FIRE AT UTICA.

UTICA, Tuesday, March 25, 1855.

The news-room of Mr. King, and dentist office of H. R. White, in the Devereux block, in this city, were burned this morning. Mr. King's loss, $1,500; insured. Mr. White's loss, $2,000; not insured. Mr. Devereux's loss, $3,000; fully insured.

NEW-YORK LEGISLATURE.

From Our Own Reporters.

SENATE....ALBANY, March 25, 1856.

THE WHARFAGE LAW.

Mr. BROOKS presented a remonstrance numerously signed by New-York shipowners and merchants against the bill which makes it unlawful for any person or persons to perform the duties of port wardens of the port of New-York, punishable by a fine of $50 for each offense.

THE USURY LAWS.

Mr. C. P. SMITH, Chairman of the Committee to whom was referred the bill relative to interest on money, reported this morning, stating that on the sixth section, which provides for a repeal of the laws of 1837, which makes the taking of a greater rate of interest than 7 per cent punishable by imprisonment, the committee were unanimous; from the other five sections Senator Noxon dissented, and Messrs. Smith and Hall were agreed in recommending them. The following is the bill as reported this morning:

AN ACT to amend title 3, chapter 4, part 2 of the Revised Statutes, entitled "Of the interest on money."

The People of the State of New-York, represented in Senate and Assembly, do enact as follows:

SECTION 1. No promissory note, draft, or bill of exchange, not having more than eight months to run from the execution thereof, shall be void by reason of any agreement between the parties to such note, draft or bill of exchange, to receive, pay or allow a rate of interest above $7 upon $100, for one year, and the same rate per cent for any longer or shorter period.

SEC. 2. Whenever, in any action brought upon any promissory note, draft or bill of exchange, not having more than eight months to run from the time of the execution thereof, as in section first of this Act named, it shall appear by the pleadings or proofs in such action that a greater rate of interest has been received, paid or allowed, or agreed to be received, paid or allowed on such promissory note, draft or bill of exchange, the plaintiff in such action shall, nevertheless, recover from the defendant the amount actually paid, lent or advanced, with interest, but without costs of action.

SEC. 3. If, before action brought upon any such promissory note, draft, or bill of exchange, as in section first of this act named, the maker thereof, acceptor or indorser, shall tender to the owner of such promissory note, draft or bill of exchange, the amount received, paid or allowed upon such promissory note, draft or bill of exchange, with interest thereon at the rate of seven per cent, as in section first of this act named, and which said tender shall be refused by such owner, then in such case, upon any action brought to recover upon such promissory note, draft or bill of exchange, the defendant may, by answer, plead such tender; and if upon the trial it shall appear that a greater rate of interest has been paid, received or taken, or has been agreed to be paid, received or taken, upon such promissory note, draft or bill of exchange, than seven per cent, then, in such case, the plaintiff shall pay all the costs and disbursements of the defendant in such action, and which, on motion, may be set off against the amount of the plaintiff's recovery.

SEC. 4. The provisions of this Act shall not extend to, or in any way authorize any bank or incorporated company to take or receive, directly or indirectly, over seven per cent per annum of interest on any loans or discounts made by any such bank or incorporated company.

SEC. 5. So much of title 3, chapter 4, part 2 of the Revised Statutes, and so much of the Laws of 1837, chapter 430, as are inconsistent with the provisions of this Act, are hereby repealed.

SEC. 6. Sections 6 and 7 of the Laws of 1837, chapter 430, passed May 15, 1837, entitled "An Act to prevent usury," are hereby repealed.

BATTERY PLACE.

Mr. SPENCER handed up a remonstrance, signed by R. L. and E. C. Stevens, against the widening of Battery place. It is proposed to widen it to about 100 feet at Broadway and 210 at West street. They say it is not necessary to have the street wider at West street than at Broadway, and they object to having authority conceded to build piers or make public wharves in front of the Battery.

Mr. S. also presented the petition of Peter Cooper, asking for the passage of a law, which will forever exempt from taxation the Institution founded and erected by him for the advancement of education. This property is bounded by Astor place, Third avenue, Seventh street and Fourth avenue.

Mr. RICHARDSON briefly and eloquently favored the prayer of the petitioner.

Mr. BROOKS followed, saying that he was happy to answer the Senator from the VIIIth, (Mr. Kelly,) in regard to the memorial presented to the bill, which would be introduced. Mr. Cooper, with a wisdom worthy of all imitation, had chosen to enjoy, during his life time, the fruits of his own labor and bounty. He had made preparation to endow a noble, scientific institution for the advancement of Science, Arts and Letters, together with such scientific and historical collections, chemical and philosophical apparatus, mechanical and artistic models, books, drawings, pictures, statutes and other means of instruction. It was meant by the noble founder to unite the useful and the beautiful, and in such a manner as would give free access to the public and without cost to visitors or learners. The gift already made was one of the most munificent known in the history of any one individual throughout the country. It embraced eleven lots of land in the very heart of the city, and valued at $175,000. The sum of $200,000 had been expended already upon a building which was constructed entirely of stone and iron. It would require a sum equally large to complete the edifice and put it in a state of preparation for the purposes designed. Once established, as designed by the worthy founder, the property would be worth nearly $600,000, and all the devise of one citizen. There has been no nobler gift than this in the history of mankind. New York might well be proud of such a citizen, and of the great work which would soon be the fruit of his labor and his wealth. It was the earnest wish of Mr. Cooper that his name should not be connected with the institution which his wealth and generosity would soon complete. He hoped the Legislature would overrule any such conclusion, and insist that both in name and remembrance it should be honored in some way with the noble donor. Mr. B. subsequently introduced the following bill:

AN ACT to enable Peter Cooper to found a Scientific Institution in the City of New-York.

The People of the State of New-York, represented in Senate and Assembly, do enact as follows:

SECTION 1. Peter Cooper of the City of New York, is hereby authorized to convey or devise to the body corporate hereinafter created, that certain block of land in the said city, with the edifice thereon erected, with its appurtenances, bounded north by Astor-place, east by Third-av., south by Seventh-st., and west by Fourth-av.—for the purpose of founding and establishing a Public Institution in said city, for the advancement of Science, Art, Philosophy, and Letters—together with such scientific and historical collections, chemical and philosophical apparatus, mechanical and artistic models, books, drawings, pictures, statues and other means of instruction as may be useful for that purpose.

SEC. 2. Such institution shall bear the corporate name and title of "The Union;" and its corporate existence shall commence when the said Peter Cooper shall convey or devise to it the block of land and edifice above mentioned.

SEC. 3. The said Institution shall possess all the powers and privileges of a body corporate, and shall be subject to all the liabilities and restrictions contained in title third of chap. eighteen of part first of the Revised Statutes, except that it shall be lawful for said Institution to organize and commence the transaction of its business at any time within three months after such conveyance or devise shall take effect.

SEC. 4. Its affairs shall be conducted by a Board of Control, which shall consist of thirteen members, and be composed as follows:

Of the oldest male descendant of lawful age, for the time being, of the said Peter Cooper;

Of the Mayor of the City of New-York, and the President of the Board of Education of the City of New-York, for the time being, by virtue of their respective offices;

Of the ten other individuals that may be designated as Trustees by the said Peter Cooper, in the written act by which he may convey or devise the land and edifice as aforesaid. If the said Peter Cooper shall so elect in and by said act, he shall also be a Trustee of said Board during his natural life.

Of the ten Trustees so to be designated by the said Peter Cooper, the two first named by him, and designated by the numbers One and Two, shall hold their offices until the first day of January of the first political year succeeding that in which such conveyance or devise shall take effect; the two next, named and designated by the numbers Three and Four, until the first day of January in the second political year; the two next, named and designated by the numbers Five and Six, until the first day of January in the third political year; the two next, named and designated by the numbers Seven and Eight, until the first day of January in the fourth political year; and the last two, named and designated by the numbers Nine and Ten, until the first day of January in the fifth political year, succeeding that in which such conveyance or devise shall take effect.

SEC. 5. At the expiration of said respective terms of office, or in case of any vacancy in either, by resignation, death or otherwise, during the term, such offices shall be thereafter respectively filled in the following manner:

The vacancy in the office of the Trustee number One, by such person as the Governor of this State may appoint;

The vacancy in the office of the Trustee number Two, by such person as the General Society of Mechanics and Tradesmen in the City of New-York may appoint, and in such mode as their by-laws may prescribe.

The vacancy in the office of the Trustee number Three, by such person as the Judge of the District Court of the United States for the Southern District of New-York may appoint.

The vacancy in the office of the Trustee number Four, by such person as a majority of the Governors of the "Society of the New-York Hospital" may appoint.

The vacancy in the office of the Trustee number Five, by such person as a majority of the Judges of the Superior Court of the City of New-York may appoint.

The vacancy in the office of the Trustee number Six, by such person as the Corporation of the Chamber of Commerce in said city may appoint, and in such mode as their by-laws may prescribe.

The vacancy in the office of the Trustee number Seven, by such person as a majority of the Trustees of the Astor Library may appoint;

The vacancy in the office of the Trustee number Eight, by such person as a majority of the Directors of the Mercantile Library may appoint;

The vacancy in the office of the Trustee number Nine, by such person as a majority of the Trustees of the New-York Society Library may appoint;

The vacancy in the office of the Trustee number Ten, by such person as a majority of the Trustees of the New-York Historical Society may appoint.

Every Trustee to be appointed in the manner specified in this section, shall hold his office for the five years next succeeding the appointment, ending with the 31st day of December, in the fifth year, and all vacancies occurring subsequently to the first appointment shall thereafter be filled respectively by the authorities indicated in this section.

Every such act of appointment of a Trustee shall be in writing, and shall be duly filed in the office of the Clerk of the County of New-York, and a duplicate thereof shall be delivered to the Board before the Trustee takes his seat.

SEC. 6. In case any of the Courts, Corporations, or Public Officers, specified in the preceding section, shall cease to exist, or shall omit to exercise the authority therein committed to them, the said Board of Control shall apply to the Legislature to substitute such other Court, Corporation or Public Officer as the Legislature may deem expedient.

The seat of any member of the Board of Control, who may absent himself without its permission (unless prevented by sickness) for five regular monthly meetings in any single year, may be vacated by a majority of the remaining members.

SEC. 7. The body corporate hereby created, may take and hold the property above mentioned, and may lease such portions of the building as they may deem most conducive to the interests of the Institution, and may receive its rents and revenues, and any other donations or endowments which may be made in aid of the objects herein above expressed, and apply the same, or the income thereof, to the enlargement or improvement of their means of instruction; and they may confer such degrees and diplomas for proficiency in science, art, philosophy, or letters, as may be appropriate.

SEC. 8. The Board of Control shall appoint all Professors, Teachers, or other officers necessary for the conduct of the Institution, and regulate their salaries, emoluments, and tenure of office; and shall apply all the rents and revenues of said property to the necessary expenses of the Institution, including the preservation, renovation, and repair of the edifice, and the proper maintenance and increase of the apparatus and collections; and while so used, neither the land, nor the building nor its contents, nor any funds or donations in aid of its legitimate objects, shall be subject to taxation. It shall not be lawful for said Board to sell or mortgage the said land or edifice, or any part thereof, nor to contract any pecuniary engagement exceeding the revenues of the current year. No member of said Board shall receive any pecuniary compensation for his services.

SEC. 9. The Supreme Court shall possess and exercise a supervisory power over said Institution, and may at any time, on the written application either of three members of said Board of Control, or of twenty graduates of the Institution of at least five years' standing require from its Trustees, collectively or individually, a full account of the execution of their trust. Every Trustee may freely publish, at any time in his discretion, any matter within his knowledge relating to such Institution, or its management in any respect, including any discussions in the Board of Control in relation to any matter whatever; and shall be bound fully to disclose the same, whenever required either by said Supreme Court or a Committee of either branch of the Legislature. Full minutes shall be kept by the said Board of all their proceedings, and the Ayes and Noes shall be recorded, on any vote, at the request of any member. Neither the said Board of Control, nor any member thereof, shall in any way take into account any religious tenet or opinion of any professor or teacher, or of any candidate for any office in said Institution, in any appointment to or removal from such office; nor of any student applying for admission into said Institution, or competing for any of its honors or advantages; nor shall they permit any professor or teacher in said Institution to make any discrimination among its students on account of their religious tenets or opinions.

If any Trustee of said Institution, after due inquiry by the Supreme Court and sufficient notice, shall be found unfaithful or culpably negligent in the discharge of his duty, the said Court shall remove him from office.

SEC. 10. The Board of Control shall, annually, in the month of January, present to the Common Council of the said city a full report of all their receipts and disbursements during the year, and of the progress and condition of the Institution, and shall also transmit a duplicate copy of said report to the Legislature, and shall at all times furnish any further information in respect to their funds, revenues, and course of instruction, which the Legislature or the Regents of the University may require.

SEC. 11. The Legislature, at any time, may alter, amend, or repeal this act.

SEC. 12. This act shall take effect immediately.

WHARFAGE.

Mr. BROOKS presented a remonstrance from the Chamber of Commerce and the New-York Corn Exchange, against the Senate bill relative to Wharfage. They argue as follows:

The Senate bill, No. 368, entitled "An Act to amend an Act "entitled 'An Act relative to Wharves in the City of New-"York,' passed March 31, 1801," is wrong, and should not become a law.

First: In the first place, it is a local bill, and the title is not in conformity with Section 16 of the 3d Article of the Constitution.

Second: The act of March 31, 1801, which this bill seeks to amend, was repealed by the act entitled "An Act to reduce all "the Laws relating particularly to the City of New-York into "one Act," passed April 9, 1813.

Third: The words "shall keep the same dredged out to a "depth of not less than 25 feet at low water mark" are an unreasonable restriction, for on Sunday, the 19th of March, 1854, the tide was about three feet below mean low water. It is impossible for pier-holders to provide against such extraordinary occurrences.

Fourth: There is no adequate provision for keeping the slips or piers in order, for the reason that no penalty is provided for neglect. The provision that "the Common Council of Brook-"lyn and New-York *may* order said work to be done at the "expense of the owner or owners thereof," is so loose that it means less than nothing. There is no Common Council of Brooklyn and New-York known as such, and the word "*may*" is so qualified that it amounts to no authority at all.

Fifth: The words "shall not be required to excavate to a "greater depth than —— feet of the original bed of the river." This original bed no one knows, nor is it possible to determine the fact.

Sixth: The Bill makes no distinction between outside and inside berths in the rates of wharfage.

Seventh: The increase in the rates of wharfage is too great, and is not properly apportioned.

Eighth: The public wharves of the City of New-York, all of which have been built with moneys raised by tax on the estates, real and personal, of the freeholders and inhabitants of the City and County of New-York, have recently been rented at public auction for one year, at prices that evidence that the present rates of wharfage are sufficiently high.

Ninth: The argument of the Controller of the City of New-York, that the public wharves are the property of the Corporation of the City of New-York, is erroneous, for the reasons in the eighth paragraph; and beside, being public property and paid for by tax, and kept in repair by the same means, should not produce an income any more than public streets.

Tenth: The Act of March 31, 1801, and April 9, 1813, fixed the rates of wharfage to remunerate the builders of piers and wharves for their outlays, and not to give them an income upon the ground under water, which they are permitted to occupy without any other compensation to the State than what is derived from the benefit the commerce of the world derives from the facilities thus afforded. There is an absolute increase of wharfage, and it has been progressive from 1801 to 1854 in the increase of the number of vessels requiring wharfage. In 1801 there were but few vessels, and consequently the receipts for wharfage were light; now, the number of vessels is vastly increased, and there is constant use for all the slips, wharves, and piers, and an increase of receipts for wharfage in proportion. Wharf-owners do not pay the State a price for the land they occupy.

Eleventh: Wharf and pier owners should be protected against loss by the filling in of slips from sewers and the wash of streets, arising from neglect of the public authorities to keep the streets and sewers in proper order.

Twelfth: All piers and wharves should not be allowed the same rates of wharfage. Some are worth more than others.

Thirteenth: Before any thing is done in reference to the rates of wharfage or a change made in the law, a survey should be first made of the harbor, and the mean low tide ascertained correctly, and after this each slip should be furnished with a tide guage, and it should be the duty of a competent officer to see that the depth of water required is preserved, and the wharves should be kept clean, and such a rate of wharfage allowed as would be alike satisfactory to the payers of the wharfage as well as the receivers of the wharfage. A bill should be prepared (after the necessary surveys have been made) by a committee of merchants and wharf-owners, and submitted to the Legislature as soon as the commissioners for fixing the exterior line of the harbor have consummated their labors.

Fourteenth: Should the commissioners for fixing the exterior line of the harbor find that private property is required to be taken for public use, no increase of value should then be given in the shape of a new wharfage law to interfere.

CRIMINAL STATISTICS.

The Annual Report on the Criminal Statistics of the State was received from the Secretary of State to-day. From this, it appears that the number of convictions reported for 1854, in Courts of Record, was 2,117; for 1855, the number is 1,842, showing an apparent decrease of crime. In the year 1854, there were 508 convictions for selling liquor without license; this year there are but 354. Of the 6,744 convictions during the past year, 1,648 are of American birth, and 5,076 of foreign origin.

PARDONS.

The number of pardons granted during the year was 152, of which number 29 were conditional to wholly abstaining from intoxicating liquor, except when prescribed by a regular physician; 1 was conditional to leave the State within ten days and not return in ten years; 1 was conditional to leave the State within ten days and never return; 3 were conditional to leave the county never to return; 1 was conditional to leave the city never to return.

The rest were unconditional.

The above does not include restorations to citizenship, respites, nor commutations.

The number of restorations granted was 30.

The number of respites for capital offenses, 9.

The number of commutations was 86, of which 5 were for capital offenses.

KINGS COUNTY BOARD OF SUPERVISORS.

Mr. C. P. SMITH introduced a bill which provides that the Board of Supervisors shall have power to determine what fees such town Collectors shall be entitled to charge and receive for collecting any taxes during the first thirty days after receiving his warrant.

JUDICIAL OFFICERS IN BROOKLYN.

Mr. SMITH also introduced a bill providing that hereafter the Mayor shall be voted for upon a separate ballot, and that the City Judge, Police Justice and Justices of the Peace hereafter to be elected shall be voted for upon a separate ballot, which shall be indorsed "City Judiciary."

THE GRINDING COMMITTEE.

The PRESIDENT announced the following as the Select Committee to whom shall be referred the General Orders: Messrs. Lee, Spencer, Madden, Ramsey, Clark, A. M. Smith, Hall and Upham.

THE BANKING LAW.

Mr. A. M. SMITH in the chair, the Committee of the Whole took up the bill relative to Banks and Banking.

Mr. WADSWORTH opposed the section which specifies numerous heads under which Banks shall be required to make their quarterly reports. He considered the requirements of the present law in this respect sufficient, and he was opposed to such stringent restrictions as to drive from its practice all the honest bankers, and thus make room for the dishonest, who would not scruple at anything to make their reports agree with the requirements.

Mr. RAMSEY sustained the section.

The motion to reconsider the section which was stricken out at a previous sitting of the Committee was voted down, and the bill was reported to the Senate, and ordered to a third reading.

BILL PASSED.

Relative to the Board of Supervisors of the County of New-York.

SPECIAL ORDER.

Mr. FERDON in the Chair—The Committee of the Whole took up the New-York Manhattan Park bill.

Mr. UPHAM moved his amendment, naming the Commissioners upon the regulation and government of the Park, as follows: Wm. Kent, Peter Cooper, James F. Freeborn, James Harper and James E. Cooley.

Mr. SICKLES would like the Senator to give some reason for the introduction of such an amendment.

Mr. UPHAM thought the Legislature could make a better selection of Commissioners than Mayor Wood could.

Mr. SICKLES characterized the motion as unprecedented in the history of legislation. He held the abilities of the Senator in as high estimation as his most admiring friends could possibly, and yet he was compelled to doubt the Senator's ability to select these Commissioners with as much judiciousness as could the Mayor. Unfortunately, no doubt, to the city, the Senator was not one of her residents. Should he ever make up his mind to remove to the city, he supposed the citizens would hail his coming with great joy—especially on account of his extensive knowledge of them and of their wants. He stigmatised it as absurd, in the highest degree, for the Legislature to arrogate to itself this power and attempt to deny to the city so poor a boon, after contributing their millions to the Park, as to say who shall regulate it. If this was denied the city, he felt assured that his constituents would justify him in withdrawing the bill and tearing it to shreds.

Messrs. HALE and MADDEN argued in favor of the motion; and Messrs. KELLY and WADSWORTH opposed it.

Mr. PETTY, although a representative of the city, favored the amendment, because he was unwilling to give the appointing power, with regard to this Commission, to Mayor Wood; who, when elected, announced that he was not a party man, and would not act as such in the disposal of offices; and yet he charged and could prove that the Mayor had, throughout his term, acted as a strict party man.

Mr. SICKLES, in refutation of this charge, read the following recapitulation of a statement furnished him by Mayor Wood, in relation to his Police appointments:

APPOINTMENTS.

Whole number of appointments			335
Of which there were			
Democrats	175	Whigs and Rep.	117
		Know Nothings	14

NEW APPOINTMENTS.

Democrats	130	Whigs and Rep.	13
		Know Nothings	7

RE-APPOINTMENTS.

Democrats	44	Whigs and Rep.	46
		Know Nothings	17

DISMISSALS.

Democrats	30	Whigs and Rep.	10
		Know Nothings	17

EXPIRATIONS NOT RE-APPOINTED.

Democrats	27	Whigs and Rep.	21
		Know Nothings	14

The debate was continued till 2 p. m., when Mr. Upham's motion prevailed—18 to 5.

Recess till 7 p. m.

EVENING SESSION.

The Albany Bridge bill was discussed, and Mr. WADSWORTH argued in favor of the bill, taking the ground that the United States Supreme Court had decided in several cases that draw-bridges are not legal obstructions to navigation. He cited several decisions to that effect.

Mr. RICHARDSON followed in favor of the bill, and in reply to the remarks of Mr. Sickles last evening.

ASSEMBLY.

GENERAL ORDERS.

The House went into Committee, and disposed of the following entitled bills, as noticed:

Making appropriations for the support of Government for the fiscal year, commencing October 1st, 1856.

Mr. VAN SANTVOORD moved to change the appropriation "for Juvenile Delinquents in the City of New York $8,000," so as to read "for the Society for the reformation of Juvenile Delinquents in the City of New-York for 560 inmates, $22,400."

After debate, the motion prevailed.

Mr. NORTHUP moved to strike out the appropriation of $13,000 for salaries, clerk hire, &c., of the Railroad Commissioners. He referred to the fact that the bill repealing the act creating the Board of Railroad Commissioners had passed the House, and would probably pass the other House; in which event, this appropriation, which was to pay prospective expenses, was entirely unnecessary. Carried.

Mr. SPINOLA moved to insert $500 for the Brooklyn Central Dispensary. Carried.

Mr. NORTHUP moved to except the Albany Hospital from the appropriation provided. He made this motion in order to elicit an explanation why the common right of humanity had been refused by the managers of this Institution to two Members of this House.

Mr. R. H. S. HYDE explained that this Hospital had not been established for the purpose of receiving persons afflicted with infectious diseases, but for the purpose of receiving strangers and others who require critical surgical operations performed. He further explained that it was necessary that this rule should be adhered to, and related an instance where a case was taken, which, however, had progressed so far that it was not dangerous; and yet a gentleman who had come from Cortland County to have an operation performed, learning the fact that there was such a case in the Hospital, he was so much excited that his health was affected, and though his removal would probably prove fatal, still he was extremely anxious to be removed. Mr. H. said it was discreditable to the city of Albany that there were no accommodations provided for these cases, and he had been informed that the Governors intended to secure a proper building for them hereafter. They would, too, see that the unfortunate members alluded to were properly attended to and cared for.

Mr. DENNISTON moved to insert a proviso requiring hospitals to provide for the accommodation and treatment of all persons afflicted with infectious diseases applying for admission, before they shall receive aid.

At the suggestion of Mr. NORTHUP the section was passed over, to be acted on after the Committee appointed to investigate the Albany Hospital matter reported.

Mr. ODELL moved $500 to the Regents of the University, to pay for meteorological observations. Adopted.

Mr. NORTHUP moved to increase the appropriation to the Buffalo Dispensary from $500 to $1,000. Carried.

The section relative to Hospitals was then returned, and amended by inserting a proviso, that if the Hospitals will furnish accommodations for all persons applying afflicted with infectious diseases, they shall receive the appropriations.

The Albany Hospital was then excluded from receiving any appropriation.

The appropriation for the Tonawanda Indian School was increased from $200 to $300.

The bill was then reported to the house, and laid on the table, in order that the facts in the Albany Hospital matter could be reported.

Recess to 3½ p. m.

EVENING SESSION.

The repeal of the Prohibitory Law was debated.

UNCONSTITUTIONALITY OF THE PROHIBITORY LAW.

From Our Own Correspondent.

ALBANY, Tuesday, March 25, 1856.

The decision of the Court of Appeals, in the cases under the Prohibitory law, were announced this morning. I understand the decisions to be as follows:

The judgment of the Supreme Court of the Second District, (Brooklyn), in the case of The People against Toynbee, declaring the search and seizure clauses of the act unconstitutional and void, was *affirmed*.

The judgment of the Supreme Court of the VIIIth District (Buffalo) in the case of The People vs. Wynehammer, declaring the principle of Prohibition constitutional, was *reversed*.

It is impossible to say with certainty how the Judges stood on the questions presented to them. But I think they may be classified as follows: In favor of the decisions, Judges Denio, Mitchell, Alexander, Johnson, Comstock and Hubbard. Against the decisions, Judges, T. A. Johnson, Wright and Selden.

It seems that the points made by the Court on both cases are:

1. That the Prohibitory Act in its operations upon property in possession of a citizen of this State, when the act became a law is a violation of that clause of the Constitution which provides that no person shall be deprived of life, property, &c., without due process of law.

2. That inasmuch as the act does not discriminate between liquor existing when it took effect, and such as might be acquired thereafter by manufacture, &c., and does not countenance or warrant any defense based upon the distinction referred to, it cannot be sustained in respect to any such liquor whether existing at the time the act took effect, or acquired thereafter. The Court were of opinion that the Legislature was competent to pass such an act, provided it should be distinctly prospective as to the property on which it should operate. They consider, however, some of the forms of proceeding to enforce the act as repugnant to the Constitution.

3. That it is unconstitutional, because it deprives a citizen of the right of trial by Jury.

Three of the Judges did not concur with the decision of the majority on the two first above-mentioned points, and two only dissented on the last point.

It is scarcely necessary perhaps to observe that in the views which have been expressed, it is not intended to narrow the field of Legislative discretion in regulating and controlling the traffic in intoxicating liquors. We only say that in all such legislation the essential right of the citizen to his property must be preserved, a right which includes the power of disposition and sale to be exercised under such restraints as a just regard both to the public good and private rights may suggest.

We are not insensible to the delicacy and importance of the duty we assume in overruling an act of the Legislature, believed by so many intelligent and good men to afford the best remedy for great and admitted evils in society. But we cannot forget that the highest function intrusted to us is that of maintaining inflexibly the fundamental law; and believing as we do that the Prohibitory Act transcends the constitutional limits of the legislative power, it must be adjudged to be void. The judgment of the Supreme Court and of the Court of Sessions must, therefore, be reversed.

ELECTION OF SENATORS.

The intrigue said to be on foot in Massachusetts, to forestall the functions of the next Legislature by electing this Winter a Senator to fill the vacancy which occurs on the 4th of March, 1857, is not entirely original with the friends of Governor Gardner. The same forestalling game was proposed not long since in California. On that occasion Dr. Gwin, for whom it was proposed thus prematurely to choose a successor, consulted the Secretary of the Senate as to what appeared to have been the practice, and whether there were any instances on record of Senators having been thus prematurely elected. He received in reply the following notes, which, as they are of an official character and of general interest, we print for the benefit of the public generally, and of the Massachusetts Know-Nothings in particular:

"OFFICE OF THE SEC'Y OF THE SENATE U. S.,
WASHINGTON, Nov. 17, 1853.

"SIR: In answer to your inquiry I have the honor to state that upon an examination of the Records of the Senate, and other means of information now within my reach, for the last twenty-three years it is found that, in every instance where, before the expiration of a Senatorial term, a Senator has been elected for the ensuing term, he has been elected at the session of the State Legislature next preceding the commencement of such term.

"The uninterrupted uniformity of this practice for so long a series of years, and throughout all the States in the Union, seems to render it unnecessary to carry the examination further back—especially as I see no reason to doubt that the result would be the same.

"In this examination I have been aided by a reference to the American Almanac, in regard to the time of meeting of some of the State Legislatures—the admitted accuracy of that work justifying such reference. But as that publication was not commenced until the year 1830, the like information where needed in regard to previous years, must be sought in various sources—many of them difficult of access, and would require very considerable time.

"I have the honor to be, Sir, your ob't servant,
"ASBURY DICKINS, Secretary of the Senate.
"Hon. WILLIAM M. GWIN, United States Senator, Metropolitan Hotel, Broadway, New-York."

"OFFICE OF THE SECRETARY OF THE SENATE
U. S., December 2, 1853.

"SIR: Since my letter of the 17th ult., the examination has been carried back to the very first session of the Senate in 1789, and as far as can be ascertained from the records of the Senate, it is found that in every instance where, before the expiration of a Senatorial term, a Senator has been elected for the ensuing term, he has been elected at the session of the State Legislature next preceding the commencement of such term. I have the honor to be, Sir,

"Your obedient servant,
"ASBURY DICKINS, Secretary of the Senate.
"Hon. W. M. GWIN, Senator U. S."

The project of anticipating an election broke down in California, as did also a similar scheme about the same time in Missouri. The same thing also was thought of, we believe, by the Maine Legislature of this year, but abandoned as too untenable a thing to be attempted. The only instances in which Senators have been elected a year or more in advance of the commencement of their term has been where the sessions of the State Legislature were biennial, the election being made, however, in all these cases at the session last preceding the termination of the current term of service. Such was the case of Jenkin Whiteside of Tennessee, elected on the 24th of November, 1807, to a term to commence March 4, 1811. So also the following cases:

HUGH L. WHITE of Tennessee, elected November 8, 1827—term to commence March 4, 1829.

ROBERT J. WALKER of Mississippi, elected January 9, 1840—term to commence March 4, 1841.

HENRY S. FOOTE of Mississippi, elected January 10, 1846—term to commence March 4, 1847.

SOLOMON W. DOWNS of Louisiana, elected March 9, 1846—term to commence March 4, 1847.

THOMAS G. PRATT of Maryland, elected January 12, 1850—term to commence March 4, 1851.

ROBERT TOOMBS of Georgia, elected November 14, 1851—term to commence March 4, 1853.

In each of these cases the sessions were *biennial*, and the elections took place at the regular session next preceding the end of the Senatorial term. Under these circumstances we apprehend that Governor Gardner will find it accessary to forego the intended coup d'état.

HORRIBLE TRAGEDY—FOUR CHILDREN KILLED BY THEIR MOTHER.

From The Syracuse Journal.

A most heart-rending occurrence took place yesterday (Sunday) on the Oneida Lake Shore Road, six miles east of the Village of Bridgeport, in Madison County. A woman by the name of Ward, the wife of Matthew Ward—who is represented to us as being a drunken, worthless fellow, murdered four of her children in cold blood.

It appears that the husband had neglected his family, and treated them in a most cruel manner. The wife and mother has threatened that if he did not reform his ways and help her to take proper care of the children, she would murder them and take her own life. He heeded not her threat, but persisted in his brutality.

Yesterday morning he left his home to go fishing on the Lake, and during his absence she executed her threat, taking an ax, and with it cutting the throats of four of the five children, the youngest of whom was only two months old. The oldest of the children, aged about eight years, escaped only by running away, she vainly pursuing him, with an ax in hand, for some distance.

She then returned to the house where she had perpetrated these shocking acts, and seizing her husband's razor, attempted to commit suicide by cutting her throat. She did not cut deep enough, however, to render the wound fatal, and when discovered was literally covered with blood, and suffering the most intense agony.

FIRE IN AVENUE A.—Yesterday morning about 10 o'clock a fire occurred in the paint store and dwelling, No. 31 Avenue A, but the flames were subdued before much damage was done. Loss about $200. The fire originated in the basement, and was caused by the boiling over of a kettle of oil. A man named J. H. Cohen was so badly burned that but little hopes are entertained of his recovery.

DETECTION AND ARREST OF BURGLARS.—A young man named Thos. McCormack was yesterday detected in the act of leaving the dwelling of Frederick Stieger, No. 45 East Twenty-fifth street, which he had entered with false keys and robbed of a silver watch. The Eighteenth Ward Police arrested him, and he was locked up.

Thomas Jones, a youth nineteen years of age, living in Baxter street, was detected early yesterday morning in the house of Mr. Hiram K. Miller, No. 43 North Moore street, which he had entered by means of a false key for the purpose of theft. A bunch of skeleton keys was found on his person, and on admitting his guilt he was locked up by Justice Connolly for trial.

DESTRUCTION OF DELAWARE LITERARY INSTITUTE BUILDING.—A fire was discovered this morning at about 1 o'clock in the Delaware Literary Institute building, and in less than half an hour the entire building was wrapped in flames. Our citizens immediately turned out in a body, but as it was at once apparent that it was impossible to save the structure, their efforts were directed to the preservation of the surrounding buildings. Fortunately there was no wind, and a heavy snow having fallen during the evening, their efforts were successful; though the new church and the unfinished boarding hall were at one time in great danger. At 2½ o'clock nothing was left of the building but a heap of smouldering ruins and a few crumbling walls. Nothing was saved of any consequence. A large number of students lost all their clothing; but it being vacation, only three persons lodged in the building, and who succeeded in escaping. The libraries of the Waterburian and Independent Societies, and also the one belonging to the Institute were destroyed. The fire originated in the second story of the building, over the ladies' recitation room, but its cause is at present unknown. The total loss is estimated at $10,000. Insured in Fall River, Mass., for $6,000. [Franklin (N. Y.) Visitor, March 21.

THE DISASTER ON THE DELAWARE—ANOTHER BODY RECOVERED.—The search for the bodies of the victims of the disaster on the Delaware was continued to-day. This afternoon the body of Mr. John Fidell was recovered and taken on board the John Fitch. Mr. Fidell lived in Camden and has left a large family in a destitute condition. Thirty-two bodies in all have now been recovered. [Phil. Bulletin, March 25.

FREEDOM FOR KANSAS.

MASS MEETING IN THE TABERNACLE.

ADDRESSES BY GEN. SCHUYLER, GEN. POMEROY, AND JOHN A. KING.

In response to the call of the American Settlement Company, a very large and warmly enthusiastic concourse of citizens crowded the Tabernacle last evening, to listen to addresses from prominent leaders of the Free-State movement in Kansas.

THEODORE DWIGHT, President of the American Settlement Company, on taking the chair, made a few remarks explanatory of the occasion, and introducing Gen. PHILIP C. SCHUYLER, Secretary of State elect of Kansas.

Gen. SCHUYLER spoke of the great pleasure the privilege of addressing the enlightened and patriotic citizens of New-York afforded him, and said that there was one characteristic about this meeting different from those he had generally attended; there were very few ladies present; he had been in the habit of seeing a large number of ladies present on such occasions; they had done much to make Kansas a Free State. He alluded to the conduct of the women of Lawrence when that place was being fortified and in constant expectation of an attack. They did not shrink away from danger, but stood by the side of their husbands. When some ammunition was to be procured from a little distance, where to get it was attended with danger, the ladies offered their services in securing it. He described the manner in which a few determined women passed through the camp of the enemy and brought it away concealed about their dresses. The women formed a military company and held themselves ready to take the field had occasion required. Free-State men, he went on to say, have not broken the laws of the Territory; they have always scrupulously observed them. There are two kinds of laws in Kansas—the laws of the United States and the laws of the Bogus Legislature. Mr. Schuyler explained the circumstances connected with the murder of Dow. I went out to Kansas, said he, expecting to enjoy all the rights pertaining to an American citizen. We emigrated there expecting to be unmolested. We went there to establish republican institutions. But we have not received the protection to which we were entitled under the laws of the country. We were told by the Pro-Slavery men that they were determined to make Kansas a Slave State, and they have almost succeeded. But there is some light that dawns upon us, and that promises a more prosperous future. We are now in high hopes of the results of the investigations about to be made by the committee lately appointed by Congress. He had seen the prairies of Wisconsin and Illinois, but he had seen nothing so fine as Kansas. The climate was healthy now that they had learned to adapt themselves to it. He belonged to Council City. It was about 90 miles from Westport. On the eastern borders of Kansas about 30 miles wide belonged to the Indians. This, perhaps, was one of the greatest safeguards of the Free-State men. The Santa Fe road, over which more merchandise probably passed than over any other in the country, leads from Westport to Council City. It lay between two creeks. The population had been between five and eight hundred. Most of the inhabitants are from New-York and Pennsylvania. They were a fine population and they had courage. In the days of trouble in Lawrence they sent a detachment to that city. Other portions of Kansas had been supplied with saw mills by the New-England Aid Company; and he would say that had it not been for that company the liberties of Kansas would have been crushed out long ago. But this had not been the case in Council City. They expected to go back to carry on this great work, and if necessary to fight for the cause, and they asked the East for its coöperation [Loud applause].

Gen. POMEROY was then introduced amid applause. He was very glad to have an opportunity to speak a word for Kansas. He, however, belonged rather to the working than to the speaking men. It was of more importance what a man did than what he said. They went to Kansas because it was thrown open to settlement, and they had a right to go. He would not refer to the Nebraska bill. They were defeated in that legislation, but they were not conquered [Cheers], and they were not yet subdued [applause]. They went there to find homes for their old age. It had been said that they went there as office-seekers. But they went there to find homes. When they went there it was of a Saturday afternoon that they first saw the soil of Kansas. The land lay there in swells, rolling like the waves of the ocean. It was green and beautiful, as when it first came from the hand of God. Early in the week they founded Lawrence, and he had thanked God ever since that they had a Lawrence [Applause]. They went in companies, and they put the head and front of their offending. He wanted to say distinctly that if they had organized an emigration, they did not organize an invasion. But their organization was not the first one. Before the Nebraska Bill passed there was an organization formed in Western Missouri to carry Slavery into Kansas. They had an election this past Autumn, and Missourians came over and elected Whitfield. And in the next March the Missourians came over and elected the Legislature, bringing many of their candidates with them [Sensation]. On the Fourth of July—a strange day for such a deed—they expelled the Free-State men. By one stroke of the pen they adopted the laws of Missouri. And beside that, they made laws unheard of before in Missouri or Pandemonium. One was that a man who printed anything tending to show that Slavery was not applicable to Kansas should be punished by two years' imprisonment, and if it should fall into the hands of slaves and incite an insurrection the crime became grand larceny, and was punishable with death. They made, too, such a test of voters as to exclude all Free-State men, while they had no right to demand any such oath under the Nebraska Bill. If the whole history of this legislation could be known, some who had censured the Free-State men would have spared their censures. They went to Kansas free men. They had been baptized into the spirit of Freedom, and they went where they had a right to go. They did not go to a foreign country, and they did not suppose that the Government would be foreign to them. They went as free men, for they knew the difference between Freedom and Slavery. They had seen granite monuments uplifted high on consecrated grounds, and standing like eternal sentinels pointing upward where live the spirit of those who fought and died for Freedom [Loud applause]. They could not be slaves [Renewed applause]. The strips of Slavery could not be placed on their backs or branded on their foreheads. Enough of the spirit of the noble dead was left among them to hurl back the power of Slavery and bid it defiance [Cheers]. Now they wanted everything that the Nebraska-Kansas bill gave them. It would be a poor thing if Congress should grant them as a special favor what was guarantied them by the Nebraska bill. By that bill the largest liberty was given to the people to frame a Constitution, and in their own way to come into the Union. They had, in accordance with the provisions of that bill, framed their constitution; the people had accepted it, organized under it, and it had been given to Congress, and now they wanted all true men to stand by them and see that they were protected in their rights. It was too late now, after they had claimed their rights under the provisions of this bill, for Congress to pass a law depriving them of that right, and directing them when and where to form their constitution. They had organized in good faith. The Territorial Government proved a failure, and as they were order-loving and law-abiding citizens, they undertook to frame a constitutional Government of their own. Now they wanted to be protected in their rights, and they wanted their friends to stand by them. They did not go over to interfere with Missouri. They intended to establish institutions of their own, and not to interfere with those existing anywhere; they had a preference for Freedom; they had not forgotten the history of the country; we know that since the United States had been organized as a confederacy the Free States had increased so much faster than the Slave States that the Slave States seemed to be going backward. Gen. Pomeroy instituted a comparison between New-York and Virginia, North Carolina and Pennsylvania, Ohio and Kentucky, Missouri and Illinois. He thought that with these examples of the relative prosperity of Free and Slave territory, they had a sufficient reason for wishing a State in which Slavery should never enter their future lot, to be free. He wanted Missouri to leave them their rights. If they were warned Missouri to leave them no guaranty for the institutions of Missouri. When the tornado and lightning of an indignant and outraged people who had found no protection in the law, and who perhaps might be driven from the State of their adoption—when this arose, the then ill-gotten Missouri slaveholders and territorial officers depend upon it, that their shadows would not shade the walls of that Golden Court where justice and liberty reigned supreme. [Loud and continued applause.] He wanted to say a word more upon the wants of the Territory. They wanted men, and especially they wanted the sympathy and coöperation of the Free-State men throughout the country. Their only success, so far, had been in money, for capital secured population. A population could be secured anywhere if an investment could be made in mills or machinery, so as to make it for the interest of men to go. When Illinois and Iowa were settled, it was not till after years of labor that mills were started and churches organized and school-houses built. But as it was in Kansas with the mill and the church and the school-house, therein advance population would inevitably follow. That country was peculiarly the heritage of Freedom, and he wanted to see every Free-State settlement built up and improved. They did something last year but they would do more this year. When they had a thousand going last year they had ten thousand going this year. They would have this question, he hoped, put to rest before the Fourth of July; for they had got a young cradle of liberty out there, and they were going to rock it next Independence day [Applause]. So he wanted the Free-State men of the country to stand by them. He wanted them to feel that the struggle was theirs, as well as that of the men in Kansas. For Kansas was rich in its position; it was destined some day to be the center of a great thoroughfare which would pass through to the Pacific. Gen. Pomeroy concluded amid the most enthusiastic manifestations of applause.

At the conclusion of Mr. Pomeroy's address, Mr. JOHN A. KING offered the following resolution:

Resolved, That a collection be now taken up for the aid of Council City, Kansas, and that a Committee of Five be appointed to receive the same.

Mr. SIMPSON then arose and made a brief speech. He said that twenty-eight years before, they had sent money to the oppressed Greeks. Now we have a cry from our blood and our brothers [Applause]. Sixteen years he had left politics. Two years ago he presided at a meeting to protest against the Nebraska perfidy, and then he said he would ever oppose the appropriation of a single foot of free territory to Slavery [Applause]. Here we see the men who went to Kansas, and are they not right? [Applause]. The party who opposed the outrages in Kansas were called Nigger Worshippers by a foreign scamp [Applause and laughter]. This was not a cause for the negro, but for the white man—for white labor. We had contributed to the cause of Greece, and had we not seen here to-night Greeks who were a Spartan Band? [Applause]. I come now to ask you for aid—to contribute in the cause of a Free State—and he hoped that there would be a liberality manifested by our citizens [Applause].

Loud calls were made for Hon. John A. King, who had introduced the resolution. He appeared on the platform. Amid loud applause he said:

MR. CHAIRMAN AND FELLOW-COUNTRYMEN—I did not expect that I would be called upon to speak to this resolution. It speaks my sentiments, and I thought you had heard enough to-night already from those better, able actors in the scene, to give you information upon the subject of Kansas, [Applause]. But still as I feel as every Northern man should feel—a deep interest in the successful establishment in that Territory that can only be done as we have been told to-night—the coöperation and aid—material aid of our fellow-countrymen here and all in this city. It is for a New York settlement, Council City—founded by a New-York society, and already numbering from six to eight hundred persons, settled upon high prairie ground, with streams on either side, bordered with timber; but who are without the power of cutting anything or grinding anything, or putting themselves in a position to secure what is necessary to be eaten. With little, and that can be had, these sons of Liberty—these men of your State can be sustained [Applause]. That is an object worthy of New York—worthy of its best sympathy and best feelings; and I doubt not that the appeal will be made in vain to you to-night, to give such aid, here and elsewhere, as your means and sense of duty will lead you to offer. At any rate, it is very manifest that unless some aid comes to them, and that quickly, they may linger and perhaps survive, but it will be through peril, trouble, and adversity; but by your aid they will go on with joy and gladness, and with a rapidity that belongs to these new settlements when well begun and properly sustained. I have seen two or three friends who went there and have returned. They tell me that we have no conception of the feeling in the Territory—the feeling that belongs to freemen who are brought up under the institutions of Freedom—of churches and schools and all the institutions that strengthen Liberty. They tell me that those men who have gone there and staid during a relentless Winter in those cabins, badly put together, through the roofs of which they could see the stars shine, and into which the snow constantly drifted, so that many were obliged to keep in bed in the day-time to keep themselves warm, and only venture out to stand for a few minutes on the sunny side of their cabins—that their hearts were animated by a love of Liberty [applause]—that they do not despair—that they are determined to do their duty—to perform a trust—to carry out a purpose which, as freemen, they had a right to do—a right accorded to them by the voice of the nation [Applause]. They were told to go there, and if they got there, it would be Freedom—if not, it would be Slavery [Applause]. The sons of Freedom banded together and went there to make that country their home—to establish the institution of Freedom in the plains of that new State. Over three quarters who are there now are the sons of Freedom [Applause]. So far, the thing is safe. Give them that aid they ask, and Freedom is secure beyond a peradventure [Applause]. Are we not bound—we who believe that Freedom should prevail and not Slavery—to do our little part in aid of such a purpose? [Applause.] It seems to me there is no difficulty in the question; we have a perfect right to contribute our money for any such proper, laudable purpose. It is to build mills, hotels, schools, and make roads; upon other matters, the people there are abundantly able to take care of themselves [Loud applause]. It is just two years ago, in this very place, that we were called upon to resist the passage of the Kansas and Nebraska bill. It had not then become a law. The citizens here assembled were invited to look at that question to see whether it was right, and to express their opinion. They did so, and they considered it an impeachment of an ancient and honorable contract, of a compact binding in honor and in good faith; and they said so. The resolutions were to that effect. But notwithstanding there was not a single petition in behalf of that bill, it became a law, and the result has been that we, who had hoped that the Compromises of 1850 would have settled this question of Slavery forever, find the whole overturned by the act of 1854, which declared the Missouri Compromise inoperative and void. This was two years since. We were told at that very time that the effect of this measure would be to bring division and violence in the Territory which had been heretofore settled in peace, and the result has been just as we feared. The consequence was that then violent scenes were enacted in Kansas; voters were driven from the polls, and war made upon those who met there upon the principle of squatter sovereignty, which was to be the foundation of the settlement of that Territory. The principle was violated in every possible way. The squatters themselves were driven from the ground and the only sovereignty there was Missouri sovereignty. Against that we contend, and they have contended. Fellow-countrymen, no man can doubt in this age of the world, in the intelligence that prevails in this community, that this great question of whether the Territories in this country are to be opened to Slavery or to Freedom must be the very question which is soon to fix itself upon the public mind of the country. There is no escape from it. It is the great public question before the people of the United States; and what we have to do, as reasonable men—no enthusiasts, but still lovers of liberty—is to look at that question, and measure it in all its relations, and see whether it is fair, and just and proper that this Republic, whose independence was achieved upon the principles of liberty, whose constitution was founded on the same broad and noble basis, whether it is for us, in our generation, to let go these great and noble principles, and open that whole field, and let things take their course; or whether, as true men whom the public trusts and have a right to trust, and have a rightful judgment in the decision of this question, whether we will not give our voice, and say for ours and our generation, let Liberty and not Slavery prevail [Loud applause]. There is no escape from it—it is put to you by the people, by Congress, and the President. And now will you sustain those people who have gone there to perpetuate the rights and privileges of Free men? or will you abandon them to their fate? This is a question that you have to meet—that you should meet. You owe it to your position—to the intelligence that God has given you—as a great, prosperous and mighty people that you should not be sluggards, and slumber at your posts, when so great an issue is presented for your decision [Applause]. Here is the commencement; do your duty, and go right through. The people of the United States, as a people, are the greatest in the world, so far as their power, and their intelligence and well-being are concerned. Now, I am the last man in the world to say one word in favor of interfering with the rights of property of other men, or their institutions; but when I see that, I say also that, when I see here this question of Slavery—but while I say that, I say also that, in fulfillment of Slavery—but it is all in the land; let there be no more [Loud applause]. I have no more to say, except to entreat you to do something to-night, and more to-morrow, in aid of the New-York Colony.

The resolution was then adopted.

The CHAIR appointed as the Committee Messrs. John A. King, William Jay, Seth Hunt, Simeon Draper, and Peter Cooper.

After the collection was taken up, it was announced that those disposed to contribute in aid of the American Settlement Company might leave their names with the Committee after the meeting adjourned or to-day.

Judge M. F. CONWAY of Lawrence City was next introduced, and stated that he was a Southerner by birth and education, and was prepared to go with the South as far as her rights went, and no further. He had emigrated to Kansas to become a permanent resident there, and he considered the Nebraska bill as the supreme law of the country. But when the principles of that bill were recklessly discarded by the Border Ruffians, he would sit all hazards. Whatever his position, he felt proud to acknowledge that he had acted with the Free-State men then for their struggle, because he believed they were unquestionably in the right.

After the conclusion of his remarks the audience seperated with three cheers for the Free State of Kansas.