THE LIQUOR SEIZURE AT POUGHKEEPSIE.

POUGHKEEPSIE, Wednesday, July 11, 1855.

Berberick, who was arrested on Monday last for selling lager beer, was tried yesterday by a Jury before the County Judge, found guilty and fined $50. The wine seized was returned to him before the trial.

ARREST OF A FORGER.

CHARLESTON, Monday, July 9, 1855.

J. C. Nichols, the forger of Cotton Bills of Lading, has been arrested in Brussels and placed in prison.

CRICKET MATCH.

ALBANY, Wednesday, July 11, 1855.

The Utica Cricket Club won the match to-day—beating the Albany Club by three runs. The first and second innings of the Utica Club counted up 116 and the Albany Club 113.

THE LIQUOR TRAFFIC.

NEW-YORK CITY.

DECISION OF JUDGE BIRDSALL IN THE CASE UNDER THE LIQUOR-LAW.

MARINE COURT—July 11.

The People, &c., agt. Charles E. Smith.

BIRDSALL, J.—The defendant is charged with having violated sec. 1 of an act "For the Prevention of "Intemperance, Pauperism and Crime," in having sold a glass of brandy to one Taylor, on the 4th of July inst.

The proof of the sale of the liquor is complete; in fine, the defendant admits the sale.

Several questions are raised by the counsel for the defendant as to the constitutionality of the law. In the first place, although I know of no constitutional or statutory provision restricting a committing magistrate from passing upon such questions when they arrive, yet I certainly doubt the expediency of a committing magistrate exercising that power. It more properly belongs to an appealable court.

The act of 12th April having taken away the jurisdiction of this court, I can only act as a police or committing magistrate. From my judgment there can be no appeal. Consequently to pass upon these questions would only be assuming a right or power which could not have any effect, and which would not establish any rights under the law. Had I not been ousted of jurisdiction then it would have been a duty imposed upon me to examine thoroughly every question involved, and which I should have done unhesitatingly.

Then I pass from such questions to the inquiry as to whether or not "an offense has been committed," or is there probable cause for me to believe an offense has been committed.

What are the restrictions under the law? "Liquor "must not be sold in this State except as authorized "under or by virtue of the law of the United States, or "*as provided by this law.*" Such I conceive to be the true construction to be placed on the law. The question then arises, what liquors are authorized by the laws of the United States to be sold in this State, and how, or *in what quantities they may be sold.*

"That the right to import," as contended by the learned counsel, "implies the right to sell," is conceded; but how? Why, *only in the original packages.* Then I may say the laws of the United States authorize the sale of liquor in its original packages, and not to sell by the glass. The State has a right to regulate the sale. The law says, virtually, "You "shall not sell liquor in this State, but you may sell "to the extent of the authority given by the United "States, and no more."

Taking this view then of the case, *an offense has been committed.* I concede that the law is open to other construction, and that it may be construed so as to except all liquor that is imported. 'Tis true, if a doubt arises as to the construction of a penal law, it should be construed in favor of the prisoner, yet I, sitting only as a magistrate, (and it having been the intention of the Legislature to prohibit entirely the sale of liquor,) deem it expedient to hold the defendant on the charge. In so doing both parties can get the judgment of the Court authorized by law to try these cases, and from whose decision an appeal may be had.

[Judge B., after rendering the decision, made out a commitment for Mr. Smith, on which he was held to bail, and an arrangement subsequently made, we understand, to try the case before the Recorder at the Special Sessions on Friday.]

COMPLAINTS UNDER THE LIQUOR LAW.

Since the decision of Judge Birdsall, holding that selling imported liquor by the glass is a violation of the new law, several complaints, we understand, have been made against Coleman & Stetson and other proprietors of hotels, &c., most of them, it is said, like that against Mr. Smith, being with a view to make a full issue to test the law.

OPINION OF JUSTICE PEARCY, OF THE SECOND DISTRICT POLICE COURT.—The act for the prevention of intemperance, pauperism and crime, passed by the Legislature of this State April 9, 1854, contains subject matter the correct interpretation of which there may be honestly a difference of opinion; but it is not my intention to travel over the whole ground occupied, or presumed to be occupied, by that act. Whatever may be my private opinion of the act, either for or against, or the opinions of others, I cannot justly be biased by any of these considerations. I have only to say that I have taken voluntarily a solemn obligation as a magistrate, which I can neither set aside or disregard, and consequently can know no friends or regard any enemies to the above-mentioned act. In the case before me, the accused was charged with violating section 12, viz: being found in the street intoxicated; and the charge was distinctly and clearly proved by the officer making the arrest, also by the examination of the accused himself. It is contended that I have no right or power to impose the fine, or imprison in default of payment. That part of the twelfth section reads thus:

It shall be unlawful for any person to be or become intoxicated in any store, grocery, lane, street, or public place; and for each offense shall be liable to a fine of ten dollars to be sued for and recovered in the same manner as fines in the fourth section of this act; and in default of the payment thereof, he shall stand committed, as provided in said fourth section.

By referring to section fourth we find:

Every person who shall violate any provision of either of the preceding sections, shall, upon conviction, &c., be punished as follows: For violation of section first, for the first offense, by a fine of fifty dollars; for the second offense, by a fine of one hundred dollars and thirty days' imprisonment; for the third and every subsequent offense, by a fine of not less than one hundred dollars nor more than two hundred and fifty dollars and by imprisonment not less than three nor more than six months, &c.; and in default of payment of any such fine, costs, or fees, or any part thereof, the defendant shall be committed until the same are paid, not less than one day per dollar of the amount unpaid.

Thus by examining both sections—the one declaring the commission of a certain act a crime and imposing a penalty thereto, the other describing the manner of recovering that penalty, or in default of payment the imprisonment incurred thereby—I am clearly of the opinion, as a magistrate designated by section fifth of the same act to institute proceeding on all violations of said act, it is not only my province but my duty to impose the fine of $10 on the accused for being intoxicated. The point has been raised that the words "sued for and recovered" have a generic meaning, and that a suit should be instituted for the recovery of the fine as a debt by civil law. I do not think so. That it was never the intent of the Legislature that the penalty thus imposed should be thus sued for at civil law no person will dispute for a moment. If it was intended that the fine was to be sued for by the Corporation Attorney, as has been argued, the section would have designated that course and named the officer instead of referring to the fourth section. What can be more clear then that the fine shall be paid on conviction. If the words "sued for and recovered" had in the same manner been inserted in section four, then it would have admitted of no other construction, but such is not the case, the fine is to be collected in the "same manner," that is to say, on conviction. Again, the point has been raised, that intoxication is a misdemeanor, and the Special Sessions, by virtue and in pursuance of the "Act enlarging "the jurisdiction of the Court of Sessions," passed April 12, are alone competent to adjudicate upon and dispose of such cases. By referring to the Revised Statutes, 2 vols., page 880, sec. 54, we find "where the performance "of any act is prohibited by any statute, and no penalty "for the violation of such statute is imposed either in the "same section containing such prohibition or in any "other section or statute, the doing such act shall be "deemed a misdemeanor." Section 12 of the act for the prevention of intemperance, &c., imposes a penalty of $10. Therefore it is not a misdemeanor, and for a violation of said section, in my opinion it is clearly the duty of the magistrate to inflict the imposed penalty.

COMMISSIONERS OF EMIGRATION.—This Board held their regular Weekly Meeting yesterday afternoon in Worth-st. Commissioner VERPLANCK the President, presided. After the transaction of the usual opening business and the dispositions of several unimportant communications, a report from the Ward's Island Committee was read, which, among other things recommended the adoption of a resolution prohibiting the use of intoxicating liquors on that Island except when called for by a written order of the physicians for medicinal purposes. This proposition did not meet with the approbation of either Commissioner Purdy or Kennedy, both of whom denounced it and the Maine Law in forcible terms.

Mr. Kennedy gave it as his opinion that coffee was a far more injurious beverage than alcohol, and caused more injury to the community. Tobacco, too, was deleterious and he therefore moved to amend the report by inserting in it a clause inhibiting the use of coffee and tobacco in all forms on the Island. He thought the Maine Law mania would soon die out, and those who now helped it along would soon feel ashamed of themselves, and wonder how they had ever given such a fanatical movement their assent.

Commissioner Purdy believed the proposition of the Committee a farce—a mere truckling to an outside movement, and hoped the report would be referred back to the Committee.

After some further discussions, the motion to recommit was lost, and the amendment of Mr. Kennedy was negatived.

ARRESTS FOR DRUNKENNESS.—Twenty-five persons were arrested yesterday for being intoxicated in the public streets, and all were committed to prison for ten days each. Ten of them were committed by Justice Wood, eight by Justice Connolly and seven by Justice Pearcy. There were no liquor-sellers arrested.

At the First District Police Court, at the Tombs, the following inebriates were brought before Justice Connolly yesterday. It is remarkable that those who are compelled to testify against themselves are troubled with short memories. They can give the name of a street, but cannot recollect numbers:

George Dulan, of No. 95 Washington st., being sworn, says: I drank intoxicating liquors yesterday; I sent my landlady for it, and she brought it in; her name is Mrs. McGlinn; I don't know where she obtained the liquor; I did not drink any liquor in any other place; it was porter that I drank.

Thomas Tobin—I live in New-York; I have no place of residence yet, as I only arrived here yesterday; I drank intoxicating liquors yesterday at several places; I got the greater part of it over in Jersey City; I cannot tell in what places I drank liquor in this City; I could point them out, but I don't know the streets.

John Hesse—I live at No. 26 Mott st.; I drank intoxicating liquors yesterday; I drank some Kennell; I got it in Washington-st.; I did not buy it; I got it in the store where I work; it is a commission store, where liquors are imported.

Ann Murphy—I live at No. 1[illegible] Madison-st.; I drank a wine-glass full of gin at the house of a Scotchman in Oliver-st.; I don't know the number; I did not buy it; it was given me because I was wet.

Mary Foster—I live at No. 62 Hammersley-st.; I got two drinks at the corner of Grand-st. and Broadway; I don't know the man's name that keeps it; I took the last glass in Canal-st., near Broadway; can't tell the person's name that keeps it.

Edward McCostar, Eliza Hibbard and Dennis Samon were committed for examination.

BROOKLYN.

Yesterday Hugh Fitzpatrick appeared before Justice Smith for examination on the charge of selling liquor contrary to law, as appeared from the evidence of Patrick McCormick, who was arrested for intoxication. S. D. Morris and J. B. King, Esqrs., counsel for the liquor dealers, appeared for the defendant, and J. M. Van Cott, Esq., for the prosecution. Mr. Morris moved the discharge of defendant on the ground that it did not appear in the warrant that any offense had been committed, as it did not state whether the brandy alleged to have been sold was imported or domestic liquor, the right to sell the former being given by the laws and treaties of the United States. It did not affirmatively appear that the defendant is not an importer of foreign liquors and that the brandy sold was not in the original package. That the 4th section of the act under which the proceeding was instituted is unconstitutional and void. That the 5th section of the act under which authority, if any, the Justice acted was also unconstitutional and void. That the 12th section of the act under which this prosecution was commenced is also unconstitutional and void. That the warrant is not authorized by the act itself in not being in conformity with section 12 of said act. These points were argued by the respective counsel, and the Justice denied the motion to discharge. Mr. King then moved to admit the defendant to bail to appear before the next Court having cognizance of the offense for the reason that the act in question makes the charge against the defendant a misdemeanor. The Justice reserved his decision on the latter point until Friday next and the Court adjourned.

The first decisive action relative to the enforcement of the new liquor law was taken by Justices Fenn and Jacobs of the Eastern District yesterday.

The first case was John Krey, the keeper of a liquor saloon corner of North Second and Leonard, arrested on a warrant issued by Justice Fenn on the affidavit of Mary White, who charges him with selling liquor to a minor. The defendant pleaded Not Guilty, and demanded a Jury trial. He was held in $250 bonds to appear on Friday evening next, when his case will be disposed of by Jury.

Before Justice Jacobs—A search and seizure-warrant was issued against Thomas Berry, a large liquor-dealer corner of Seventh and Grand-sts., on the affidavit of four persons, who testified that they had bought liquor at his place since the Fourth of July.

Capt. Guischard of the Fifth District Police, assisted by Officers Tice, Jacobs and Stewart, proceeded to the place and seized about $2,000 worth of liquors, consisting of brandy, (good and bad articles,) gin, rum, beer, ale, champagne, all kinds of wines, and in fact a general assortment of spirituous liquors. An officer was placed in charge of the premises. The liquors will not be removed until this day. The proprietor of the place was taken into custody and brought before the Justice.

Phillip Hammilton, Esq., appeared as counsel for the defendant, and moved for his discharge for reason of insufficiency of the allegation in the warrant of arrest, it not setting forth that the liquors alleged to have been sold were not such to which the right to sell in this State is given by the laws and treaties of the United States.

The motion to discharge was denied and exceptions taken.

The counsel then offered to give bail for the defendant to appear to answer at the next Court of General Sessions and objected to being tried by the Court of Special Sessions, and cited various sections of the Revised Statutes as to his right in objecting to the Court of Special Sessions.

The Justice stated that he would reserve his decision until Saturday the 14th inst., and in the meantime he would examine into the matter.

A warrant was issued about 4 o'clock against John Russell, corner of North Second and First-sts., on the affidavit of persons who testified to buying liquor at his place. The warrant was placed in the hands of Assistant Captain Hunt of the Fifth Police District, who, assisted by other officers, proceeded to the place and searched the premises and seized about $500 worth of different kinds of liquors, and placed an officer in charge of it until this day when it will be removed. There was no resistance made against the officers at either of the places and every facility to test the different kinds of liquors and the quantity of each was given them.

ALBANY.

From Our Own Correspondent.

ALBANY, Wednesday, July 11, 1855.

I barely had time yesterday to say that the case of Mr. Landon of the City Hotel, charged by Mr. Williams with selling liquor, had been set down for trial by jury in the Police Court on Thursday (to-morrow) afternoon.

The circumstances of this case were briefly: Two gentlemen casually informed Mr. Williams on the 6th inst., that they had just drank each a glass of brandy in the City Hotel. Mr. W. asked them if they could swear to it, and they said they could, little thinking they would be furnished an opportunity. Mr. W. entered his complaint that he was informed and believed that Mr. Landon was selling liquor contrary to the law, and asked for summons for Mr. James J. Johnson and Hugh J. Hasty, the gentlemen above alluded to. Justice Cole granted the summons, and Messrs. J. and H. appeared and testified to the fact of having drank brandy at the City Hotel.

A warrant was then issued for Mr. Landon, and yesterday afternoon he appeared. His counsel, J. K. Porter, Esq., moved for a dismissal of the case, on the ground that the complaint was deficient; that it did not state facts and circumstances sufficiently specific to warrant the granting of the summons, or of issuing a warrant against Mr. Landon.

This motion was argued at length by Mr. Porter, and Jacob J. Werner, Esq., counsel for the complainant.

Justice Cole denied the motion and the parties joined issue. A jury was called for but the hour was so late that upon consultation it was deemed best to adjourn the case to Thursday afternoon.

Mr. Werner proposed to put in an amended complaint, but to this Mr. Porter objected and the Justice considered it unnecessary, again deciding that the original complaint was strong and regular enough.

The court room was crowded to overflowing, and the sympathies of the audience were all with the defendant. This was exhibited on several occasions.

As the spectators left the room Mr. Williams, the complainant, also went out. As soon as he was outside the door he was set upon by a hundred or more excited people. He was crushed against the door and jostled about to the head of the stairs and there kicked several times. He was then hustled down stairs, the crowd still pressing upon him and shouting all manner of threats. A bag of powdered charcoal—such as is used in distilling—was also emptied upon him. During all this Mr. W. bore his ill-treatment with remarkable coolness, and at its close returned to the Police Office where he entered a complaint.

It is to be regretted that he cannot recognize more than two or three of his assailants—they being a class of men whom no respectable man can be acquainted with.

The affair is universally condemned by all parties—even liquor-dealers can see nothing in it to approve, though it was undoubtedly perpetrated at the instigation of some members of that class, and carried out by those poor, misguided people who for a few glasses of rum are ready to commit any disreputable act. It has furnished one of the best arguments in favor of a Prohibitory Law that could be put forth. It shows what influence rum has in producing violations of law—to what madness even the promise of a gratuitous supply of it will tempt inconsiderate people, and how potent it is when it will summon a crowd to invade the halls of justice, and incite them to a gross breach of the peace in the very portals of those halls.

AMSTERDAM.—In Amsterdam, Montgomery County, a complaint was entered against the keeper of the American Hotel for selling intoxicating liquors in violation of the Prohibitory Law. The defendant was arraigned before Justice French, plead not guilty and demanded a Jury trial. This demand was complied with, when the counsel for the defendant, Mr. Finlayson, argued against the constitutionality of the law and Mr. Corey for the people in reply. The trial occupied two days when, as we learn from Mr. Neff, police officer, the Jury brought in a verdict of guilty, and the defendant was fined $50. We are not advised whether an appeal was taken.

TROY.—*The Troy Times* of Tuesday says:

"It is reported that the Carson League organization is about to commence prosecutions against large numbers of the liquor-dealers here, great and small, and that they intend to test the virtue of the new law to the fullest extent. We hear that the Liquor Dealers' Association of this city, with a fund of some thousands of dollars raised and pledged, is ready to resist the prosecutions to the end."

ROCHESTER.—*The Rochester Democrat* of yesterday has the following: "A couple of young men obtained a pint of brandy at Powers's agency, in the Waverly block, alleging that they required it for medicinal purposes. They immediately went away and commenced drinking it, while they played at cards. A warrant was issued and they were taken to the police office. One of them was considerably intoxicated. A fine of $10 was imposed for the false pretense, which was paid, and the offenders departed."

SYRACUSE.—In Syracuse Charles Henson was arrested for selling. After a long argument before the Justice as to the regularity of the arrest, the case, under a writ of habeas corpus, was taken before the County Judge.

THE CENSUS.

POPULATION OF LYONS.—The census shows the population of the village of Lyons to be 3,221, which is an increase of 717 within the last five years. The population of the town is 5,181, an increase of 345 since 1850. [Lyons Whig.

THE CENSUS OF SCHENECTADY.—The following is the result of the census of this city, just completed by the Marshals, which we compare with the census of 1850:

Wards.	1855.	1850.
I.	1,550	1,511
II.	1,530	1,791
III.	1,943	1,906
IV.	3,350	3,715
Total	8,373	8,923

This shows a loss of 550 since 1850. Since 1850, it should be recollected, considerable portions of the Third and Fourth Wards have been attached to the towns of Niskayuna and Rotterdam; but for which we think a slight increase of population would be shown. [Cabinet.

POPULATION OF UTICA.—We bring together the population of the several wards of this city at three periods, separated from each other by five years:

Wards.	1845.	1850.	1855.
I.	1,574	1,812	1,440
II.	1,963	2,825	2,800
III.	3,490	2,875	3,658
IV.	5,163	4,117	4,869
V (in IVth)	—	3,111	5,377
VI (in IIId)	—	2,804	4,636
Total	12,190	17,544	22,183

Our population thus is now upward of 22,000, showing an increase of about 5,000 during the past five years, being about the same as for the same period preceding. The county will show but little increase from 1850. [Utica Herald.

ONEIDA COUNTY.—We bring together the population of the several towns of this county, so far as we yet have them, and compare them with the figures for 1850. There are yet seven towns or parts of towns to hear from, of which Rome, Sangerfield and Boonville will show a considerable increase. So far as we have returns, there are 8 towns that show an increase for the past five years, while there are 11 towns that have decreased in population. Aside from Utica, there is a falling off in the portion of the county reported. Including Utica, the net gain is nearly 22,000 thus far.

	1850.	1855.	Increase.	Decrease.
Annsville	2686	2717	31	—
Augusta	2271	2383	112	—
Ava	1037	1242	205	—
Boonville	3306	—	—	—
Bridgewater	1315	1206	—	109
Camden	2820	2900	80	—
Deerfield	2287	2257	—	30
Florence	2575	2951	376	—
Floyd	1495	1443	—	52
Kirkland	3421	3807	386	—
Lee	3033	1367	—	726
Marcy	1857	1767	—	90
Marshall	2115	2147	32	—
New-Hartford	4847	4704	—	343
Paris	4283	3634	—	659
Remsen	1407	—	—	—
Rome	7918	—	—	—
Sangerfield	2371	—	—	—
Steuben	1744	1600	—	144
Trenton	3540	2079	439	—
Utica	17,565	22,183	4618	—
Vernon	3016	3005	—	88
Verona	5570	—	—	—
Vienna	3423	3124	—	269
Westmoreland	3191	—	—	—
Western	2516	2635	19	—
Whitestown	6810	4888	—	1922
Total	99,556	74,618	6296	4492

[Utica Herald.

We glean the following from the papers of the several localities: Population of Lockport, 18,270; increase since 1850, 947. Batavia, 2,800; Rome, Oneida County, 10,675; increase 2,553. Syracuse, 25,085; increase 2,814.

MILITARY.

The 71st Regiment New-York State Militia, under command of Col. A. S. Vosburgh, will parade on Saturday afternoon, the 14th inst., for the purpose of receiving the 7th Regiment "National Guard" on their return from Kingston, at which place they have been encamped for the past week.

Lieut. Lyman Bissell of New-Haven, Conn., who has recently been appointed by President Pierce as First Lieutenant in one of the first of the four additional Companies organized by Congress during the last session for the defense of our Western frontier, has been ordered to Fort Monroe, Point Comfort, Va. Lieut. Bissell was in all of the principal battles during the Mexican war, and for his bravery was promoted to a Captaincy. Upon his return to New-Haven he was appointed Chief of Police of that city, which office he has filled for the last five or six years in a very efficient manner and to the satisfaction of his fellow-citizens.

MAINE POLITICS.

Correspondence of The N. Y. Tribune.

PORTLAND, Wednesday, July 4, 1855.

The arrangements of the respective parties in our State have at length come to a focus, so far at least as the present campaign is concerned. The K. N.'s whose number has been estimated all the way from 10,000 to 20,000, I shall neglect in the programme, except to add that they will go in a solid body, in all probability, for Gov. Morrill.

In the open field of stump and journalism, the contest lies between the Republican party and the rest of Maine mankind. The composition of the latter consists of the old line Democracy, ranging from the reluctant acquiescent down to the born lick-spittle of the Pierce administration, and of those unburied Whigs who are destined to wander a hundred years on "the other "side of Jordan." You wish to know how this grease and this earthy matter have been made into the soap that is to wash our State into Republican whiteness.

The Democratic Convention which met about a fortnight ago did not indorse the Nebraska doings of the Administration, but declared its resolutions "*expressive of no opinion*" upon said doings. But it did, most explicitly in terms and recklessly in truth, condemn the Administration of Gov. Morrill, root and branch, with a gratuitous slap at the Know-Nothings.

The Sham Whig Convention took its turn last Wednesday. At "the first ground-hop," as the boys say, the members jumped down from the Whig resolution of last year, which pledged the party to labor for the restoration of the Missouri Compromise and against the admission of any more slave States, and satisfied themselves with calling on the President and Cabinet to "rise above the "influences of party" in regulating the elections of Kansas! Getting over this arduous duty, *they* pitched into Gov. Morrill in a way that would have made them liable if the Democrats had taken out a copyright of abuse. They pledged themselves to support no man who was in favor of Morrill, and kicked the K. N.'s on the strength of that presumption. In condemning the Maine Law, of course, there was no material difference between the two Conventions—they both said all they dared.

Thus these two remnants of once powerful parties are allied in cordial hatred to the Republicans, and will join their forces in every way that seems effectual. They have some power yet of a certain kind; they are very sanguine also, though nervo-biliously so. On the other hand the Republican party is in a quite comfortable state of feeling. But in this matter of prospects I will (by your leave) speak more fully hereafter.

FROM BOSTON.

Correspondence of The N. Y. Tribune.

BOSTON, Monday, July 9, 1855.

I meant to have written to you long ago—but somehow it slipped my memory—of an untoward occurrence at the last meeting of the Board of Overseers of Harvard University, which has been carefully kept out of the newspapers, and in fact only whispered in private among a very few of the best informed about what is going on. As I learnt it by intuition, and can repeat it without the slightest breach of confidence, I will do so, because it is a curious and significant sign of the times in Massachusetts.

At the last meeting of the Board of Overseers the Corporation of the University, as is usual, sent in for confirmation the names of those on whom they proposed to confer degrees at the approaching Commencement. Among these were the Hon. Robert C. Winthrop and the Hon. Samuel A. Eliot, on whom it was proposed to confer the degree of LL. D. Mr. Eliot, you will remember, represented Boston in the Congress of 1850, and *voted for the Fugitive Slave bill*. He is, however, a most worthy and respectable gentleman, and a zealous friend to the College, which he faithfully and gratuitously served as Treasurer for a long series of years. Men much inferior to himself in standing and merit have obtained the degree of LL. D. from Harvard College without the slightest difficulty. A majority, however, of the Overseers are pestilent Abolitionists, who never forget and seldom forgive. Mr. Winthrop is no friend to the Free-Soilers, but then, on the other hand, he was still less the friend of Mr. Webster and the Union-savers. *He* was confirmed, therefore, without opposition, while Mr. Eliot was mercilessly voted down. Nothing could save him. Character, standing, respectability, services to the College, all went for nothing when set off against the fact that he had voted for the Fugitive Slave bill. Even Anti-Nebraskaism, even the fact that he was chairman of a meeting in Faneuil Hall last year, which denounced the repeal of the Missouri Compromise and talked strongly against the extension of Slavery, did not avail. The Abolitionists would not relent.

As soon as Mr. Eliot's friends in the Board of Overseers recovered from their consternation at this unexpected and unprecedented result, they very naturally sought to hush up the matter by proposing a vote of secrecy, binding each overseer not to disclose the names of persons proposed for degrees. Of course no one would oppose such a proposition, and it passed. The overseers have since then kept very close, but in these days of spiritual communications things will leak out, you know, in the most unaccountable way. I am really sorry for Mr. Eliot, who well deserved his degree for his services to the University, and I would not mention a matter so unpleasant to his friends, only that I think the country ought to know how fanatical we have become in Massachusetts, and how rigorously the dominant party persecutes a Union-saver who is so unlucky as to fall into their power. They cannot, however, rob Mr. Eliot of the proud satisfaction of feeling that his name is forever enrolled in that glorious list of patriots and martyrs who sacrificed themselves for the Union and the Constitution in 1850, and gave a lasting peace to the Republic by finally suppressing the agitation of the Slavery question. What is the title of LL. D. to a man possessed of such ennobling recollections?

The political parties, or what is left of them, are moving in the matter of State Conventions. The Democratic State Committee have called theirs for the 10th of September, I think. I won't be positive about the date, for really it's of so little consequence what they do that I havn't cared to charge my memory with so useless a burden. They talk of nominating for Governor, Whiting Griswold of Greenfield. Mr. Griswold is a lawyer, a man of talent, and now a straight-out Hunker. Two years ago he was a Coalitionist, in very close alliance with the Free-Soilers. He was a State Senator at that time, and voted for a Personal Liberty bill, not essentially different from our present law. His chances of election are so small that it is scarcely worth while to pursue his history any further.

To-morrow the Know-Somethings hold their Convention at Worcester. It is an attempt to head off the Know-Nothings, which I hope will succeed, though I doubt if it will. A liberal and reasonable platform will be promulgated, embracing, on national topics, that which was lately put forth at Cleveland. The project of calling a general Convention of all persons opposed to the Nebraska bill will be discussed. If the call is not issued it will be for the good reason that it had better come from some other quarter. I am assured that the Know-Somethings will heartily coöperate in a general movement on an Anti-Slavery basis, no matter who originates it.

I observe that in THE TRIBUNE of Saturday, in commenting on the recent action of the Massachusetts Know-Nothings, you ask: "Why should old "party leaders be consulted at all? What right "have these few gentlemen to stand in the way of "a great popular movement? Why not at once "appeal to the masses, unfurl the Republican banner," &c. I wish with all my heart the Know-Nothing leaders had done so, or rather I wish they could have done so with a prospect of success. Theoretically, what they have done is wrong; but practically I fear it is right—or rather I should say *politic*. The men who were appealed to for fusion, but who would not stir, were representative men. It was well understood that if *they* moved, the masses who looked to them would move. If they kept still, it was of little use to urge their followers into action. A large portion of our people is yet greatly lacking in independence and prefers to be guided and governed, rather than to follow its own impulses. The Know-Nothings, I fear, will have everything their own way this year. Next year it may be different. A delusion cannot last forever, and time may teach the people courage to take the reins in their own hands.

Speaking of Conventions, the Whigs of Massachusetts are a little embarrassed about *their* State Convention. The Whig State Committee has always called the State Convention. The State Committee has always been appointed by the Whigs in the Legislature, but this year there were *no* Whigs in the Legislature and consequently there is no Whig State Committee. I do not exactly see how we shall get out of this quandary.

OLIVER.

THE KNOW-SOMETHINGS IN MASSACHUSETTS.

The Boston Atlas gives the following account of the Know-Something State Convention:

The State Council of the Order of "Know-Somethings" is presided over by P. Emory Aldrich of Worcester, President of the Order in Massachusetts. The number of delegates present is nearly a hundred, representing towns in various parts of the State. The proceedings have generally been harmonious. A Committee of one from each county, Dr. Stone of Boston, Chairman, was appointed to draw up resolutions. A series rather ultra in their character were offered by Charles W. Slack of Boston, and after discussion referred to this Committee. The Committee reported after dinner, rejecting the resolutions offered by Mr. Slack, and substituting the following, which exhibit the result of the Council's doings:

Resolved, That we hereby ratify the Platform of Principles adopted by the National Convention at Cleveland, June 14, 1855, as follows:

"As servility to the Slave Power characterizes the national organizations of the existing political parties, and as this servility is perilous both to the MANHOOD of the North and the LIBERTY of the Republic,

We declare: 1. That the issue before the American people is whether Freedom shall be limited to the Free States or whether Slavery shall be limited to the Slave States.

2. That this issue has been forced upon the country by the Slave Power through repeated aggressions, and by acts which have violated national faith, solemn compacts, and sacred covenants.

3. That these aggressions, especially the Nebraska outrage, with the brutal assault upon the elective franchise in Kansas, have aroused the freemen of the Republic to a just sense of their duty and their danger; and though they will invade no right of any State, they will maintain *every right of Freedom*, and resist the *admission of another Slave State or the admission of another foot of Slave soil*.

4. That we shall meet this issue, thus forced upon us, in the spirit our fathers met the issue of their day; and believing, as they believed, that rightfully man can hold no property in man, we will maintain the nationality of Freedom.

5. That Freedom being one in aim and end the world over, the friends of Freedom in this Republic should make *Principles* and *Character*, not *birthplace*, the test of admission to citizenship and its constitutional rights.

And we further declare—6. That the right to worship God according to the dictates of individual conscience being inviolable, we will labor to strengthen this great immunity through wise State laws; but we will repel every politico-ecclesiastical interference in political affairs by potentate pontiff or priest, or their abettors, as destructive alike of this right and our common liberty.

7. That intemperance being an evil we recommend to the several States such action for the promotion of temperance as will extend and establish that virtue.

8. That free schools, free labor, the improvement of rivers and harbors, an honest Republican official representation abroad, all measures that tend to elevate man, establish the material prosperity of the country, and give stability to the Union, shall receive our hearty support.

9. That to insure practical success we will strive to fill all offices with men of undoubted integrity and sobriety, of ability and of nerve, to resist aggression upon right, come when, where or in what shape it may.

10. That for these objects, vital alike to humanity and the Republic, we are ready to unite with all men, under whatever name or organization, who will aid us in carrying into successful operation these great principles.

Resolved, That we are in favor of an immediate and honest union of all the people of the State who believe that freedom rather than Slavery should be the controlling element in our national policy.

Resolved, That a Committee of two from each Congressional District be appointed to correspond and cooperate with the members of all the various parties throughout the Commonwealth, favorable to a fusion movement upon the above basis, and this Committee shall be authorized in conjunction with them to call a State Convention in August or September next, or whenever in their judgment the time for such Convention shall have arrived.

Resolved, That we are in favor of Freedom, Temperance, and Protestantism, as the three great bulwarks of true American Republicanism, and we are for such action as will best protect and promote these causes.

A sharp debate ensued, but the resolution, with the exception of the last, were finally adopted. Just at the time of closing my letter (5 o'clock P. M.) I learn that a resolution was substituted for the last one reported, which pledges the party generally to Temperance, without making any particular mention of the Prohibitory Liquor Law.

GOVERNOR REEDER.—The Washington correspondent of *The Baltimore Sun* ("Ion") writes:

It appears that Governor Reeder has acted or been consulted officially since his arrival in Kansas. According to an intelligent account of the collision between him and General Stringfellow, it appears that the latter had urged him to perform certain official acts, to recommend the removal of the territorial government to the Missouri border (Shawnee Town), and to approve certain legislative acts which Governor Reeder had objected to. From this it does not appear that Governor Reeder has been suspended. If he was not acting as Governor, there would have been but little ground for the reported collision. Some one must be commissioned to act as Governor, for the Legislature was to be opened, of course with the Governor's Message, on the 2d of July. Governor Reeder, it appears, was to make this Executive communication. The renewal of the Kansas disturbances may be confidently expected; and the effect upon the public mind in the free States of the North-west is not to be doubted nor diminished. This effect will be extremely unfavorable to the harmony and ascendancy of the national Democratic party in those States.

P. S.—More positive information is that Gov. Reeder has not been removed, and is still Governor of Kansas. He has not been suspended in his functions, as had been supposed. He is still every inch a Governor, unless he has been taken off in his rencounters with the Stringfellows and other fellows who undertake to be "viceroys over him," and to govern the official conduct of the Governor. We shall soon have his Message to the Legislature, and also a few stiff veto Messages upon their acts. He will probably veto a bill, should one be passed, establishing a Draconian code, and any bill to remove the seat of the Legislature to the rendezvous of the Missouri masters.

CLERKS IN THE STATE DEPARTMENT.—Pursuant to a provision in an act of Congress passed at the last session, the Clerks in the Department of State were recently examined and classified as follows:

Chief Clerk.—R. S. Chew of Virginia.

Fourth Class.—Edward Stubbs of New-York, disbursing agent; Francis Markoe of Pennsylvania; L. F. Tasistro of New-York; James S. Mackie of Ohio; Henry D. Johnson of Massachusetts; R. W. Young of Virginia; G. J. Abbott of New-Hampshire; R. S. Chilton of New-York.

Third Class.—A. H. Derrick of Pennsylvania; W. C. Reddall of Virginia; John P. Polk of Delaware; George Chipman of Vermont; W. E. Stubbs of Maryland; A. C. Gillett of Florida; William Hogan of New-York.

Second Class.—C. V. Gordon of Virginia; W. J. Bromwell of Maryland.

First Class.—H. D. J. Pratt of Massachusetts; George Bartle of Virginia; John C. Nevins of the District of Columbia.

LATER FROM TURKS ISLAND.—We are indebted to a commercial house for the following, extracted from advices of the 23d ult.:

On the 17th of June the Islands were again visited by heavy rains which destroyed a large quantity of salt. Of 100,000 bushels which the pans were expected to yield on the 18th, when the raking recommenced, owing to the rain of the 17th only 25,000 bushels were saved, giving to the vessels then in port about two-thirds of a cargo each, (three vessels) which is all that the vessel bringing this news has got after waiting 17 days. On the 23d ult., when the Mermaid left, another storm of rain was visiting the Islands, destroying the chance of making salt for some time to come. The price paid for the last raking was thirty cents per bushels. The Mermaid has visited St. Kitts and St. Martine, and at neither of these ports, nor at Curacoa, Bonaire or Inagua, was any salt to be procured.

SAM'S PEOPLE.—The State Council now in session, we understand, has already drawn up a platform which abolishes the secret session, scouts in infinite derision the religious test, and which is, in fact, a platform broad enough and strong enough to hold all the foreigners of the State, including the rising generation. The nominations for State officers take place to-day, those for Congress to-morrow, and in the evening, (Thursday,) as we have already stated, a grand ratification meeting takes place in La Fayette-square; at least this is the programme of events as now marked out. [N. O. Bulletin, July 4.

ONE WEEK LATER FROM EUROPE.

ARRIVAL OF THE PACIFIC.

DETAILS OF THE REPULSE OF THE ALLIES.

Rumor in Paris Ascribing the Failure of the Attack to the British Commanders.

Lord Raglan Reported Dangerously Ill.

THE HANGO AFFAIR.

Consols 91 1-8—Cotton Active—Breadstuffs Dull.

The United States Mail steamship Pacific, which left Liverpool at noon on Saturday, June 30, arrived on Wednesday at about 6 o'clock.

The Pacific arrived out at 11:40 A.M., on Sunday, June 24.

The United States Mail steamship Washington, from New-York, arrived at Southampton on Friday, June 29, at 6 P.M.—all well.

Ex-President MARTIN VAN BUREN, Col. A. VAN BUREN, Mrs. Commodore PERRY and Miss PERRY, and the Hon. Mrs. HINCKS, arrived on Wednesday morning in the steamship Pacific from Liverpool.

The news by this arrival consists almost entirely of details of the intelligence already transmitted by telegraph, but correspondence does not come down so late as the 18th June, on which day the Allies made their unsuccessful attempt to storm Sevastopol. The allied losses on that occasion were overrated, yet the official lists of killed and wounded foot up considerably over 5,000 men. Notwithstanding this check the investing Army keep in good spirits and do not permit their repulse to stay the progress of the siege. Lord Raglan is dangerously ill and has asked to be recalled. Sir George Brown is also on the sick list. Rumors of battle on the Tchernaya and elsewhere had caused some distraction to speculators, but were untrue. There is no immediate indication of further operations on the Sea of Azoff or in the Baltic.

Administrative reform keeps its ground in England. Capitalists are exercised respecting the probable amount and conditions of the new French loan. Austria continues to disband her army. Elsewhere in Europe everything is dull.

The Liverpool COTTON MARKET had suddenly and unaccountably reawakened into speculative activity. BREADSTUFFS are dull and lower. The weather is very fine. PROVISIONS quiet. MONEY abundant; Bullion increased £108,000. Consols, 91⅛, ex-dividend. A moderate business in AMERICAN STOCKS.

THE STATE OF EUROPE.

From Our Own Correspondent.

LONDON, Friday, June 29, 1855.

Austria, which since the year 1846 has nearly doubled her debt, sees at last that she cannot continue to keep an army of 600,000 men, and has decreed a reduction of 145,000 soldiers, who are put on furlough; and as the losses by death during the last year are likewise not to be supplied by a new levy, the effective force of the army is decreased by 170,000 men. In 1851 the Austrian deficit amounted to sixty-two millions of florins, in 1852 to fifty-three, in 1853 to fifty-seven, in 1854 to one hundred and forty millions, while the years 1846-1850 added three hundred and fifty millions to the debt. Besides, Austria does not see any reason why she should keep up her play with the West. She has already got the Danubian Principalities, as a material guarantee of her pretension to act as the mediating power between the belligerents whenever she may think fit to interfere. She keeps the balance of power; and seeing that the occupation of the Sea of Azoff by the Allies injured the position of the Russians in the Crimea, she releases the Russian Army of Observation in Poland by reducing suddenly her own power; and the Guards of the Czar are accordingly on their march to the seat of war. England resents this diplomatic check, and Lord Westmoreland leaves Vienna—of course only on leave for the restoration of his health, but it is understood that no English Embassador is to reside at the Court of Schönbrunn until Austrian policy becomes more friendly to the Western Powers. Just in the same way as Austria keeps only a Chargé at Turin, England has its routine business dispatched at Vienna by the Secretary of Legation.

The discussion in the House of Peers on Tuesday last brought no additional light to bear upon the position of Austria. Lord Lyndhurst, in a very able and cautious speech, after having gone to the extent of praising Austria for her behavior in 1854, did not hesitate to say: "I believe "that Austria has a secret understanding with "Russia, that in pursuance of it she has with-"drawn her forces from the frontiers of Gali-"cia, and that those two powers have come "substantially to a neutrality treaty." Lord Clarendon, in his position as Minister of Foreign Affairs, defended Francis Joseph, and declared that "Austria has announced to us that she "will continue to occupy the Principalities, by "virtue of the treaty with Turkey, until peace "shall be concluded. To that announcement I "(Lord Clarendon) can offer no objection, be-"cause the occupation of the Principalities by "Austrian troops prevents Austria from assum-"ing a position of neutrality" (!) Still, at the end of his speech he expresses his opinion, that the conduct of Austria does not justify censure, nor deserve praise, and that the result of the recent negotiations with her had left England and France free and unfettered to make peace on their own terms. Now, whether this last sentence implies a final abandonment of the Four Points, or whether we shall next Winter again hear more about them, depends entirely on the success of the Allies. Another important revelation of Lord Palmerston informs us, that though Mr. Longworth is in Anapa, and Col. Lloyd somewhere else in Circassia, to open communications with the people, there are no relations subsisting between Her Majesty's Government and the Circassian chiefs, except those arising out of occasional coöperation—as for instance, when it was intended to attack Anapa.

The Piedmontese troops are suffering intensely in the Crimea by cholera and typhus, and the expedition becomes day by day more unpopular in Sardinia, as the prospects for a speedy termination of the campaign become more and more gloomy. The losses of the Allies on the 16th by the repulsed attack on the Malakoff Tower turn out to be far smaller than was anticipated; still the Russians can boast of 600 French prisoners, including 17 officers; and, what always happens