THE TRIAL OF MR. TWEED.

DAVID DUDLEY FIELD ASTONISHING THE LAWYERS.

The Board of Audit Law Unconstitutional—Judge Davis Overruling the Great Lawyer's Objections—The Single Answer of the Single Witness.

In the trial of Wm. M. Tweed the entire day yesterday was consumed in an argument on the part of the prosecution claiming that the section of the legislative act creating the Board of Audit, upon which the indictment is based, is unconstitutional; a reply thereto by Mr. Tremain, and a decision thereon by Judge Davis. But a single witness was called, and he was asked only one question when the constitutional points were raised. Two of the jurors were not present at the opening of the court, and the Count Johannes took advantage of the delay to verify his yesterday's statement, as *amicus curiæ*, that Shakespeare used the word "audit" in "Macbeth."

Mr. Tremain said that some newspapers had yesterday asserted, on the authority of rumor alone, that their private discussion yesterday related to the removal of a juror, and that Mr. Williams's name had been connected with that. It was just to Mr. Williams to say their consultation had no relation to him, and that they had no reason to suspect that he would be anything but an honest and conscientious juror.

Mr. Field renewed his motion to compel the prosecution to elect which counts they would proceed on. Judge Davis said he had already passed on that, and would adhere to his previous decision.

Richard A. Storrs was called as a witness for the prosecution.

Question—What is your occupation? A.—I am assistant in the Comptroller's office.

A STAGGERER.

Mr. Field—I waited until the question was asked in order to know the course the prosecution intend to take. I call the attention of the Court to the indictment. The defendant is charged with neglect in office and perversion of official trust. The first thing to be shown is his official position, and I submit that no evidence whatever can be taken until this is done. This is not a mere matter of order of proof; it is a fundamental question in the case, and we on our part are prepared to grapple with the question, and deny now and at all times that the defendant holds or has held any such official place as is charged in the indictment, and the true course, as it appears to us, is to take the objection in the outset, and to call the attention of counsel to it, and to ask them before all to put in their proof that he holds an official position. The indictment sets forth in each count the passage of the act by the Legislature and the terms of it. It is alleged that at the time of which these three gentlemen answering the description in the fourth section were appointed, that they accepted the said public office of trust and employment as auditors as aforesaid, and that at the times hereinafter referred to they and each being such public officers as aforesaid and holding such public trust under said section, were bound faithfully to perform such duties and not neglect them. That in substance is averred in all the counts. The whole scope of the indictment and the foundation of it is the official duty of the defendant. If he had no official duty, there is nothing in the indictment. That being the first question, we desire the attention of counsel should be directed to it, and that they should be directed by the Court first to establish the official position of the defendant. And my associate (Mr. Burrill) suggests that this is a means of shortening the case if our position is correct, and will relieve the Court and counsel from much labor. If the point is well taken now—and we think we can satisfy the Court that it is so—that the defendant holds and never has had any office or trust under this section, either *de jure* or *de facto*, we are prepared to show it upon what we conceive to be irrefragable arguments. They should offer the statute in evidence, and then the question arises directly.

The Court—Is it a public statute?

Mr. Field—I think there is a doubt about that.

Mr. Peckham—We offer the statute in evidence.

Mr. Field—Very well; we object. Now chapter 382 of the Laws of 1870 is an act entitled "An act to make the provision for the government of the city and county of New York," passed April 26, 1870, three-fifths being present. At the beginning of the statute, as your Honor knows, is an extract from the law of 1857, that there shall be prefixed to the statute laws of this state, the Governor and other officials, including Senators. Here is the name of Wm. M. Tweed as Senator, the term to expire with the year 1870, and not before. Now our position is this, that while it is very clear that there is in the statute book what purports to be a statute, the fourth section is to be treated as so much blank, and stricken from the act altogether, as being beyond the competency of the Legislature to pass it, or to give any official position or trust under it. There are various objections to the statute in respect to its unconstitutionality, or alleged unconstitutionality, and I think it is proper for me now, and I think it due to the Court, as well as the counsel on the other side and ourselves, that I should state them all; and I propose, at the risk of wearying you, I shall be as brief as I can, but the gravity of the questions, and I may say in some respects their novelty, require that I should fully develop the views we entertain, that the defence entertain—the views to which they have come after very careful deliberation and consultation. It is of very little consequence in which order I proceed; but I will, for the sake of convenience, first take the objection which goes to show that there is no such office ever created. We answer the objection that may be taken, that the defendant could have held the office *de facto*, if he was not an officer *de jure*, by saying that the Legislature never did create such an office, and then there is no difference between *de facto* and *de jure*.

THE BOSSES' GREAT OFFICE A PHANTOM.

Our first position is that it is a two-thirds bill, and that that fact should be certified, and without such certificate no bill of the kind can be deemed to have been passed. The section to which I now refer is section 9 of the first article of the Constitution, requiring a two-thirds vote upon every bill appropriating property for local or private purposes. Then there is a section of the Revised Statutes which declares that no bill shall be deemed to have received a two-thirds vote unless so certified by the presiding officers of the two Houses. We start, then, with the position—with the memorandum on the statute of 1870, of three-fifths being present and there being nothing to indicate that there was a two-thirds vote—that this bill, on the 14th section of which this indictment is founded, is not to be regarded as a two-thirds act. The bill was a two-thirds bill, and if not passed by a vote of two-thirds of the members of each House, it is no law according to the Constitution and statutes.

Then the only remaining question is this: Is the bill within the category of the 9th section? Was the bill or act to appropriate property for local or private purposes? Now, luckily, we have a decision upon that very point in the 3d of Kernan. Now you know better than any of us how often the question has arisen in the Court of Appeals respecting the powers of the Legislature for taxation, especially local taxation. It was at one time held that the Legislature could not impose a tax on localities—no tax except what was general throughout the state—but it was held finally that the Legislature had the power of taxation to an unlimited extent, or to an extent which practically is unlimited; that it was only within their competence to determine whether the Legislature should tax the city of New York, the state of New York, or the county of Niagara; that they could tax a locality, or tax the whole of the state; that so Court could inquire into the motive they had or the purposes for which the taxes were to be raised. It was objected very strenuously that the Legislature could not impose taxation upon any locality except to pay the debt of the locality. But Chief Justice Denio, in the case referred to in the Court of Appeals, gave the opinion of the Court that the Legislature had the power, and that there was no qualification or restriction upon it except this, that the bill must be passed by a two-thirds vote of all the members elected to both Houses. This is the argument which we offer to show that this fourth section is no law. The Constitution has declared that it is not, and that is the end of the matter, in our view, whatever may be said about expediency or any other consideration. The next objection is this: that it is in direct contravention of the seventh section of the third article of the Constitution, "No member of the Legislature shall receive any civil appointment within this state or to the Senate of the United States from the Governor and Senate, or the Governor alone, or from the Legislature, during the term for which he shall have been elected, and such appointments and all votes given by any such member for any such office or appointment shall be void." Now bear in mind the case, as we suppose, directly within the letter and within the spirit of the article. Of course the motive, the policy of the article was to prevent the influence of the members of the Legislature in favor of themselves. "You shall not appoint one of your members to any office whatsoever, or to any civil appointment. You shall not have any power to make any appointment, as a general law except in a few specified cases, and you can not, even if you have the vote of every member, appoint a member to execute any civil appointment whatsoever." Now, bear in mind that Mr. Tweed, if the law were valid, held an office under this section in question. We recover in this case. In the indictment it is not charged that he was executing something or other, but that he was vested with a public office of trust and employment as auditor under this act. He is so charged in every count, and if he was not thereby invested with an office as auditor, the allegation is not sustained, and the indictment must go for naught. I am not speaking any question whether any law has been violated other than this—that is a different matter altogether.

AN UNCONSTITUTIONAL TRIBUNAL.

Mr. Field referred to other sections of the Constitution to show that this was an appointment within its meaning, and cited several authorities for the same purpose. The next point he took was that the fourth section of the act was an attempt by the Legislature to impose upon the city of New York a debt not established by its own officers nor determined by any judicial tribunal. He continued:

Suppose the Legislature attempted to pass a law that the liabilities of any private person should be audited by certain individuals, and that the amounts certified by them shall be paid by Mr. Smith, and that we might not say that such an act was so much waste paper? Could the Legislature get the power to bind New York to raise money by revenue bonds to pay anything, whether the people adjudged it to be due or not? It had been held that this cannot be done in respect to any private person or corporation. (Mr. Field cited cases.) Another objection was, that it was an attempt of the Legislature to erect a tribunal not known to the Constitution. Those three men filled an office of a judicial nature. It was authorizing a domestic tribunal in New York not elected by the people of the county to settle claims against the county, and from whose decision there was no appeal. Another objection was, that these three officers named in the four i section are appointed by the Legislature to perform the duties of an office known when the Constitution of 1846 was established, and could not be appointed by the Legislature or any other authority than the people of the city of New York.

If there is any validity in these objections, and I submit that they are unanswerable, what then is the consequence? Why, that Mr. Tweed is not an officer, either *de jure* or *de facto*. Not an officer *de jure*, because we all know that is an officer according to law is he an officer *de facto*? If only an officer *de facto*, why he is not liable on this indictment, which charges him with being an officer. But, I think, for the reason that no man can be an officer *de facto* under an invalid law, if it is not acting under color of office. You can't get a man in under color of office, so as to make him *de facto* an officer, unless there is an office which he can fill. But there is no such office, and therefore no such officer *de facto*. We insist also that the statute is void under article 3, section 1 and article 4 section 18.

Mr. Field briefly recapitulated the points of his argument, claiming that if Mr. Tweed was not a public officer under the section referred to, he was therefore not chargeable criminally.

Mr. Tremain replied that though this was in form an objection to evidence, it was in substance a demurrer or a motion in arrest of judgment. The defence had already demurred to the indictment and to each count, and interposed a motion to quash the indictment and each count in it. But those had been disposed of, and now they endeavored to raise them again and stop the trial in such a way that the prosecution could not review it on appeal.

The claim of the defendant was that while he was a Senator, sworn to obey the Constitution, he aided to pass a void law; under it he pretended to act, took away some six millions from the people, of which about one-sixth came into his pocket, and now the people having acquiesced, and no one complaining of the statute, he came in and said this act is void, and he must go free, untouched of justice. It had been

THE RULE

that however faulty an indictment, after a plea of not guilty, the prosecution should be permitted to go on and prove facts, and leave the defence to their motion in arrest of judgment when the proof and the verdict were in. This had been changed in civil cases by the Code, but not in criminal cases. In them the rule still prevails.

A recent statute had given the prosecution a right of appeal from a question of law; but distinctly denied it to them where the jury found a verdict of not guilty. Thus if the Court erred on a motion in arrest of judgment, they might have a review of the error; but if the Court now stopped the proceeding and virtually directed a verdict of not guilty, there was no appeal.

Judge Davis asked whether these questions had been discussed before Judge Ingraham.

Mr. Field said that it had not been breathed.

Mr. Fullerton added that it could not then be raised.

Judge Davis said it could have been raised. There was no need of putting the act in evidence to raise it. It was a public act, and the Court could take judicial notice of it.

THE COURT'S DILEMMA.

Mr. Tremain resumed. There was no need of putting the act in evidence at all. They had simply here to prove the facts, leaving the Court to take judicial notice if necessary of the act. But the Court should not in the haste and hurry of a trial decide so grave a question. It was a grave thing for a court to decide as unconstitutional that what the defendant and sufficient of his associates in the Legislature had declared under oath constitutional, and the Governor, himself learned in constitutional law, had declared by his approval constitutional.

But taking up the objections he claimed first that the two-thirds provision did not apply to this class of cases, but only to the cases where money was to be taken from the public treasury. And in addition he held that the statutory provision as to the certification of a two-thirds measure was but one way of providing proof of the fact, and that the journals of the Houses were also proof of the fact. By turning to them it would be found that this bill passed the Senate 25 to 3, and the House 99 to 3—the Senate by three-fourths and the House almost unanimously. The defendant was apt to have things pretty unanimous where he was concerned. So fell all of that argument.

The second objection was that Mr. Wm. M. Tweed being a Senator, could not receive a civil appointment from the Legislature. That act named the present President of the Board of Supervisors, an office to which Mr. Tweed had been duly elected, first by the people of the county of New York, and then by the elected Supervisors. But at the time of the act of 1840 the Supervisors had not, except in some minor matters, the power of auditing. That power was conferred in 1857. But as far as Mr. Tweed was concerned the act only continued to him the power he before had, as Supervisor, of auditing the county accounts. The Legislature did assume to associate with him other persons than those before associated with him. But besides, where a person is charged with misconduct in office, it is only necessary to show that he acted in office. He is estopped from denying his official character. Mr. Tremain quoted various authorities in support of this view.

In this case the public had acquiesced in his assumption of the office; the Legislature had passed a solemn act to provide for the payment of the money; everybody had acquiesced. If ever there was a case for the doctrine of estoppel it was this, where the defendant himself was a party to the passage of the act, and assumed to act under it, and was the first to raise the question.

THE POWERS OF THE SUPERVISORS.

But the powers of the Supervisors had been created entirely by the Legislature since 1846, and to hold that the Legislature could not act and add to the functions of its creatures was a law not yet approved by the Court of Appeals.

Mr. Tremain commented upon the cases cited by Mr. Field, saying that none of them were applicable to this case. He argued that this board was not a board to create or enforce a debt, but merely one to ascertain and determine the amount. As to the point that this was a local act he had simply to say that the title of the act was broad enough to cover the section.

Mr. Field replied that as to the formal objections the defence was not making a motion, but presented an objection to jurisdiction. The act was presented by the prosecution, and the defence objected that it was no act. Mr. Field continued at length.

Judge Davis decided that the indictment could not be maintained on counts charging mere neglect or refusal to do duty if the law was unconstitutional, and that as to those counts there was no estoppel, but that as to the count charging corrupt performance of duty he thought it was enough that the defendant had tried to estop him from denying his right to act. He overruled the objections and the defence excepted. The Court then adjourned.

"REAL OLD-FASHIONED HELL."

Sad Falling Off in the Methodist Church—Going to Heaven on Sheet Music—Eternal Damnation not Enough Preached.

At the weekly meeting of the Methodist preachers on Monday the Rev. Dr. Merwin said that his parishioners felt but little interest for prayer meetings. Dr. Parker, having been called upon to speak, said that he was sorry to report the state of the Church on the east side of the city as altogether unsatisfactory. On Sunday morning he preached on "Horror," endeavoring to show the people their peril. In the evening his subject was "The Sinner's Death-bed," where he showed his hearers that without repentence they must be eternally damned. He found greater difficulty in converting fifty sinners to-day than in converting five hundred twenty-five years ago. He would like to know the cause; they certainly preached with as much fervor, and better sermons.

Dr. Weed, of the John Street Church, said that he finds his field mingled with sunshine and shade. The church owes no parsonage, and the current expenses, some $5,000 per annum, must be paid by the church. He is now engaged in securing an endowment fund of $50,000, of which nearly $21,000 has been secured. Last year he had seventy conversions, among them many sailors and officers of vessels.

Dr. Newman said he had charge of the church four weeks, during the absence of its pastor, and he was astonished at the large congregation of men, which was undoubtedly the largest, proportionally, of any other church in the city. He prophesied a brilliant future for old John Street Church.

Brother Headstrong, of the Mariners' Chapel, said that he has labored with considerable success. Many sailors call on him daily, some with pretty hard feelings, but he prays them down, and the office of his mouth is most wonderful. (Laughter.)

Brother Daniels of Newark could not say much of encouragement. But little or nothing was done in the way of revivals. He thinks a great mistake had been made in locating the churches of Newark, which retards their progress. The people are so taxed, the expenses so large, that many are complaining. Many of the churches are struggling for life. Another discouraging element Methodism has to contend with in Newark is that penitence is not complete. The masses take hold of religion too easily, but they do it as easily as they take it up.

The pastor of Jane street church spoke of the hopeful condition of his church on the west side. During the past few weeks fifty-five have been converted. Last night he was called upon by a distiller who was desirous of discussing religion. He hoped ere long to have him as a convert. (A Voice—"We must roll them out like barrels.")

A venerable man said that one of the chief causes why there are not more revivals to-day is on account of the music, which has changed during the past thirty years. We now go to heaven on sheet music in troops. Then there is not so much discussion of hell—the real old-fashioned hell. At the last meeting I saw here manifestations of orthodoxy on fire. If the Methodist preachers believe in the doctrine of hell as they used to believe it, why do we not hear more about it? Why do not our editors write about it? [A Voice—"They do." Laughter.] Why do not the ministers preach until the people tremble? We do not hear in these days those telentlings, those heart-breakings that we used to have. Our revivals now are comparatively pretty. They are done up in the highest realms of art. We do not want any more of this fancy work. Those who want to please God must fight the devil with the sword.

Another brother said that he was sure the editors were writing enough of hell and damnation, and he thanked God for that. Miss Catherine E. Beecher, in one of her oldest essays, proclaims eternal damnation. He thought Miss Beecher more competent than any of the Beechers to give an opinion.

Abandoned at Sea.

FORT MONROE, Jan. 14.—The revenue steamer Colfax arrived here from a cruise to Cape Hatteras to-day, having in tow the three-masted schooner Hannah Little of Philadelphia, which was water logged and abandoned in latitude 35 deg. 3 min. North, longitude 75 deg. 14 min. West. The mizzen-mast and all the sails were gone, and they had cut away the foremast and mizzen-mast to the deck. They found no papers aboard, and could not tell the port of departure or discharge. This vessel was lumber loaded, and tight in the track of vessels bound North or South, and the crew were probably picked up.

A Mystery Explained.

CITY OF KINGSTON, N. Y., Jan. 14.—The mystery about the death of the boy William Donovan at Hickory Bush, was explained to-day before the Coroner's jury. The boy with three others went into the house of Mrs. Perry, and Richard Perry, aged about eleven years, took down and began playing with an old musket, not knowing it was loaded. While pointing it at Donovan the gun was discharged and the charge lodged in the boy's skull, killing him instantly. The boys were frightened and said nothing about it until forced to testify.

THE ALBANY LEGISLATURE.

STILL ANOTHER CHARTER FOR NEW YORK CITY.

The Old Mayors to be Consulted—The Public Interest to be Consulted, without Regard to Party Advantage.

ALBANY, Jan. 14.—Senator Tiemann gave notice this morning that he should at an early day introduce a new charter for the city of New York. It will be simply an amendment to the charter of 1870, striking out the objectionable features incorporated by the Tammany Ring. The Senator says that in his judgment that charter was the best that ever had been or could be gotten up for the city if the objectionable features were removed. Senator Tiemann's charter provides that the Mayor shall nominate all heads of departments to the Board of Aldermen, and that body shall confirm or reject the nominations within five days.

In case of the failure of the Board of Aldermen to act within that time then the nominations to be considered as confirmed. The Board of Aldermen are to be elected three from each Senatorial District, one from each district to retire every year, and new ones elected to fill the vacancies. In case of the removal of any officer the Mayor is to report to the Board of Aldermen within ten days the reason for such removal. The Mayor is to have the right to veto in whole or in part any ordinances submitted to him, those portions approved by him are to become law, the rejected portions being returned to the body from whence they emanated. The Board of Assistant Aldermen are to be elected by Assembly Districts, one from each district.

AN EX-MAYORS' CONFERENCE.

Senator Benedict is desirous that a meeting shall be called of all the old Mayors of New York now living, that they may take counsel together on the charter, in order to make it as perfect as possible. He is also desirous of receiving suggestions from citizens of New York, his sole object being, as he says, to give to New York the best possible charter without any regard to party advantage, either Democratic or Republican.

THE COMMITTEES.

The Senate committees were announced soon after assembling, when the following gentlemen drew prizes as chairmen of the several committees:

Claims, Bowen; Finance, D. P. Wood; Judiciary, J. Wood; Militia, Ward; Canals, Lewis; Railroads, Madden; Roads and Bridges, Chatfield; Literature, Benedict; State Prisons, Lowery; Banks, Winslow; Insurance, Ferry; Election and Division of Towns and Counties, Foster; Agriculture, Metcalfe; Commerce and Navigation, Robertson; Manufactures, Lowery; Public Health, Weisman; Privileges and Elections, Ferry; Engrossed Bills, Woodin; Indian Affairs, Dickinson; Fish Ice Exploitation, Wagner; Affairs of Cities, Woodin; Public Buildings, Adams; Poor Laws, Foster; Charitable and Religious Societies, Baker; Retrenchment, Graham; Grievances, Chatfield; Salt, Foster; Internal Affairs of Towns and Counties, Graham; Printing, Bowen; Villages, Dickinson; Joint Library, Adams; Rules, Robertson.

It was generally remarked that in making the committees the Administration leaders were making a mistake in attempting to ostracise such men as Palmer, Allen, and Harrower, and that they would have cause to regret it before a great session. One prominent Senator said, "Why, they are making a mistake; but we are glad to have them do so. We will open the door wide for them, and will be proud of the acquisition of such men," and he chuckled gleefully over the prospect.

The remainder of the session was spent in discussing a resolution introduced by Senator Lavery to choke off the perquisites of the clerks and postmasters of the Senate and Assembly in the shape of postage stamps.

COL. BLISS'S CHARTER IN THE ASSEMBLY.

The Assembly Committee on Cities will on Thursday next have a hearing on the Custom House charter. United States District Attorney Bliss will appear before them and make an argument in support of it. The charter having been drafted by him, he, of course, is the fittest man to present its merits. It is the intention of the managers to rush this charter through with as little delay as possible, in order to head off any combination that may be made against the dictators. They feel secure of their power in the Assembly, but the Senate is already showing signs of insubordination.

Immediately after the assembling of the House to-night, Speaker Cornell announced the committees. In announcing the Sub Committee of the Whole, more generally known as the Grinding Committee, Mr. Cornell took every one by surprise, as it has not been customary to appoint this committee before the 15th of March. Last year it was much later. It is said that this signifies that the session is to be a short one. The general remark was, after the surprise had subsided, that the Speaker was wise in doing this, as it will prevent the rushing through of jobs in the last hurry of the Legislature, as has been customary heretofore, by means of overcrowding this committee with work.

The committees are composed as follows:

On Ways and Means—Messrs. Fort of Oswego, Kennedy of Livingston, Husted of Westchester, Whalen of Orleans, A. L. Van Dusen of Ontario, Clarke of New York, Bruner of Chautauqua, Jacobs of Kings, and Beebe of Sullivan.

On Judiciary—Messrs. Prince of Queens, Tobey of Essex, Vedder of Cattaraugus, Van Cott of Kings, Herring of Westchester, Dexter of Chemung, Cogswell of Oneida, McGuire of Schuyler, and Crary of New York.

On Affairs of Cities—Messrs. Pierson of Albany, Patterson of New York, Opdyke of New York, Cocneu of Kings, Higgins of Kings, Alberger of Kings, Rice of Onondaga, Blumenthal of New York, and Deering of New York.

On Canals—Messrs. Batchelder of Saratoga, Fish of Monroe, Knettles of Tompkins, Rice of Herkimer, Hollister of Washington, Rice of Erie, Raynor of Onondaga, Mosher of Albany, and Norton of New York.

On Commerce and Navigation—Messrs. Alberger of Erie, Marcy of Suffolk, West of Saratoga, Snyder of Rensselaer, Yeomans of Wayne, J. H. Brown of Ulster, Biglin of New York, Voorhees of Rockland, and Carpenter of Queens.

On Railroads—Messrs. Peacock of Fulton, Pierson of Albany, Pell of New York, Lynde of St. Lawrence, Landreth of Richmond, Wright of Niagara, Crawford of Schenectady, Weed of Clinton, and Mackin of Dutchess.

On Insurance—Messrs. Tobey of Essex, Marcy of Suffolk, Burritt of Monroe, Opdyke of New York, Wight of Westchester, Van Cott of Kings, Smith of New York, Jacobs of Kings, and Weed of Clinton.

On Claims—Messrs. Lincoln of Ontario, Griffin of Delaware, Pierson of Albany, Wyoming, Davidson, Fuller, White of Oneida, Manley of Cattaraugus, Foote of Erie, Carpenter of Dutchess, McGuire of Schuyler.

On Roads and Bridges—Messrs. Ford of Broome, Walker of Oneida, Hollister of Washington, Snyder of Steuben, Miller of Chautauqua, Eting of Ulster, Hill of Greene, Johnson of Oswego, Vandermark of Seneca.

On Affairs of Villages—Messrs. A. L. Van Dusen of Montgomery, Goss of Monroe, Wells of Wayne, J. H. Brown of Ulster, Furbeck of Onondaga, Knettles of Tompkins, Cope of Otsego, Mosher of Albany, Tompkins of Columbia.

Internal Affairs of Towns and Counties—Messrs. Lynde of St. Lawrence, Herrick of Rensselaer, Babcock of Niagara, Crawford of Schenectady, Manley of Cattaraugus, Persons of Jefferson, Flint of Yates, Johnson of Oswego, Ryan of New York.

Charitable and Religious Societies—Messrs. Crawford of Schenectady, Walker of Oneida, Baltz of Erie, Clapp of Putnam, Clarke of New York, Denniston of Orange, Biglin of New York, Bay of Columbia, Couchman of Schoharie.

On Public Printing—Messrs. Baltz of Erie, Kennedy of Livingston, Fard of Broome, Sylvester of Lewis, Futbeck of Onondaga, Denniston of Orange, Eiting of Ulster, Hasbrouck of Dutchess, Bentley of Kings.

On Banks—Messrs. Burritt of Monroe, Moore of St. Lawrence, Lewis of Delaware, Pell of New York, Worth of Kings, Costello of Oneida, Cohe of Otsego, C. G. Cornell of Niagara, Van Voorhees of Rockland.

On Trade and Manufactures—Messrs. Wells of Wayne, Costello of Oneida, Landfield of Tioga, Heacock of Fulton, Young of Chenango, Cleary of Rensselaer, Cumblings of Ulster.

On Militia—Messrs. O'Brien of Erie, Batchelder of Saratoga, Baltz of Erie, Eiting of Ulster, Partens of Warren, Smith of New York, Hender of Jefferson, Norton of New York, and Van Demark of Seneca.

On Agriculture—Messrs. Swain of Niagara, Brewer of Chautauqua, Schoonmaker of Albany, Suydam of Kings, Townsend of Genesee, Vandermark of Seneca, Couchman of Schoharie.

On State Prisons—Messrs. E. E. Brown of Cayuga, Dixter of Chemung, Badger of Franklin, Filan of Yates, Jones of Washington, Abbott of Orange, Blessing of New York.

On Public Education—Messrs. Husted of Westchester, Crandall of Allegany, Goss of Monroe, Clapp of Putnam, Philip of Cortland, O'Brien of Erie, Bilkley of Oswego, Campbell of New York, Donohue of Kings.

On Grievances—Messrs. Herrick of Rensselaer, Whalen of Orleans, White of Oneida, Townsend of Genesee, Bleasdale of New York, Abbott of Orange, and Campbell of New York.

On Public Health—Messrs. Crandall of Allegany, Hender of Jefferson, Patterson of New York, Worth of Kings, Hillyer of Cortland, O'Brien of Erie, Bilkley of Oswego, Campbell of New York, Donohue of Kings.

On Manufacture of Salt—Messrs. West of Saratoga, A. L. Van Dusen of Ontario, Furbeck of Onondaga, Phillips of Cortland, Coggeshall of Oneida, Tompkins of Columbia, and Woods of New York.

On Salaries—Messrs. Hasbrouck of Ulster, Hender of Jefferson, Walker of Oneida, Raynor of Onondaga, Higgins of Kings, Blackie of New York, Van Valkenburgh of Albany, and Cummings of Ulster.

Petitions of Aliens—Messrs. Philpot of Madison, Lincoln of Ontario, Nice of Erie, Gilbert of Steuben, Cook of New York, Roche of Kings, and Burns of New York.

On Civil Divisions—Messrs. Vedder of Cattaraugus, West of Saratoga, Young of Chenango, McQueen of Schenectady, Schoonmaker of Albany, Donahue of Kings, and Hull of Greene.

On Federal Relations—Messrs. Woerth of Kings, Fort of Oswego, E. E. Brown of Cayuga, Badger of Franklin, Hillyer of Richmond, Parsons of Jefferson, Deering of New York, Heasley of New York, and Cleary of Rensselaer.

On Thirds and Three-Fifths Bill—Messrs. Dexter of Chemung, Griffin of Delaware, Fowler of Steuben, Foote of Erie, Crary of New York, Campbell of New York, and Donohue of Kings.

On Expenditures of the Executive Department—Messrs. Goss of Monroe, W. S. Van Dusen of Montgomery, Rose of St. Lawrence, Herring of Westchester, Woods of New York, Ryan of New York, and Heasley of New York.

On Expenditures of the House—Messrs. Snyder of Rensselaer, Clapp of Putnam, Gilbert of Steuben, Hillyer of Chautauqua, Hardy of Cayuga, Hayes of New York, and Van Valkenburgh of Albany.

On Indian Affairs—Messrs. Davidson of Wyoming, E. E. Brown of Cayuga, Cure of Onondaga, Townsend of Genesee, Foote of Erie, Burns of New York, Stewart of Otsego.

On Public Lands—Messrs. Griffin of Delaware, T. W. Backlee of Oneida, Bay of Cayuga, Fish of Monroe, Hayes of New York, Donohue of Kings, Tompkins of Columbia.

On Engrossed Bills—Messrs. Moore of St. Lawrence, Pierson of New York, Hardy of Cayuga, Badger of Franklin, Hillyer of Chautauqua, Blumenthal of New York, and Van Demark of Seneca.

On Joint Library—Messrs. Yeomans of Wayne, Prince of Queens, Fowler, Hardy of Steuben, Voorhies of Rockland, and Woods of New York.

On Privileges and Elections—Messrs. White of West Chester, Dehliston of Orange, Philpot of Madison, Filbert of Steuben, Schoonmaker of Albany, Cary of New York, and Roche of Kings.

On Local and Special Laws—Messrs. Prince of Queens, Fish of Monroe, Herring of Westchester, Beebe of Sullivan, and Metcalfe of Schuyler.

On Rules—Messrs. Tobey of Essex, Pierson of Albany, Fort of Oswego, Jacobs of Kings, and Weed of Clinton.

Sub-Committee of the Whole—Messrs. Rose of St. Lawrence, Blackie of New York, Cooke of New York, Oakley of Queens, Ray of Columbia, Herrick of Rensselaer, Jones of Washington, Hice of Herkimer, Sylvester of Lewis, Stewart of Otsego, Lewis of Delaware, Lincoln of Ontario, Yeomans of Wayne, Davidson of Wyoming, Babcock of Niagara.

BILLS INTRODUCED.

By Mr. Oakley—To authorize and require the New York and Harlem Railroad Company to extend its tracks along Chambers street to James street, thence to James slip and along South street to Roosevelt street ferry. [The same bill was introduced last session by Mr. Bennett.]

MARRIED TO THE CHURCH.

Yesterday's Spectacle in the Convent of St. Joseph in Newark.

Six novices of the Order of Our Lady of Mercy renounced the world yesterday at the Convent of St. Joseph in Newark, N. J. A large number of ladies and gentlemen who had received invitation from the Superioress of the Convent assembled in the chapel at an early hour, and many of them were attired as fashionably as though the occasion were that of a bridal party. At 9 A. M. the Vicar-General, attended by Fathers Walsh and Corrigan, and preceded by a number of acolytes, moved from the sacristy to perform the services of the mass. At the offertory the strains of Mozart's "Wedding March" swelled forth from the organ, and six lavishly attired young maidens moved in pairs up the aisle, followed by a solemn procession of nuns. Having reached the foot of the altar, the novices genuflected and then moved, one to the right, the other to the left, until they formed a line at the foot of the altar. At the consecration of the Mass they prostrated themselves, each holding in her hand a parchment sheet containing the solemn formula of the religious vows of Poverty, Chastity, and Obedience. Simultaneously with their reception of Holy Communion they uttered these vows, pledging themselves to "voluntary poverty, perpetual chastity, and obedience."

The taking of the vows was followed by the hymn, "O! Salutaris Hostia," by the assembled nuns.

At the close of Mass the Vicar-General delivered a touching sermon on the life of the Sister of Charity.

After Mass a sumptuous breakfast was provided for the guests, among whom was Mr. Chas. O'Conor and Matthew T. Byrnes of New York.

The previous names of the young ladies received were: Martha Allen Firth, Jane Tobin, Alice Mary Donnelly, Winifred Wood, Margaret Awiza, and Catharine Pitnheny. In religion their titles are, respectively: Misses Mary Gertrude, Catharine of Sienna, Mary of Egypt, Mary Aloysius, Mary Bernard, and Sister Mary Theresa.

Howe's Cooperage Destroyed.

Yesterday morning Richard Howe's cooperage, connected with the paint works corner of Gold and Tillary streets, Brooklyn, was burned. The building was brick, four stories high, 35 feet wide by 75 feet deep. The watchman attempted to extinguish the fire before giving an alarm. The delay endangered the paint works, which were only saved by the greatest exertions. Loss on building, stock, and machinery, $25,000; insurance, $20,000.

NEW JERSEY.

The Hoboken Board of Education has ordered hydrants to be placed in front of each public-school building.

Michael Whalon has been arrested for setting fire to Bagnall's harness shop, Pavonia. His cap found found in the ruins is the proof against him.

WASHINGTON NOTES.

The Senate yesterday passed Mr. Morrill's bill to aid agricultural colleges by donations of public lands.

The Secretary of War says that the House bill granting 160 acres of land to each honorably discharged soldier would require 320,000,000 of acres.

The Senate Finance Committee reported yesterday that the Secretary of the Treasury has not the power under the existing laws to issue United States notes for any portion of the $44,000,000 in notes cancelled under the act of June, 1866.

SPARKS FROM THE TELEGRAPH.

The late John A. Brown of Philadelphia bequeathed $54,000 to charitable and other institutions, of which $10,000 goes to the Presbyterian Committee of Home Missions at Washington.

The iron bridge over the Piscataquog river in Manchester, N. H., gave way yesterday under a heavy loaded team driven by Alderman Harvey and his son Charles. Both men were severely but not dangerously hurt. Mr. Pickett had a leg badly crushed. One of the horses was killed.

LOSSES BY FIRE.

The summer residence of Jeremiah S. Remington, in Barrington, R. I., was burned yesterday. Loss about $15,000; fully insured.

Abraham Hendrickson's barn, Springfield, L. I., with four horses, two sleighs, hay, grain, and utensils. Loss $4,500. Insurance $2,500.

Parker & Young's piano stock factory at Lisbon, N. H. Loss, $23,000; insured for $7,500. Parker & Bennett's printing office was damaged to the amount of $1,500.

Two stores on Toga street, Ithaca, occupied by John Prodger, tobacconist; Payne & Reynolds, hair goods; Miss Stevens, dressmaker, and G. A. Toppenden, boot and shoe maker, were burned yesterday. The dry goods store of J. T. Morrison, adjoining, was damaged by fire and water. Loss about $16,000, nearly covered by insurance.

FLASHES FROM THE OCEAN CABLES.

The American fleet will sail from Villafranca for Spezzia.

Another detachment of troops, 500 strong, sail from Spain to-day for Cuba.

The American fleet, commanded by Rear Admiral James Alden, has arrived at Villafranca.

The ship Anna Lassen from Lillesand, Norway, for New York, was run into and sunk. Three of the crew were drowned.

An American bark, name unknown, is ashore in the British channel, and is breaking up. All on board are supposed to be lost.

The largest Carlist band in Biscay has been dispersed by the Spanish troops. Its leader, Goiricas, escaped, and has probably reached the frontier.

The Shah of Persia will leave Teheran next April on his return home. He will visit St. Petersburg, Berlin, Vienna, London, Paris, and Constantinople.

JOTTINGS ABOUT TOWN.

The Travelers' Insurance Company has over $700,000 surplus. See advertisement.

James Waterbury, aged 70, fell at Fourth avenue and Twenty-sixth street yesterday, and died.

James Connolly of 95 Water street fell into the East river at pier 9 yesterday, and was drowned; body recovered.

Yesterday the Sheriff seized, under an execution, the horses, tender and engine of Company No. 7, and the truck and horses of Company No. 1.

John Frank, a carpenter, of Fifty-first street, fell from the Presbyterian Church, Greenpoint, yesterday, a distance of forty feet, and broke his ankle.

Col. Whitley's officers seized $1,000 worth of goods yesterday on the ship Pacific, lying at Pier 14, E. R. They were not entered on the vessel's manifest.

Smallpox has appeared in the Deaf and Dumb Asylum. Two inspectors were sent by the Health Board yesterday to vaccinate the inmates, of whom there are 800.

The members of the bar of the United States Courts of the Second Circuit meet on Friday to take action upon the retirement of Justice Nelson from the Supreme Court of the United States.

John H. Zindel (Republican) was yesterday elected Alderman in the Nineteenth Ward, Brooklyn, to fill a vacancy caused by the death of Judge P. Wilson. His competitors were Col. S. H. Steenas and Ex-Justice Voorhies.

In the examination in the case of Mrs. Woodhull, Miss Claflin, and Col. Blood, before Commissioner Davenport yesterday, the point was made that if the Commissioner's decision was against the prisoners, Mr. Anthony A. Comstock should be arrested for instigating the circulation through the mails of the objectionable matter.

Commissioner Van Nort's statement of the expenditures for 1871 and 1872 in the Department of Public Works shows a reduction of expenditures on taxation of $1,312,768.09, a reduction of expenditures on taxation and trust accounts of $4,457,360.25, and a balance of $469,250.26 of appropriations from taxation unexpended and applicable to the expenditures for 1873.

CURIOSITIES OF CRIME.

The trial of Hill, Barlow and Mills in the United States District Court in Boston, on a charge of attempting to murder Mr. Ephraim Wilson of Royal, resulted to-day in a verdict of acquittal.

Truman C. Hoag, charged with shooting and killing George Abrams in Middleburgh, Schoharie county, last Saturday night, was arraigned in Albany yesterday and says he killed in self defense. The prisoner's wife is said to be a niece of Judge Danforth and a granddaughter of ex-Gov. Bouck.

John Duffy, keeper of a distillery at Twenty-fifth street and First avenue, was yesterday fined $10 by Justice Coulter for giving a boy named Gideon Forplace so much whiskey that the lad lay insensible for over twenty-four hours. Justice Coulter said that he regretted that the law would not permit him to send Duffy to prison.

Margaret Burtis, aged 40 years, was arrested in Williamsburgh yesterday charged with stealing clothing from Fair Brown, merchant. On her person was found $115