THE ERIE RAILWAY

Report of the Referee on the Receiver's Accounts.

THE COMPANY'S COAL LANDS.

Receipts and Expenditures Since Mr. Jewett's Appointment.

Yesterday Mr. James C. Spencer, referee in certain suits of the Farmers' Loan and Trust Company, and others, against the Erie Railway Company, filed his report on the examinations of the receiver's accounts for the year 1875 and the month of January, 1876.

THE REFEREE'S FINDINGS.

The following is the substance of the findings of the referee on the report of, and the testimony offered by, the receiver, Mr. Hugh J. Jewett, from May 27, 1875, to December 31, 1875, both dates inclusive, as filed yesterday in the office of the County Clerk.

First—The referee reports that the receiver, Mr Hugh J. Jewett, has received from all sources of the Erie Railway Company's estate, for the term of his receivership, commencing May 31, 1875, to December 31, 1875, the aggregate amount of $16,781,000 51.

Second—That the receiver, during the same period, disbursed $16,389,624 26.

Third—That the balance of moneys in the possession of the receiver on December 31, 1875, was $391,567 25.

THE ACCOUNTS AND VOUCHERS.

The referee then goes on to say:—"And I do further report to the following findings of fact and opinion in regard to the accounts and vouchers of the receiver for payments and advances made by him during the said time to the Northwestern Mining and Exchange Company and the Hillside Coal and Iron Company, and in regard to real estate and other property of said companies, and the interest and property of the estate of the Erie Railway Company therein and thereto, and in regard to the necessity and propriety of future advances to said companies by the said receiver, which findings of fact are based upon said accounts and vouchers, and the proofs taken by and before me and transmitted to this court.

"*First*—That prior to the appointment of Hugh J. Jewett as receiver of the estate of the Erie Railway Company the said company had purchased large amounts of coal-bearing lands, portions of which were of anthracite coal, and situate in the counties of Luzerne, Susquehanna and Wayne, State of Pennsylvania, amounting to over 8,000 acres of land in fee, and several hundred acres in leasehold, and in several hundred acres the company had purchased mining rights. The original aggregate cost of the anthracite coal-bearing lands was the sum of $2,236,663 72.

COAL MINES OF THE COMPANY.

"Another portion of these lands of bituminous coal, and situate in the counties of Elk and Jefferson, in the State of Pennsylvania, amount to over 14,000 acres of land in fee, and in about 13,000 acres of land the said company had purchased mining rights, and the original aggregate cost of these bituminous-coal bearing lands was $1,094,029 01.

"That these lands had been purchased by the Erie Railway Company upon evidence satisfactory to the officers thereof at the time of such purchase that it was making a valuable investment for said company, and one deemed by them to be essential and necessary for the present and future interests of said company."

The report, after referring to the manner of operating these mining lands, goes on to say, "That prior to the appointment of Hugh J. Jewett as receiver there had been paid on account of the purchase of the lands and rights held and owned by the Hillside Coal and Iron Company (the anthracite coal lands), an aggregate amount of over $1,500,000, and there was a balance remaining unpaid of about $700,000, and there had been paid on account of the purchase of the lands and rights held and owned by the Northwestern Mining and Exchange Company (the bituminous coal lands) an aggregate amount of over $500,000, and there remained unpaid a balance of less than $700,000. That portions of said amount so remaining unpaid and interest thereon were due, and other portions were nearly due; and the persons to whom the same were due required payments to be made on account of principal and interest, and a foreclosure of the mortgages and a sale of said lands and rights under the same were likely to occur if their demands were not satisfied and discharged, and the said companies who held said lands were not in condition to pay such claims, and unless the estate of the Erie Railway Company made advances to said companies to enable them to meet and pay such demands on account of said lands it clearly appeared that the said estate would most probably suffer by the loss of said lands, leases and mining rights, and the loss of the moneys theretofore paid on account of same.

"That the receiver was informed and believed that the original purchase of these coal lands and the payment of the purchase money that had been heretofore made by the Erie Railway Company was made from the proceeds of the bonds of that company secured by the mortgages described, and the interests of those bondholders were to be considered and protected, if the payment of the remaining portion of the purchase money on those lands was necessary to protect and advance those interests; and beyond those bondholders were other bondholders, and also creditors and stockholders of said Erie Railway Company whose interests were in like manner to be considered and protected by the said receiver.

"I further find that said coal lands were and are valuable; that their present value is equal to, if it does not exceed, the amount originally paid for the same; that if they are worked and developed they will not only pay the cost of working and developing the same, but also a clear net gain or profit beyond the interest of the moneys invested in the same, and will also produce a revenue to the estate of the Erie Railway Company by the transportation of the products of said lands to market over the main line of its railroad."

The report here gives illustrations of the benefit accruing to the Erie road by mining its own coal, showing a saving of nearly $2 a ton on every ton used by the company, and that not only can the lands and mines supply all the needs of the company, but a large additional amount of coal can be produced and transported by the Erie Railroad to market at fair rates of compensation and be sold at an average profit of $1 per ton if the companies and said lands continue to be controlled and worked under the direction of or in the interests of the Erie Railway Company.

The report here further shows that since May 26, 1875, to and including the 1st day of March, 1876, the Northwestern Mining and Exchange Company has paid from its own funds on account of the principal and interest of the purchase money of the lands and rights held by them the sum of $19,757 08, and that during the same time the receiver has advanced to the said company $88,857 93 on account of the principal and interest of said purchase money of said lands and mining rights, leaving yet unpaid of principal and interest about $500,000, some portion of which is over due, and the greater portion of the remainder will fall due in the month of July, 1876, and the balance in December, 1876.

It further shows that since March 26, 1875, to March 1, 1876, the Hillside Coal and Iron Company has paid from its own funds on account of purchase money of its lands and leases, &c., the sum of $89,205 45, and during the same period the receiver has advanced on the same account the sum of $175,154 32, which has also been paid by said company upon account of principal and interest of said purchase money, leaving yet unpaid about $500,000.

The referee then continues:—"I further find that the present and future control of the production, sale and transportation of coal by these companies is and will be a matter of much importance and benefit to the estate of the Erie Railway Company in many ways indirectly, yet connected with the control of the traffic and transportation of coal over the railroads of said estate, which traffic and transportation amount annually to over $4,000,000 in the way of freights on the same.

"And I do further report, that upon these facts I have adjusted, allowed and passed in the accounts of the receiver, and in payments and disbursements made by him on account of the said estate, the several items of payments and disbursements appearing to have been made to these coal companies to pay on the said lands, and I decide such payments to have been made by him in good faith and with good judgment and within his powers and duties as such receiver, and in furtherance of the interests of all parties interested in the estate, and I am of opinion that it is for the interest of all concerned that the receiver should continue to control and direct this property, and, if necessary, the full amount due or to become due on these lands be paid by the receiver, and that he be specially authorized and directed to make such payments in case of need and make temporary loans on his official certificate for that purpose, and also that he be authorized to sell and dispose of said capital stock of said companies, and interest on said lands to other parties, but under guarantees that will secure to the estate the purchase of fuel at reasonable rates and the transportation of the products of its lands over its railroad."

RECEIPTS AND DISBURSEMENTS.

The following is a detailed statement of the receipts and expenditures by the receiver from May 27, 1875, to December 31, 1875:—

RECEIPTS.

Erie Railway Company balance transferred May 27, 1875	$147,593 44
Passengers	2,854,846 16
Freights	11,214,838 94
Mails	200,603 32
Telegraph	18,489 86
Train service	203,683 23
Old material sold	130,545 79
Supplies sold	6,483 44
Unpaid dues, &c., refunded	36,061 37
Rents	120,379 37
Labor and materials	26,774 74
Insurance	6,342 00
Trackage	4,873 29
Interest on securities	95,329 81
Loans	1,680,000 00
Miscellaneous receipts	33,456 75
Total	$16,781,191 51

PAYMENTS.

Advanced charges on freight accounts	$156,541 04
Passenger balance	519,040 50
Freight balances	2,206,755 79
Gas and water	53,628 04
Supplies	2,149,228 91
Labor	5,717,352 06
Labor and materials	149,215 00
Rents	875,129 37
Interest	44,444 90
Interest on mortgage bonds	448,860 74
Trackage	67,011 42
Loss and damage	36,539 36
Salaries and expenses passenger agency	100,438 86
Legal expenses	76,352 30
Taxes	333,408 34
Insurance	98,040 82
Injuries to persons	2,455 16
Drawbacks and overcharges	535,569 82
Bridges and repair of bridges	212,575 76
Construction and repairs of tugs, &c.	3,000 00
Real estate mortgages, interest and principal	130,027 94
Purchase of cars	108,965 41
Purchase of locomotives	39,200 00
Coal land mortgages	231,714 66
Towanda Coal Company advance on account of running expenses	25,174 81
Mileage	23,681 66
Lighterage	78,139 19
Loans	2,245,491 61
Miscellaneous	51,750 10
Total	$16,389,624 26

The referee reports that upon the depositions taken by him, and the accounts and vouchers accompanying them for the month of January, the following facts are established:—

That the balance accounted for by the receiver on December 31, 1875, and carried over to his debit on January 1, 1876, was $391,567 25.

That the aggregate amount of moneys accounted for by the receiver as in his possession on the 1st of January, 1876, and that were received by him during that month on account of the road, was $2,633,192 02. The disbursements during January, were $2,227,809 73. The balance in the receiver's possession on the 31st January, 1876, and carried to his debit on February 1, was $405,382 19.

The fifth clause of the referee's report runs thus:—"The balance stated in the last foregoing finding of fact represents an amount of money that the said receiver should account for and be debited as of the day named, January 31, 1876, although, in fact, the real and actual balance of moneys in possession of the receiver at the last named date was a much less sum—namely, $201,760 98, yet the claims or debts set forth by the proof upon which moneys had been paid and advanced and by which the balance named in the last finding had been in reality reduced were not presented to me for examination and audit, and therefore are not considered by me in favor of said receiver, and the balance named in said last finding is the sum or amount for which the said receiver should hereafter account, and which should be placed to his debit on the 31st of February 1876."

The aggregate amount of certificates of indebtedness and notes issued by the receiver to and including January 31, 1876, was $1,786,539 40, of which $250,000 was issued during the month of January. The amount of these certificates paid and cancelled by the receiver to and including January 31, was $986,539 40, of which $56,539 40 was paid in January. The amount of outstanding notes and certificates on January 31 was $800,000. The referee reports that the receiver's accounts were accurately kept during the month of January, and were fully and truthfully presented to him for adjustment, and he allows and passes the accounts and vouchers as presented.

"CUTTING" ON FREIGHTS.

REVIEW OF THE STRUGGLE BY MERCHANTS, BANKERS AND RAILWAY OFFICIALS.

The railway war now being waged between the trunk lines reaching to Chicago, Cincinnati, St. Louis and other Western commercial centres will, no doubt, prove to be one of the most determined and disastrous on record. The joint letter of President Scott, of the Pennsylvania; Receiver Jewett, of the Erie, and Vice-President King, of the Baltimore and Ohio companies, to President Vanderbilt, of the New York Central, published in the HERALD yesterday, and the reply of the latter, although courteous in language, sufficiently attest the acrimony of the quarrel. About one year ago a similar struggle occurred between the Vanderbilts and the Baltimore and Ohio, Grand Trunk and Pennsylvania companies, who were charged with cutting rates down below the freight schedule adopted at Saratoga. Inquiries at that time made by a HERALD reporter disclosed the fact that the Pennsylvania road was making contracts to bring grain and fourth class freight from Chicago at thirty-nine cents per 100 pounds. A litigation sprung up between the Baltimore and Ohio and the monster Pennsylvania corporations, which was ended in the Legislature of New Jersey by the Baltimore and Ohio line getting a bill passed enabling it to extend its line to tidewater near Jersey City, and directly compete for New York freights with the home companies. Stocks of the corporations were declining in price at the various exchanges, stockholders were clamorous for peace, and a conference was arranged in Philadelphia about March 25, between Messrs. Sidney Dillon and Jay Gould, Colonel Thomas Scott, Mr. King, Vice President of the Baltimore and Ohio; Mr. Rutter, of the Central, and Mr. Jewett, of the Erie. The meeting was not immediately successful, and it was only when a total loss of dividends threatened some roads and bankruptcy others that peace was patched up, but, as it proved, a delusive and unstable one.

Under the schedule of rates made by the contracting companies on March 2, 1876, the Grand Trunk line received a difference of ten per cent on east bound freight, but last month the Central Road announced the determination of its officers to terminate their connection with the combination. Foreseeing that this meant war, Messrs. Scott, Jewett and King prepared this proposition to the Central officers—viz., that the following scale of differences on east bound freight to competitive points in New England should be adopted:—

"On five stock, seven cents; on cut meats and perishable property, six cents; on first and second class, of which there is but a very limited quantity, four cents.

"The Grand Trunk to carry third and fourth class, which embraces ninety per cent of the whole traffic, at equal rates, as fixed from time to time. The matter of west bound rates from New England to remain as adjusted between your line and the lines of the Grand Trunk route."

This was promptly rejected. The Grand Trunk, having enlarged its number of stock cars, then went actively to work to canvass in the West for trade as against the New York Central, and became for a few days almost the sole transporter of stock. The Central then instructed Mr. J. R. Rutter, its general freight agent, to either make lower open rates or allow a rebate to New England points. Meanwhile, the Grand Trunk was undercutting Central in the hog transportation of New England.

OPINIONS OF COMMERCIAL MEN.

In order to fully represent in this great question the views of gentlemen well acquainted with railway transportation, a HERALD reporter yesterday waited on several, with the following result:—

Colonel B. P. Baker, President of the Cheap Transportation Association, said:—"This is a lamentable situation, the great trunk lines deliberately sacrificing the interests of their owners. It is not cheap freights the merchants want so much; it is just and uniform rates, without a possibility of such frequent changes. Commercial men can now make no calculations in regard to their business. For instance, when I discovered that I could bring grain to Baltimore on better terms than to New York I established a branch of my business there; now, however, by this railroad war I can do just as well in New York. The business of cutting rates has been indulged in for a long time; from the West the Baltimore and Ohio and Pennsylvania railroads allowed drawbacks of five and ten cents per one hundred pounds a long while before the roads under the Vanderbilt control discovered the fact; their agents have been very cunning about the contracts and on every pretence have violated the compacts made by the companies in conference as to uniform rates. The only way the New York Central managers discovered the undercutting was by looking at the receipts of corn in Baltimore and Philadelphia. As soon as they increased to a large extent in those cities a sure indication was furnished that the roads terminating at those points were taking advantage of the others in the combination. These extreme low rates, besides injuring the companies and their stockholders, are of doubtful benefit to the merchants themselves, and some of the latter are now making contracts for delivery of corn based on the prospect of a continuance of the railroad war that would cause them serious loss if the difficulties should be suddenly compromised. Both Mr. Jewett, of the Erie, and Mr. Rutter, of the Central, have expressed themselves within a day or two as being determined to bring the business to New York at any cost. Now, let us discuss briefly the remedy for these constant freight disturbances. I would suggest, if possible, that the whole subject should be referred to a United States commission, who should have the power to regulate the rates and impose penalties. Of course, we are met with the objection at once that such a commission would be controlled by the corporations or managed as a political machine. I admit in a measure to be true, but I still think there are to be found enough honorable gentlemen to accept places in such a commission who would be above suspicion. Germany is adopting the plan of buying up the railroads as the surest way to adjust freights, and we must finally have some power to protect Mr. Vanderbilt and reputable companies against the encroachments of bankrupt railroads, who can cut under them in freight charges, and who pay no interest to their stockholders or bondholders, only caring to get enough out of the corporations to pay fat official salaries and running expenses. These freight troubles are also a positive injury to small merchants, and permit the large dealers to enrich themselves at their expense. To illustrate, a large operator goes to the railroad company and says:—"I want 1,000 or 1,500 cars from Peoria or Chicago. What special rate will you make?" The bargain is struck at a great reduction and all the small dealers are thrown out; they cannot get their ten, twenty or fifty cars. Thus business is made a football of speculators. The same is true of the dry goods trade; it throws buyers into the Western cities, and the jobbing profits are lost to New York, while Chicago, Toledo, Peoria and St. Louis gain. The Railroad Commission in Massachusetts has done vast good. It was originated by Charles Francis Adams, and I hope to see a similar body in every State in the Union, so that such disgraceful railroad wars as periodically occur would be impossible."

A prominent banker in Wall street, and member of the Governing Committee of the Stock Exchange, was asked to give his views in reference to the effect of the freight troubles on the securities of the various companies involved. He said:—"The result on values is not at all doubtful. Look at New York Central and Lake Shore stocks to-day. They have fallen considerably in price, and no doubt will continue to depreciate as long as the freight competition continues. The bonds are not affected so much because no one doubts that all good roads will be able to earn the interest on their mortgages, but it is by no means so sure that dividends can be paid on the stock, and, therefore, as capital is sensitive, at the first rumors of rivalry among the great common carriers, timid stockholders throw their shares on the market. As you ask for my opinion as to the gravity of the situation, I will answer frankly that I believe this war is most serious; but I think the end of it will be a final settlement of the many vexed questions among the roads as to the proper and equitable rates to be charged by each."

Mr. E. S. Jaffray, the eminent dry goods merchant, was waited on for his views on the impending struggle. He said in substance:—"I do not think the freight war will affect the dry goods trade very materially. People have not money to spend, and, therefore, will not order goods simply because freights are low."

AMONG THE RAILWAY OFFICES.

Mr. H. J. Jewett, the receiver of the Erie road, was found in the offices of the company at the foot of Duane street. He said that as far as he knew there were no new developments yesterday in regard to the unpleasant situation of the roads toward each other. The public were already fully informed, by the published correspondence, of the attitude of all the companies, and he could add nothing more. He was not advised whether the Grand Trunk road in Boston had made a reduction in passenger fares from that city to Chicago or not.

The freight and passenger office of the Erie company at No. 305 Broadway was visited. There was considerable bustle at the desks, but the reporter was informed that no official notice had been received there of the rumored reduction; he believed so far it only affected east bound freights. The passenger agent also stated that he had not been ordered to reduce fares to the West, yet according to rumor it might be ordered at any moment.

The Baltimore and Ohio offices at No. 315 Broadway seemed to engage actively the services of many clerks, but the freight agent here repeated what was learned in the Erie office, that no official notification had yet been received from their company to reduce fares and freights.

From another source it was learned that so bitter in the West is the competition that late last week the Great Western, Michigan Central and New York Central, which are close connections, contracted to transport 300,000 bushels of grain from Chicago to New York at twenty cents per 100 pounds. At this rate the Great Western netted exactly $1 50 per car load after paying bridge tolls at Black Rock, near Buffalo, the distance traversed being 229 miles. In other words, it hauled loaded cars at less than one cent per mile each.

Before the opening of navigation in the lakes many Chicago merchants, anticipating high tariffs by rail, chartered vessels and loaded them with grain to save storage. They are paying from five to ten cents a hundred more than the now current rates, and are losing time, interest and insurance. About 500,000 bushels of grain are now afloat in the lakes. The old rate from Chicago for grain (special class freight) was thirty-five cents. With the exception of the instance noted above the lowest rate yet contracted for is twenty-two and a half cents.

Late in the day the report was current that the Grand Trunk road had reduced its fare to Chicago to $14 from Boston, and that the New York roads would follow in a reduction to $12; but this lacked confirmation. The new movements of the struggling giants will, however, be watched with lively interest.

MACMAHON'S AMNESTY.

M. ROCHEFORT'S OPINION OF THE PARDON POLICY OF THE FRENCH MINISTRY.

[Paris (April 20) Correspondence of the London Standard.]

Paris to-day has been reading with genuine glee the pungent remarks of Henri Rochefort on the conduct of the Ministry in the matter of the amnesty, and the somewhat more than pungent comments on M. De Villemessant, the owner of the *Figaro*, respecting the new paper, *L'Estafette*, which that eminent Parisian is about to start. Paris always likes to be amused, and in these dull times the highly spiced lampoons of M. Rochefort and his colleagues are nearly as popular as the famous or infamous *Lanterne*. Respecting the amnesty here are the reflections of Citoyen "X.":—

M. Thiers came to grief through over cleverness. M. Gambetta's excessive cunning is digging a pit under his feet. The deep artfulness which M. Ricard fancied he was giving proofs of when he consented to the postponement of the amnesty question may possibly mar the rising fortunes of that excellent person. He said to himself:—"The various fractions of the Left ask for time to study the question. Let us grant them the time they ask; I shall appear to be making a concession which will enable me to leave in their places the most Bonapartist of my prefects, and that won't prevent the amnesty being rejected by a majority of some 300." Well, in spite of the respectful admiration we feel for M. Ricard, we can't help telling him that on this occasion he has behaved with the greatest rashness. There are some dishes that require to be served up hot, and votes that require to be carried by storm. If they are allowed to get cold those who confidently rely upon them may find themselves disappointed. François I.'s verses were not meant for women alone—*La donna è mobile;* but majorities are *mobile*, too. It was only yesterday that the majority scouted the bare suggestion of the Pressensé bill, which excluded from the amnesty all who had been over six months in prison. But what is there to prove that one month hence this same majority will not vote the Raspail project? In May, 1870, the plebiscite gave 8,000,000 of votes to Napoleon III., who fancied himself seated at the Tuileries more firmly than ever. * * * It is quite on the cards that when the House reassembles one of those sudden movements may take place which the Marshal cannot be unacquainted with, as he knows something of the turning movement of the Wurtemburgers at Reichshoffen.

Respecting

M. DE VILLEMESSANT AND HIS NEW PAPER,

the *Estafette*, the remarks of the *Droits de l'Homme* have so much truth in them as to give additional pungency to the libel. But they do unquestionably constitute a libel. To say of a paper that it owes its success to the "*exploitation de tous les vices avec affectation de toutes les pudeurs*," must be regarded as exceeding the limits of fair criticism—but the Parisian public do not enjoy it the less on that account; *au contraire*. It is worthy of remark that, but for the *Figaro* and M. de Villemessant, M. Rochefort would probably never have started his *Lanterne*, and that the *Figaro*, bad as it is, might very appropriately shut the mouth of M. Rochefort by the simple, but not polite, rejoinder, "You're another."

PRIVATE COACHMEN'S GRIEFS.

STATEN ISLAND, May 3, 1876.

TO THE EDITOR OF THE HERALD:—

An article in your edition of the 1st inst. is calculated to do a respectable, orderly body of men great injustice. I allude to your sweeping allegations in reference to private coachmen. The HERALD wields such a potent influence in the formation of public opinion that its controlling spirit should be very particular and see that their corresponding and reportorial staff are correct in their deductions. Why, sir, your article would make of us the most ungrateful, thankless set of scoundrels in Christendom—beings who are incapable of appreciating a favor or the kindness of an indulgent employer; that the more confidence a boss places in one of us the greater opportunity (which we indiscriminately avail ourselves of) it affords us of "skinning" him—in short, that the Tweed and whiskey rings were composed of angels when likened to us poor menial thieves. Hume, in speaking of the vision of St. John, narrated in the Apocalypse, says "That it was more likely that any one man should be mistaken than that such things should occur." So any sensible person will say of your reporter or correspondent on reading the article referred to. Why, it's a ridiculous insult to our employers as well as to us. He must think our bosses are the softest and most gullible parcel of fools in the world—men who belong principally to our shrewdest class of citizens, merchants, bankers, brokers, &c.—men whose livelihood depends on their shrewdness. Is it not very unlikely that they would allow themselves to be fooled by "sleek coachmen with straws in their mouths." Then again he says we "live on the fat of the land." Fat and refuse of the kitchen, he should have said, which is the case in many instances where we can't keep the cook on our hands; and if we are unmarried, and dare go out of the house to spark any other cook, we won't have the life of a dog. There may be possibly half a dozen or so of those pampered cusses in the State of New York who have employers who let them do as they please, or do nothing if they like. But with the great majority of us, Mr. Editor, I assure you it is the other way. Assume that we are working for a wealthy family. Two or sometimes three times a week Miss Diana or Master Charles Augustus wishes to go to a ball or reception, and John (that's generally our name) is summoned forthwith. John, poor devil, is just through cleaning up, after being out shopping and visiting all day with Diana's mother. He's got to start off again and remain in the cold street, in the biting, frosty wind, for hours and hours, rapping his pedal developments against the sidewalk trying to keep body and soul together, contemplating the beauties of being wealthy. He has to be up betimes and have his horses, harness, &c., in trim for the boy who is going to take a drive, and then keep performing a dance of anxiety until the next bell or bawl summons him to the front door again. Fat of the land, how are you! The statement of your correspondent from beginning to end is a tissue (well, to put it gently) of mistakes. Yours respectfully, W. C. K——C.

"GUTTER SNIPE" CHARGES.

Charges against the captains of the police precincts where the bill posters "gutter sniped" the sidewalks with "Conscience" on Tuesday night were made out yesterday and served upon the captains of the Fourth, Sixth, Eighth, Ninth, Tenth, Fourteenth, Fifteenth, Sixteenth, Seventeenth, Eighteenth, Twentieth, Twenty-first, Twenty-seventh and Twenty-ninth precincts. These captains have preferred like charges against sergeants, roundsmen and patrolmen on duty at the time, some 900 men.

INDIGNANT CATTLE DRIVERS.

The resistance of the cattle dealers in Jersey City to the ordinance prohibiting the driving of cattle through the streets assumed an unexpected phase yesterday. A fine of $50 had been imposed on the firm of Snowden & McConville for violation of the ordinance. The firm carried the case to the Supreme Court, and Justice Keese was served with an order yesterday restraining him from proceeding further in the case till the question has been decided in the Supreme Court.

CONKLING AND THE PRESIDENCY.

CURTIS AGAINST CURTIS.

[From the Troy Daily Times.]

Mr. Curtis is thus arrayed against Mr. Curtis. Mr. Conkling has not changed. He is the same man to-day that he was when the commendation that we quote was written of him. Then Mr. Conkling was made the target of unjust and ungenerous assault, just as he is made now; and it is curious to note that the basis of the attacks upon him was very much the same in character that it is now. But it is still more strange to see that Mr. Curtis then defended Mr. Conkling against these peculiar assaults. He upheld his conduct—he praised him for what he had done and was doing. These words from the article we quote are especially significant:—"The persistent aspersion of the Senator as a malign friend of the President has doubtless prejudiced many persons; but they will observe that what is said in hostility to the one is as vague as all that was urged against the other during the campaign." Mr. Curtis most unaccountably seems to have imbibed the prejudice which is here denounced, and from the same vague and uncertain source. But the words he then wrote in defence of Mr. Conkling now confront him, and are the best answer to the "persistent aspersion" that is heaped upon our eminent Senator at the present time.

Mr. Curtis cannot say that though Mr. Conkling has not changed the times have. They have not changed. The leading and representative men of the republican party are maligned to-day as they were in 1872. Almost daily we are told the President has been "caught" in dishonest practices, and his impeachment is threatened. Mr. Blaine, Mr. Bristow, Mr. Morton and Mr. Conkling are each and all assailed. Star Chamber courts are sitting at Washington whose sole purpose is to prove that these distinguished statesmen are thieves and scoundrels. Even lunacy is pressed upon the stand to swear away the reputation of the President, and the most unblushing perjury is brought into requisition to blast the names of republican leaders. In one instance only has an official culprit been exposed; and the same shot that brought him down also brought down a prominent aspirant to the democratic nomination for the Presidency, and an ex-candidate of the same party for the Vice Presidential office. A chivalric sense of duty to his party and its representative men so wantonly traduced should lead every republican to stand by them in this hour of universal calumny, and to defend them as Mr. Curtis defended Mr. Conkling from like assault in 1872. The words he then uttered were truthful and just, but not more so then than now. Mr. Conkling is as honest to-day as he was in 1872. He has not in the intervening years fallen away from the principles of a lifetime. He is as much of a patriot to-day as he was then. The country never knew a purer allegiance than he bears it. He is as devoted to the principles of the republican party, and as brave and chivalrous in defence of them now as he was then. If others have proved recreant to those principles and followed after abstractions, or indulged in vague and persistent aspersion of the truest and most loyal defenders of republican faith Mr. Conkling has pressed onward in the path of duty, and never for a moment been confounded by the noise and clamor around him. No false guides have for a single instant turned his steps aside.

TAMMANY AND THE LEGISLATURE.

THE LOCAL POLITICAL SITUATION—GOSSIP AT THE CITY HALL.

The congratulations of Tammany politicians as to the effect of legislative action upon public affairs in this city were continued yesterday. In the third house of the City Hall, where our local statesmen "most do congregate," discussion ran high as to the probable effect on the fall election of the successful deal between Tammany Hall and the Custom House republicans to block all legislation for New York city. The anti-Tammany party and other outside independent elements denounce in bitter terms this unholy coalition. They prophecy that it will react with telling effect upon Tammany when the voters go to the polls in November. Already a strong combination ticket in opposition to machine slate is spoken of. It is rumored that Senator John Morrissey will be pitted for Sheriff against the Tammany candidate, and a strong man placed in the field for Mayor who can rally around him all the independent and respectable voters of the metropolis. It is also said that the corrupt action of the Legislature in defeating proper bills has aroused a strong sentiment against the machine workers and wire pullers of both parties which must increase in spirit until next election.

The manifest injustice of placing in the hands of our outgoing Mayor the appointments of a Corporation Counsel, Comptroller, seven Commissioners of Education and other officials who will hold office during the term of his successor seems quite apparent. The bill presented to the Legislature and which has been defeated through corrupt bargains would have prevented such injustice. This bill completely covered the ground, as follows:—

"The Mayor of the city of New York shall not in any case in which the term of any officer whose successor the said Mayor has a right to nominate or to appoint shall expire after the day designated by law for the election of the Mayor of said city be authorized to make any nomination or appointment of a successor to such office until after the Mayor-elect shall take possession of his office."

Comptroller Green's term expires on the 20th of November, and Corporation Counsel Whitney's on the 31st of December. Mayor Wickham will have the appointment of successors to both. Of course he must select men who will act in harmony with Tammany Hall. If a republican or an independent Mayor is selected in November, then the new incumbents will be confronted after the 1st of January with opposing officials at the head of the Law and Finance departments of the city government. In order to have a successful and harmonious city administration it seems plain, under these suggestions frequently put forth among some of our local politicians at the City Hall yesterday, that the incoming Mayor should have the control of his own subordinates, in a similar manner as the President of the United States retains control over his Cabinet officers.

The rumor that Comptroller Green can prolong his term of office under the charter, which, it is claimed, does not specifically provide for the appointment of a successor by Mayor Wickham, has not been traced to any authoritative foundation. Lawyers, however, express themselves divided in opinion upon the subject.

FIRE IN BROOKLYN.

About half-past three o'clock yesterday morning a fire was discovered in the brick building used as a livery stable by James McDonald, No. 31 Clinton street, Brooklyn, and before it could be extinguished a loss of property amounting to $27,000 was sustained. Seventeen horses and several vehicles were destroyed. The origin of the fire, which Fire Marshal Keady was engaged in investigating yesterday, is enveloped in mystery. The last person to leave the stable was the proprietor, who left the building at twenty-five minutes before one o'clock in the morning. At that time there was no light or fire in any part of the stable, nor was any person permitted to sleep on the premises. McDonald lost eleven horses, valued in the aggregate at $2,800. He also lost four clarences, one coupe, two open coaches, three sleighs, six double sets of harness, two single sets of harness, several saddles, robes, blankets, &c., valued at $5,000 and a sleigh worth $500. This property is insured in the Home and Lancaster companies for $6,000. Joseph Johnson held a chattel mortgage on the property for $4,000. McDonald estimates his loss on all at about $13,000.

The other property destroyed was a horse and wagon belonging to S. S. Smith, of No. 123 Pierrepont street. Two wagons, a horse and a pony, owned by Joseph Mackey, of No. 155 Montague street. A double set and two single sets of harness and a rockaway, Mr. Talcott, of No. 30 Clinton street, lost a horse, harness and other property. John Nodine, of Pierrepont street, lost a valuable wagon. Messrs. Phelps & Sons, of Fulton street, lost two horses, two wagons, a piano cart and harness. The building, which is owned by Joseph Johnson, was damaged to the amount of $4,000.

ESSEX COUNTY (N. J.) AFFAIRS.

The Essex county (N. J.) Board of Chosen Freeholders held their annual meeting in Newark yesterday, and reviewed the business of the year. The Committee on Lunacy presented a report, in which the Legislature and the asylum authorities are sharply criticised for failing to give the public proper information touching the internal arrangements of the institution. In conclusion the committee make a statement that the county asylum, with an average of 134 patients per month, has cost the county $8,062 76 net, against $16,041 34 for the 82 patients of the county at Trenton, demonstrating that if the patients cared for at home had been cared for in Trenton it would have cost the county $26,146, making a saving to the county of $17,000 by caring for them here. The Warden of the County Penitentiary reported that the cost of each prisoner was eleven and seven-eighth cents per diem. There are now in the prison seventy-seven prisoners.

The Finance Committee reported as follows:—Interest paid on war bonds, $120,236 67; interest on road improvement bonds, $92,761 11; interest on free bridge bonds, $2,450; balance May, 1875, $325,087 35; total receipts, $1,412,834 28. The expenditures for the year were $1,358,400 26; balance on hand, $377,521 38. The amount of Essex Road improvement bonds sold is $99,998 34, $60,000 of which were sold at about 103¾ and the balance purchased by the Essex Sinking Fund Commission. The committee recommend to the next Board $825,000 as the amount to be raised for State and county taxes, a reduction of about $137,000 from last year.

CRUELTY TO ANIMALS.

Yesterday in the Court of Special Sessions Julius Alexander was fined $10 for driving a very old and lame horse attached to a heavily loaded beef truck. John Alton was fined a similar amount for working a horse with a fistula on its back, under the saddle. Morris Ward and Patrick McDonough were also fined for working a horse with a diseased foot. L. Connolly and E. Dunn were sentenced to one and twenty days respectively in the City Prison for dog fighting. Connolly had been locked up nearly a fortnight previous to time of sentence. Michael O'Riley was sentenced to five days in City Prison for reckless driving.

BOARD OF ALDERMEN.

APPOINTMENT OF POLICE AND PARK COMMISSIONERS—SKETCHES OF THE NEW OFFICIALS—TOMPKINS SQUARE AND FIFTH AVENUE PAVEMENTS.

A regular meeting of the Board of Aldermen was held at two o'clock yesterday afternoon. The lobby and vestibule were crowded with spectators in view of the sending in by Mayor Wickham of his nominations for Police and Park Commissioners.

After the transaction of some routine business a communication was read from the Mayor nominating Sidney P. Nichols for Police Commissioner, in place of John R. Voorhis.

Remarks were made complimentary to Mr. Nichols by Aldermen Hess, Purroy and Morris, after which the nomination was confirmed by a unanimous vote.

Another communication was read nominating William C. Wetmore for Park Commissioner, in place of Daniel B. Williamson. This gentleman's character was also lauded by Aldermen Purroy and Cole, after which he was confirmed by a unanimous vote.

A report of the Law Committee was received requesting the Department of Parks to repair Tompkins square and place it in a proper condition for the use of the inhabitants of that locality.

The Commissioner of Public Works was requested to complete the twelve-inch water pipe across the Central Park through the transverse road at Eighty-fifth street. By this means it is proposed to afford a greater supply of water to the people of Yorkville and vicinity. The resolution also directs that the work shall be done by the day, and not by contract.

A resolution was adopted directing the Commissioners of Parks to report to this Board whether their contemplated improvements for the enclosure of the statue of Abraham Lincoln in Union square will be complete before Decoration Day, May 30, and if not, the cause of the delay attending the completion of said work.

Alderman PINCKNEY offered the following resolution, which was also adopted:—

Resolved, That the Committee on Street Pavements be and is hereby directed to inquire into and report to this Board—first, whether it is advisable and practicable to have the present existing pavement of Fifth avenue taken up and relaid in a substantial and durable manner; second, whether there is any appropriation now made, or, if not, whether any moneys can be appropriated to pay the expense attending this contemplated improvement.

THE NEW COMMISSIONERS.

Police Commissioner Sidney P. Nichols is an old resident of the Ninth ward, and has never occupied any public position. He is principal owner of one of the Broadway and Twenty-third street lines of stages. Last year he was the Tammany Hall candidate for Senator in the Fifth district against James W. Booth, republican. The latter was elected by a large majority.

Park Commissioner William C. Wetmore is a well known real estate lawyer, of the firm of Wetmore & Bowen, in Pine street. He has been a resident of the annexed district for several years, always acted with the democratic party, and this is his first official position. He is recognized as a gentleman of high character in his profession.

Both the republican and democratic Aldermen yesterday cordially united in praising the nominees.

PETER B. SWEENY.

THE ELISORS IN HIS CASE PREPARING TO MAKE OUT THE JURY LIST.

Ex-Judge Henry E. Davies and Mr. Wilson G. Hunt, the elisors in the case of the People vs. Peter B. Sweeny and the Mayor and Aldermen of the county of New York, met yesterday afternoon at the County Clerk's office, to procure the jury lists from which to select a struck jury. Mr. Beach and Mr. McKeon were present for the defendants and Messrs. Carter and Peckham represented the people. Ex-Senator Bradley was also in attendance. An hour was spent in the presentation of technical objections by the defendants' counsel, the point being raised that County Clerk Walsh should be present in person to deliver the lists of jurors and that there should be one completed list of all persons in the city eligible for jury duty and not a number of lists in thirteen or fourteen different rolls, extending over different periods since September, 1873. It was contended that there must be twice as many persons in the city eligible for jury duty as the lists in the County Clerk's office contained, said lists containing only about 13,000 names. The Deputy County Clerk was sworn, and he stated that the County Clerk had not attended at the office that day, but he could not affirm that all the lists presented had been delivered to the County Clerk himself from the Commissioner of Jurors. The elisors, in response to the objections of Messrs. Beach and McKeon, said that they should receive the lists presented as the lawful ones, and if anything was wrong about them a higher tribunal would decide upon it. An adjournment was then had until to-morrow at noon, when the elis