BLASIUS PISTORIUS.

The Disgraced Clergyman Again Sentenced to Death.

MALEDICTIONS FROM THE DOCK.

The Prisoner Abuses the Judge, the Lawyers and Prosecutors.

REMARKABLE SCENES IN COURT.

PHILADELPHIA, April 13, 1878.

Everything in connection with the case of Blasius Pistorius, the disgraced priest who murdered Isaac Jacquette, seems to partake of a dramatic nature. The HERALD described the unusual scene in court last Saturday, when the prisoner, in a violent and abusive harangue, denounced the public prosecutors, the judges and even his own counsel. To-day his case came for the last time before the Judges in Oyer and Terminer, Judge Mitchell having stated that he would announce his decision upon the motion in arrest of judgment and for a new trial made by counsel for Pistorius. The ex-priest was therefore once more in the dock upon the opening of court this morning with his hard, sinister face fixed with intensity upon the Bench.

A NEW TRIAL DENIED.

Judge Mitchell recited the decision of the Court, which was that the motion for arrest of judgment and a new trial must be overruled, and the conviction for murder in the first degree must stand confirmed. The exceptions taken on the part of the defendant to the change of venue and on the ground of his failure to plead in this county the Judge overruled, saying that on a change of venue no rearraignment or repleading is necessary. Then, continuing, His Honor said:—

This case came to this Court after a trial and a verdict of murder in the first degree by a jury of Montgomery county. It was alleged by the prisoner that that verdict was the result of popular excitement, and the learned President Judge of that county, thinking that there was a possibility of some feeling to the disadvantage of the prisoner, allowed a change of venue to this city. Under these circumstances the jury was selected here with special care as to its impartiality. Every juror was questioned as to his knowledge or feeling about the case, and no one who had even an impression about it was allowed to remain on the panel. The prisoner's counsel, astute and zealous as they were, found so little to fear that they used only one-seventh of his legal right of challenge. The jury thus selected, knowing nothing of the prisoner, of the deceased, or of the circumstances of the killing, were as impartial as human means can provide, they were of unusual intelligence and they gave a most patient, attentive and conscientious consideration of the case from beginning to end.

A JUST VERDICT.

To this jury the case was presented with every possible regard to the prisoner's rights. No item of evidence offered against him to which he made objection was admitted, and none which he offered in his own favor was excluded. His counsel defended him with great ability and, I feel bound to say, with the most unflinching fidelity, notwithstanding the unjust suspicion and distrust which he occasionally manifested toward them as well as toward others, during the progress of the case.

TWICE FOUND GUILTY.

Two successive verdicts of this kind—the last one given under circumstances as fair and as favorable as any prisoner can ever hope for before any human tribunal—ought not to be disregarded except upon the clearest conviction of their error and injustice. But, so far from that, my own views coincided with the jury's at the time, and the subsequent argument and consideration has only confirmed and strengthened that conviction. It would be unnecessary and painful to go into a detailed examination of the evidence and of the points urged for a new trial. Of the latter it is sufficient to say that they are narrow and microscopic in the extreme, and more notable for what they do not do than what they do.

EMPHATIC OPINION FROM HIS HONOR.

The result of the whole case is the clear and unavoidable conclusion that the prisoner is a vindictive and dangerous man, reckless of the sanctity of human life; that the condition of mind was forcibly expressed in his threat of the previous day to the boy Harry Mulech, that he "would shoot the cows or Jacquette, he didn't care which," and in his answer to the appeal of the cripple, Pollock, after the shooting, to come and help get the wounded man out of the creek into the shade, "No, let him lay there and die;" and that the killing was not in self-defence or even in sudden passion, but was in consequence of such mature wickedness of heart and such previous contemplation and preparation as to demonstrate all the elements of murder in the first degree. The motion for a new trial must therefore be refused.

Mr. Stephen S. Remarts, of counsel for the condemned, begged leave to have His Honor make a note of an exception to his decision, as he (the counsel) desired to carry the case to the Supreme Court.

PISTORIUS BREAKS OUT.

Pistorius had been growing more and more restive during the Judge's remarks. Several times he moved uneasily, as though about to rise in the dock. He at length made no further effort to control his passion. Just after his counsel had briefly entered his exception, and as the District Attorney was about to move for judgment, the man in the dock rose, with a wild, angry face, and in impassioned tones he repeated his denunciation of his lawyers and declared that they were selling his life.

"As for the Judge," exclaimed he, threateningly, "if he will not grant me a new trial I will tell him to his face that he is a murderer of justice and that God will show it to him. That's all I've got to say."

District Attorney Hagart then rose quietly and after referring to the fact that the Judge had refused the condemned a new trial, said:—"It becomes my duty and I do now move the Court to pronounce the judgment of the law upon the verdict rendered against the prisoner."

The prisoner was then asked the usual formal questions, if he had anything to say why sentence of death should not be pronounced against him.

SENTENCED TO DEATH.

This, of course, was the signal for another violent outbreak on the part of Pistorius. He again rose in the dock and excitedly denounced his triers. The Judge could not sentence him, he declared. The Court had no right to consider the matter before a proper investigation was had in the manner directed by him. He had witnesses to prove that his counsel asked him to plead guilty to manslaughter and he had refused. If the Judge would not hear him he would again say that he was a murderer of justice and so on.

He was allowed to proceed, and when he sat down His Honor briefly sentenced him to be hanged by the neck until dead, at the County Prison. The date is to be fixed by the Governor, as is the custom in Pennsylvania.

THE CAMDEN MURDER.

ACCUMULATING CIRCUMSTANCES BLACKENING THE CASE AGAINST HUNTER.

CAMDEN, N. J., April 13, 1878.

Justice Severn is the magistrate before whom Mr. Epp made a sworn retraction of his previous deposition establishing an alibi for Hunter on the date of the murder of Armstrong. This affidavit, which goes over all the points of Epp's testimony at the inquest and explains away the disputed points on the ground of a mistake in the date, was made on Wednesday last.

HUNTER FINANCIALLY EMBARRASSED.

The prosecution state that a thorough examination into the prisoner's financial condition at the time of the murder is claimed to have revealed the fact that he was not in any sense sound, not to say a man of wealth. On the contrary he was heavily involved, with liabilities maturing just at that time which he could not put off. His real estate was only valued at $15,000, with encumbrances of about $5,000. Three days after the murder, January 26, he had to pay, as trustee, $5,000, and an additional $1,200 a few days later, while early in March the quarterly premium matured on the policies he had secured on Armstrong's life.

THREATS AGAINST ARMSTRONG.

Added to these important facts the prosecution will offer documentary proofs, now held by a physician of this city, exhibiting peculiarities in Hunter's business transactions with Armstrong and threats made by the former against the murdered man.

HOSTILE REDSKINS.

The following is an extract from a letter which was recently received by a gentleman of this city from his son, who is an officer of the Sixth United States Infantry, stationed at Fort Buford, Dakota Territory. The writer has served on the frontier for ten years, and in all that time received but one leave of absence:—

FORT BUFORD, D. T., March 30, 1878.

Since my return I have suffered exceedingly with rheumatism and inflamed eyes, so that what little writing I have been able to do has been of a purely official nature. I had an exceedingly pleasant trip to Fort Peck, making the march of 125 miles in seven days. The weather continued very pleasant until Thursday, March 7, when we were met (on the return march) by a furious storm of wind and snow from the northeast. We pushed on, however, until noon of Saturday, the 9th, when, making an unoccupied "ranche," or "shack," as they term it in this section of country, within thirty-two miles of here, I halted, finding shelter for my men, and by forming a semi-circular line of my seven wagons on the north side of the building I made a partial shelter for the animals. Having sent a courier through to Buford on foot for additional supplies of subsistence and forage I resumed my journey on Monday, the 11th, meeting my relief at noon that day. I have never in all my life been exposed to such fierce wind and snow as we had on Saturday, the 9th, during which I had my seven wagons to cross a stream known as Big Muddy Creek, a task which consumed three hours, during which time several of my men and all the animals were thoroughly wet and chilled. Had we not found shelter at the ranche, only 600 yards from the creek, some of the men might have perished from the cold. We reached home, however, without serious accident, on the morning of the 13th, after enduring five days of almost incessant snow and wind.

While out on my trip, having passed the Yanktonnais Agency at Wolf Point, I ascertained that there are now collected, to the north of the boundary line, from twelve to seventeen hundred lodges of hostile Sioux and Nez Percé Indians, who are in an almost starving condition, subsisting chiefly on horseflesh; Sitting Bull, with some twelve lodges of his own immediate family, had left the main camp and gone to the Cypress Hills. There seems to be no doubt that an effort is being made among these people to form an offensive alliance with the Piegans, Crows, Upper Assiniboines, Gros Ventres of the Prairie, Nez Percés and Crees, with a view to committing depredations on the settlements or a general war against our government and people. Should such an alliance be formed it would prove the most formidable Indian outbreak the government has had to deal with for years. The little garrison at Fort Peck, consisting now of three officers and eighty enlisted men, may be placed in great jeopardy a few weeks hence, particularly as they now have two Indian prisoners there, who, without knowing where they were, stumbled upon Peck, in broad daylight; a third man of the party made his escape during the first night of his captivity. The party of seventy lodges to which these three men belonged was traveling from Spotted Tail Agency to join Sitting Bull and seemed to know nothing of the country in which they were.

The ice left the Missouri River here last week as quietly as it formed last November. No rise in the river of any consequence has occurred yet. Our steamboats from below will be none the earlier for this early break up, unless a rise should come soon, but not expected till the snow melts on the "Rockies."

RAPID TRANSIT.

THE GILBERT ELEVATED ROAD AND THE TELEGRAPH WIRES—MEN SEEKING EMPLOYMENT.

The elevated railways have encountered considerable difficulty with the telegraph poles that have stood in their way. To prosecute their work hundreds of these poles had to be removed. Mr. William Orton, President of the Western Union Telegraph Company, when questioned yesterday in reference to the subject, said that an arrangement had been made between the Western Union and the elevated railways by which the latter were to move the poles out of their way at their own expense. "We have still the option," Mr. Orton said, "after the elevated railways are completed to put back our poles underneath the structure and so as not to interfere with the elevated roads." Mr. Orton remarked that while upon the west side the removals of poles were not material on the Third Avenue line the poles would have to be transplanted to a considerable extent. In answer to the query why the poles were not being placed under the structure now Mr. Orton replied that the roads were not yet built and, by way of illustration, added this little story:—"You remember there was a Board of Aldermen in a certain town who resolved, first, to build a new court house; second, that the materials of the old court house should be used in building the new, and then, third, that they would occupy the old court house until the new one was ready." Mr. Orton was asked whether it would not be better to put the poles under the ground, as was largely being done in Germany now, but replied that the company were contemplating no changes of this character.

At the offices of the elevated railways it was also learned that the agreement spoke of by Mr. Orton, had already been made. The two companies will have to spend from $15,000 to $20,000 before all the poles in their way shall have been removed.

ELEVATED TELEGRAPH WIRE CABLES.

An important project which has been broached between the Western Union and the elevated railways is the proposition that all poles, which are so generally regarded as eyesores, shall be dispensed with altogether, and that the wires shall be carried in cables alongside the elevated railway tracks, either above the projecting crossties or between the upper and lower chords of the girders resting upon the heads of the columns. An official of the New York Elevated Railway stated yesterday that they had sufficient room on their structure for carrying five hundred wires in cables. This arrangement, he remarked, would obviate the necessity of telegraph poles and remove these great eye-sores from the streets. He believed the time would come when the Western Union would have to dispose of their cumbrous and ungainly telegraph poles either in this or in some other way.

There appears to be excellent reason for stating that travel upon elevated railroads is continually increasing in popularity. In March, 1877, the New York Elevated Railway, carrying people for the same distance and providing precisely the same accommodations as now, had 247,624 passengers. Last month it carried 310,478, showing an increase of 62,654 passengers in one month or over 2,000 per day, and which, the accommodations in both years being the same, may be solely ascribed to a gradual change in public opinion in favor of elevated railway travel.

RUSH FOR EMPLOYMENT.

Both elevated railway companies are just now besieged by an army of applicants for employment. As the New York Elevated Company already has a working staff the greatest rush is directed toward the Gilbert Company. Mr. Martin Van Brocklin, formerly in charge of the Edgemoor Company's work, has been appointed superintendent of the Gilbert Elevated Railway. The minor appointments, such as of conductors, brakesmen and station agents will not be made until a few days before the opening of the road.

While the Third avenue structure has already progressed to Twenty-third street upon the avenue active work is at last being done in hoisting the girders in Front street, where the east side road connects with the west side. For a short distance here there are three tracks instead of two in order to give room for switching off cars, and the girders are now being raised in Coenties' slip. Here and all through Pearl street up to the Bowery the columns have been standing for the last two or three months, and from some awkward hitch the girders have not been ready until now.

Mr. David Dows, one of the largest shareholders of the New York Elevated Railway, yesterday confirmed Mr. Cyrus W. Field's statement that the Third Avenue Elevated Road would be opened to the river during the coming summer. He only qualified it a little by saying that "certainly before the next frost set in" the people would have rapid transit on Third avenue up to the Harlem River.

FOR PASSENGERS' SAFETY.

The officials of the different ferry lines plying between New York and Jersey City have been in communication during the past week in regard to the safest course to be pursued during fogs. The result of the communications is that a committee shall be appointed to determine the manner in which signals shall be given during fogs. Additional legislation in regard to the right of way will also be asked for.

WEDDED AT MIDNIGHT.

A singular scene was witnessed in Judge Elliott's court room, Williamsburg, shortly before twelve o'clock last night, in which the Judge, Rev. S. Miller Hageman and a young couple were the prominent actors. George Swarthaut, a handsome young man, who had been arrested in Vesey street during the day and sent to jail for breach of promise by Judge Elliott, becoming disgusted with the quarters assigned him in the jail, begged for quarter at the hands of the fair complainant, Miss Winifred Lewis. The latter relented and sent word to the Judge, who recalled the prisoner and opened court at eleven o'clock. A little later Swarthaut was brought in, looking very crestfallen; but he brightened up in a few minutes, and, after a whispered conversation with the lady, announced his willingness to marry her. The ceremony was speedily performed by Mr. Hageman, the Judge released the bridegroom from custody and then the party went on their way rejoicing.

STRANGE DISAPPEARANCE.

Frank Nagle, a young man residing in Brooklyn, left his home last Saturday evening to buy a pair of boots in this city. He had with him about $50. He joined a drinking party, and after making the circuit of several saloons was seen about one o'clock Sunday morning in the company of James Falon and Patrick Lee. He carried a bundle, supposed to be the boots he had bought. About half past one Lee entered a liquor store on the corner of Water street and James slip and left the bundle there. At four o'clock he returned and said he had seen Nagle safely home, but did not ask for the boots. Falon was not seen after one o'clock. Last Monday the barkeeper, who was acquainted with Nagle, took the boots to the latter's residence in Brooklyn, and there learned for the first time that Nagle had not returned home. Falon and Lee were arrested on suspicion and taken before Judge Murray at the Tombs yesterday morning, who remanded them until Monday.

NOT RESPONSIBLE.

Louis Walheimer, of No. 68 North Eighth street, Williamsburg, on March 13, sold his horse at the market in East Seventy-fourth street to a man named Thomas Smith, who was introduced to him as a responsible man. Thomas Smith gave Mr. Walheimer $15 in cash and a note payable one day after date for $100. Neither Thomas Smith nor the horse was seen by Walheimer afterward till Smith was arrested yesterday by Officer Darke, of the Court squad. The prisoner was committed by Judge Smith in $1,000 bail to answer.

"HOTEL, TAVERN OR INN."

The Kings County Charity Commissioners have in their possession the names of several Brooklyn liquor dealers whom they intend to prosecute for not displaying in front of their places of business proper signs of "hotel," "tavern" or "inn."

THE OYSTER WAR.

Judge Dykman, holding a Special Term of the Supreme Court at White Plains, yesterday dismissed the writs of certiorari and habeas corpus, which had been sued out by the Staten Island oystermen against the alleged oyster thieves and remanded the prisoners to the custody of the Sheriff.

ROCKAWAY BEACH.

The usual busy scenes upon Rockaway Beach incident to the approach of the warm weather have already begun. Most of the houses destroyed by the January storm have been rebuilt and extensive alterations and improvements made to others.

FINE ARTS.

THE COTTIER PICTURES.

The "private view" of the collection of pictures belonging to Cottier & Co., which are to be sold next week, drew together at the Leavitt Art Rooms last evening a large number of artists, critics, dealers, well known picture buyers and lovers of art.

The collection of 163 paintings contains many works of unusual merit, and there is a remarkably high average of artistic excellence. There are fine paintings of the men who have died within the last twenty years, and of the men who are still living, who will be known as masters by posterity, and some of whom are now regarded as such. Here we see examples of the poet painters, of the school of impressionists, of the historians of the forest lives and of the men who arrested a thought or impression and bequeathed it to the world. There is a calm, serious, thoughtful gravity and almost religious feeling about the works of some of these men which harmonizes admirably with certain moods of man's nature. A few paintings of this class give solidity and value to a collection, though it must be confessed that the effect of a collection made up entirely of them is rather depressing. Many of the examples are "artist pictures"—pictures which an enthusiast would prize highly—and the majority are worthy of much study and capable of imparting much information.

A number of the paintings were described in the HERALD fine arts column on January 6 in a review of the paintings, then on exhibition at the Messrs. Cottier's art rooms.

Of the landscapes Corot's "L'Aube," or "Orpheus," from the collection of the late Prince Demidoff, is certainly the most important, from its large size, the author's fame and from the magnificence of the example itself. It is Corot in his best and most comprehensible mood. It is the very poetry of the dawn of day, which the "Father of Songs" hails and welcomes with his lyre, charming the rocks and trees and all living things to silence as he sings to the morn. The sky is intensely real, the foliage and the foreground have that indistinctness of mass and form and brilliancy of light points which he so successfully reproduced—the first influence of the cool air of the morning.

Directly opposite will hang George Bellenger's life size nude figure, "Diana," not yet out of the Custom House. In the manner of the west wall is Anton Mauve's broad and effectively handled large canvas, "The Forester's Team—Frosty Morning—Holland." Troyon is seen to better advantage than in the Latham collection in his little picture of a coal black donkey standing by and out against a brown and white cow, both in the full sunlight, crisp and strong—a difficult motive successfully treated. Diaz's "Interior of the Forest of Fontainebleau" is a real gem. It is strong in form, as rich in tone as an old piece of mahogany, and a careful study of the spot, delicious in its modulation of light and shade.

Probably one of the finest pictures in the gallery, eminently poetic and full of a delicious sentiment, painted like a piece of old tapestry, and a canvas which grows upon you, is Mathias Maris' "Day Dreams." A charming young girl of ten or twelve is seated by a roadside, distaff in hand, and has halted in her work as she hears a sound. By her are a goat and kid. The sweet face is very admirable and the picture steals its way insensibly to your heart almost against your reasoning, for you rebel somewhat at the affectation of the style.

Corot is again seen in a rock study (107), and near this canvas is Ribot's strong, deep toned and very excellent Vendean peasant boy under arms. There is a good atmosphere, a strong feeling of wet, excellent perspective and natural figures in A. Mauve's "Return from the Fair." Theophile de Bock's "The Stream," a Hollandish canal scene in the country, is very pleasing. There is an admirable distance, good water, and, as usual in the pictures from this country, an excellent perspective. W. Maris is seen in "Milking Time."

A very masterly example of the poet-painter-peasant Millet is "After the Bath"—a peasant girl drying herself. It is like a little "old master"—rich and brilliant in color, slightly exaggerated in drawing, but modelled in a most admirable manner. It is real flesh, one of the best if not the best piece of painting in the gallery. It is almost unpleasantly true, as the coarse peasant woman's body is not very fair to look upon. The pose is admirable and the tone is deep and fine. His "Quarriers," above, is a bold sketchy treatment, and the figures are full of life and motion as they struggle with the stone. The action of despair is finely given in his study, "Hagar and Ishmael." His "Sampson and Delilah," already noted at length in these columns, is a fine piece of work. There are also "The Wayfarer" and "Carding Wool" by the same hand.

Roybet's Velasquez-like "Return from the Chase" is a bold and effective work, though faulty in drawing as regards the horses. Dupre's "French Coast—Coming Storm" will be noted. A solidly painted, careful, yet boldly treated picture is L. Mettling's "The Servant." The picture is full of light, the face is excellent, though the eyes seem rather too bright, and the accessories—notably a glass and dish on a table—are fine. Jacques Maris' "Tiller of the Soil" is a strong picture. The figures of the ploughman and his horses are good, and the ground is excellently given. "The Seaweed Gatherers," by the same, has much breadth, and is very luminous. S. Bouvin's "The Housewife" is well drawn, good in character and true in color. Monticelli's "Fountain of Youth" is eminently suggestive. No. 42 is a bold rock study, with a fine sky, by Theodore Rousseau. There is a little sheep picture by Charles Jacques. Duchatel's "Dutch Canal" has much realism and some good painting. Several landscapes by C. F. Hill, of Paris, have much strength and are decidedly original in treatment. A little figure piece very luminous and fine in color, though very Rubensiike in the dimensions of the woman's figure, is Diaz's "Love's Whisper." "A Recollection of Rembrandt" is a boldly treated head by Mettling. The same artist's "Brittany Interior" is careful and solid.

"The Meadows," by M. Boks, has a morning sky and a finely rendered stretch of ground. Bonnemaisons has two little pictures, the motives in both of which are trees reflected in pools. They are really masterly in treatment. The color is laid on with a vigorous, decided touch, the tree forms are good and the reflections are very fine. W. de Gegerfeldt's Turnesque, "Sunset in Holland," will attract attention. A vista through the Fontainbleau woods (70) is a masterly Rousseau. There is excellent water in Jan Maris' "The Meuse." A. Boulard's "Female Head," formerly owned by Corot, is a tenderly yet strongly treated study, rich in color and finely modelled. Michel is seen in a good example, "Stormy Weather." There are several small Corots of varying excellence. His "Angels of Destruction" is interesting as being a figure piece. "The Surprise" is a Monticelli, more decided in form than usual.

Jules Lessore's large painting, "The Empire City," is a curious study with some good work in it. Philippe Rousseau is seen in a couple of his masterly still lives. There are fine qualities in A. Mauve's "Dutch Pasture." P. van de Velde's "The Mission of Mercy" has a strong show effect and a bold figure.

Good sunlight and careful drawing are seen in Klinkenberg's "Old Monastery in Utrecht." Monticelli's "The Temple of Joy" is rich in color and with many figures. Bosboom is represented by the "Cathedral at Haarlem." A couple of fine marines are by Mersday, "Drifting Ashore," and "A Calm." The latter is especially good.

There are examples in water color of Harpignies, Stacquet, Israel and others. Among the remaining names represented are Apol, Artz, De la Mar, Neuhuys, Ter Meuleu, Bock, Vollon, Belgers, Daubigny, Aras, Hamon, Delacroix and Arton.

Messrs. Cottier & Co., as already published, state that the sale is made to close out their stock of pictures, as they intend discontinuing that branch of their business here. The sale will be made by Robert Somerville for George A. Leavitt & Co., under the direction of Mr. Samuel P. Avery, and will take place at Association Hall, on the evenings of the 23d and 24th inst. The exhibition to the public opens at the Leavitt Art Rooms to-morrow.

DOMESTIC STRIFE.

Mrs. Theresa Bruner, of No. 2,153 Second avenue, appeared yesterday, with her children, in the Harlem Police Court to prefer a charge of abandonment against her husband Charles, a butcher, doing business both in Harlem and Washington Market. She accused her better half of having left her in order to live with a younger woman. Mr. Bruner denied the allegation, and alleged that his wife's temper had driven him from home. Judge Wandell conducted the examination in private, and at the close suspended judgment, on a mutual promise of forbearance and reconciliation.

QUARRELSOME NEIGHBORS.

Mrs. Mary Rademeyer and Mrs. Mary Saier reside in the same house in West Sixty-eighth street, near the Boulevard, and have frequent disputes and generally agree to disagree. On Friday night Mrs. Saier, provoked at her neighbor's obstinacy, seized a stove lid and inflicted a severe wound on Mrs. Rademeyer's head. For this act she was committed yesterday by Judge Wandell to answer at the General Sessions. Officer Fiahne, who made the arrest, also produced in court two children belonging to the prisoner, one seven and the other two years old, who, he said, had been neglected by the mother and were constantly crying for food. Judge Wandell sent the little ones to the Home for the Friendless.

TOO PUGNACIOUS.

John Lynch, formerly a coroner of Hudson county, N. J., yesterday entered upon his seventh term of imprisonment for petty offences since he ceased to be a county official. On Friday night, in company with one William Toulouse, he assaulted Mr. William Hamilton in a saloon at No. 325 Grove street, Jersey City, and was apprehended while in the act of breaking a water pitcher upon the head of his inoffensive victim. Judge Davis sent him to the Penitentiary for three months.

MRS. HUTCHINSON'S DIAMONDS.

John Smith, the negro, who was arrested on Friday afternoon for stealing a diamond breastpin and earrings, valued at $1,000, from Mrs. Hutchinson, of No. 729 St. Mark's avenue, Brooklyn, when taken before Justice Walsh yesterday acknowledged his guilt, and was committed to Raymond Street Jail to await the action of the Grand Jury.

OUR COMPLAINT BOOK.

[NOTE.—Letters intended for this column must be accompanied by the writer's full name and address to insure attention. Complainants who are unwilling to comply with this rule simply waste time in writing. Write only on one side of the paper.—ED. HERALD.]

MILITIA DRILL.

TO THE EDITOR OF THE HERALD:—

Why is the National Guard compelled to drill two and three hours every night, when the Code calls for only one hour and a half? I think this is not right. The bylaws call for one hour and a half, instead of two and three hours. THE TWELFTH.

WHAT ARE THEY DOING?

TO THE EDITOR OF THE HERALD:—

As a depositor in the Sixpenny Savings Bank I would like to know what the committee that represents the depositors is doing? Why not call a meeting of the depositors and adopt some plan, so that they may get a portion of their hard earned money? SIXPENNY BANK.

A DANGEROUS STREET.

TO THE EDITOR OF THE HERALD:—

Please call the attention of the Department of Public Works to the condition of Thirty-sixth street, between Eighth and Ninth avenues. There are several large holes there, which make it dangerous for carriages and wagons. H. C.

THE CHIMES OF TRINITY.

TO THE EDITOR OF THE HERALD:—

If the vestrymen of Trinity Church must have the chimes rung twice and sometimes oftener during the day why do they not get some person to ring them who understands his business? The horrible discord that the present ringer manages to produce is an intolerable nuisance to the business men of the neighborhood. AFFLICTED.

NASSAU STREET AS A FARM.

TO THE EDITOR OF THE HERALD:—

Please remind the Street Cleaning Department that Nassau street is still in existence. A broom or dust cart never visits it between Fulton and John, and but for the rain and wind it would be ready for the ploughshare. I am a storekeeper there, and I am so filling up with dust that I am likely to be turned into that material before my appointed time. W. R.

BASEBALL IN THE STREETS.

TO THE EDITOR OF THE HERALD:—

I wish to call attention to the crowd of boys living in the vicinity of Desbrosses street who play ball every morning. Crowds of people coming in from the trains are in danger of having an eye knocked out or being injured in other ways by the dangerous sport of these young boys. I hope our police will see to this and break up the practice. F. C.

TOO MUCH STEAM.

TO THE EDITOR OF THE HERALD:—

Having seen in your "Complaint Book" the inquiry referring to the Morrisania boat Shady Side I would like to call the attention of the inspectors to the fact that it is very evident she is not in running order, as it takes as long to go to Harlem on her as it does to go to Nyack on the North River boats. If it is only safe to carry twenty-five pounds of steam on her it is not safe to run her with any, as the recent accident on the Magenta occurred with that amount of steam. COLLEGE.

ART CRITICISMS IN PHILADELPHIA.

TO THE EDITOR OF THE HERALD:—

Will the HERALD give Philadelphians a little art criticism? On April 22 the annual exhibition of the Pennsylvania Academy of Fine Arts will open to the public, varnishing day being the 18th. Although we have a handsome, spacious and well appointed academy, yet we have no HERALD nor any paper capable of criticism equal to that which it gives its readers. Therefore, knowing the enterprising manner in which the HERALD supplies news for all men, and considering now largely Philadelphians depend upon it for their news, we think that we may reasonably make this request. AN ART LOVER.

REPAIRING FIFTH AVENUE.

TO THE EDITOR OF THE HERALD:—

I notice that you advocate macadamizing Fifth avenue throughout its entire length. While I agree with you in all that can be said in favor of macadamizing roads in places where they can be constantly sprinkled, as in London, I cannot disregard the fact that sprinkling cannot be done in New York in most years during the season between November and April, and that, therefore, what is the best kind of road for London would not be good for New York. On account of the pulverizing of the surface, especially incident to the Macadam road, the dust during the four cold months of the year would be excessive, and, it appears to me, unavoidable. As I am directly interested in having the best kind of road for Fifth avenue at any cost I should be sorry that through your widely circulated paper a plan should grow in favor which if adopted would be sure to bring discomfort and annoyance to every pedestrian and resident of FIFTH AVENUE.

CREDITORS' RIGHTS.

Motion was made in the Supreme Court, Kings county, before Judge Pratt, by bondholders of the Nes Silicon Steel Company, who claim to be interested in that concern to the extent of $150,000, to allow them to prove their claims. Some time ago John R. Richardson, as creditor, brought suit for an accounting against John Draper and James B. Hulse, assignees of Eliana P. Wheeler. The referee, to whom the case was sent, finds there are assets to the amount of $53,454

In the Court of Common Pleas there was filed yesterday the schedule in the matter of the arrangement of Charles H. Schmieder, florist to Henry E. Roeder. The liabilities appear to be $93,076 66, but, in reality, are $20,000, owing to account taken of mortgages; the assets are given at $4,676 50. Among the creditors mentioned is Eliza Schmieder, for $27,031 55, of which amount $15,031 55 is secured by bond and mortgage. Other large creditors are secured in the same way.

In the United States District Court Judge Blatchford yesterday handed down a decision in the matter of Moses S. Herman and Simon M. Herman, bankrupts. The final order in composition was made on the 6th of December, 1875. The terms of the composition were forty cents on the dollar in money, payable in three, six and nine months, respectively, from the date of the final order, and for which indorsed notes were given. All the notes have been paid except the notes for A. T. Stewart & Co. On the 2d of January, 1878, a motion was made, asking that the prayer of a petition be granted asking for an inquiry into the truth of certain allegations made against the bankrupts, and that the composition be set aside. Judge Blatchford refuses the petition and orders the costs to be paid by the petitioners. Sedgwick and Curtis for the petitioners; A. Blumenstiel for the bankrupts.

NEW DOMINICAN CONVENT.

A large building is being erected on First street, Jersey City, adjoining the Church of St. Boniface (German), to be occupied by the Sisters of St. Dominic as a convent. The building will comprise schools and a chapel and will cost $45,000.

FATAL IMPATIENCE.

Simeon Conger, an aged, eccentric character, who for many years past has lived in a small shanty in Metuchen, N. J., with an old dog as his only companion, met with an accident a few days ago which severely bruised one of his toes. In the absence of proper care the bruised toe did not heal rapidly enough, and the old man, in a fit of impatience, took a hammer and chisel and cut off the member, hoping thereby to obtain relief from the excruciating pain with which he had suffered. This foolish act caused mortification to set in, and on Friday night the old man died.

BURNED WITH VITRIOL.

Jerome Gisosky, a newsboy, aged ten years, was selling papers yesterday, when an express wagon passing down Park row collided with another wagon and a jug of vitriol was thrown to the ground, the contents falling on the shoeless feet of the newsboy. Several other persons who were passing at the time were slightly injured, but Gisosky was so severely burned that he was removed to Chambers Street Hospital.

BRUTALLY BEATEN.

Alexander McElhern, the proprietor of a saloon on the corner of Eagle street and Manhatten avenue, Greenpoint, was called out on the sidewalk in front of his premises about eight o'clock last evening and brutally beaten by three brothers, named Patrick, John and Peter Leonard, who reside at No. 181 Greene street. McElhern's injuries include several severe cuts on the head.

INDICTED FOR ARSON.

Mr. John G. Davison, who resides in Paterson, N. J., was arraigned before Judge Moore, in the Kings County Court of Sessions, yesterday, on an indictment for arson, in which it is charged that he set fire to his skirt factory, in the rear of No. 85 Atlantic avenue, Brooklyn, about two months ago. The trial was set down for next Tuesday.

INCENDIARISM.

A building on Lafayette avenue, New Brighton, S. I., used as a private schoolhouse, was twice set on fire yesterday afternoon after school hours. The building suffered little damage.

DOCTORS DIFFER.

James Hope, aged forty-five, of No. 65 Varick street, died yesterday morning in the reception room of Bellevue Hospital. In connection with this death it is charged by the Bellevue authorities that the deceased was transferred from the Chambers Street Hospital while suffering from pneumonia, and that the exposure to the air consequent upon the transfer hastened his death. They also charge that many cases are transferred from the Chambers Street Hospital when the patients are known to be dying in order to keep the death record of the Chambers Street Hospital as small as possible. These charges, however, are contradicted by Dr. George D. Cliff, house surgeon of the Chambers Street Hospital, who states most emphatically that all cases sent to that hospital which can possibly be attended to or which the hospital can accommodate are willingly received and treated. In the case of James Hope Dr. Cliff states that the deceased was not a patient in the Chambers Street Hospital; but that he was taken directly from No. 49 Leonard street, where he had lodged the previous night to Bellevue. Hope was suffering from chronic Bright's disease of the kidneys and died, as such persons often do, very suddenly from failure of heart power. Dr. Cliff also stated that the Chambers Street Hospital was a very small one, and when crowded, as it was yesterday morning, it was customary for the house surgeon to direct the ambulance surgeon, on leaving to attend a call, to take such cases as that of Hope to some other hospital.

PISTOL PRACTICE.

George Styles, four years of age, whose parents reside at No. 251 Putnam avenue, Brooklyn, while playing in the street near his residence yesterday found a loaded pistol. He handed it to a playmate of about the same age as himself, who discharged its contents into the face of young Styles, inflicting a slight wound.

LAUNCELOT C. FOGARTY'S BURIAL.

The body of Launcelot C. Fogarty, the murderer and suicide, was yesterday removed from the Morgue and buried in Evergreens Cemetery. The expenses of the burial were defrayed by H. K. Thurber & Co.

THE RIVER'S DEAD.

The body of an unknown man was found in the river at the foot of West Thirtieth street yesterday. The deceased had on a dark coat, pantaloons and vest; a cotton undershirt, red flannel overshirt, check overalls and congress gaiters. He was about thirty-five years of age, had dark hair and chin whisker and was about five feet seven inches in height.

Captain Joseph Parker, of the steamer Edward Clark, found yesterday the body of a man floating in the bay off Bedloe's Island. Later in the day the body was identified as that of William Nitschke, twenty-eight years of age, of No. 24 Sixth street, Hoboken. Deceased had been in the employ of his brother in Fulton street, and has been missing since the 28th ult.

STRANGE DEATHS.

Eliza Trainer, sixty years of age, died suddenly yesterday at her residence, No. 514 East Fifteenth street.

An unknown man, supposed to be an Italian, was found dead yesterday at No. 124 Greene street.

MARRIAGES AND DEATHS.

ENGAGED.

SCHLANK—BAUMGARTEN.—ABRAM SCHLANK to REGINA, youngest daughter of Michael Baumgarten, all of this city. No cards.

MARRIED.

HALLOCK—FIELD.—On Thursday, April 11, at the residence of the bride's parents, JOHN R. HALLOCK to FRESE C., daughter of Elias H. Field, all of this city.

KLAER—SMITH.—On Thursday, November 1, 1877, at Church of Holy Communion, by the Rev. Dr. Lawrence, HENRY P. KLAER, of Milford, Pa., to EMILY L., only daughter of the late Alden A. Smith, of this city.

DIED.

AITKEN.—On Saturday, April 13, ELLEN CONLON (formerly of Rosley, Fermanagh county, Ireland), wife of Philip L. Aitken, of this city.

The friends of the family are invited to attend her funeral, from her late residence, No. 60 West 18th st., on Monday, April 15, at two o'clock P. M.

ALLEN.—On Saturday, April 13, 1878, EDWIN WILLIAM ALLEN, only son of William E. and Ellen Allen, in 4th year of his age.

Funeral from his late residence, 647 Greenwich st., at nine o'clock.

BOLAND.—On Friday, April 12, at the residence of his uncle, George Mundort, 815 6th av., THEODORE BOLAND, aged 20 years.

Relatives and friends are respectfully invited to attend the funeral, from St. Peter's Church, corner 46th st. and Lexington av., on Monday, April 15, at half-past one P. M.

BRAUTIGAM.—April 12, after a severe illness, ELSA MARIE, daughter of Adam and Marie Brautigam.

BYRNE.—Suddenly, on Thursday, April 11, ANNIE BYRNE, only daughter of Patrick and Rosliana Byrne, aged 1 year and 11 days.

The relatives and friends of the family are respectfully invited to attend the funeral, from her late residence, 334 East 12th st., on Sunday, 14th inst., at one o'clock P. M.

CAMPION.—On Thursday, April 11, RICHARD JAMES, son of George S. and Henrietta Campion, aged 1½ years.

Relatives and friends are respectfully invited to attend the funeral, from the residence of his parents, No. 73 4th st., Brooklyn, E. D., on Sunday, April 14, at 2 P. M.

CASTELL.—On Friday, April 12, 1878, Mr. EDWARD CASTELL, aged 69 years and 4 months.

The relatives and friends are invited to attend the funeral, from the residence of his son, No. 24 Debevoise place, Brooklyn, on Sunday afternoon, at two o'clock.

CLANCY.—Saturday, April 13, ANN CLANCY, relict of the late Patrick, at her residence, 1,060 3d av.

Notice of funeral hereafter.

CROMER.—On Saturday, April 13, 1878, SARAH ANN CROMER, widow of the late Nathaniel Cromer and mother of the late John Cromer, in the 81st year of her age.

Relatives and friends are respectfully invited to attend the funeral, on Tuesday, the 16th inst., at one P. M., from 78 av. D.

DREW.—WALTER DREW, at Los Angeles, Cal., Sunday, March 17, in the 42d year of his age.

EASTMAN.—April 12, 1878, MRS. HESTER EASTMAN, in the 84th year of her age, a native of London, England.

The funeral will take place from the