punctually made up, with systematic precision and nicety, and almost infallible correctness. Those kept up stairs by the Treasurer, may bear the same mention as the Doctor's. The shipping-book and some others are under the keeping of Dr. Smith.

HOW THE EMIGRANTS ARE SUPPLIED WITH PROVISIONS.

A grocery or provision establishment is kept in the Garden, and is a very fair and creditably managed department. Sales of provisions are made to those emigrants who may have money to purchase, and those who have not are furnished with cards by the Floor Superintendent, which are a voucher for such supply, but their boxes are mortgaged and retained till the means are provided by some friend or relative to liquidate the cost of supplies. The articles kept in this store are of a superior quality and meet ready sale.

WHERE THEY GET THEIR RAILROAD TICKETS.

After having changed their gold, they pass on to the Railroad office, and purchase their tickets. It is against this department that Mr. Cumming, the United States Superintendent, has taken action for the robberies alleged to have been committed by a certain firm, to the extent of some $4,000 or $5,000, within a given space of time; which it is alleged has been done by degrees, until it has accumulated to this large sum. Full accounts of this transaction have appeared in some of the papers of this city; it is therefore unnecessary to expatiate on it.

HOW THE BAGGAGE IS TRANSFERRED.

The baggage-room extends the entire east semi-circle of the Battery, and it is arranged with shelves, all numbered, and can accommodate more than 30,000 boxes. There is an express office attached to the Garden, by which the emigrants may transport or transfer their boxes, after paying for the extra weight on each and the fee of 10 cents, which is also demanded. This department has its shortcomings, as have the others at Castle Garden, but they are of a trifling nature, and will mend by experience, and in time.

LAW INTELLIGENCE.

SUPREME COURT—KINGS COUNTY—SPECIAL TERM—JULY 16.—Before Judges GILBERT and LOTT.

IN THE MATTER OF JAMES DE VAUCNE AND J. M. KETCHUM—THE EXCISE LAW, AND THE DECISION OF THE JUDGES.

The following decision was rendered by Judge Lott yesterday morning:

It appears by the returns of the habeas corpus in this matter that De Vaucne is in custody on a complaint, upon oath made to a Police Justice of the City of Brooklyn, alleging that he, the said De Vaucne, did, on the 10th day of July, 1866, in the City of Brooklyn, unlawfully publicly sell and dispose of a quantity of spirituous liquors, to wit: a glass of apple-jack whisky, contrary to the provisions of the 3d and 8th sections of an act entitled "an act to regulate the sale of intoxicating liquors within the Metropolitan Police District of the State of New-York," passed April 14, 1866. None of the facts alleged in the return are denied, and it becomes necessary, for the proper understanding and consideration of its effect, to refer to the sum of the provisions of the act, mentioned in the complaint.

The first section of it constitutes and creates persons who are and from time to time shall be Commissioners of the Metropolitan Board of Health, or Board of Excise in and for the said Metropolitan Police District, excepting and excluding the County of Westchester; and declares that from and after the passage of this act, they alone shall possess the power, and perform the duties of Commissioners of Excise within said Metropolitan Police District, excepting said County of Westchester. The 3d section then decrees that from and after the 1st day of May, 1866, no person or persons, shall within the said Metropolitan Police District, exclusive of the County of Westchester, publicly keep or sell, give away or dispose of, any strong or spirituous liquors, wines, ales or beer, in quantities less than five gallons at a time, unless as he or they may be licensed pursuant to the provisions of this act, and may be permitted by it; and the 4th section provides that the said Board of Excise shall be subject to the further provisions hereof, have power to grant licenses to any person or persons of good moral character, and who shall be approved by them, permitting him and them, from one year from the time the same shall be granted, to sell and dispose of at any one named place between said Metropolitan Police District, exclusive of the County of Westchester, strong and spirituous liquors, wines, ales and beer in quantities not less than five gallons, at a time upon receiving a license fee to be fixed in their discretion, and which shall not be less than $30, nor more than $250.

The 5th section prohibits the sale by persons having such license, on Sundays, and also on any day upon which a general or special election or town-meeting shall be held within one-quarter of a mile from the place where the same shall be sold. The 6th section decrees that every person who shall violate any of the previous provisions of the said act, shall, for each offense, be guilty of a misdemeanor and, on conviction thereof, shall be punished by a fine of not less than $30, nor more than $100, or with imprisonment for not less than 10 days, nor more than 30 days, or by both fine and imprisonment; and in addition thereto, shall be liable to a penalty of $50 for each offense, recoverable in a civil action, in the name of said Board of Excise; and the 20th section makes it the duty of every magistrate to entertain complaints for a violation of any of the provisions of this act, made by any person under oath. The 23d section provides what disposition shall be made of the license fees, and penalties expressly declaring that nothing contained in the act shall divert from the State Inebriate Asylum such proportion of license fees as is now set apart for said institution by existing laws. The act also contains several provisions prescribing the duty and regulating the conduct of the persons who may receive licenses under the said act, and in reference to the sale and other disposition of strong and spirituous liquors, wines, ale or beer, and imposes upon sheriffs, constables, officers, or members of police, the duties of entering the said act, and confers upon them certain powers for the execution of that duty—which, in the view I have of the case, it is unnecessary to refer to in detail—and concludes by declaring that all acts and parts of acts inconsistent with the provisions of said act are thereby repealed, so far as the same shall apply to the said Metropolitan Police District, except the County of Westchester, and that the said act shall take effect immediately.

It appears to have been passed on the 4th day of April, 1866, and had, it valid, consequently, taken effect when the act complained of was committed. I have already stated that none of the allegations in the return were denied, and I will here add that it was by the counsel of De Vaucne on the argument that at the time of the sale mentioned in the complaint made against him, he had no license from any Excise Board whatever authorizing him to make such sale; but he claimed and insisted that the act referred to therein was unconstitutional and wholly void, and that consequently such sale did not constitute an offense for which he could be taken or detained in custody. I will first briefly examine the objections against the validity of the act, as appears to be applied to the case before me. 1st: It is said that the act is in violation of Sec. 16, Art. 3 of the Constitution of the State, which provides that no private or local bill which may be passed by the Legislature shall embrace more than one subject, and that matter shall be expressed in the title. This objection assumes that the act in question is of the character referred to in that section. This assumption is not warranted nor authorized by the provisions of the act. It is in no sense a private one, nor is it in my opinion local within the meaning of the Constitution. It is true that it applies in its practical operation, to a limited district of the State, but it relates to a subject affecting the general welfare and interests of the whole State, and not of that district only.

At the time of its passage, the Excise Act of 1857 (Chap. 392 of Laws of 1857) entitled "An Act to Suppress Intemperance and to Regulate the Sale of Intoxicating Liquors," which is applicable to the whole State, was in full force, and it is apparent from the provision of the act in question, that its general scope and object were to alter the general law in reference to the Board of Excise and to the other matters in which they are inconsistent. The effect of the change is to regulate a subject of vital interest and importance to the whole community, by two acts instead of one; and it is substantially the same in its operation as a single law would be which declared that the sale of ardent and spirituous liquors in one portion of the State should be regulated in one way by certain regulations, and in the residue in another way by different regulations. If, however, it be conceded that the act is a local one, it is nevertheless valid. It does not embrace more than one subject, which is the regulation of the use of ardent and spirituous liquors, wines, ale or beer, mentioned in the act within the Metropolitan Police District, excepting and excluding the County of Westchester; its different provisions all tend to that end, and the title sufficiently expresses that subject. Although it refers to the whole of the Metropolitan District and not expressly exclude the County of Westchester, that omission is of no objection. The District does, in fact, include all the territory to which the act especially relates, and the title also defines it in general terms, that the act regulates the sale of intoxicating liquors. This is sufficient. An abstract of all its provisions is not necessary. See the Sun Mutual Insurance Co. agt. The Mayor, &c., of New-York, 4 Selden, p. 241, and Water agt. City of Syracuse, 19 N. Y. Reports, p. 167, &c. Also, The People agt. The Supervisors of Orange County, 17 Barbour, p. 235. It has been decided that if any subject embraced in the act which is not expressed in its title does not render the act void, it is still valid to the subject that is expressed therein. The Town of Fishkill agt. The Dutchess and Beekmantown Plank-road Company, 24 Barber, p. 641. The People agt. The same, 27 Ibid. p. 445, &c. The People agt. McCann, 16 N. Y. Reports, p. 58, &c. Wright agt. The People, 26 Ibid. p. 402, &c. The People agt. Lawrence, 36 Barber, p. 177, &c. Second. It is claimed that the third section of the act diverts the owner of his property without due compensation. Such is not the effect of its provisions. So far as relates to the sale of liquors specified therein, it is substantially the same as the old Excise Law, and is only a regulation of such sale, and it is entirely different from the prohibitory law entitled "An Act for the prevention of intemperance, pauperism and crime," which was declared unconstitutional in the cases of Wynehamer agt. The People and The People agt. Toynbee, 3 Keyes, p. 235, &c. It must be deemed as a settled law that it is competent for the legislature to regulate the sale and disposition of spirituous liquors. That the principle was fully recognized by the Court of Appeals in the two cases last cited, and cannot now be questioned. Third: It is insisted that certain provisions of the law regulating the conduct of persons having licenses, and giving the power of arrest to public officers, and to close and keep closed any place in which there shall have been any violation of the act are unconstitutional, and that the entire act is therefore void.

I do not deem it necessary or proper to consider or express any opinion of these questions. These provisions are distinct and have no necessary connection with that under which the question is raised by the return in this case. It is well settled that a law invalid in some of its provisions may nevertheless be valid and enforced as to the residue. The rule on that question is well stated by Judge Sheldon in the People agt. Toynbee, 3 Keyes, p. 443. He there says the general rule on this subject is that where a part of a law is in conflict with the Constitution, and that part is entirely separate from the residue, so that the other portion of the law can be enforced without any reference to it, there the unconstitutional part only will be condemned, and it was said by the Court in Commonwealth agt. Ketchingers, 5 Grey's Reports, p. 486, that "The constitutional and the unconstitutional provisions may even be mentioned in the same section, and yet be perfectly distinct and separable, so that the first may stand, though the last fall. The point is not whether they are contained in the same section for the distribution in sections is purely artificial, but whether they are essentially and inseparably connected in substance." The only question raised by the return is whether the sale by De Vaucne of the ardent and spirituous liquors mentioned therein, without a license granted by the Commissioners of the Metropolitan Board of Health, subjected him to arrest and imprisonment on the complaint and oath made against him.

Such sale is in express terms prohibited by the act, and is declared to be an offense punishable by fine, or imprisonment, or both. The act constitutes this a distinct and separate offense, having no connection with any other; and if the views at once expressed are correct, it follows that De Vaucne was properly held in custody under such complaint, and that he was not improperly detained or restrained of his liberty, and consequently is not entitled to a discharge. He must, therefore, be remanded and all further proceedings on the writ of habeas corpus be discontinued.

[The above opinion, by Judge Scott, in the case of De Vaune, is similar to that of Judge Gilbert in the case of Ketchum. Both Judges sustain the Excise Law in their decisions.]

SUPREME COURT—CHAMBERS—JULY 16.—Before Justice CLERKE.

DECISIONS.

Susan Trover agt. Jno. Trover.—Report of referee confirmed and judgment of divorce granted.

William Behrendt agt. Petra M. Behrendt. Eugene Chase agt. Cecelia Chase.—Reports of referees confirmed and judgments of divorce granted.

Joseph W. Hanax agt. Thomas Cornell.—Motion to continue injunction denied with $10 costs to the defendant.

William Van Wagner agt. Joseph Spirl.—Motion to continue injunction granted with $10 costs, to abide the event.

Robert B. Corbet agt. The New Lebanon Petroleum Company.—Motion granted on judgment of costs of entering up judgment and $10 costs of motion.

Thomas G. Little agt. The United Oil Land Association et al.—Settled. Amendments herein prepared in behalf of the defendants allowed.

Hulda Rohrscheider agt. Carl F. A. Rohrscheider.—Report of referee confirmed and judgment of divorce granted.

In re, the petition of Henrietta M. Fuller for alimony, &c.—Reference ordered to ascertain what amount of alimony should be allowed.

Edward A. Greene agt. The Montana Mill Company et al.—Motion for stay of proceedings granted with $10 costs to abide event.

William Coleman et al. agt. The Second Avenue Railroad Company and Benjamin T. Seely.—Report of referee sent back to ascertain if any amount is due to Seely, and if any, what amount—eight days' notice of hearing to be served on the attorneys of the Second Avenue Railroad Company, the report in all other respects to remain as it is—$10 costs of this motion to abide event.

Charles Warren agt. Charles S. Smith.—Motion to dissolve attachment denied without prejudice to the defendant's right to move that the persons who hold the money should be compelled to deposit it—$10 costs to abide the event.

Jennie B. Hilton agt. Geo. W. Niles et al.—Motion for Receiver granted with $10 costs to abide the event.

Frances W. Roe et al. agt. Calista A. T. Allaire et al.—Motion to set aside inquest granted on payment of $50 counsel fees in addition to taxable fees and costs of trial and entering up judgment, and also on respondent stipulating to have the issues tried in October.

The People ex rel. Edward Gebhardt agt. Matthew T. Brennan. Controller.—Motion for mandamus granted.

SPECIAL TERM—Before Justice DAVIS.

DECISION.

The People of the State of New-York agst. The Harlem Bridge, Morrisania and Fordham Railroad Co.—That said defendant is entitled to judgment dismissing the said complaint with costs and judgment is accordingly ordered. (See written decision and reasons for the same.

COURT OF COMMON PLEAS—SPECIAL TERM—JULY 16.—Before Judge CARDOZO.

Driscoll agt. Schultz.—Motion to continue injunction granted, with $10 costs.

UNITED STATES COMMISSIONER'S OFFICE—JULY 16. Before Commissioner STILLWELL.

COUNTERFEIT NATIONAL CURRENCY.

United States agt. Wm. Sheets Nice.—The accused was arrested for attempting to pass on J. B. Walsh a counterfeit $10 bill on the Highland National Bank. The plates of this issue are very inferior, and not likely to deceive those accustomed to National bank notes. The prisoner, it is said, had passed one on Henry Hughes the day before for a cigar, and warned Walsh, his barkeeper, to look out for him. The prisoner endeavored to pass another bill on Walsh for drinks, when he was arrested. While in custody the prisoner dropped seven similar bills. He told the officer that he had got the money at the corner of Wooster and Grand-sts., and hinted that he would within an hour enable the officer to find the issuer of the bills if he could get clear, and would inform on him.

The Commissioner held the prisoner to bail in $2,500.

Mr. Staples for prisoner. Mr. Joseph Bell, U. S. Assistant District-Attorney, for the prosecution.

Important Judgment on Bequests—Trustees in other States of Property in New-York.

William F. Bascom et. el. Appellant agt. Caroline Albertson, late Nicholas Lewis R. Brown. Executor of the last Will and Testament of Daniel Nichols and others, Respondents.

[Theodore W. Dwight for Appellant; Daniel B. Jacques, Alex. W. Bradford, and Judge Comstock for Respondents.]

The appeal in this case was from a judgment affirming a decree of the Surrogate of the County of New-York, made July 3, 1863, on the final accounting of Lewis R. Brown, executor of the will of Daniel Nichols, deceased. The appellants were William F. Brown and others, residents of Vermont, claiming to be trustees appointed by an order of the Supreme Court of that State at a term thereof held in January, 1860, upon filing a copy of the will, and also claiming to be trustees under a written memorandum of appointment of the ex-judge of the Supreme Court of Vermont, signed by four of the six at Burlington, Jan. 11, 1860, and by two of them at St. Albans on the 17th of that month. The appointments were made for "the purpose of receiving any and all bequests, gifts, legacies or devises in said will contained, for the purpose of founding an institution for the education of females, to be located at Middlebury, Vermont, and to found, establish and manage such institution according to the will of said Testator and the laws of the State." These appointments were procured to conform with the different modes pointed out in the second section, and in the residuary clause.

The will was executed at New-York on the 21st of August, 1857, and the testator died in that city in February, 1858, and was at the time of his death a resident of New-York. The estate amounted to about $150,000. The question involved was the validity and effect of two clauses of the will. The prevailing opinion was written by Porter, Judge, affirming the judgment appealed from, in which Davies, Chief-Justice, and Wright, Judge, and Peckham, Morgan, Leonard and Smith, Justices, concurred. Hunt, Judge, also read an opinion affirming the judgment, but upon different grounds.

In this case the Court held as follows: That a bequest by a New-York testator to such persons as the Judges of another State may appoint after his death to receive, is ineffectual for the purpose if unlawful in the State of his domicil; that such bequest is void under the laws of New-York; that it has been the settled policy of this State to encourage donations and endowments for educational, religious and charitable purposes, by providing for the administration of such funds, through organized and responsible agents, sanctioned by legislative authority, subject to legislative regulation and control; that such institutions, otherwise valid, are capable in our Courts of being made to institute, organize and maintain themselves as corporations, having authority by charter or by law to receive them, and when the purposes contemplated by the donors are within the range of the objects of such societies and the scope of their corporate powers; that the English system of indefinite charitable uses has no existence in this State, and no place in our system of jurisprudence; that the authority which, prior to the statutes of 43, Elizabeth, was exercised by the English Court of Chancery in respect to pious uses, as distinguished from other uses and trusts, was not a part of its original and inherent judicial power as an equity tribunal, but a branch of the jurisdiction it assumed to exercise in virtue of the royal prerogative, and the *cy pres* powers, with which the courts of this State have not been invested. That by the statute of 43, Elizabeth, various abuses of the previous system were remedied and the law of indefinite charities was substantially codified, certain enumerated uses of this nature being sanctioned by Parliamentary authority, and all not thus sanctioned being permitted to fail.

That the new abuse which grew up under this statute led to the adoption of further parliamentary restraints, in the Mortmain act of 9 Geo. 2, p. 36. That the design and effect of the repeal of the statutes of 43, Elizabeth, and the Mortmain acts by the Legislature of 1788 must abrogate in this State the English law of indefinite charitable uses; and our subsequent legislation has supplied a complete and harmonious system of charities, sanctioned by legislative authority, subject to statutory regulation, and adapted to the condition of our people and the nature of our institutions.

That there is nothing to withdraw gifts to mere private trustees for indefinite charitable uses from the operation of the provisions of the Revised Statutes in relation to uses and trusts, perpetuities and the limitations of future estates, and the prohibitions contained in these Statutes are in direct contravention of the English law on thif subject as it existed at the time of the revolution, when our first Constitution was adopted.

The cases of the Baptist Association vs. Hart's Executors (4 Wheat. 1); Gallaygo's Executors vs. Attorney-General (3 Leigh, 474); Ayres vs. The Methodist Episcopal Church (3 Sandford, 351); Yates vs. Yates (9 Barb., 324), and Fountain vs. Ravenel (17 How, U. S. R., 369), in accordance with the foregoing views, were approved. The case of the New-York Protestant Episcopal School (31 N. Y. Rep., 574) explained; and the cases of Shotwell vs. Mott (2 Sandf, Ch. Rep. 46) and Williams vs. Williams (4 Sell., 525), so far as they are inconsistent with these conclusions, were overruled.

JOEL TIFFANY, State Reporter.

AGRICULTURE.

The Great Implement Trial.

From Our Own Correspondent.

AUBURN, N. Y., July 11, 1866.

That great bodies "move slowly" is well verified in the movements of this great implement trial. The actual field trial was postponed yesterday, to enable the machine men to get ready. Yesterday all the machines should have been upon exhibition, should have been weighed, and numbers drawn for the lots to be mowed. Instead of that I found the machines being weighed at 10 o'clock, the hour fixed for commencing work, three miles distant. The consequence was that the work was not commenced until noon, and a good many lookers-on were sadly disappointed. Yet "nobody's to blame"—"the delay is inevitable." This is the only consolation for the afflicted.

There is not as large a crowd here to-day as many have anticipated, but there are a good many persons anxious to find out "which is the best machine." One farmer has just said to me: "I came yesterday 40 miles to buy five machines for myself and neighbors, all of whom wanted me first to see this trial, and get the opinion of the Committee as to which machine to buy."

That opinion may be useful to those who wish to buy another year. It will hardly avail them this harvest.

To the farmers who do attend, there is one thing that will avail. They have an excellent opportunity of examining the various machines exhibited, and hearing the owners of each give its good points and the bad points of its rivals. It is in this respect "a school of instruction to farmers." It is in, too, in which there is much for them to learn.

Yet after all their instruction, study, inquiry and with every effort to determine the question, it is one of the most difficult for them to solve. How it is possible, among so many excellent machines, to say which is actually best, in all respects, is more than I can imagine. As a general thing, machines with two wheels, and flexible cutter-bars, appear to be the most in favor—probably because nearly all are so mounted. Yet the Kirby machine with one wheel is so constructed that its bar is quite as flexible, and the machine as adjustable to uneven surfaces, as those with two wheels. I believe the Kirby and the Buckeye are the only machines now made with but one driving wheel, and the immense number of the Kirby manufactured, show that a one-wheel machine is favored by a good many farmers.

FIRST DAY'S TRIAL OF MOWERS.

The farm of W. S. Leachs is one of the richest among the rich lands of Cayuga county. It contains 243½ acres, and 243 acres of tillable land, and all of it workable in a few hours after a heavy rain. It is valued at $100 an acre, the buildings adding very little to the value; the present owner having commenced with nothing, has worked out the farm and stock and is now ready to begin the work of new buildings. Of his ability to do so, my readers may judge when I tell them that a 40 acre field of barley now in view, I estimate good for 45 bushels per acre, and a field of wheat, now ripe enough to cut, at 30 bushels. The clover-field, in which the mowers are now at work, has a very heavy growth—lodged flat. It is also studded with that fall white blossom weed (*Erigeron Strigosum*), known as "flea bane," "small daisy," etc. The ground is smooth and pretty level, but owing to the condition of the crop, which has been reserved a week or more beyond its proper time, it is in a bad condition for mowing.

The Buckeye Machine, by Adriance, Platt & Co., drew No. 1. The Eureka, J. D. Wilbur, No. 2. The American Mower, W. H. Halliday, No. 3. The Kirby, D. M. Osborne & Co., No. 4. These worked together, No. 4 coming out ahead, cutting its acre in 46 minutes, cutting a swarth 4ft. 8in., Mr. Osborne himself driving an excellent steady pair of horses. No. 2 cutting 6ft., driven by the inventor, would have finished first, but for the accident of a breakage. This machine is unlike any other in use, the cutter bar being directly in front of the wheels as I have before mentioned.

No. 1, driven by John P. Adriance, cutting 4ft. 1in., was the next out, having made no stops, and backing for a clear way once slightly, finishing in 54 minutes.

No. 3 slightly exceeded the limited time of one hour for each acre. All the work was about equally well done, and considering the character of the stuff cut, was remarkably well done.

After dinner four other Nos. were called; No 5 and 6 Cayuga Chief machines, of C. Wheeler, Jr. No. 7 not being ready, its place was taken by the same Kirby machine that worked before, driven by the proprietor. No. 8, the same Buckeye as before.

I will here remark that several machines are entered in duplicate numbers, as "single mowers," "combined mower and reaper;" "hand raking" and "self-raking," so that the work of four machines may actually be done by one.

Of the quality of the work of all, I have heard but one opinion. All are competent, even new as they are, to mow each its acre, in one hour, without heating the journals, or fatiguing the horses. It is certainly competent for any farmer to mow ten acres of tangled clover in a day; and in the case of the Kirby machine it is demonstrated that it can be operated by a "cheap hand," as the man who worked it to-day only has an income of $40,000 a year. At any rate it shows that such a man is willing to labor in behalf of the farmer, in the great work of improving machinery to facilitate farm labor.

These trials are quite as important to the manufacturer as to the farmer. It not only brings various machines together, show their good and bad points in competition, but it enables him to hear the various opinions of farmers, as well as his contestors for public opinion—to see the defects and improvements—to hear complaints and commendations.

In the second trial, the Kirby, driven by D. M. Osborn, finished his acre first, coming out in 49 minutes—the others but little behind.

The third trial of four machines was by the Columbian Junior Mower, American Agricultural Works, New-York; the Harvest Clipper, R. Dutton, Newport, R. I.; the Yankee Mower, Dow & Fowler, and an Iron Mower, Ohio and Buckeye Combined, Dodge & Stephenson.

Of these the first out was the Yankee Mower, in 48 minutes, with pretty severe labor of horses; the Harvest Clipper next, working much easier.

Like the others these are all excellent machines. I leave it to the Committee to say which is best. It is claimed for the Yankee Mower, that it is very simple in construction and remarkably flexible, working with ease over rough surfaces. This is true, but we do not see how it can claim any great advantage over several others.

The Harvest Clipper is one of the most compactly constructed machines in the whole exhibition, and has some features that must entitle it to a high place among its competitors. For instance, all its gearing and shafts are so covered that they are not likely to become wound with grass, nor to endanger those who are about the machine when it is in operation. Then it has an improvement in the joint that couples the knives to the driving gearing, that must commend it to every mechanical mind for simplicity and effectiveness. I judge from the appearance of the horses that this is also an easy working machine. As it is a newly-contrived one, its owners have not the power to say it will wear well through seven or eight harvests, as the Buckeye & Kirby machine men can say of theirs, which gives them great advantage, for with all other recommendations the farmer wants to be assured upon the score of durability.

All of the four last named machines worked this afternoon "out of turn," and have consequently obtained this notice, because the owners of those which drew preceding numbers were not up to time. They may tell of any notice, as they deserve to fail, for want of punctuality, as I shall consider it more important in the morning to attend the Dynamometer trial, which is to take place upon another farm, and which will determine a most important consideration for farmers—that is, ease of draft. A machine that is noted as "a horse killer" will never be a popular one.

So far, the difference in time of cutting an acre between the fastest and slowest machines, is about twenty minutes. Under some other circumstances this difference might not appear so strong, and it might appear to the farmer that the slowest machine was an easy working one, and would therefore find favor. But we be to its popularity if it proves both slow and hard upon the team.

The weather so far has been as fine as could be asked for. It is clear and pretty warm in the middle of the day, but not excessively hot. It is good harvest weather, and farmers are generally employing it to secure one of the best hay crops ever gathered. Some fields of wheat are now fit to cut, according to the modern and most approved rule of harvesting the grain while in "the dough state."

I have been told to-day that there are many fields of wheat which promise 15 to 25 bushels per acre, for which the owners would gladly have taken five bushels a few weeks since. This increase of prospects among farmers has produced a great increase of sales of reapers and mowers. I see wagons loaded with them passing out of town almost continuously. The sales of the Auburn manufacturers will probably exceed any former year. The great increase of farm machinery is rapidly increasing the agricultural productive power of America.

AUBURN, N. Y., July 12, 1866.

Another lovely morning, opening with a little more encouraging prospects than the first, but like other "good intentions," resulted in nothing but intentions. At eleven o'clock there was no beginning of the Dynamometer trial, and so I abandoned that part of the field for the other, where I found the following machines at work: The Eagle combined machine of E. F. Herrington, Rondout, N. Y.; one of Walter A. Wood's combined machines; and one of Osborne's one horse Kirby machines. This machine cut its acre in 73 minutes. The Hubbard mower which was to have gone in upon this trial, met with an accident and had to haul off for repairs.

While this trial was in progress, the people were giving their attention to the operations of two of Ballard's hay tedders, many of them never having seen one in operation before. They do the work of thinning hay most effectually, but with hard work for one horse. The two horse machines worked admirably. Although I do not believe in the necessity of stirring machine-mowed hay as much as is generally practiced, yet I have the authority of the Hon. George Geddes, that a hay tedder is an indispensable farm implement.

The afternoon was devoted to the trial of hay rakes and hoists, by which machines and boats are drawn hard upon the ground, the tedder will pick it up and dry it more than four times as fast as it can be done by hand. It is an excellent machine to shake water out of hay. Some seasons it is of very little importance, but such a one as the present it has been valuable.

A number of hay rakes were also at work; several were toothed; one of them newly patented, by S. R. Nye, Barre, Massachusetts, shows some excellent improvements in convenience of working, and improvement upon the old wooden wheels, is a decided improvement upon the old.

The raking of the lots showed, developed the fact that all were about equally well mowed, except by the Eureka's; that by the Buckeye was generally spoken of with admiration, yet the other lots were all done so well, that no one could object to the quality of the work, or the time in which it was accomplished. I could not help thinking that the Wood machine tried this morning was very hard to beat in every respect.

At the second heat the machines tried were two of C. Wheeler's Auburn machines, one of Osborne's Kirby machines; and one of Aultman, Miller & Co's. Ohio and Buckeye combined. The two Wheeler machines cut their acre each in 48 and 49 minutes; the other two were a trifle longer, and all did their work perfectly.

Mr. Miller, the inventor of the original Buckeye, was present, and felt justly proud of the continued success of his invention for more than eight years. Some of his strongest competitors at the first start, have been long since laid upon the shelf. I believe the only one that was at the Syracuse trial in competition with the Buckeye, that still holds its place, is the Kirby machine. McCormick, even, has been obliged so far to yield to the popular requirement, as to mount his machine like the Buckeye upon two wheels.

One of Mr. Miller's latest improvements is a very compact iron frame, which only weighs some 60 pounds. The Buckeye seat is always in favor with farmers, being so arranged that the driver sitting upon it places his feet upon a platform, which resembles the body of a wagon in miniature, holding his tools or any other loose articles.

The weight of the above machine is 663 lb. The following are the weights of a few others: Adriance, Platt & Co.'s Buckeye, 596 lb. From this I judge that the iron frame adds only 63 lb. to the weight. Wilber's Machine, 820 lb.; Halliday's Machine, 625 lb.; The Kirby, 670 lb.; a single horse Kirby, 465 lb.; Wheeler's Cayuga Chief, 1,050 lb.; Wood's Hoosier Falls Machine, 603 lb.; Columbian, jr., 705 lb.; the Rhode Island Clipper, 662 lb.; The Yankee, 611 lb.; another Cayuga Chief, 670 lb.; The Eagle, 655 lb.; the Ohio and Buckeye, Dodge & Stevenson, 781 lb.; the Pennsylvania, 560 lb. Prices range $120 to $195, according as machines are wanted simply for mowing, or for mowing and reaping combined. There is but little competition in prices between the different manufacturers; each one selling about all he can make; and each one striving to add some improvement, or extra in the way of workmanship, to attract customers.

The public will undoubtedly profit by this trial, as it gives the manufacturers an insight of defects and improvements which could not be easily seen by those who look on, who, by the by, are not so numerous as they were yesterday. It is because the work proceeds so tediously slow that mere lookers on lose all patience. One of them looking at Mr. Conger wasting precious time in counting the pulsations of horses to ascertain which machine had caused the greatest degree of fatigue, could not refrain from crying out against "such abominable tom-foolery." Fatigue of a team does not depend always upon the strength exerted by a team as much as it does upon whether it was accustomed to that kind of work.

There has been, in the opinion of all the owners and workers of machines, as well as in the lookers-on, a great deal of time fooled away during these two days. For instance: the machines which worked yesterday were ordered to assemble a mile and a half distant, at 9 o'clock this morning, to have the dynamometer test applied. At 3 o'clock this afternoon I found them with their tired horses and tired men, strung along the fence outside the field, fairly broiling in the hot sun, not having seen the dynamometer, nor a committee-man, or any one to tell why they had thus been imposed upon, in a manner "well calculated to disgust them with men who were wasting their time, counting how often a horse's pulse beats, or whether the iron work of a machine, after mowing an acre in the hot sun, is warm or not—regretting they haven't a thermometer to try it."

Such was the language of some of those who had sat six hours in the dust and sun, waiting for "something to turn up."

So far, a good deal of dissatisfaction exists. The owners of machines are counting the cost, and calculating advantages, and asking, "When is this ever to end?"

The President of the State Society is a learned, excellent man. He is not a good general in the field. As he is of a disposition naturally retiring from rather than assuming command, it leaves the field open for one of the committee, who is of an entirely opposite disposition, to assume the whole direction, and the consequence is a most lamentable inefficiency. He is just as fit for a director of this business, as McClellan was to command the Army of the Potomac. If to-morrow does not show a "change of mass" and better generalship, I fear it will show a general retreat, as to-day shows a general murmur at this "how not to do it."

I witnessed to-day, the operation of "Faust's patent hay loader," and am constrained to say that it may be a labor-saving machine under some circumstances. If the ground is level and smooth, and the distance to haul to the stack short and even, and the day calm, I believe that two men can mount a wagon with one of these machines attached behind, and drive back and forth over the unraked hay and gather up a load much quicker than they could do it in any other way.

Walker's harpoon fork was on exhibition, and justly attracted the attention of those who desire to use a horse-fork. In use, a sharp bar of iron, say half an inch square, sharp, steel-pointed, is thrust into the load, and then, by a trip, about four inches of the point is turned at right angles to the bar, and held there by another bar sliding along the first, and that forms a hook which lifts, the inventor says, 400 lb of hay, and when hoisted to its place, by loosening the trip, the hook straightens, so that there is nothing but a smooth bar of iron for the hay to slide from.

Contrasted with the hay-making of fifty years ago, the facilities of the present day are wonderful. Then an acre of mowing was a strong man's day's work. Now he cuts ten in the same time, riding almost as easily as in a wagon—quite as easily as at that day when elliptical springs were unknown.

Then it was the practice to cut most of the grass while wet with rain or dew, because it mowed easier. It was a tiresome work for the old men and boys to shake out the swaths to enable the hay to cure. Now a man rides upon an easy spring cart, and the hay is shaken up behind him by means of small pitchforks operated by the wheels faster than it could be done by ten men by hand.

It was once a heavy job to rake hay into winrows, ready to cock or pitch upon the hay cart. Now it is done six or eight feet wide as fast as a horse can walk, by the easy labor of a man sitting upon a spring seat. Also he may attach the "hay loader" to his wagon, and rake the hay at once upon the load and haul it to the barn, where, with four or five lifts of a "horse fork," his hay is on the mow.

But the horse work does not end here. He puts a horse on the mow, and a boy drives him around until, by successive loads, the mow is tramped hard, up to the rafters. This is more particularly a "labor-saving machine" in mowing away barley, which, being cut with a mowing-machine and not bound, lies loose in the mow and needs a good deal of hard trampling. One horse and boy can do it more effectually than four men.

"But how do you get the horse down?"

We heard that question eagerly asked by the group of eager listeners to this new application of horse power.

"I have two ways," said the Onondaga farmer, who was telling his brother farmers how to save labor. "Sometimes I cut out a channel with a hay knife, part way down, and jump him down upon a pile of hay on the floor. Sometimes I jump him from the mow upon a load of hay, and pitch that off, gradually lowering the horse toward the earth. There is no trouble about getting the horse down."

This is one of the lessons I have learned at this gathering of farmers. As it is a good one, I give it currency among those who read THE TRIBUNE.

AUBURN, N. Y., July 13, 1866.

Having given the preliminaries so fully in preceding letters, there is but little of interest left of the details of the daily work to interest the reader. The whole will culminate in the complete report of the Committee. I spoke yesterday of the tedious dragging of their work and the waste of time. It has been so great that the farmers hereabout have concluded that they have more important work at home. There were but few here yesterday, compared with Wednesday. The number is fewer to-day. It is time, the season is a busy one; the weather is all that could be desired for sewing the hay, being dry and not excessively hot. It is also true that the manner of conducting the trial of the machines, makes it remarkably uninteresting to lookers-on. They are excluded from the ground so far that they are unable to see and judge for themselves of the work, and, needlessly (foolishly.) I think they are not allowed to know the "official time" of cutting an acre, which the machines severally require. Everything about the dynamometer trial, is conducted upon the same principal of extreme reticence. Even the officers and reporters, who have the privilege of seeing, are "requested not to give any information." Although I consider the request a ridiculous one, but I conform.

I shall not hesitate, however, to say that I believe it would be far more satisfactory to the public, and no particular detriment to old fogyism, to have every fact proclaimed, as soon as ascertained. I have always been in favor of labeling all prize animals and articles that are exhibited at agricultural shows as soon as the awards are made, so that the public could have an opportunity of examining and criticising the work of the committee-men. I would pursue the same course here. I would require each machine to be labeled, with its weight and price, and time consumed in mowing its allotted acre, so that farmers could examine and judge its value as well as the Committee. I am answered. "The slowest machines would not be pleased with this." With all due deference to the old fogy committee-man who said it, I reply that the State of New-York did not appropriate its money "to please" the manufacturers of mowing machines.

The Legislature placed $5,000 in the hands of the officers of the State Agricultural Society for the purpose of developing facts of importance to the farming interest, in connection with agricultural machinery. The Society concluded that such facts could not be developed without submitting machines to a practical field test. It is certain that all cannot win the first prize. Perhaps some may be proved unworthy of the farmer's patronage. Of course that will not be pleasing to the owner, patentee or manufacturer of that particular machine. Yet it may be ultimately to his benefit, for it will force him to stop manufacturing a worthless machine, and to adopt the plans of others, which have been proved more advantageous to those who buy, use and profit by the use of farm machinery.

What would have been the condition of farmers at this day, if inventors had not been stimulated to improve upon the original mowing machine?

It is within the recollection of most of my readers, when the "Ketchum mower" was thought to be pretty near perfection. Do any of them now know of one of those machines in use? If he does, I bet of him to induce the owner to attend this or some other similar trial, and he will sell his old Ketchum for old iron. Several others have gone the same way—have been improved upon until the originals are as much out of date as Fulton's first steamboat.

There is a machine now here, entered for trial and competition with all others, which, as I have good reason to believe, is one of a lot of 300, of a particular pattern, or mode of construction, which were built more than three years ago, and stowed away in an upper loft of a New York warehouse, out of which a portion have been drawn each season and sent among farmers for trial—"sold if satisfactory; to be returned if not." I guess that about fifty were sent out the first season. None were built that year, yet the owner had his original 300 in store the next Winter. I guess he sent out 30 the next year, and stored 300 ready for the third season, and did not send out over 20 for the third year's trial. He can tell—I can't—how many stayed out.

Perhaps I ought to tell farmers the name of this great failure, but if I should, the owner would cry persecution, as the owner of one New-York-made machine did once before, years ago, and thereupon tried to foist his "old horse-killer" into public favor. But farmers soon found out the truth, and that machine ceased to exist, as this one now spoken of will, without any aid from me.

There was a time when second-rate machines could be sold. That time has gone by. Farmers are glad to have the opinions of good judges, yet they have become judges themselves.

The original idea of how to cut the grass or grain still remains—that is, by shears, multiplied, pair after pair, until all that stands before "the cutter bar" is sheared off, making a smooth swath, four to six