REVOLUTIONARY SPAIN.

[Fourth Article.]

Already at the times of Philip V., Francisco Benitola Soledad had said: "All the evils of "Spain are derived from the *togados* (lawyers)." At the head of the mischievous magisterial hierarchy of Spain was placed the *Consejo Real* of Castile. Sprung up in the turbulent times of the Don Juans and the Enriques, strengthened by Philip II, who discovered in it a worthy complement of the *Santo officio*, it had improved by the calamities of the times and the weakness of the later kings to usurp and accumulate in its hands the most heterogeneous attributes, and to add to to its functions of Highest Tribunal those of a legislator and of an administrative superintendent of all the kingdoms of Spain. Thus it surpassed in power even the French Parliament which it resembled in many points, except that it was never to be found on the side of the people. Having been the most powerful authority in ancient Spain, the *Consejo Real* was, of course, the most implacable foe to a new Spain, and to all the recent popular authorities threatening to cripple its supreme influence. Being the great dignitary of the order of the lawyers and the incarnate guaranty of all its abuses and privileges, the *Consejo* naturally disposed of all the numerous and influential interests vested in Spanish jurisprudence. It was therefore a power with which the revolution could enter into no compromise, but which had to be swept away unless it should be allowed to sweep away the revolution in its turn. As we have seen in a former article, the *Consejo* had prostituted itself before Napoleon, and by that act of treason had lost all hold upon the people. But on the day of their assumption of office the Central Junta were foolish enough to communicate to the *Consejo* their constitution, and to ask for its oath of fidelity, after having received which they declared they would dispatch the formula of the same oath to all the other authorities of the kingdom. By this inconsiderate step, loudly disapproved by all the revolutionary party, the *Consejo*, became convinced that the Central Junta wanted its support; it thus recovered from its despondency, and, after an affected hesitation of some days, tendered a malevolent submission to the Junta, backing its oath by an expression of its own reactionary scrupies exhibited in its advice to the Junta to dissolve, by reducing its number to three or five members, according to Ley 3, Partita 2, Titulo 15; and to order the forcible extinction of the provincial juntas. After the French had returned to Madrid and dispersed the *Consejo Real*, the Central Junta, not contented with their first blunder, had the fatuity to resuscitate the *Consejo* by creating the *Consejo Reunido*—a reunion of the *Consejo Real* with all the other wrecks of the ancient royal councils. Thus the Junta spontaneously created for the counter-revolution a central power, which, rivaling their own power, never ceased to harass and counteract them with its intrigues and conspiracies, seeking to drive them to the most unpopular steps, and then, with a show of virtuous indignation to denounce them to the impassioned contempt of the people. It hardly need be mentioned that, having first acknowledged and then reestablished the *Consejo Real*, the Central Junta was unable to reform anything, either in the organization of Spanish tribunals, or in their most vicious civil and criminal legislation.

That, notwithstanding the predominance in the Spanish rising, of the national and religious elements, there existed, in the two first years, a most decided tendency to social and political reforms, is proved by all the manifestations of the provincial juntas of that time, which, though composed as they mostly were, of the privileged classes, never neglected to denounce the ancient *régime* and to hold out promises of radical reform. The fact is further proved by the manifestos of the Central Junta. In their first address to the nation, dated Nov. 10, 1808, they say:

"A tyranny of twenty years, exercised by the most incapable hands, had brought them to the very brink of perdition; the nation was alienated from its Government by hatred and contest. A little time only has passed since, oppressed and degraded, ignorant of their own strength, and finding no protection against the governmental evils, neither in the institutions nor in the laws, they had even regarded foreign dominion less hateful than the wasting tyranny which consumed them. The dominion of a will always capricious, and most often unjust, had lasted too long; their patience, their love of order, their generous loyalty had too long been abused; it was time that law founded on general utility should commence its reign. Reform, therefore, was necessary throughout all branches. The Junta would form different committees, each entrusted with a particular department to whom all writings on matters of Government and Administration might be addressed."

In their address dated Seville, 28th Oct., 1809, they say:

"An imbecile and decrepit despotism prepared the way for French tyranny. To leave the state sunk in old abuses would be a crime as enormous as to deliver you into the hands of Bonaparte."

There seems to have existed in the Central Junta a most original division of labor—the Jovellanos party being allowed to proclaim and to protocol the revolutionary aspirations of the nation, and the Florida Blanca party reserving to themselves the pleasure of giving them the lie direct, and of opposing to revolutionary fiction counter-revolutionary fact. For us, however, the important point is to prove from the very confessions of the provincial juntas deposited with the Central, the often-denied fact of the existence of revolutionary aspirations at the epoch of the first Spanish rising.

The manner in which the Central Junta made use of the opportunities for reforms afforded by the good will of the nation, the pressure of events, and the presence of immediate danger, may be inferred from the influence exercised by their Commissioners in the several provinces they were sent to. One Spanish author candidly tells us that the Central Junta, not overflowing with capacities, took good care to retain the eminent members at the center, and to dispatch these who were good for nothing to the circumference. These Commissioners were invested with the power of presiding over the provincial juntas, and of representing the Central in the plenitude of its attributes. To quote only some instances of their doings; General Romana, whom the Spanish soldiers used to call Marquis de las Romerias, from his perpetual marches and countermarches—fighting never taking place except when he happened to be out of the way—this Romana when beaten by Soult out of Gallicia, entered Asturias, and as a Commissioner of the Central. His first business was to pick a quarrel with the provincial junta of Oviedo, whose energetic and revolutionary measures had drawn down upon them the hatred of the privileged classes. He went the length of dissolving and replacing it by persons of his own invention. General Ney, informed of these dissensions, in a province where the resistance against the French had been general and unanimous, instantly marched his forces into Asturias, expelled the Marquis de las Romerias, entered Oviedo and sacked it during three days. The French having evacuated Galicia at the end of 1809, our Marquis and Commissioner of the Central Junta entered Corunna, united in his person all public authority, suppressed the district juntas, which had multiplied with the insurrection, and in their places appointing military governors, threatening the members of those juntas with persecution, actually persecuting the patriots, affecting a supreme benignity toward all who had embraced the cause of the invader, and proving in all other respects a mischievous, impotent, capricious blockhead. And what had been the shortcomings of the district and provincial Juntas of Galicia? They had ordered a general recruitment without exemption of classes or persons; they had levied taxes upon the capitalists and proprietors; they had lowered the salaries of public functionaries; they had commanded the ecclesiastical corporations to keep at their disposition the revenues existing in their chests. In one word, they had taken revolutionary measures. From the time of the glorious Marquis de las Romerias, Asturias and Galicia, the two provinces most distinguished by their general resistance to the French, withheld from partaking in the war of independence, whenever released from immediate danger of invasion.

In Valencia, where new prospects appeared to open as long as the people were left to themselves and to chiefs of their own choosing, the revolutionary spirit was broken down by the influence of the Central Government. Not contented to place that province under the generalship of one Don Jose Caro, the Central Junta dispatched as "their own" commissioner, the Baron Labazora. This Baron found fault with the provincial junta because it had resisted certain superior orders, and canceled their decree by which the appointments to vacant canonship, ecclesiastical benefices, and commandries had been judiciously suspended and the revenues destined for the benefit of the military hospitals. Hence bitter contests between the Central Junta and that of Valencia; hence, at a later epoch, the sleep of Valencia under the liberal administration of Marshal Suchet; hence its eagerness to proclaim Ferdinand VII. on his return against the then revolutionary Government.

At Cadiz, the most revolutionary place in Spain at the epoch, the presence of a Commissioner of the Central Junta, the stupid and conceited Marquis de Vittel, caused an insurrection to break out on the 22d and 23d of February, 1809, which, if not timely shifted to the war of independence, would have had the most disastrous consequences.

There exists no better sample of the discretion exhibited by the Central Junta in the appointment of their own Commissioners, than that of the delegate to Wellington, Señor Lozano de Torres, who, while humbling himself in servile adulation before the English General, secretly informed the Junta that the General's complaints on his want of provisions were altogether groundless. Wellington having found out the double-tongued wretch, chased him ignominiously from his camp.

The Central Junta were placed in the most fortunate circumstances for realising what they had proclaimed in one of their addresses to the Spanish nation. "It has seemed good to Provi-"dence that in this terrible crisis you should not "be able to advance one step toward indepen-"dence without advancing one likewise toward "liberty." At the commencement of their reign the French had not yet obtained possession of one-third of Spain. The ancient authorities they found either absent or prostrated by their connivance with the intruder, or dispersed at his bidding. There was no measure of social reform, transferring property and influence from the church and the aristocracy to the middle-class and the peasants, which the cause of defending the common country could not have enabled them to carry. They had the same good luck as the French *Comité du salut public*—that the convulsion within was backed by the necessities of defense against aggressions from without; moreover they had before them the example of the bold initiative which certain provinces had already been forced into by the pressure of circumstances. But not satisfied with hanging as a dead-weight on the Spanish revolution they actually worked in the sense of the counter-revolution, by reestablishing the ancient authorities, by forging anew the chains which had been broken, by stifling the revolutionary fire wherever it broke out, by themselves doing nothing and by preventing others from doing anything. During their stay at Seville, on July 20, 1809, even the English Tory Government thought necessary to address them a note strongly protesting against their counter revolutionary course "apprehending that they were "likely to suffocate the public enthusiasm." It has been remarked somewhere that Spain endured all the evils of revolution without acquiring revolutionary strength. If there be any truth in this remark, it is a sweeping condemnation passed upon the Central Junta.

We have thought it the more necessary to dwell upon this point, as its decisive importance has never been understood by any European historian. Exclusively under the reign of the Central Junta, it was possible to blend with the actualities and exigencies of national defense the transformation of Spanish society, and the emancipation of the native spirit, without which any political constitution must dissole like a phantom at the slighest combat with real life. The Cortes were placed in quite opposite circumstances—they themselves driven back to an insulated spot of the Peninsula, cut off from the main body of the monarchy during two years by a besieging French army, and representing ideal Spain while real Spain was conquered or fighting. At the time of the Cortes Spain was divided into two parts. At the Isla de Leon, ideas without action—in the rest of Spain, action without ideas. At the time of the Central Junta, on the contrary, particular weakness, incapacity an ill will were required on the part of the Supreme Government to draw a line of distinction between the Spanish war and the Spanish revolution. The Cortes, therefore, failed, not, as French and English writers assert, because they were revolutionists, but because their predecessors had been reactionists and had missed the proper season of revolutionary action. Modern Spanish writers, offended by the Anglo-French critics, have nevertheless proved unable to refute them, and still wince under the *bon mot* of the Abbé de Pradt: "The Spanish "people resemble the wife of Sganarelle who "wanted to be beaten."

Mr. James Outerson foreman of the paper mill of Pease & Brooks, at Windsor Locks, was killed by being run over by the cars on the Watertown and Rome Railroad, N. Y., on the morning of the 16th inst.

THE DROUTH AND THE HARD TIMES.

To the Editor of The N. Y. Tribune.

SIR: The summer is ended. Autumn is passing away. The crops are being gathered, and the truth of the proverb that a drouth frightens men, and a wet season starves them, has additional confirmation. The price of flour has materially declined, and the crop of corn is as good as the average crop of past years. Potatoes are selling at 37½c. and 50c. per bushel, and a much better quality than for the past few years, especially so in the mountainous part of old Connecticut, where the writer has observation.

Well, Sir, who are to be the sufferers during the "hard winter" coming—the winter of which you have sounded the note of warning? The writer is so fortunate as to be the owner of a small tract of land, having a crop of potatoes of from two to three acres, a small patch of Indian corn, hay, a sufficient quantity for the horse, two or three cows, and other cattle. But this is not the trouble. He (the writer) is so *unfortunate* as to be the owner of a small manufactory. The drouth did not stop it. The hindrance among other manufactories was slight. At one time the hope was indulged that the Lord in mercy was about to shut the gates of a large portion of the mills, and thus diminish the production of goods pressing upon the market. But the blessing (for reasons to us inscrutable) was withheld. The goods have been made. The production is abundant—superabundant—unprecedented. The purchasers are few and far between, and they purchase lightly. The stock of goods in the hands of importers, commission merchants and jobbers, is heavy. Money is exceedingly scarce, and those who have it find it more for their interest to purchase paper at 12 and 15 per cent. than to make advances on goods. Wool (a very important article among one class of manufacturers) it is true, has declined some 20c. per pound, or 33⅓ per cent.; but, as it would seem, in anticipation of this decline, woolen goods fell off in price, early in the season, some 15 or 20 per cent, and this decline has continued until it has reached 40 and even 50 per cent., and the demand limited for them even at these reduced prices.

Labor commands a high price still, and many an operative may be found who has money at interest in some savings bank, building association, or is the owner of bank stock, while the manufacturer of whom he exacts exhorbitant wages is at his wit's end to find means to meet his next note due at bank, and knows not how to provide for current expenses from day to day. His goods do not sell, and he can with great difficulty get an acceptance on them in advance of the sales, and if he does, he receives only half the amount on the same quantity of goods he could get some fifteen months ago. Commission merchants, drummers, who were besieging manufactories in former days, promising liberal advances on goods or consignments have all disappeared. It is doubtful whether one has been seen within speaking distance of a manufactory for a twelvemonth. Coal, an indispensable article in manufacturing, is selling at exorbitant prices, and most other articles (wool excepted) needed by manufacturers, command a high price.

The Journal of Commerce, The Evening Post, The Independent, and other secular and religious free trade publications, give us homilies on over-trading and extravagance, while the income of the owners of these establishments is undiminished. "They are not plagued "like other men," like manufacturers. "Their eyes "stand out with fatness." "They have more than heart "could wish" They pretended not to know, not to understand that a tariff of duties so arranged as to give and secure to foreigners our markets, is a policy sure to bring upon us the evils we are now suffering. That if a people, a community, or a nation, purchase more abroad than the value of their exports, the balance of trade will be against them. They pretend not to know, not to understand that our gold and silver is being carried away in payment of foreign goods; that the scarcity of money is owing to excessive importations, encouraged by the free trade policy of the Government; that this scarcity will continue so long as this policy is maintained; that there is, and can be no restraint on importations when money is plenty, except what the Government imposes, nor even when it is scarce, if there is a surplus of goods in the foreign markets. They (the advocates of free trade) forget that any other interest has ever had protection except the manufacturing, that our commerce does not take care of itself; that the Governmental expenditure for its support is enormous; that without this protection there could be no free trade; that this vast expenditure for the protection of commerce, is nothing less than a tax on the people for the benefit of those who do business on the great waters, and those who traverse the ocean, while the foreign manufacturer shares largely in the benefit under the free trade policy. I say the advocates of free trade forget, overlook, these things. They tell the manufacturer that he must curtail; that he does not understand his business; that labor costs less in the old country, not knowing—yes, I say, not knowing (for many do not know)—that both American and foreign goods have been selling for several months past in our markets for less than the cost of the materials of which they were made. For less, I say, than the cost of the materials, the labor being an entire loss. This was the case in the years 1839, '40 and '41, and is emphatically so now. Under these circumstances they say: "Thanks to a kind Providence for "administering the rod just at the right time."* Yes, and we will admit that the advocates of free trade are the instruments in the hands of God for our chastisement. The sentiment is well expressed in the words of Watts:

"When men of spite against us join,
They are the sword—the hand is thine."

I inclose to you $5, the amount of my subscription for THE TRIBUNE, being part of a small sum a friend has loaned me, who has still confidence in my ability to pay him at some future day. Now, in conclusion, I ask again, who are to be the real sufferers during the hard winter just at hand?

Yours truly, A MANUFACTURER.

*Independent of Oct. 12.

THE TRAGEDY IN ORANGE COUNTY.

From The Newburgh Gazette.

Rumor, with its thousand tongues, has already spread through the community the astounding intelligence of the suicide of Mr. John E. Smith, a farmer residing on the property of J. Dewitt Walsh, Esq., near Newburgh, and of the supposed violent death of his wife. It will be seen by the following circumstantial account of this awful occurrence, which is furnished us by a gentleman familiar with all its incidents, and with both the parties, that contrary to the public reports, those who have the best means of judging are of the opinion that Mrs. Smith died a natural death. To us the whole awful tragedy is perfectly inexplicable; the character of the deceased—the domestic happiness which seems to have reigned in his household during a long life—in fact, all the circumstances of the case involve it in mystery, which only the all-seeing eye of God can unravel. But we submit the facts as related by our correspondent without further comment.

MR EDITOR: Various erroneous reports being in circulation respecting the sudden death of Mrs. Ann Smith, the wife of Mr. John E. Smith, which occurred on Sunday night last near this village, I wish to correct them by giving your readers some of the facts in the case, both from my own knowledge and as brought to light through the evidence before the Coroner's Jury.

Mr. Weaver, the son-in-law of Mr. Smith, was at the house on Saturday evening between 7 and 8 o'clock. Mr. and Mrs. Smith were then apparently both in their usual health, and appeared pleasant and cheerful. Mrs. Smith, and the girl living with them of some 15 or 16 years of age, retired about 9½ o'clock. This was the last that was seen of either Mr. or Mrs. Smith alive, excepting that Mr. Smith went to the girl's room about 12 o'clock. From the testimony of the girl and my knowledge of him, taken in connection with his actions during the few minutes he was there, and his subsequently taking his own life, I have no doubt of his mind being deranged when he went there.

On Sunday morning the girl arose about 6 o'clock, and on going down stairs found the outside door open, and supposed Mr. S. had gone out to bring up the cows to be milked as usual. Finding the door of their bedroom shut, which was usually left open by him when he went out in the morning before the girl came down stairs, she opened it and spoke to Mrs. Smith, who did not answer. She then went out to the door to see Mr. Smith, who she expected would be coming by this time with the cows, and not seeing him, she went back and spoke to Mrs. Smith again. Finding she did not answer, and that one of her feet, which was partly exposed, was cold, she became alarmed and started for the son-in-law and daughter, who lived but a few rods off. Upon the arrival of the daughter she spoke to her mother, and, not receiving any answer, endeavored to arouse her, when to her horror she found that her mother was dead. The son-in-law finding that Mrs. Smith was dead, and that her husband had not notified them of the fact, proceeded to look for him. After searching for some time he found Mr. Smith in an out building hanging by the neck, evidently hung by his own act.

Suspicions that Mrs. Smith had met with a violent death at his hands were at once aroused; the Coroner was notified, a jury impanneled, and found all the evidence that could be obtained. There appeared nothing to indicate that Mr. S. had any direct hand in his wife's death. Dr. Monell, who made a particular *external* examination, could not find the slightest trace of any marks of violence upon her person. The countenance was perfectly calm and not distorted in the least.

Mr. and Mrs. Smith were respectively in their 59th and 65th years, she being the eldest. They undoubtedly lived happily together, and were both exemplary members of the church.

Taking all the circumstances into consideration, and from my intimate knowledge of them both for several years, I am unable to draw any other conclusion than that Mrs. Smith, who had been in feeble health for some time, from some unknown cause had suddenly died, which, upon his discovering it, so affected him as to overthrow his reason, and led to the melancholy termination of his life.

Some of the members of Mr. Smith's family have noticed a peculiarity of manner and actions at intervals during the past summer, which led them to believe that his mind was gradually failing, but thought nothing serious of it.

The verdict of the Coroner's Jury was, that Mrs. Smith came to her death from some cause unknown to them; that Mr. Smith came to his death by his own act.

Since the jury rendered their verdict, and at the request of some of the members of the family, who were sent for and arrived last evening, Dr. Monell this morning made an internal examination of the body of Mrs. Smith, and expresses the decided opinion that she died a natural death, the immediate cause of which was congestion of the heart. W.

Monday, 23d October, 1854.

LYNCH LAW.

EXECUTION OF THE NEGRO DAVE THOMAS.

From The Journal, Denton, Md., Oct 14.

In our last issue we spoke of the excitement created in the community by the decision of the Jury in the case of Dave Thomas, tried for the murder (convicted in the second degree only) of Mr. Wm. H Butler, but at the time supposed no further demonstrations of a violent character would be manifested. In this, however, it appears we were mistaken.

During Saturday last we heard it whispered about that the negro would be lynched, but regarded it as altogether improbable that any violence would be done him. A little after night, however, a suspicious aspect was given to the matter by the arrival of a large number of persons from almost every section of the county, which continued until we suppose the number was increased to near one hundred. Meantime the Sheriff was on the alert, and summoned a number of our citizens to assist in preserving order. Up to about 10½ o'clock things bore so indecisive an aspect as to induce the belief that no attempt would be made to get possession of the negro. About that time, however, a large party of men assembled in the vicinity of the jail, and after parleying a while with the Sheriff, an attack was made with an ax on the front door of the building, which yielded at the first blow. A general rush was then made, and in fifteen minutes afterward the negro was suspended by the neck in the rear of the jail, where he hung until life was extinct.

The Sheriff did all in his power to preserve order and prevent the act, both by persuasion and threats, but the influences against which he had to contend, were decidedly too formidable, and he was compelled to yield—after having *faithfully discharged his duty*. Most of those whom he had summoned to his assistance, were unwilling to endanger their own personal safety by violently opposing what seemed to be a *popular* outbreak. A coöperation in sentiment, no doubt, had its influence with some.

We have been requested to say that no citizen of this place had any hand in the matter.

REBELLION IN COURT.—We learn that the lawyers of Binghamton last week set their faces against the Supreme Court order which compels counselors to stand while examining witnesses, and won a victory over Judge Gray, who, failing to enforce the rule, kept the county without trying a single civil case out of a hundred on the calendar. *The Republican* says:

The lawyers of Binghamton having learned that this objectionable rule was recently enforced by Judge Gray at a Circuit Term of the Supreme Court held at Owego in Tioga County, held a meeting for the purpose of taking into consideration the course they would pursue if his Honor should insist upon the enforcement of this rule at the ensuing Circuit in this place. A committee was appointed to wait upon him; but, notwithstanding the marked respect thus shown him, he would not depart from *the* rule. He hinted that if each member of the bar engaged in the trial of a cause would offer any plausible reasons why he could not stand up while examining witnesses, the rule in such cases would not be enforced. But the lawyers would not accept of any such terms; they were opposed to the principle established by so mean a rule. Accordingly when the murder trial was called on, the Judge expected to see "counsel stand "up;" but he was soon made sensible that the rule did not extend to the Court of Oyer and Terminer. When civil causes came to be tried he insisted that the rule should be strictly observed. But, of course, the lawyers would not comply; and so every cause on the calendar *was either referred or adjourned!* This was a *coup d'état* which his Honor did not anticipate. He departed, we presume; with the rule in his pocket!

THE LEMMON SLAVE CASE.

It is now nearly two years since Jonathan Lemmon came to this City from Virginia, with eight slaves, on his way to Texas. Unsuspicious of danger, he stopped, slaves and all, at a boarding-house in Carlisle st. He knew not of the Revised Statutes. He understood not the power of the habeas corpus. He rested in security—in a false security.

The matter became public. It came to the ears of Louis Napoleon, a colored man of this City. He made application to the Superior Court for a writ of habeas corpus. It was granted. It enjoined "one Lem-"mings, otherwise called Jonathan Lemmon, and the "keeper of a certain house No. 3 Carlisle st," to bring the bodies of the eight slaves before Elijah Paine forthwith. Elijah Paine was at that time one of the justices of the Superior Court.

The slaves were brought up before the Court upon this writ of habeas corpus. The case was argued by Mr Lapaugh for Mr Lemmon, by Mr. Culver for the slaves. The matter was kept under advisement some time. The writ of habeas corpus was sued out early in November. It was late in December before the decision of the Court was rendered.

When it was rendered it was in favor of the slaves. They were discharged. They did not stop to have the case carried up on appeal. They left for Canada. They are there now.

All this took place at a time of intense Slavery excitement. Union saving was in its glory. Castle Garden stock was high. The Union Safety Committee were hard at work with mortar and cement, keeping together the falling Union. Here was a dreadful blow. Here was an awful crack. The Union Safety Committee were aroused. They fled to the rescue. They raised, and in a few days a generous subscription paid the value of the slaves, saved the Union, and sent away the Lemmon not a bit the worse for his squeezing.

Now we would have supposed that this would have been the end of the matter. The slaves were gone without hope of recovery. The owner was reimbursed for all his loss. But just here the State of Virginia stepped in. Resolutions were offered in the winter of 1853 in the Virginia State Legislature, directing the Governor to take all necessary steps for prosecuting an appeal from Judge Paine's decision; pay all necessary expenses out of the State Treasury; to send on the Attorney-General to argue the case, and to carry it up to the Supreme Court, General Term, to the Court of Appeals, and to the United States Supreme Court, if necessary.

These resolutions being introduced late in the session, were passed over without being acted upon. They were introduced again last winter, when they were *passed, and passed unanimously*.

In accordance with these resolutions, the State of Virginia has proceeded with the case. A writ of *certiorari* was sued out, and the case was carried from the Superior to the Supreme Court. The question then arose as to whether the appellant must give security for cost. Decison that he must. Appeal to General Term and decision affirmed. The official bond of the State of Virginia sent on as security for costs. This security objected to and rejected by the Court because given by a non-resident. This brings us up to the present time. In the place of the rejected security a new bond has been given to-day by the attorneys of Mr. Lemmon. It is as follows:

"Know all men by these presents, that we, Henry D. Lapaugh, of the City, County and State of New-York, counsellor-at-law, and John Andrews of the same place, likewise counseller-at-law, are held and firmly bound up to the people of the State of New-York in the sum of two hundred and fifty dollars, lawful money of the United States of America, to be paid unto the people aforesaid for which payment, well and truly to be made, we bind ourselves, our heirs, executors, and administrators, jointly and severally, firmly by these presents. Sealed with our seals this twenty fifth day of October, in the year of our Lord one thousand eight hundred and fifty four.

"Whereas, in the case of Jonathan Lemmon, a citizen of the Commonwealth of Virginia, appellant, against The People of the State of New-York, respondents now depending in the Supreme Court of the State of New-York, an order has been made, in substance requiring the appellant to file as security for costs a bond of the respondent's, in the penalty of two hundred and fifty dollars at least, with one or more sufficient sureties, conditioned to pay on demand all costs which may be awarded to the said respondents: now, therefore, the condition of the above obligation is such that if the said appellant, or the Commonwealth of Virginia for him, shall well and truly pay unto the respondents on demand all costs that may be awarded to them in the said suit, then this obligation to be void, else to remain in full force and virtue.

"Sealed and delivered in presence of

"HENRY D. LAPAUGH, [Seal.]
"JOHN ANDREWS." [Seal.]

Then follow affidavits of both the above, that they are each of them residents and householders in the State of New York, and are worth more than five hundred dollars above all debts and liabilities and property exempt from execution.

The case will probably come on for argument before the General Term of the Supreme Court next November. Mr. Lapaugh, for the appellant, (nominally Mr. Lemmon, actually the State of Virginia,) will be assisted by the Attorney-General of Virginia. Mr. Culver, we understand, will probably be assisted by Ogden Hoffman, Esq., Attorney-General of this State.

Whichever way the case is decided, it will be carried up to the Court of Appeals, and without doubt eventually to the Supreme Court of the United States. We understand that the State of Virginia, if successfull, intends applying to the Legislature of this State to be reimbursed for their expenses. If unsuccessful, then they will attempt the passage of a special act through Congress to be paid out of the national treasury. [Evening Post, Oct. 26.

PUBLIC MEETINGS.

BOARD OF ALDERMEN.

CORPORATION ADVERTISING.

At the meeting of the Aldermen last evening, on motion of Ald. CHAUNCEY, seconded by Ald. BLUNT, the report of the Committee on Printing was called up. The minority report of the Councilmen was then read and recommended for adoption by the Special Committee of this Board in their report, as follows:

That they have given the subject their careful attention, and after taking into consideration the necessity for some speedy action in the matter, have concluded that it would be for the best interests of the City to concur with the action of the Board of Councilmen. Your Committee are, however, of opinion that the Common Council should enact some general ordinance providing for the contracts for printing and advertising, so that each successive contract need not be the subject of special action. Such an ordinance your Committee had proposed, but have preferred not to delay the subject by submitting it at this time. By adopting the resolutions of the Board of Councilmen, the head of the Finance Department will at once be enabled to enter into the proper contracts for advertising for one year, so that the public interests may not longer suffer for the want of a proper publicity of the Corporation advertising. In the meantime, and before the expiration of the contracts thus provided for the Common Council can prepare and adopt an ordinance that will meet the public wants in this respect. We therefore submit the following resolution:

Resolved, That this Board concur with the Board of Councilmen, and adopt the annexed resolutions.

RESOLUTIONS APPENDED TO REPORT OF COUNCILMEN.

Resolved, That the Controller be and he is hereby authorized and directed to advertise for proposals for advertising for the Departments of the Common Council, and the official reports of the proceedings of the same, for the term of one year, in five newspapers, and also,

Resolved, That the following rules shall be observed:

First, Bidders to offer by the line for each time published.

Second, Bidders shall set forth under affidavit, as near as possible, their daily circulation in the City of New-York, exclusive of the Sunday and extra issues.

Third, The award to be made to the newspapers offering to perform the work at the lowest rates, for one thousand papers so circulated in the City.

Fourth, The Controller to report the bid and his award to the Common Council for confirmation.

Ald. HERRICK was opposed to the plan of the report, as he believed that the matter of circulation made no difference. If it was generally known that certain newspapers advertised for the City they would be sought after. For nearly twenty years the advertising had been done in *The Evening Post* and *Express*, and all interested in the matter looked to those papers for information relative to City affairs. Nobody ever thought of looking in *The Sun* or *Herald*, although he was in favor of having the City advertisements in them also.

Ald WAKEMAN asked if the gentleman thought that a paper circulating fifty thousand copies would not want a greater price than one circulating five thousand copies. For his part, he did not believe in the doctrine of applying the people's money to sustain newspapers independent of circulation and the interest of the people.

Ald. HERRICK offered the following as an amendment:

"That the Clerk of the Common Council be authorized and directed to publish the official proceedings of the Board of Aldermen, and also of the Board of Councilmen, in The Sun, Herald, Evening Post, and Express, and that the Controller be and he is hereby directed to pay the proprietors of said newspapers monthly for such publications, at a rate not exceeding the established prices of business advertising in said papers.

Resolved, That the several Heads of Departments be and they are hereby authorized and directed to cause all the advertisements required by law to be published, in connection with their several departments, to be inserted in *The Sun, Herald, Evening Post* and *Express*, and that the Controller be and he is hereby directed to pay the proprietors of said newspapers for advertising at their customary rates for ordinary business advertisements.

Ald. H. supported his resolutions by a lengthy speech, contending that the City should pay as much for advertising as individuals and that heretofore no paper had been half enough paid for the labor performed.

Ald. CHAUNCEY thought the Common Council, as servants of the people, should make as good bargains for the people as they could. The resolutions of the committee did not receive his views, but nevertheless, under the circumstances he was willing to vote for them. He thought that the resolution instead of providing for the award to those papers which would advertise the lowest per 1,000 copies should have asked exactly their City circulation, and allowed the heads of the departments to adopt such papers as they wished. He would, however, vote for the resolutions of the committee.

Ald KELLY desired to have the City business placed before the largest number of people. He would like to know what contractor interested in corporation matters could find time to hunt up *The Express* or *Post*. But few, if any, could. Another class of people interested in the matter were those living along the routes and thoroughfares where improvents were continually being made.

Ald. HOWARD made a lengthy speech in his usual style. He said that he regarded THE TRIBUNE in the same light that the Tories were regarded during the Revolution. It was a paper that sought to dissolve the Union, &c. He was decidedly opposed to THE TRIBUNE, and would rule it out if he could.

The amendment was lost, and, after some further debate, the report of the Committee in favor of the Councilmen's report was adopted.

SOUTHERN AID SOCIETY.

This Society, which was established in this City about a year ago, to aid in the diffusion of the Gospel in the southern and southwestern States, held its first anniversary on Wednesday evening, in the Mercer-st., Presbyterian Church. JAS. BOORMAN, President, took the Chair. The attendance was large. Dr. HUTTON offered prayer. The Treasurer's report was presented by GERALD HALLECK; it showed a balance in the Treasury, Oct. 25, of $322 34.

The Rev. Dr. STYLES read the report of the Executive Committee. It presented in a strong light the poverty of ministers at the South, and the smallness of the Church's resources there, causing, among other results, southern ministers to receive very small salaries, and thus forcing them to give their attention to worldly pursuits. The spiritual wants of the South are scarcely at all provided for in comparison with the missionary force sent into the West. To the objection that the South sins politically, the answer was: Is not the Gospel most needed by sinners? The duty of the Church, in the threatened danger of disruption, is to endeavor to heal and bind together. The other existing organizations are quite inadequate to supplying this wants. The Southern Aid Society, sectional in its operation, is national in its spirit; in its dispensation it is evangelical rather than denominational, in its aims. Confiding, and hopeful of improved mutual feeling. During the past year the Society has had the Gospel preached in eight southern States to five denominations. Dr. Stiles commented on the attitudes respectively of the northern Abolitionists and the southern reactionists as being too belligerent to harmonize with the Gospel. The success of the Society would tend to allay this bad state of feeling, and also to bring the Gospel to the bondmen of the South. A large number of applications from the South for missionary aid have been received, and are unrespended to for want of means.

Rev. Dr. Hutton offered a resolution expressive of the duty of the North to preach the Gospel to the South. It was seconded by Rev. Dr. Newton of Jackson, Miss. He described the dearth of spiritual vision in the South for half a century, and the heartedness of Christians there where they were bonds between North and South waxing feeble now he gladly hailed the tokens of better feeling, strongly urged the necessity of union, and more attention to the wants of the South. He brought forward statistics showing a large comparative preponderance of churches and church members in the Slave States over the Free: and that a large proportion of the churches are built expressly for the Slave population, but there is a fearful deficiency of ministers. At the South there is scarcely an avowed infidel, Unitarian, Universalist, or heretic of any name.

Dr. NEWTON ridiculed the idea of any man who preaches Christ's Gospel being in danger at the South. He thought the only Gospel hope of the South lay in the Southern Aid Society, and that its political influence even would be most beneficial.

The resolution was declared passed by the President, without the question being put.

A resolution was offered declaring the North bound to cherish the very kindest regards to the South by every tie of country, christianity, memory, and anticipation.

The Rev. Dr. BETHUNE seconded the resolution, not as adopting its words but approving its general substance. In speaking of northern as opposed to southern churches, the manifest meaning was those which did not and did contain slaveholding members. I never (said Dr. B.) uttered a word in favor of Slavery, nor ever shall; but is that any reason I should hate the slaveholder? Should I not wish a sinner saved because he is a sinner? No; and this is the motive which should gather us round this institution. I hate Slavery as a great political evil and the curse of this country; as the violator of the right of speech and petition, and the sanctity of the Post-Office. But this is not a political meeting; nor is my business that of a politician. When I have done all my duty as a minister, then, if I have time, and a congregation will listen to me, I may, perhaps, lecture on theories of Government. Paul went to Rome when she was tottering to her fall under nothing but the weight of Slavery—yet though he no doubt detested the system, he never wrote a word against it, because his work was not of this world. The Gospel alone is the salve for all evil—therefore, if you wish to eradicate evil from the Southern heart, preach the gospel to the South. The wickeder a place is, the more it needs the Gospel—let the South have it.

The CHAIR said that Dr. Bethune admitted he had traveled out of the record; and put the Resolution and his amendment together, which were carried unanimously.

Dr. COX was the next speaker. He praised the American Home Missionary Society, but considered that and the Southern Aid, by no means antagonistic; there was plenty of room for both. Looking at all the human race as the descendants of ten of his ancestors, he valued them equally, irrespectively of skin-deep differences. He asked if the love of Christ could not save the country, could the wrath of men? And if not the wrath of men, could politicians? He would try love,—such as Paul showed at Corinth. Dr. Cox related several anecdotes to show that love was not the prevailing element in Anti-Slavery minds. He described the flourishing state of Christianity among the slaves at Charleston, and regretted the slander and infamy of making acts of cruelty which were abhorred as much at the South as here, the criterion of the social sentiment of the South. If the Union were pulled down it would crush the hopes of the black man as well as the white. When the country was freed Slavery was all over it; the progress has been toward its disappearance; but never has it been dismissed from any State under the pressure of threats, but by free and wise reflection and Christian love.

A benediction was pronounced, and the meeting adjourned. The Society remained for business. They reelected the same officers, added the Rev. Dr. Parker and Horace Holden to the Executive Committee, and accepted the report. Wm. H. Brown of Chicago was elected a Director. The Society then adjourned.

TEACHERS' ASSOCIATION.

This Society will hold its regular monthly meeting on Saturday, 28th inst., at 7½ P. M., in the Hall of the Board of Education. The President, J. H. Fanning, Principal of Ward School No. 12, will deliver an address. An address will be read by David B. Scott, Principal of Ward School No. 40. The following subject will also be discussed:

"Which is best calculated to develope the faculties of the mind—the American College course, to which all the students are compelled to adhere, or the University system, in which the bent of each mind is carefully considered and educated in that direction?"

Teachers, male and female, and friends of education generally, are always welcome to be present at the regular meetings of the Association.

THE LOSS OF THE ARCTIC.

STATEMENT BY THE CARPENTER.

To the Editor of The N. Y. Tribune.

SIR: The Arctic left Liverpool Sept. 20, 1854, about 11 o'clock A. M., and nothing of importance occurred until the 27th inst., when, at a few minutes past 12 o'clock, as I was standing near the after saloon passage-way, I heard the look-out on the forecastle crying "sail ahead!" I ran forward, and when I got just beyond the paddle-box the strange ship struck us on the starboard bow. I then went aft of the paddle-box and saw the strange ship in question, with her bows completely knocked in; and, going forward and looking over the bows, I saw two holes just above the water-line. About this time the ship heeled over to starboard. I heard the order to get the anchors and water-casks on the port side. On hearing this, I turned to and assisted the passengers and crew to execute the order. While thus engaged the Chief Engineer (Mr. Rogers) said in my hearing to Capt. Luce, "Captain Luce, you must do something quick, for God's sake; she is making water very fast." I did not hear any reply made by Capt. Luce. At this time I was busy just abaft the foremast; Capt. Luce and Mr. Rodgers were just before me, on the starboard side.

I left the men at work, went into my shop, and took off my jacket, and then proceeded forward, where I heard that Capt. Luce had given orders to get a sail over the bows. Thence I went down into the fore-peak to perceive if I could get at the leak; on entering the cargo-room I found several men taking off the hatches; I then went into the fore-peak with them, but could find no leak; returning