THE COURTS.

Delving Another Abyss of Stock Speculations.

A LONG LITIGATED ADMIRALTY SUIT.

Constitutionality of the Act for Removal of Causes.

RESPONSIBILITY IN OVERDRAWN ACCOUNTS.

Interesting Crim. Con. Suit on the Tapis.

Suits engendered by stock speculations are of growing frequency in the courts. A suit of this class presenting some rather singular features came to trial yesterday before Judge Larremore, holding Supreme Court, Circuit. It is the old, old story of using other people's money to woo the fickle goddess in Wall street, with additional criminality in this case, as alleged, of appropriating the funds of a bank for this purpose. The complainant in the action is Francis W. Worth, assignee in bankruptcy of the Market Savings Bank, and the defendants Matthew P. Bemus, ex-member of Assembly and a well known stock speculator, and Mr. Van Name and Henry R. Conklin, respectively president and secretary of the Market Savings Bank. It is claimed that the defendants in July, 1869, took from the savings bank $100,000, without the consent of the trustees or directors, and applied the same to their own use; that in July, 1870, there was paid back $33,100, and in January, 1872, $29,222 59, and that there is now due $37,677 42, with interest since January 1, 1872, together with the interest on $100,000 for one year, and interest on $66,900 for six months. The answer is a general denial of all these allegations. After the testimony had been submitted on behalf of the plaintiff, confirming the state of facts as set forth in the complaint, Mr. Bemus was called as a witness for the defence. His direct examination occupied considerable time, in which he denied most emphatically any knowledge of the money having been taken from the Market Savings Bank as set forth in the complaint. He conceded to indulging largely in stock speculations, principally in New York Central Railroad stock, at the time such money was alleged to have been taken from the bank's funds. In his cross-examination he was pretty severely handled by Mr. Parsons, the plaintiff's counsel, although not deviating materially from the statements made in his direct examination.

"You talked over stock speculations, did you not, with Mr. Conklin?" was one of the questions asked him.

"Yes, sir," answered the witness.

"Where were these conversations?"

"Sometimes at the bank, but more generally at the Fifth Avenue Hotel."

"Did you give him any points on the New York Central?"

"I told him what was told me by Mr. Clark."

"Did you tell him you thought the stock would go up?"

"I did, sir."

"Well, what else did you tell him?"

"I told him that if I had $100,000 at my own command I could make money."

"And the $100,000 was furnished you?"

"Yes, sir."

"By Mr. Conklin?"

"Yes, sir."

"Did he tell you where he got the money?"

"No, sir; he simply told me he knew a party who would furnish the money."

"And you did not know who that party was?"

"I didn't know and I didn't care to know."

"Do you know whether the money didn't come from the bank?"

"I told you that I didn't know anything about it."

"You knew Conklin was a poor man?"

"Yes, sir."

"How was the $100,000 used?"

"As twenty per cent margin on 5,000 shares of New York Central stock."

This cross-examination was continued at great length and was not concluded at the time of the adjournment of the Court. The trial promises to occupy two or three days.

IMPORTANT DECISION IN ADMIRALTY.

An important decision was yesterday rendered in the United States District Court, Admiralty branch, by Judge Blatchford, and one which sets at rest a long litigation between the parties to the issue. In 1874 John H. Allen, of Chelsea, Mass., but then in London, England, purchased the bark Herald and sent her with a cargo to Colon, Central America, whence she sailed for the Mosquito coast for a cargo of mahogany for England. She experienced rough weather, losing anchors and being otherwise damaged, and in January, 1875, returned to Colon, where such extensive repairs were ordered that the master, with the assent and advice of the Consul, sold her. Mr. Allen was disatisfied, and brought action against the vessel and Gustave Wessels, her present owner, claiming that the sale was unnecessary and collusive. The case has been on trial for several months in the United States District Court, an immense amount of testimony having been taken, chiefly as to the condition of the vessel.

Judge Blatchford says, in rendering his decision dismissing the libel:—Without the principles laid down by the Supreme Court I think the libel in this case must be dismissed. The vessel was in such a condition and the necessity was so urgent as to just fy the sale. There was a necessity for the sale within the meaning of the commercial law, because nothing better could be done for the owner. The honesty and good faith of the master in making the sale are satisfactorily shown. The master could not within a reasonable time have consulted the owner. He called to his aid disinterested persons of skill and experience, competent to advise him, and who, after a survey of the vessel, advised her sale. He was at a great distance from the owner and had no direct means of communication with him. He had no money and no credit, and the repairs that were necessary could not be made at the place where he was. I see nothing to impeach the good faith of the claimant or of the respondent. The libel is dismissed, with costs.

LEGAL CIRCUMLOCUTION.

An important suit, and one which involves a large amount of money, after going with various fluctuations through several courts of the country, is now pending under a writ of error in the Circuit Court of this district. Francis Vose several years ago brought suit against David L. Yulee, a citizen of Florida, and other defendants, among whom was the Florida Railroad Company, to recover an amount of money which, it was alleged, Yulee was liable for as an indorser for the company. The suit, after a protracted contest, was sustained as against Yulee and dismissed as against the other defendants. Yulee thereupon moved for a new trial and the removal of the cause into the United States courts under the Removal act, he being a citizen of the State of Florida. The Court of Appeals, before whom the case was argued, affirmed the judgment of the General Term, which was adverse to Yulee. He thereupon applied through his counsel, Mr. E. N. Dickerson, for a writ of error, which has been granted by Judge Johnson, of the United States Circuit Court, whereby the proceedings in the case are to be reviewed by the United States Supreme Court on the question as to the constitutionality of the Removal act, under which causes can be removed in suits between citizens of different States. The decision in this case will have an important bearing on other similar cases pending before the courts.

ANSWER IN A CRIM. CON. SUIT.

In the action brought in the Supreme Court by August Cæsar against Philip Krieger, a wealthy produce dealer, for $100,000 damages for the alleged seduction of his wife, Messrs. William F. Kintzing and J. O. Mott, counsel for Cæsar, the alleged injured husband, were served yesterday with the answer of Philip Krieger to the complaint recently served in the case. Mr. Krieger denies that he ever alienated or destroyed the affections of Mrs. Cæsar from her husband, or that he has ever been guilty of the adulterous conduct charged against him. On the contrary, he says that his conduct in respect to morality is, like the original Cæsar's wife, "above suspicion," and asks that the complaint may be dismissed with costs. Issue having thus been joined between the respective parties to the action the case has been placed upon the calendar of the Court, and Messrs. Kintzing and Mott have served upon Mr. David Levy, counsel for Mr. Krieger, a notice of trial for the coming May term of the court.

INTERESTING BANK SUIT.

The Central National Bank, of Baltimore, Md., sues the Royal Insurance Company, of this city, to recover $7,000 which the plaintiffs allege an agent of defendants overdrew from their bank on defendants' credit. The case is on trial in the United States Circuit Court, before Judge Wallace. From the evidence, it appears that the defendants sent one John James Jackson to their agent at Baltimore to open an office in that city and to extend their business among the Marylanders and citizens of adjoining States. He was accredited as such agent to the plaintiffs, and in the course of his negotiations with the bank in the name of his employers he overdrew the defendants' account in the bank $11,000, of which sum $4,000 was subsequently recovered from Jackson, and it is for the $7,000 balance the present suit is brought. The defence is that the plaintiffs did not exercise due caution in their business and contributed to their own loss.

SUMMARY OF LAW CASES.

W. C. Manck, the alleged New Orleans Post Office defaulting clerk, who was arrested on Monday last, yesterday came before Commissioner Shields and gave bail to appear before the United States Circuit Court in New Orleans in November next for trial.

Judge Barrett, in Superior Court, Chambers, yesterday, upon the application of Messrs. William F. Kintzing and John O. Mott, allowed a writ of error on behalf of James Moore, the emigrant swindler, convicted before Recorder Hackett in the Court of General Sessions and sentenced to State Prison for five years.

Judge Barrett yesterday appointed John M. Mackey referee to ascertain the amount due on a bond and mortgage, in the suit of Cornelia W. Haven against the Four-in-Hand Club. Leonard W. Irvine and William R. Travers are named as defendants in the action.

Two heavy judgments in suits brought for moneys advanced in mining speculations were entered yesterday upon inquests held before Judge Lawrence, in Supreme Court, Circuit. Both suits were brought by Floyd Bailey against Henry C. Dart and Edward Dart. In the first judgment was given for $46,579 82 for the plaintiff and $99,416 80 in the second.

John S. Coit, assignee of William Sutphen, the lawyer, seeks to recover $10,122 93 for services claimed to have been rendered by the latter as counsel for the North Carolina Ore Dressing Company. The case came to trial yesterday, before Judge Lawrence, holding Supreme Court, Circuit. The defendants deny ever having employed Mr. Sutphen as counsel.

In the suit of Henry W. Rubbeli against the Mutual Insurance Company Judge Barrett yesterday ordered a commission to issue for the examination of various witnesses in London, including Samuel Gray, the official liquidator of the English and American Bank (Limited), such witnesses to be examined on behalf of the defendant.

The case of the United States against William Orth and others for the forfeiture of a supposed still and worms, and for the recovery of various penalties arising from the supposed use of the apparatus in question in the distillation of spirits, was closed yesterday. The jury found against the government on all the points presented by the prosecution. On a motion for a new trial Judge Blatchford expressed his views to be in concurrence with the verdict of the jury, but assented to hear a motion for a new trial.

Judge Brady yesterday denied the recent application made by Mr. Montague L. Marks, made on behalf of Bernard S. Levy for a mandamus against the County Clerk, directing him to allow Mr. Levy to copy certain judgment dockets and to compare others. The ground of denial was that a request to compare lists of judgments down to May 1, 1876, could not be possibly complied with. Leave is given to amend his application, when the same will be heard.

Henry C. Cole, charged with uttering $10,000 in forged bonds to one William Muir, was yesterday acquitted in the Court of General Sessions, before Judge Sutherland. He was immediately rearrested on a civil suit and taken to Ludlow Street Jail.

Before Judge Van Hoesen, in the Court of Common Pleas, was tried yesterday a suit brought by Paulina Oberwarth against Cochran, McLain & Co. Defendants obtained a judgment against plaintiff's husband for $290, and execution was issued to Marshal Farley, who levied on and sold a stock of goods in his store on avenue A for about $500, the goods being claimed to be owned by the plaintiff and the sale being under a bond of indemnity given by the defendant. The defence justified, setting up fraudulent transfer of the goods from the husband to the wife. It is claimed by the plaintiff that the execution should have been given to the Sheriff. The suit is for $5,000, the stock of goods being claimed to be worth $3,000 and $2,000 loss to the plaintiff in her business. The jury were ordered to bring in a sealed verdict.

DECISIONS.

SUPREME COURT—CHAMBERS.

By Judge Barrett.

Fearing vs. Cornish; Miller vs. Cornish; Morgan vs. Wellis et al.—Judgment granted.

The People, &c., vs. Robie et al.—The application must be denied.

Tuthill vs. McGovern.—Motion denied.

The Mayor, &c., vs. Stofford.—The plaintiff may move for an injunction (if so advised) upon these papers; but I think the prospects of success are doubtful, and certainly no temporary injunction should be granted without hearing the defendant.

Burnham vs. Adriance; Spring vs. Spaulding; Same vs. Same.—Motions granted.

Von Schiller vs. Von. Schiller.—Counsel fee of $50 and alimony at the rate of $8 per week awarded.

Watrous vs. Fernbacher.—Extra allowance of five per cent granted.

Cutting vs. Stevens.—Motion for receiver granted.

Matter of the application of the Department of Public Works, &c., relative to laying out a new street, running parallel to 155th street, in the city of New York, easterly from Kingsbridge road, across Tenth avenue to the Boulevard, near the Harlem River, &c.—Report confirmed and order granted.

Rasines vs Ambrose et al.—It would be grossly inequitable to deprive Mills & Ambrose of the right to defend, as between Vyse and themselves there was no reason why they should assume the mortgage, and at all events the plaintiff did not take title upon the faith of such assumption. They ought to be allowed to defend as to the claim for deficiency upon payment of $15 costs and $10 costs of motion. Order to be settled on notice.

Matter of Conover.—I am not satisfied with the proofs of identity and age. This mode of taking testimony in such matters is very unsatisfactory, and why not the matter examined upon these proofs? I do not feel justified in directing the payment of the money.

Tytler vs. The Board of Revision.—The Court of Appeals has awarded full costs in each case. Such is its judgment embodied in each remittitur. It is not for the Court below to say that the respondent shall have costs in but one action, or but part costs in all the actions save one. That was a matter upon which the judgment of the Court of Appeals should have been specially invoked. The motion must be denied, with $10 costs of one motion.

By Judge Donohue.

Matter of the sale of the real estate of Martha Celina Brown et al. (infants).—Motion denied.

Amerman vs. Bartow.—Order granted denying motion.

The Empire Building and Mutual Loan Association et al. vs. Stevens.—Order granted.

Matter of William H. Kissam, &c.—Order signed confirming report and discharging trustee.

By Judge Lawrence.

Yerks vs. Salomon.—If I correctly understand counsel this case has once been settled, and each party now desires to insert something in the case which does not appear in the stenographer's minutes. As I have no means of ascertaining the details of the trial, and my memory does not enable me to determine which party is right, I must be guided by the notes of the stenographer. The amendment cannot be granted except on consent.

By Judge Brady.

Matter of the application of Bernard S. Levy for a writ of mandamus.—Opinion.

Woods vs. Birdsall.—The affidavits submitted on the releasing are extremely contradictory and render a trial just. The default will be opened on the following conditions:—Judgment and proceedings to stand as security; defendant to accept notice of trial for May Term; cause to be placed on the short calendar; defendants to pay $10 costs of the motion. Order to be submitted to me on the 27th of April by leaving same at Chambers. Costs to be paid on April 29, 1876.

SUPREME COURT—CIRCUIT—PART 1.

By Judge Lawrence.

McDonnell vs. The Mayor, &c.—Motion for a new trial denied.

Lillia vs. Ward.—Motion for reargument denied.

McDonnell vs. Dillon et al.—Complaint dismissed as to the defendants Dillon, Smith and Repley.

SUPREME COURT—SPECIAL TERM.

By Judge Larremore.

The Central Railroad Company of New Jersey vs. The Rockland County National Bank et al.—Findings and decree signed. An allowance of $40 granted to plaintiff.

The Real Estate Trust Company vs. Rader et al.—Findings and decree signed.

SUPERIOR COURT—SPECIAL TERM.

By Judge Speir.

Matilda L. Dugan vs. Patrick Callaghan.—I see no reason on the papers submitted why the examination of Thomas Dugan and John J. McGurk should be had. The motion to set aside the order must be granted.

Dusenbury vs. Hiler et al.—Let the several parties in interest appear before me on the 26th of April and show cause why an injunction order should not issue against the defendant on behalf of Charles Dusenbury.

Ettlinger vs. Stegmuller et al.—Let all proceedings be stayed in this action. The attorneys for the parties will appear before me and explain the irregularities in the proceedings.

Bertine et al. vs. Smith et al.—The question proposed must be answered. It may throw some light upon the delivery of the deed.

Herman vs. Meyher.—Undertaking approved.

Innes vs. Rowe et al.—Order vacated and set aside.

Gray vs. Bensel et al.—Remittitur filed.

Methesius vs. Bayard.—Reference ordered.

Beach vs. Emery; Pinkshon vs. The Lazarus and Morris Spectacle and Eye Glass Company; Platt et al. vs. Meyer et al.; Platt et al. vs. Levy et al.—Orders granted.

By Judge Sedgwick.

Weil vs. Fisher et al.—Findings settled and filed.

Chamberlain, &c., vs. Chamberlain.—Findings of fact and conclusions of law settled and filed.

MARINE COURT—CHAMBERS.

By Judge Goepp.

Gill vs. Meyer.—Motion denied, with $10 costs.

Huches vs. Hardenbrook; Webb vs. Mendelssohn; Trubee vs. Trainor; Hale vs. Heyman; Eagle vs. Propash.—Motions to advance causes granted.

The Bull's Head Bank vs. Milligan.—Motion for judgment granted.

Norris vs. Hugo.—Motion granted.

The American Tract Society vs. Green.—Motion to open default granted.

POLICE COURT NOTES.

Mrs. Susan Snap, of Yorkville, went into the dry goods store of Peyton & Co., on the Bowery, yesterday, and requested to be shown from counter to counter, but failed to purchase anything. She was followed around and finally, as she started to go out, she was stopped at the door and searched. On her person was found a bundle of stockings, the property of Peyton & Co. As she had not bought anything it was evident she had stolen them. Justice Bixby at the Tombs Police Court held the prisoner in $300 bail for trial.

On Monday night Officer Breen, of the Eighteenth precinct, met Charles Looney, pensioner, in Sixteenth street, under the influence of liquor. Without the least provocation, the officer alleges, the man knocked him down with a blow of a heavy stick, inflicting a severe wound on his head. The officer regained his feet and used his club on Looney. A hard fight followed and Looney's punishment was very severe, but he escaped arrest for the time being. Subsequently he was arrested by four officers. Looney's head was a mass of bandages and blood when arraigned in the Fifty-seventh Street Court. He was held for trial.

COURT CALENDARS—THIS DAY.

SUPREME COURT—CHAMBERS—Held by Judge Barrett.—Nos. 23, 32, 76, 85, 113, 114, 129, 133, 135, 140, 227, 228, 229, 239, 293, 363, 364, 378, 379, 380, 381, 382, 383, 384, 385, 394, 402, 413, 414.

SUPREME COURT—SPECIAL TERM—Held by Judge Van Vorst.—Nos. 98, 230, 318, 338, 355, 357, 367, 369, 371, 372, 374, 375, 376, 386, 404, 406, 408, 410, 411, 415, 417, 418, 419, 420, 421, 32, 214, 198, 324, 46, 393.

SUPREME COURT—CIRCUIT—Part 1.—Adjourned for the term. Part 2.—Adjourned until Friday, April 28. Part 3—Held by Judge Larremore.—Nos. 1131, 933, 15.

SUPERIOR COURT—SPECIAL TERM—Held by Judge Speir.—No day calendar.

SUPERIOR COURT—TRIAL TERM—Part 1—Held by Judge Monell.—Nos. 1045, 1046, 1047, 1052, 1041, 1041, 865, 331, 953, 899, 1017, 1018, 1057, 1058, 1059. Part 2—Held by Judge Sedgwick.—Nos. 1847, 674, 712, 650, 950, 1037, 954, 897, 2036, 956, 1807, 957, 958, 48, 858. Part 3—Adjourned for the term.

COURT OF COMMON PLEAS—EQUITY TERM—Held by Judge C. P. Daly.—No. 28.

COURT OF COMMON PLEAS—TRIAL TERM—Part 1—Held by Judge Van Hoesen.—Nos. 1098, 1539, 2071, 1693, 2122, 1784, 1528, 1755, 1613, 2328, 2074, 2078, 1522½, 1131, 1267, 1038, 2114, 1811, 1751½, 956½, 706, 2079, 2447, 1697, 1097, 1550, 1718, 1337, 889. Part 2—Held by Judge Van Brunt.—Nos. 1802, 1804, 1478, 1810, 1812, 1813, 1825, 2059, 1853, 1857, 1863, 2407, 1856, 1924, 1938, 1844, 1945, 1949, 1950, 45, 1586, 1968, 1975, 1931, 1931, 996, 2024, 2025, 2034, 2035. Part 3—Held by Judge J. F. Daly.—Nos. 1654, 1405, 1899, 1900, 1902, 1904, 1822, 2094, 1988, 2044, 1993, 1995, 1996, 2005, 2045, 1994, 1907, 2001, 2095.

MARINE COURT—TRIAL TERM—Parts 1, 2 and 3.—Adjourned for the term.

COURT OF GENERAL SESSIONS—Held by Judge Sutherland.—The People vs. Lizzie Murphy and James McDonald, robbery; Same vs. Martin Burke, rape; Same vs. Charles Muller, felonious assault and battery; Same vs. John Alexanderson, grand larceny; Same vs. Jenny Hawkins, grand larceny; Same vs. James Flynn, Richard Birlew, William Flinger and Valentine Horn, grand larceny; Same vs. Peter Tully, grand larceny; Same vs. Jeremiah Hoar, petit larceny.

COURT OF APPEALS.

ALBANY, April 25, 1876.

In the Court of Appeals, Tuesday, April 25, 1876:—

MOTIONS.

In the reapplication of George Hitchcock, an attorney of Rhode Island, for admission to the Bar of New York State.—The papers were submitted by John E. Burrill.

People ex rel. Stockwell vs. Walter.—Motion to have return amended. Motion dismissed on the ground that it should be made in the court below.—S. Hand for motion

People ex rel. Mott vs. Board of Supervisors—Motion to correct rem.—A. J. Parker for motion, J. J. Werner opposed.

Evertsen vs. National Bank of Newport—Motion to amend.—Judge N. C. Moak for motion, S. Hand opposed. Decision ordered modified.

Crosby vs. Crofts—Motion to open default.—Mr. Schoville for motion, S. Hand opposed.

APPEALS FROM ORDERS.

No. 146. Dinsmore vs. Adams.—Argued by W. W. MacFarland for appellant, John E. Burrill for respondent.

No. 337. Cambios vs. Butterfield.—Argued by Andrew Boardman for appellant, John E. Burrill for respondent.

No. 354. Person vs. Perdee.—Argued by S. S. Rogers for appellant, N. C. Moak for respondent.

No. 368. Hotchkiss vs. Platt.—Argued by Austen G. Fox for appellant, Thomas E. Hubbard for respondent.

No. 370. People ex rel. White vs. Burroughs.—Argued by James W. Povert for appellant, Mr. Prince for respondent.

GENERAL CALENDAR.

No. 67½. Kingston Bank vs. Elting.—Argument resumed and concluded.

No. 171. Thomas T. Church, appellant, vs. The Lafayette Fire Insurance Company, of Brooklyn, respondent.—Argued by N. C. Moak for appellant, Philip Crooke for respondent.

DECISIONS HANDED DOWN.

Motion granted on payment of $10 costs of remittitur and $10 cost of motion.—People ex rel. Corwin vs. Walter.

Judgment reversed and new trial granted, costs to abide event.—Bissell vs. Griggs; Leetch vs. Atlantic Mutual Insurance Company.

Judgment affirmed, with costs.—Gould vs. Booth; Green vs. Eldred; Cox vs. Wightman; The Washoe Tool Company vs. The Hibernia Insurance Company; Turner vs. Keller; Van Kewren vs. Corkins; Kellogg vs. Thompson; Allison vs. William E. Weller; Allison vs. Sheron Weller; Slater vs. Emberson; Jones vs. Norwood; Parsons vs. Sutton; Hascall vs. Life Association of America, and McGrill vs. Lake Shore and Michigan Southern Railroad.

Order of General Term affirmed and judgment for plaintiff on verdict, with costs.—Ingersoll vs. New York, C. and C. Railroad.

Order affirmed and judgment absolute for defendant on stipulation, with costs.—Popham vs. Cole.

Order of General Term reversed and judgment on report of referee affirmed, with costs.—Rice vs. Manley.

Appeal dismissed, with costs.—Brasnell vs. Akin.

DAY CALENDAR.

The following is the day calendar for Wednesday, April 26, 1876:—Nos. 172, 173, 166, 170, 24, 27, 33 and 34.

CHARLES O'CONOR'S CASE.

The Bar Association having decided to grant Mr. Charles O'Conor the privilege of a formal trial before a jury consisting of legal and lay members, a committee has been appointed to make the necessary arrangements for such trial and hearing of his case. As a result of their deliberations the following circular has been issued:—

NEW YORK, April 20, 1876.

To Hon. JOHN A. DIX, WILSON G. HUNT, Esq., Rev. WILLIAM ADAMS, D. D., HOWARD POTTER, Esq., Hon. JOHN K. PORTER:—

GENTLEMEN—The undersigned were appointed at a recent meeting of the Bar Association to arrange a tribunal to investigate the charges referred to in Mr. O'Conor's statement before the association. In the performance of the duty imposed upon them, and after careful deliberation, they have unanimously selected you to constitute such tribunal.

The importance, not to Mr. O'Conor alone, but to the whole community, of a prompt investigation into the truth of these charges will be recognized. Not only Mr. O'Conor and his professional brethren, but the city in which he has spent his life, is interested in the inquiry whether accusations or imputations like these, affecting the hitherto spotless reputation of an eminent a citizen, are true or false.

Having been spread over the land by the press, they must affect, in some degree, the community in whose public affairs Mr. O'Conor has taken a conspicuous part, and in whose respect he has long held a high place; they are now matter of public as well as private concern.

In their selection the undersigned have been especially solicitous to provide a court whose intelligence and impartiality shall be above suspicion, and whose judgment, whatever it may be, can be accepted as final. They have not overlooked the fact that this addition to the many demands upon your time will involve some sacrifice on the part of each of you, but they feel convinced that this consideration will not deter you, if the duty is regarded by you, as by the undersigned, in the light of a public service.

We have the honor to remain, gentlemen, with high regard, your obedient servants,

EDGAR KETCHUM, C. A. HAND,
C. W. SANDFORD, F. R. COUDERT,
CHARLES A. PEABODY, O. L. STEWART.

A SAILOR DROWNED.

William Spikings, aged twenty-four, a seaman of the steamer Adriatic, was drowned yesterday at pier No. 53 North River. He was in company with several other seamen, all being intoxicated, and got into an altercation with a man on board the schooner J. W. Peasley, which was lying about six feet from the pier. He attempted to jump out to the schooner, but fell in the water. He was rescued by George Scott, but as he was being carried along the pier he fell in again, pulling Scott with him. Scott was rescued, but Spikings was drowned, and his body could not be recovered. Scott said that Wilson, the man on the schooner, had pointed a pistol at them, but on examination before Justice Kilbreth the charge was proved to be false and Wilson was released.

HEALTH OF THE CITY.

At a meeting of the Board of Health, held yesterday, a resolution was adopted calling upon the Department of Public Works to drain the Harlem flats forthwith. The following is the weekly report of the Registrar of Records:—

During the week ending Saturday, April 22, 1876, 522 deaths were reported to have occurred in this city, being a decrease of 28 as compared with the preceding week and 58 less than were reported during the corresponding week of 1875. The actual mortality for the week ending April 15 was 545, which represents an annual death rate per 1,000 persons living of 28.77, the population estimated at 1,000,274.

The following is a comparative statement of cases of contagious disease reported at this bureau for the two weeks ending April 22, 1876:—

	Week Ending April 15.	Week Ending April 22.
Typhoid fever	8	12
Scarlet fever	103	89
Measles	72	51
Diphtheria	75	76
Cerebrospinal meningitis	5	4
Smallpox	29	16

MARRIAGES AND DEATHS.

MARRIED.

BARBITT—HAIGHT.—On Monday, April 24, 1876, at the bride's residence, by the Rev. S. M. Haskins, FRANK E. BARBITT, of Brooklyn, to SELENNA, only daughter of Henry Haight, of New York. No cards.

OLMSTED—LAWRENCE.—On Tuesday, April 25, at Trinity chapel, by the Right Rev. Bishop Potter, CATHARINE, daughter of the late Joseph Lawrence, to the Rev. CHARLES T. OLMSTED, assistant minister of Trinity parish.

POWER—WALKER.—On Sunday, April 16, MICHAEL POWER, of Hartford, Conn., to MARY WALKER, of this city.

WISE—BONDI.—On Monday, April 24, 1876, at the residence of the bride's mother, by the Rev. Dr. Huebsch, Rev. Dr. ISAAC N. WISE to SELMA, daughter of the late Dr. Jonas Bondi, of this city.

DIED.

BLAUVELT.—On the 25th inst., ANNA PERRY, widow of John C. Blauvelt, aged 77 years.

Relatives and friends of the family, also the members of Sixteenth street Baptist church, are invited to attend her funeral, on Thursday, 27th inst., at ten o'clock A. M., from the Baptist church in 16th st., near 8th av. Her remains will be taken to Nyack for interment.

BALDWIN.—On Sunday afternoon, April 23, CYRUS BALDWIN, in the 82d year of his age.

Relatives and friends of the family are invited to attend the funeral, from his late residence, 357 East 50th st., this morning, at eleven o'clock.

BERTINE.—At Babylon, L. I., April 23, SARAH A. BERTINE, widow of the late James T. Bertine, of New York city.

Funeral Wednesday, April 26, at one o'clock P. M., from her late residence, Babylon, L. I. Carriages will meet the 9:35 A. M. train from Hunter's Point.

BLOOM.—Suddenly, on Saturday evening, April 22, MARY E., daughter of Rachel A. and the late Edward N. Bloom.

Relatives and friends of the family, also friends of her grandfather, Joseph Leviness, are respectfully invited to attend her funeral, this day (Wednesday), at two o'clock P. M., from her late residence 116 East 40th st.

Dutchess county papers please copy.

CARNY.—On Monday, the 24th, BRIDGET CARNY, the beloved wife of John Carny, a native of the parish of Ballymore, county Westmeath, Ireland, in the 42d year of her age.

Her friends and relatives are respectfully requested to attend the funeral, on Wednesday, the 26th inst., at half-past one o'clock P. M., from her late residence, No. 313 East 34th st.

CALLAHAN.—In Hoboken, on Tuesday, April 25, 1876, MARY, youngest child of Michael and Maria A. Callahan, aged 2 years, 2 months and 13 days.

The relatives and friends of the family are respectfully invited to attend the funeral, from the residence of her parents, 404 Garden st., Hoboken, on Thursday, April 27, 1876, at three o'clock P. M.

FRANKLIN.—In Brooklyn, on Monday morning, April 24, JOSEPH, son of the late George H. and Lucretia V. Franklin, aged 21.

Relatives and friends are invited to attend the funeral, from his late residence, 175 Warren st., Brooklyn, on Wednesday, April 26, at three o'clock.

GIBBS.—On the 25th inst., JOHN GIBBS, at his late residence, 193 Henry st., New York.

Relatives and friends are respectfully invited to attend the funeral, on Thursday, at one o'clock.

HINES.—In Brooklyn, on Tuesday morning, April 25, of diphtheria, MARY WARD, only daughter of Dauphin S. and Maria Louisa Hines, in her 16th year.

Relatives and friends of the family are invited to attend the funeral, from St. Paul's church, Clinton, corner Carroll st., South Brooklyn, on Thursday, 27th inst., at two o'clock P. M.

HYATT.—On Sunday April 16, GEORGE W. HYATT, eldest son of George W. and Ann E. Hyatt, in the 18th year of his age.

His remains will be interred at Union Cemetery, Long Island.

HASKIN.—At Fordham, April 24, ANNE, widow of Henry R. Haskin, in her 65th year.

Friends and relatives are invited to attend her funeral from the Reformed church at Fordham, Thursday, 27th inst. at two P. M. Carriages at Fordham to meet the one o'clock train from Grand Central depot.

KARNWEILER.—On Sunday, April 23, SIMON B. KARNWEILER, in the 48th year of his age.

Relatives and friends are invited to attend the funeral, from his late residence, No. 170 West 47th st., this day (Wednesday), at ten A. M.

KROEGER.—On Monday, April 24, HENRY, only son of Herman F. and Sophie Kroeger, aged 8 months and 25 days.

The relatives and friends, also members of United Brothers Lodge, F. and A. M., No. 356, and Amt Hagener Club, are respectfully invited to attend the funeral, from No. 186 Prince st., on Wednesday, the 26th inst., at half-past one o'clock P. M.

KINGSLEY.—April 25, at her late residence, 499 5th av., ELVIRA CATHERINE, widow of Simeon Kingsley.

Notice of funeral hereafter.

LUHR.—At his residence, No. 212 North 6th st., Williamsburg, on Tuesday, April 25, E. F. H. LUHR, aged 51 years, 7 months and 3 days.

Funeral on Thursday, April 27, at two o'clock P. M.

LESLIE.—On the 25th inst., MARY LESLIE, aged 73.

The relatives and friends are invited to attend the funeral, from her son's residence, 2,119 2d av., Harlem, on Thursday, the 27th inst., at one P. M.

LYFORD.—On the 23d inst., GUSSIE, wife of C. W. Lyford, aged 24 years.

Prayers at her late residence, 318 East 79th st., on Wednesday, April 26, at twelve o'clock.

LE MOYNE.—Suddenly, on Monday, the 24th inst., ADOLPHE LE MOYNE, Jr., in the 44th year of his age.

The relatives and friends of the family are respectfully invited to attend the funeral, from the residence of his parents, No. 62 West 11th st., on Thursday morning, 27th inst., at ten o'clock.

MURPHY.—At the residence of her daughter, Mrs. Catharine Vandervoort, 123 Cannon st., suddenly, on Tuesday, April 25, Mrs. MARGARET MURPHY, in the 85th year of her age.

Notice of funeral hereafter.

MCTIERNAN.—On Monday, the 24th, at five o'clock P. M., at his residence, 107 Washington st., PATRICK MCTIERNAN, aged 42 years.

The funeral will take place on Thursday, 27th, from his late residence, at nine o'clock; thence to St. Peter's church, Barclay st., where a requiem mass will be said for the repose of his soul, and thence to Calvary Cemetery, at half-past one. Relatives and friends are respectfully invited to attend.

PEREGO.—On Tuesday morning, IRA PEREGO, in the 75th year of his age.

Funeral from his late residence, 94 6th av., Brooklyn, on Thursday, at three P. M.

RATIGAN.—In Brooklyn, April 25, JAMES RATIGAN, aged 40 years, a native of the parish of Ballymore, county Westmeath, Ireland.

The relatives and friends of the family are respectfully invited to attend the funeral, from his late residence, 189 Wyckoff st., on Thursday, April 27, at one o'clock P. M., and from thence to Calvary Cemetery for interment.

ROUSE.—On Monday, 24th inst., JANE ROUSE, beloved wife of Patrick Rouse, of Dromore West, county of Sligo, Ireland, departed this life in the 62d year of her age.

The relatives and friends of the family are respectfully invited to attend her funeral, on Wednesday, the 26th, from the residence of her son-in-law, Patrick McGrath, 43 Park st., at two o'clock.

RUSSELL.—In Brooklyn, on Saturday, April 22, of heart disease, JOHN K. RUSSELL, Jr., son of John K. and Julia G. Russell, aged 18 years.

The funeral will take place from St. Mark's church, corner South 5th and 4th sts., Brooklyn, E. D., to day at two P. M.

Maine and Florida papers please copy.

SILVER.—In Philadelphia, on the 24th of April, J. MELBOURNE, only son of Thomas and Anna V. L. Silver. Interment in Philadelphia.

TATUM.—On Saturday, April 22, ANNA C., wife of Edward Tatum, in the 50th year of her age.

Relatives and friends of the family are invited to attend the funeral, which will take place from her late residence, 244 East 15th st., on Fifth Day, the 27th inst., at eleven o'clock.

TERBELL.—Suddenly, ANNA HALSTED TERBELL, youngest daughter of Henry S. and Hannah D. Terbell, in her 20th year.

Notice of funeral hereafter.

WARREN.—On Sunday evening, April 23, MAURICE WARREN, in the 43d year of his age.

Relatives and friends are respectfully invited to attend the funeral, from the residence of his brother, Peter Warren, No. 115 East 85th st., on Wednesday, the 26th inst at two o'clock P. M.

WEEKS.—At Aiken, S. C., on Saturday, the 22d inst., JACOB M. WEEKS, of Glen Cove, L. I., in the 44th year of his age.

Funeral will take place on Thursday, 27th inst., at one o'clock P. M., from his late residence, Glen Cove. Friends are invited to attend without further notice. Trains leave Hunter's Point at ten o'clock. Carriages will be in waiting.

WEBB.—On Monday, at 1,035 Lafayette av., Brooklyn, JOHN WEBB, aged 71 years.

Funeral on Thursday, at half-past two P. M., from Dr. Budington's church, Clinton av.

WILSON.—On Tuesday, April 25, LAURA J., daughter of Captain Thomas W. Wilson.

Notice of funeral hereafter.

WILLIAMS.—On the 25th inst., at No. 10 Forsyth st., of consumption, CHARLES R. WILLIAMS, formerly of New Orleans, aged 33 years.

Funeral services at Trinity church, on Thursday, the 27th, at two o'clock P. M.

New Orleans papers please copy.

WRIGHT.—On the 24th inst., MARY, daughter of William J. and Mary Wright, aged 19 years and 8 months.

Funeral from the residence of her parents, 347 Bedford av., Brooklyn, Wednesday, 26th, at one o'clock, P. M.

PROPOSALS.

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JOSEPH HICKSON,
General Manager.

MONTREAL, April 13, 1876.

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