THE COURTS.

A Novel Insurance Suit Before Judge Van Brunt.

TWO HUSBANDS AND ONE WIFE.

The Security Life Insurance and Indemnity Company.

The Delaware and Hudson Suit Dismissed.

An insurance case of much novelty was brought to trial before Judge Van Brunt in Supreme Court, Special Term, yesterday. During the year 1875 the husband of Regina Mansbach, then residing in the city of Utica, in this State, obtained a policy of insurance on his life from the Metropolitan Life Insurance Company of this city in favor of his wife. Mr. Mansbach also at the same time or thereabouts became a member of the Mutual Benefit Society. While thus insured and thus a member he took a voyage to his native Germany. After his return to this country, in consequence of ill health, he became a pensioner for a stated allowance from the funds of the benefit society. After about $400 had been paid him a misunderstanding arose between him and the officers of the society as to his right to draw benefits. Several angry letters passed between them, ending in the society sending two physicians to inquire into his condition of health. They found him, they say, suffering from chronic bronchitis and asthma. All his symptoms convinced them that he had been suffering from the same diseases for about six or seven years, and so suffered prior to his admission to the society. A long quarrel ensued between the officers of the society and Mansbach on these points, they claiming that he misrepresented his condition of health at the time he became a member of the society, and had thereby improperly partaken of its benefits, and he persisting that he had not. The fire thus kindled finally reached the insurance company, and its officers claiming that Mansbach had also misrepresented his condition of health when he became insured with them gave him notice that his policy had been cancelled and that henceforward they would refuse to accept payment of premiums thereon. He subsequently tendered his premiums and they were refused. Thereupon his wife, in whose favor the policy had been issued, commenced the suit which was brought to trial yesterday, to compel the company to reinstate the policy in full force and accept payment of premiums thereon. The company defended the suit on the same ground; that they assumed the right to cancel the policy; that the insured had misrepresented his condition of health at the time he became insured, thereby vitiating the policy. Mansbach persisted in asserting, and so testified, that he was not afflicted with asthma or bronchitis at the time he became insured; that he subsequently made a voyage to his native Germany, and on that voyage, and not while "skating against the wind in Flanders," the insidious disease entered his breast. The company relied upon the testimony of the two physicians who went from the society to examine him, both of whom were satisfied that at the time they examined Mansbach all his symptoms indicated that he had been suffering from the disease six or seven years, although only about a year had elapsed since he became insured. They formed the theory also that, instead of getting the disease on his voyage to Germany, as he said, he got it in Utica, and took the voyage to cure it, but got worse; that when he got to Germany he consulted physicians and they sent him back to America, where these two physicians first found him. The plaintiff produced Dr. Henry G. Ramsey in rebuttal, who testified that the theory formed by the two physicians for the company as to the time the disease existed was wholly unreliable, and on that state of facts the Judge reserved his decision.

ONE HUSBAND ENOUGH.

Henry L. Carey, in a suit brought in the Superior Court against his wife, Emma B. Carey, presented an affidavit to Judge Sanford, in Superior Court, Special Term, yesterday, in which he avers that prior to the month of August, 1872, Emma, falsely representing to him that she was the widow of Boswell R. Streeter, induced him to marry her, and the nuptial ceremony took place in the city of Buffalo in the month of August, 1872. He subsequently discovered that this representation was untrue and that Streeter was still living. Before this discovery, however, the wedded pair had several disputes and unhappy differences between them, which finally resulted in a separation. He states further that at the time, believing Emma to be his lawful wife, he included in the articles of separation an agreement to pay her $600 in lieu of all claim for support, and that he gave her four promissory notes for this sum. After he had paid the first note, which was for $100, he made the discovery alluded to, whereupon he refused to pay the other notes. One of the unpaid notes, for $300, does not come due until September 1, 1877, and being afraid that she will negotiate the paper he asks for an injunction restraining her from disposing of the same. Upon the facts set forth in the affidavit, as given substantially above, Judge Sanford yesterday granted a temporary injunction.

SHAWLS AS COLLATERAL.

For the second time there came on for trial yesterday, before Judge Donohue, in Supreme Court, Circuit, the case of William Duden and others against Clara Waitsfelder. In their complaint the plaintiff's alleged that defendant was indebted to them in the sum of over $20,000, for security of which she made her bond secured by mortgage on property in Sixth avenue, on which interest to the extent of $800 had accrued. Defendant wanted to transfer the property to one Silver, who refused to take it unless this interest was paid. In order to effect such transfer the defendant applied to the plaintiffs and induced them to accept in payment of the interest a note made by one M. Wacitzfelder for the amount, secured by two camel's hair shawls as collateral security. The note was not paid at maturity, judgment was entered thereon, and the shawls sold under execution for $250, leaving $602 68 still due. It is further alleged that the maker of the note was insolvent at the time of the making, and that the note was taken in ignorance of that fact. On the first trial before Judge Barrett defendant claimed that when the note was taken the plaintiffs relied on the solvency of the shawls and not on that of the maker of the note, and the Judge, so holding, dismissed the complaint. A new trial was asked for by Mr. D. M. Porter, counsel for plaintiffs, on the authority of 43 N. Y. 159, and 5 Daly, 510, which motion was resisted by Mr. Rindskorf on the part of the defendant, on the ground that the cases cited were not analogous to the one at bar. The new trial was granted, and on the proceedings therein yesterday the same state of facts appeared, and upon motion of defendant's counsel, on similar grounds, the complaint was dismissed, with directions that the exceptions be heard in the first instance at General Term.

PROTECTING INSURANCE FUNDS.

Some days since an application was made to Judge Donohue, in Supreme Court, Chambers, by creditors of the Security Life Insurance and Indemnity Company, for an order directing the receiver to sue the directors for a large amount of money which it is alleged they paid out in dividends and benefits to policy holders, when the funds of the company did not warrant it. The receiver declined to commence the suit in question, because he deemed it inadvisable to spend the present assets in a litigation the end of which was doubtful. For the same reasons Judge Donohue now declines to order him to bring the suit, and also because the creditors who ask it can bring the same suit at their own expense if they are disposed so to do.

AN ACCIDENT SUIT DISMISSED.

The trial of the suit of Patrick Farley against the New York Central and Hudson River Railroad was concluded yesterday before Judge Van Hoesen in the Court of Common Pleas. The case has been on trial two days and the plaintiff as administrator of his brother Thomas sues the defendant for damages for causing his brother's death by an engine at the mouth of the tunnel at Ninety-fourth street on the Fourth avenue improvement in June, 1874, while he was engaged in carrying stones across the track in the employment of a subcontractor, under Dillon, Clyde & Co. The plaintiffs were confronted with their contrary evidence at the Coroner's inquest, and so far receded from their testimony given in December on the former trial as not to say positively that the engine bell was not rung, but only that they did not hear it. The Court held that the presumption of law was that the duty of the engineer and fireman to ring the bell had been performed in the absence of positive evidence that it was not performed, and that the presumption was not overthrown by the testimony of persons who merely didn't hear, and dismissed the complaint. Mr. William J. A. McGrath appeared for the plaintiff and Mr. Elliott F. Shepard for the defendant.

DELAWARE AND HUDSON CANAL COMPANY.

The suit of Henry R. Anderson against the Delaware and Hudson Canal Company, in which a receiver was asked for, and in which a preliminary application to the same effect has already been denied, was dismissed yesterday by Judge Van Brunt, in Supreme Court, Special Term. This is the same case out of which several indictments have arisen for circulating false rumors, all the facts of which have already appeared in the HERALD.

SUMMARY OF LAW CASES.

Ex-Governor Chamberlain, of the Palmetto State, made a visit to the State courts yesterday, in company with his new law associates in this city and some friends.

John R. Gladding, convicted day before yesterday in the United States Circuit of violation of the postal law in sending swindling circulars through the mail, was yesterday sentenced to pay a fine of $300.

President Orton, of the Western Union Telegraph Company, was examined at some length yesterday, before Judge Sanford in the suit of the Atlantic and Pacific Telegraph Company against the Western Union Telegraph Company and others. The trial will be resumed on Monday.

Matthew Callahan, convicted of participation in the late mail robbery in this city, was yesterday brought up before Judge Benedict in the United States Circuit Court for sentence. The Court sentenced him to three years imprisonment in the Albany Penitentiary and to pay a fine of $300.

Otto G. and Matilda Metzer were married in this city in 1859. He says that his wife left him, and he commenced a suit against her for divorce. Recently his wife made the usual application for alimony and counsel fee pendente lite, and the matter was sent to a referee to ascertain the amount of the husband's means and income, with a view of fixing the wife's allowance proportionately thereto. The referee fixed the allowance to the wife at $5 per week, and the Court has confirmed the report.

Adrian Iselin & Co., of this city, claim to be the holders of forty-five coupons of bonds of the Port Royal Railroad Company, guaranteed by the Georgia Railroad and Banking Company, on which $1,655 25 are due, and payment thereof has been refused. On the application of the Messrs. Iselin & Co., Judge Barrett, in Supreme Court, Chambers, yesterday, granted an order for the publication of the summons in a suit brought against both companies.

In the case of the United States against Louis Fox, charged with fraudulent bankruptcy, the accused was yesterday put upon his trial before Judge Benedict in the United States Circuit Court. The charge was for fraudulent bankruptcy and concealing his assets. It was alleged that shortly before Fox failed he had represented he was worth about $35,000, clear of all debts. Upon such representations he obtained goods from different parties. Soon after he failed, and on examination his assets were found to be worth only $3,000, with liabilities amounting to $400,000. The case is still on.

DECISIONS.

SUPREME COURT—CHAMBERS.

By Judge Barrett.

Buckingham, &c., vs. Corning and another.—Order signed.

Matter of Ing and another.—The rule requires a reference and bond in double the amount.

Brown vs. Dalton.—I do not think that this application comes within the terms of the statute in question, nor am I entirely satisfied with the proof.

Heller vs. Imgard.—I have read and considered the affidavit of Imgard of May 16, but yet I am not satisfied that the property is adequate security. Opinions are easily given, and there is an honest difference between men of different leanings. But the rental is a fact, and Mr. Lamley's explanation that he accepts $1,800 per annum for what he could realize twelve and a half per cent merely to avoid the trouble of collection, shows a singular disregard of his principal's interests. The Court will not reflect upon his capacity by giving too serious consideration to such a statement. To test the defendant's sincerity, and to avoid the possibility of injustice, the motion will be denied if within five days he pay the back taxes and Croton water assessments, and give the plaintiff a bond, with one good security in $2,500, to pay any deficiency which may ultimately result herein. In default thereof this motion is granted. The plaintiff, in any event, to have leave to renew if any further taxes or instalment of interest on the first mortgage shall remain unpaid for ten days.

SUPREME COURT—SPECIAL TERM.

By Judge Van Vorst.

Lynes, &c., vs. Matthews and another.—Findings signed.

By Judge Van Brunt.

Noble vs. Dooley and another; Shrefeldt vs. Timpson and another.—Findings and decrees signed.

SUPREME COURT—CIRCUIT—PART 3.

By Judge Larremore.

Southwick vs. The First National Bank of Memphis, Tenn.—Draw findings in accordance with case as settled.

COMMON PLEAS—SPECIAL TERM.

By Judge J. F. Daly.

Dowes vs. Melville; Dowes vs. Melville and another; Dowes vs. Melville and another.—Motions granted.

Higgins vs. The Mayor, &c.; Frank vs. The Mayor, &c.; Duffy vs. The Mayor, &c.—Complaints dismissed, with $10 costs.

Moore vs. The Pennsylvania Coal Company.—Judgment vacated, with leave to defendant to answer within twenty days.

By Judge Van Brunt.

Hubbell vs. Judd Linseed and Sperm Oil Company.—Findings settled.

MARINE COURT—CHAMBERS.

By Judge McAdam.

Murray vs. Luthy.—Surety Glover rejected. Defendant may file and serve a new undertaking with a new surety within two days upon paying $10 costs. The surety to justify on the 22d inst. at ten A. M.

Hoefener vs. Hoefener.—See indorsement on papers.

Erumens vs. Bereuz.—Stay pending appeal will be granted.

Shook vs. McGarry.—Motion granted for May 25, 1877.

Henry vs. Phillips.—Sureties approved.

McKinley vs. Seitz.—See indorsement on papers.

Rosenbaum vs. Crowley.—Motion to strike out granted with $10 costs to abide event.

Henry vs. Phillips.—Motion granted unless within six days the plaintiff serves his complaint; $10 costs to abide event.

Rothschild vs. Seebacker.—Default opened on payment within five days of $10 costs. Case to be tried on the 24th inst.

Frederick vs. Holstein.—Motion granted without costs, with liberty to apply for leave upon notice and upon paying the costs allowed to Judge Sinnott.

Stevenson vs. Leo.—Default opened upon terms indorsed upon papers filed.

Owens vs. Jordan.—Motion to deliver over property granted.

Rufford vs. De Viro—Bond approved.

McCabe vs. Morgan—Default.

Baily vs. Griswold—Attachment ordered.

Reece vs. Homan—Arrest vacated.

Kimball vs. Schlessinger—Motion granted unless the plaintiff, within ten days, files note of issue and pays $10 costs.

Flury vs. Clancy—Motion granted upon payment of $10 costs of this motion, $10 costs of former motion and $2 disbursements, and case to be tried on a day of June.

Rouse vs. Manheimer—Default opened and cause restored to the day calendar of May 25, 1877, on payment within three days of $10 costs.

Kirtland vs. Salomon.—The answer puts in issue the indorsement and transfer of the note. I cannot try this issue upon affidavits. (48 N. Y., 280.) Motion denied without costs.

Clark vs. Graber—Proceedings dismissed.

Duyckinck vs. Elder—Receiver authorized to sue.

Smith vs. American Institute.—Default opened and cause restored to day calendar of May 24 on payment within three days of $12 costs.

Heydenrich vs. Wolfe.—Default opened and cause restored to calendar for May 25 on payment within three days of $10 costs.

Garbanno vs. Anton.—Defendant must appear on the 28th inst. or an attachment will be issued.

Reece vs. Homann; Gannon vs. Brady; Lichienstein vs. Simmons; Emmens vs. Berenz; Hubbard vs. Angel; Baxter vs. Plonsky; Bonde vs. Thurston; Emery vs. Johnson; Bufford vs. De Viro; Whittemore vs. Atkinson; Duprey vs. White; Rubenstein vs. Reischveiber; Kreischer vs. the Municipal Oxygen Gaslight Company.—Orders granted.

GENERAL SESSIONS—PART 1.

Before Recorder Hackett.

A FIGHT FOR WAGES.

On the 12th inst. Charles Jourdan visited the barber's shop of Abraham Montague, No. 371 West Fifty-second street, and demanded $6 wages, which he alleged Montague owed him. The latter denied this, and ordered him out of the store. A dispute arose and Montague stabbed Jourdan twice in the head with a pair of shears. The jury were unable to agree and Montague was discharged on his own recognizance.

A YOUTHFUL BURGLAR.

William John Mullen broke into the store of Ernest Grundhus, West Twenty-fourth street, between Eleventh and Twelfth avenues, and stole a box of cigars. He was arraigned for trial by Assistant District Attorney Bell and convicted. The Recorder sent him to the State Prison for four years.

STEALING FROM A SHIPMATE.

A Greek sailor, named Louis Jouxlette, stole the sum of $35 from a shipmate. The prisoner denied his guilt, but after the evidence had been adduced the jury convicted him, and he was sent to the State Prison for four years and six months.

THE KNIFE AGAIN.

George Buckland, of No. 404 West Sixteenth street, was placed on trial, charged with an assault with intent to kill former Deputy Sheriff Campbell, of West Seventeenth street, in August last. Campbell testified that Buckland and himself got into a fight, and that he intended to retaliate on Buckland if he could, but when he came out of the fight found himself badly cut with a knife. Mr. John O. Mott, counsel for Buckland, placed him upon the witness stand, and according to his testimony Campbell was quite drunk, and while he (the prisoner) was standing at his own door Campbell came up and without any provocation struck him in the face; that he retreated across the street and Campbell followed him with a pistol and overtook him on the north side of Seventeenth street and knocked him down and was beating him with the pistol, it having failed to go off when Campbell endeavored to shoot him, and that he (Buckland), believing himself to be in danger of being killed, took out his knife and cut Campbell. Counsel called four witnesses, who corroborated Buckland in his statements. The case was submitted upon the charge of the Recorder, and the jury, without leaving their seats, acquitted Buckland and he was discharged.

PLEAS AND SENTENCES.

Assistant District Attorney Bell accepted pleas of guilty from the following prisoners:—William Nickels, picking the pocket of Emma Scully, No. 11 Grove street, of $5 38—two years and six months in the State Prison; Thomas Riley, of No. 318 Cherry street, stealing a watch from Charles Barkow, No. 34 Division street—three years and six months in the State Prison; James Waters, No. 26 Rutgers street, and John Griffin, Fifteenth street and avenue A, breaking into the barber's shop at No. 233 avenue B and stealing property valued at $5—two years and six months each in the State Prison; Conrad Frize, No. 205 East Forty-fifth street, stealing $15 worth of harness from a stable at the foot of Seventy-first street—two years and six months in the State Prison.

GENERAL SESSIONS—PART 2.

Before Judge Sutherland.

LARCENY OF CLOTHING.

State Superintendent Pilsbury forwarded yesterday to Mr. John Sparks, Chief Clerk of the Courts of General Sessions and of the Court of Oyer and Terminer, a copy of the law recently passed by the Legislature authorizing the removal of all female convicts at Sing Sing Prison to whatever Penitentiary the Superintendent may select, and providing also that all females hereafter convicted of felonies be confined in the county penitentiaries of the State. The first case under this law was disposed of yesterday. Kate Clowrey was arraigned by Assistant District Attorney Lyon charged with the larceny of clothing valued at $70, the property of Magdalen Richtman, of No. 339 East Thirty-second street. The prisoner pleaded guilty and was sent to the Penitentiary for the term of one year.

RECEIVING STOLEN GOODS.

Burglars entered the house of John W. Lyon, 1,160 Broadway, and property valued at $1,000 was carried off. Detectives O'Conner and Field, of the District Attorney's office, arrested George Davis, alleged to be one of the thieves, and recovered the stolen property. Davis is now in the Tombs awaiting trial in default of $5,000. Yesterday the detectives proceeded to 62½ Baxter street and arrested Leah Goldstein in whose possession they found a dress which she admitted having purchased from Davis for seventy-five cents. The woman was taken to the District Attorney's office and held in $500 bail on an indictment charging her with receiving stolen goods.

THE SWEENY PANEL.

Ex-Judge Henry E. Davies and August Belmont, the elisors to select a panel of struck jurors to be summoned for the trial of the case of the People against Peter B. Sweeny, submitted their final report or certificate yesterday, giving twenty-four names as follows:—Francis Alexandre, No. 29 West Twenty-seventh street, merchant; Henry Amy, No. 18 West Twenty-seventh street, banker; Richard Arnold, No. 29 West Twenty-third street, dry goods; Joseph G. Harrison, No. 329 West Thirty-fourth street, engines; George H. Henry, No. 14 East Tenth street, president; Christian Herter, No. 436 West Twenty-second street, furniture; William B. Hoffman, No. 48 West Twenty-second street, gentleman; Gilman Collamore, No. 210 West Fourteenth street, china; Henry C. Ward, No. 36 West Thirty-first street, merchant; Martin J. Waters, No. 518 West Fiftieth street, cashier; Noah L. Weeks, No. 430 Fourth avenue, builder; James White, No. 106 East Forty-sixth street, printer; James R. Whiting, No. 44 West Fifty-fourth street, hops; John McMurdie, No. 351 West Fifty-sixth street, dry goods; Alexander Maitland, No. 9 West Fourteenth street, merchant; Bradley Martin, No. 22 West Twentieth street, vice president; Martin V. B. Mattison, No. 506 West Twenty-fourth street, lumber; Alexander A. Meeldrum, No. 249 Madison avenue, auctioneer; Lewis Edwards, No. 112 East Thirtieth street, architect; Marc Eidlitz, No. 317 East Fifty-eighth street, builder; George Einstein, No. 144 West Forty-third street, dry goods; James C. Fargo, No. 56 Park avenue, treasurer; James G. De Forest, No. 37 West Thirty-sixth street, merchant; Francis O. Dé Luzo, No. 16 East Thirty-third street, wines.

The original certificate from which the foregoing names are taken was deposited with the Sheriff yesterday afternoon, and the gentlemen named will be summoned to attend on the trial, which is fixed for 4th of June next.

CLAFLIN'S DISHONEST CLERK.

MORE OF THE STOLEN PROPERTY RECOVERED.

Thomas Belton, the dishonest employé of H. B. Claflin & Co., whose arrest was chronicled in yesterday's HERALD, was brought to the Tombs Police Court yesterday by Detective Carr, and, by request of Captain Murray, was remanded back to the Oak street station house for further evidence. Daniel J. Hall and David Marsh, the alleged receivers of the stolen property, were also remanded to the station house. Captain Murray was busily engaged all day yesterday in trying to recover more of the stolen property, but the prisoner Belton manifested extreme reticence about making further admissions. The other prisoners also refused to make any statement.

AN AGED PRISONER.

The arrest of Marsh was effected by a well known ruse on the part of Detective Carr. Learning his man's address, No. 348 West Eleventh street, the officer stationed himself near by and watched the house. Three hours of sentry duty brought no result. The premises were unoccupied and no person sought admission. Occasionally a pedestrian passed by, but as midnight approached the solitary policeman on post going his rounds became the only pedestrian. Twice the detective from his hiding place noticed an aged white haired man hurriedly pass down the street and look furtively at the house. The second time the detective followed him. The man's extreme age (he appeared over eighty years) served to dispel the theory that he might be the receiver, but the officer determined to try him. Going up to him he said with an air of familiarity:—

"Why, Mr. Marsh, how do you do? I haven't seen you for a long time." The old man turned sharply, and grasping the detective's proffered hand returned the greeting. The officer then took him in custody.

MORE OF THE PROPERTY RECOVERED.

In his house were found a large quantity of needles, several hundred packages of braid and quantities of thread, in all several hundred dollars. In his pockets were found $146 60. Marsh gave his age as seventy years and said that he had bought the goods in good faith.

The other receiver, Hall, is a mere boy, having recently succeeded his father in the store in Pearl street, where he was arrested. Further developments are expected by the police to-day. In company with Mr. Irish, of the firm of H. B. Claflin & Co., Captain Murray yesterday visited the banks in which Belton had funds. The bank officials in each case expressed their willingness to turn over at the proper time all the money to Belton's credit.

BAD FOR THE PRISONER.

On the night of the 23d ult. the premises of John D. Lyon, father of Assistant District Attorney Lyon, No. 1,160 Broadway, were entered by a burglar and $400 worth of clothing stolen. The Assistant District Attorney put officers on the case, but they failed to find the criminal. On the evening of the late lamented carnival the premises were again entered, and, by a singular coincidence, exactly $400 worth more of clothing was carried away.

Mr. Lyon, now fully aroused, determined to exert all efforts to catch the thief. Detectives Field and O'Conner were intrusted with the case, and yesterday they arrested George E. Davis with some of the stolen clothing on his person. In his pockets they found pawn tickets for several of the stolen articles, and at his residence, No. 192 Chatham street, they found a large valise containing more of the booty. Subsequently Leo Goldstein, of No. 62½ Baxter street, was arrested on the charge of receiving some of the stolen property. The prisoner was committed by Justice Smith, at the Tombs Police Court. He does not expect much sympathy from the office of the District Attorney.

HOSPITAL INHUMANITY.

Officer Dunlap, of the Church street station, brought to the Tombs Police Court yesterday morning a ragged and degenerate looking man of about thirty-five years of age, whom he found lying at the corner of Washington and Rector streets. The prisoner appeared totally indifferent to all the surroundings, and in answer to the officer's question only stared vacantly. Justice Smith saw at once that the unfortunate man was suffering from sunstroke as well as from liquor, and ordered his removal to the Chambers Street Hospital. Three hours later the officer called at the hospital to see how the prisoner was doing, when the doctors ordered his removal to court, saying that he was only drunk. Again the officer brought him to the Tombs, the man being scarcely able to walk. Justice Smith was indignant. "The man is unquestionably sick," said he, severely, "and the hospital people should have kept him there. They do this too frequently. It should be stopped." The prisoner's helpless appearance and idiotic stare showed plainly that a hospital and not a prison was the proper place for him. He was remanded for medical treatment by the prison physician.

ADMISSIONS TO THE BAR.

The commissioners appointed by the Kings county Supreme Court to examine candidates for admission to the Bar have reported the following named law students as having favorably undergone the requisite examination:—S. Gifford Nelson, William Wills, P. H. Bonanna, James Gardner, W. H. Cuddeback, Joseph H. Leggett, John B. Sweezy, M. J. Donovan, Simon Ford, Charles E. Cook, Charles Smith, Jr.; Charles Kalarat, David P. Eustis, T. F. Laughlin, H. Small, John P. Donnelly, E. G. Kiraeder, James F. Seyloit, Jacob E. Menzer, Charles Tenbroeck and Erastus D. Edgerton.

MUNICIPAL NOTES.

An invitation has been received by the Mayor and Common Council to review the Twenty-third regiment National Guard of Brooklyn this afternoon.

The local statesmen around the City Hall were yesterday overjoyed at the veto of the Omnibus bill. Mutual congratulations were exchanged among officials who would be left out in the cold in case of the signing of this measure.

Comptroller Kelly yesterday paid an additional $25,000 to the Brooklyn Bridge Company.

The *City Record* commission, which consists of Mayor Ely, Commissioner Campbell and Corporation Counsel Whitney will to-day determine the newspapers to publish city advertising for the next twelve months.

CORONERS' NOTES.

Coroner Woltman read the testimony in the runaway accident that occurred at Central Park on the 12th inst. to a jury yesterday. Their verdict was that Henrietta McDonald and Hattie M. Renwick were killed by jumping from the carriage at that time.

The verdict in the William Kilian case was that he had committed suicide.

THE HERMAN MURDER.

ARREST OF THREE YOUNG MEN—ONE OF THEM BELIEVED TO BE THE ASSAILANT.

The murderer of Max Herman, the German lad who was mortally wounded last night in Washington square, is one of three prisoners now in the Tombs. Their names are Louis Reno, aged nineteen, of No. 74 Thompson street; John Giovanni Rivario, aged sixteen, of No. 70 Thompson street, and Edward Walker, aged seventeen, of No. 225 Elizabeth street. Reno is a good looking lad, of French extraction, with dark eyes, olive complexion and black hair; Rivario is small and saturnine, and Walker is a tall strawberry blonde. They are not hard looking cases. On the contrary, they have every appearance of being hard working boys. These lads were sought high and low by Detectives Slevin and Dolan, of the Fifteenth precinct, on Thursday night. Walker was known to be a shoeblack, who worked at the corner of Broadway and Spring street, and here, after their long night's search, the indefatigable detectives lay in wait for him. They collared him the moment he put in an appearance, and charged him with having been implicated in the murder of Max Herman. Walker denied his complicity in the murder, but unhesitatingly admitted that he, Rivario and Reno had had a difficulty with seven or eight other young men in Washington square. He likewise confessed quite willingly that Reno had stabbed one of their assailants, and during his flight toward Waverley place with Rivario and Walker remarked, displaying a knife, "I must have cut him pretty badly."

Then Walker informed the officers of his companion's dwelling, and thither Slevin and Dolan went. Reno had left No. 74 Thompson street when the police asked for him, and they, therefore, hastened to Rivario's house, No. 70. They could get no information from the Italian residents of the lad's whereabouts, so they at length decided to search the house for him. After some minutes spent in going from room to room they found and took him to the station house. Here he told the police that early in the morning Reno came to his bedside and said, "That man who was cut last night is dead. Keep quiet and say nothing. I am going out to work."

One hour later the officers found him at the furniture store of Warren, Ward & Co., in Crosby street. He was in their employ. His sleeves were rolled up when the officers found him, and his right hand had been cut as if with a knife. There was a blood stain on his sleeve. By half-past ten o'clock all three of the lads were in separate cells, and about that time the post-mortem examination of Max Herman's body was made.

THE POST-MORTEM.

The dead boy had been removed from the Mercer street station quite early yesterday morning and reposed in a shell in the rear room of his father's dwelling, at No. 99 Bleecker street. His face wore a placid expression and did not indicate the violent character of his taking off. Dr. Cushman, Coroner Woltman's deputy, made the post-mortem, which he describes in these terms:—

Externally I found a punctured wound on left side of the neck, half an inch in width, two inches in depth, passing inward and downward into the right thoracic cavity, severing the external jugular vein and sub-clavian artery. The right cavity of the chest contained about two pints of fluid blood. There was another wound over the right shoulder, one inch and a half in depth, into the deltoid muscle. Death, in my opinion, was caused by shock and hemorrhage from the first described wound.

THE CORONER'S INQUIRY.

Coroner Woltman visited the station house and made the following examination of the witnesses and participators in the quarrel of Thursday night.

Emil Kieger, of No. 219 Greene street, testified that he lived with his parents and worked at No. 34 Amity street in a brass foundry; did not see the stabbing done.

"Have you any intention of clearing out?" asked the Coroner.

"No, sir," replied the witness.

"Then I will discharge you on your own recognizance to appear at the inquest when I want you." The witness needed no second invitation to start for home.

Raphael Boysett, of No. 197 Greene street, testified that he was employed at a sewing machine manufactory at No. 4 Bond street, and would appear when notified by the Coroner. All the information he could give, he said, was that the trouble first took place at Amity and Greene streets.

John Riley, a boy of about fourteen, testified:—We were standing in Greene street, talking about the club we were going to establish, when these fellows passed us; I think I should know two of them if I should see them again; I don't know which one killed the boy.

F. L. Dittmar, another lad, residing at No. 103 Greene street, and employed as a jeweller's apprentice at No. 169 Broadway, stated that he was in company with Herman on Thursday night, but did not know who struck the fatal blow.

Louis Boyard, of No. 35 West Third street, testified that he was employed by Mr. White, a glass cutter, in room No. 23 in the Harlem Railroad Depot in Centre street. He stated to the Coroner that he did not know who struck the blow; the gang came too quick on us.

Herman Schwirzer, of No. 28 West Fourth street, testified:—We were all sitting together in Washington square when Walker, the bootblack, came up and abused us, and bad language followed; he did not see who inflicted the wounds on Herman.

All these witnesses were discharged.

Later in the afternoon a jury was empanelled, and, with the Coroner, viewed the remains of the dead boy. It appears from the statement made by the detectives to the Coroner that Reno had no trade. He was merely a laborer. The prisoners were brought before Superintendent Walling, at the Central Office. Here they admitted having fought with the Germans, who were far too numerous for them, and a knife had been used by either Rivario or Reno in self-defence. Rivario looked as if he had been roughly handled, and a slit in his coatsleeve gave proof that he had a narrow escape from a deadly assault with a knife himself. Louis Reno was committed to the Tombs by Coroner Woltman to await the result of the inquest, and John Rivario and Edward Walker were sent to the House of Detention for witnesses.

The funeral of Max Herman will take place on Sunday next. He will be laid beside his mother, in the Lutheran Cemetery, East New York. The poor lad bore an excellent character, and leaves many friends to mourn his untimely end.

PROBABLE HOMICIDE.

A case of probable homicide has been developed from a case of assault and battery which occurred at Rockaway Beach about two weeks ago. An old man, a carpenter by trade, named James Riley, was badly beaten by a burly fellow named Thomas Sutton, who finished the assault by kicking the old man in the stomach after knocking him down. Yesterday Riley died at the hospital, and a post-mortem examination of the body is to be made and measures taken to secure the arrest of Sutton pending a determination of the cause of death.

A FATAL JOURNEY.

Belen de Socarras and Aquilino Zuricalday, by Olcott & Mestre, attorneys, yesterday obtained letters of administration on the estate of Macedonio de Socarras. In 1869 Mr. de Socarras was in Cuba and, desiring to come to the United States, wrote to his father for money to pay his expenses. The father sent money to his son, and Macedonio, being in that part of Cuba which was in insurrection, started out to sea with his wife and child in a small open boat from a creek on the southern coast of the Island called the Playa de Mulao. A colored servant of the family saw them leave. Since that time nothing has been heard of Macedonio or his family, and the only supposition possible is that they either perished at sea or fell into the hands of and were murdered by the negro wreckers who infest the small islands and reefs off the coasts of Cuba, lawless characters that murder strangers for any money they may have. This incident recalls to mind that a few years since a young Cuban started with a friend from Nassau in a small boat and fell among these land pirates. The two were murdered and robbed of a sum of money they carried.

One of our New York detectives had occasion some time since to go among the wreckers in the Bahamas, in an insurance case. He found them such a desperate class that, accustomed as he was to deal with the characters of crime, he breathed freely only when he had left them hundreds of miles away, as he knew they would have killed him had they even suspected his mission or identity.

BUSINESS TROUBLES.

The examination in the bankruptcy proceedings of C. S. Bushnell, the constructor of the Union Pacific Railroad, was continued yesterday before Register Allen. Mr. Edward W. Maginnis, one of the bankrupt's brokers, through whom all checks and drafts passed, produced a number of telegrams, checks, drafts and a copybook of all notices of purchases and sales in the account with Mr. Bushnell as trustee. Counsel called attention to several drafts signed C. S. Bushnell, trustee, on which the name was in black ink and the word "trustee" in purple ink, and was of the opinion that the word trustee had been added subsequently. Mr. Maginnis could not swear positively that the word mentioned was on at the time the draft was received; he had no doubt but that it was, as they had no other account except with Mr. Bushnell as trustee; at any rate it was on when the draft was paid, as he would not have paid it unless correctly indorsed; Mr. Bushnell might have been in the office when the draft arrived and then completed the signature, which would account for the different colored inks on the drafts. There was nothing on the books to show for whom Mr. Bushnell was acting as trustee, but he had told witness that it was for his wife when he opened the account. A few questions were put to Mr. Bushnell in relation to a call for 5,000 shares of the stock of the Produce Consolidated Land and Petroleum Company, in consideration for placing the stock of the company, after which the examination was adjourned.

Patrick Cull, liquor dealer, has been adjudicated a voluntary bankrupt before Register Dwight. His liabilities are small.

The liabilities of Alonzo E. Austin, provision dealer at No. 202 Chambers street, who made an assignment to Charles H. Culver last week, amount to $5,850, while the assets are valued at $2,600.

Marcus Meyerhoff, F. Copper and Adolph Milsner, manufacturers of suspenders at No. 28 Walker street, were sold out by the Sheriff yesterday, to satisfy a small judgment obtained by Mark Gaugel.

Balch W. Pierce yesterday filed his assignment in the County Clerk's office to Samuel Stevens.

PENTECOST.

CELEBRATION OF THE JEWISH FESTIVAL IN THIS CITY—SERVICES IN THE VARIOUS TEMPLES AND SYNAGOGUES.

The Jewish festival of Pentecost was celebrated at the various temples and synagogues in this city yesterday with unusual fervor and floral display. The rite of confirmation was conferred upon many of the younger members of various congregations. The Sunday schools were a distinguishing feature of the celebration, while the sermons were directed generally to the immediate subject of the ceremonies.

WHAT THE FEAST COMMEMORATES.

Pentecost is one of the three principal festivals of the Jews, so called in Greek and modern languages because it was celebrated on the fiftieth day after the feast of the Passover. It was originally called the feast of weeks (or the feast of seven weeks) because it was celebrated seven weeks after the sixteenth day of the first month of the Mosaic calendar (Nisan). It was the feast of the first fruits of the harvest, and stood as the culmination of the consecrated season, and was characterized by a hospitable liberality and remembrance of the poor. Its distinguishing rite was the offering of two loaves of leavened bread from the new crop. In foreign countries, since the captivity, the Jews have prolonged the festival to two days (modified in this city to its being celebrated one day by the temples and two days by the synagogues). In later times it has been kept as the commemoration of the law on Sinai, of which it is the anniversary. The day is also kept as a festival in the Christian Church, and among Latin and Greek Christians ranks next after Easter. It commemorates the day when, as related in Acts, ii., the Holy Ghost descended upon the apostles and bestowed upon them the gift of tongues. The festival was in the early ages one of the favorite seasons for administering baptism; and as those who received it were clothed in white to symbolize the spiritual purity which baptism confers, the day acquired the name of Whitsuntide. Yesterday it was certainly a very pleasing sight to see in the various Jewish places of worship so many young aspirants, answering questions in faith and discipline and then receiving the certificate of confirmation.

It being the anniversary of the founding of Jewish law, the sermons yesterday were generally directed to that point. Dr. Gottheil preached in the Temple Emanuel, Dr. Huebsch in Temple Ahawatch Chesed, Dr. Einhorn in Temple Beth El, Dr. Mendes in the Forty-fourth Street Synagogue, Mr. Jacobs in Thirty-fourth Street Synagogue and Dr. Henry P. Mendes in the Portuguese Synagogue, West Nineteenth street and Fifth avenue.

THE PORTUGUESE SYNAGOGUE.

One of the interesting features of the occasion was the first appearance of Dr. Henry P. Mendes (brother of Dr. Mendes, of Forty-fourth Street Synagogue), who but recently arrived in this city from Manchester, England, and has been probationally appointed preacher of the congregation. Much curiosity was excited among our Hebrew people to listen to the newcomer, and the synagogue presented an unusually brilliant display, both as regards costly jewelry and toilets and exquisite floral decorations. The following is an abstract of the gentleman's remarks:—

The text was from Proverbs, vi., 23—"The commandment is a lamp, and the law is light." Having referred to the joyous nature of the festival, he said that man created and left to the guidance of his own intellect fell from the high estate wherewith he was endowed. The Flood swept the degraded race from off the fair face of the earth, so sadly defiled, and all humanity except one small family found a common grave beneath the deluge of waters. Thus the lesson of the Flood teaches us that the human mind left to itself is incapable of fulfilling the high duties intrusted to it. It, therefore, needs a guide. What this guide is our text, said Dr. Mendes, briefly but emphatically tells us. Before the dawn of revelation all was spiritual darkness, but the fiat was given, "Let there be light," and there was light poured upon the earth to dispel its mantle of blackness with a flood of glorious sunshine. This event, memorable forever, took place nearly one hundred generations ago and is celebrated this day. And how necessary was this revelation! Into what gross idolatry had the nations fallen! The lecturer then portrayed the history and practices of pagan nations, including Egypt, early Saxons, notions of future life among the Indians of the East and West, and compared them with the doctrine of the Bible, as elucidated by (Genesis, xv., 15) King David, Job and the Talmud treatise *Modekaton*. But what is the commandment, he asked, which the text says is a lamp? The word denotes the practical precept, the observance of the Sabbath and festivals; the abstinence from forbidden food; the actions of love, help and charity; deeds of piety and veneration; the fulfilment of all those ethical principles to which men can find the equal nowhere else.

The word "law," in Hebrew *torah*, is derived from the root "to show," "to teach." Thus the word *torah* means "education"—the education of the world which began on Sinai by the development of the law's ordinances, the education of ourselves by the practice of its precepts, the education of our children by the inculcation of its doctrines. Having referred to the education of the world and the part played in it by the Hebrew Testament, and noticed the relation borne to it by the New Testament and the Mohammedan Koran, the preacher dilated upon the education of the Hebrews, which was to be accomplished by continually striving after the perfection held forth in the *torah*.

HOME EXAMPLE EVERYTHING.

He earnestly advocated the religious education of children as being the sure means of successfully combating the materialists, ethiculturists, *et hoc genus omne*—and as being the only means of preserving their religion. But in this education of children, said the preacher, home example is everything. If it be the mother who kindles the light of the law in the mind of the child, if it be the school that strengthens it, it is the home example that supplies the very oil, the life of the light of the law. Thus the commandment is the lamp and the law is the light which at once light up our path of life here and the mysterious walks beyond the grave. Let us then be cheered by their radiance, and, guided by their gleam, persevere hopefully to enjoy as our ultimate reward the "light which is sown for the righteous and the joy for the upright of heart." The lecture concluded with a fervent prayer.

THE M'KELVEY CASE.

TO THE EDITOR OF THE HERALD:—

In your issue of the 17th inst. great injustice is done to a clergyman who has innocently and silently suffered much. In accordance with the earnest wishes of the large majority of the church and congregation and of the whole of the session and Board of Trustees, Rev. Alexander KcKelvey has occupied the parsonage of the Westfield (N. J.) Presbyterian Church until the present. Contrary to the desires of these and against the unanimously urgent request of the trustees officially made, for some days he has been preparing his goods for removal and has already removed his family from the parsonage. By publishing the above in correction of a gross misrepresentation you will aid in stopping a malicious persecution against a minister of the gospel whose labors in our church have been greatly blessed and who has always studied the peace and the highest interests of our congregation.

A MEMBER OF THE SESSION.

WESTFIELD, N. J., May 18, 1877.

MR. WILSON'S EQUIPAGE.

A LIVERY STABLE KEEPER'S MISPLACED CONFIDENCE.

To the livery stable of E. N. Crow, at No. 140 Varick street, came the day before yesterday a young man of striking appearance and still more remarkable volubility. His attire was faultless, his manner genteel, though a trifle boisterous, and he had a look of solvent respectability suggestive of an easy mind and a bank account somewhere. He saluted Mr. Crow with great cordiality, spoke in a cursory way of the completeness of his establishment and then introduced himself as Charles Wilson, of Albany. He said he had come to the city to lead to the hymeneal altar the daughter of Mr. Ford, whose bakery was close by in Varick street. He proposed this day to take his *fiancé* out for an airing. For this purpose he wanted as elegant an equipage as the establishment could afford. He went away with the understanding that the horse and wagon were to be sent to Mr. Ford's bakery in half an hour.

At the time specified a hostler drove them up to the door, and just as he reached it out came the elegant Mr. Wilson, who mounted the wagon and spent a quarter of an hour in trying the animal's speed up and down the street. As they passed a saloon he suddenly drew up.

"Ha, my man, you must be dry," said he, and forthwith he hurried the hostler into the saloon, treated him, and hastily resuming his place in the wagon, tossed out a fifty cent piece, telling the man that he would be back at the stables by dusk. Up to yesterday morning, however, neither man, horse nor wagon had been heard from. Mr. Crow sent to Mr. Ford to inquire what had become of his future son-in-law. Mr. Ford was totally ignorant of any such person or any such engagement, but on further conversation remembered a gentleman with a remarkable capacity for pies who had purchased two of them the day before, gone out for a while, returned again and consumed a couple more, and had then left the bakery and got into a light wagon which had just driven up to the door. Mr. Crow notified the Central Office authorities of his loss. The elegant Mr. Wilson is supposed to have gone to New Jersey, where the police are in quest of him. The wagon he had is newly painted, with red stripes; the horse is brown, with a small star on the forehead, and the harness is marked E. N. Crow.

A VERY LUCRATIVE OFFICE.

The rate now paid the Sheriff of Kings county for the board of prisoners at the Raymond Street Jail is thirty-five cents per diem. The average number of boarders charged for is about three hundred. The support of the jail is about $100 per day, exclusive of upward of $130, or thereabout, for turnkeys' fees per week. The total cost of supplies, &c., is very little in excess of fees. The Sheriff of Kings county has received, during the sixteen months that he has been in office, $105,923 16. The outlay for conducting the office is not more than $35,000 per annum. The Board of Supervisors have appointed a committee to consider a plan for the reduction of the existing enormous rates of compensation.

CUSTOM HOUSE REVELATIONS.

Weighers and Assistant Weighers Fall Out and Tell Tales.

NEGLIGENCE AND EXTRAVAGANCE

Superfluous Laborers—Reappraisement Scheming—Party Jealousies.

Thomas S. Knox, a decapitated assistant weigher, appeared before the Custom House Commission yesterday and deposed that for three years he had been foreman for Weigher James Owens. He was dismissed in 1875, when the force was reduced, and not because there was any charge against him, but because they had a fight. At the time of his appointment deponent was First Vice President of the Twentieth District Republican Association. There was a split in the organization, one part being under the control of Mr. William A. Darling and the other under Mr. Owens. Witness by virtue of his office was entitled to cast a vote for one of the republican Supervisors of Election, and was told by Owens if he would vote for his man he should have a place in the Collector's Office. He did as requested and was appointed as "Booker" on Owens' dock; subsequently he was made foreman. Owens gave deponent two lists of charges for weighing merchandise—one being the printed copy from the Surveyor's Office, and the other in manuscript, and of which the following is a copy:—

THE LIST OF PRICES CHARGED MERCHANTS.

Scrap iron, 25 cents per ton.
Pig iron, 15 cents per ton; in lots, 20 cents per ton.
Old rails, 15 cents per ton.
Bar, rod, angle, sheet and bundle iron, 10 cents per ton.
Iron wire, 2 cents per ton.
Pig lead, 20 cents per ton.
Lead, in casks, 20 cents per ton.
Spelter, 15 cents per ton; in lots, 20 cents per ton.
Ingot tin, 15 cents per ton; in lots, 20 cents per ton.
Ingot copper, 25 cents per ton; in lots, 30 cents per ton.
Prunes and fruit, in casks, barrels or cases, 2 cents per cwt.
Cheese, 2 cents per cwt.
Cream tartar, 2 cents per cwt.
Ochre, 2 cents per cwt.; in lots, 3 cents per cwt.
Nuts, in bags, 6 cents; in bales, 10 cents.
Currants, 2 cents per cwt.; in lots, 3 cents per cwt.
Raisins, 1 cent per box.
Citron, 2 cents per cwt.
Figs, 2 cents per cwt.
Malt, in bags, 2½ cents each.
Hops, in bales, 20 cents each.
Wool and flocks, 12½ cents per bale.
Bristles, in barrels or cases, 12½ cents each.
Rice, with city weighers, 1½ cents; for importer, 2½ cents.
Linseed, ½ cent per bag; for importer, 1 cent.
Sugar—Casks, bags or mats, with city weigher, half labor, 1 cent per package.
Chiccory, in casks, 2 cents per cwt.; in lots, 3 cents.
Glycerine, in barrels, 20 cents each, half labor.

"Half labor," deponent explained, signified that the City Weigher divides the labor fees paid by the government. If a gang of four men weigh a lot of goods for which $20 was paid the City Weigher receives one-half of the amount. This witness testified with a good deal of rancor in his statements. He continued:—The laborers' payroll contained from sixty to eighty names, whereas the work could have been done by from thirty to thirty-five men. Men were employed on the recommendation of the secretary of the Twentieth District organization, countersigned by Mr. Darling. Men whom witness discharged for drunkenness and stealing were reinstated by Owens. Witness here read a letter addressed by him March 21, 1876, to ex-Secretary Bristow, informing him that James Owens was one of the ex-directors of the Third Avenue Savings Bank, and wanted the Secretary to ask for Owens' resignation, on account of that bank failing. He saw a statement that a draft for $50,000, drawn to Owens' order, had been given to Owens' wife, which money had been drawn from the defunct bank. Besides being United States Weigher Owens is the owner of two coal yards, to which he devotes his entire attention, and very seldom, if ever, comes to his weigher's office before two o'clock P. M. The writer asked the Secretary to investigate these facts through his special agents. A similar statement had been made by this deponent to Surveyor Sharpe, but no notice was taken of the matter. Witness further testified that since the Commission had been in session he had been approached by officers in the government service, not to testify, in which case he could have another appointment. Subsequently he was told that a sum of money would be made up for him if he would leave the city. This was declined, as well as an offer of $4 per day to be paid him until he found other employment. His testimony, he said, was given from a sense of justice, and not out of revenge.

MR. OWENS EXPLAINS.

Weigher James Owens was at once notified to appear before the Commission, and he did. On being sworn this witness, who possesses great volubility, rattled away at a rate which taxed the ability of the stenographer to its utmost limit. According to his statements he was an expert weigher, and applied himself strictly to his duties. He admitted being the owner of two coal yards. After receiving his appointment of weigher he appointed a man named Jayne, brother of ex-Special Agent B. G. Jayne, as his foreman. Jayne asked witness at once what his share of the perquisites was to be, as his brother, the Special Agent, assured him that he was entitled to it. Witness was perfectly guileless and scouted the idea of anything beyond the legitimate fees being paid to anybody. A short time after he ascertained that Jayne had collected over $100 from merchants, which witness wanted him to return. Deponent instructed the coopers not to show the dock book to Jayne. The latter told him that he was entitled to his percentage.

To Mr. Robinson—The city weighers do not use our men for their work, and neither is it true that the proceeds are divided between the United States and city weighers.

Mr. Owens also handled Mr. Knox, the previous witness, without gloves. This man, witness said, he had appointed out of charity, he having been a member of his church, corner Lexington avenue and Fifty-second street, and had to dismiss him on account of drunkenness, for which he also had to leave the church.

INWARDNESS OF THE WEIGHERS' DEPARTMENT.

A. G. P. Brown, assistant weigher under Colonel B. F. Thorpe, testified that forty to fifty laborers were employed on his district; city weighers do their work with a much smaller number; thought that the United States government work could be done with materially less help; competent weighers are often sent to districts where they have no work, so as to be starved out; the reason is that such men have no political influence; the janitor in his office reads newspapers and talks politics; the duties witness performs every week bring in to the government $70,000 in gold as duties, for which he receives only $4 a day in currency; if a man is only a little bit careless he may lose to the government $350 or $400 a day in duties; it is a frequent occurrence that hogsheads of sugar fall short sixty pounds in government weighing as compared with the city weigher. Deponent further testified that Colonel Thorpe is very seldom at the office.

A. H. Raynolds, assistant weigher of the Eleventh district, under Weigher Drew, testified that the assistant weigher can never do his whole duty nor save the government any money unless he has the selection of his men in order that he may have sole control over them. By these means at least one-third of the men could be spared and so much saved.

Mr. Bixby, assistant weigher with Weigher John J. O'Brien, gave quite voluminous testimony. He stated that he had been with Weighers Bacon, Lounsbury and Blackie. The latter, witness stated, had not been on his district twice in six months.

Mr. Washburn, another assistant weigher under Weigher O'Brien, likewise testified, corroborating the statements of the last witness.

THE APPRAISER'S BUREAU—REAPPRAISEMENTS.

Mr. Thomas W. Gibson, assistant appraiser of the Third division, was sworn. He testified that he had been chief of his division since 1871; had been a merchant for thirty years and was a good judge of goods. He has four examiners under him, viz:—Mr. Kent, silk examiner, an old and respected merchant; Mr. Schoonmaker, also a merchant; Mr. Corbett, brought up in the dry goods business, and Mr. Leopold Weil, who has been many years in the service, and whom he considers an expert. In refutation of the statement made by a witness that on reappraisement of goods the maximum rate of ten per cent or over, by which a penalty is incurred, not being recommended, Mr. Gibson stated that this was a reflection upon the merchant appraiser. In each case of reappraisement, the importer, on finding a likelihood of his goods being advanced, raises the value of his own accord; thus the increased valuation scarcely ever reaches the required ten per centum. Mr. Gibson cited a case occurring only a few days ago, where he advanced goods from ten pence to twelve pence, which, on reappraisement, was not sustained. The value of an article is what it will bring in the market. Mr. Gibson exhibited a lot of samples of silks, part silk, silk and woollen, silk and mohair, silk and cotton, and explained that it required a microscopic examination to ascertain the relative admixtures of these goods, upon which a mixed rate of tariff has to be imposed.

EVERYBODY INVITED TO APPEAR.

The commission has issued the following notice, which they requested to have published:—

The commission having nearly completed their examination of officers of the customs, touching the conduct of the various branches of the customs service, are ready to receive information or advice from importers, merchants, Custom House brokers and other citizens looking to the integrity, economy and efficiency of the service. Complaints marked "confidential" will be so treated, and parties ready to appear before the commission will please advise them by note of the points of which they propose to treat.

A petition, signed by about seventy of the most prominent shipowners and shippers who do not employ brokers, praying the commission not to take any action on the petition of a few Custom House brokers in relation to prohibiting Custom House clerks to act as notaries, was received and added to the minutes.

A committee of the Potters' Association called upon the commission at the opening of the session, and after making an elaborate statement as to their grievances, caused by an obnoxious tariff, departed.

The commission adjourned over until Monday.

CONTRABAND ENGLISH CLOTHING.

Fashionable people of this great metropolis who do not seem to be satisfied with the fit of broadcloth guaranteed them by the American tailors have their measure taken here and then send it abroad to the London

[CONTINUED ON NINTH PAGE.]