NEW YORK HERALD

BROADWAY AND ANN STREET.

JAMES GORDON BENNETT, PROPRIETOR.

Volume XXXVIII......................No. 164

AMUSEMENTS THIS EVENING.

BOWERY THEATRE, Bowery.—Hazard—Regular Fix.

THEATRE COMIQUE, No. 514 Broadway.—The Drama of Help.

GRAND OPERA HOUSE, Twenty-third st. and Eighth av.—Ruy Blas.

WOOD'S MUSEUM, Broadway, corner Thirtieth st.—Davy Crockett. Afternoon and evening.

NIBLO'S GARDEN, Broadway, between Prince and Houston sts.—Robert Macaire, &c.

UNION SQUARE THEATRE, Union square, near Broadway.—Caste.

ATHENEUM, 585 Broadway.—Grand Variety Entertainment.

OLYMPIC THEATRE, Broadway, between Houston and Bleecker streets.—Driven from Home.

WALLACK'S THEATRE, Broadway and Thirteenth street.—Mora.

BOOTH'S THEATRE, Twenty-third street, corner Sixth avenue.—As You Like It.

NEW FIFTH AVENUE THEATRE, 728 and 730 Broadway.—Madeleine Morel.

TONY PASTOR'S OPERA HOUSE, No. 201 Bowery.—Variety Entertainment.

BRYANT'S OPERA HOUSE, Twenty-third st., corner 6th av.—Negro Minstrelsy, &c.

AMERICAN INSTITUTE HALL, Third av., 63d and 64th sts.—Summer Nights' Concerts.

CENTRAL PARK GARDEN—Summer Nights' Concerts.

METROPOLITAN MUSEUM OF ART, 128 West Fourteenth st.—Cyprian and Loan Collections of Art.

TERRACE GARDEN THEATRE, 58th st., between Lexington and 3d avs.—Leighte Cavallerie, &c.

NEW YORK MUSEUM OF ANATOMY, 618 Broadway.—Science and Art.

TRIPLE SHEET.

New York, Friday, June 13, 1873.

THE NEWS OF YESTERDAY.

To-Day's Contents of the Herald.

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FINANCIAL AND COMMERCIAL NEWS AND BUSINESS! MONEY PLENTY! THE FOREIGN MARKET STRONG—Ninth Page.

The Khivan Campaign.—The letter which we published yesterday from our special correspondent at the Sea of Aral, on the Russian Army expedition to Khiva, throws a flood of light upon the subject and dispels all the terrors supposed to be connected with the enterprise. Thus it appears that the Tartars of Khiva, hitherto represented as a terrible host of warriors, are regarded by the Russians as we regard the Apache Indians. Next we find that the dangers from the formidable snows in Winter and drifting sands in Summer of those dreadful deserts, from which former Russian expeditions suffered so heavily, have since been overcome by the establishment on the route of military stations, posts and depots of supplies to the very door of Khiva, and that these obstacles have been greatly exaggerated. In short, from the actual observations of our correspondent, the whole of Turkestan is open to the Russians, and they are fully prepared to occupy it and hold it and civilize it and open it to the world.

Great Excitement there was in the City Hall yesterday, and chiefly on the bids for the fat job of official advertiser of the Corporation, under the title of the *City Record*. The examiners of the bids made their report to the Board on the subject, and the five lowest of the bidders are to appear before the Board today for a cross-examination.

The Governments of the United States and England and Their Citizens on Cuban Soil—"Grit" Wanted.

We learn that our Havana correspondent, Mr. Price, after a causeless captivity of twenty-two days in the Cabaña fortress, six of which were passed in solitary confinement, has been released. The charges against him were never made known to him during that period, and their groundlessness is shown in the abruptness of his dismissal. In a letter from his dungeon, published elsewhere, he wonders why he was detained after Mr. O'Kelly's departure. An official informed him that his being taken to the common jail, in the first instance, was a mistake. Another official informed him that Mr. O'Kelly's "incommunication" in the Cabaña was also a mistake. Now, from these exhibitions of irresponsible caprice to which the United States abandons its citizens, it is possible that Mr. Price was forgotten or neglected by some Spanish official, as still another of them would forget or neglect to let him have his breakfast before the afternoon.

The honor of a nation is a great deal more than a sentiment. The citizen of a country submitting meekly to all manner of insults that may be heaped upon her flag will soon find, when he leaves her borders, what actual inconvenience arises from this want of respect. It is, therefore, the necessity of a nation aspiring to the development even of her commerce that certain safeguards should never be wanting for the protection of her citizens abroad. From the deeply interesting correspondence, dated from a Spanish prison and signed by the two imprisoned writers for the New York Herald, Messrs. O'Kelly and Price, the lamentable want of firmness betrayed by our government and that of England can be seen under the strongest possible light. It has been announced, in more or less authoritative form, that the two governments have "done something" in each case on behalf of the gentlemen named, but the contempt with which the Spanish authorities in Cuba have treated these remonstrances suggests the very grave conclusion that a citizen of the United States or a subject of Great Britain has no real protection against the most arbitrary or unjust treatment that a Spanish official might choose to inflict on him. The fact that the two gentlemen in question belong to the staff of the Herald naturally gives us the greatest concern in what befalls them; but as unoffending persons cruelly and maliciously maltreated they would receive the same attention at our hands, no matter what their callings. Their cases become those of the nations which respectively claim their allegiance, and no nation can, with safety to its interests, allow the rights of its citizens to be ignored and trampled on. Not only in the cases before us have the individuals suffered indefensible hardships and revolting indignities, but the official representative of the United States, Consul General Torbert, has, in his own language, been "snubbed" and the representative of England derided and sneered at by Captain General Pieltain, when they remonstrated or demanded explanation. This is a grave position, indeed, for the two freest and most powerful civilized nations to occupy in the eyes of the world—their subjects outraged and their officials "snubbed" by the vicarious authorities of feeble Spain in Cuba.

Mr. Fish, our Secretary of State, himself hastens to make out the case against American honor. That he was gracious enough to dilate eloquently on Herald enterprise does not at all blind us to his deplorable admission that the representations and remonstrances he had made, or ordered to be made, had been slighted, and no attention paid to the demands or explanation deigned for the outrage by the Captain General. He may explain at any length how difficult communication is with the Cuban authorities, and how wonderfully intricate are the ways of diplomacy; yet red tape and circumlocution are poor apologies for the toleration of injustice to a citizen of the United States and insult to a government representative. In matters touching the duties on sugar or molasses the slow processes of red tape may be admitted; the liberty of a citizen is a matter requiring treatment of a prompt, energetic and uncompromising nature. As Mr. Price pointedly puts it, "there is more grit required in the Department of State." As an American citizen he deserved every attention at the hands of his government. He had satisfactorily filled the post of Consular Agent to the United States at the port of Nuevitas, and yet the snubbing received by Consul General Torbert is first apologized for by the State Department, where it is thought that what General Torbert "aims to achieve is retarded by his great zeal and patriotic energy, whereas a cringing policy would be more successful in dealing with the heartless Spaniards." The humiliating statement by Secretary Fish that to this remonstrance and that demand "no answer has been received" is another specimen of placid forbearance with those who imprison and ill-treat American citizens at will.

The case of Consul Phillips, hunted through the streets of Santiago by the Catalan volunteers, with no protection but that of the British flag, happened within the Secretaryship of Mr. Fish. The offence of the Consul, it will be remembered, consisted of writing a certain official letter to his government. The case of Dr. Houard, wherein an American citizen was infamously, nay, barbarously treated, upon perjured and trumped up testimony, is one that reflects no credit upon our country. Mr. Price was arrested without explanation or any charge being made against him, and but for the accident of meeting an attaché of the American Consulate on the way to prison he might have languished there indefinitely without the world being the wiser. So, the American Consul General learns of the outrage, seeks the Captain General and demands explanation. He is "snubbed and thwarted at every turn," as the British Acting Consul Crawford had been, when sneeringly told, if he wondered why Mr. Millen (whose offence, if any, was the same as Mr. O'Kelly's) had been liberated, to make a formal charge and he (the Captain General) would order Mr. Millen's rearrest. Truly, "grit" is wanting in the Department of State and elsewhere when America and England are so much afraid of poor, struggling Spain that they dare not demand that justice be done to their citizens and subjects.

In the explanations of Secretary Fish regarding outrages on American citizens in Cuba, his easy conscience on one point is remarkable and curious—namely, his perfect satisfaction when nothing beyond the manifold horrors of imprisonment, solitary or otherwise, are experienced by the victim. The sensation of having a prisoner of Chillon or an immured Monte Cristo on hand may be esteemed a luxury by some morbid natures; but that a Secretary of State can be complacently cheerful because the inquisitorial torture does not end in the prisoner's death will not be satisfactory to a proud nation, when it is understood fully what barbarism and cruelty are practised in Cuban prisons by the authorities on the unfortunates weakly and wantonly left at their mercy.

This neglect of one of the highest interests of the nation—the protection of our flag abroad and all who can claim its protection—must cease at some time. Neither America nor England can long tolerate the studied insolence and outrage of the Cuban authorities. The conduct of the latter, if persevered in, must involve one or the other country in war with Spain. This is certainly something we do not desire; but the persistent folly of Spain's officials in Cuba may, at any hour, make it impossible for either country to decline the responsibility of a combat. Señor Figueras was right when he informed a Herald correspondent that the United States were the best friends of the Republic in Spain. Our wishes for the spread of republican institutions on this Continent and in Europe make us naturally lean towards a people taking the path of equal rights and freedom, and the Spanish Republic should take care to keep a curb upon her officials in the Antilles, who work so strenuously to alienate all friendly feeling here and bring the mother country to the verge of a destructive war. We do not desire the annexation of Cuba to the United States. We should prefer to see her govern herself, if that is the desire of her people, or to see her remain with a republican Spain should that alternative please the Cubans. But Spain must teach her officials in Cuba the lesson of respect for the citizens of other States before she can be certain that the insurgents will be the only armed foes she may have to meet in the field. The Secretary of State will find that the dignity of the United States cannot be sustained in a manner satisfactory to the people at large in cases involving the liberty or the life of citizens by tortuous diplomacy that does little or nothing towards gaining its professed object. More "grit" is wanted.

General Davis on the Lost Opportunity of Punishing the Modocs—Sound Views.

Our despatches from the scene of the late Modoc war containing an interview with General Jefferson C. Davis will be read with live interest throughout the country, and the opinions expressed by that old Indian fighter on the Modoc difficulty, as it at present stands, will be heartily endorsed. We have repeatedly sustained the view that the savage, as we are blessed with him, looks on the paraphernalia and parade of peace commissions with scarcely disguised contempt; and we can the better understand the force of General Davis' statement that "the Indians do not recognize the jurisdiction of civil or military courts because they are incapable of understanding their workings. These Modocs cannot comprehend what is meant by Court. They have been interrogated on that subject, and they would regard a Court trial, with its technicalities, testimony, &c., as a kind of jugglery, and if convicted and sentenced to death could not be made to understand that justice figured in the business at all. They believe they have committed deeds that merit death, in fact, are real murderers, and have daily expected to be hanged." And so he sensibly made up his mind to save the murderers a world of wonder and several months' time by hanging a number of them, whom he would specially select for the gallows. His objection to handing them over to the Oregonian Courts is comprehensible; for he judges the prisoners' chances from the murder of the four harmless old men a few days since. A military commission will, he believes, take six months to arrive at a conclusion, and, knowing that a proper overawing effect could be produced on the neighboring tribes through a select number of military hangings, he chose the latter course as "cutting the Gordian knot." He read a document to Captain Jack which was at once an indictment and sentence, and was preparing a list of murderers for execution from his large stock when a courier arrived with orders that tied his hands. The grave part of the matter is that a wholesale massacre of the prisoners by the Oregonians may, at any time, take place, and the "peace party" at Washington may find themselves to blame for the slaughter of the innocent as well as the guilty.

Honors to the Remains of the Late Minister Orr.

When, in the Winter of 1860-61, James L. Orr, in company with ex-Governors Barnwell and Adams, of South Carolina, entered the city of Washington as one of the Commissioners from the Palmetto State to the government of the United States, demanding a release from the federal compact, the result of our great Revolution of '76, he could scarcely have imagined that at this date, after a war occasioning a frightful loss of men and means on both sides to prove the error of his views, his remains would have been honored as they have been in the always patriotic city of New York. Yet such is the fact. In the City Hall yesterday the remains of our late Minister to Russia lay in state under the special guardianship of the Knights Templars, a Masonic body of which he was a much respected member. But it was not alone in regard to his membership with that grand Order that led to this public and official demonstration in his behalf. It was in consequence of his prompt acquiescence in the results of the war and his unquestionable fealty to the Union as restored that led President Grant to appoint him Ambassador of the United States to one of the most potential governments of Europe. And in the same spirit the government of the metropolis of the country has rendered honors to his remains. His Masonic brethren, with a devotedness that has no parallel in the history of the Order in this country, cast aside all considerations of the past, and guarded the remains of their illustrious brother as they would their most estimable jewels. The ceremonies and procession to-day will be under the direction of the Masonic brotherhood. Honored in life, in death the memory of the late James L. Orr will ever be fondly cherished by those who knew the goodness and greatness of his noble heart and soul.

The Governmental Hiatus in Spain—Confusion in Madrid.

The latest telegrams from Madrid announce that Señor Figueras, having resigned his executive authority, had taken leave of the Spanish capital and journeyed to Huesca, on his way to France. The abrogation of authority by the Ministry and Chief of State produced a hiatus in the administrative history of the day. Political partisans rushed forward to fill it, and faction became, apparently, more powerful than the law. Madrid was convulsed with one of its violent spasms of chronic agitation. Bands of politicians, who style themselves "irreconcilables," were opposed by others of an opposite stripe until the streets of the municipality became, as it were, red-hot under the tread of demagogues, who were loud in their demand for revolutionary change. After having created a vast amount of alarm, among foreigners particularly, the demonstrators cooled down. The Spanish capital was, as reported by cable, again calm at a late hour last night, but it is quite evident, judging from our despatches from London, that John Bull is not by any means satisfied with the present appearance of affairs in Spain; and Mr. Bull has had very considerable experience in the matter of the progress of public affairs on the Iberian Peninsula. The Cortes appear to be the depositary of legitimate power, but whether the legislative body will assume a healthy and vigorous action in the crisis remains to be seen. At the moment when our latest telegram was forwarded from Madrid yesterday the armed factionists had withdrawn from the streets, and it was reported that all parties had agreed to accept the Ministry constituted by the Cortes on Wednesday.

Our Streets—Threatened Strike of the Sweepers.

If ever we have need of scrupulously clean streets it is now. With the mercury among the eighties and the sun pouring its fiercest rays into our gutters during the long days of June, there is no sure defence against poisonous exhalations except thorough work with broom, hoe and shovel, with free use of water to scour the roadways and flush the sewers. Cholera is reported in various directions, and, even if it should not visit the Atlantic coast, we may be certain that uncleaned streets will breed diseases very little less fatal. In this connection our citizens will be surprised and indignant to learn that the men who have been employed by the Police Department in street cleaning are threatening a strike in consequence of inability to get their pay. For nearly two months, it is said, they have received no wages, and they and their families are suffering for its lack, to the deep discredit of some high city officials who have blundered—or worse. No one of the municipal obligations should be more promptly met than the hard earned pay of those laborers, and no other branch of the public service is more imperatively necessary than their work of keeping the streets free from filth and screening the city from pestilence. Not a day should be lost in paying these laborers, and not an hour's remission should occur in the vigorous prosecution of their duties.

The War in Central Asia.—A telegram, special to the Herald, from the seat of war in Central Asia reports that the Russian commander, General Kaufmann, has lately gained an important victory over the Khivans, and that his troops were again in advance for the objective point of concentration. The Herald report is confirmed by a war office bulletin which was published in St. Petersburg last night, announcing a rout of the Khivans and the continued onward march of Kaufmann. The Khivans appear to have mustered in considerable force, and to have come out from their stronghold to meet the invaders of the Khanate. It may be that the war is not yet ended, although it is scarcely doubtful that the Muscovite will triumph in the end.

Secretary Fish on First Class Powers.—The head of the State Department is reported to have said the other day that the only thing wanting to constitute the Herald a first class Power was an army and a navy. But our wonderful Premier forgets. We have an army and we have a navy. Our army is composed of legions of the ablest, shrewdest and most daring correspondents, scattered throughout the world. Our navy includes the fastest vessels of all nations, bearing intelligence from every quarter of the globe.

PERSONAL INTELLIGENCE.

Rev. James Lawrence, of England, is at the New York Hotel.

Bishop John Sharpe, of Salt Lake, is stopping at the St. Nicholas Hotel.

Senator John Sherman, of Ohio, yesterday arrived at the St. Nicholas Hotel.

Prince Azuma, of Japan, is among the late arrivals at the St. Nicholas Hotel.

The Duke and Duchess of Montpensier and their daughter have arrived in Vienna.

General S. B. Holabird, of the United States Army, is quartered at the Glenham Hotel.

M. Jules Ferry, says the *Figaro*, has resigned his appointment as Minister of France to Athens.

On dit that M. le Duc Decazes will replace General Le Flô as Minister of France to St. Petersburg.

It is announced that Baron Magness, now at Stuttgart, will be appointed Minister of Germany to Brussels.

Professor Goudsmit, of the University of Leyden, Holland, a leading Continental jurist and author, arrived on the Algeria a few days since. He comes to study our institutions.

The legitimists of the French Cabinet are M. M. Pinoul de la Bouillerie and Dompierre d'Hornoy. M. Magne is the Bonapartist. The Duc de Broglie represents the pure Orleanist faction.

A *bon vivant* passing through Avenue Gabriel, Paris, on May 17, at six o'clock in the morning, shouted "*Vive l'Empereur!*" Had he shouted "*Vive la République!*" during the Empire he would have been sent to Cayenne, and in this case he was released.

Mlle. Eugenie Niquet, seamstress, of Sursennes, near Paris, having been announced from the pulpit by Father Brice as duly chosen the Rosière, was crowned on Whit Sunday with a white wreath by the Baroness de Chauvenet. The Rosière receives 300 francs with the easy condition that the first girl born of her marriage shall be named Camille.

THE LATE MINISTER ORR.

The Lying in State in the Governor's Room—The Arrangements for the Funeral To-Day—Names of the Members of the Grand Lodge in the Procession—The Musical Programme.

About two thousand persons passed before the remains of the late Minister Orr, yesterday, in the Governor's Room. Among those present were Baron Henri d'Offenberg, the Russian Minister at Washington; Rev. Mr. Bjerring, Chaplain of the Russo-Greek Chapel in this city; Governor Hart, of Florida; ex-Governor Reed, of Florida; Governor Lewis, of Alabama; Dr. Mackay, of Charleston, S. C., and others.

The following are the orders issued in reference to the funeral:—

The procession with the body of the late James L. Orr will leave the City Hall to-day, at half-past two o'clock, passing up Broadway to Madison square, through Twenty-third street to Madison avenue, and up to the church of the Rev. G. H. Hepworth, Madison avenue and Forty-fifth street.

The police escort of the procession will consist of six members of the mounted squad on black horses and twenty-five officers from the Broadway squad, all under the command of Inspector George W. Dilks, who is one of the aids to the Grand Marshal.

The streets through which the procession passes will be lined by the captains of the different precincts along the route. Captain Leary, of the Twenty-sixth precinct, will preserve order at City Hall Park with a large number of officers, while the whole force of the Nineteenth precinct will be detailed under Captain Gunner at the church.

The Grand Lodge officers and district deputies are ordered to assemble at the Governor's Room in the City Hall, at half-past one o'clock to-day, instead of at the new Temple as heretofore announced. The aids will assemble at the same time for the purpose of receiving instructions.

Headquarters First Troop Washington Greys, New York, June 12, 1873.

In compliance with special division order No. 8 this command will parade in full uniform (mounted), on Friday, 13th inst., as escort to the remains of the late ex-Governor Orr and United States Minister to Russia. The assembly will be at the armory, Forty-fifth street and Broadway, at three o'clock P. M. sharp. By order, Captain DANIEL D. WYLIE.

Benjamin F. Cowen, Orderly Sergeant.

The following are the members of the Grand Lodge who will be present in the funeral procession:—Elwood E. Thorne, Grand Master; James E. Morison, Deputy Grand Master; William T. Woodruff, Grand L. W.; Dr. White, Grand J. W.; Robert H. Thomas, Grand Treasurer; James M. Austin, M. D., Secretary; Rev. P. L. Schoonmaker, Grand Chaplain; H. Clay Preston, Grand Marshal; Joseph J. Couch, Grand Standard Bearer; Z. Dederick, Grand Sword Bearer; Henry A. Richey, Gregory Satterlee, Josiah Shore, Samuel Jones, Stewards; Charles D. Brown, Grand L. D.; Isore Glechman, Grand J. D.; George H. Raymond, Grand Lecturer; John G. Barker, Grand Librarian; Johnson Fountain, Grand Pursuivant; John Hoole, Grand Tiler; Henry Walker, D. D. G. M.; John C. Boak, D. D. G. M.; John J. Gorman, D. D. G. M.; Jos. B. Jones, D. D. G. M.; C. Aug. Gregory, D. D. G. M.; O. D. M. Baker, D. D. G. M.; Andrew E. Saffern, D. D. G. M.; Jesse B Anthony, D. D. G. M.; Caleb B. Ellsworth, D. D. G. M.; Horace S. Taylor, D. D. G. M.; James M. Rowan, D. D. G. M.; C. F. L. Hohenthal, D. D. G. M.; F. A. Richshoffer, D. D. G. M.; S. J. Thatcher, D. D. G. M.

At the chapel, and during the service, the thirty-ninth Psalm will be chanted, and also the hymns known as "Rock of Ages" and "Jesus, Lover of My Soul," will be sung. A dirge, too, will be sung by forty male voices under the direction of Edward Hopkins, musical director of St. Cecil Lodge, the membership of which lodge is mainly composed of musicians. The following will also be the solo singers:—Mrs. Shepherd, Mrs. Barrow, Messrs. Simpson and Thomas. Mr. George W. Morgan will preside at the organ.

Governor Dix will be unable to attend the obsequies in consequence of the pressure of official business at Albany.

Formation and Order of Procession.

The following are the official details of the formation and order of the procession:—

Washington Greys Troop—West side Madison avenue, right resting on Forty-second street.
Seventh regiment—Westside resting on Madison avenue, right resting on Forty-third street.
Grand Council, Grand Chapter—South side of Forty-fifth street, right resting on Madison avenue.
Lodges, commencing with highest number—South side of Forty-fourth, Forty-third and Forty-second streets, right resting on Madison avenue.
Dodworth's Band.
Knights Templars.
Keating's Band.
Grand Lodge.
Hearse, surrounded by hollow square of Knights Templars.
Chief Mourners.
Mayor and Common Council.
Heads of Departments.
Foreign Ministers and Consuls.
Governor and Lieutenant Governor, State New York.
Governors of States and Territories.
Officers of Army and Navy.
Officers of Civil Service of United States.
Judges of Supreme Court of United States.
Judges of State and City Courts.
Members of Congress and Legislature and citizens.

At the conclusion of services in church, which will commence at four P. M., the column will move through Madison avenue to Forty-second street, thence to Fifth avenue, to Fourteenth street, to Eleventh avenue, to pier foot of West Thirteenth street, where the remains will be transferred to a revenue cutter, thence to special train at Jersey City.

By resolution of the joint committee of the Common Council all the public offices will be closed at two P. M.

The music at the church will be under the direction of Brother Ed. Hopkins, musical director of St. Cecil Lodge, and will be for the church service by a volunteer quartet and for the Masonic service by a choir of forty male voices.

WEST POINT.

The Dinner and Ball Given by the Cadets Last Evening.

West Point, June 13, 1873.

The expectations formed by experienced West Pointers were fully realized in the Alumni dinner this evening. As a gathering of distinguished officers of the army who have been educated here it was a great success. General Sherman, General Franklin, General Upton, General Gibbon, General Tyler and a host of others formed a galaxy of lesser stars round the great light of the army. It was the largest and certainly the most distinguished assemblage of officers of the United States Army who have made for themselves bright names in history. General Sherman, in speaking for the army, alluded to the fact that honor in the army was something very different from honor in politics. The President smiled when called upon to speak, and took refuge behind a huge cigar. General Gibbon was the life and soul of the Alumni, and his services were well appreciated.

The ball at the Mess Hall was a brilliant and splendid affair. Five hundred people enjoyed themselves, reckless of corns and scorning the tender feeling of bunions. President Grant and party were present for a short time. On no previous occasions have graduating cadets stepped into active service under more favorable auspices.

A WESTERN BILLIARD MATCH.

Chicago, Ill., June 12, 1873.

The billiard match to-night, between Ubassy, the French expert, and John Bessenger, of this city, was the most remarkable exhibition of skill in that line ever witnessed in the West. The game was a French or three ball carom, Ubassy playing 800 points to Bessinger's 500, for a stake of $250 a side. There was an audience of not less than fifteen hundred people present. The game was won by Ubassy in forty-five innings, the score standing—Ubassy, 800; Bessinger, 370. Ubassy's average was 17 7-9, and his largest runs were 116, 61 and 50, besides four or five of 40 each. The run of 116 was the forty-fourth inning. Bessinger's game was a plucky one, his average being 8 7-9. He made a run of 53 and another of 54 in the latter part of the game.

Ubassy leaves to-morrow for New York to take part in the coming billiard tournament.

JUDGE FANCHER AT NEWBURG.

Extraordinary Session of the Supreme Court—The Lagrove Extradition and Kentucky Lotteries Case.

Newburg, N. Y., June 12, 1873.

Judge Enoch L. Fancher, of the Supreme Court, New York city, commenced to-day an extraordinary session of his Court in this city, for the hearing of argument in several important cases. One case is argued each day during the term, which will close on Saturday, the 14th instant. To-day the Court heard the argument in the Lagrove extradition case, the question being on the motion for the issuance of a writ of *certiorari*. William Allen Butler, A. Oakey Hall and E. T. Gerry made the speeches. Decision reserved. On Friday the New Haven and Willimantic bond case will be argued. On Saturday ex-Judges Emott and Porter will argue the case of Simmons vs. Ben Wood, known as the Kentucky Lotteries case.

THE CONSEQUENCES OF SECONDING A DUEL.

Richmond, Va., June 12, 1873.

The seconds in the recent fatal duel between Mordecai and McCarty having been refused bail by a police justice during the convalescence of McCarty, the surviving principal, they made an effort to-day to procure a writ of habeas corpus, but Judge Guigan, to whom the application was made, refused to grant it. They will have to remain in jail for some time yet before they will have an examination, as McCarty will not probably be out for a month.

BOWLES BROTHERS & CO.

Meeting of Creditors in Boston Before Judge Lowell, of the United States Supreme Court—No Compromise Effected—Statement of Mr. Charles Bowles—The Bankrupt Firm Likened to the United States Government.

Boston, June 12, 1873.

This afternoon Judge Lowell, of the United States District Court, came in and gave to the parties interested a hearing in the matter of Bowles Bros. & Co., bankrupts, the same being on the acceptance or rejection of the proposition of Mr. Nathan Appleton. There were some thirty persons interested in the case present in Court. Mr. John O. Ropes, counsel for Henry J. Stevens, assignee of the estate of Bowles Bros. & Co., addressed the Court, reading the proposition of Nathan Appleton. After the offer had been made, the counsel referred in a general way to the compromise, which he characterized as not a proposition of the assignee in bankruptcy, but of Mr. Appleton himself. The material points to be considered by the creditors are the conditions of Mr. Appleton's property. The assets may be classed under two heads,—available and doubtful.

AVAILABLE ASSETS OF MR. APPLETON'S PROPERTY.

Real estate in Washington	$60,000
Real estate in Massachusetts	40,000
Personal property	14,084
Mr. Appleton's note for	10,000
Stocks	40,000
Net available assets, after deducting private and secured liabilities	$96,024
DOUBTFUL ASSETS.	
Real estate doubtful as to ready sale, trust interests in life insurance, &c.	96,725
Deduct $1,000 granted by law	95,725
Amount which probably can be realized from these assets	30,000
Mr. Appleton's total available assets about $115,000 or	$120,000

Beyond this last sum is the unsalable real estate, horses, carriages, books, paintings, &c.

The available assets, or those which may be turned into ready money consolidated with the assets of Bowles Brothers & Co., will not probably be much in excess of $150,000.

THE ASSETS OF BOWLES BROTHERS AND CO.

cannot be absolutely determined, but are estimated as clear $35,398 30. In New York there is in the hands of a receiver $7,000 in gold, which should have been turned over to the assignees, but which the Court there would not order. Paintings worth $3,000 are also unavailable at present. There is no prospect of adding these to the assets without litigation.

In Paris the Syndicate control 65,000 francs ($13,000 in gold), but the expenses will be great there, and must be deducted. The chances of obtaining money must be taken into consideration. The Paris funds, with those similarly held in London, aggregate $30,000. How much of this will be obtained cannot be estimated. In round numbers, he would state, expenses at Paris and London deducted, the whole assets will be somewhere over $100,000 or $120,000. They will be probably less than the last sum. The desire is to get the largest sum as early as possible and to prevent further litigation. Bowles Brothers & Co., by advice of their counsel, have recommended to the creditors to accept Mr. Appleton's proposition. To bring a suit to establish Mr. Appleton as a general partner, even if successful, would entail an expense that would reduce the present property of Mr. Appleton so that certainly no more than is offered could be obtained.

Mr. Albert Van Wagner, of New York, then asked concerning

THE AUTHORITY OF THE COURT

in this matter, he representing personal claims and those of other creditors to the amount of $45,000 to $50,000. If what Mr. Ropes had said was addressed to the Court, he would inquire by what authority the Court was to decide the case. If the Court had no authority, this meeting was simply one of the creditors, and he questioned if the Court could legally act, whether creditors were willing or not. Judge Lowell suggested that the Court had power in certain cases to order a compromise when it could be shown it was for the best interests of the estate concerned, under provisions of the bankruptcy law. In this case a compromise is conditional, and the conditions are that all creditors assent to the proposition. If the creditors decide to proceed against the party from whom the proposition comes, then, as the estate is situated, this hearing is at an end.

MR. CHARLES BOWLES' STATEMENT.

The following is an abstract of the plea of Mr. Charles Bowles:—I earnestly protest and appeal to this Court, to our assignees, to the creditors in all countries and to the public generally, against the hearing of any partial or hasty estimate to the prejudice of our estate. Its movable assets and books are in the hands of five bankruptcy courts, who can neither act with or without each other, and meanwhile hold our estate fast in "protection" of the creditors, while rapidly consuming the assets themselves. The house has been told to show its hands, but they must first be unlawfully bandaged. I see a statement published by authority that the liabilities of Messrs. Bowles Bros. & Co. are about four hundred thousand dollars, while the present assets are but about $35,000 to $45,000. This simply means, from our Boston standpoint, that one can believe, without seeing, the maximum debt of all our branch houses in Europe and America, and see now but the minimum assets of this one branch, without believing any other. The very same error was made in London and led to all our trouble. The maximum debt was at once admitted and stated at the sum of $400,000, but the assets were stated at £3,500, to the entire ignoring of the great bulk of our property now available or not within reach and actual touch of the estimators. Naturally the creditors called us hard names and our house "a mere shell," and they were not to blame for it. At least

ONE MILLION OF DOLLARS GOLD IS LOCKED UP

in this business. Of this more than three hundred thousand dollars have been made and expended in twelve years past upon its foundation. Nearly or quite three hundred thousand dollars more of Mr. Appleton's estate have also to be accounted for, and the outstanding liabilities make up the amount named. Where is this money? It has neither been lost, secreted nor secretly diverted. The closest inspection of each branch has yet revealed not one act of speculation nor of malfeasance in spite of the grave charges which greeted the suspension. It is simply locked up at the Geneva homestead and fireproof vaulted bank building with other property gathered there as a central point and for future security against the Commune or similar outbreaks. Although the real estate was bought but two years since it is worth three times its cost, and is even worth more to our business for actual rental value than the entire deficit due our creditors. We could pay our yearly interest from that alone. But it is encumbered and claimed by no less than two syndicates and two receivers, all at variance and all to be paid from its sacrifice in the end.

"It is the conviction of every partner and initiated person alike that if the estate is not released from the chancery of its five Courts of Bankruptcy, not only will its aforesaid passive assets be lost or appropriated by its competitions, but its active and merchantable assets will be swallowed up in law. At present it is believed the latter are enough to pay its creditors in a little time if not wasted. In supplement to Appleton's offer I have the honor to submit to you now a plan for funding our debts and mobilizing our passive assets in order to furnish their value in working capital. It is the same plan I had the honor of presenting to the Committee of Ways and Means at Washington, just three years and one month ago to-day, for the successful handling of our disordered government finances. It had the popular sanction then, and its features were reported to Congress in that committee bill, but the Franco-Prussian war intervening kept it back, and we find in consequence

DISORDER IN THE PUBLIC FINANCES

ever since. It is as applicable to a large, united and connected family commonwealth like ours as to a United States commonwealth differing only in scale and not in principle or in system. It provides for the funding and gradual payment of our debts in full, with interest, the bonds being issuable to any holder of our proven debt, either for the whole or for any balance uncovered, whether compromised or not. It does not interfere with the Appleton offer. It strengthens and supplements it; but the first must be accepted and the house released before the funding can operate at all."

After Mr. Bowles had closed his remarks Judge Lowell said some of the conditions of the case were such that no one could fully understand the exact position of affairs, and there were grounds for the variance of parties; but it appeared from what had been presented that a compromise would be the same as litigation would effect if successfully established.

Mr. Ropes asked if it was the wish of the New York creditors to proceed against Mr. Appleton and endeavor to establish him as a general partner, or did they wish Mr. Appleton to modify his proposition to make it acceptable.

OPINION OF THE NEW YORK CREDITORS.

Mr. Van Wagner replied that it was not necessary to discuss the matter of liability at this time. They objected to the compromise proposed on the ground that it came in questionable shape. They were willing to take fifty per cent and so compromise if Mr. Appleton will agree to make it so that they shall get that proportion of their claims. Some very good lawyers in New York had said that to accede to their proposition would perhaps in two or three years give the creditors as little as twenty per cent. This is not matter between Mr. Appleton and the creditors of Bowles Brothers & Co., and not between Mr. Appleton and the assignee. If Mr. Appleton is a general partner then the creditors ask that the whole property come under one head and be divided according to law. If the gentleman is not a general partner then they do not ask him to give up all his property.

The hearing was closed and a compromise not effected for the reasons shown above, there not being a unanimous assent from the creditors.