EXIT PETER B.

Circumstances Attending His Distinguished Departure.

THE UNFORGOTTEN OYSTERS

Mr. Sweeny Takes His "Brains" to Another Market.

Peter B. Sweeny bade adieu to the beloved shores of his native land yesterday. The HERALD's exclusive announcement of his impending departure was something of a sensation, and although the redoubtable ex-chieftain of Tammany had first intended to sail by the steamer Illinois from Philadelphia the loving eyes of his friends and political comrades turned yet expectantly toward the docks of the two steamship lines in this city whence steamers were despatched to Europe yesterday. These two lines were the Cunard and the French, and on both docks unusual excitement prevailed. It had been whispered about among some of Mr. Sweeny's friends that he intended to sail by the "China," of the Cunard line, and that the announcement of his departure from Philadelphia was only a scheme to throw the representatives of the press and public generally off the track. Hence there was considerable stir of curiosity on board the good ship "China" before she started on her transatlantic voyage.

"Where's Sweeny? where's Sweeny?" you could hear many of the passengers and their friends ask.

"I tell you he's going to sail from Philadelphia," was one reply. "Don't you know that he only went the other day to Philadelphia to make the preparations for his departure?"

"I'll bet he's stowed away on board this very ship," was another, and then there was eager glancing over the passenger list of the China, and there were long faces when the name of Peter B. Sweeny did not appear there.

AN INNOCENT REPORTER "GUYED."

"There's Sweeny," said a steward to an anxious newspaper reporter, pointing at a short, stoutish man with a dark beard, who, indeed, bore a little resemblance to the famous "brains" of the King. The reporter, with sublime nonchalance, accosted the stranger, saying, "How do you do, Mr. Sweeny?"

"How do you know I am Mr. Sweeny," the gentleman replied rather quizzically.

"Because I have met you before, I think," was the prompt reply.

"I think not," returned the bogus Sweeny, in a mock serious tone, which seemed strongly to indicate that he was really the man, and left the scribe under the firm impression that he had seen the ex-Park Commissioner off on board the British steamer.

WHY HE SAILED BY THE FRANCE.

What ignorance of the true inwardness of Mr. Sweeny's character this conclusion betrayed! Who does not know Mr. Sweeny's outspoken predilection for the *grande nation*? Has he not been accustomed for the last four or five years to breakfast on *œufs brouillé aux truffes* (scrambled eggs, with truffles), which at the Café Anglais are served at the modest price of eighty cents per dish? Does he not devotedly cling to his *masagran*, his *bavaroise*, his *limonade garanse*—according to the time of day? Mr. Sweeny's refined palate revolts at any but the highest *chef d'œuvres* of the culinary art of *La Belle France*. Besides, there are many other points of sympathy between Mr. Sweeny and the French nation. MacMahon, the President of the French Republic, is by origin an Irishman, and so is Sweeny. The French are proverbially a polite people, and what New York city politician does not know the infinite, subtle suavity of his manners at a period when he lorded the political destinies of the Empire City? It is impossible to say whether Mr. Sweeny was attracted by the delicious tarts of the French steamers or by their black coffee, or by their *soles, sauce à la Café Riché*, or those delicate frogs' legs *à la barbette Brebant* or the promise of choice and delicate wines—enough that, having come back to this country in one of the French steamers, he yesterday returned to his *petit chez soi* on the Avenue du Bois de Boulogne by the France, one of the ships of the French line, commanded by Captain Trudelle.

BETTER LATE THAN NEVER.

The France was advertised to sail at ten o'clock. At half-past eight o'clock in the morning a large, bluff-looking gentleman appeared at the office of the French Steamship Company on Broadway. At this unseasonable hour the night clerk had just left, and, as late or luck would have it, Mr. Louis de Bebian, the agent of the line, whom the visitor desired to see personally, had just arrived.

"I'd like to have a ticket for the France, Mr. de Bebian," the visitor said, whose description closely tallies with that of ex-Senator Bradley, Mr. Sweeny's brother-in-law.

"All right, sir," Mr. de Bebian courteously responded. "What priced ticket do you wish, sir?"

"Oh, give me the best you have," the gentleman said, with that delightfully easy air which indicates that "money is no object." "I suppose it isn't too late yet to secure a good room?"

"It's never too late to mend," sententiously responded Mr. Louis de Bebian, with a knowledge of English literature surprising in a French scholar.

"It isn't for myself, but for Mr. Sweeny," the supposed brother-in-law stated with slight hesitation.

A change came over the vision of Mr. de Bebian's dream. He faltered a moment and then queried, diffidently:—"Peter B.? Do you mean Mr. Peter B. Sweeny, who has already once been our passenger?"

"Yes, sir," the applicant responded with an awkward smile.

The transaction was soon completed.

"Mr. Sweeny is going straight on to Paris, and so he'll take a ticket all the way to Paris, if you please," the bluff gentleman said, and he handed a check for $105, which was signed John J. Bradley, to Mr. de Bebian, who accepted it with as gracious a smile as though it were a package of brand new greenbacks for the same amount.

"I have given Mr. Sweeny Nos. 41 and 43, right near the dining room and in the middle of the ship, where the motion is very slight. He can't have anything better," Mr. de Bebian announced, politely handing over the ticket, which had been promptly filled up by a diligent clerk.

The gentleman gave a characteristic quick stroke of his rugged light mustache, and with a blunt "Good morning" he evaporated.

PETER B.'S ARRIVAL AT THE STEAMER.

Meanwhile the scene at pier No. 42 North River was one of great excitement and bustle. The France was about to take out some thirty first and second class and seventy-five third class passengers, and a great crowd of friends and relatives surged over the dock and the ship. Every one was agog about Sweeny. Would he be a passenger on board the France? It was too delightful a thought to all the gossips to actually make the passage with the great co-brains of the Ring. At nine o'clock the crowd began to wager small bets as to whether Mr. Sweeny would be a passenger on the steamer. At last, when nearly every one had given him up and when it only lacked about fifteen minutes to the hour appointed for the sailing, a carriage arrived laden with Mr. Sweeny, Mr. Bradley, a third unknown, several trunks and a small barrel of oysters. Yes, a small barrel of oysters. What true American raised on East Rivers and Blue Points will not appreciate Mr. Sweeny's loyal devotion to these magnificent products of his native land?

"That's my cure for sea sickness," Peter B. smilingly said to one of the employés who rolled the oyster barrel up to the deck.

"I guess he's going to make a present of these oysters to Marshal MacMahon," a wit among the passengers facetiously remarked. "They'll show him what American oysters are like, anyhow."

HOW THE VOYAGER LOOKED.

Peter B. bustled about quite actively to see one of his trunks put into his stateroom and the other stowed away. But his fondest glances lingered over this dear, priceless oyster barrel. One could tell from his look, from the tenderness with which he watched it, that he belonged to that heroic race of men, almost extinct now, who by way of an appetizer for their dinner can dispose of three dozen Saddle Rocks without once taking breath. Mr. Sweeny, when that precious oyster keg was at last put away into the safest nook of his spacious stateroom, looked relieved. The only cloud upon his expansive brow has now disappeared, and he appeared the old, good humored, easy going Peter B. He was dressed in a new, glossy suit of black broadcloth, of evidently foreign cut, and displayed that wide, immaculate shirt front for which he was always so famous in his palmiest days. With the true modesty of the statesman he disdained wearing splendid diamonds, and his breast did not even display the ribbon of the Legion of Honor, with which President MacMahon is said to have decorated the famed New Yorker in return for his teaching him how to manage elections. That superb black mustache, as expressive in its way as were Carker's teeth to the eye of Dickens, no longer shone with its former brilliancy, however. It was tinged with gray. Otherwise Mr. Sweeny did not appear to have greatly aged, and he had the same old queer way of carrying his hat upon the back of his neck, and that identical old quizz cal look out of his eyes as he turned round to speak to you.

NO DESIRE FOR AN INTERVIEW.

Peter B. when he gazed upon the presence of the HERALD representative violently hooked Mr. Bradley's arm and began pacing up and down the deck with his brother-in-law. His manner indicated unmistakably that he did not desire to interview the HERALD reporter, and to spare Mr. Sweeny the humiliation of a refusal the writer refrained from putting himself in the ex-Tammany chieftain's way. Meanwhile Sweeny was the cynosure of all eyes.

"What a beautiful mustache he has!" a charming widow who was a fellow passenger on the steamer faltered out.

"And what fiery eyes!" a pretty young lady sighed.

The conversation between the brothers-in-law was all absorbing until they stepped up near the gangway, where Captain Trudelle and Mr. de Bébian stood surveying the lively throng.

"When will the steamer arrive in Havre?" Mr. Sweeny asked.

"You'll be in Paris on Sunday, the 23d," Mr. de Bébian responded.

"How soon shall we sail?" Mr. Sweeny queried again, pulling out his big gold watch.

"In a few minutes," was the reply; and the brothers-in-law turned back and resumed their walk.

THE FINAL FAREWELL.

The writer, meanwhile, went down to inspect Mr. Sweeny's stateroom, No. 41 and 43. It was a large, handsomely furnished room, and admirably situated, being the third on the right from the dining room. Besides the usual double berth it contained a sofa, being really calculated for three persons. His next neighbors are Mr. Rossi, an Italian, who comes from Yokohama with a shipment of silkworms' eggs; a French nobleman of the strange name of De Morgan, and Mrs. Dachauer, the handsome wife of the well-known musician. And now the signal was given for all parties not passengers to retire. Mr. Sweeny pressed the hands of his brother-in-law with cordial warmth, and while bidding also a pleasant goodby to several other friends who had come to see him off he was heard to say that he would be back before long. The noble steamer now slowly forged out of her dock, and for some time Mr. Sweeny could be seen among the rest of the passengers standing aft and energetically waving his hat in token of farewell.

Mr. de Bébian predicts a pleasant passage for Mr. Sweeny, and all the employés agree that he is a very jolly passenger indeed, who enjoys the company's table—coffee or chocolate between six and eight, a second (meat) breakfast between nine and ten, lunch at twelve, dinner at four, tea at six and supper at ten. Was it with a view to the presence of this distinguished passenger, who was to occupy the seat of honor at the captain's table, that the *menu* of yesterday's dinner, which Mr. Sweeny already enjoyed on the bosom of the broad Atlantic, was made up as follows:—

THE FIRST DINNER.

MENU
du dîner du 12 décembre, 1877,
à bord du steamer France,
de la Compagnie Générale Transatlantique.

Huîtres—Blue Point.
VIN BLANC.
Sauterne.
POTAGES.
Saint Germain Julienne—Bisque.
HORS-D'ŒUVRE.
Saucissons—Thon Marine—Beurre—Radis—Bouchées à la Reine.
Vin de Bordeaux à discrétion.
POISSONS.
Turbot Hollandais, Sauce Capres—Sole au vin blanc.
ENTREES.
Filet Mignon piqué—Jardinière—Champignons sautés au Madère.
ROTIS.
Faisans bardés—Civet de Lièvre à la Sultane.
LEGUMES.
Petits Pois au beurre—Choux-fleurs au gratin—Artichauts à la Barigoulle.
SALADES.
Romaine—Chicorée—Mâche et Céleri.
DESSERTS.
Croûtes au Madère—Gâteaux de Nancy—Parfait Glacé—Fruits.
Cafe.

For obvious reasons the extra wines of which Mr. Sweeny is so fond—Chateau Yquem, Steinberger Cabinet and Mumm's Dry Monopole—cannot be added to this *menu*. And as the reader scans these lines the ex-dictator of Tammany, with all the troubles and difficulties of the Ring finally behind him, is fairly on his way to Paris, where not even the ghosts of the Ring will haunt him, and where he may agreeably recover from the hardships of paying up nearly half a million "on behalf of his departed brother James" to the city. His friends stated yesterday that he would soon return to take up his permanent abode in that New York which, to use the language of Napoleon, Sweeny "has loved so dearly."

THE RING INVESTIGATIONS.

TESTIMONY OF MR. WHEELER H. PECKHAM BEFORE THE ALDERMANIC COMMITTEE—VALUE OF THE EVIDENCE OF GARVEY, KEYSER, INGERSOLL AND WOODWARD—PETER B. SWEENY'S SETTLEMENT AND CHARACTER.

In the Aldermanic Chamber yesterday morning another phase of the Ring investigations was reached by the lengthy examination of one of the principal counsel for the people, Mr. Wheeler H. Peckham. One of the special committee of the Board of Aldermen, Mr. S. A. Lewis, took the chair shortly after eleven o'clock, a number of spectators having assembled in the expectation that some new and startling developments in the famous operations of the Ring would be disclosed. In this, as will be seen by the following report, they were disappointed, yet for a clear and concise statement of the settlements arrived at by the city and the worth of the testimony for the people of Garvey, Keyser, Ingersoll and Woodward, and their aid in the ultimate arrangement by which Peter B. Sweeny restored a very large sum of money, Mr. Peckham's testimony was very valuable. Assistant Corporation Counsel Q. L. Cole conducted the examination. After the witness had been duly sworn the question was asked:—

You have been connected with the Ring suits ever since the beginning, have you not? A. Yes, sir. I was employed in 1871 by Mr. O'Conor, in connection with Mr. Evarts; previously there had been some action taken by the Committee of Seventy.

Q. Tell the committee what proceedings, if any, have been taken against the city officials and others engaged in the Ring frauds? A. A suit against Tweed was brought on an order of arrest, and after repeated motions and arguments it was discontinued and another substituted, which finally resulted in a judgment. There was also a suit begun against Connolly in 1871. He gave bail and ran away.

CONNOLLY'S BAIL BOND.

Q. What became of his bond? A. Well, it was of no avail under the decision of the Court of Appeals in the Tweed case; another case was commenced against him which resulted in a judgment the other day.

Q. How about the case of Peter B. Sweeny? A. There was not sufficient legal evidence to commence an action until 1875, when an action was brought which resulted in a compromise.

Q. Please state the reason of the failure to commence an action against Sweeny before 1875. A. He was not a public officer, he had nothing to do with the public accounts, and although there was evidence that he was morally guilty, still in a legal view it was not sufficient to convict him.

Q. Was any action taken against A. Oakey Hall? A. I was at one time directed to prepare a complaint against that gentleman, which I did, but it was never served.

Q. How about the case of E. A. Woodward? A. He disappeared early in the action and we had numerous negotiations with parties for him and until he was arrested in Chicago in 1876; he was brought here and suit was commenced against him, but finally compromised.

Q. Well, what did he pay? A. He paid $105,000 in cash and $50,000 in a note, which was deposited with the Union Trust Company; when the settlement was made I saw the Attorney General and told him I thought I could get $155,000, out of which I should charge $6,000 for my services. The Attorney General consented and the suit was settled on that basis.

Q. When this settlement was made was there any account or showing made of his property? A. His counsel gave me a list of it and I knew about what it was worth.

Q. What did his counsel say his entire property was worth? A. It was valued higher than I thought it was worth; I took a lien upon it and considered that if he gave the sum named and his testimony he would pay quite a large sum.

Q. At that time was it considered that his testimony would be valuable? A. Yes; because the cases of Sweeny and Connolly were pending and we did not know what turn affairs might take.

Q. Who made the negotiations with Woodward besides yourself? A. Mr. O'Conor, Mr. Townsend for Woodward, and myself for the city.

Q. How about the case of Watson? A. Mr. Watson was dead when the proceedings commenced and a suit was begun against his estate by the people; a good deal of negotiation went on, and finally we got a judgment which was paid to the city.

Q. Can you tell what time the Attorney General might have obtained the money? A. A decree was entered in the Surrogate's Court directing a check to be issued by the United States Trust Company in payment of the money.

Q. Why in that suit was a smaller sum taken than the amount of the judgment?

At this point in the examination Mr. Peckham made what might be called a lawyer's reply. A. The judgment was not for a very much larger sum and there was only a difference between $50,000 and $60,000; a decree of the Surrogate, however, awarded us the amount that the Trust Company paid us.

INGERSOLL AND KEYSER.

Q. How about Mr. Ingersoll? A. He ran away and came back to the city under safe conduct; his manner does not impress me; we gave him notice to that effect, and had him arrested; the action was tried and he was sent to State Prison; the civil suit went to the Court of Appeals and they decided against us; I don't know what has been done further in the matter; I finally went to see him in prison and at the solicitation of Mr. O'Conor and others he was pardoned, since then time he has always been ready to testify for the people and is now.

Q. Why has no action been commenced against him since? A. I don't know, but I think on the advice of Mr. O'Conor.

Q. As to Garvey? A. Well, Garvey ran away and came back; I used him as a witness on the first trial of Mayor Hall, and he proved himself a very reliable and accurate one.

Q. How about Keyser? A. He was the first man to make a break and I did not talk much to him; he acted with Mr. Jackson S. Schultz and General Barlow; one day I was talking with Mr. Green when he was Deputy Collector, and Governor Tilden came in; the question arose as to the liability of the Broadway Bank for the payment of vouchers which Keyser claimed to be fraudulent; Mr. Palmer, the president of the bank, was sent for and this phase of the case placed before him; he seemed astonished and said he would do all in his power to help us; this opened the books of the bank to us and enabled us to complete our evidence; Keyser may have been reliable to a certain extent, but his memory was poor.

Q. State what you know about the Schultz assignment and the cases of McBride Davidson, George S. Miller and Hugh Smith. A. I was not consulted about the Schultz assignment and only heard of it at the time it was made; no suit has been commenced against Davidson, and I believe there is a Corporation suit pending against Miller; in Hugh Smith's case, I don't think any action was begun against him.

Q. Was there any property attached except against Sweeny? A. Yes, in Tweed's case, and I think there were attachments issued against the Court House Commissioners.

Q. Why were no attachments issued in other cases? A. Because they couldn't find anything to attach. (Laughter.)

THE SWEENY SETTLEMENT.

Q. About this settlement of the Sweeny case there has been an assertion in the public prints that it was by agreement of counsel; that the real person who owed the money was James M. Sweeny, and that Peter B. Sweeny would pay the money out of the estate of his brother. Is this so? A. The facts were fully stated at the time in a letter from Mr. Nash and myself to the Attorney General; the settlement had been in negotiation for a week or two; it arose by my meeting somebody in the street, who asked me if such a proposition would be entertained; I communicated with the Attorney General; thereupon it grew into a negotiation; Mr. Whitney, the Corporation Counsel, the Attorney General and a gentleman who would not like his name made public assisted, and met frequently in my office; I saw Mr. Kelly, and finally the offers made by Sweeny's friends were declined; I went to Court expecting to try the case, and upon my arrival I was met by Mr. Vanderpoel, I think, who said they had concluded to settle for $400,000; then the question arose as to how the payment should be made and as to the form; I was asked if I would accept in the name of James M. Sweeny? I answered I not only would do so, but would require it on technical grounds.

Q. In entering into this agreement it was not the intention to save the character of Peter B., was it? A. Not in the slightest, sir. (Laughter.)

Q. Was the settlement of the suit arrived at with the concurrence of the Attorney General? A. Yes; the amount had been stated; the morning I refer to the Attorney General could not be got at, nor Mr. Whitney until a late hour; the latter, however, conferred with Mr. McKeon, and Mr. Nash and myself concluded to act for the Attorney General.

Q. The statement made by the Bench that in concluding the suit there was no evidence reflecting on the character of Peter B.; was it made with the concurrence of the counsel for the people? A. (with emphasis)—No, sir.

The committee then adjourned until Friday morning at eleven o'clock.

SWINDLING THROUGH THE MAILS.

POSTMASTER GENERAL KEY BREAKING UP THE BUSINESS OF RUSSELL & CO.

The postal authorities have suffered considerable annoyance of late from the numerous schemes and alleged swindles practised by designing men in this city in sending circulars to persons at remote places setting forth the brilliant investments to be made and rich returns had for a trifling amount. Most prominent of these was a so-called firm of Russell & Co., to which Special Agent Anthony Comstock paid particular attention. He represented such facts to Postmaster General Key that the latter issued a very stringent order to the postmasters, calling upon them to assist in breaking up this nefarious business by all legal means in their power. General Key says:—

"It having been represented to me that a certain Ellis H. Elias and certain other persons whose names are to me unknown, all of them of the city of New York, are engaged in conducting a scheme and device for obtaining money through the mails by means of false and fraudulent pretences, representations and promises, and being satisfied from the evidence before me that the said Ellis H. Elias and others are so engaged, I do hereby forbid the payment by the Postmaster of New York city to the said Ellis H. Elias, or to any person whatsoever, of any postal money order drawn to the order of Russell & Co., the name made use of by said parties in the conduct of their said scheme; and the said Postmaster is hereby directed to inform the remitter of the said postal money order that the payment thereof has been forbidden and the sum of said money order will be returned on the presentation of a duplicate money order, applied for and obtained under the regulations of the department. And upon the same evidence the Postmaster at New York city is hereby instructed to return all registered letters which shall arrive at his office directed to the said Russell & Co. to the postmasters at the offices at which they were originally mailed, with the word 'fraudulent' plainly written or stamped upon the outside of such letters."

In consequence of this order Postmaster James has stopped a large number of registered letters addressed to this firm, and returned considerable money, both in money orders and registered letters, to the senders.

THE CIGARMAKERS.

THE STRIKERS STRICKEN—ORGANIZING A PICKET BRIGADE—SUPPLIES FURNISHED.

The movement of the club brigade of the police upon the outlying pickets and skirmishers of the main body of the strikers has caused the establishing of a regular picket brigade of strikers, whose duty it is to patrol the several infected districts and report immediately at headquarters. At present the brigade is not very large, unless Falstaff's regiment be taken as a basis of calculation, for it consists of only twelve individuals. It is, however, headed by a striker young in years, but a veteran striking revolutionist, Captain Walter Smith, President of the Brooklyn Cigarmakers' Union. Yesterday one of his videttes made a report that he had scouted around the shops of Breslin & Boyle, Foster, Wilson & Co., Simon Brothers, Chatham street, and found none of the old pickets on duty, and that a general demoralization of the old picket arrangement prevailed in too many places. Those who have grievances against the police will meet at the president's house, to proceed to the Board of Police Commissioners. Meanwhile Captain Smith's brigade will be daily strengthened, and if the opposing striking elements meet the community may be treated to a Kilkenny passage at arms.

The vexed question of the troubles in Monelis' shop, a part of whose workmen want it declared a strike shop and another part do not, was settled yesterday, after a three days' debate, by declaring it not a strike shop, but a union shop. One champion of the striking part of the argument thereupon rose in the central body and, as he left with the balance of his committee, said, "Then I don't think much of the union." Much bad feeling was expressed on both sides. "It is our policy," remarked Delegate Rosenbaum, ex-chairman of the Executive Committee, "to keep as many of our men at work as we can."

The contributions yesterday were:—From Chicago packers, $50; Cincinnati, $48 75; Danville, Pa., $8; Baltimore cabinetmakers, $3; Rockland (Ill.) stone cutters, $15 95; Bohemian paper, Cleveland, $14 19; Utica Union, No. 7, $15 50; Westfield, Mass., $25; Meadville, Pa., $23; Toronto, $8 64; Detroit cigarmakers, $44 96; Detroit Typographical Union, $20; Mr. Jocbel (private subscription), $10.

Seven families of Hirschman & Co. were ejected yesterday. The vacant tenement houses of Lichtenstein Brothers & Co., in Elizabeth street, are being rented to some of their former tenants. The firm have concluded to rent to none but cigarmakers, as they confidently think they will have a great many of their old families coming back before long. The rates of rent are as formerly.

A LONELY DEATH.

Officer Heferman found an old man named Potts dead in his room at No. 281 Gold street, Brooklyn, yesterday. The deceased was discovered lying upon his bed dead. Deceased was the reputed owner of a house on Myrtle avenue and another on Fulton street. Mrs. Dinan, in whose house the body was found, says that the deceased was very distant and eccentric in his manner, and would seldom speak. During late he went and came in a silent way, and seemed as though he did not wish to be troubled by any one. He paid his rent regularly and remained unknown. About ten o'clock on last Sunday morning she heard the mysterious old man moving in his room, and when she inquired if he would have some tea he did not answer her. At a late hour in the evening she heard him again. On Monday morning when she went into the lower hall everything was still and the door was bolted on the inside. Yesterday she called at the station house and related these circumstances. The deceased was a temperate man, a carpenter by trade, but had done no work for some time past. Death it seems was the result of consumption. The Coroner was notified.

CHANGING HER APPEARANCE.

Nellie Raymond, aged thirty-three years, from Paterson, N. J., was arrested on Tuesday night, on Third avenue, in male attire. She was arraigned in the Fifty-seventh Street Court yesterday, and looked well in her assumed character. She said she was married, and that, deserted some time ago by her husband, she started out in search of him. She had performed in variety theatres in male parts. She was discharged.

BREACHES OF PROMISE.

Lena Moest, of North Tarrytown, caused the arrest of Frederick Wood, a machinist, aged twenty-three, on a charge of seduction under promise of marriage. Judge Baird held him to bail in the sum of $1,000 to answer at the Court of Sessions at White Plains.

Helen Barrett charges Thomas Kearns, a clerk in a tea store, with both bastardy and seduction, and he will be examined on these charges to-day.

BURGLARS AT PORTCHESTER.

The village of Portchester, Westchester county, was visited on Tuesday night by a gang of burglars, who broke into the shoe store of Thomas Travis, the grocery store of James De Mott and the clothing store of Jacob Hare. At the stores of Mr. De Mott and Mr. Travis they succeeded in getting some plunder, but Mr. Hare was aroused by the operations of the robbers, and a few shots from a revolver resulted in their hasty retreat without any booty.

A BANK CRIPPLED.

The Newark Savings Institution in Distress.

CLAMOROUS DEPOSITORS.

An Order Granting That Only Eighteen Per Cent Be Paid on Demand.

For some time past it has been known to quite a number of persons in Newark that the affairs of the Newark Savings Institution, one of the oldest and most popular financial institutions of the city, were not in an entirely sound condition. Gradually depositors got wind of this matter and began a steady drain on the cashier. Generally those who drew their money had large amounts on deposit and were of the richer class of people. The officers of the bank, as they state, began to be alarmed lest a regular run might be made on it and its 25,000 depositors demand their cash. In the interest of the poorer class of depositors it is stated the officers finally, after mature deliberation, resolved to apply to the Chancellor for relief. Yesterday, accordingly, they did so in the form of a long petition setting forth the general condition of the bank and its emergencies.

THE PETITION OF THE BANK.

The document, which was signed by the counsellors and officers, goes on to state that the bank was established by act of the Legislature thirty years ago, its charter being date of February 25, 1847, and that in the discharge of the duties of keeping their large volume of deposits invested so as to gain a large rate of interest "the managers of said institution were led by their long experience to keep about one-third of the deposits in the form of bonds and mortgages, which could not be speedily converted into cash, and the remainder mainly in government and other municipal stocks, which could readily be turned into money, and that thus before the panic of 1873 set in they had so large an amount of bonds and cash that it became difficult to issue the usual rate of interest the depositors had become accustomed to expect. Still further the petitioners state that the course of the government regarding the funding of bonds and the onerous taxation by the State, they paying some years as high as $100,000, caused them to look about for more profitable investments. They accordingly invested "between $2,000,000 and $3,000,000 of the deposits in certain railroad bonds and in loans secured by such bonds, which were then deemed abundantly secure and were yielding a larger rate of interest, and which securities were sought for as investments by many of the most sagacious, prudent and conservative investors in the city of New York and elsewhere. Soon after, however, a sudden and widespread financial panic occurred, which has continued with increasing severity throughout the whole country and the civilized world, and has involved individuals and moneyed institutions in a common disaster, and has in a marked degree affected the railroad interests of the country, causing an almost universal depreciation of their securities, and in many cases a total suspension of the payment of interest." "These unforeseen circumstances," the petitioners go on to say, "have greatly affected the situation of the said institution and have so depreciated the present value of its assets that the question whether any part of its large accumulated surplus will remain must depend upon the ultimate value of its railroad securities and its ability to realize in full the large amount of mortgages in which its more permanent investments have been made, and which have been affected, though in a less degree, by the great fall in the value of real estate."

In conclusion it is claimed that during the six months from July 1 to December 1 of this year $215,000 "has been actually paid to the institution for interest, which sum will be considerably increased during the present month of December, at the end of which month will also be due over $60,000 in gold for interest which will then be earned and payable on government bonds belonging to the institution; that the total amount of deposits is now reduced to about $10,800,000, while the amount of assets, including the depreciated securities, is about $12,000,000 besides a large sum amounting to some hundreds of thousands of dollars for interest accrued and unpaid on the investments, not including the amounts due on the depreciated securities above mentioned," and that the institution has now in its possession more than $2,000,000 of government securities and also a large amount of other available securities, and could for a long time continue to pay out to depositors; but they consider this might eventually work injury and injustice to those least able to bear loss.

WHAT THEY ASK.

For these and other reasons set forth the petitioners pray the Chancellor—

1. That an order may be made requiring that only such dividend shall be paid to depositors on the 1st day of January next as shall be authorized by the order of the Court.

2. That an order may be made restraining the institution from paying to any depositor, and any depositor from demanding more than eighteen per cent of his deposit until the further order of the Court, which amount may be required and paid at any time thereafter on demand.

3. That the institution be required by the order of the Court to abstain from disposing of any of its assets beyond the said eighteen per cent, except with the approval of the Court or some Master to be designated for that purpose.

4. That an order may be made permitting the said institution to provide that all deposits hereafter made, and until further order of the Court, shall be treated as special deposits, and invested only in the bonds of this State or city of Newark or of the United States, and that separate accounts thereof be kept and the actual interest received from such investments, deducting necessary expenses, be paid as dividends on such deposits, and that such deposits shall not be subject to any restriction as to payment except such as are imposed by the bylaws heretofore adopted.

5. That the future administration of the said trust shall be under the control of the Court so long as shall be deemed necessary to promote the interests and insure the permanency and prosperity of the institution.

6. That concurrently therewithin this honorable Court will cause such examination to be made into the affairs of said institution and the situation and nature of its assets as Your Honor may deem necessary as a basis for the future action of the Court.

THE CHANCELLOR'S ORDER.

Chancellor Runyon at once considered the petition and rendered an opinion virtually approving the step taken by the managers of this institution, and granted an order as suggested in the prayers. The Chancellor directed also that the deposits made hereafter shall be kept separate from those heretofore made, and, in order "that the exact condition of the institution may be satisfactorily ascertained, an examination of its assets and liabilities will be made forthwith by competent persons to be appointed by me." In closing, the Chancellor says:—"The course now taken in regard to this institution is not without precedent in this Court. In the case of the Hoboken Bank for Savings (1874) like measures were taken by me under similar circumstances with salutary effect and most beneficial results to the depositors."

As will be seen, the position of the bank is that it is now virtually in the hands of a receiver, the latter being collectively the old Board of Managers and officers, as follows:—President, Daniel Dodd; Vice President, Ira M. Harrison; Secretary and Treasurer, William D. Carter; Managers, Daniel Dodd, William Pierson, Ira M. Harrison, Daniel Price, Francis Mackin, A. S. Hubbell, Henry G. Darcy, William T. Mercer, John Kennedy, and Zenas S. Crane.

A DEPOSITORS' RAID.

During yesterday forenoon it began to be hinted about that something startling was going to happen in connection with the bank. Depositors by degrees got wind of the brewing trouble and about one o'clock began a run on the institution. Gradually the crowd swelled until by three o'clock the bank was crowded, likewise the sidewalk in front, the rich pushing with the poor, eager to get their eighteen per cent. Between four and five o'clock the bank closed and will open to-day and continue to pay out the percentage ordered by the Chancellor. During the day the bank issued a circular to depositors summarizing the petition to the Chancellor and his order. In this they claim that government bonds have depreciated "within a few months from ten to fifteen per cent," and that "they have a very large amount of securities which can be turned into cash at once, but a much larger amount in bonds and mortgages and other securities which cannot be converted into money without much delay. They hope that under wise restrictions and careful management the assets will prove ample to pay all depositors in full. But they are satisfied that the prevailing distrust may cause such a withdrawal of funds as will exhaust their cash assets for the benefit of those who shall first apply, and leave the other securities for those who are reluctant or unable to demand payment. They feel it to be their duty to prevent this injustice and to do all in their power to secure perfect equanity and to promote confidence in the ultimate safety of the funds in their charge."

WHAT THE BANK OFFICERS SAY.

President Daniel Dodd, Secretary and Treasurer Carter, Manager Henry G. Darcy and other officers of the bank were interviewed last evening by a HERALD reporter. They insist that there has been no defalcation or misappropriation of funds whatever, but that the whole trouble with the bank is the shrinkage in value of some of their securities. The chief loss is in bonds of the Chesapeake and Ohio Railroad. Of these they purchased about two millions worth when they stood high in the market. Their purchase had been made with the advice of C. P. Huntingdon, the Astors, William B. Aspinwall and other financiers of the metropolis. These have defaulted in interest, and their value could not now be determined, though they had undoubtedly fallen away sadly. The officers all say that it not pushed too hard they feel sure of being able to get the institution entirely out of its difficulties and safely on its feet. When asked for a statement of the liabilities and assets of the concern they stated that this would be made through the Chancellor some time in January. The last statement was made January 1, 1877, as follows:—

ASSETS.

Bonds and mortgages	$4,213,422 46
Loans on collateral security	1,485,270 38
Bonds of municipal and State corporations	4,494,488 20
Real estate (banking house)	166,076 53
Real estate (bought under foreclosure)	53,298 49
United States bonds, par value	3,200,000 00
Cash on hand	339,041 82
	$13,951,567 88
Less amount due banks and bankers	500,000 00
Total	$13,451,567 88
Interest due and accrued January 1, not included in above	$274,000 00

LIABILITIES.

Due depositors January 1, 1877	$12,720,142 51
Dividends due January 23, 1877	364,717 78
Balance to credit of profit and loss	366,707 59
Total	$13,451,567 88

ACTION OF ANOTHER SAVINGS BANK.

Fearing a general rumor all the saving banks as a result of the Savings Institution developments, the Dime Savings Institution announced soon after three o'clock yesterday that it would require to-day, and henceforth, the three months' notice from depositors desirous of drawing funds, which notice the law authorizes them to demand at their option. President McGregor says the bank is just as sound now as when it successfully stood the run on it for several days last year, but another run would cause great inconvenience, and might force sacrifices which would injure the bank and its depositors.

THIRD AVENUE SAVINGS BANK.

IMPORTANT VERDICT AGAINST A TRUSTEE IN A TEST SUIT ON A BOND OF THE TRUSTEES—GOOD NEWS FOR THE DEPOSITORS.

The trial of the suit brought by Samuel H. Hurd, receiver of the Third Avenue Savings Bank, against David Morgan, one of the trustees of the bank, was finished yesterday in Supreme Court, Circuit, before Judge Van Brunt. Being one of several similar suits, and taking precedence as a test suit, the verdict, which was given for the full amount claimed, is of special importance to depositors who are still hopefully looking to receive an additional percentage on their deposits. In December, 1872, the bank being then in an embarrassed condition, the fifteen trustees gave a bond for over $100,000, to make up the proper amount of assets necessary in making up its statement to the Bank Department. In all the subsequent semi-annual statements this bond was included as an asset of the bank. In the opening of the case Mr. Frederick Smythe, counsel for the receiver, stated that only one of the trustees had paid up on the bond, although several others had paid interest. A motion was made to dismiss the complaint by Mr. Robert Sewell, the opposing counsel, on the ground that there was no consideration for the bond—that the bank had no right to receive such a bond. The giving and acceptance of such a bond under such circumstances was highly immoral and against public policy. Mr. Vanderpoel claimed that it was not beyond the powers of a bank to accept bonds enabling it to make more secure its depositors; that contracts for corporations were never considered in excess of their powers unless against good morals and public policy, and that to secure depositors was against neither; that the company had the advantage of this bond, in all its reports made by the defendant as secretary, of being allowed to continue its business, and that the seal was prima facie evidence of the consideration. Judge Van Brunt denied the motion, holding that the seal was evidence of good consideration, and that there might be some other consideration for the bond beyond that stated in it.

The defence set up, as in the motion for dismissal, that there was no consideration for the bond, that it was therefore illegal and void and could not form the basis of a suit, and that there was another and adequate remedy by which each depositor who was wronged through the report sent to the Bank Department had his remedy at law against each of the trustees. It was also claimed that as soon the Bank Examiner saw this bond among the assets he should have wound up the bank, and that he committed a great breach of official duty in not doing so. Judge Van Brunt reviewed the issue involved in the suit. He held that a clear case had been made against the defendant, showing his liability on the bond. He then directed a verdict for $3,016 25, being the full amount claimed, with interest. As already intimated, this decision is likely to prevail in other suits against the other trustees, and thus add $115,000 to the revenue of the bank, which will, of course, be good news to its depositors.

SAVINGS BANK SUSPENSION.

TAUNTON, MASS., Dec. 12, 1877.

The Taunton Savings Bank suspended payment today. The bank is, however, reported solvent, and it is thought the depositors will be paid in full.

TAXING BANKS.

THE LEGISLATURE OF CONNECTICUT TO BE ASKED TO REDUCE THE RATE OF STATE TAXES ON SAVINGS BANKS.

NEW HAVEN, Dec. 12, 1877.

Representatives of some fifty State savings banks assembled here to-day in answer to the call of a committee of banking men appointed at the Allyn House, Hartford, last spring, the object being to discuss the condition and prospects of institutions for savings. A committee was appointed to present to the coming Legislature what, in the opinion of banking men, is needed for all parties interested, it being understood that there are cumbrous sections in the State Banking law as it exists which interfere with, rather than forward, the objects the State has in view. Among the recommendations was one to move for the reduction of the State tax from five-eighths to one half per cent. Another, that it be provided that taxes shall be removed from all deposits invested in United States bonds. The legislative memorial committee, as appointed, consists of Messrs. Haisey, of Norwich; Pardee, of New Haven; Jacobs, of Hartford; Coit, of Litchfield, and Olney, of Thompson.

A large number of bankers and financiers from this and other cities were present.

AN OLD FIRM SUCCUMBS.

FAILURE OF ADRIANCE, ROBBINS AND CO., WITH LIABILITIES OF ABOUT ONE HUNDRED THOUSAND DOLLARS.

The announcement yesterday of the failure of Adriance, Robbins & Co., dry goods jobbers, of No. 390 Broadway, created some surprise in dry goods circles. For some time past the firm has been