LOCAL AFFAIRS.

Board of Aldermen.

The Board held the fifth meeting of the July session on Monday evening—Nathan C. Ely, Esq., President, in the chair.

PAPERS REFERRED.

The report of the committee of the Councilmen, in relation to the communication of James Flanagan relative to his contracts for work to be performed within the Central Park, was referred to the Finance Committee.

THE CLINTON MARKET.

The petition of John S. Smith and others, stating that the Clinton Market is so contracted that there is not sufficient accommodation for the customers, was received and referred to the Committee on Markets.

THE HARLEM, NEW HAVEN AND HUDSON RIVER RAILROADS.

The Committee on Railroads, relative to the stoppage of express trains on the Harlem, New Haven and Hudson River Railroads, for the accommodation of persons at Yorkville, Harlem, and Manhattan, report that such an arrangement could not be made without interfering with the running of the cars on said roads, as it might interfere and cause delays so that they might not be able to be at their proper places at the proper times, thereby endangering the lives of many of the passengers. They, therefore, suggest that the prayer of the petition be denied. The report was re-committed.

THE HUDSON RIVER RAILROAD.

The report of the Committee on Railroads, in reference to the standing of cars on the Hudson River Railroad tracks in Hudson street, recommended a concurrence with the Councilmen in their resolution directing the company to remove and hereafter refrain from standing the cars of their company in Hudson street, and if the company refuse to comply therewith, the Street Commissioner is directed to remove the same, in accordance with the ordinance of the Corporation.

DARKNESS AND INDIGNITIES IN THE STREETS.

The report of the Committee on Lamps and Gas, concurring with the Board of Councilmen in favor of placing a gas lamp in front of school house corner of Stanton and Sheriff streets; also one in Fifth street and one in Ninth street, near avenue C, in consequence of many dissolute characters offering indignities to the female portion of the schools, was received and adopted. The report of the same committee, concurring with the Board of Councilmen to light Fifteenth street from First avenue to East river, and Sixteenth street from avenue A to East river. Adopted. Of the same, in favor of placing two gas lamps in front of the Presbyterian church, corner of Twenty-ninth street and Madison avenue. Concurred in.

THE FIRE DEPARTMENT.

The Committee of the Fire Department reported in favor of concurring with the award of the contract for building Engine Company No. 27.

The report of the Committee on the Fire Department on the complaint against Engine Co. No. 31, states that that company have attached to them a gang of rowdies called the "Hounds," who have complete control of the engine; and that in consequence thereof, many of the respectable and orderly members of the company have resigned, knowing that the rowdies would get them into difficulty. The committee have warned said company, through their foreman, against any further disturbances, but without effect; they, therefore, recommend that Engine Co. No. 31 be disbanded. Adopted.

JURORS OF THE CITY AND COUNTY OF NEW YORK.

A resolution was offered by Alderman Williamson, calling upon the Commissioner of Jurors to report the number of persons registered as jurors, the number marked liable, the number marked exempt and the cause of such exemption, the number drawn for the several courts and the number excused or discharged for other causes, the number of jurors fined as delinquent, and the number ordered to show cause why they should not be fined as defaulting jurors, and what order has been made therein, the amount of money collected from fines and fees imposed during the time the present Commissioner has been in office, and what disposition has been made of the same. Adopted.

THE NEW CITY HALL IN IRON.

A petition in behalf of the New York Iron House Building Association, proposing to construct the New City Hall in any style or after any given design in iron. Referred to the Committee on Building the New City Hall.

The report of the Committee on Railroads, relative to the regulating of Grand street and the Second Avenue Railroad was adopted.

COMMUNICATION FROM THE COUNSEL TO THE CORPORATION.

A communication was received from Mr. Dillon, in answer to a resolution as to the powers of the Commissioners of the Sinking Fund, in disposing of city property, &c. He says:—"The Commissioners of the Sinking Fund have the right to sell two descriptions of real estate belonging to the Corporation. First, That which lies under water, and to which, for the most part, the owners of the upland have the pre-emptive right of purchase. Secondly, All the real estate not reserved for public purposes. As regards the former, the sales to the owners of the upland, under their pre-emptive rights, may be private and upon such terms as may be agreed upon. But in all other cases, either of sales of land under water or of land not reserved for public purposes, the sales must be at public auction, upon a notice of twenty days, published in the papers of the Corporation. This authority to sell will be found in the celebrated ordinance of 1844, entitled 'An ordinance for the redemption of the city debt and for payment of the interest thereon,' confirmed by the acts of the Legislature, 1845, p. 247, and 1851, p. 454." Entered on the minutes.

MISCELLANEOUS PAPERS REFERRED.

The report of the Committee on Streets in favor of fencing lots in Thirtieth street and Ninth avenue, with ordinance: of same, in favor of flagging Thirtieth street, from Tenth avenue to Hudson river; of Committee on Fire Department relative to building a new house for engine company No. 8; of Committee on Streets, in favor of regulating and paving Thirty-first and Thirty-second streets between Second and Third avenues; in favor of flagging Twenty-eighth street, between Sixth and Seventh avenues; report of Finance Committee, concurring to pay the bill ($52 50) for publishing the amended charter of 1853; report concurring with Councilmen in relation to repairing the building occupied by the Croton Water Department; in favor of having pier No. 39 East river repaired; in favor of building new engine for engine company No. 20.

THE SIXTH AND EIGHTH AVENUE RAILROADS.

The Comptroller announces that for the month of June the following were the receipts:—

Of the Sixth Avenue Railroad Company. $21,976 01
Of the Eighth " " 25,758 30

The report of the Committee on Sewers in favor of sewer in Elizabeth street, from Prince street to Houston, was concurred in.

NEW NAMES OF STREETS.

The report of the Committee of the Councilmen on Lands and Places, relative to changing the name of part of Thirty-second street to Boorman terrace, was received, non-concurring with this Board, which recommended favorable action.

SWINE ORDINANCE.

The following was submitted for adoption:—

"No person or persons shall have or keep in the city of New York, below 100th street, any swine, under the penalty of five dollars per day for each swine so had or kept." Referred to Committee on Ordinances.

THE EIGHTH AVENUE RAILROAD.

The report of the Committee of Councilmen directing the Eighth Avenue Railway Company to run their cars from Fifty-second to Fifty-ninth streets, every ten minutes, so as to start a car every ten minutes from Fifty-second street up to Fifty-ninth, and a car every ten minutes from Fifty-ninth street down to Fifty-second street, daily, from 5 o'clock A. M., to 10 o'clock P. M., was concurred in.

The Board then adjourned.

This Board held the sixth meeting of the July session last evening—Nathan C. Ely, Esq., President, in the chair.

THE CRYSTAL PALACE TAXATION.

A petition from the directors of the Crystal Palace, offered by Alderman Chauncey, in relation to tax, sets forth that a claim has been made against them which is now in process of collection, for the personal tax of 1853. The petitioners allege that the taxes unpaid are larger in amount than they should be, and that they have an unadjusted claim against the city for flagging the sidewalk around Reservoir Square, which should be allowed as a set off against the taxes, as far as the claim can be made applicable for that purpose. The petitioners pray for a reference to a committee to investigate the matter.

Alderman HOWARD opposed the reference. The directors of the Crystal Palace had made a great failure, and Alderman Chauncey would be glad to get them off; but he was most willing that they should be made to——

Alderman CHAUNCEY—I move that it go to a committee.

Alderman HOWARD—I move that you sit down, for I have the floor.

The PRESIDENT—The Alderman of the Sixth (Howard) has the floor.

After a few more words from Alderman Howard, a vote was taken and the petition was referred to the Committee on Assessments.

EXTENSION OF THE BOWERY.

By a resolution, the petition, previously presented, for the extension of the Bowery to the Battery, was permitted to be withdrawn, and the same was referred to the Councilmen.

CONTRACT FOR CLEANING STREETS.

On the report of the contract for cleaning streets being brought forward, in which the committee of the Board recommend a concurrence with the Councilmen,

Alderman HOWARD moved that it be postponed till cool weather. The streets were never in a state as they were now, and the city lose nothing by a postponement until Sep-

Alderman BROWN moved that it be postponed until August, instead of September.

Alderman CHAUNCEY opposed the postponement, and said that the board were bound to give the contracts to the lowest bidder; but there seemed to be a desire to get back to the old system of the former boards, though he did not mean to charge any member with the pickings and stealings.

Alderman DRAKE, in supporting the motion of postponement to September, said that he did not know that there were more pickings and stealings under the old charter than there were under the new, and as for his part, although he would vote for the postponement, he considered himself as honest as the Alderman of the Fifteenth, (Chauncey,) and had as little to do with the pickings and stealings.

Alderman HOWARD—I don't think you steal half as much as he does. (Laughter.)

Alderman LORD, in opposing the motion to postpone, defended certain members of the Board of Aldermen whom, he said, were the object of certain insinuations and charges, for the purpose of bringing the board into odium and disrepute.

Alderman MOTT considered that the Board was bound under the charter to let the contract to the lowest bidder, and spoke some time in support of his views.

Alderman WILLIAMSON said that this matter had been discussed so frequently he would move the previous question. Carried.

The main question—the adoption of the report—was then put and carried, by a vote of 14 to 6.

THE CROTON AQUEDUCT NOMINATIONS.

The following resolution was offered by Alderman HERRICK:—That the communication from his Honor the Mayor, dated May 8, 1854, transmitting nominations for officers of the Croton Aqueduct Board be, and same is hereby, taken from the Committee on Salaries and Offices for the consideration of this Board. After some discussion the resolution was lost, by a tie vote of 10 to 10.

After some further business, which did not amount to much importance, the Board adjourned to this (Wednesday) evening.

Board of Councilmen.

MONDAY, July 10, 1854.—Edwin J. Brown, Esq., President, in the chair.

PETITIONS PRESENTED.

Petition of several persons in the Fiftieth district, for the filling in of sunken lots and yards in Fifteenth street.

Of the ringer of Jefferson Market bell, for a look-out on the tower of said bell.

Of the trustees of the German Evangelical church of Forty-first street, to be released from assessment.

Of residents of the Ninth ward, against a resolution passed restraining the filling in of slip foot of Hammond street.

Of James McDonald and others, for Croton water in Fifty-second street.

REPORTS REFERRED.

Twenty reports of the Committee on Assessments, relative to assessing various individuals, and containing various and lengthy assessment lists, were received and referred to the Committee of the Whole.

A communication was then read from the Commissioner of Repairs and Supplies relative to plan and specifications for the construction of a new building on the site which was originally known as the "New City Hall."

Report of Committee on Finance—Adverse to paying damages claimed by Alexander Vanderbeck.

Report of Committee on Ordinances—Relative to organizing the Bureau of Arrears.

Of Committee on Ordinances—In relation to printing certain laws of the State.

Of Committee on Ordinances—Adverse to petition of Edwin Kroupp and others (carmen), for repeal of ordinance in relation to the repeal of the ordinance relative to the rights of carmen living in Brooklyn, obtaining a license as New York carmen.

Of Committee on Roads—In favor of opening Ninety-third street from Fourth avenue to East river.

Of Committee on Streets—In favor of flagging Twenty-fifth street between Broadway and Fifth avenue.

Of Committee on Streets—In favor of fencing in vacant lots in Thirty-ninth street between Third and Lexington avenues.

Of Committee on Streets—In favor of flagging Seventh avenue between Thirtieth and Thirty-fifth streets.

Of Committee on Police—Adverse to paying bill of Dr. Kilbourne for medical attendance on John N. Smith.

Of Committee on Streets—In favor of fencing lots in Eleventh street between first and second avenues.

TRINITY CHURCH YARD MATTER.

Report of Committee on Streets—Non concurring with the Board of Aldermen in the matter of opening Albany street. (Laid on the table to print.)

Report of Committee on Streets—In favor of allowing contractors to use flagging less than four feet square. Lost.

REFERRED.

Report of Committee on Sewers—In favor of sewer in Forty-third street, from near Sixth avenue to Eighth avenue, and Broadway to Forty-fourth street.

Of Committee on Sewers—In favor of sewer in Thirty-third street, from Sixth to Second avenues.

Of Committee on Sewers—In favor of sewer in Forty-first street, between Second and Third avenues.

Of Committee on Sewers—In favor of sewer in Lexington avenue, from Thirtieth street to Thirty-eighth street.

Of Committee on Sewers—In favor of sewer in Market street, from East river to Division street.

Of Committee on Wharves, Piers and Slips—In favor of granting permission to Lane Bros. to bridge out at the foot of Barrow street.

Report of Special Committee on Harbor Encroachments—In favor of granting permission to Commodore Boorman, of the navy yard, the right to place four buoys in the Wallabout bay.

Report of Committee on Croton Aqueduct Department—Relative to opening reservoir at Forty-second street. Laid on the table.

The board then went into

COMMITTEE OF THE WHOLE,

Councilman Vermilye in the chair, on various matters referred to them. Among them was one of the Committee on Ferries, relative to reducing the rent of the Wall street ferry, which was laid over and made the special order for Thursday evening; and report of Committee on the Brick church property, which took the same course. Several other reports were read and ordered to a third reading on Friday evening next.

The board then adjourned until the next evening, at 4 o'clock.

Board of Supervisors.

His Honor the Recorder in the chair.

The Board met last evening, and approved of the minutes of the proceedings of the previous meeting.

BILL OF THE COUNTY CLERK.

The bill of Richard B. Connelly for services rendered from January 1 to June 30, 1854, amounting to $375 06, was referred to the Committee on County Offices.

The following resolution was offered and adopted: That the Committee on County Offices be, and are hereby, instructed to have all the said books repaired in a good and substantial manner—the same not to be taken out of the office of the Register. The said repairs to be made without delay.

ORDER TO SUSPEND THE LEVY OF ARREARS OF TAXES.

The following resolution was offered and adopted: That the Receiver of Taxes inform this Board without delay of the names of the persons from whom moneys have been received by him, or by any persons deputed by him to collect the same, from the 1st of June, 1854, stating, in separate columns, the amount of taxes paid by each, the amount of interest, and the costs and commissions charged; to the end that all such moneys be returned to those from whom they were collected, without incurring further costs. And that the said receiver be directed to suspend all proceedings of levy and collections on account of the arrearages. Adopted.

There being no further business before the Board, they adjourned to this (Wednesday) evening, at 4 o'clock.

REV. J. H. CARGILL KILLED BY THE EXPLOSION OF A CANNON.—We regret to state that the Rev. J. H. Cargill, of the Methodist Church, who had just been stationed at Montrose by the Conference at its recent session at Waverley, was killed by the discharge of a cannon on the 4th of July, at Susquehanna, Penn. He had but a short time before come into the place to attend the celebration. There were two cannons, one large and one smaller, stationed nearly opposite to each other in front of the Harmony Hotel, at the distance of a rod or two from the road. The man in charge of the cannon had applied the match once or twice ineffectually to the larger one, and was about applying it again, as the deceased, coming up the road, ran across hastily in front of it. As he was in range of it, it discharged, blowing him over and over some distance, shattering his left arm, tearing open his side, and otherwise horribly disfiguring his person. He was taken in great agony to the hotel, and medical aid and other assistance rendered him, but he died in a few hours. The deceased was strictly warned in time of his danger, but he unaccountably exposed himself to the fatal blow. He was a young man, highly esteemed for his ardent piety and usefulness, and this sudden and violent calamity, just as the procession was about forming for the exercises of the occasion, converted a day of rejoicing into one of mourning and gloom. We were approaching the place as the cannon was discharged, and saw the mangled body immediately after the accident.—*Binghamton Republican, July 5.*

At Poughkeepsie, N. Y., on the morning of the Fourth, two young men, named William Sanford and Charles Dimond, undertook to amuse themselves by worrying a poor half intoxicated outcast named Levy. One of them held Levy while the other gave him a blow with his head in the breast that caused his immediate death. Sanford is in prison and Dimond has absconded.

Common Pleas—General Term.

Before Hon. Judges Ingraham, Daly and Woodruff.

JULY 9.—*Miller vs. Eagle Life Insurance Company.*—INGRAHAM, F. J.—Our practice always has been, where a judgment has been opened and a new trial ordered, but the judgment allowed to stand as security, to require a new judgment to be entered for the amount recovered on the second trial, without reference to the previous judgment. Such, however, is not the present case. The plaintiff having recovered a verdict, entered up his judgment, which the defendant moved to set aside. This motion was denied, but the notice of entry of judgment was set aside. The defendant moved for a new trial; this motion was denied, and an appeal from such motion was made to the General Term. On the hearing of such appeal, the order at Special Term was affirmed. The order at General Term on that appeal should have stopped here, but inadvertently it was further ordered that the judgment at Special Term should be affirmed. That part of the decision was erroneous, as no such judgment was the subject of the appeal; but the appeal was merely from the denial by the Judge at Special Term of a motion for a new trial. As the judgment has not been appealed from, there was no propriety in affirming it, and we should have properly corrected that error had a motion for that purpose been made to the Court. The order made at Special Term, in effect produces the same result so far as to vacate the judgment of affirmance theretofore entered. It was not necessary in that order to direct a new judgment of affirmance to be entered. If that is necessary, it can only be done on appeal to the General Term. If no notice of the entry of judgment has been served, the defendant is not too late to appeal to the General Term, and then to the Court of Appeals. The first error in the entry of the decision of the Court at General Term, which has led to the subsequent errors in this matter, should be corrected, and with a view of relieving the case from all difficulty on that point, it is ordered that so much of the order entered 4th February, 1854, as directs the judgment at Special Term to be affirmed, be vacated; that the portion of the order at Special Term made on the 4th May, 1854, which directs a new judgment of affirmance to be entered up, be vacated; and that the residue of the said order vacating the judgment of affirmance entered on the 7th day of February, 1854, be affirmed; that the plaintiff be at liberty to vacate the judgment heretofore entered by him, and enter a new judgment for the amount received and costs, within ten days from the entry of this order, or may proceed to give a new notice of entry of the said judgment as he shall be advised, in lieu of the notice of entry of judgment, which was ordered to be stricken out by the order of 27th December, 1852.

Gray, Administratrix, &c., vs. Davis.—INGRAHAM, F.J.—Whatever may be our individual opinions as to the right of the plaintiffs to a recovery in this case, we feel bound to yield those opinions to the views expressed by the Judge of the Court of Appeals, when on the former argument of this case in that court they reversed the nonsuit granted upon the trial, and sent the case back for a new trial. Judge Foote then said the Court was not so much in error in taking the case from the jury as in holding that the facts were not sufficient to sustain the plaintiff's cause of action, thereby intimating that the Court should have instructed the jury that the facts were sufficient for the purpose. Judge Gardiner also was of the opinion that this Court erred in holding the evidence insufficient, and should have left the facts to the jury. In obedience to these intimations the cause has been again tried. All the material evidence in the case before has again been submitted, and if changed in any material matter, it is by adding testimony of a contradictory character, which makes it more proper to submit the case to the jury than was apparent in the first trial. We think we should be wanting in due respect to the Court of Appeals should we now listen to the argument of the appellant in favor of the motion to dismiss the complaint. The case was fully submitted to the jury, and they have found in accordance with the views of the Judges in the Court above. The motion for a new trial must be denied, with costs.

New York and Havre Steam Navigation Company vs. Daniel T. Young.—INGRAHAM, F. J.—The plaintiffs claim for freight for goods brought in one of their vessels, consigned to Coffe & Cutler, to be delivered to them or their assignees. On the arrival of the vessel the goods were sent to a bonded warehouse. After the goods were sent to the warehouse, the consignees made an assignment to the defendant, and also assigned to him the bill of lading, upon which he received the goods from the public store, on payment of the duties. This action is brought for the freight. We long since held that the assignee, who received the goods in a bill of lading, and not the consignee, is liable for the freight; (Benton vs. Stachem & Scott, Common Pleas, July, 1846,) and that is now well settled to be the law, (4 Denio, 110.) The only point of difference in this case is that the assignment was made after the goods were sent to the public store. If the delivery at the public store was to be considered a delivery to the consignee, there might be some reason for holding the consignee liable. But such delivery is not for the benefit of the consignee, but in pursuance of law, which directs a general order for that purpose. A compliance with that order does not deprive the plaintiffs of their right to claim the freight from the person who receives the goods on the bills of lading. That is the only evidence of delivery, and the receipt of the goods by an assignee of the bill of lading renders him liable for the freight, as the party who receives the goods. There never was a delivery of the goods until the party having the bill of lading claimed them. That person was the defendant. He claimed the goods as assignee of the bill, and received them. I see no ground for relieving him from the liability for freight. In the case in 4 Denio, 110, one parcel had been sent to the public store long before the assignment, and yet the Court held the consignees not liable. The reverse of the proposition follows. If the consignees are not liable, the assignee is. The judgment should be affirmed.

Bede vs. Roberts.—INGRAHAM, F. J.—We have on several occasions expressed the opinion that the 366th section of the Code was not applicable to a case where the defendant appeared on the return of the summons, but did not appear on the adjourned day of trial. That section provides for opening a judgment by default only where the defendant failed to appear before the Justice. In this case the defendant did appear, and by successive adjournments the case was postponed. On the last adjournment the defendant forgot to attend, and his default was taken and judgment rendered. It can never be admitted to be a good excuse that the defendant forgot to attend to a cause on the adjourned day. If so, defendants will be apt to present such an excuse very frequently, and a judgment by default will become a more uncertain remedy than a judgment upon trial. Even if the 366th section was sufficient to cover such a case, the excuse that the defendant forgot to attend Court on the adjourned day, is not a sufficient one. Upon the merits, I think the evidence was sufficient. The defendant was to pay $50 on delivery of the deed for certain lots purchased by defendant. The money was payable on the delivery of the deed within thirty days from date. I am inclined to think that the words "within thirty days from date" were not part of the condition on which the money was to be payable, but is to be construed as specifying the time at which the defendant was bound to receive the deed under the contract with the purchaser. Even if it were so, still the return does not show that the delivery was after the 30 days, but, on the contrary, that the deed was tendered in pursuance of the agreement between the parties. In the absence of any defence, I think this makes out a *prima facie* case of complying with the agreement. The deed was refused, but this does not deprive the plaintiff of the right to recover. The acceptance of the deed was no part of the condition. The mere delivery was all that was required. The tender of the deed was all that was necessary to comply, and if the defendant refused to receive it, he could not by that act defeat the plaintiff's claim. We cannot look at an affidavit which contradicts the justice's return. The only remedy in such a case is by applying for a further return. If the return is incomplete, this is the only way to correct the error. If we were to take affidavits as sufficient for such a purpose the appeal would be decided not in the return but on the affidavits. Affidavits can only be received in two cases:—First, where an error in fact in the proceeding not affecting the merits has been committed; and, second, where the defendant has failed to appear, and seeks thereby to excuse his default. In all other cases the Court can only be governed by the return. The result of this case may operate hardly to the defendant's interests, but we must be governed by general rules in the hearing of these appeals; and although the enforcement of them may seem hard in individual cases, still the advantages of settled rules of construction firmly adhered to will be most satisfactory to suitors. Judgment affirmed.

Before Hon. Judge Woodruff.

JULY 11.—*Eliza B. Bennett, by her next friend, vs. Adoleson J. Bennett.*—On the report of the referee, the court granted a divorce upon the proofs taken as to alleged acts of adultery committed by the defendant in May and June, 1854.

Supreme Court—General Term.

JULY 10.—*The Canal and Walker street extension and widening.*—In consequence of the absence and indisposition of Judge Watson, (who presided in this case instead of Judge Mitchell) the decision of the Court was postponed until Monday, 31st July.

(Before Hon. Judges Mitchell, Roosevelt and Clerke.)

DECISIONS.—*Tracey vs. Yates.*—New trial granted, costs to abide the event.

Rankin vs. Deforest.—Judgment at special term in favor of defendant, affirmed with costs.

Leavitt, Receiver, vs. Graham, Blatchford and others.—Bill dismissed without costs. Form of decree will be settled by one of the Judges.

SPECIAL TERM.

Before Hon. Judge Roosevelt.

JULY 10.—*David Whitlock, ads. Samuel Wescott.*—The Court made an order that the defendant, who had been committed for contempt, be discharged from the custody of the Sheriff, without prejudice to any proceedings or renewal of any application against defendant which plaintiff may make in Columbia county, where defendant resides, or in any county adjoining thereto.

United States Circuit Court.

Before Hon. Judge Betts.

JULY 10.—James Allen, a black boy, found guilty of an assault with a knife on the cook of the ship West Point, was sentenced to thirty days imprisonment. The Judge remarked that had it not been for the prisoner's delicate state of health, as attested by the certificate of the doctor, he should have sentenced him for three years.

Edward C. Morton, one of the associates of Watson, Brown and others, already convicted of the late extensive forgeries, was discharged on his own recognizances.

Alfred Hall and others, charged with revolt on board the bark Mary R. Barney, was discharged on his own recognizances.

The case of Clifford and others, for assault, was remitted to the United States District Court.

SENTENCES.

JULY 11.—*The U. States vs. Harry Drake, Jas. Todd and Wm. Morris.*—The defendants pleaded guilty to a charge of larceny on the high seas. The court, in consideration of the accused having already suffered a long period of imprisonment, sentenced them to pay a fine of $15 each.

THE INCENDIARY FIRE ON GOVERNOR'S ISLAND.

The U. States vs. Jas. Van Tine and Jas. Finn.—In consequence of the illness of Maj. Sprague, of the U. S. A., the trial was postponed, and the court adjourned *sine die*.

The Convention at Jackson, Michigan.

A convention was held at Jackson, Michigan, on the 6th inst., to consider the measures which should be taken in reference to the late acts of Congress on the subject of slavery, and its anticipated further extension. The following are the resolutions which were adopted:—

Resolved, That the institution of slavery, except in punishment of crime, is a great moral, social and political evil; that it was so regarded by the Fathers of the Republic—the founders and best friends of the Union; by the heroes and sages of the Revolution, who contemplated and intended its gradual and peaceful extinction, as an element hostile to the liberties for which they toiled; that its history in the United States, the experience of men best acquainted with its workings, the dispassionate confessions of those who are interested in it, its tendency to relax the vigor of industry and enterprise inherent in the white man, the very surface of the earth where it subsists, the vices and immoralities which are its natural growth, the stringent police, often wanting in humanity, and shocking to the sentiments of every generous heart, which it demands; the dangers it has already wrought, and the future dangers which it portends to the security of the Union and our constitutional liberties, all incontestibly prove it to be such evil. Surely that institution is not to be strengthened and encouraged against which Washington, the calmest and wisest of our nation, bore unequivocal testimony; as to which Jefferson, filled with the love of liberty, exclaimed:—"Can the liberties of a nation be ever thought secure when we have removed their only firm basis; a conviction in the minds of the people that these liberties were the gift of God? That they are not to be violated but with his wrath? Indeed, I tremble for my country, when I reflect that God is just; that his justice cannot sleep forever; that, considering numbers, nature, and natural means, only, a revolution of the wheels of fortune—an exchange of situation is among possible events—that it may become probable by supernatural interference! The Almighty has no attribute which can take sides with us in such a contest!" and as to which another eminent patriot in Virginia, in the close of the Revolution, also exclaimed: "Had we turned our eyes inwardly, when we supplicated the Father of Mercies to aid the injured and oppressed, when we invoked the Author of Righteousness to attest the purity of our motives, and the justice of our cause, and implore the God of battles to aid our exertions in its defence—should we not have stood more self convicted than the contrite publican?" We believe these sentiments to be as true now as they were then.

Resolved, That slavery is a violation of the rights of man as a man; that the law of nature, which is the law of liberty, gives to no man rights superior to those of another; that God and nature have secured to each individual this inalienable right of equality, every violation of which must be the result of superior force; and that slavery, therefore, is a perpetual war upon its victims. That whether we regard the institution as first originating in captures made in war, in the subjection of the debtor as the slave of his creditor, in the forcible seizure and sale of children by their parents, or subjects by their kings, and whether it be viewed in this country as a "necessary evil," or otherwise, we find it to be like imprisonment for debt, but a relic of barbarism, as well as an element of weakness in the midst of the State, inviting the attacks of sectional enemies, and a ceaseless cause of internal apprehension and alarm. Such are the lessons taught us not only by the histories of other commonwealths, but by that of our own beloved country.

Resolved, That the history of the formation of the constitution, and particularly the enactment of the ordinance of July 13, 1787, forever prohibiting slavery North of the Ohio, abundantly shows it to have been the purpose of our fathers not to promote, but to prevent the spread of slavery; and we, revering their memories and cherishing their pure republican faith as our richest inheritance, which we vow, at whatever expense, to defend, here publicly proclaim our determination to oppose, by all the lawful and honorable means in our power, now and henceforth, all attempts, direct or indirect, to extend slavery in this country, or to permit it to be extended into any region or locality in which it does not now exist by positive law, or to admit new slave States into the Union.

Resolved, That the constitution of the United States gives to Congress full and complete power for the municipal government of the Territories thereof; a power which, from its nature, cannot be either alienated or abdicated without yielding up to the Territory an absolute political independence, which involves an absurdity; that the exercise of this power necessarily looks to the formation of States to be admitted as free States or slave States, Congress has a right to adopt such prudential and preventive measures as the principles of liberty and the interests of the whole country require. That this question is one of the gravest importance to the free States, inasmuch as the constitution itself creates an inequality in the apportionment of Representatives greatly to the detriment of the free, and to the advantage of the slave States. This question, so vital to the interests of the free States, (but which we are told by certain political doctors of modern times is to be treated with indifference,) is one which we hold it to be ever right to discuss—which we hold it the duty of Congress, in every instance, to determine, in unequivocal language, and in a manner to prevent the spread of slavery and the increase of such unequal representation. In short, we claim that the North is a party to the new bargain, and is entitled to have a voice and influence in settling its terms. And, in view of the ambitious designs of the slave power, we regard the man or the party who would forego this right as untrue to the honor and interests of the North, and unworthy of its support.

Resolved, That the repeal of the "Missouri Compromise," contained in the recent act of Congress, for the creation of the Territories of Nebraska and Kansas, thus admitting slavery into a region until then sealed by law, equal in extent to the thirteen old States, is an act unprecedented in the history of the country, and one which must engage the earnest and serious attention of every Northern man. And as Northern freemen, independent of all party ties, we here hold this measure up to the public execration, for the following reasons:—

That it is a plain departure from the policy of the fathers of the republic, in regard to slavery, and a wanton and dangerous frustration of their purposes and their hopes.

That it actually admits, and was intended to admit slavery into said territories; and thus, (to use the words applied by Judge Tucker, of Virginia, to the fathers of that Commonwealth,) "thus sows the seeds of an evil which, like a leprosy, hath descended upon their posterity with accumulated rancor, visiting the sins of the fathers upon succeeding generations."

That it was sprung upon the country stealthily and by surprise, without necessity, without petition, and without previous discussion; thus violating the cardinal principle of republican government, which requires all legislation to accord with the opinions and sentiments of the people:

That on the part of the South it is an open and undisguised breach of faith, as contracted between the North and South in the settlement of the Missouri question in 1820, by which the tranquillity of the two sections was restored!—A compromise binding upon all honorable men:

That it is also an open violation of the compromise of 1850, by which, for the sake of peace, and to calm the distempered impulses of certain enemies of the Union at the South, the North accepted and acquiesced in the odious fugitive slave law of that year:

That it is also an undisguised and unmanly contempt of the pledge given to the country by the present dominant party at their national convention in 1852, not "to agitate the slavery question either in or out of Congress," being the same convention which nominated Franklin Pierce to the Presidency:

That it is greatly injurious to the free States, and to the Territories themselves, tending to retard their settlement, and to prevent the improvement of the country by means of free labor, and to discourage foreign emigrants from resorting thither for homes.

That one of its principal aims is to give to the slave States such a decided and practical preponderance in all the measures of government as shall reduce the North, with all her industry, wealth, and enterprise, to be the mere province of a few slaveholders of the South!—to a position too shameful to be contemplated:

Because, as is openly avowed by its Southern friends, it is intended as an entering wedge to the still farther augmentation of the slave power, by the acquisition of other territories cursed with the same "leprosy."

Resolved, That the obnoxious measure to which we have alluded, ought to be repealed, and a provision substituted for it, prohibiting slavery in said territories, and each of them.

Resolved, That after this gross breach of faith and wanton affront to us as Northern men, we hold ourselves absolved from all "compromises," except those expressed in the constitution, for protection of slavery and slave owners: that we now demand measures of protection and immunity for ourselves, and among them we demand the repeal of the fugitive slave law, and an act to abolish slavery in the District of Columbia.

Resolved, That we notice without dismay certain popular indications of slaveholders on the frontier of said territories, of a purpose on their part to prevent, by violence, the settlement of the country by non-slaveholding men. To the latter we say, be of good cheer; persevere in the right; the North will defend you.

Resolved, That postponing and suspending all differences with regard to political economy of administrative policy, in view of the imminent danger that Kansas and Nebraska will be grasped by slavery, and a thousand miles of slave soil be thus interposed between the free States of the Atlantic and those of the Pacific, we will act cordially and faithfully in unison, to avert and repeal this gigantic wrong and shame.

Resolved, That in view of the necessity of battling for the first principles of republican government and against the schemes of aristocracy, the most revolting and oppressive with which the earth was ever cursed or man debased, we will co-operate and be known as "republicans," until the contest be terminated.

Resolved, That we earnestly recommend the calling of a general convention of the free States, and such of the slaveholding States or portions thereof as may desire to be there represented, with a view to the adoption of other more extended and effectual measures in resistance of the encroachments of slavery; and that a committee of five persons be appointed to correspond and operate with our friends in other States on the subject.

THE PIONEER COMPANY.—The first company of emigrants for Kansas, under charge of the Emigrant Aid Company, will start from Boston on the 17th inst. The train will stop at Worcester and the other principal stations between Boston and Buffalo, to receive the emigrants residing in the vicinities respectively. The Company has provided one hundred tents, and ample provision will be made for the comfort of the emigrants. A large part of those who go in this company are farmers. The second company, in August, will be mechanics, in good part.—*Boston Bee, July 10.*

SUICIDE.—The *Cataract* says that a young woman, whose maiden name was Davis, committed suicide in Cohoes, on Wednesday last, by swallowing 172 grains of corrosive sublimate. She died on the succeeding day at 4 o'clock P. M. The usual remedies were resorted to, but failed to relieve the unfortunate victim. She committed the rash act in consequence of a disturbance which originated in her marriage, on Sunday of last week, to a young man to whom her friends were opposed. It was said that they bitterly upbraided her for marrying a Catholic, she being an Irish Protestant.

Dr. Hitch, William Wilson, and Isaac Christian were killed recently by a stroke of lightning, in Newton county, Georgia.

The Cuban Filibusters at New Orleans—Important Statements.

[From the New Orleans Delta, July 4.]

Judge Campbell yesterday ordered Col. Kennedy, the United States Marshal, to take in charge Gen. John A. Quitman, John S. Thrasher, and Dr. A. L. Saunders, and lodge them in prison for nine months, or until they enter into recognizances for their good behavior. This committal was a consequence of the refusal of these gentlemen to give the security demanded of them. This refusal was based upon a firm and immovable conviction that they were guilty of no crime or offence; that they were charged with none, and that their acquiescence in the order to give security for their good behavior would be virtually a submission to an illegal, unconstitutional and tyrannical act, to which no citizen of the United States would ever be justified in yielding.

Let the facts of the case be clearly kept before the public mind. We take the case of Gen. Quitman. That gentleman, summoned before a Grand Jury to testify as to the existence of a purpose or conspiracy to violate the neutrality act, stated that he knew of no movement having in view the emancipation of Cuba from Spanish rule, in which he was not a participator; and although his conscience was clear, and he did not intend to violate any law, yet he would submit to the Grand Jury, if he ought to be asked further questions in the matter. The Grand Jury replied "No," and Gen. Quitman retired.

This is precisely the statement of facts on which Judge Campbell assumes that a violation of law is intended, and issues his order to hold to a recognizance for good behavior.

We desire to give the facts correctly. Judge Campbell charges a citizen, who admits his knowledge of and participation in a lawful movement in behalf of the independence of Cuba, as a criminal in intent, who ought to be restrained of his liberty. This is no question of filibusterism, or intended violation of the neutrality act. There are no facts before the court connecting Gen. Quitman with any such design. But the Judge decides that all and every imaginable means of promoting the object of freeing Cuba from Spain, is an offence against the peace and dignity of the United States, involving personal obloquy and breach of faith. Any man who aids, countenances, or thinks of assisting the Cuban people to revolt against our ally, Spain, violates the law, and must give bonds for good behavior. We write with caution; we do not exaggerate in the slightest degree when we say that this Judge of the United States Court has repeated some half a dozen times, that there can be no manifestation on the part of any citizen of the United States, in favor of the freedom of Cuba, which does not subject him to prosecution and to recognizance to keep the peace. There is not one citizen in every five hundred that may be met on our streets who is not subject to be arrested and thus dealt with. From President Pierce and the majority of his Cabinet, down to the tidewaiter in the Custom House, nine-tenths of our federal officials are guilty in the same manner, and on like proofs, as Gen. Quitman.

We have in our possession conclusive proofs against these dignitaries. We could fill the calaboose with them—all the prisons and penitentiaries in the Union would not hold them. Their incarceration would stop the wheels of government, or put it in prison bounds. Indeed, if aiding and abetting parties who were engaged in actual expeditions to Cuba in the past be cognizable now, the Judge would be bound, in *foro conscientiæ*, to put himself under bonds, or, worse still, to have himself indicted.

It is difficult to dwell upon this affair in moderation. It is without parallel in our judicial history. Perhaps in the days of Jeffries a similar incident may be found in the English history of two hundred years ago. It would be a gross libel on the judicature of Great Britain to suppose that such a case could occur within the limits of that monarchy at the present day. Judge Campbell is fortunate in giving such strong proofs of his self-sufficiency and intense despotism. He has filled the measure of his ambition in playing the judicial Cromwell—showing his lofty moral courage, and thereby gratifying a fervent aspiration to be held up before and spoken of by the world as a Judge of the most sublime moral courage, who, like Atlas, stands erect

"Whilst clouds and tempests thunder on his brow,
And oceans break their billows at his feet."

We think, however, the Judge should at least give his conduct an aspect of consistency and legality. Where does he get the authority to hold persons under recognizances for good behavior? From the common law? The power is not to be found anywhere else. For its definition he refers to Blackstone's Commentary on the Common Law. Has the Judge never read that memorable exposition of the powers of the federal government, made by Mr. Madison in the Virginia Legislature, which entirely overthrew the common law in this country, and released our judiciary from all subjection to it? This doctrine has been further confirmed by the Supreme Court in repeated decisions. It is now a settled legal axiom, that court has no common law jurisdiction. And yet the Judge appeals to the common law for a power never dreamed of before, of holding persons to bail who are not charged with any crime—against whom no one appears who does not admit that they intend to commit an offence. Elsewhere in the several States, and in England, the power to hold to recognizances is confined to cases of intended breach of the peace, assaults, &c. Who ever heard of putting a man under bonds not to commit piracy, burglary, arson, or any other crime?

But we need not dwell on a proceeding which, as yet, has not a single apologist or defender. When, in the broad limits of the republic, a single person can be discovered who will assume the defence of the position of the Judge, we may be justified in discussing it. At present we regret, in behalf of the administration, that the pointed declarations of Judge Campbell should tend to throw upon it a portion of the responsibility of this extraordinary transaction. It must speedily release itself from any such responsibility. If it does not, the infamy of Fillmore's proclamation and of the Round Island invasion will be mere peccadilloes in contrast with the prodigious, unapproachable arrogance and outrage of this attack upon personal liberty—upon every principle and right of republican freedom.

PROTEST OF THE PRISONERS.

Last evening Messrs. John A. Quitman, J. S. Thrasher, and A. L. Saunders appeared in the office of the clerk of the United States Circuit Court, in response to the mittimus for their imprisonment, which is in the following words:—

THE UNITED STATES OF AMERICA:

Circuit Court of the United States, Fifth Circuit and Eastern District of Louisiana.

To the Marshal of the United States for the Eastern District of Louisiana, or either of his deputies:

These are in the name of the President of the United States of America, to command you, the said Marshal or deputies, and each of you, forthwith to convey to either of our jails the bodies of John A. Quitman, John S. Thrasher, and A. L. Saunders, and them and each of them there safely to keep in your custody for the term of nine months from the 1st day of July instant, or until they shall comply with the terms of the orders hereunto annexed, or shall be otherwise discharged by competent authority, and in due course of law.

And herein fail not at your peril.

Witness, the Hon. ROGER B. TANEY,
Chief Justice of the Supreme Court of the United States, at New Orleans, this third day of July, A. D., 1854.

{Seal}

J. W. GURLY, Clerk.

In the presence of the witnesses whose names are hereto signed, the following declaration and protest was made before John W. Gurley, Clerk, previously to signing the bond required by Judge Campbell.

I regard the order of Judge Campbell, one of the Justices of the Supreme Court of the United States, requiring me to give bond and security that I will, for the space of nine months, observe the laws of the United States in general, and especially the so called neutrality act of 1818, as an unconstitutional, illegal, and arbitrary exercise of power. I refused a voluntary obedience to it, because I deemed it my duty not to yield, upon a mere demand, my sacred rights as an American citizen. I am now, by the order of the same Judge, a close prisoner in the hands of the Marshal. I yield to this illegal demand only because I have no appeal from a power which practically is absolute and irresponsible. Under duress of imprisonment, and with a solemn protest against the assumption of power claimed by the aforesaid Judge in this case, I am compelled to sign the bond or recognizance.

(Signed) JOHN A. QUITMAN.

New Orleans, June 3, 1854.

The above was read before the Commissioner by Gen. J. A. Quitman, previous to his signing the bond, in the presence of the undersigned.

(Signed) JOHN J. HOLT, Jr.,
W. R. MILES,
R. W. ESTLIN,
ALEXANDER WALKER.

MR. THRASHER'S PROTEST.

I, John S. Thrasher, citizen of New Orleans, now in duress under a mittimus issued by the Hon. John A. Campbell, Judge of the Circuit Court of the United States for the Eastern district of Louisiana, for the purpose of compelling me, against my free will and consent, to enter into a recognizance to observe the laws of the United States in general, and especially an act in addition to the act for the punishment of certain crimes against the United States, and to repeal the acts therein named, approved 20th April, 1818, being now about to enter into the recognizance demanded by his Honor the Judge of the Circuit Court, do hereby most solemnly protest that I commit this act against my own free will, under the pressure of imprisonment, under the order of said Judge, which order I hold to have been issued through an arbitrary, illegal and unconstitutional stretch of judicial power, in open violation of the rights of the citizen and the stipulations of the constitution of the United States of America; and I again protest against this act which I am forced to do in order to obtain my freedom, reserving to myself all my full and complete rights to proceed against the parties concerned, together or severally, in this very illegal deprivation of personal liberty, in such time, place, or manner as may be granted me by law and may be requisite for me to obtain justice.

Presented in New Orleans on the 3d day of July, 1854, and read before J. W. Gurley, Clerk of the Court.

Witness my hand: J. S. THRASHER.

DR. SAUNDERS' PROTEST.

The undersigned, in signing the recognizance required of him by Judge John A. Campbell, joins in the protest to the same entered by Gen. John A. Quitman.

A. L. SAUNDERS.

Read before the following witnesses:

T. J. HITSELBERGER,
C. T. ESTLIN,
P. E. FREEBY.

These gentlemen then signed the bonds with several sureties.

R. W. Estlin and W. R. Miles were the sureties of Quitman; Emile LaSere and S. R. Walker were sur[eties] of Mr. Thrasher; and Patrick Irwin and S. F. S[...] were sureties for Dr. Saunders.

Interesting from the Rio Grande.

REVOLUTION EXPECTED ON THE MEXICAN FRONT[IER] —INIQUITOUS DECREES BY SANTA ANNA.

The Brownsville *Flag*, of the 24th ult., cont[ains] the following items of news:—

The black clouds of discontent still contin[ue to] gather around the political horizon of our neigh[bors] of Matamoras. Within the past week many of [the] leading men of that place have left and taken re[fuge] beneath the starry emblems of a purer liberty t[han is] at present vouchsafed to the citizens of the now [so] called sister republic.

Foremost among these stands the celebrated [ran]chero chieftain, Don Macedonio Capistran, a g[en]tleman reported to wield more influence than [any] other man in the State of Tamaulipas. A few d[ays] since, notice was given Sr. Capistran that he [was] marked out as one of the victims necessary to [the] maintenance of peace and order; in other words [to] stamp the impress of terror upon the balance of [his] adherents.

Quick upon the heel of this timely escape [fol]lowed a decree confiscating the property, real [and] personal, of all Mexican citizens who did not re[port] themselves within the period of fifteen days.

Desertions are daily occurring, active prepara[tions] being made to meet an anticipated attack, and [evi]dent alarm is everywhere manifest.

That a desperate struggle is inevitable is ev[ery]where apparent, but that it will blaze forth u[pon] Mexican soil, and not—as has been wrongly [sur]mised—by men organized among foreigners. T[he] accusation is wholly unjust and unfounded in tr[uth]. We do not believe there is a single American in [the] movement, nor do we believe that it is desired th[at he s]hould be.

Within the last few weeks the Mexican gov[ern]ment has issued some most iniquitous decrees, [all] tending to the utter ruination of the commerce [of] this frontier.

The most outrageous of all these decrees is [one] providing that the property of every Mexican c[iti]zen who shall absent himself from the country f[or a] period of fifteen days shall be confiscated.

Another and hardly less odious decree is issu[ed] trammeling the commerce of this frontier, as [we] learn that it is to take effect only on this line. [It] provides that all moneys leaving the interior [for] the frontier shall pay a double duty, first for cir[cul]ation, of four per cent, and exportation six [per] cent on the dollar, before documents will be giv[en] for the safe conduct of the funds; and in additi[on] we learn that the merchant having funds in any [of] the interior towns for transportation, after havi[ng] complied with all these exorbitant requiremen[ts] must still have to consult the pleasure of his m[ost] Serene Highness before he can venture to move. T[he] decree allows a "conducta" once in four mont[hs] and thus the merchant is forced to allow his capi[tal] to remain idle during that time.

It is provided that papers for these "conducta[s"] can only be given from the capital of the State fr[om] which the money may be sent, so that a man [in] Linares, who desires to remit money to Matamor[as] has first to have it transported to Montorey, a[nd] there procure his papers for the frontier. This [ad]ditional ten per cent falls most heavily upon t[he] merchant, as at least one third part of all t[he] moneys realized from the sale of an invoice of goo[ds] remains in Mexico—for this about covers the du[ties] exacted upon them, and upon these duties the [...] per cent is now demanded.

Still another decree has been promulgated, wh[ich] imposes an extra duty of one half of one per cent [on] all goods imported into the country, which, in fa[ct] is equivalent to about five per cent. It is not s[ur]prising, therefore, that a deep and settled disc[on]tent is everywhere felt against the existing gove[rn]ment, whose every law seems to be one of [op]pression.

The Reciprocity Treaty.

[From the Halifax Sun, June 27.]

The treaty lately signed at Washington on beh[alf] of Great Britain and the United States is not, stri[ct]ly speaking, one of reciprocity.

In its proper sense, commercially interpreted, [re]ciprocity means remission of duties on all the p[ro]ducts of one country on condition that all the p[ro]ducts of another country, party to the agreeme[nt] be received duty free.

To a treaty based upon this condition, it is und[er]stood the British negotiator, in the present instan[ce] was not empowered to agree.

The agreement, as perfected by Lord Elgin, a[nd] now only awaiting ratification to come into imm[e]diate operation, simply stipulates for what is den[omi]nated reciprocity, in the free transit of raw produ[ce] between the United States and British Americ[a]; that is to say, these colonies are to send their whe[at], corn, potatoes, lumber, coal, &c., into the Sta[tes] duty free. In consideration of which the Unit[ed] States may send the same articles into the coloni[es] upon like terms. This is not reciprocity. Still [we r]eally do not see what Bluenose has to find fa[ult] with in this bargain.

The St. John (N. B.) *Courier* gives the report a[p]pended:—

On Monday last, the Hon. Mr. Partelow met [a] number of the leading merchants of St. John, f[or] the purpose of explaining the present state of t[he] Fishery negotiation, and obtaining an expressi[on] of public opinion as to the propriety of the Pr[ov]ince according to the treaty as it now stands. [It a]ppears that the government of this Province, la[st] autumn, remonstrated very strongly with the ho[me] government against any treaty being made to co[ncede] the right of fishing on our coasts, without, among other concessions, registry of our ships and a par[ti]cipation in the American coasting trade. It no[w] appears that in the treaty as arranged by Lord E[l]gin, neither of those requisites is included. It a[p]peared, however, to be the general opinion of t[he] merchants attending the meeting, that while t[he] American tariff remains as it is, as compared wi[th] with ours, it would not be possible for the Americ[an] government to allow our ships a register. [It] was alleged that the registry would rather be [an] injury to us, and it would allow Americans [to] purchase our cheap ships, and compete with us [in] the markets of the world. With regard to the coa[st]ing trade, it seemed to be the feeling that after t[he] example set by Great Britain, it was neither polit[ic] nor just that our vessels should not be allowed t[he] privileges American vessels freely receive from u[s]. It was considered that if a stand was to be made a[t] all on the part of this province, it should be on th[is] point; but that still, as it is the obvious interest [of] the Americans themselves that this trade should [be] opened, and as no people are quicker to see the[ir] own interest, it was of little consequence to delay [a] treaty otherwise highly advantageous to the peop[le] of both countries, for a privilege that would ce[r]tainly be conceded within a very few years.

Although no formal resolutions were put, we thin[k] we are warranted in stating that it was the gener[al] opinion of the meeting that it would be for the i[n]terest of the province to accede to the treaty.

The Hon. Messrs. Partelow and Chandler le[ft] town on Tuesday morning, in the steamer Easte[rn] City, *en route* for Quebec.

The Erie Canal Enlargement West of Ro[]chester.

[From the Albany Atlas, July 8.]

The Canal Board passed yesterday the followin[g] resolution:—

Resolved, That the State Engineer and Surveyo[r] be requested, as early as practicable, to prepare [a] plan and estimate for the enlargement of the Er[ie] Canal between Lockport and Rochester, in con[]formity with the plan adopted by the Canal Boar[d] on the 16th day of September, 1850.

Except that the bottom thereof be so adjuste[d] as not to be deepened at any point more than tw[o] inches below the bottom level of the Rocheste[r] aqueduct, giving a depth of water at Lockport [of] nine feet, and at the west end of the Rocheste[r] aqueduct a depth of seven feet six inches.

The vote stood on the resolution 8 to 1—the Stat[e] Engineer, Mr. Clark, voting in the negative.

The decision thus made against the project an[d] vote of the State Engineer is an extraordinary one. It allows the work of enlargement to be prosecute[d] to the full extent of the resolution of 1850, so fa[r] as expense is concerned, and diminishes the vo[l]ume of water to be carried, by restricting the dept[h] of the channel and its declination from one t[o] eighteen inches.

The Florida and Georgia Boundary Line.

[Correspondence of the Savannah News.]

WHITE SPRINGS, Fla., June 22, 1854.

It will be a matter of interest to many of you[r] readers to learn that the commissioners and su[r]veyors appointed for the purpose of surveying th[e] line between Georgia and Florida, met at this plac[e] on the 20th inst. The corps consists on the part o[f] Florida, of Colonel Benjamin F. Whitner, Com[]missioner, and Benj. F. Whitner, Jr., Surveyor; o[n] the part of Georgia, of Major A. A. Allen, Com[]missioner, and James R. Butts, Surveyor, with thei[r] respective assistants.

They propose to proceed at once to the neigh[]borhood of the Okefeenokee Swamp, for the pur[]pose of ascertaining the true source of the St. Mary's river. In order to do this, the northern, middle, and southern prong of the river will hav[e] to be surveyed. Having agreed upon the easter[n] terminus of the boundary line, they will run i[t] thence direct to the junction of the Flint and Chat[]tahoochee rivers. They intend to accomplish thi[s] in time to report to the Supreme Court of the Unite[d] States at the November session.

POWDER EXPLOSION AND LOSS OF LIFE.—On Sa[t]urday morning, while one of the workmen was em[]ployed in cleaning one of the wheel mills of Messr[s]. Loomis, Swift & Master's powder manufactory, a[t] Schaghticoke, preparatory to making some repair[s], the charge having been removed, the remainin[g] dust exploded, instantly killing Mr. Chapman, th[e] individual employed. The quantity of powder bein[g] small, the mill was not materially injured.—*Alba[ny] Register, July 10.*