROGATION.

The observations for meridian passage of the sun and Venus, and the measures of the diameter of Venus when on the sun's disk were not referred to in the instructions of the commission. There was a slight break in the clouds when Venus was one diameter from the third contact; then more thick clouds. Near the third contact there occurred an opening in the clouds, and ten or fifteen seconds before contact I saw the clear separation with little or no unsteadiness of the limbs of the sun and Venus; better even than at second contact; no ligament or band.

A DEFEAT SNATCHED FROM VICTORY.

Suddenly clouds covered it almost at the instant of contact and broke just after the contact; but I feel that it was not more than five seconds past, and so noted the time of reappearance. There was a clear, sharp outline and no disturbance. The sharp points of the cusps almost touched and were very delicate objects. This epoch is only eighteen seconds after the predicted time. For this observation I was using the unassisted eye, and in the sudden gleams of light was almost compelled to desist. Mr. Tittman observed for the third contact with the unassisted eye and noted the event. "Clouds passing interfered with the exactness of the determination, but apparently clouds caused the only uncertainty. Observer cannot form an estimate of the error of his notation." After the third contact there was a slight opening, and, with sunshade, I tried to get measures of the cusps, but succeeded in obtaining only three micrometer readings with cusps faint. At the fourth contact dense clouds. About four o'clock rain commenced. During these observations I was assisted by Mr. Tittman, who noted the times for cusp measures and separation of limbs. Master George F. Davidson and Mrs. Davidson aided in recording and at the chronograph. After I noticed the photographer to "commence," the quick pictures were run through, but no indentation of Venus is exhibited. This was when I failed to get measures.

SUCCESSFUL PHOTOGRAPHIC WORK.

When the sun came out sufficiently for me to observe, photographs were obtained with the planet thereon, and plates were run through whether there was sun or clouds. Of course, under such circumstances, many plates show nothing whatever; but by this means many negatives were obtained when there was an opening of only a minute or two. Had there been a clear day the photographic operations were so consecutive that not less than 400 plates could have been exposed during the period of the transit. About 116 plates were actually exposed, and probably one-half of them furnish as fair photographs as could be obtained under the circumstances and with collodion films. Mr. W. S. Edwards remained at the heliostat throughout the day, to direct it in case of derangement, &c. At dark there was a narrow break in the rain clouds for half an hour or more, and I fortunately succeeded in getting a good set of transit observations to check the chronometers. The night set in thick and rainy. Having been advised by the secretary of the commission that the funds at its disposal were low, and that the telegraph longitude work hence to Melbourne was abandoned, and that I must close operations and discharge the party as soon as practicable, I made my preparations accordingly, but carried on our photographic observations, as instructed, for one week. The instruments were dismounted, and such as were ordered home have been gotten ready for shipmint. The rest remain in the United States naval storehouse at Nagasaki, as directed. The work of preparation and observation has given me fair opportunity for judging of the capacity of the instruments and methods, and the outfit and *personnel* for working; and I might add my judgment thereon, but it might be deemed uncalled for by the commission, and, therefore, I refrain.

A TRIBUTE TO WORTHY COLABORERS.

On behalf of the members of my party I can speak with the greatest freedom, because there has been no jar, no want of harmony, no shrinking from duty. All have faithfully and earnestly endeavored to do their best for the success of the expedition, and in sincere accord. And I cannot close this report without expressing my gratitude and hearty thanks to the Japanese authorities for assisting our labors and intercourse with the people; for affording me the use of the government telegraph line hence to Tokei for telegraph longitude, and for their assigning officers of rank and position to accompany the expedition and report upon its appearances and methods.

Very respectfully, your obedient servant,
GEORGE DAVIDSON,
United States Coast Survey, Chief United States Transit of Venus Party to Japan.

ENCKE'S COMET.

TO THE EDITOR OF THE HERALD:—

Last summer, when observing Coggia's comet one evening I asked two visitors whether it appeared curved. They said, decidedly, "No; it is perfectly straight." Said I, "If it was curved, which way would it be curved?" They agreed that it might be curved to the left and could not be curved to the right, but repeated that it appeared perfectly straight. My computation indicated a very slight curvature to the left.

After Coggia's comet had disappeared, I saw that Encke's comet would pass its perihelion this spring, and I concluded to try the same principle there. From its co-ordinates computed in 1862, when I last saw it, and from a rough assumption of its perihelion passage I obtained positions for January and February, which I supposed would be probably within half a degree. On January 25 I first looked for it, but did not recognize the stars, and swept over twenty or thirty degrees area without detecting it. On January 26 I took more pains and identified the stars, but could not recognize the comet. Then I said to myself, "If the comet is within half a degree of the predicted place, where is it?" After a careful examination I selected the place and recorded it, thinking that if that was not it it was certainly beyond my reach. The next opportunity I had was on February 1. Again I looked, but could not recognize the comet. Again I selected and recorded the place with less hesitation than before, where I thought it must be if I could see it at all. But I could not be confident that I saw anything there, even when, upon comparison, I found that the two independent positions remarkably agreed. I was so little sanguine of the results of my attempt to assist observation by imagination that when, on February 3, I saw that the comet was first seen in the Washington twenty-six inch, on January 26, and subsequently, when I saw that on January 31 Stephan pronounced it the "*extremum visibile* with a seven inch refractor," my aperture being six inches, I overlooked the fact that Von Asten's Ephemeris being within fifteen minutes of the truth at that time, and being contained in *Nature*, of February 18, would enable me to test my results. My attention has just been called to that, and upon laying down the actual places of the comet, allowing for precession, upon an enlarged representation of the neighboring stars from the Bonn Catalogue, I find that in each case my recorded position was about one minute north of the true position of the comet. I feel certain, therefore, that I actually saw the comet on both occasions.

My theory is, to give it a little more scientific look, that an amount of light insufficient to satisfy the mind that it exists at all may be sufficient to attract attention to its correct location. Whether this method of observation can be made available, I do not know. It would be at least necessary that the observer should not be too well aware of the true position of the object to be observed.

HENRY M. PARKHURST.

NEW YORK, March 22, 1875.

SENATOR SCHURZ'S LECTURE.

Senator Carl Schurz lectured at Steinway Hall last evening on "Educational Problems," under the auspices of James C. Rice, Post No. 29 Grand Army of the Republic. The lecture has been delivered before in this city, and judging from the number in the hall it must have made a favorable impression, as most of the seats were occupied. Messrs. Peter Cooper, Senator Fenton, Congressman B. A. Willis, General Roome, General Anson McCook, Waldo Hutchins and a number of other gentlemen occupied seats on the platform.

Congressman B. A. Willis presided and opened the business of the evening by a short address, in which he pictured the Army of the Republic and its noble and charitable deeds, and said that now its members bear no hatred to those that formerly they confronted in the battle field, adopting the Christian maxim to forget in peace what they learned in war. The receipts of this evening, he said, would go to a noble charity in aiding the orphans and widows of those death left on the battle field. Mr. Willis then concluded by saying, ladies and gentlemen I shall recompense you for so patiently listening to me by introducing the soldier, statesman and orator, Senator Carl Schurz, who will now address you.

Senator Schurz then delivered his lecture on "Educational Problems," which has already been given to the public in the daily press.

RAPID TRANSIT.

THE MAYOR AND THE EXTENSION OF THE ELEVATED RAILROAD.

David Dows, the President of the Greenwich Street Elevated Railroad, and Mr. Peter Cooper called upon the Mayor yesterday in relation to the resolution which was passed by the Aldermen last week advising the Legislature to pass the bill now in the Lower House authorizing an extension of the Greenwich Street Elevated Railroad. The two gentlemen stated to the Mayor that the company in whose behalf they had called was determined to do everything that lay in its power to give the people a good rapid transit road, and they hoped, therefore, that he would approve the object of the resolution. Mr. Cooper stated that the company's charter would give them the right to extend their tracks to Harlem; that the tracks were to be relaid, more cars were to be built, and such improvements adopted as would make an accident from the falling off of a car from the rails an impossibility. Mr. Cooper claimed that a speed of forty miles per hour could be attained on the road when completed and improved.

The Mayor replied that he was heartily in favor of every feasible plan to give the people rapid transit. It was, he said, one of the most important questions effecting the future of the city and the comfort of her constantly increasing population, and, so far as he was concerned, he would do all that he could to help on every good plan.

To-day at three P. M. the friends of the Metropolitan Transit Company are to confer together in the rooms of the Board of Aldermen, when plans, &c., will be submitted for inspection.

DESTITUTION IN BROOKLYN.

At an early hour yesterday morning the attention of Officer Ryan, of the Third precinct, was attacted by the cries of a child, which proceeded from the hallway of tenement house No. 62 Amity street. Entering the hall he found Mrs. Ann McDermott lying insensible from drink on the floor, and nestling close to her mother was a child two years and a half old. A few feet further away an infant one year and a half old was found in a famishing condition. The wretched woman and her children were removed to the Butler street station house, where they were warmed and fed. The husband of Mrs. McDermott recently abandoned his family because of her persistent intemperate habits.

THE COURTS.

Argument for a New Trial for the Jeweller Swindler.

THE SNOW-HEAP NUISANCE.

Important Decision in Favor of the Railroads.

In December last Samuel Shapter and Edward Hopper were joint owners of the Metropolitan Theatre, with an agreement between them to equally share the profits and losses. In settling up the affairs of the theatre for two weeks prior to the 29th of December last it was found that there was a loss of $824 65. Hopper, as alleged, refused to stand his part of the loss, and yesterday Shapter made application in Supreme Court, Chambers, before Judge Donohue, for an attachment against the property of Hopper. The application was granted.

Mrs. Elizabeth Harden employed Robert H. Corbett as counsel in the Harden will case. Subsequently she placed in his hands about $115,000, and has brought suit to recover the sum. In his answer Corbett states generally that his services and expenses as her counsel and losses sustained through stock investments at her instigation swallowed up the whole sum. Application was made to Judge Lawrence, in Supreme Court, Chambers, to compel a little more particularity as to how the money was used. Judge Lawrence yesterday granted the motion in part and in part denied it.

In the matter of the contested will of Elizabeth Coyne—contested by the eldest surviving daughter, married—Surrogate Hutchings yesterday, after hearing testimony, admitted the will to probate. The deceased, by her will, leaves some $10,000 to her younger children. The wills of Hannah and Helen Key Shaaff were yesterday admitted to probate.

In the case of George Albert Mason, the alleged counterfeiter, whose examination was set down for yesterday, a further postponement was granted by Commissioner Shields in the absence of the principal witness, Ensor, who had not arrived from Rochester, where he is held on a charge of passing counterfeit money. The Commissioner set down the case for two o'clock tomorrow, when, if the secret service detectives are not prepared to go on or fail to show good cause therefor, he says he will discharge the accused, Mason, on his own recognizance.

In the Court of Oyer and Terminer yesterday, Judge Barrett on the bench, the case of John Jourdan, who is indicted for murder in the first degree, was called for trial. Mr. William F. Howe, counsel for the accused, said that the murder was one of recent occurrence, and they would hardly be able to try it this week. Assistant District Attorney Russell said that this was a very serious case, that he expected a verdict of murder in the first degree, and was opposed to its going over until next week. It was finally set down for trial on Wednesday. Jourdan is indicted for the killing of a man named Hoffer, with whom he used to be very friendly, by stabbing him in the head on the 25th of February last.

LARCENY LEGALLY DISSECTED.

An application was made yesterday by Mr. William F. Kintzing, at the General Term of the Supreme Court, before Justices Davis, Brady and Daniels, for a new trial in the case of George Weyman, who was tried at the February Term of the Court of Oyer and Terminer, before Justice Barrett, upon an indictment for grand larceny, convicted and sentenced to the State Prison for five years. George Weyman was formerly in the jewelry business at No. 17 John street and stood well in the trade. In November last he suddenly disappeared. Subsequently it was discovered that a large number of jewellers had been victimized out of some $10,000 worth of jewelry and precious stones. The *modus operandi* by which the fraud was effected was ingenious and well calculated to deceive. Weyman, who had unlimited credit in the trade, would either call in person or send an order by his clerk for some jewelry, obtaining the same upon representation that he had a customer for them. Power was given to him to sell the goods and return the money; in default of which he was to return the articles given to him. Having thus obtained the articles he fled, as a matter of course, never returning either the jewelry or any money realized from any sale. The charge upon which he was convicted was preferred by Charles Kuhn & Co., jewellers, doing business in John street, from whom the prisoner obtained five pairs of gold band bracelets, worth $270, in the manner above described. Upon the trial Mr. Kintzing contended the facts did not, in law, make out a case of larceny, as the complainant voluntarily parted with his property in the jewelry.

Yesterday Mr. Kintzing contended that the Judge erred upon the question of larceny; that in delivering the possession of the jewelry power was given to him to sell the same and convey title. It was intrusted to him, and its return was not expected. Counsel cited several cases in support of his theory.

Assistant District Attorney Russell submitted that the facts, if true, made out a case of larceny; that Messrs. Kuhn & Co. parted with the possession of the jewelry, but not with their property in the jewelry; that the jewelry was parted with for a particular and special purpose. He cited a number of authorities on his brief, which, he said, sustained the position the Court below had taken.

Mr. Kintzing, in reply, contended that if the accused had been guilty of any crime it was that of obtaining goods by false pretences.

After hearing the views of the respective counsel the Court took the case under consideration and reserved its decision.

THE SNOW HEAP NUISANCE.

The Christopher and Tenth Street Railroad Company, feeling authorized under a decision of Judge Robinson, of the Court of Common Pleas, to remove snow from their tracks by means of snow ploughs and sweepers, concluded that such legal authority was of little avail if the Police Commissioners were to be allowed to shovel the snow on the tracks again. Application was accordingly made by the railroad company for an injunction restraining the Police Commissioners from throwing snow on their tracks. Judge Donohue, of the Supreme Court, to whom application was made, gave his decision in the case yesterday in favor of the railroad.

A CURIOUS WILL CASE.

Charles O'Neill died in 1866, and Isaac Gerry, one of his executors, died the following year. The latter, meantime, had, as alleged, collected some $12,000 belonging to O'Neill's estate, which he had so confused with his own funds that after his death it could not be identified. Gerry left a widow and seven children, all but two of whom were under age, and each of whom was a devisee in his will. There was also a posthumous child, Florence Gerry, for whom no provision was made in the will. Gerry's estate was quite large, including valuable real estate and some $90,000 in personal estate. The surviving executor of O'Neill brought suit against the various devisees of Gerry, and also against Florence Gerry, to recover the $12,000 claimed to be due O'Neill's estate. The suit resulted in a judgment in his favor. The defendants appealed to the Supreme Court, General Term, where the case came up for argument yesterday. It was claimed that the complaint should have been dismissed as to all the defendants, except Florence Gerry; that she, being the posthumous child not provided for in the will, was by statute liable to the same extent as heirs at law; that devisees could not be called upon to pay the testator's debts until the creditor had exhausted his remedy against her; that, even if the remedy against both could be maintained in the same suit, the devisees could only be made liable for the deficiency after having applied the whole of Florence's share to the payment of the indebtedness. It was argued for the adult defendants that the plaintiff should first have exhausted his remedy against the personal assets. On the other side, it was urged that the plea of misjoinder should have been raised by demurrer. The Court took the papers, reserving its decision.

SALUTE BY THE YACHT RAMBLER.

Peter J. Hauck was going to Hoboken on the ferryboat Hoboken in July, 1866, having taken a seat in the ladies' cabin. The yacht Rambler, in going alongside, fired a salute. The wad from the cannon passed through the side of the cabin, striking Mr. Hauck on the elbow. The injury was of such a character that several surgical operations were required. Mr. Hauck died in 1872, and although seventy-four years old his death was alleged to have been accelerated by the injuries received from the firing of the salute. Some time before his death, however, he brought a suit against Francis Skiddy and Henry S. Fearing, the owners of the yacht, which was tried in the Superior Court, but resulted in the dismissal of the complaint. His widow now brings suit against the same parties, claiming $5,000 damages on account of her husband's death. The trial of the second suit began yesterday before Judge Robinson, in the Court of Common Pleas. The defence is the statute limitations, and that the former trial was a bar to the present action. The trial will probably occupy another day.

SUPERIOR COURT—TRIAL TERM—PART 1.

Before Judge Monell.

DAMAGES ON A RUNAWAY CASUALTY.

In December, 1872, the horses attached to a carriage belonging to A. S. and E. Odell took fright in Fifty-second street and ran away. The carriage was broken to pieces and the horses badly injured. As the vehicle ran against a pile of flagstones in the street, thus causing the damage which ensued, the Messrs. Odell have brought suit against William A. Williams, a contractor for flagging the streets; John C. Donnelly, the owner of some new buildings in front of which was the pile of flagstones, and the city, $2,500 being the aggregate damages claimed. The trial began yesterday, and will be resumed this morning.

MARINE COURT—CHAMBERS.

Before Judge McAdam.

CONTEMPT OF COURT CASE.

A receiver of the property and effects of Jacob F. Wildpreth was appointed by Judge McAdam, of the Marine Court, in proceedings supplementary to execution. The defendant thereafter interfered with the collection of certain rents by the receiver, and a motion was made to punish him for his interference as for contempt of Court. Judge McAdam said that the Court must enforce obedience and respect to its orders, and punish any interference with the officers in the proper discharge of their official duties, and that the defendant was clearly guilty of contempt of Court (under Riggs vs. Whitney, 15 Abbott, p. 388; Wiswall vs. Simpson, 14 How. U. S., 52), and thereupon committed the defendant to the County Jail for five days.

DECISIONS.

SUPREME COURT—CHAMBERS.

By Judge Lawrence.

Mercantile National Bank vs. Bicos Sewing Machine Company.—Motion to continue injunction and for the appointment of a receiver is granted, with costs.

Bruce vs. Kelly.—Motion to vacate order of arrest or to reduce bail denied, with costs.

Weed vs. Keleman.—Memorandum for counsel.

Voss vs. Cowdrey.—Motion to strike out certain portions of the complaint denied, with costs, for reasons stated in the memorandum.

Robinson vs. Brisbane; Studwell vs. Bliss.—Orders as settled.

Harden vs. Corbet.—Motion granted to the extent indicated upon the margin of the notice of motion.

Heatherton vs. Hastings.—Neither the complaint nor the order appointing the receiver are among the papers submitted. I cannot dispose of the motion without these papers.

Peterson vs. Beebe.—Exceptions overruled and report of referee confirmed, with costs.

By Judge Donohue.

Christopher and Tenth Street Railroad Company vs. The Mayor, &c.—Opinion.

Hurtig vs. Hurtig.—Referee's report and order confirming same and granting a decree of divorce to plaintiff.

Lippmann vs. Smith.—Granted.

Schmidt vs. Levy.—Motion denied.

Paull vs. Lackemeyer.—Motion granted.

Philips vs. Walker.—Referee allowed $98 in full.

SUPREME COURT—SPECIAL TERM.

By Judge Van Brunt.

Bostwick vs. Frankfield.—Findings settled.

Martin vs. Hicks.—Motion denied.

COMMON PLEAS—SPECIAL TERM.

By Judge Robinson.

Upton vs. Bedlum.—Motion for a new trial denied, with costs.

SUPERIOR COURT—SPECIAL TERM.

By Judge Curtis.

Margutt vs. Bayer.—Motion for reference granted conditionally. See memorandum.

Immertz vs. Ambler et al.—Motion to continue injunction granted.

Wehle vs. The Bowery Savings Bank.—Order settled.

Sawtell vs. Garibaldi.—Injunction vacated as to business and the proceeds of business carried on by defendant as a painter and decorator, or by the firm of Garibaldi & Co., since May 1, 1874. Motion for a receiver granted.

COURT OF GENERAL SESSIONS.

Before Judge Sutherland.

A TRUNK THIEF SENT TO PRISON.

In the Court of General Sessions yesterday morning, before Judge Sutherland, George Fehn, who was convicted last week of grand larceny, was brought up for sentence. Judge Garvin, the counsel for the accused, moved an arrest of judgment on a technical legal point, which was overruled by the Court.

Judge Sutherland, in passing sentence, said that since Fehn was remanded appeal had been made to his sympathy by the wife of the prisoner and also by a man in a prominent public position. He (the Judge) could not suffer himself to be influenced by such consideration, for the aggravated nature of the offence called for the most severe punishment. The verdict, in his judgment, was fully authorized by the evidence, for he had no doubt Fehn organized a gang of boys to assist him in the perpetration of a novel kind of larceny most dangerous to the community. (It will be remembered that Fehn was in collusion with the boys in stealing trunks from the Grand Central depot by putting on them checks procured in the baggage room.) His Honor sentenced him to the State Prison for five years.

BURGLARS SENTENCED.

James Rice and James Clark pleaded guilty to an attempt at burglary in the third degree. On the night of the 9th inst. they broke into the boot and shoe factory of Jacob Emmanuel and stole twenty-one pairs of gaiters, valued at $130. Rice was sent three years and Clark two years and six months to the State Prison.

Timothy Shine, who on the 3d of this month stole $44 from the person of George Patterson, a brakeman connected with the Hudson River Railroad Company, pleaded guilty to an attempt to commit the offence. As the accused showed to the satisfaction of his Honor that he previously had a good character the punishment was mitigated to imprisonment in the State Prison for one year.

TOMBS POLICE COURT.

Before Judge Kilbreth.

OFFICER NUGENT DISCHARGED.

Officer John Nugent, of the Twenty-seventh precinct, who was arrested some time ago on suspicion of burglary, had an examination before Judge Kilbreth yesterday afternoon. When the examination was over Mr. Hummell, who appeared for Nugent, moved for the discharge of his client on the ground that the evidence failed to support the charge. The motion was granted.

JEFFERSON MARKET POLICE COURT.

Before Judge Kasmire.

ALLEGED FALSE REPRESENTATIONS.

Peter Link, of Melrose, N. Y., was arraigned before Judge Kasmire yesterday on a charge of obtaining $16,000 worth of malt under false pretences. The complainant, a Mr. John Schelleys, of Hamilton City, Butler county, Ohio, alleged that he had, between the 6th of February and 1st of March, shipped to the defendant the above amount of property under certain representations as to his (Link's) ability to dispose of it at a fair price, and also that he would send in returns either cash or good notes. About $8,000 worth of malt was shipped to Peter Link, which he afterward represented he had disposed of to one Mr. Diehl, and sent in return two notes at sixty days, amounting to $8,000, drawn by Diehl. It is further averred by the complainant that at the time of the writing of the letter enclosing the notes in question Diehl was insolvent.

The case was sent by Judge Kasmire for further examination to the Sixth District Court, where it will be heard by Judge Wheeler.

ESSEX MARKET POLICE COURT.

Before Judge Sherwood.

THE FRONT PLATFORM AGAIN.

About a quarter past three yesterday afternoon Mr. Bunker, of No. 121 West Eleventh street, was riding up town on the front platform of a Fourth avenue car, of which Thomas Curtis is conductor. When near the corner of Rivington street Christian Gade, who was driving a lager beer truck belonging to Buckner's brewery, Clifton, S. I., attempted to cross the track in front of the Fourth avenue car. At the same time a Third avenue car, which was coming down the Bowery, struck the hind wheel of the truck. The consequence was the pole chain of the truck broke short off and the pole swung across the front of the Fourth aven