THE SCHOLAR IN POLITICS.

GLANCES AT HIS DUTIES.

EXTRACTS FROM AN ADDRESS DELIVERED BEFORE THE UNITED LITERARY SOCIETIES OF AMHERST JULY 9, BY WHITELAW REID.

I wish, under favor of your patience, to depart a little from the accepted custom of the occasion. I venture to ask you, on this high day of the Amherst year, to abandon scholastic themes for the hour, and pass to the broader plane of public affairs.

In some Colleges, such a discussion might, to many, seem out of place. It has certainly not been common to devote these hours of literary festival to affairs seemingly most remote from literature—to invite the Scholar into the ward meeting or the caucus instead of Parnassus.

But this is Amherst—battle ground and bulwark of Orthodoxy, yet leader of Progress;—Amherst, that counts Noah Webster, prince of practical scholars, among her founders; that claims and may well prize as a semi-centennial trophy the first translation of the Assyrian inscriptions, and on the other hand merits equal honor as a pioneer in giving modern languages recognized place and right in the College Curriculum; that maintained her prayer meetings as rigidly as her recitations, but was the first to make muscular Christianity a corner-stone of her creed, and practice in her gymnasium as indispensable as Cæsar or Thucydides;—Amherst, with her old veins so full indeed of the new fever of our times that she even sent out her "Aggies" to beat the world in boating, and then calmly and peacefully finished the work in the most domestic fashion, by sending out her family crew to beat the Aggies!

Let me recall—in no spirit with which every alumnus and every officer of the institution will not cordially sympathize—one other incident of Amherst history. It was here that a learned and patriotic Faculty, by formal resolution and unanimous vote, required and enforced the disbandment of an Anti-Slavery Society among the students. I venture now to urge upon you *The Duty of the American Scholar to be a Politician, and his Duty as a Politician.*

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It is at once the weakness of our form of government, and the shame of our intelligent classes, that the demagogue, at the outset, has the advantage, and that the office-seekers mainly give the impulse to political movements.

It is a bad impulse. They are a bad set who give it; and a not much better set who, in Congress and especially in State Legislatures, and small elective offices in great cities, constitute the average outcome. The fastidious Father, who wants his College-bred son to keep out of politics, is altogether right, if he means by politics only this vulgar struggle of vulgar men through vulgar means for petty offices and plethoric but questionable gains. Looking only at such agencies, and such results, we may well marvel at the national prosperity, and fall back, in our bewilderment, upon Heinrich Heine's witty adaptation of Boccacio's wicked epigram, for an explanation: "The same fact may be offered in support of a Republic as of Religion;—it exists, in spite of its Ministers!"

Yet, where is the government that does better? Where is the government that does so well? And no matter whether it does well or ill,—paint our politics as black as you will,—all the more I say you make it the duty of better men, in their own interest, to enter in and take possession.

What I wish then, first of all, to insist upon, is the essential worth, nobility, primacy indeed of the liberal pursuit of Politics. It is simply the highest, the most dignified, the most important of all earthly objects of human study. Next to the relation of man to his Maker, there is nothing so deserving his best attention as his relation to his fellow men. The welfare of the community is always more important than the welfare of any individual, or number of individuals; and the welfare of the community is the highest object of the science of politics. The course and current of men in masses—that is the most exalted of human studies, and that is the study of the politician. To help individuals is the business of the learned professions. To do the same for communities is the business of politics. To aid in developing a single career may task the best efforts of a teacher. To shape the policy of a nation, to fix the fate of generations, is this not as much higher as the heavens are high above the earth? Make the actual politician as despicable as you may, but the business of politics remains the highest of human concerns.

THE NEW ERA IN POLITICS.

There is a special reason why, in our country and time, it should more than ever command the best abilities of our best men. That reason, in a word, is that the age of the Sentimental, in Politics, has passed. We have ceased to conduct campaigns on fine feelings. Emotional politics went out with the war. Instead of questions about God-given rights, and bursts of pathos over the claim of every being God created to the free air of heaven, and thrills at the unfurling of the flag, we have serious reasoning as to the effect on National prosperity of putting a duty of one per cent ad valorem on imported Pig Iron; or the power of compelling railroads to carry passengers for three cents a mile, and freight in proportion, without reference to the number of times you have to break bulk. All this is but a change that we see in all our institutions, that is in the times, is in the air. Even the undergraduates about us have felt it. Ten or fifteen years ago, the staple subject here in Amherst, for reading and talk, outside study hours, was doubtless English poetry, and fiction. Now it is English science. Herbert Spencer, John Stuart Mill, Huxley, Darwin, Tyndall, have usurped the places of Tennyson and Browning and Matthew Arnold and Dickens. The age itself has changed, and the politics change with it. We are no longer sentimental; we have mines to develop instead of fugitive slaves to fight over; Congressmen to watch instead of United States Marshals; the percentage on our funded debt to calculate instead of a percentage for a draft; Pacific Railroads to inspect instead of army corps.

Naturally the Sentimentalists die hard. They have had an easy and a powerful sway over the National feeling, and they do not surrender it without a struggle. It was a great principle on which they rode into public esteem. Ever since they have been hunting for hobbies which they might try to persuade the public were great principles too. One screams about the Chinese; another about the slavery of our Mothers and Sisters; another about the serfdom of labor in a country where every laborer may become, in a small way, a capitalist, in the second or third year of his continuous work. The great orator of the Anti-Slavery epoch, the greatest popular orator indeed of our time,—and I say this, who grew up under the spell of Thomas Corwin, and watched in later days the star-lit logic of Henry Winter Davis,—has been floundering in such Serbonian bogs ever since Appomattox left him stranded in Boston with his vocation gone.

The Rev. Petroleum V. Nasby solemnly observed to me the other day that he no longer took any interest in politics. He will do better by and by, but in that he stands as a type for the whole race of the sentimentalists. And yet our politics seem to me to offer more now than ever before to fascinate the intellect and tax the best culture of the time. To hate Slavery, to love the flag—thank God, that required no scholarship. On issues like that the People need no intellectual leadership. On questions that involve learning and study, the better educated may lead; where an honest conscience is sufficient, they will lead themselves, and lead—as for fifteen years they did lead—their leaders!

ISSUES OF THE DAY.

Nowadays the would-be leaders are bewailing the lack of "great issues." They seem to me to mistake the case. The issues are greater than ever;—only now they demand thought instead of feeling. It is no longer a case for inspiring sentiment about the God-given right of the black man to the free air of Heaven; it is the knottier problem of keeping the free black man from stealing the State of South Carolina bankrupt;—or from uniting with his inferiors among the white men transiently resident in Louisiana, to fan into fresh flame the hates of the civil war, and thus ruin the material prosperity of the State. The black man's right to his child;—that was a claim it needed no ghost from college walls to enforce;—the Congo as a legislator;—there is a problem to tax the coming Cavour or Bismarck of our country,—a problem, indeed, that might well demand for its solution some new Plato, or Bacon, or Montesquieu.

You know Carlyle's analysis of representative government. "If, of ten men, nine are recognized as fools, which is a common calculation, how in the name of wonder will you ever get a ballot-box to grind you out a wisdom from the votes of these ten men?"

Of course the superficial answer to this extravagance is "Educate the other nine." But it is an unsatisfactory answer. You cannot always educate them. They are not always willing to take education if you have the power to give it. They have not always the ability to receive it, however willing they may be to take, and able you may be to give. At the best it is a remedy for the next generation;—not for the one in which, for us and ours, representative government must succeed or fail. Mr. Herbert Spencer has a better answer; and it is one that deserves special note in a consideration of American Politics by American scholars: "Those who elaborate new truths, and teach them to their fellows, are nowadays the real rulers, the unacknowledged legislators, the virtual kings. When the dicta of the Thinker cannot get established in law until after a long battle of opinion—when they have to prove their fitness for the Time by conquering Time, we have a guarantee that no great changes which are ill-considered or premature can be brought about."

There then is our hope. With the scholars of the land rests the real control of its democratic representative government. If the Thinkers are doing their duty, they are the real rulers. And their rule is pre-eminently safe, because they never attain, till, in the battle of opinion, they have fairly won it. But they fail in their high place, and are false to the country that claims their best service, as well as their own interests, if they keep daintily out of the actual strife. Their place is in the market and the court with Alcibiades, quite as much as under the plane trees with Socrates.

To all this two objections are sure to be urged. One will deny that, in the high sense, there is a class of scholars in America. The other will question whether, in a country where the most ignorant prides himself on being as good as you or a little better, there can be any chance for scholars to exert a legitimate influence.

Well;—as to American scholarship we shall gain nothing by playing the children's game of "Make believe we're grown folks now." Eton is doubtless nearly as good as Amherst—more's the pity; Harvard and Yale scarcely reach beyond Rugby or the best of the German gymnasia;—we have no approach to the real Cambridge or the real Oxford, this side the Atlantic. And yet a country that in the first century of its existence can point to linguists like Whitney and Drisler and Hadley, to men of science like Henry and Agassiz and Draper and Pierce, to Colleges that nurture professors like that one at Dartmouth who develops and almost recreates the Spectroscope, or that one in Amherst who gave to American Geology the finest collection on the Continent, a country that has Lowell and Longfellow, that had Hawthorne and has the promise of his lineal successor in Howells, that matches Carlyle with Emerson and Froude with Motley, that has given to pure scholarship a series of translations of the great world poems, begun by Longfellow and Bryant, and nobly concluded by Bayard Taylor, to be followed in due time by an English Theocritus from Wall Street well worthy to end the splendid series, may ignore sneers at the incoherent nature of its scholastic apparatus, and dismiss the question as to whether there is such a thing as American scholarship.

But can it get a hearing in politics?

"The finding of your Able Man," says Carlyle, "is the business, well or ill-accomplished, of all social procedure whatever, in this world." The power and real rule of the Able Man is to-day as absolute as ever. "The tools to him that can use them,"—more and more, as civilization grows complex, that becomes the inexorable, unvarying rule of every successful business in life. Only the character of the Able Man has changed. Carlyle found him generally a soldier. Now he is never such; or if by chance a mere soldier drifts into the Able Man's place, he is an anachronism. But, year by year, in business, in law, in politics, in all our intellectual and social activities, more and more the man of the highest intellectual equipment and the best disciplined faculties comes to the front and takes command. The scholar does have his place, and can get his hearing, if he will.

[The speaker here considered a number of the questions rising dim and vague through the mists of the near political future, and sure to tax legislators and politicians through the next quarter century. Among them were such questions as these:

How are you going to punish crime;—or, specifically, how are you going to punish murderers so as to discourage murder?

How are you going to stop official stealing, and obtain that civil service reform which is now at once the most crying necessity and the most pitiful burlesque?

How are you going to control your corporations so as to protect the rights of the people without impairing their interests, and diminish the power of the corporations without destroying their usefulness?

What shall be the relations between the man who has labor—skilled or unskilled—to sell, and the man with money to buy it?

Is there to be any limit, educational or otherwise, to suffrage, or any question of race to interfere with the annexation of all outlying tropical and semi-tropical dependencies?

Shall the strain on suffrage be prevented by Compulsory Education?

Must we not abandon the theory that we get the best officers in all cases, or in four-fifths of the cases, by election?

Etc., etc., etc.]

THE INDIAN PROBLEM.

What shall be done with our Indians? We have about exhausted on them the possibilities of our national permutation of policies. We made treaties with, we made war upon, we granted peace to these incoherent, helpless, barbarous Indian wanderers within our own borders, just as we might have done with France, our traditional, or Great Britain, our natural friend and ally. A gang of breech-clouted stragglers stole horses and scalped an occasional captive along the frontier. If they had been white, we should have thrown them into jail; as they were copper-colored, we straightway opened diplomatic negotiations with them, sent embassadors to them, entreated them with gifts, made a treaty with them. Presently, of course, they robbed or scalped somebody else, exactly as more intelligent and responsible criminals are wont to do, when they get out of the clutches of the law. Then we made National war upon them, conquered them (sporadic Capt. Jacks meantime giving us many a hard struggle over it), and then negotiated fresh treaties with them, which we ratified with fresh gifts. And then, the stragglers went upon their reservations; whence, when the grass for their horses was green again, they emerged for fresh raids, to be followed by fresh fights, fresh treaties, fresh returns to the reservations, and thence, again, and yet again, as the musicians say, *da capo*. Does any rational being doubt that all this was from the beginning, fifty years ago, and is now, the quintessence of civilized, organized, Christianized, Congressional and Presidential foolery? But what will you have? If these half-starved, irresponsible, worthless wanderers are not an independent Nation, mysteriously existing within the limits of another yet retaining their autonomy and their independence, to be dealt with under the sanction of treaties and the law of Nations, what are they? Are you ready to accept the obvious, as the wise, solution of the problem that has perplexed two centuries of Anglo-Saxon rule on this continent?—to wipe out with one stroke your historic policy of National treaties with wandering gangs of vagabonds, and the application of international law to casual thieves and murderers that belong in your police courts? In one word, are you ready to treat Indians who cannot support themselves like white men of like condition—the peaceable as paupers and the hostile as criminals;—to provide poor-houses for the one and penitentiaries for the other?—to bring both under the equal application of equal laws, to be adjudged by the nearest Justice of the Peace instead of the Secretary of War, or a Major-General commanding a department, or an Indian Commission sent, for their sins, to afflict both; and to remand the army peremptorily to its legitimate business of supporting the civil authorities when, and only when legitimately called upon? That is the heroic treatment of the Indian question. *Is it the wise one?* Is it adapted to our conditions? Has it been found practicable by other nations in their dealings with similar trials? Is there, in any case, a larger opportunity for bringing culture and conscience, Christian humanity and common-sense into politics, for the undoing of a National crime and the suppression of a National scandal?

And here we must pause. At such a transition stage in our National history it is well to look about us and gather together a few of the greater questions that already rise, large and vague, through the mists of the near Future. Are they then worthy the attention of scholars? Rather let us pronounce that scholar unworthy of his opportunities, untrue to himself, his class, or his time, who neglects them.

What is the legitimate function of scholars in this business?

THE SCHOLAR'S FUNCTIONS IN POLITICS.

It is a notable tendency of the men of the highest and finest culture everywhere to antagonize existing institutions. Exceptional influences eliminated, the scholar is pretty sure to be opposed to the Established. The Universities of Germany contain the deadliest foes to the absolute authority of the Kaiser. The scholars of France prepared the way for the first Revolution, and were the most dangerous enemies of the imperial adventurer who betrayed the second. Charm he never so wisely, he could never charm the Latin Quarter; make what contribution to literature he would, he could never gain the suffrage of the Academy. While the prevailing parties in our own country were progressive and radical, the temper of our Colleges was to the last degree Conservative: as our politics settled into the conservative tack, a fresh wind began to blow about the College seats; and literary men at last furnished inspiration for the splendid movement that swept Slavery from the statute-book, and made us a free Nation. "The very freedom of literary pursuits," says a philosophical observer, "leads men to question the excellence of the ruling power, and thus despotism and democracy alike find enemies among the highly gifted of those who live under their sway." No higher service than this can be rendered the State. Of all things for a Nation to dread is that passionless, unchanging calm, which for cycles has brooded over and stifled the East. The sentence with which the next great story-teller who followed Macaulay in his incursions upon English History, has concluded his splendid work, fitly and weightily teaches the same lesson. "The worst legacy," says Mr. Froude, as his conclusion of the whole matter, "which princes or statesmen could bequeath to their country, would be the resolution of all its perplexities, the establishment, once and forever, of a finished system, which would neither require nor tolerate improvement." While the scholars of a land do their duty, no such system will be created. Wise unrest will always be their chief trail. We may set it down as, within certain needful and obvious limitations, the very foremost function of the scholar in politics, *To oppose the Established.*

And the next is like unto it. Always, in a free government, we may expect parties, in their normal state, to stand to each other somewhat in the relation described by Mr. Emerson, as existing between the Democratic and Whig parties, both now happily extinct. The one, he said, had the best cause, the other the best men. Always we shall have, under some new name, and with new watchwords, "the old Conservative party, dreading change, gathering to itself the respectability of experience and standing and success, having in its ranks most of the men whom the country has proved on the questions of yesterday, and therefore, by that halting conservative logic which is so natural, on one side so just, and yet so often delusive, prefers to trust on the wholly different questions of to-day and to-morrow. Always, again, we shall have the party of revolt from these philosophers of yesterdays,—the party that disputes the Established, that demands change, that insists upon new measures for new emergencies, that refuses to recognize the rule of the past as the necessary rule for them. It is the party that gathers to itself all the restless, all the extravagant, all the crack-brained, all the men with hobbies, and missions, and spheres. Here, too, as of old unto David gather themselves every one that is in distress, every one that is in debt, every one that is discontented. And so we have again, just as in the old Democratic days, just as in the old Free Soil days, just as in the old Republican days, before Republicanism too in its turn became powerful and conservative, the disreputable party of conglomerate material, repulsive appearance, and splendid possibilities, the perpetual antagonist of conservatism, the perpetual party of to-morrow. Need I say where it seems to me the American scholar belongs? He has too rarely been found there as yet. Mr. Bright's Cave of Adullam has not seemed an inviting retreat for the shy, scholastic recluse, or for the well-nurtured favorite of Academic audiences. But Mr. Bright and our scholars have alike forgotten their history. The disreputable Adullamites came to rule Israel! As for the scholar, the laws of his intellectual development may be trusted to fix his place. Free thought is necessarily aggressive and critical. The scholar, like the healthy, red-blooded young man, is an inherent, an inevitable, a necessary Radical. It is his business to reverse the epigram of Emerson, and put the best men and the best cause together. And so we may set down, as a second function of the American scholar in politics, *An intellectual leadership of the Radicals.*

We do not have so many great men as formerly in public life. De Tocqueville explains the undeniable fact—far more conspicuous now, indeed, than in his time—by what he calls "the ever-increasing despotism of the majority in the United States." "This power of the majority," he continues, "is so absolute and irresistible that one must give up his rights as a citizen, and almost abjure his qualities as a man, if he intends to stray from the track which it prescribes." The declaration is extravagant; yet who that has seen the ostracism of our best men, for views wherein they were only in advance of their times, will doubt that the tyranny of party and the intolerance of independent opinion among political associates, constitute at once one of the most alarming symptoms of our politics, and one of the evils of our society to be most strenuously resisted. We deify those who put what we think into fine phrases;—we anathematize those who, thinking the opposite, put it into equally fine phrases;—and we crucify those whom we have deified, when they presume to disagree with us. Is it needful, on New-England soil, to look far for an illustration? The great New-England Senator, whose fame is a national honor, as his work is the national heritage, and who, as a foremost example of American scholarship applied to American politics, may fairly count on generous regard from an audience like this,—whatever its partisan predilections—who here needs to be reminded of what befel *him*, when, without stain on his character or change in his principles, he came to honest difference in opinion from the generation he had educated and the party he had helped to create? Or take an earlier shame, and one that comes nearer to a New-England College. Who here has forgotten how the very party which had hailed him Prophet, turned to rend the first judicial officer of the nation, because, neither degrading his high place by apologies, nor yielding to partisan demands, he manfully did his duty in a great State trial? He never did a higher duty. No citizen can do a higher duty than to resist the majority, when he believes it wrong—to assert the right of individual judgment and maintain it; to cherish liberty of thought and speech and action, against the tyranny of his own or any party. Till that tyranny—yearly growing burdensome, as the main object of an old party becomes more and more the retention or the regaining of power, instead of the success of the fresh, vivid principles on which new parties are always organized—till that tyranny is in some measure broken, we shall get few questions considered on their merits, and fail, as we are failing, to bring the strongest men into the service of the State. Here then is another task in our Politics, for which the scholar is peculiarly fitted by the liberality and independence to which he has been trained; and we may set it down as another of the functions whose discharge we have the right to expect at his hands, *To resist the tyranny of party and the intolerance of political opinion, and to maintain actual freedom as well as theoretical liberty of thought.*

A great difference between the man of culture and the man without it, is that the first knows the other side. A great curse of our present politics is that your heated partisan never does. He cannot understand how there should be any other side. It seems to him disloyal to have any other side. He is always in doubt about the final salvation of the man who takes the other side. We have good warrant to expect from the scholar a freedom from prejudice, an open hospitality to new ideas, and an habitual moderation of thought and feeling—in a word, what Mr. Whipple has felicitously called a temper neither stupidly conservative nor malignantly radical, that shall make it among the most valuable of his functions to bring into our politics the element they now so sadly need: *Candid consideration of every question on its individual merits; Fairness to antagonists and a willingness always to hear the other side.*

Perhaps it is only the ideal scholar, whom no Dartmouth, or Yale, or Harvard has yet graduated, who will faithfully discharge these various functions in our politics. I frankly confess that, all along, as I have been enumerating the details of his work, there kept rising to my ears the moan of the Irish tenant about his grass land. "That bit o' meadow," he said, "does n't turn out so much as I expected;—and I always knew it would n't!" But if he fails, it is the fault of the scholar himself. "No government can afford"—it is a scholarly New-Englander, ill lost to New-England politics, who gives us the word—"no government can afford the ill will of the men who make the books its people read," who utter the speeches its people hear, who lead the progress its people make. Least of all will a government of the people afford it. Let us remember the pregnant warning given by as true a friend of free institutions as ever lifted pen in their behalf—the lamented John Stuart Mill: "No government by a Democracy"—these are his words of warning to us—"either in its political acts, or in its opinions, qualities and tone of mind which it fosters, ever did or could rise above mediocrity, except in so far as the sovereign Many have let themselves be guided (as in their best times they always have done) by the counsels and influence of a more highly gifted and instructed Few."

To that "Few" I have ventured to address myself. It is an old platitude that the Republic cannot endure without the Church and the School-house. In this too protracted talk I have proposed to myself little else than to emphasize and extend that platitude. Without a Christian scholarship actively concerned with the affairs of the State, this Republic can never rise above mediocrity, nor even survive the gathering evils that at times seem sufficient to engulf it.

[A reference to Horace Greeley, who bore the degree of LL.D. from Amherst, and a few general remarks, closed the address.]

The Hon. John A. Kasson, member of Congress from Iowa writes to THE TRIBUNE to correct a statement, made some time since in its New-Orleans correspondence, that the St. Louis Congressional Convention had passed a resolution advising the construction of jetties in opening the Mississippi Passes. Mr. Kasson states that no such resolution was proposed or passed, but that, on the contrary, the canal project as recommended by the U. S. Engineer was unanimously approved.

THE CITY'S INTERESTS.

DEPARTMENT TOPICS.

AN APPEAL FROM THE MARKET DECISION.

The Aldermanic Committee on Markets met at the City Hall yesterday afternoon to consider the appeal of West & McKay, stand-holders in Clinton Market, from the double decision against them in the market fraud investigation of Sexton agt. West & McKay by two boards of Special Commissioners, the Superintendent of Markets and the Controller. Robert Gow, who conducted Sexton's case in both investigations, appeared and gave in brief Sexton's side of the story. As neither West nor McKay appeared, the case was adjourned till 2 p. m. next Tuesday. Both investigations have been reported in THE TRIBUNE. It will be remembered that Sexton was ousted in October, 1870, from a stand which he formerly occupied, by the threats of McKay, who was a clerk in the market, and under Ring patronage; and that being given an old shed which West & McKay used for storage, he was charged $300 for it. The whole expense to Sexton, including $450, the price of his old stand, and what the fitting up of the new place cost him, was $1,059 44. Mr. Gow proposes to show the committee at the next meeting, not only that the facts in this case are as claimed, but that this was only a specimen of a prolonged system of wrong under the old Ring.

PROPOSALS FOR DOCK MATERIALS.

Three sets of proposals have for some time been advertised for by the Department of Docks, one for piles, one for lumber, and one for iron bolts and spikes. The exact amount of these articles wanted could not be announced, as the department was unable to determine how extensive would be the work of repairs and reconstruction on the city docks. The time for the reception of bids expired on Tuesday, and they were opened yesterday, at 2 p. m., before Controller Green, the Commissioners, and a number of the bidders. The bids offered are given below, the rate for piles being per single one, the rate for timber being so much per thousand feet, and the rate for iron being so many cents per pound. The bids were referred to the Executive Committee of the Board, and the awards will be announced within a few days.

PROPOSALS FOR FURNISHING IRON MATERIAL.—On spikes, 6 inches long and ½ inches square, W. Ames & Co., Jersey City, 5¼c.; Stephen Roberts, New-York, 5¼c. Adolph Starke, New-York, 6c.; J. L. Burke, New-York, 5¾c. On spikes, 7 to 8 inches long and 7-16 inches square, Ames & Co., 5½c.; Roberts, 5c.; Stark, 6c.; Burke, 5 7-10c. On spikes 9 inches and upward long and ½ inch square, Ames & Co., 4¾c.; Roberts, 5c.; Starke, 6c.; Burke, 5 3-10c. On bolts, spike-headed and pointed, 12 to 18 inches long and ¾ inch square, Ames & Co., 4½c.; Roberts, 4¾c.; Starke, 5¼c.; Burke, 4 9-10c. On bolts, spike-headed and pointed, 18 to 30 inches long and ⅞ inches square, Ames & Co., 4½c.; Roberts, 4¾c.; Starke, 5¼c.; Burke, 4 8-10c. On screw bolts, 12 inches long and ¾ inches in diameter (round), Ames & Co., 5¾c.; Roberts, 6¼c.; Starke, 8¼c.; Burke, 6 8-10c. On screw bolts, 12 to 24 inches long and ⅞ inches in diameter (round), Ames & Co., 5¼c.; Roberts, 6¼c.; Starke, 8¼c.; Burke, 6 6-10c. On corner bands, 4½ by ½ inch iron, with countersunk holes for bolt heads, Ames & Co., 5c.; Roberts, 6¼c.; Starke, 7¼c.; Burke, 6 5-10c.

PROPOSALS FOR FURNISHING WOOD MATERIAL.—On white pine plank, 40 feet long, 5 to 6 inches thick, and 12 inches wide, J. Bigler & Co., $42; John Mullen, $44. On white pine timber, 40 feet long, and 12 to 14 inches square, sawed on all sides, Bigler & Co., $40; Mullen, $42. On white pine timber, 40 feet long, 12 to 14 inches thick, sawed on two sides, Bigler & Co., $39; Mullen, $42; J. H. Risley, yellow pine, $32 50. White pine timber, 40 feet long, 12 to 14 inches square, and hewn, Bigler & Co., $30; Mullen, $42; J. H. Risley, yellow pine, $26 50. Southern yellow pine timber, 40 feet long, 12 inches square, sawed, Bigler & Co., $40; Mullen, $45; Risley, $34. Yellow pine plank, 40 feet long, 12 inches wide, 5 inches thick, Bigler & Co., $44; Mullen, $50; Risley, $34 35. Oak plank, 12 feet long, 12 inches wide, 5 inches thick, Bigler & Co., $50; Mullen, $60; Risley, $62 50. Oak plank, 40 feet long, 12 to 14 inches wide, 5 inches thick, Bigler & Co., $60; Mullen, $60; Risley, $73. Oak plank, 12 feet long, 8 inches wide, 5 inches thick, Bigler & Co., $50; Mullen, $60; Risley, $62 50. Spruce plank, 18 to 25 feet long, 10 inches wide, 3 to 4 inches thick, Bigler & Co., $25; Mullen, $30; Wells, Bontelcou & Co., $25; Risley, yellow pine, $30. Spruce and Hemlock dock logs, each, Bigler & Co., $2 90; Mullen, $2 50; Risley, $2 40.

PROPOSALS FOR WHITE PINE AND SPRUCE PILES.

No.	Name.	13 to 16 in. at butt, to 70 ft. long.	12 to 16 in. 64 at butt, to 60 ft. long.	12 to 15 59 in. at butt, 45 to 50 ft. long.
1.	Downs & Co., Philadelphia	$15 each	$12 50	$8 00
2.	Phelps & Kunkland, Brooklyn	12 25	10 40	7 50
3.	K. F. Page, New-York	14 00	11 00	6 50
4.	A. J. Fitch, Jersey City......60 to 65 ft.	12 50	10 50	6 50
5.	Marshall & Co., Boston	15 50	11 00	6 00
6.	Dunham & Co. Tonawanda, N. Y.	11 90	7 00	4 94
7.	John Mullen, New-York	13 89 / 9 50	13 00 / 8 60	12 00 / 8 00
8.	J. Bigler & Co., New-York	12 25	10 00	7 00

GENERAL MUNICIPAL WORK.

No further reduction of the force employed by the Department of Public Works was made yesterday. Mr. Van Nort stated, however, that he should continue the work of reduction, so that more decapitations may be expected. A statement has been circulated since the Board of Estimate and Apportionment, under the provisions of the new Charter, made the necessary appropriations for the several departments, that they had reduced expenditures so as to render necessary the discharge of a large number of workmen in the Department of Public Works and probably cause a suspension of public improvements. This has been the subject of much comment, and has caused apprehension among the boulevard and other laborers that they would be speedily thrown out of employment. The facts, however, according to the Controller, do not warrant any such alarm, for the reductions were made in what may be properly termed the household expenses of the Department of Public Works, and in no manner affect the workmen. They are paid out of the proceeds of assessment and other bonds authorized to be issued by special laws, while the moneys raised by taxation are the only funds subject to the jurisdiction of the Board of Apportionment. The reductions were made with great care, and with a broad view of public interests, principally in the salaries of officials, and other appropriations which do not relate to the payment of laborers or any other workmen engaged on the public works.

In the matter of the Vesey-st. booths, Mr. Shafer, Superintendent of the Bureau of Incumbrances, has been over the ground with an inspector, both making memoranda of the booths which could be closed as nuisances. Mr. Shafer then reported to Mr. Van Nort, and awaits his orders. He states that if Mr. Van Nort agrees, and the means are guaranteed him, he will clear away the objectionable booths.

Mr. Van Nort states that the natural flow of the Croton now only supplies about 30,000,000 gallons of water per day. By drawing from the new reservoir in the Croton Valley the requisite 100,000,000 are obtained, and if the drouth does not continue too long it is believed that there will be no water famine. The recent showers appear to have avoided the Croton Valley.

It was expected that the Commissioners appointed to investigate the charges against general foreman Manning of the Department of Parks would report at yesterday's meeting. They did not, and little beyond routine business was done. Adjournment was finally had till to-day, when considerable progress in reorganizing the Department may be expected.

At the Department of Public Charities and Correction, yesterday morning, bids were opened for furnishing 10,000 tons of coal, to be delivered at the various points indicated by the Department. The contract for supplying the engine and boiler for the new steamer building for the Commissioners of Charities and Correction, to take the place of the Hope, which was sunk in Hell Gate by the Sound steamer Americus, was awarded yesterday to the Quintard Iron Works at $9,500. The hull is building by Lawrence & Foulk of Greenpoint. The new steamer will cost about $22,000, and is to be finished in 90 days.

The Committee on Printing and Stationery of the Board of Supervisors have promulgated an order cautioning persons against furnishing any supplies to any of the County Bureaus unless specially ordered to do so by that Committee. The Committee on Armories and Drill-rooms invite proposals for carpenters' and masons' work, required in the completion of the southerly end of Centre Market, now being fitted up as an armory.

Controller Green received the following amounts, yesterday:

From the Bureau of Arrears, for arrears of taxes, assessments, water-rent, and interest, $10,695 13; from the Collector of Assessments, for assessments for street openings and improvements, and interest, $7,483 70; from the Bureau of City Revenue, for market rents and fees, $1,123 85; from the Bureau of Water Register, for Croton water rent and penalties, $22,899 90; from the Mayor's Second Marshal, for licenses, $719. Total, $42,919 53.

THE MUNICIPAL BALANCE-SHEET.

MONTHLY STATEMENT OF THE CONTROLLER.

Below will be found the Controller's monthly statement of the warrants drawn against the City and County Treasury from Jan. 1 to June 30, 1873, inclusive, also a comparative statement of the city and county debt on Dec. 31, 1872, and June 30, 1873, with a statement of the city stocks:

WARRANTS ON CITY ACCOUNT.

	To May 31.	In June.
Construction new work and improvements and old claims, payable from proceeds of issue of bonds.		
Assessment fund	$9,265,605 87	$37,117 00
Arrearages of 1871, and advertising prior to 1872	227,452 99	......
Arrearages of salaries, Marine Court, 1872	......	22,151 13
Department of Public Parks	279,695 19	17,299 55
Department of Docks	151,407 70	44,693 86
Department of Public Works	2,636,653 43	327,326 00
Department of Public Instruction, school building	25,000 00	......
Fire Telegraph	197,586 48	......
Museum of Natural History	1,907 70	97 18
Amount payable from bonds	12,845,210 21	450,354 73
Payable from taxation:		
Board of Apportionment, expenses of	338 00	......
Board of Apportionment and Audit, expenses of	3,879 93	34 40
Contract Commission, expenses of	5,378 90	......
Cleaning streets under Police Dept	515,000 00	......
Department of Public Parks maintenance	195,900 35	67,832 28
Department of Public Works	461,189 29	66,832 63
Department of Public Instruction	1,024,461 86	341,487 53
Department of Police	1,375,269 00	282,490 06
Department of Finance	197,580 56	42,732 16
Department of Health	61,537 37	11,324 17
Department of Public Charities and Correction	662,256 13	126,725 20
Fourth-ave. improvement fund	136,668 84	73,353 33
Free Floating Baths	1,034 44	186 00
Fire Department	863,534 37	82,673 50
Foundling Asylum, for support of foundlings	8,818 78	......
Interest on city stocks and bonds	2,368,072 61	200,308 67
Judgments	100,430 87	44,277 37
Law Department, salaries and contingencies of	41,954 34	6,307 21
Municipal Correction, bureau of	7,650 00	1,439 40
Printing for Departments, Civil and Police Courts	13,517 33	1,645 57
Public Buildings, construction and repairs	20,473 73	846 25
Removing night soil and dead animals	18,176 96	3,173 19
Revenue bonds of 1874, paid	112,000 00	......
Remission of assessments on church property	10,139 55	......
Stationery and blank books—Departments, Civil and Police Courts	5,802 73	1,107 01
Stationery and blank books—Commissioners Taxes and Assessments	1,479 83	......
Salaries, advertising, and contingencies, Legislative Department	137,146 38	17,245 01
Salaries, advertising and contingencies, Mayor's Office	12,126 84	3,131 23
Salaries, advertising, and contingencies, Board of Assessors	9,311 64	2,498 86
Salaries and contingencies, Department of Buildings	22,261 84	5,147 71
Salaries and contingencies, City Courts	115,507 99	42,918 45
Salaries and contingencies, Board of Revision and Correction	2,166 71	......
Salaries, Judiciary	56,332 71	14,933 04
Amount payable from taxation	3,208,574 09	1,319,023 06
Special and trust accounts—		
Duplicate assessments paid	......	326 00
Excise License Fund	......	4,819 43
Intestate estates	......	137 92
Amount paid from special and trust funds	......	5,343 40
Totals	$21,050,126 70	$1,817,942 78
Total amount warrants on city account		$22,877,069 48

WARRANTS ON COUNTY ACCOUNT.

	To May 31.	In June.
Payable from issue of bonds:		
Arrearages of 1871, and advertising prior to 1872	$33,631 30	$400 00
New County Court-house	38 04	......
Am't payable from issue of bonds	$33,749 34	$400 00
Payable from taxation:		
Advertising	$634 20	$104 00
Armories and drill-rooms	73,001 81	25,309 90
Asylums and Reformatory Institutions	240,509 41	57,617 21
Cleaning and supplies for County offices	41,973 50	6,336 79
Commissioners of Record, expenditures of	13,223 43	633 32
Common Schools for the State	300,000 00	......
Coroners' fees	1,704 03	19,778 68
Contingencies—Dist. Atty's Office	306 86	......
Contingencies—County	3,417 13	977 67
Contingencies—Tax Commissioner's Office	733 00	......
Disbursements and fees County Officers and Witnesses	1,500 00	500 00
Election expenses	40,393 94	......
Interest on County Stocks and Bonds	760,964 27	248,601 75
Jury Fees	13,500 00	5,000 00
Lighting and heating County offices	5,000 38	118 00
Printing for Legislative Department	1,970 34	75 40
Printing for Executive Department and Judiciary	16,364 67	214 21
Repairs to county offices and buildings	3,834 57	8,232 32
Rents	3,250 00	......
Repairing and preserving records, Register's Office	921 34	250 00
Support of prisoners in County Jail	245 00	......
Stationery, law and blank books	4,133 15	1,823 93
Salaries, Executive	68,443 77	1,944 13
Salaries, Judiciary	247,891 79	78,381 02
Salaries, Legislative	10,583 26	......
Totals	$1,395,273 05	$482,619 37
Total amount warrants on county account		$2,377,897 42
Total amount of warrants drawn		$32,954,505 25

CITY AND COUNTY DEBT.

City account.	Dec. 31, 1872.	May 31, 1873.	June 30, 1873.
Payable from Sinking Fund	$24,160,665 50	$23,966,113 50	$23,966,113 50
Payable from taxation	39,635,592 01	44,212,573 43	44,212,573 43
Temporary debt, payable from assessments	16,927,372 30	20,351,372 30	20,351,372 30
Revenue bonds, Chaps. 1, 9, and 29, Laws of 1872	6,416,497 55	6,590,697 55	6,590,697 55
Revenue bonds, in anticipation of taxes, 1873	....	3,991,000 00	4,217,300 00
County account.			
Payable from taxation	$29,987,494 46	$29,990,565 33	$29,990,565 33
Revenue bonds, Chaps. 1, 9, and 29, Laws 1872	1,687,700 00	1,694,700 00	1,694,700 00
Revenue bonds in anticipation of Taxes, 1873	....	953,000 00	2,431,100 00
Totals	$118,815,229 32	$131,769,027 07	$133,314,927 07
Less Sinking Fund	23,348,074 89	23,871,014 33	24,275,906 83
	$95,467,154 93	$107,832,012 74	$109,239,020 24
Cash in City and County Treasury			$2,650,020 24
Cash in Sinking Funds			185,194 77

STOCKS AND BONDS ISSUED IN 1873.

For Croton Water purposes	$925,000 00
For Riverside Park, Broadway widening, &c.	3,731,400 00
For Fire telegraph—arrearage of 1871	197,596 48
For New-York Bridge	150,000 00
For public parks	300,000 00
For Museum of Natural History	2,500 00
For public works, sewer repairs	25,000 00
For public works, street improvements, payable from assessments	1,431,350 00
For Riverside Park, Broadway widening, &c.	1,252,100 00
For revenue bonds, payable from taxation	6,952,100 00
For N. Y. County Court-house bonds	2,163 77
For Public school buildings	25,000 00
Total	$18,575,247 25

The above bonds and stocks were issued in accordance with special laws for works in progress; assessment bonds on account of improvements in progress, and to be repaid by assessments to be collected; revenue bonds, in anticipation of the taxes of 1873, and on account of arrearages and advertising claims authorized by chapters 9, 29 and 375, laws of 1872.

THE WARD'S ISLAND CONTROVERSY.

ANOTHER PHASE OF CHURCH AND STATE.

The Ward's Island Committee of the Commissioners of Emigration held a meeting yesterday at Ward's Island, where testimony was taken relative to the religious controversy at present existing on the Island. The Finance Committee of the Commissioners of Emigration, at a meeting held a few days since, brought before the Commissioners the question whether it would be better to have a salaried chaplain on the Island or have the work done by the missionaries; and also whether it was common in public institutions throughout this country for Protestants and Roman Catholics to have separate places of worship in a common edifice. The church on Ward's Island was ordered to be built on Nov. 23, 1871. It is claimed that the Roman Catholics have taken possession of the edifice, and that Protestants are excluded from it. At the meeting, yesterday, Commissioner Stephenson occupied the chair, and Commissioners Starr, Quintard, and Lynch were present.

The Rev. Mr. Smith, chaplain of the Island, first testified, stating that he was of the Evangelical Lutheran faith, and had been appointed chaplain Feb. 1, 1871; he had never attempted to make any proselytes while on the island; he knew of several instances, which he mentioned, where the Roman Catholic chaplain had attempted to convert Protestants. The Rev. J. Pruchinski, the Roman Catholic chaplain, testified that he belonged to the Society of Jesus; he said that whenever he had a chance he proselyted; he did not remember having been remonstrated with about the matter by the Protestant chaplain; he had persuaded a Protestant mother to have him baptize her child, and had baptized Protestants on their death-beds; he knew of no State laws on the subject; he had given $540 for the church, which went to pay for certain decorations peculiar to his faith; he claimed that the same building could not be used by Roman Catholics and Protestants in common.

Mrs. Salome Krankenleder and Anna Maria Harnsler, both nurses, were called in turn; the latter stated that when she was sick the priest had come to her and given her a book containing a statement of the Roman Catholic faith; the priest came three or four times, and asked her whether she did not wish to be converted. Henrietta Finks, another nurse, stated that the priest had wished to baptize her child, but she had refused to let him do so, as she was a Protestant; she corroborated the story given by others showing that it was common in Europe as well as in this country, at public institutions for Protestants and Roman Catholics to have a common place of worship. Leonard R. Wells, Superintendent of the Island for the past eight years, and Mr. Collins, in charge of the washhouse, also made statements before the Commissioners. The latter said that he had collected money, monthly, for 12 months from employés, but not from inmates, for the decoration of the church. He had collected from $430 to $450. It appeared, also, that men had been at work decorating the church with Roman Catholic emblems and pictures, using materials belonging to the Commissioners.

The opinion of William P. Hillyer, Counsel to the Commissioners, was read in reference to the object for which the church had been erected. He gives it as his opinion that the Commissioners have no authority to appropriate the funds of the Commission for the erection of a building for the exclusive use of a single church. Again, he considers it within the discretionary powers of the Commissioners of Emigration to employ salaried clergymen. He says: "It is sufficient to the forming of the opinion I give that I can find no express authority and no language in any of the acts affecting the Commissioners of Emigration, or any kindred association created by statute; broad enough to imply the authority to erect a church for the exclusive use of any sect. There is, in my opinion, no such parallelism between employing a chaplain and building a church as would make the implied authority to employ the one an implied authority to build the other."

IMPROVED POSTAL FACILITIES.

DELAYS IN THE LOCAL DELIVERY TO BE OBVIATED—FOREIGN SERVICE—THE PHILADELPHIA NEWS TRAIN.

Col. Thomas L. James, Postmaster, and H. G. Pearson, Superintendent of the New-York Post-Office, returned to this city, yesterday morning, from a brief visit to the Post-Office authorities in Washington. The object of their journey, which was to confer with the Postmaster-General in relation to some needed changes and improvements in the postal service of the city, was fully accomplished, the Postmaster-General having unhesitatingly approved of all the suggestions made by Col. James, and they will therefore be speedily carried into operation. To the uninitiated the various details of the postal service present so many complexities that the usually prompt and correct delivery of city letters excites no small degree of surprise and astonishment. Nothwithstanding the large force of letter-carriers and wagons now employed in the delivery of the daily mails, Col. James has long been convinced of the growing necessity of improving the means of delivery now in vogue. Former Postmasters have invariably followed in the footsteps of their predecessors, and from their adherence to established rules and usages it cannot be said that the city's postal facilities have kept pace with the progress and development of its immense population and resources. A certain prospect, however, of removing all cause for complaint against the delay in the delivery of the city mails, if any ever existed, will be guaranteed to the public just as soon as the plans of Postmaster James can be carried out. Under the present arrangement, which is one that has been in force for many years, the main body of the city mails are distributed over the city by wagons, traversing two different circuits, one being on the east side and the other on the west side, extending the entire length of the island. These wagons make double trips each day, one set delivering the mails at Stations G, H, K, and L, which form the up-town circuit across the city, and at Stations A, C, B, D, E, and F, constituting the down-town circuit. In addition to the letter-carriers, these mail wagons have furnished the only facilities for a prompt and correct distribution of the city mails. It is now proposed by Postmaster James to call the West Side Elevated Railway into requisition, as well as some of the lines of passenger railways. By this plan, if the necessary contracts can be economically entered into with these companies, the Postmaster is certain that there will be considerable saving in expense in the distribution of the city mails, greater expedition insured, and greater accommodation thereby secured to the public.

In addition to this enlargement of the postal facilities, Col. James, during his visit to Washington, conferred with the Postmaster-General in regard to the foreign mails. Heretofore the foreign mails, which leave this port five times a week, have always been closed within two hours of the sailing of the steamer, but under the new arrangement a supplemental foreign mail, closing at the office within half an hour of the departure of the steamer, will form an important feature of the postal facilities of the city. This mail, although it will require double rates of postage to be prepaid, will afford valuable facilities to the merchants, many of whom, by the receipt of advices at the last moment, have been unable to post their letters on the earliest steamer sailing.

The principal object, however, of Postmaster James's visit to Washington was to consult with the Postmaster-General relative to the posting of New-York journals on the 3:30 a. m. train which has recently been placed on the route between this city and Philadelphia. The Postmaster-General gave his unqualified assent to the transmission of these journals by this train, and the residents of the Quaker City can therefore have the latest metropolitan news every morning at the breakfast-table. Col. Bangs, Chief of the Postal Car system, returned from Washington to this city, yesterday, and is busily engaged in perfecting plans for the improvement of the postal facilities between this city and the Eastern States, but until the arrangements are consummated he declines to furnish any particulars in reference to them.

THE COURTS.

FATHERS CLAIMING THEIR CHILDREN.

A very interesting habeas corpus case came before Judge Van Brunt yesterday in the Chambers branch of the Court of Common Pleas. It seems, from the statements of the counsel, that about two years ago Rose Corrigan, a little girl of about 9 years, was committed by a magistrate to the custody of the Commissioners of Charities and Correction as a vagrant, and by them bound out to William Virgilius, a partner in the firm of Havemeyer & Co. (sons of the Mayor) and a member of a Presbyterian church. The father, Patrick Corrigan, at this late day, seeks to recover possession of his child, and for that purpose sued out a writ of habeas corpus for her discharge, returnable yesterday. On the argument, Messrs. McCaffrey, Kernan, and Clifford, through Mr. McCaffrey, urged on behalf of the father, that the child was committed to the care of the Commissioners of Charities and Correction on a charge of vagrancy and that she was neglected, without any notice being given to her parents. The present custodian of the child made return, through John E. Parsons, his counsel, that she was regularly indentured to him, and he presented the articles of indenture. He also contended that the girl had been utterly neglected by her parents, and that when taken away was found in a cellar with her toes half eaten away by rats. He also states that the father of the child is utterly unfit to take care of her as he is a confirmed drunkard. He claims that the indenture is sufficient to show his right to the child. On behalf of the father a traverse to the writ was put in, reciting that the child is now being educated and brought up in the Presbyterian faith, in defiance of the wishes of her parents, who are Roman Catholics, and desire that she shall be reared in their faith. The further hearing was adjourned to the 11th of September.

Another habeas corpus was applied for yesterday before Judge Daniels. The application was made by Frederiko Boxo, a coffee merchant in Rio Janeiro, whose wife absconded with his brother, taking his child with her. He pursued the pair, and traced them to the St. Nicholas Hotel in this city. Having learned that they were about to leave this port for Europe very soon, he sought the protection which the courts afford. Judge Daniels granted the habeas corpus to have the child produced in court, the only one of the three whom the father seems to care for.

THE EXTRADITION OF CARL VOGT.

To the Editor of The Tribune.

SIR: An inaccuracy has occurred in the city papers in the statement of the grounds on which the protest has been filed with the Secretary of State to the issuance of a warrant for the surrender of Carl Vogt, which I beg leave to correct. The protest is on two grounds: First, that there is no power in the Treaty of June 16, 1852, between Prussia and the United States whereby any obligation rests on the United States to deliver up any fugitive from justice found in her territories on demand of Prussia for any crimes provided for by said Treaty, where the same is alleged to have been committed in territory of a foreign Government other than that of Prussia. Second, that the act of Congress of June 22, 1860, requires that the certificate shall state that the depositions or papers produced or offered before the United States Commissioners as evidence would, for similar purposes, be admitted as evidence before the tribunals of the country from which the accused has escaped, and the certificate of our principal diplomatic or consular officers resident in such country shall be evidence of the same. On the first of these questions the Court arrived at the conclusion that the language in the preamble and the first article of the Treaty showed that such power was intended to be conferred, and that in the use of the words "within the territory and jurisdiction" it is fairly to be deduced, that the word jurisdiction meant something beyond the physical territory. Similar language is found in eight of our treaties, and stress is laid upon that fact to show design to confer such jurisdiction. The answer readily suggests itself that the first was taken as a model, and that if it was designed to confer such jurisdiction, it was easy to do so. In support of this jurisdiction claimed under the Treaty, the Court brings in aid, that prior and subsequent treaties, between the United States and foreign countries, respecting jurisdiction in the United States, over crimes committed in foreign countries, and the laws passed in pursuance thereof; and also the laws of the United States, prior and subsequent to the Treaty over crimes committed, not within the physical territory of the United States, conferred such power. As to the existence of such power under treaties and acts of Congress, it is not perceived that it possesses any force in determining the question of the power claimed under the Treaty of June 26, 1852. In fact it is an argument against such power. For if the language of the Treaty of 1852 does not in itself and of itself contain language which confers such power it ought not to be exercised, simply by reasoning that it was intended to be conferred from cases in which it is clearly given. The second question the Court disposed of by ignoring the words "of the country from which the party escaped," and substituting the words named in the act of June 22, 1860, to the control of the act of Aug. 12, 1848. The act of June 22, 1860, prescribes that the entire mode of authentication of what shall be used as evidence before our extradition tribunals. Both of these questions have at different times been disposed of on writs of habeas corpus, and it is to the conclusions that have been reached and the fallacy of the same that a protest has been filed.

FRANCIS C. BOWEN, counsel for the prisoner.

New-York, July 9, 1873.

SUPERINTENDENT MACGREGOR'S SALARY.

James M. Macgregor, the late Superintendent of the Department of Public Buildings, comes now before the Courts in the attitude of an aggrieved suitor, demanding his unpaid salary for the month of April last. W. G. Settle, who is employed as his counsel, applied to Judge Daniels, yesterday, in Supreme Court, Chambers, for a peremptory mandamus against the Controller, but Mr. Dean, the latter's counsel, resisted the motion, on the ground that Mr. Macgregor had refused to deliver up his books and papers in compliance with the statute. Judge Daniels inquired if the statute provided for the withholding of that officer's salary under such circumstances. Mr. Dean admitted that it did not, but explained that he opposed the application, on the ground that there was a remedy by action, and that a mandamus should not, therefore, issue. At the conclusion of the argument the papers were handed up for consideration, decision being reserved.

CRIMINAL NOTES.

At the Jefferson Market Police Court, yesterday, before Justice Ledwith, Thomas Agnew was charged with having attempted to enter the liquor store of Stephen Raleigh at No. 135 Fourth-ave. He was committed in default of 1,000 bail....Anna Reilly of No. 22 East Thirteenth-st., accused Michael Barry of No. 29 South Fifth-ave., with having stolen two silk dresses valued at $100 from her. The prisoner was committed in default of $1,000.

The following prisoners were tried yesterday in the Court of General Sessions, before Judge Sutherland, Assistant District-Attorney Rollins appearing for the people: Wm. Kenney, charged with burglary in breaking into the carpenter's shop of Patrick Moran at No. 9 Elizabeth-st., on July 3, and stealing carpenter's tools valued at $50, was found guilty of petty larceny and sentenced to the Penitentiary for one month. Wm. F. Kintzing defended the prisoner....In the case of Wm. Cornwell, charged with shooting at Elizabeth Gibbon of No. 178 Elizabeth-st., on June 26, with intent to kill, the jury returned a verdict of guilty of assault, and Cornwell was sent to the Penitentiary for eight months. A. Hummel appeared for the prisoner....Vincent Blood (colored), charged with a felonious assault and battery upon Wm. Thompson (also colored) of No. 4 Thomas-st., on May 31, was found guilty of an assault and sent to the Penitentiary for six months. John O. Mott for the prisoner....Stephen Dillon and John Walsh, charged with grand larceny in stealing 23 pigs of iron from the Allentown Iron Company, was acquitted on account of variance between the proof and the indictment, Judge Sutherland directing the verdict. Peter Mitchell appeared for the prisoner....The trial of John Carney, charged with grand larceny in stealing $315 from Thomas McGorrin of No. 504 Sixth-ave., on June 15, and also charged with receiving stolen goods, is in progress. John O. Mott appears for the accused....The following criminals pleaded guilty: Bridget McNalley, for petty larceny, in stealing property worth $10 from Thomas M. Higginston, No. 70½ James-st., was sent to the Penitentiary for six months. Arthur L. Rodney, for an attempt at grand larceny in stealing plated ware worth $60, on June 12, from Georgia Cunnington of No. 63 West Twelfth-st., was sent to the State Prison for 2½ years. Bartholomew Touchant, for stealing property worth $116 from Antoine Basiere of No. 124 Sixth-st., June 24, was sentenced to the State Prison for two