MUNICIPAL REFORMS URGED.

WORK OF THE NEW-YORK MUNICIPAL SOCIETY.

IMPORTANCE OF THE EARLY OPENING OF THE POLICE COURTS—SUGGESTIONS BY THE JUSTICES—SPECIAL EXEMPTIONS TO CHURCHES—POOL-SELLING AND OTHER EVILS TO BE INVESTIGATED.

The New-York Municipal Society held its first meeting in its new building at No. 67 Madison-ave. on Thursday evening, Dorman B. Eaton presiding. The society was organized eight months ago, its object being to secure better laws and honest, efficient, and economical administration for the City of New-York, the reduction of taxation and of the city debt, also to aid in securing good municipal and other laws and administration in or affecting the State. The regular membership is limited to one hundred persons, irrespective of party, who cannot solicit nor accept any nomination for office, municipal, State or Federal. In addition there are to be 35 honorary members to be elected for four years, but they can neither vote nor hold office in the society. At present there are 82 regular and 11 honorary members. By a subscription among the members the building at No. 67 Madison-ave. has been erected, its cost, with the furniture, having been $18,000. The building covers the whole lot and contains a large hall, well ventilated and lighted, which will seat comfortably about 250 people. The hall has been admirably arranged, so that it may be used for lectures, private theatricals, and other social purposes. The building contains reception-rooms, cloak rooms, and committee rooms. The society will occupy the hall once a month, and its committees once a week, and on the other nights it can be rented. At present the Mendelssohn Glee Club holds rehearsals in the hall.

The first business on Thursday evening was the consideration of the following report on the hours at which the police justices commence their work, submitted by C. S. Smith, John H. Hall, and John C. Eno. They report:

That they have been impressed with a marked improvement in the general administration of justice in the police courts as compared with former years. The order, method, and intelligence with which the business of their courts is carried on is greatly to the credit of the present board of police justices. The fidelity shown in enforcing, collecting, and paying into the city treasury the fines imposed for offenses is in marked contrast with previous administrations. In former years the annual fines collected have been less than $6,000; in 1874 they were $71,287 25; in 1875, $72,498 05. Your committee desire particularly to commend to all who wish to understand this important subject, the "Second Annual Report of the Board of Police Justices" as a very valuable and comprehensive digest of criminal statistics in our city. The annual publication of a similar report, as provided for by act of Legislature of 1873, cannot fail to furnish the public with important information, and will lead to the suggestion and enforcement of such measures of improvement as the future may develop and the demand. Your committee also believe that some of the changes recommended in their last report deserve the attention of the Legislature at its present session.

Your committee have been compelled to verify the entire justice of the complaints made regarding the lateness and irregularity of the opening of the police courts. They cannot fail to characterize them as great evils for which the police justices are responsible, and to express the hope that immediate consideration on the part of the justices may be given to a much-needed reform which is clearly within their power and duty. It is proper to state that this habit of late opening did not originate with the present board, but is one of their inherited abuses. They are also satisfied that some of the justices have been more habitually late than others, but they do not at present deem it expedient to mention names. Your committee believe that it is the provision of the laws binding upon the police justices that their courts should be open from sunrise to sunset. Rule 2 "Of Regulations of the Board of Police Justices" is as follows:

The several Police District Courts shall be open every day not later than 8 o'clock a. m. until 12 o'clock noon, unless the business to be done therein shall not require said court to be kept open for such period of time.

It will be seen that the justices seem to interpret the above-mentioned rule of their own board only as applying to their clerks as far as the hour of opening is concerned. Your committee believe that it will not be denied that the justices very rarely appear in their courts until after 8½ o'clock in the morning, and that as a rule they are from one hour to an hour and a half behind the time fixed in their own rules. From Nov. 16 to Nov. 30, 1876, in two of the courts the earliest appearance of any justice was 8:35 in the morning; on one day the time the justice took his seat was 10 minutes past 10, and on another it was 2 minutes of 11. Your committee believe that high considerations of public justice and policy require that the police justices should personally attend and open their courts at not later than 7½ o'clock in the morning, and that they should require of their clerks the preparation at an earlier hour of the formal papers necessary to such opening, and that the same punctuality should be shown in the afternoon sessions. They are led to this expression of opinion by the following considerations. Some explanations are necessary in order to the proper understanding of what follows: There are 11 police justices, each with a salary of $8,000 per annum; there are 5 police courts, four on Manhattan Island, and one for the recent addition to the city limits taken from Westchester County. The police courts, however, do not comprise all the duties of the justices, for there are besides examinations to be held, and three of the justices have to hold the Court of Special Sessions for three day of each week.

The police courts deal only with the criminals brought before them by the policemen from the various precincts. There are about 2,000 policemen in this city, of which number about 1,000 go on duty at 12 o'clock each night and remain until 6 o'clock the next morning. This may be called "the night watch." At 6 o'clock another body of 500 policemen relieve the "night watch," and remain till 8 o'clock of the same morning, and this latter body is called the "dog watch." The 1,000 men composing the "night watch" then have (extraordinary occasions excepted, such as fires, election day, &c., &c.) an interval of 10 to 12 hours for sleep and refreshment, less the time necessarily consumed in delivering their prisoners to the police courts, and also less the time *unnecessarily* consumed in awaiting the arrival of the justices, and the disposition of their prisoners either by discharge or otherwise. Your committee believe that three to four hours of the time of rest allotted to policemen are lost each morning by attendance upon police courts, in case they have made arrests in pursuance of their duty on the watches; and this after perhaps exhausting labor in cold and stormy nights, and often without opportunity for breakfast until after prolonged attendance upon the police courts.

These facts tend largely to demoralize the efficiency of the policemen. They are strongly tempted to evade their duty and to fail to make arrests if they can do so without detection, when they know that such failure will give them from three to four hours more time at home. There are more than 84,000 persons brought before the police courts every year, about a daily average of 240. Last week 1,817 persons were brought before them, or an average of about 259 each day. Now if one policeman on an average must wait to give his evidence for every two of the prisoners brought before the Police Court, then we have as the result, that say 125 police officers are daily kept waiting because five police justices fail to do their duty.

But this is not all. Something on the score of humanity is due to the prisoners. The "lock-up" rooms of the police courts are small and ill-ventilated, and the debauched, the filthy, the vile of all sorts are crowded therein, frequently a noisy and disgusting throng, with an occasional person of respectable appearance, and are kept waiting from one to three hours for the court to open. If our citizens desire a demonstration of the last mentioned facts let them be present at the First District Police Court rooms in the Tombs at 6 o'clock in the morning, when the prisoners begin to arrive from the station-houses. They will find two small rooms—not exceeding 12x15 feet—designed for prisoners, one for males and the other for females. Before the arrival of the justice, about 9 o'clock in the morning, they will find these rooms (the one for males especially) packed as closely as the men can stand, and frequently overflowing into the court-room. The accommodations of the 1st District court-rooms as compared with the business of this court are disgraceful to New-York. Your committee believe that the Court of Special Sessions is conducted at present with commendable fidelity.

In conclusion, they beg leave to add that they have not felt it to be a part of their duty to inquire into the expenses of either of the police district courts or of the Court of Special Sessions, as that subject has been considered in a previous report to the society.

The Police Justices had been invited to discuss the report, and Justices Kilbreth, Wandell, and Otterbourg, were present. Justice Kilbreth said that when 40 or 50 policemen were present only one could be heard at once, and so some must lose time. There might be a saving of time by beginning the work earlier, but in many cases the officers themselves kept justices waiting. The chief thing was not so much the time as the regularity in the time and its strict observance. Justice Kilbreth said that except once he had never been later at his court than 8½ o'clock.

Mr. Eaton spoke strongly of the great improvements in the police courts, but this irregularity in the opening of the courts seemed to him a source of double demoralization to the police—mental, in that they saw the highest officers guilty of irregularity—physical, in that after the exhaustion of a night's watch they lost hours in convicting those arrested—and it was natural that this should discourage arrests. In view of the protracted duties of policemen he must enter his decided protest against any judicial officer by neglect of his duty, increasing their hours of wakefulness. An extra hour was a serious matter to a man on watch all night. The well-paid court clerks would do well not to refuse to attend half an hour earlier.

Justice Otterbourg said that in his experience the difficulty was to get the police in court as early as 8½ o'clock. He had always been at his court at that hour. But the clerks required time to prepare their preliminary work, and if he came earlier the lack of that preliminary work delayed the day's business. At best his work occupied eight hours a day on the average, and it was hard work.

Justice Wandell said that he was almost without exception at his court at 8½ o'clock, and was willing to make his hours earlier. But complainants had some rights. The policeman's pay was going on all the time, and he did not think much demoralization would arise to them from sitting in a police court. He had no sympathy whatever with the fellows who got drunk and were brought before a police magistrate. They cared nothing for detention or a brief imprisonment. He would like to have a cat-o'nine-tails, or some punishment they would feel, applied to them. He had had an earlier hour but found it useless.

Sinclair Tousey spoke of the condition of the rooms of detention for prisoners. They had been greatly improved by the efforts of the present police justices, but with all these improvements they were still infamous. He described the condition of the prison pen at Jefferson Market before these justices had taken office and the improvement which had been made. The rooms were still very bad, and no man presumably innocent should be detained there unnecessarily one moment.

Charles S. Smith told the result of his own investigation at the Tombs. Thirteen were brought in a few minutes after 6. The Judge came a few minutes after 9. The policemen were stretched sleepily around the room, and explained that they had been up all night. The pen gradually became packed as close as men could stand. Some were vomiting, among them at least one respectable man. Was it right to keep any possibly innocent man so confined?

Mr. Delafield offered a resolution that it was the sense of the society that judicial officers who did not open their courts when the law or their rules required, were wanting in fidelity to their trust. This was adopted.

THE SPECIAL PRIVILEGE OF THE R. C. CATHEDRAL.

Meyer S. Isaacs, John Sherwood, Samuel Thorne, C. H. Isham, and A. R. Whitney, made the following report on the action of the Aldermen in granting, over the Mayor's veto, a permit to the new St. Patrick's Cathedral, on Fifth-ave., to connect with the sewers free of charge:

It is apparent from a study of the laws and ordinances in effect upon this subject that there is no exemption of church property from the charge authorized and made for this sewer permit. From an investigation of the records in the office of the Engineer in charge of Sewers, it seems that precedents of such permit being given free of cost are exceedingly rare within the past five years. Connections with the sewers have been made for upward of sixty churches, and a charge pursuant to the ordinance has been invariably imposed. In the case of the Catechetical on Mulberry-st., a permit was given in November, 1867, and the charge of $120 was paid in accordance with the rule cited. The Mayor's veto communication shows that the very few exceptions made in favor of a public school, or other public building belonging to the city, have been made under "peculiar circumstances and for exceptional reasons." It does not appear that any "peculiar circumstances or exceptional reasons" existed for the action of the Aldermen in this instance; the general order was passed without any application or petition having been presented for its passage, and apparently on the charitable impulse of the member who submitted the resolution. Doubtless the like impulse dictated that all the Aldermen present Oct. 21 and Nov. 9 should (with the single exception of Mr. Pinckney on the latter occasion) vote in the affirmative on the original passage, and over the Mayor's veto.

It remains for the committee to consider the policy of this action. The object of the ordinance is clearly set forth. The charge for the permit was to meet the expense of cleaning and repairing the sewers and drains and their appendages. The amount fixed is light. It is equitably apportioned to the property benefited by the sewer connection. The aggregate collected for permits throughout the city has not in any year proved sufficient to meet the cost of repairs and cleaning. For several years past the receipts from this source have been about $16,000, while the cost of cleaning and repairs has been as much as $200,000 annually. Under the economical policy recently adopted it is likely to be reduced to $75,000 or $100,000. It is immaterial whether a lot is occupied for dwelling or church purposes, the sewer in front of it must be kept in repair. The lot on which a house is erected pays, moreover, its share of the tax levied for the maintenance of the City Government. Church property, whether one lot or several, is exempt from such taxation; this exemption resting upon statute is acquiesced in, although its general application without limitation is the source of criticism. The principle has, however, never been extended by law or custom in this State to assessment for public improvements. If in times past there have been abuses in improperly donating moneys to churches to pay assessments, or if technical points have been skillfully made in the courts to secure the vacating of such assessments, public opinion is firm in deprecation of any further claims of this sort from church corporations as owners of real estate in New-York.

The suggestion made in extenuation of the Aldermanic action, that the trustees of the Cathedral are constructing the Fifty-first-st. sewer at their expense, is of no force, seeing that, as owners of both sides of the street, they would by law be chargeable for the whole cost of the sewer if constructed by the city; and, of course, this argument is wholly inapplicable to the Fifteenth-st. sewer. A consideration presents itself with great force. What inherent justice is there in taxing a poor and weak congregation $10 or $50 for a sewer permit and then overruling law and precedent to exempt a corporation, having a street frontage of 1,200 feet and an area entitling it to pay $700, according to an established rule and calculation, from all charge whatever for the like privilege? What inherent justice is there in compelling tax payers owning lots miles away from the cathedral to pay the cost of cleaning and repairing the sewers in front of the cathedral? Let us bear in mind that the charge made in this case is not for a public improvement, in whose benefit the whole community shares, but for a purely local and private use of the sewer, and as a partial reimbursement of the city for the cost of keeping such sewer in repair.

It is time to limit and to end the encroachments of church property upon the municipal treasury. It is clear, as the Mayor pointedly puts it, that the action of the Aldermen will lead to numberless solicitations for the like exemption on the part of churches and other buildings used for religious observances, which cannot be denied. The committee therefore recommend the following resolutions:

Resolved, That the action of the Hon. Wm. H. Wickham, Mayor of New-York, in returning without his signature and approval the general order of the Board of Aldermen passed Oct. 21, 1876, granting "permission to the trustees of St. Patrick's Cathedral to connect their buildings with the sewers in Fifteenth and Fifty-first-sts. without the payment of the fees usually charged," merits and should receive the commendation of the citizens of New-York.

Resolved, That a petition be presented to the Board of Aldermen asking that the permission given to the said trustees for such sewer connection be revoked and annulled, unless the usual fees be paid, pursuant to the ordinances of the Common Council in force October, 1876.

After some discussion this report with the resolutions was adopted.

COMMITTEES ON IMPORTANT MATTERS.

On motion of Sinclair Tousey a committee of five was appointed to consider the expediency of continuing the support of the Children's Aid Society, Mr. Eaton explaining that a pending constitutional amendment threatened to withdraw all public aid to its schools. On motion of John H. Hall a committee of three was appointed to consider the administration of the Coroners' Department in this city and to suggest remedies for its evils.

A committee was also appointed to inquire into the evils of pool-selling. The original resolution included gambling and betting on races and elections, and the remedy.

A committee was named to inquire by what right the Fifth-ave. pavement was torn up for the benefit of private corporations without proper replacement. Another committee was selected to inquire into the means of access and exit of places of amusement, the laws relating thereto, and the modifications which should be made.

The meeting then adjourned. The society have invited the members of the Legislature, the judges, and others to meet them on Dec. 21 to discuss the questions of municipal government.

THE EYE AND EAR INFIRMARY.

There are figures in the Fifty-fifth Annual Report of the New-York Eye and Ear Infirmary which are at once striking and instructive. It appears that since its establishment not fewer than 195,000 persons afflicted by diseases of the eye, ear, and throat, have been treated in this charitable institution. Ten thousand new patients were received during the last year. The average daily attendance has been 120. Applicants at this charity have come from all parts of the continent—from Canada in the north and from Texas in the south. There has been an increase in the number of patients residing in the building and in the length of their stay. Sixty-seven per cent of the blind in one or both eyes have been restored to good sight, and 25 per cent put into better condition than before the operation.

In the special report of the Eye Department there is an interesting classification which shows to how many diseases this little and most delicate organ is subject. There are 22 distinct affections of the lid alone, 7 of the retina, 6 of the optic nerve, with 9 descriptions of cataract. There are 36 diseases of the ear, and over 50 diseases of the throat catalogued. Forty cataract extractions have been performed during the last year. Of these, 23 were perfectly successful.

The Eye and Ear Infirmary, it must be remembered, is a charitable institution, and its benefactions are somewhat limited by its resources. Its total income during the last year was $43,129, and all this was expended save $923 20, now in the hands of the treasurer. The directors intimate that help and contributions are very desirable. It would certainly be hard to find a charitable institution worthier of the attention of those who have the means and the inclination to benefit their fellow-men. Diseases of the eye especially incapacitate a considerable number of those afflicted for labor of any kind, and may thus entail much suffering upon many families cut off from the means of support. The management of the Eye and Ear Infirmary is in the best professional hands, and the high reputation of the gentlemen of the direction is a guarantee of the faithful application of all sums which may be given or devised to this hospital.

SUCCESS AND COURSE OF THE TRIBUNE.

To the Editor of The Tribune.

SIR: I desire to assure you of my grateful appreciation of your entire success in maintaining the high standard of THE TRIBUNE established by Horace Greeley. It is even more than ever a power in the land, and its weight and influence are still found on the side of humanity, equal rights, and progress. I think few adequately realize the influence exerted by such a paper as THE TRIBUNE. In the offices and homes of multitudes of the intelligent reading public, from the Canadas to the Gulf, and from the Atlantic to the Pacific, it is welcomed and perused year by year. In the past political campaign THE TRIBUNE rendered most efficient service. Its independence, discrimination, and fairness are recognized, and entitle its opinions to consideration which those of mere partisans fail to obtain. FITZROY SESSIONS.

Cedar Falls, Iowa, Dec. 4, 1876.

EQUAL TO THE OCCASION.—Scotchman (log.)—Here, laddie. Tak' this luggage tae the Waverley Hotel, ye ken, and I'll gie ye a bawbee tae yersel'. Street Boy—Never! How'l ye pay it? All at once, or by installments?—[Funny Folks.

XLIVTH CONGRESS—2D SESSION.

REGULAR REPORT OF PROCEEDINGS.

JOINT RULES NOT IN FORCE IN THE SENATE—CRONIN'S APPOINTMENT—PENSION BILL PASSED—A BILL PREVENTING THE PAYMENT OF WAR CLAIMS.

SENATE....WASHINGTON, Dec. 8, 1876.

In the Senate to-day, Mr. ANTHONY (Rep., R. I.) introduced a bill to provide for engraving and printing the portrait of the late Hon. Henry Starkweather of Connecticut, to accompany the eulogies on the life and character of that gentleman. In presenting the bill, Mr. Anthony said it had been the practice to print portraits of deceased Senators and Representatives to accompany eulogies, but the Committee on Printing was opposed to it. However, they did not think proper to recommend its discontinuance just now. It was well known that eulogies on the life and character of the late Speaker, Mr. Kerr, were soon to be delivered, and it would not be proper to forbid the further printing of portraits now. After the eulogies on Mr. Kerr shall have been pronounced, the printing of portraits can be discontinued. The bill was then passed.

Mr. INGALLS (Rep., Kan.) submitted a resolution requesting the Secretary of the Interior to report to the Senate immediately what efforts have been made to remove the Sioux Indians from their treaty Reservation to the Indian Territory, and that negotiations are now pending between the Government and said Indians, together with the object and purpose thereof. Agreed to.

Mr. MITCHELL (Rep., Oregon) called up for reference the resolution submitted by him yesterday, directing the Committee on Privileges and Elections to investigate the facts attending the appointment of E. A. Cronin as a Presidential elector by the Governor of Oregon. Referred to the Committee on Privileges and Elections without debate.

On motion of Mr. LOGAN (Rep., Ill.), the bill introduced by him last session to provide for the issue of silver coin and to make the silver dollar a legal tender, was taken from the table and referred to the Committee on Finance.

Mr. MORTON (Rep., Ind.) moved that a committee of three additional members to the Committee on Privileges and Elections be appointed to aid in discharging the duties imposed by the resolution of Mr. Edmunds, providing for an investigation into the recent elections in Mississippi, South Carolina, Alabama, Georgia, Florida and Louisiana. Agreed to, and the Chair was authorized to appoint the new members.

Mr. HARVEY (Rep., Kan.) submitted a resolution authorizing the Select Committee to examine into the several branches of the Civil Service; to employ a clerk, and send for persons and papers. Agreed to.

Mr. WEST (Rep., La.) introduced a bill for the relief of W. W. Handlin, formerly Judge of the Third District Court of New-Orleans. Referred to the Committee on the Judiciary.

Mr. EDMUNDS (Rep., Vt.) moved to take up the joint resolution proposing an amendment to the Constitution of the United States in regard to the count of the electoral vote by the Supreme Court.

Mr. MERRIMON (Rep., N. C.) objected, and read the Twenty-first Joint Rule, providing that the unfinished business left over from one session shall not be taken up for action until after the House of Six days of the beginning of the subsequent session. He made the point of order that under that rule the joint resolution could not be considered now

JOINT RULES.

The CHAIR (Mr. Ferry) overruled the point of order, and announced that the joint rules were not in force. Besides, this subject was covered by Senate Rule 52, which was directed to be read. (It provides that at the beginning of a second session business shall be resumed and proceeded with as if no adjournment had taken place.)

Mr. MERRIMON appealed from the decision of the Chair, and said he had no objection to taking up this joint resolution, if it could be done properly, but if the Twenty-first Joint Rule was in force, as he believed it was, the resolution could not be taken up. He thought that rule contained a very wholesome provision. Mr. Merrimon then argued that the joint rules were in force, and it was not competent for the Senate to abolish them without the concurrence of the House. Neither House could withdraw its assent to these rules without the concurrence of the other. He read from the proceedings of Congress of previous sessions to show that the Twenty-first Joint Rule had been frequently enforced. The joint rules had been in force since the existence of the Government. They had never been questioned, and nothing has ever been said about their readoption till at the last session of the Senate.

Mr. JOHNSTON (Dem., Va.) said although it was considered now, and had been at the last session, that there were no joint rules in force before the Senate and House, they acted under them every day. The business of Congress could be done on without them. He quoted at length from the joint rules, and said the authority to appoint conference committees was derived from the joint rules, and the transmission of messages from one house to another was in pursuance of the joint rules.

Mr. EDMUNDS said there was a general parliamentary rule providing for committees of conference.

Mr. JOHNSTON argued that there were various committees appointed under the joint rules, among them committees on enrolled bills, committees on the Library, and others.

Mr. SARGENT (Rep., Cal.) said when the list of committees was reported the other day it was accompanied by resolutions authorizing the Committees on the Library, on Public Buildings and Grounds, Printing, and Enrolled Bills to act concurrently with those committees of the House. This showed that the Senate did not recognize the joint rules under which these committees might act.

Mr. DAVIS (Dem., W. Va.) said when the committees were reported he asked the Senator from Iowa (Mr. Wright), who reported them, as to whether there was any change in the usual custom of appointing committees, and was assured by the Senator that there was no change. Now it appeared that there was a change for the purpose of avoiding the joint rules.

Mr. WRIGHT (Rep., Iowa) said some one was talking to him when the Senator from West Virginia (Mr. Davis) made the inquiry. He understood him to ask if there was any great change in the organization of committees, and he replied in the negative.

Mr. MORTON said perhaps there was no legal proposition that could be started but what could be argued favorably. It was perfectly plain to him that there were no joint rules, as the Senate had withdrawn from them, and it had a perfect right to do so. He quoted from various authorities in support of his argument, and read from *The Record* the views heretofore expressed by Senators on the Democratic side of the chamber. He said, in his opinion, the entire purpose of his friends on the other side in maintaining that the joint rules were binding now, was to maintain the Twenty-second Joint Rule, relative to the count of the electoral vote, which had been condemned as wicked everywhere.

Mr. MERRIMON said he would not be so uncharitable as to say that the Republican side desired to get rid of it for a purpose.

Mr. MORTON said he had been trying to get rid of the Twenty-second Joint Rule for years past.

Mr. BAYARD (Dem., Del.) spoke of the Twenty-second Joint Rule as being the only one objectionable, and read from his remarks of the last session in favor of the passage of a law regulating the count of the electoral vote, instead of dealing with the subject by joint rule. He commented at some length on the joint rules, their object, their origin, and said he must adhere to the position heretofore taken by him, to the effect that the joint rules of the House and the Senate were as much within their control as other rules, and might be terminated by each House at their discretion.

Mr. EDMUNDS (Rep., Vt.) quoted at length from his remarks when this matter was before the Senate at the last session, and also from the remarks of Mr. Merrimon at the same time, to show that that Senator had changed his opinion.

Mr. MERRIMON said at the last session he had given the subject much attention, but after he heard the arguments of other Senators, he had reflected on the matter and had changed his opinion.

Mr. EDMUNDS, resuming his argument, referred to the question before the House of Representatives at the last session, and alluding to a decision of the late Speaker, Mr. Kerr, said although he (Mr. Edmunds) disagreed with him upon subjects of general politics, a long and pleasant friendship existed between them. Mr. Kerr had departed from his career of usefulness amid the sorrow of all good men. Prominent in that great party he was noted not only as an honorable, patriotic citizen, but as having the large views of a statesman. Continuing his argument he commented on the joint rules, and said they were simply standing orders of each House of Congress in the same language. He argued that each House had a perfect right to retire from such rules. There was nothing in any one of these so-called rules but the simple independent choice of each House of Congress in regard to guiding its own conduct.

After further debate by Messrs. MERRIMON, EDMUNDS, and others, the question being on the appeal of Mr. Merrimon from the decision of the Chair, the decision was sustained by Yeas, 50; Nays, 4, as follows. (Republicans in *roman*, Democrats in italics, Independents in small caps):

YEAS.

Alcorn,	*Cockrell*,	Hitchcock,	Patterson,
Allison,	Conkling,	Howe,	*Pryce*,
Anthony,	Conover,	Ingalls,	*Randolph*,
Bagard,	*Cooper*,	*Kernan*,	Sargent,
Blaine,	Cragin,	Logan,	Sherman,
BOOTH,	Dawes,	*McCreery*,	Spencer,
Boutwell,	*Dennis*,	*McDonald*,	Teller,
Bruce,	Dorsey,	McMillan,	Wadleigh,
Burnside,	*Eaton*,	Mitchell,	*Walker*,
Cameron (Wis.),	Frelinghuysen,	Morrill,	West,
Chandler,	Edmunds,	Morton,	Windom,
Christiancy,	HAMILTON,	Paddock,	Wright—50.
Clayton,	Harvey.		

NAYS.

Maxey,	*Merrimon*,	*Whyte*,	*Withers*—4.

ABSENT OR NOT VOTING.

Barnum,	Hamlin,	*Ingalls*,	Robertson,
Bogy,	*Johnson*,	*Norwood*,	Sharon,
Davis,	*Jones* (Fla.),	Oglesby,	*Stevenson*,
Goldthwaite,	Jones (Nev.),	*Ransom*,	*Thurman*.
Gordon,	Kelly,		

Mr. Cameron (Rep., Penn.), who would have voted "Yea," was paired with Mr. Saulsbury, who would have voted in the negative.

Mr. WITHERS (Dem., Va.) introduced a bill for the relief of owners and purchasers of lands sold for direct taxes in the insurrectionary States. Referred to the Committee on the Judiciary.

On motion of Mr. EDMUNDS, the Senate then took up the joint resolution proposing an amendment to the Constitution of the United States in regard to the counting of the electoral vote, and it was read.

Before proceeding with the consideration thereof the Senate went into Executive session, and, when the doors were opened at 3:45 p. m., adjourned till Monday.

HOUSE OF REPRESENTATIVES.

The following bills were introduced and referred:

By Mr. PIPER (Dem., Cal.)—Establishing the Territory of the Black Hills, and providing a temporary form of government therefor.

By Mr. BAKER (Rep., Cal.)—Proposing an amendment to the Constitution forbidding the assumption or payment of any claims for loss or damage growing out of the loss or destruction of property during the late rebellion.

Mr. WOOD (Dem., N. Y.) asked the Speaker whether under the call of States then progressing resolutions could not be offered.

The SPEAKER replied in the affirmative, but ruled that resolutions offered under this call, unless by unanimous consent, must lie over one day both for debate and action.

Under the ruling of the Chair Mr. WOOD abstained from offering the resolutions which he had intended to offer.

Mr. LEMOYNE (Ill.) offered the following resolution:

Whereas, Serious differences of opinion may arise between the members of the second House of Congress as to their jurisdiction and powers in joint session in counting the electoral vote, and the questions involved being questions of law, therefore,

Resolved, That the Senate be requested to appoint a committee to act with a committee of five to be appointed by the Speaker of the House in presenting to the Supreme Court such questions as either of said committees may deem important in this crisis, and asking the members of the Supreme Court to give to Congress an opinion thereon.

Mr. HOSKINS (Rep., N. Y.) rose to debate the question, and it therefore went over under the rule.

The House then, at 1:45 o'clock, went into Committee of the Whole, Mr. Clymer (Penn.) in the chair, on the Pension Appropriation bill.

After a short explanation by Mr. ATKINS (Dem., Tenn.), who reported the bill, in which he said the appropriations for pensions this year were $1,000,000 less than last year, the committee rose and reported the bill to the House, when it was passed.

Mr. WOOD then called up the resolution offered by him Objections were raised by Mr. KASSON (Rep., Iowa), yesterday, requesting the President to transmit to the House copies of all orders and directions, &c., to any military commander or civil officer with reference to the service of the army or any portion thereof in the States of Virginia, South Carolina, Louisiana, and Florida since the 1st of August last, together with reports, telegrams or otherwise, from any of such military commanders or civil officers.

Mr. HALE (Rep., Me.), and other Republican members, but were overruled by the SPEAKER, on the ground that unanimous consent was given yesterday for the offering of the resolution, with the understanding that it should lay over one day.

Mr. KASSON then suggested that the words, "if not incompatible with the public interest," be inserted in the resolution.

Mr. WOOD said he would accept the proposed modification, although he did not admit that such a point applied to calls for information in domestic matters, but only in regard to foreign affairs. If the President should withhold the information on that ground, it would be regarded only as an additional cause of offense.

Mr. CLYMER (Dem., Penn.) hoped that the modification would not be made

The modification, however, was made, and the resolution was then adopted under the previous question.

Mr. MILLS (Dem., Texas) offered a resolution calling on the President for information as to whether the cavalry force had been recently removed from the Texas frontier. Adopted.

The Senate bill for engraving and printing the portrait of the late Hon. Henry Starkweather of Connecticut was taken up and passed.

The House then, at 1:30 p. m., adjourned till Monday.

NOMINATIONS.

WASHINGTON, Dec. 8.—The President sent the following nominations to the Senate to-day:

Wm. G. Pollock of Pennsylvania to be General Appraiser of Merchandise; F. G. Heron to be United States Consul at Manila; Vincent Boreing of Kentucky to be Pension Agent at Lexington, Ky.

THE EXTRADITION TREATY REVIVED.

AMERICA RETAINS HER POSITION.

ACTION OF THE BRITISH GOVERNMENT.

An ocean telegram was received by the State Department at Washington on Thursday announcing that the British Government had informed Minister Pierrepont that it waived all its claims on the extradition question, and would consent to a renewal of the old treaty. It was also stated that the Earl of Derby, in a conversation with Mr. Pierrepont, had accepted Mr. Fish's dispatch arguing that the ground taken by the British Government was untenable as a sufficient reason for receding from its former demands. The Lord Chancellor of England concurred in the Earl of Derby's view that the position assumed by Great Britain in the former negotiations was premature, and that the Government had no choice but to recede unconditionally from that position. Upon the British Government coming to the conclusion described above, officers arrested Brent, an American, charged with forgery, and an attempt was made to arrest Winslow, but he had fled. Mr. Pierrepont has been instructed to convey to the United States Government a request for the opening of negotiations for a new treaty enlarging the scope of extradition.

The revival of the Extradition Treaty has created considerable surprise in certain circles where the circumstances of its temporary suspension were thoroughly understood—better, indeed, and more completely than the general public has been heretofore informed. The first trouble under this Extradition Treaty with Great Britain arose at the time when a formal demand was made for the arrest and delivery to the custody of the Government of the United States of Charles Lawrence, a fugitive from this country, temporarily residing in England, and indicted by the United States Court for defrauding this Government of large sums of money while employed at the New-York Custom-house. On examining the treaty, it was found that the only charge upon which Lawrence could be delivered, as coming under the provisions of the treaty, was that of forgery, and it was upon an indictment charging him with forgery that the British authorities delivered him. The moment he was arraigned before the United States officials, who could try him only on that charge, in accordance with the stipulations of the treaty, he proved to the satisfaction of the prosecuting officers that the charge of forgery could not stand, as he had witnesses ready to prove that he had affixed their signatures to certain documents with their entire consent and approval. This, of course, placed the Government of the United States in a peculiar dilemma. The officers were disposed to try Lawrence on other charges, but as other criminals had just escaped to Great Britain, and it was important to secure their arrest, the Administration at Washington was anxious to prove to the British Government that it acted in thorough good faith, and had no intention of trying Lawrence on any other charge than the one for which he had been returned. To make matters work satisfactorily on all sides an agreement was entered into with Lawrence that if he would plead to the charge of forgery no further proceedings of any nature whatever would be taken against him, and the punishment for this plea of forgery would be a nominal one. This proposition and guarantee was given to Lawrence in writing, and his most intimate friends know that he still possesses that document to-day. Lawrence, of course, anxious to escape imprisonment and a long litigation, accepted the proffered compromise. He was arraigned and held to nominal bail, his wife becoming security for him. He was released, has never been disturbed by the Government authorities, and has ever since walked the streets of New-York as unconcernedly as if there never had been a charge preferred against him.

Shortly after this occurrence the Rev. Mr. Winslow, the Boston forger, was in England. The American Government demanded his extradition. It was during the various adjournments of the case at the Bow Street Police Court that the representative of the American Government called the attention of the British Cabinet to the fact that this country had always acted in good faith with prisoners thus delivered, only trying them for the offenses for which they had been returned to this country, and called particular attention to the case of Lawrence, who had pleaded guilty to the charge of forgery and been punished for the offense. The British Government, by means of its own agents, had been kept steadily informed in regard to all movements affecting the Lawrence case, and when this case was cited before the law officers of the crown they made no allusion to it whatever, and the presiding magistrate of Bow Street Police Court only obeyed the mandates issued to him from Downing-st., refusing to deliver Winslow. This virtually abrogated the extradition treaty.

Notwithstanding the fact that the treaty has been resuscitated, it is not believed that under any circumstances the case of Lawrence, who has virtually a free pardon from the Government in his possession, can ever be revived.

THE COURTS.

CIVIL NOTES

Henry C. and John A. Burke have been granted letters of administration on the estate of Virginia C. Burke, who for many years was an unsuccessful contestant for property in the courts.

Judge Freedman having been appointed on Wednesday to fill the vacancy caused by Judge Monell's death, which he will fill by election after Jan. 1, was sworn in yesterday as Judge of the Superior Court.

In the suit of William Wagner against Thomas Whitney, tried before Judge Robinson in the Trial Term of the Court of Common Pleas, the facts in which have been reported in THE TRIBUNE, the jury yesterday gave a verdict for plaintiff for $825.

In the suit of Flanders agt. Glasson a mistake was made through the wording of the Judge's decision. As given on the court bulletin and in the newspaper reports, it appeared that Mr. Glasson was delinquent in not appearing to give evidence. In fact, it was the plaintiff who was delinquent.

In a suit brought by the Baltimore and Ohio Railroad Company against Henry W. Bertrand, formerly their passenger agent, and John K. Imlay, his surety, on a charge that Bertrand had betrayed his trust, Judge Sanford, in Superior Court, Special Term, ordered yesterday a reference to ascertain the amount due.

In the suit of Colton against John Morrissey, growing out of Morrissey's receivership of the old lottery firm of Simmons & Co., a motion was made yesterday before Judge Brady, in Common Pleas, Chambers, to open the plaintiff's default at the trial on the ground that there was further evidence to show that an absent witness (France) was necessary to the trial. Judge Brady reserved his decision.

The suit of Amy A. W. Parkes against James J. MacElroy came before Judge Barrett, in Supreme Court, Special Term, yesterday. She charges that after four days of the honeymoon she discovered that her husband was already married, and had in fact been convicted of bigamy. No defense being put in, a decree declaring her marriage absolutely void was entered.

Judge Donohue yesterday had before him the case of Solomon Marx against Herman Frohman. The suit was on a bond. The defense was that it was a forgery. The plaintiff and three witnesses swore that the signature was certainly the defendant's. The defendant swore that he never signed it. The issue was forgery or perjury. The jury found for the plaintiff, and Judge Donohue directed the defendant to be at once taken to the District-Attorney's office to be arrested and tried for perjury.

Application was made yesterday to Judge Brady by habeas corpus to release Louis Horwitz from arrest. On a warrant from Saratoga County Judge Bixby had Mr. Horwitz arrested, the original complaint being that he had obtained about $1,400 worth of goods from the Glen's Falls Paper Collar Company by false pretenses. It was claimed that the original complaint set out no ground for such a charge, and that Judge Bixby was bound to make inquiry before affirming the arrest, and had failed to do so, thus subjecting a citizen to be sent to Saratoga on a charge which might prove frivolous. Judge Brady reserved his decision.

Countess Heinruth, also known as Catharine Nestor Emmeline Hicks, has brought a suit against the executors of Daniel Marly, who was prominent some years ago as an extensive collector of prints, claiming that Marly obtained from her most of her property by misrepresentations. The case came up yesterday before Judge Barrett in Supreme Court, Special Term, on a motion to delay its trial to the latter part of January, the Countess being detained in England. Mr. Larocque, the defendant's counsel, insisted that there had been so many delays on various grounds that the patience of the court ought to be exhausted. W. O. Bartlett said that the Countess's rights were constitutional rights, involving the right of a person to be present at the trial of his or her case. Judge Barrett reserved his decision.

CRIMINAL NOTES.

At Essex Market Police Court yesterday, James W. Pendleton and John W. Douglass were brought up on a charge of keeping a gambling saloon at No. 101 East Thirteenth-st. They were each held in $500 bail.

At the Yorkville Police Court yesterday, James McDonald of No. 312½ West Forty-first-st., charged with stabbing James McMahon of No. 117 West Forty-sixth-st. on Thursday night, was committed to await the result of McMahon's injuries.

At the Washington Place Court, Anna M. Bollister, an old and deaf lady living alone at No. 49 West Washington-place, yesterday charged Mary Wilde and her da