THE NEW YORK HERALD.

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AFFAIRS IN WASHINGTON.

THIRTY-THIRD CONGRESS.
SECOND SESSION.

House of Representatives.

WASHINGTON, Jan. 6, 1855.

Mr. MAXWELL, (dem.) of Fla., asked, but did not obtain leave, to offer a resolution calling on the President of the United States to furnish the House with the number of persons holding situations in the departments designating those appointed since March the 4th, 1853, stating the number of foreign birth.

Mr. READY offered a joint resolution, which was passed, excluding the public printers and superintendent of public printing from the benefit of the resolution passed at the last session giving extra compensation to the employés of the legislative department of the government.

Mr. CLINGMAN asked the unanimous consent of the House to make a personal explanation. It is due to some gentlemen, as well as myself, he said, that I should make it. There is a statement in some of the newspapers relative to the remarks of the gentleman of Virginia, Mr. Bayly, the Chairman of the Committee on Foreign Affairs, the other day, upon the question of offering the mediation of this country to the European powers now engaged in war, which, as it has gone out, does a little injustice to myself and other members of the committee. I wish to state that when the committee, two or three weeks ago, with very great unanimity, authorized me to report the mediation proposition, the circumstance alluded to by Mr. Bayly was not known to the members of that committee. In point of fact, it was made known to me, as well as to the gentleman, only on the very day previous to my speaking on the subject. This fact ought to be understood, because the members of the committee would not probably have acted as they did with a knowledge of the circumstance. I say further, that when that communication was made, I informed the gentleman of Virginia that, in deference to the information received, it would not be necessary for him to call the committee to reconsider the subject, for I would waive the right, for the present, to report on the subject. I may further say, that the information does not, in my judgment, change at all the propriety of making the movement I suggested. But for reasons which it is not proper for me to state, I decline taking any steps at this time. This much I desire to be understood, in justice to the opinions of the committee, and to myself.

The House then went into Committee on Private Bills, passing seventeen of them.

Adjourned to Tuesday.

Our Washington Correspondence.

WASHINGTON, Dec. 30, 1854.

The Annexation of the Galapagos Group—The Rumor of a Treaty for them False—The Source of the Rumor—Guano Speculators—What these Islands are Worth—Galvanizing Guano Stock—Doings in Congress—United States Supreme Court.

It seems to be generally conceded here that the rumored treaty with this government for the purchase of the Galapogos Islands is a humbug. Gen. Cushing and Secretary Dobbin say that they know nothing of it, and never heard of it till they read it in the public prints. The Consul General of Ecuador, Mr. Palmer, whose position gives him the right to be informed of any such negotiations as those published, has never had a word from his government upon this subject. The circumstances of the case seem to indicate that this rumor is put in circulation by a company of speculators, whose object is to turn a penny or relieve themselves from an unprofitable enterprise, by this false report. Some three years ago, Mr. Palmer, acting under instructions from the proper authorities of his government, advertised the most valuable of the Galapagos group—the St. Charles—to lease for a term of years. He never succeeded in disposing of the island in this way, but his publishing it called the attention of the public especially to its deposits of guano, and since that time a company of speculators have been organized for the importation and traffic in this deposit. It is reported that Senator Benjamin United States Senator from Louisiana, is interested in this company. Whether this is so or not, I cannot say. I only know that he is now in far-off Southern climes, instead of attending to his duties as Senator at Washington, expressly engaged in this very guano speculation, and not acting either in any public capacity or as the agent of this government. Mr. White, the American representative in Peru, is also suspected of being deeply interested in this guano company. This speculative organization, it seems, has not turned out so well as was at first expected, and the shares of the company, if brought into the market without some special specific, would probably go about as well under the hammer of the auctioneer, as Crystal Palace stock in its old age. Like the object of my comparison, the Guano Company wanted galvanizing to make the stock go, and the first step towards this was the circulation of the report that the Galapagos Islands are about to be annexed to the United States, and by this means give them a fictitious value for the raising of the guano stock. Accordingly, the Panama papers come out with flaming articles announcing to the world the important and special news that the Galapagos group are about to become a part and portion of the American Union. Mr. White is suspected of furnishing these very articles. Mind you, the Quito papers, the papers at the seat of the Peruvian government, which above all others were the most likely to know of such a treaty being on foot as this, are all quiet upon the subject. Is it possible that we are treating for the purchase of the Galapagos group, and the government of whom we purchase are ignorant of such action, even in its capital? Is it likely that the Washington representatives of the foreign government with which we treat, and through whom that government carries on its negotiations with us, would be entirely ignorant of any such proceeding? Yet so it would seem in this case, for none of the Peruvian representatives here know anything about a treaty between this government and Peru for the Galapagos group, other than what has appeared in the newspapers. To discuss the benefits of annexation, the acquisition of this group is not at all desirable. This entire cluster of islands is entirely barren, not affording even a spring of water in the whole of them to quench the thirst of their visiters. They lay directly under the equator, and consequently very difficult to be worked. Not a single bird, even, now inhabits them, the aquatic bird which made the deposits of guano having disappeared, it is supposed, centuries ago; and objection, last but not least, guano can be obtaned nearer home, cheaper, better and more fertilizing in its quality. To sum the story all up, then, from the facts which I have set forth, the report of the Galagagos annexation is only a humbug, a bait put out to catch gudgeonal by White, Benjamin & Co., who wish to dispose of their stock in the guano trade. Let the Panams papers print this treaty—bogus or not is immaterial—let the press generally catch up the rumor and spread it to the world, and in the excitement of valuable acquisitions of territory—inexhaustible deposits of guano—richer than California gold mines—a perfect Eden, and all that—the guano stock will sell well in Downing as well as Wall street. This is the correct story, and all the truth there is in the Galaoagos annexion.

The House met to-day, but was in session for about half an hour only, and then adjourned till Tuesday next. On Tuesday. Senator Badger calls up in the Senate his bill for the increase of the pay of members of Congress. Nothing of particular importance was done to-day in the House.

In the Supreme Court yesterday, the suit of Charles H. McBlair, administrator and permanent trustee of Lyde Goodwin, appellant, against George M. Gibbs and Charles Oliver, executors of Robert Oliver, appellees, was brought up for argument. This is a suit to recover the amount of a claim against Mexico, assigned to Oliver & Goodwin, recovered by the trustees of Oliver's estate after the assignment, and originally assigned to Oliver, it is contended, without sufficient consideration. The suit is now before the Supreme Court on an appeal from the United States Court of Maryland. J. Warren Campbell occupied the attention of the court yesterday, and Reverdy Johnson, who is engaged in this same suit, will perhaps address the court on Tuesday next. NELLAR.

WASHINGTON, Jan. 4, 1855.

The Missing Naval Vessels.

I observe Mr. "Nones" has deemed it necessary, "for the sake of historical truth," to make some corrections in the list of naval vessels lost at sea, as published in the HERALD of the 3d. The statement in the HERALD was compiled from an official work published under the direction of the Navy Department, in 1853, and can be depended upon as the only official account extant. The "Hornet" is there recorded as follows:—

Hornet, sloop, 10 guns, built at Baltimore. Blown up at Penobscot, 1779.

Hornet, 2, sloop, ten guns, purchased. Sold at Charleston, 1806.

Hornet, 3, brig, 18 guns; 140 men; built at Baltimore, 1805; cost $52,603; lost off Tampico, 1829.

I believe she was rigged as a ship, at Washington, 1811.

The "Epervier" was correctly reported in the HERALD, with the exception of the typographical error "Gawall," for "Yarnall," as it was written.

The official account declares she was never heard of after she passed out of the Straits of Gibraltar, July 14, 1815.

WASHINGTON, Jan. 5, 1855.

Clingman's Resolutions—Their Debate in the House—Bad Treatment by the Administration—Their Object Anticipated—Our Mediation Spurned—The Ostend Congress Again—Its Paternity Acknowledged—Soulé an Interloper—Inquiry Suppressed—Causes Assigned—Tariff—Bounty Land Bill—Its Operation—Supreme Court Decision, &c., &c.

On Wednesday last Mr. Clingman proceeded to discuss, at length, the merits of his mediation resolutions, and to show why they should be adopted. He argued that this nation was losing some fifty millions per annum on exports, in consequence of the European war; and, therefore, we had a right to offer mediation, without being charged with being meddlesome. Again, he contended that the belligerents had expended in naval armaments and other equipments for war, at least $500,000,000, and this enormous amount of capital, he said, was as much "lost to the world as if it had been in the Arctic, and sunk to the bottom of the ocean." This was a singular declaration on the part of the honorable member, and conflicts directly with the views expressed by the Secretary of the Treasury, when he suggests that an appropriation for the construction of additional ships for our navy, would partially relieve the present pecuniary embarrassments of the country, by throwing into circulation the amounts thus appropriated. He certainly never dreamed that money spent in the increase of our navy would be so much capital lost to the world. This discovery was left for Mr. Clingman to make. I had supposed that the money spent by the belligerents in this war was so much dead capital drawn from national vaults, vivified and again given to the world as an active circulating currency.

Mr. Clingman has been treated very scurvily by the administration, in not being informed of the fact that the mediation of this government had already been tendered to the European powers, and has been spurned, as I telegraphed you last evening. Mr. C. was permitted to go on and prepare a speech upon the subject, and actually to deliver it, in the House, before he heard it even hinted that his object had been anticipated. In self defence he must now change his resolution to one calling on the President for information. This will open up another batch of the interesting correspondence which now crowds the shelves of the State Department.

After much dodging and prevarication on the part of the administration, I understand from a reliable source that the President acknowledges the Ostend Congress to be his legitimate offspring; but Mr. Marcy still declares that the part acted by Soulé was wholly without the sanction or knowledge of the State Department, and that Mr. S. was an interloper at Ostend. It also appears that the resolutions of inquiry were referred to the Committee on Foreign Relations for the sole purpose of suppressing them; for, as Mr. Marcy says, the President would have been compelled to decline furnishing the correspondence, which would have created distrust abroad and perplexities at home. Thus we are at the end of the row, for the present, on the Ostend Congress, and are left to infer, from the facts detailed, that this Congress was not "all moonshine," as represented by the *Union*, but that it was something real, serious and extraordinary—but what that something was the President will not communicate.

I telegraphed you last evening that the Committee of Ways and Means would bring in a bill on Tuesday next, reducing the present tariff. This bill was determined on yesterday, by the democratic party of Congress, in caucus assembled, and is designed to meet the views of the Secretary of the Treasury.

The Bounty Land bill, now under discussion in the Senate, continues to excite the interest of the public. The word "minor" before the words "child or children" having been stricken from the bill, it is calculated that at least 300,000,000 of acres of public land will be given away under its operation. This is precisely the object of the friends of the bill. It is to dispose of this fund of fraud and corruption by distributing it as bounty, in order to avoid the executive veto. By this distribution, too, the old States will come in for a large share of the spoils, which would not be the case under the operation of the Homestead or Land Graduation bill.

In the Supreme Court yesterday, Justice Wayne delivered the opinion of the Court in the case of J. W. Raymond vs. Wm. Tyson, on appeal from the Northern District of California—reversing the decree of the Circuit Court, with costs, and remanding the cause with directions to dismiss the libel. The learned Judge stated the law of the case at considerable length, and cited many ancient and modern authorities, showing that in the case of a charter party, the owners of a ship have a lien upon the cargo for the amount of freight due, unless by the terms of the charter party, expressed or fairly implied, the owners have surrendered such lien, taking in lieu thereof other and different security. In that event no such lien exists, and, therefore, every such case must depend upon its own peculiar circumstances. It was considered in this case decided that this lien had been surrendered by the owners—and the Court decreed accordingly. E.

From the Rio Grande.

[From the New Orleans Picayune, Dec. 30.]

By the steamship Nautilus, which arrived this morning from Brazos St. Jago, we have late intelligence from the Rio Grande.

The Brownsville *Flag* of the 10th inst. publishes a protest against "the late farcical election in Mexico." It is in Spanish, and signed by Ponciano Arriaja, Manuel Gomez, Jose Maria Mata, Angres Trevino, and M. Ocampo. Including decrees and circulars issued by Santa Anna and his government, in reference to the election, it fills four columns. The *Flag* pronounces it an able document.

In reference to the revolutionary feelings and movements in Eastern Mexico, the *Flag* has the following paragraph:—

On this frontier for the present there is quiet, though how long it will remain time alone can tell. General Carvajal arrived here per steamer Camanche a few days since, and rumor says he is very soon to head another movement, organized on a new and liberal basis. But rumor is not always to be believed.

The late severe weather off Brazos Santiago had been productive of quite a critical state of affairs with respect to a supply of bread. The *Flag* says:

Owing to the recent rough weather, which prevented the entrance of vessels, our merchants had exhausted their supplies of flour, and quite a panic prevailed through fear that we were to be without this important staff of life. Flour, we are told, went up to twenty, and even to thirty dollars per barrel, and finally none was to be had at any price. The bakers, or those of them who had a supply, were reaping a golden harvest by supplying the hungry mouths of two cities with half loaves at double price. The opportune entrance of the steamer Nautilus, however, with large supplies, will again soon set things to rights.

The following items are from the *Flag* of the 2d inst.:—

The good old custom of observing a day of thanksgiving, as appointed by the Governor of the State, was not forgotten in this city, but religious services were held in the Presbyterian church on Thursday last, and an appropriate discourse delivered by the Rev. H. Chamberlain.

A detachment of United States troops arrived here to-day on the steamer Grampus, and left immediately for Rio Grande city.

Last evening, about ten o'clock, the still small hours of night were rendered hideous by the ridiculous howlings and scandalous conduct of a lot of the political exiles of Mexico, now enjoying a refuge under our flag and the hospitality of our people. The conduct of these men is in flagrant violation of law and a reckless abuse of hospitality. A party of them, as we learn, was headed by an American, and numbered something near a hundred persons; who having provided themselves with a drum and bugle, with all the confidence of conscious security, valorously marched through several of our streets to the river bank, where they commenced yelling forth vivas for their cause, and shouting insult and defiance to the guard on the other bank.

Now we would ask these noisy blusterers what possible good can result from this conduct? A courageous act it could not be considered, but rather it was very cowardly, as not only the broad Bravo separated, but the laws of a neutral nation protected them from harm. True courage would seek other channels through which to manifest itself than in skulking beneath the skirts of a powerful protector and from thence uselessly insulting the enemy. Our city and county officers should look to this matter and force an obeyance of the State and municipal laws, when they cease to be voluntarily respected.

The Late Sudden Death of the Unknown Woman in Rose Street.

Yesterday Coroner Gamble held an inquest upon the body of an unkown woman, who was found dead in the doorway of John Nuhn, No. 24 Rose street, on the morning of the 4th inst., and who, it was rumored, had met with some foul play at the hands of parties at present unknown. The evidence taken before the Coroner went to confirm his suspicion of its being a case of poisoning, for from the medical testimony it will be perceived that there remains not a shadow of doubt as to the taking or administering of poison by the deceased. The evidence of —— Hammond went to show that on the morning of the 4th inst. she came down stairs, and entered the passage-way, in order to go to the yard to get some water; saw the deceased sitting in a chair, while the man Nuhn was sitting at the stove in his store, underneath where she resided. This man told her that the deceased came to his store a little after 7 o'clock, and knocked at the door; that he opened it, thinking it was his errand boy, when the deceased fell into the store; and that in a few minutes afterwards his boy did come, when he ordered him to light a fire, so as to resuscitate the woman, as he thought she was going to die, and asked the witness what he should do with her; witness told this man that she should go up stairs and tell a man who lived there of the occurrence; several persons then came down stairs along with the person in question; the deceased at this time was dead; witness noticed that the outward dress of the deceased was wet, and made some remarks about the fact.

Louis Litterly, the boy in the employ of Nuhn, testified that on the above morning he came to the store 24 Rose street, as usual, and on entering the room found deceased sitting in a chair, and Mr. Nuhn standing in the middle of the floor looking very pale, and appeared to be very much frightened; the woman was groaning and snored a little; his employer told him to make a fire, and that perhaps deceased would get over it; he did so; Nuhn told witness that the woman came to the door and knocked, and that upon his opening the door she fell into the room; that he picked her up and placed her in a chair for the purpose of resuscitating her.

The medical testimony of Dr. Uhl went to show that he made a post mortem examination of the body. That he found her sitting in a chair as described by the former witnesses. There were three small abrasions on the left wrist, and one also on the little finger of the right hand. There were also three white depressions on the hands and two small *echymidois* and spots on the right wrist; there was a slight abrasion at the outer corner of the right eye, and the right eye was blackened; a bruise on the forehead, about one inch above this eye, and two small abrasions on the bridge of the nose; the upper lip was also cut; she had bled from the nose, and there were some spots of blood on the lower part of her dress, on the cape of her bonnet and on her fingers; the hands were clenched; the pupils of the eyes were widely dilated, and the eyes bright and glassy; there were no other marks of external violence on the body; on making a dissection of the body, I found the lungs colapsed, and the heart filled with fluid blood, but they were in a healthy condition; on examining the stomach, it emitted a strong odor of hydrocianic acid, and the mucus membrane of the stomach and a portion of the intestines were very much inflamed; the membraneous substance of the brain was somewhat congested; the other viscera of the body were in a healthy condition; in the room I found a small bottle of cyanide of potassium and several large bottles containing liquids which emitted a strong odor of hydrocianic acid, and was probably a solution of cyanide potassium. I took the stomach and a portion of the intestines, together with the bottles, to the New York Medical College, where I assisted Professor Doremus in making an analysis of their contents. After repeated and careful analysis the stomach gave abundant evidence of a large quantity of hydrocianic acid. There were a number of yellow spots on the cape and other parts of the bonnet, and a few drops of the fluid contained in one of the bottles placed upon a bonnet produced similar stains. From the examination of the body, together with the analyzes of the stomach, I am satisfied that the death of the deceased was caused by hydrocianic acid or one of its compounds.

Coroner Gamble then charged the jury upon the evidence elicited, who, after a few moments deliberation, rendered the following verdict:—

We find that the unknown woman came to her death by hydrocianic acid, or one of its compounds. The jury have reason to believe that the poison was administered by John Nuhn, Jan. 4, 1855.

Upon the rendition of the verdict, Coroner Gamble committed Nuhn to the Tombs to await the action of the Grand Jury.

As yet no clue has been obtained to the identity of the deceased, although the Coroner has used every means in his power to ascertain the deceased's name, and to clear up the mystery attending this strange case.

The deceased was about thirty-two years of age, and is supposed to have been a native of Ireland. In her pocket was found a paper directed to James Holligan, No. 22 West Broadway. In her purse were found a five dollar bill and a piece of ribbon.

City Intelligence.

ESCAPE FROM ARREST AT THE TOMBS.—The man arrested on Friday for breaking into a room and prying open trunks with a poker, at the Howard Hotel, was brought out for examination at the Tombs, yesterday, when the Judge recognized him as having been there before; but when his turn came for examination, he was *non est inventus*, having slipped the officer. Subsequently, he was seen in Broadway in a great hurry, having changed his dress—wearing a light colored shaggy overcoat, and carrying a bundle under his arm, as if in a hurry to overtake some train, whereby to seek a more profitable place for his occupation.

THE WEATHER.—For some days back we have been favored with very mild weather, the days being bright and pleasant, and the nights inclined to be foggy and damp. The only drawback to the temperature is its unpleasant effects on the mud in the streets, which is rendered slimy thereby. For a wonder, the pavement in Broadway made its appearance yesterday, thereby convincing some aceptical people as to its existence. Last night, however, it again commenced to rain, rendering the streets as filthy as before.

SOCIETY FOR THE REFORMATION OF JUVENILE DELINQUENTS.—A meeting of the Society for the Reformation of Juvenile Delinquents was held on Friday evening, at No. 516 Broadway. Mr. Robert Kelly in the chair. The following officers were chosen for the ensuing year:—President, Robert Kelly. Vice-Presidents—Shepard Knapp, Israel Russell, Charles M. Lupp, Joshua S. Underhill, John A. Weeks, James N. Cobb. Treasurer—Joshua S. Underhill, Secretary—Andrew Warner. The report of the executive committee was read, from which it appears the society is still in debt, and an application to the Legislature for relief recommended.

REPORT OF NORTHWESTERN DISPENSARY.—The number of patients treated at the Northwestern Dispensary, 511 Eighth avenue, during the month of December, was 539. Number of males 323, females 270; of whom there were born in the Upited States 207, Ireland 324, England 20, Scotland 10, Germany 28, other countries 4, with the annexed results:—Cured or relieved, 552; sent to hospital, 16; died, 7; vaccinated, 4; under treatment, 24. The number of prescriptions put up in the apothecary department during the month, was 1,118; greatest number in one day, 68; average number in each day, 44.

RAILROAD ACCIDENT.—Coroner Hilton held an inquest at the New York Hospital, upon the body of a child named Hiram Dorsey, who came to his death by being run over by one of the Second avenue cars, at the corner of Oliver and Water streets, on the 5th instant. As the accident seemed to have been beyond the power of the driver to avert, the jury did not consider themselves justified in holding the driver of the car, no carelessness having been made apparent on his part.

FATAL ACCIDENTS.—Coroner Gamble held an inquest on the body of John Jennings, who was killed by accidentally falling down a ladder in front of the house 65 Ann street, on the 2d of January, 1855. Verdict accordingly.

An inquest was also held by the same coroner upon the body of John Crony, a child about one year old, who was killed by falling from its mother's arms on a stove. Verdict accordingly.

Naturalization Statistics of Baltimore.

[From the Baltimore Sun, Jan. 2.]

The whole number of persons naturalized in all the courts of the city during the year 1854, was as follows:—

United States District Court, United States Circuit Court,	403
City Criminal Court	288
Court of Common Pleas	564
County Circuit Court	1
Superior Court	54
Total naturalized	1,310

The whole number of persons who declared their intentions to become citizens during the year 1854, was as follows:—

United States District Court, United States Circuit Court,	1,200
City Criminal Court	899
Court of Common Pleas	579
County Circuit Court	261
Superior Court	29
Total declarations	3,268

It will thus be seen that not as many persons were naturalized during the year as is usual preceding a Presidential election; the greater number obtained merely their declaration papers, the large increase being from the fact that many foreigners were under the impression that the Know Nothings, if they obtained power, would not permit them to make their declarations. Some of the courts naturalized more than others, in consequence of the Judges sitting for that purpose, and not having much other business to transact immediately preceding the Mayoralty election. The estimate of the number of persons naturalized prior to the election was far above the actual exhibit of the official records, from which the above is compiled.

Supreme Court—Special Term.

Before Hon. Judge Clerke.

TRINITY CHURCH YARD.

In the matter of Opening Albany street.—The motion to appoint Commissioners was postponed to the 13th inst., on the application of Mr. Dillon, Counsel to the Corporation.

The Veterans of 1812.

DEPARTURE OF A DELEGATION FOR WASHINGTON—THE BALL AT NIBLO'S GARDEN.

A meeting of the Veterans of 1812 was held on Friday evening at their headquarters, the Star House, in Lispenard street, Major Jones presiding, and Mr. Wm. Corbiere acting as Secretary.

It appears the Veterans are about sending a delegation on to Washington, where the fortieth anniversary of the battle of New Orleans is to be celebrated.

The New Jersey Railroad Company has furnished the Veterans with ten free tickets, and the fare between Philadelphia and Washington has been reduced one half for their benefit.

During the evening an interesting scene took place. Major Jones introduced to the company Major Elijah Lewis, Chief of the Onondaga Indians, who was sent as a representative from that tribe for the part he took in the war of 1812. His father, it was said, was in the Revolutionary war. The Veterans saluted the chief with three cheers.

The Major responded to the call, and made a speech in his native and in the English tongue. He informed the Veterans that he was about to proceed to Washington, and wished their assistance. A collection was then taken up, and the proceeds given to Major Lewis. He returned thanks as follows:—

Yes, brothers, you, white men, You all meet together. I am of different tribe. The Indians, you know, own very small hill now—white man got the big hill. You drove us to the West. I pray to God, and ask him to help me do right. Use me well, and I use you well. If you look on the Six Nations, pretty much all gone. I love the white man and he loves me. I pray every day. God made this world, God made this day. My heart embraces the whole of America. I can't express myself, my interpreter not here. I go to Washington to-morrow. I never been to school but one day. You hear what I say and you believe me. Good night.

Major Lewis is quite a good specimen of an Indian. He is a tall man, nearly six feet high and has a soldierly appearance. He is nearly fifty years of age.

We understand the Veterans left yesterday morning for Washington, where they will proceed to the First Presbyterian church, in which the convention is to assemble.

After organizing, a procession will be formed, which will march to the White House to visit President Pierce. They will then return to the church to transact such business as may come before them.

Such of the Veterans as remain in the city will hold a ball to-morrow evening, at Niblo's, for the benefit of their burial fund. It is to be hoped that the affair will be well patronized, and the old men will be consoled at the end of their days, with the assurance that they, at least, will be decently interred. Arrangements have been made to render the ball as brilliant as possible. Major General Sandford, together with many of the officers of the New York State Militia, will be present in full dress. The usual parade, on Monday, will be omitted.

Fires in New York.

FIRE IN FORTY-THIRD STREET.

Between two and three o'clock on Saturday morning a fire broke out in the two story frame building situated at No. 336 Forty-third street, owned and occupied by William Smullins, as a sheep skin leather factory. This building was entirely destroyed. The fire spread to the dwelling house of Mr. Smullins, in the rear of the factory, which was considerably injured. There were also two adjoining buildings, owned by Owen Coyle and John A. Smith, damaged by the fire, as was also a frame building on the rear of Forty-fourth street, belonging to Daniel McDonald. The total loss is estimated at upwards of $4,000, which is said to be covered by insurance in the St. Nicholas, Broadway, Equitable, Greenwich, and Peoples' Insurance companies. The origin of the fire is at present unknown.

FIRE IN BROADWAY.

Last evening, at half past seven o'clock, a fire was discovered in the walking cane store of Henry Rhode, No. 174 Broadway, corner of Maiden lane, and under the Howard Hotel. The firemen were soon at the premises, and extinguished the fire before it had time to extend beyond the store. It seems that Mr. Rhode left the store a few minutes after seven o'clock, his boy having extinguished the gas light, locked the door, and gave him the key, and at half-past seven o'clock the fire was discovered in the store. The fire is one of a mysterious character. The burning shows its origin under one end of the counter; but as to how it came there, is at present not known. Mr. Rhode had quite a large stock of goods in his store, on which he has an insurance of $4,000, $3,000 of which is in the Mercantile Fire Insurance Co., and the balance in the Empire City Insurance Co. The damage is supposed to be upwards of $2,000. The Fire Marshal has the affair under investigation.

Supreme Court—Special Term.

EXAMINATION OF ONE DEFENDANT AS A WITNESS FOR THE OTHER—USURY.

DEC. 6.—*Ely & Co. vs. Miller & Reed.*—ROOSEVELT, J.—The law at present in England allows parties to a suit to testify in their own favor, leaving the question of credibility, under a full view of all the circumstances, to the determination of the jury. We have high authority for saying—notwithstanding the confident predictions of the foreboders of evil—that in the courts of that country the change in practice works well. Indeed, it always seemed—and in this State still seems—a strange anomaly, that while on the most important motions, as they are technically called, the parties should not only be—as from time immemorial they have been—allowed to testify in their own favor, and on paper too, and without cross-examination, yet under the same system of jurisprudence on what are technically denominated trials, the same witness, although offered to the same points, with the additional advantage of an oral and face-to-face cross-examination, in open court, should be excluded. Such, nevertheless, is still the law in this State. Efforts have been made to change it, and to remove the manifest contradiction alluded to, but thus far without success. All that our Legislature, as yet, have been willing to do, has been to allow one party to call his opponent, and in certain cases one opponent to call another. And the question presented on the application now made, is:—Can one of two joint makers of a promissory note, sued jointly as such, be a witness for his colleague? One defendant, says the Code, section 397, may be examined on behalf of his co-defendant as to any matter in which he is not jointly liable or jointly interested, and as to which a separate and not joint verdict or judgment can be rendered. Now what, under the commission applied for by Reed, is the "matter" as to which he seeks to examine his co-debtor, Miller? The defence, and the only defence, is usury. And is not Miller "jointly interested" with Reed in this "matter"? If the usury be established by his testimony, does he not necessarily prevent any judgment against either defendant? Does he not, in effect, destroy the note on which he would otherwise be "liable jointly with his co-defendant?" The note, it is said, is both joint and several; and is not that an option invested, not for the benefit of the makers, but of the payees? The plaintiffs, no doubt, might have sued Reed alone; but they were not bound to do so. They have elected—and they had a right to elect—to sue on the joint promise, and to ask for a joint judgment—a judgment which, when entered, will bind all the joint property and merge the entire contract, and prevent any separate action afterwards against Miller, although he may not have been served with a summons in this; and which, even as to his separate property, although open to other defences, will forever preclude any defence of the statute of limitation. (Code, section 397.) The plaintiffs, I have said, can have no separate judgment in this action. This action is not brought on the several, but on the joint promise, and on that alone. But to prevent all doubt, the plaintiffs have stipulated—although the form of their complaint would seem to render any stipulation superfluous—to ask no judgment unless against both. If, then, the defendant, Miller, should, by his own testimony, establish the defence of usury, he by his own testimony defeats the action altogether. To say that he is not "jointly interested" with Reed in such a result, stating the law as above explained, is a manifest absurdity. For although there may be no joint property at present, there may be joint property hereafter; and, at all events, the statute of limitations is a sufficient consideration to create an interest "in the matter." But that is not all; a judgment of dismissal in this action, on the ground of usury, would, as *res adjudicata*, be a complete bar to any action hereafter, either joint or several, on this same note, against Miller. To admit him to swear at all, therefore, is to admit him to swear for himself. And, consequently, until the Legislature shall otherwise provide, the present application, and all other applications of like character, must be denied.

Marine Court.

Before Hon. Judge Thompson.

ACTION FOR FREIGHT.

DEC. 6.—*Allen and others vs. Bates and others.*—The plaintiffs are forwarders, the defendants commission merchants, both parties doing business in this city. The plaintiffs bring this suit to recover a balance alleged to be due on a bill for freight upon eight thousand bushels of corn, lighterage and demurrage, amounting to one hundred and ten dollars. The defence is that there were not so many bushels delivered as claimed; that twenty bushels were wholly destroyed on the passage, and that defendants are not liable for demurrage or lighterage. The whole bill amounted to $1,060. The sum of $950 has been paid. The cargo was taken on board the canal boats Times and Red Gauntlet, at Buffalo, in August last. It was previously weighed in a hopper, and fifty-six pounds counted to the bushel. On the arrival of the boats at this port, the cargo was then measured, and every hundredth bushel weighed. These were finally averaged, and the measurers made in all but seven thousand eight hundred and eighty-five bushels. It was admitted that the value of the twenty bushels of damaged corn should be deducted from the claim in the action—sixteen dollars and forty cents. The plaintiffs proved that it was a general custom amongst forwarders to charge freight on the number of bushels contained in the bill of lading, whether the amount overrun or fell short of it. The boats were detained two or three days after their arrival here before they could discharge their cargo, and after notice to the defendants. Lighters were employed to transfer the cargo to other vessels. Judgment for the plaintiffs for the amount claimed—deducting $16 40 for damaged corn—$93 60, and costs.

Which is the "Original Jacobs?"

Will the editor of the HERALD have the kindness to inform the public which is the original of these two articles?

[From the New York True American (published by George Akerman), printed and sold Wednesday, January 3, 1855, although dated Saturday, Jan. 6.)

CLIMATOLOGY.

As the climate of every country has an inseparable relation with the physical character of its inhabitants, the attention of the government was directed some few years since to the obtaining of correct meteorological statistics throughout the whole of the United States. For this purpose the requisite instruments were directed to be sent to the different military posts, in order that regular observations might be made, and America contribute her quota of information to a subject which is rapidly advancing into the dignity of a science. There has not as yet, however, been any formal report; but scattered through the various documents belonging to the government, as well as through different scientific works, there are many facts which afford us a variety of information, which partially explains how it is that the atmospheric influences to which we are subjected have a tendency to produce that excessive nervous activity which seems to belong peculiarly to our people.

The extremes of heat and cold do not occur at our most northern and southern posts, as they are situated on large bodies of water, but at the inland western stations, and for the same reason, the mean summer temperature at Augusta, Ga., is greater than along the coast of Florida, whilst at Key West, during the present year, the thermometer never or rarely rose above 90 degrees. It attained at Council Bluffs, a point upwards of 17 degrees further north, a height of at least 102 degrees. But although the thermometer may, on the whole, be some few degrees higher here during the heats of summer than in most parts of Europe, yet we suffer but little more from its effects, for as the air there is more loaded with humidity, causing a diminution of the cutaneous and pulmonary transpirations, the evaporation of which creates a cooling process, languor and listlessness, with an indisposition to mental and corporeal exertion, are necessarily induced, which is rarely the case here. Neither, again, do we in winter experience that feeling of intense cold, even though the mercury may sink some degrees lower, which is felt in the damp, humid atmosphere of Europe.

Ordinarily we should be led to suppose that places in the same latitude would experience the same degree of average heat and cold, but this is not true as regards America and Europe. The Gulf Stream, that stretches across the Atlantic between Cape Hatteras and the Azores, forming, nearly in the middle of the North Atlantic, a lake of warm water, according to Rennell, not much inferior to the Mediterranean in extent, has a considerable effect on the temperature of Europe, whilst we, on the other hand, are subject to the influence of a cold stream, sweeping immense masses of ice into lower latitudes, breaking upon our northern coast.

Climate, it would seem, is also considerably influenced by the chemical and geological character of the surface of the earth. One soil quickly parts with its acquired heat, while another retains it. Hence our neighbors of New Jersey enjoy, owing to their sandy soil, an average higher temperature than the inhabitants of New York, where the surface consists, in a great measure, of clay or some other compact earth. One of the most striking peculiarities of our climate, however, when contrasted with that of Europe, is the extreme dryness of the atmosphere; for although we have as many rainy days, with the exception, perhaps, of England and Norway, as occur in Europe generally, yet our air so readily parts with all its moisture that no sooner does it cease raining than the barometer commences at once to sink, and soon shows that the atmosphere is as dry as ever. This extreme dryness may be partially explained by the fact that here, as well as in Europe, westerly winds prevail, and that while they go to the coasts of Europe loaded with a superabundance of moisture, gathered during their passage across the Atlantic, they reach us only after passing over a whole continent, and when they have necessarily lost a great portion of their humidity. How far this dryness influences the electrical state of the atmosphere we are unable to judge from the reports before us, but should certainly be led, from our own observations, to consider it in some measure the source of much of that excessive nervous activity which is a characteristic of our people, while it may, too, have partially assisted in forming that American type which the last two hundred years have undoubtedly produced.

As in that portion of the United States which is inhabited, the lands already cleared and cultivated do not probably exceed one-eighth part of its surface, it necessarily follows that we shall eventually see our climate undergo as great a change as that of England has undoubtedly done since the time of Cæsar. But we are glad to find government already industriously collecting facts which will not only materially assist medical science, but eventually form a brilliant page in the scientific history of our country.

[From the New York Daily Times, (published by Raymond, Harper & Co., edited by Henry J. Raymond,) printed and sold Friday, January 5.]

CLIMATOLOGY.

As the climate of every country has an inseparable relation with the physical character of its inhabitants, the attention of the government was directed, some few years since, to the collection of correct meteorological statistics throughout the whole of the United States. For this purpose the requisite instruments were sent to the different military posts, in order that systematic observations might be made, and America contribute her quota of information to a branch of knowledge which is rapidly advancing into the dignity of a science. There has not as yet, however, been any formal report; but scattered through various documents belonging to the government, as well as in different scientific works, there are many facts which afford us a variety of information, which partially explains how it is that even in the most eastern of the New England States, where the races have not been so much mixed as in the more central ones, the original form and features of the first settlers are entirely lost.

One of the most striking peculiarities of our climate when contrasted with that of Europe, is the extreme dryness of our atmosphere, for although we have as many rainy days, with the exception, perhaps, of England and Norway, as occur in Europe generally, yet our air so readily parts with its moisture, that no sooner does it cease raining than the hydrometer commences at once to sink, and soon shows that the atmosphere is as dry as ever. This extreme dryness may be partially explained from the fact that here, as well as in Europe, westerly winds prevail, and that while they go to the coasts of Europe loaded with a superabundance of moisture, gathered during their passage across the Atlantic, they reach us only after passing over a whole continent, when they have necessarily lost a great portion of their humidity. Hence with us a westerly wind is always a dry wind, while in Europe it almost invariably brings rain with it. How far this fact influences the electrical state of the atmosphere we are unable to judge from the information before us, but should be led from our own observations to consider it the source of much of that nervous activity which seems to belong peculiarly to our people, and to have assisted in forming that American type which the last two hundred years have produced. For the same Omnipotence that created man, adapts him in a comparatively short period to the physical as well as the moral circumstances in which he is to dwell upon the earth.

The extremes of heat and cold do not occur at our most northern and southern posts, as they are situated on large bodies of water, but at the inland Western stations, and for the same reason, the mean summer temperature of Augusta, Ga., is greater than along the coast of Florida. While at Key West, during the present year, the thermometer never or rarely rose above 90 degrees, it attained at Council Bluffs—a point upwards of seventeen degrees further north—a height of at least 102 degrees—an amount of heat unknown in the same latitude in Europe. But although the thermometer may, on the whole, be some few degrees higher here, during the heat of summer, than in most parts of Europe, yet we suffer but little more from its effects; for as the air there is more loaded with humidity, causing a diminution of the cutaneous and pulmonary transpiration—the evaporation of which creates a cooling process—languor and listlessness, with an indisposition to mental and corporeal exertion, are necessarily induced, which is rarely the case here. Neither again do we in winter experience that feeling of intense cold, even though the mercury may range some degrees lower, that is often felt in the damp, humid atmosphere of Europe. Ordinarily, we should be led to suppose that places in the same latitudes would experience the same degree of average heat and cold, but this is not true as regards America and Europe. For the Gulf Stream which stretches across the Atlantic between Cape Hatteras and the Azores, forming nearly in the middle of the North Atlantic a lake of warm water, according to Rennell, not much inferior to the Mediterranean in extent, has a considerable effect on the temperature of Europe, while we are subject to the influence of a cold stream, sweeping immense masses of ice into lower latitudes, breaking upon our northern coasts.