THE NEW YORK HERALD.

WHOLE NO. 6710. MORNING EDITION—TUESDAY, JANUARY 9, 1855. PRICE TWO CENTS.

THE UNEMPLOYED WORKINGMEN IN COUNCIL.

Meeting of Mechanics and Laborers at Hope Chapel.

Land Reform Proposed as the Great Remedy.

The Common Council Called upon to Commence the Public Works, &c., &c., &c.

In accordance with the following calls, the second of which appeared in one of the German papers, a meeting was held last evening at Hope Chapel:—

WORKINGMEN.—The mass demonstration which was to take place on Monday morning, 8th of January, at 10 o'clock, has been postponed by resolution of the meeting of January 6th, on the following grounds:—1. That a committee of the American workingmen appeared in our meeting and declared that on Monday evening, at 7½ o'clock, a mass meeting would take place at Hope Chapel, 720 Broadway, to agree upon further steps and measures. 2. That the delegates of the American workingmen have invited the Germans to join them, to act with more strength, and, if necessary, to arrange a mass demonstration for all workingmen. Brethren, these reasons are sufficient to postpone our demonstration. You will understand yourselves that by such an union and brotherhood we will become strong and powerful, and will better attain our aim. Therefore let nothing prevent you from coming this evening, at 7½ o'clock, at Hope Chapel.

Every one should bring to the meeting a ticket upon which his name, residence, and trade is written.

UNEMPLOYED WORKINGMEN.—The unemployed workingmen of this city and their friends are invited to attend a meeting at Hope Chapel, this evening, at 7½ o'clock. The committee appointed at the last meeting will make their report. Robert Grant, William West, William Arbuthnot, Ben. Price, R. Arthur Bailey, William Rowe, John Commerford, Committee.

As it was supposed by some that the meeting which was called for yesterday morning in the Park, would be held at the appointed hour, ten o'clock, about two thousand persons assembled in front of the City Hall. It was announced, however, that the meeting was postponed till last evening, when the crowd dispersed. A considerable number remained, however, and an attempt was made to organize a meeting, but it proved a failure.

The meeting last evening was called to order at half-past seven, when Mr. R. Arthur Bailey was elected Chairman; Geo. W. Wright, C. Ludwig Richter, Haverly M. Smith, and David Marsh, as Vice-Presidents; Benjamin Price, and A. Rockel, officiating as Secretaries.

After the meeting was called to order, Mr. Grant, chairman of the committee appointed at the Park on the 22d of December, reported their interview with the Common Council, which has been already published in our account of the proceedings of that body. Mr. Grant then read the following resolutions, which were unanimously adopted:—

Whereas, government has, by the failure to enact wise laws, prevented citizens from obtaining equal rights to the soil, thereby engendering disorders, idleness, poverty and crime, such as now deface and torture humanity—therefore,

Resolved, That it is the duty of government now to secure to us our right to labor, involving the right to the soil, the enjoyment of inalienable homes, and a representative currency based upon labor, and that, until government has, by the adoption of a wise system of legislation, established these rights, there can be neither permanent industry, competence, peace nor plenty.

Whereas, while we are convinced that no amount of charitable offerings can satisfy the claims of justice, the necessity for charity being only an evidence of derangement and wrong, not of right, often keeping alive and active the causes that create a demand for it, yet we are not ungrateful to those who in times like these furnish thousands of able bodied unemployed workmen and their wives and children with food and succor—therefore,

Resolved, That while disclaiming all connection with certain new aid societies (so called) which have lately been organized under pretence of charity, but really for speculative purposes, we yet heartily approve of and recommend to the needy poor the long established benevolent associations of the city, the ward associations of the several wards, and also the assistance rendered by well known private philanthropy.

Whereas, the workingmen have hitherto been too much divided, and on account of such divisions their efforts to obtain, through legislative action, protection in the exercise of their rights and assistance in the performance of their duties, with free farms, inalienable homes, low rents, the highest rate of wages, a diminution of the hours of daily labor, &c., have failed—therefore,

Resolved, That forsaking all their old party prejudices and predilections, it is now the duty of the workingmen to unite and combine their forces for the attainment of a common object, namely, the deliverance of land, labor and the currency from the grasp of the monopolist and speculator.

Resolved, That this meeting do now form itself into a permanent association of working men, joined with their friends, elect a provisional president and other officers, and appoint a committee to prepare regulations for the government thereof, to report at a subsequent meeting.

Resolved, That this committee, when appointed, have power to receive and enroll the names of all persons willing to become members, until the organization of the association has been completed.

On motion, a Special Committee to consider the question of currency was appointed, consisting of the following gentlemen:—Robert Grant, R. Arthur Bailey, John Commerford, C. Ludwig Richter, and Edward F. Underhill.

Mr. WEST moved that the committee provided for in the resolutions adopted consist of nine. The motion was adopted, and the following were appointed as the Committee on the Permanent Organization of the Workingmen:—Mr. Frazier, Charles White, Mr. West, Ira B. Davis, Charles M. McCarthy, Mr. Rowe, Charles Smith, W. G. Young.

A motion in favor of giving a vote of thanks to the committee appointed to wait on the Corporation, was made by Charles Smith.

Mr. B. PRICE objected to it, as entirely useless. He considered it but their duty to do what they had done, and thought it was like Congress giving a vote of thanks to their speakers, when they were paid sixteen dollars a day for the work they performed.

Mr. SMITH, however, considered they were justly entitled to it, for the services rendered on the occasion referred to.

Mr. YOUNG regarded the part they took as one that should be admired. The workingmen, however, should not regard the Aldermen, as some were inclined to do as their masters; they were their servants and the workingmen were entitled to as much respect as the highest official in the government. It is to the mechanics, said he, that they are indebted for the position they hold, and the mechanics should insist upon having their rights admitted. The people had too long given way before the officeholders, and it was now time that they should make them obey their will. It was the officeholders who stood in the way of the rights of the workingclasses; they held possession of the land, and while they held that and might dispose of it as they desired, the people were in a comparative state of slavery. The masses, by whom they were put into office, were forgotten, and instead of attending to their interests they looked out for those of their friends. He regarded the workingmen as in no better condition than the slaves of the South, or the white slaves of England, so long as the land could be made a subject of speculation by unprincipled capitalists.

One of the mechanics called the speaker to order, on the ground that he was not discussing the question. He was allowed to continue, however, and, after some further remarks, the motion of Mr. Smith was adopted.

A resolution was proposed by Mr. BUTLER, censuring the Board of Councilmen for the manner in which they received the committee of workingmen.

Mr. IRA B. DAVIS said that it would be unjust to pass a resolution of this kind, as that branch of the Common Council could not act upon the subject otherwise than they did. The resolution was finally withdrawn, and Mr. Davis proceeded to speak upon the condition to which the workingmen of New York had been reduced. There was no reason, in his opinion, why they should be without employment, while there was so much that might be done for the improvement of the city. The Common Council might give these men work if they desired to act sincerely and earnestly for the interests of the suffering mechanics and laborers. When speculators and capitalists desired to have any measure passed, they gave their ears most willingly to their petitions, but it was the very reverse when the poor had anything to demand of them. Now that the laborers were no longer demanded, and their work was not required by the private speculators, it is our right to say that the lands, which are lying open and unimproved, shall be improved and thrown open for us to occupy if we please. (Applause.) I say even if the finance committee of our city should come to the conclusion that they can't appropriate the funds necessary to furnish employment to the laborers, they can say, at least, "take possession of it you that are turned into the streets houseless by the cormorant landlords, who demand more than you can give; there you can find a shelter, and may pitch your tents if you cannot do better." This is the only policy that can be pursued to afford immediate relief. The lots should be improved, and all the public works required commenced at once. Let the memorial of the workingmen be presented to our Legislature with such an array of names that they will not dare to refuse their petition. We want the unoccupied lands to be distributed in limited quantities to the actual settlers. We desire to have it free as the air we breathe. Of what use is it to talk of our inalienable rights when the very air we breathe, the water we drink, and the land upon which we stand, are not our own. Mr. Davis denounced the present banking system as one of the principal causes of the present depression, and hoped the day would soon come when it would be broken up.

Mr. WALFORD next addressed the meeting. He said he was afraid that the present panic would not teach the workingmen common sense; but what has occurred disabused his mind upon this point. He had occasion sometime ago to address a meeting in the Park, and at that time expressed himself in favor of land reform, and of preventing the exportation of corn from the country while the mechanics were in a starving condition, and the workingmen were out of employment. He thought that five dollars was sufficient to pay for a barrel of flour, as there was plenty of it in the country, and he was in favor of passing a law preventing speculation in provisions. The people of the country should have the advantage of the grain grown in it, but instead of this they sent it out of the country to England, because they got five cents more on the barrel for it there. Our first object should be to put a stop to this, to reduce the labor in the market by making the land free to all. The speaker said he was not as yet a citizen, but as he intended to become one he was deeply concerned in this question, as one that affected his fellow-mechanics, and he therefore desired to have a law passed to prevent the repetition of such a condition of things in future. What would the people of Europe say, when they hear of a mass meeting of unemployed mechanics in this country—a country which they considered the happiest and the most free upon the face of the earth. Let us not, said he, belie their thoughts, but do all in our power to make it so, and to render the mass of the people prosperous and happy. He concluded by expressing the hope that this meeting would use its influence in having a law passed to prevent the exportation of grain, by which the price of it is increased to an exhorbitant rate, while the working classes are in a state of destitution.

The PRESIDENT said that they had been considered by some as Know Nothings, but he desired to tell them that they were Americans, and regarded all in the country as their fellow-men, entitled to the same privileges. He then introduced Mr. Reichter, who addressed the meeting in English. He said the German press was against them, but they were determined not to be put down, as they knew their rights and were determined to maintain them. He simply desired to state that in this movement they recognized all as their brothers, no matter what their country or their creed.

Mr. ROEDEL was next introduced. He called their attention to the state of the country—there were broken banks, but more broken pockets. (Laughter.) Louis Napoleon had given four millions and a half to build houses for the workingmen, that they might be relieved from the extortions of landlords. If Napoleon did this, he considered it the duty of a republic to do still more, where the people were free. Those who had come here from Europe found that there was very little difference between a republic and a monarchy. He alluded to the struggles of the Gracchi during the time of the Roman republic, to limit the amount of land which would be possessed by each citizen. This was a reform which should, be continued, be carried out here. The people were neglected by those whom they had elected to attend to their interests, and who, instead of performing the duty for which they had been elevated to office, feathered their own nests at the expense of the masses.

Mr. ROEDEL here proceeded to address the German portion of the audience substantially as follows:—Brethren—For the first time I speak in an assembly like this. We have not all the same language, but our feelings are the same; they unite us here with the American people. For the advancement of these sentiments, we must not only unite with them in speeches, but also in acts. In our country we have fought for liberty, and many of us have lost in battle our fathers, brothers, or sons. Here we are free, but not free enough; we want the liberty of living. (Applause.) We have fought in Germany for liberty of speech and the liberty of the press. The German press is against us in this movement, but we need not care for what those papers say; we must act on our own hook. Here we have social liberty, liberty of speech, and liberty of the press; and when we want anything that is just, we are bound to obtain it. (Applause.) If you don't know your rights yet, hunger will teach them to you. You don't get bread nor wood, and there is plenty of them. At our revolution in June we obtained three months credit, and when we had no bread we soon obtained it, because we were 200,000 bayonets strong. Let us therefore remember that union is strength. I have nothing further to say than to advise you to put in practice the principles of the social republic. The *Tribune* said, to-day, that the rich would give us a million if they were forced to it; but now they will hold their money in their pockets and refuse to give it up. When the wolf is hungry he has no consideration, and takes his food fearlessly where he finds it; it must be the same with the masses. Help yourselves, and then God will help you. We must act as the wolf, and we do not want any auxiliaries. No auxiliaries! Let us act by ourselves. (Applause.)

The PRESIDENT here stated that at the next meeting a plan of organization would be presented, and he proposed that each man should hand in a slip of paper bearing his name, residence, and occupation before his enrolment.

Mr. HAGUE proposed that a committee of five should be appointed, to attend at the door on the next meeting to receive the names of those attending with the number of their families, &c.

Mr. DAVIS hoped this plan would be commenced at once. This arrangement was explained to the Germans.

Mr. WEST spoke upon the question of land reform. The people of this country had been called sovereigns, but he would like to know, did any one ever hear of a sovereign who never owned any land? (Laughter.) Now, we are threatened by a famine—and why? Were breadstuffs scarce? No; but it was because the speculators had bought them up, and were sending them abroad. If the people would get rid of these speculators they must take fast hold of the land so that their children may have a home to live in, and be independent as the free citizens of a free country should be. It is only when the land is made free to the people, and they are possessed of inalienable homesteads, that the destitution which affects the laboring classes at present will cease altogether. Now is the time, when there are 150,000 people in this city in great distress, for the Common Council to commence the public works, and if they have not sufficient in the treasury, let them use the credit of the people in obtaining the necessary loans wherewith to carry them out.

Mr. West was followed by Dr. FORNSCH, who spoke in English and German. He too expressed himself in favor of land reform. Two thousand years ago it was announced by the Saviour that the meek should possess the earth, and he would now say that the people should take the earth, for it is theirs, and they should have it. I am, he continued, a German by mere accident, but an American by choice, and freedom and happiness to all mankind is the principle I am struggling for. My German brethren, you are accustomed to hear my voice on every great occasion. It shall not be wanting when I think that the principles of our countrymen are in danger. I will say but a few words. This meeting, composed of Americans, Irish, German and French, is a meeting of no particular nation; it is a meeting of principles. We are united in one feeling and one will. We want work, and if we don't have it death will follow. We are the head and heart of the nation. The government is but the hand; and if our legislators do not act we will. We have petitioned the Legislature of this city, which belongs to us, and those men they called the fathers of the city have to submit to the will of the people. We don't want excess, but order; but if they do not listen to our wants we must restore order in this republic. Let us be united; let us show ourselves men; let us show our strength, and we will obtain liberty, and liberty in full.

Mr. EHRENSPACHER, the next speaker, addressed the meeting as follows:—Friends—After what has been said by the preceding speakers, I cannot add much. We have arrived at times which will never, perhaps, occur again. Here we see the French, the Irish and the Americans united with us. All of us do not read English, but it is not our fault—for, instead of books, we have to handle hammers, scissors, needles, and tools of every kind. (Applause.) I don't want applause, remarked the speaker, for I speak from the heart; and a workingman does not want flattery or applause. We must not amuse ourselves in singing, playing, or otherwise—we must act as citizens. We want work and no charity. It is said that the stomach does not ask if its food is paid for, but I shall not drink the soup given by the rich as if it were given to dogs. I repeat it—I want work, and not charity. (Applause.)

Mr. SMITH said that he was glad to see such a large and influential meeting, and he had no doubt of the success of the movement in which they were engaged. He spoke of the conduct of the Common Council in delaying the letting out of contracts while the people are in a starving condition, and delay is death to them. He hoped the work would not stop here, that every means would be adopted for the employment of the people. The streets should be cleaned, and the laborers paid for the work performed, for he regretted to say that in too many instances they had not received their justly earned wages.

Mr. COMMERFORD was exceedingly gratified to see that the men by whom this meeting and this movement was conducted were practical mechanics. He considered this as auspicious for the success of the cause in which they were engaged. In times of depression like the present, it was usual to charge it to the extravagance of the aristocratic and wealthy classes; but this is not the real cause of it. We must look for that to the speculators in land and provisions. The editors of the public press, which ought to be free, are controlled by capitalists, and hence you must not expect to receive justice at their hands. You must be prepared for every kind of misrepresentation, for they will say that men appeared on our stand from other countries who wanted to divide and share the property of our people. They will say that they were English radicals or German socialists—that they were agrarians who attempted to disturb the peace of the country by the dissemination of their wild theories. But has it come to this, that American citizens are not intelligent enough to tell where the shoe pinches. You come here because misery has overtaken you, and you are determined to demand your rights from your government, and will not be satisfied with anything less. Mr. Commerford next spoke of the effect which the war in Europe would have upon the condition of the working classes here if it continued for a year longer. He believed it would be the means of giving employment to those who were now idle, in the increased demand it would create for labor of all kinds, and particularly of agriculture. At present he said there were one hundred and fifty thousand workingmen out of employment in New York and vicinity. Here was an army that should be employed by our government in the cultivation of our Western wilds—twenty millions would set it on its march westward, and this would be well expended in increasing the agricultural products of the country, and reducing the amount of labor in the cities.

At the conclusion of Mr. Commerford's remarks, the meeting was addressed by Mr. Price, after which it adjourned.

THE FIRE DEPARTMENT.

The Proposed New Law for the Better Enforcement of the Fire Laws.

We publish below the law now before the Legislature of the State, in reference to changes about to be effected in the organization of the Fire Department.

It is well known that the laws relative to insecure buildings within the fire limits of the city, have been totally disregarded by builders and masons, who erect structures notoriously insecure and such as no fireman would risk his life in should a fire break out. The files of our newspaper teem with evidences on this point, and the great waste of life that has resulted from the cupidity and carelessness of builders, is a sufficient reason why public attention should be more distinctly fixed on this matter.

To remedy this evil, the Board of Fire Wardens, twelve in number, was established, with power to search out and report all violations of the law. As a compensation, the sum of $250 a year has been given them, which has lately been increased to $500. Without reflecting on all the Fire Wardens, many of whom have performed their duty faithfully, it must be confessed that they have totally failed to accomplish the object for which they were originally designed. Buildings are going up every day in utter defiance of the fire laws, and no steps are taken to prosecute the builders according to law.

For this state of things two reasons are assigned—first, that the compensation is insufficient, as no man can be expected to devote his whole time to an employment that pays so poorly; and second, that the trustees of the Fire Department, who are now the only persons authorized by law to proceed against the builders for any violation of the fire laws, have no time or inclination to attend to this matter. They are obliged to devote much of their time to the widows and orphans of the department; and as their trust is a delicate one, they have an arrangement with their lawyers not to prosecute any claim unless they are assured of bringing it to a successful issue. They do not feel justified in urging any doubtful suit, as it might involve the loss of large sums in litigation, which would of course fall on the funds of the department.

With regard to the first reason, we have only to say that if the Fire Wardens cannot attend to their duties, they should, as honest men, resign their offices, and not accept pay for work they never perform. The second reason, however, is a cogent one, and points out one of the great difficulties to the proper enforcement of the laws.

The law we publish this morning is designed to reform this whole matter, and so centralize the power of the department as to effect a thorough reform.

It proposes to appoint three officers who shall be known as the Commissioners of Buildings. They must be practical builders of at least fifteen years standing. They are to hold office for six years, and will receive a salary of two thousand five hundred dollars per annum. They will have power to prosecute all violations of the fire laws, the Comptroller of the city furnishing them with means to do so, and whatever accrues shall be paid over to the New York Fire Department.

The number of the Fire Wardens shall be increased to sixteen, and their salaries fixed at seven hundred and fifty dollars per annum. They will be required to devote their whole time to their duties, and will act under the orders of the Commissioners of Buildings. The way matters are conducted at present, the Fire Wardens have no one to see that they perform their duty, and are responsible to no higher power than themselves.

Such in brief is the law. We understand that the matter will soon be acted on by the firemen, and it is to be hoped that they will recommend some scheme to remedy this great evil, and protect the lives and property of our citizens.

Be it enacted by the Senate and Assembly of the State of New York as follows: That within thirty days after the passage of this act, the people of the city of New York shall assemble in their respective election districts and shall elect three persons, who shall be known as Commissioners of Buildings.

The said persons shall be nominated by that body known as the representatives of the New York Fire Department, who shall assemble within fifteen days previous to the said election, and shall then nominate six persons for that office, and the three persons receiving the highest vote by the people at the said election shall be elected.

The persons so chosen shall be well known, practical builders, of at least fifteen years standing in the business in the said city, and they shall, before they are sworn in, present to the Mayor of said city credentials from at least twenty-five established builders of the said city, stating that they are in every way qualified to discharge the duties of the office to which they have been elected. They shall hold the office for the term of six years, and shall only be removed when a majority of the body that nominated them shall present articles of impeachment to the Mayor and Aldermen of the said city, asking for removal in consequence of unfitness for office.

Said commissioners shall receive a salary of two thousand five hundred dollars per annum, and they shall keep an office, with the Fire Wardens, in some central part of the said city.

In case of a vacancy by death, resignation, or otherwise, the vacancy shall be filled in the same manner as provided for in the preceding section of this act, the election to take place within thirty days from the time the said vacancy may occur, and two persons shall be nominated in all cases where one vacancy exists.

No person shall hereafter erect any building in the said city, of any description whatever, or make any alteration of any nature or kind, that will in any way conflict with the fire laws, or any other laws in relation to the erection of buildings that are now in existence, or that may be hereafter passed by the Legislature of this State, without the plans and specifications for the said building or alterations being first submitted to the Commissioners of Buildings, which shall be carefully examined by them, and if found to be such as will not be dangerous or in violation of any of the existing laws in relation to fires or unsafe buildings, the said plans and specifications shall be signed by at least two of the said commissioners, which shall be considered a permit to proceed with said work.

The clerk to the board of fire-wardens shall act as clerk to the commissioners, for which services he shall receive, in addition to his present salary, the sum of five hundred dollars per annum, and whenever a vacancy occurs in the office of the said clerk the vacancy shall be filled as follows, viz: the clerk shall be nominated by the fire wardens and appointed by the commissioners, and the said appointment shall be confirmed by the Mayor and Aldermen of the said city.

The Commissioners of Buildings shall, immediately after having been sworn in, proceed to examine all the buildings already erected that have been reported dangerous br the fire wardens of the said city, or that may hereafter be reported, and they shall have power to compel all owners of said buildings to make such alterations or repairs that may be required to make them perfectly safe for the purposes for which they shall be used.

They shall also examine all buildings which shall contain steam engines and boilers, large iron safes, printing presses, furnaces, or any other heavy machinery, apparatus, or fixtures which shall have a tendency to impair the strength of the building in which it is placed, and in no case shall any of the aforesaid articles be placed in any building without the same shall be examined by the commissioners, and a permit obtained from them for that purpose, and they shall also possess the same powers in relation to stores or any other building that may be overloaded by any goods or merchandise.

The said commissioners to have power to prosecute all violations of any of the laws now in existence, or that may be hereafter passed by the Legislature of this State in relation to fires or the erection of buildings in the city of New York.

And the Comptroller of said city shall provide them with sufficient funds for the purpose of defraying the expenses of prosecution of the said violation from the funds appropriated by the Common Council of the said city for county contingencies, and all money that may be recovered from such suits shall be paid to the Comptroller of the said city, who shall, at the end of each year, pay over to the treasurer of the New York Fire Department fund all surplus money that may remain in his hands from such penalties.

The said commissioners shall have discretionary powers in relation to all buildings or alterations that may not be provided for in any of the existing laws in relation to fires or unsafe buildings.

The fire wardens shall be notified by the commissioners within twenty-four hours after the said commissioners shall have granted a permit for any building or alteration, when it shall be their duty to visit each and every building within their respective duties as often as practicable during its erection or alteration.

They shall also visit every building or shed in their respective districts not less than twice in each year, for the purpose of examining the said premises and to see that no violations of the State laws or corporation ordinance exist, and that no combustible material be allowed to accumulate whereby the said premises may be endangered by fire.

The number of fire wardens shall be increased to sixteen, and their salary shall be increased to seven hundred and fifty dollars per annum. They shall devote their whole time to the duties of their office; they shall be subordinate to the commissioners, and shall be subject to removal by them for wilful neglect of duties or incompetency. Such removal to be approved by the Mayor and Aldermen of the said city.

No building shall hereafter be erected which shall exceed sixteen feet in height, which shall be used for other purposes than a dwelling, unless the wall shall be twelve inches thick, and no building shall hereafter be erected which shall exceed fifty feet in height unless the walls be sixteen inches thick.

The Hon. Benj. E. Grey, whig, is announced a candidate for re-election to Congress from the Second Congressional district of Kentucky.

AFFAIRS IN ALBANY.

REPORT OF THE CANAL COMMISSIONERS.

NEW YORK LEGISLATURE.

Senate.

ALBANY, Jan. 8, 1855.

MEMORIAL FROM ST. LOUIS CHURCH, BUFFALO.

Mr. PUTNAM presented a memorial from the St. Louis church, Buffalo, in relation to the tenure of their church property. The printing of the memorial was ordered.

The concurrent resolution relative to the employment of counsel in the Lemmon case was laid over.

BILLS INTRODUCED.

Mr. SPENCER introduced a bill relative to excavations in New York.

NOTICES OF BILLS.

Mr. BROOKS introduced a bill to amend the charter of the Panama Railway.

Mr. PUTNAM gave notice of a bill to repeal the act prohibiting the circulation of notes under five dollars.

Mr. BISHOP gave notice of a bill to incorporate the Trustees of the Church Erection Fund of the Presbyterian church.

Assembly.

ALBANY, Jan. 8, 1855.

REPORTS RECEIVED.

The annual reports of the Commissioner of the Canal Fund and Auditor of the Canal Department, was received; also one from the Inspector-General of Militia.

NOTICES OF BILLS.

Mr. ODELL gave notice of a bill to complete the canvass of votes of the official election in Ontario district.

Mr. LOUGHLIN gave notice of a bill to increase the funds of the New York Fire Department.

Mr. WAGER, one for the relief of Pine Plain Lodge, I. O. of O. F.

Mr. RHODES gave notice of a bill amending the charter consolidating Brooklyn, Williamsburg and Bushwick.

BILLS INTRODUCED.

Bills were introduced, by Mr. Rhodes to amend the Brooklyn Fire laws; by Mr. Ward, to erect a county of Canisteo.

Mr. LEIGH introduced the following bill:—

An Act to amend an act entitled "An act respecting Elections other than for militia and town officers, passed April 5, 1842.

The people of the State of New York represented in Senate and Assembly, do enact as follows:—

Sec. 1. The Mayor and Recorder of the city of New York, one of the Judges of the Supreme Court for the First Judicial District, one of the Judges of the Superior Court, and one of the Judges of the Court of Common Pleas, shall in the city of New York constitute the Board of County Canvassers, instead of the Supervisors, a majority of whom shall be competent to act, and they shall receive no compensation for their services.

Sec. 2. It shall be the duty of the Judges of the respective courts named in the first section of this act, within one week prior to the time of the meeting of the County Canvassers each year, to designate one of their number to send as a member of the Board of County Canvassers, and it shall be the duty of the Judge thus designated, to attend to the time and place and serve in the manner now prescribed by law.

Sec. 3. The original statement required to be delivered to the Supervisors by the 38th section of title 4, article 4, of the above act, shall, in the city of New York be delivered to the Mayor instead of the Supervisors.

Sec. 4. Sections 34 and 35 of title 5, article 4, of said act, shall apply to the Board of County Canvassers in the city of New York. The canvasser so dissenting or protesting shall deliver his dissent or protest, signed with his proper name, to the clerk of said city or county, who shall file the same immediately.

Sec. 5. All acts or parts of acts conflicting with this act are repealed.

TREASURER'S REPORT.

The State Treasurer presented his annual report, the main features of which have already appeared in the reports recently received from the various departments. The following is the summary of the business of the treasury for the fiscal year closing September 30, 1854:—

Balance in the treasury on the morning of October 1, 1853, as certified by committee, &c.		$1,240,696 75
Receipts by Benjamin Welch Jr., treasurer, from Oct. 1, 1853, to Dec. 31, 1853, inclusive	$1,965,662 71	
Receipts by E. G. Spaulding, treasurer, from January 1, 1854, to Sept. 30, 1854, inclusive	7,508,162 56	—9,473,825 27
		$10,714,522 02
Payments by Benj. Welch, Jr., treasurer, from Oct. 1, 1853, to Dec. 31, 1853, inclusive	1,544,368 71	
Payments by E. G. Spaulding, treasurer, from January 1, 1853, to Dec. 30, 1854, inclusive	5,626,027 12	—7,170,395 83
Balance in the treasury on the close of the fiscal year, Sept. 30, 1854		$3,544,126 19
Balance in the treasury January 1		$3,468,224 54

AMENDMENT TO THE CONSTITUTION.

Mr. HIGGINS, of Brooklyn, moved the following joint resolution:—

Resolved, That the following amendment to the first section of article second of The Constitution of the State of New York be proposed, by striking out the first sentence of said section, composed of the following words: "every male citizen of the age of 21 years," and inserting as follows in place thereof:—"Every male of the age of 21 years, who shall have been born a citizen of the United States of America, or who shall have been a resident of the United States of America for the full term of 21 years."

Laid on the table, under the rule.

Annual Report of the Canal Commissioner—Proposed Tax on Railroad Freights.

At a late hour last evening we received from Albany proof sheets of the report of the State Auditor to the Legislature and the Commissioners of the Canal Fund for the past year, dated December 30. It appears to be a document of more than usual importance, as it undertakes to account for the large falling off in the canal revenue, and suggests remedies, among which it recommends a tax upon freight conveyed on railroads. We subjoin such extracts as our time permits:—

On the 1st day of October, in the year 1853, there was belonging to the Canal Fund, on hand:

Deposits in banks	$1,129,818 61	
Investments, securities in the custody of the Auditors	157,726 08	
Total amount then on hand	$1,287,544 69	
The receipts during the year have been	6,305,057 68	
	$7,592,602 37	
The payments during the year have been	4,228,593 83	
Total balance at the close of the year	$3,364,008 54	
Of this balance there is deposited in banks	$3,218,282 46	
Invested, securities in custody of the Auditor	145,726 08	
Due from the General Fund	197,062 71	
	$3,561,071 25	

REVENUES AND EXPENDITURES OF THE FISCAL YEAR.

The following is a statement of the revenues of the State canals, and the expenses of collection, superintendence and ordinary repairs, during the fiscal year ending the 30th of September, 1854:—

RECEIPTS.

From tolls, rent of surplus water, and interest on current canal revenues		$2,988,066 21
PAYMENTS.		
For repairs on the canals, viz:—		
To superintendents of repairs	$969,398 43	
To Canal Commissioners	162,341 37	
Total	$1,131,739 80	
For expenses for collection of tolls:—		
By collectors	$67,679 77	
By weigh masters	7,873 16	
Total	$75,542 93	
For refunding of tolls, printing, salary of Auditor and clerks of Canal Department, and miscellaneous payments	30,583 47	
		1,237,866 20
Surplus revenue		$1,750,199 01
Amount set apart by the Constitution as a Sinking Fund to pay the interest and redeem the principal of that part of the debt called the canal debt	$1,300,000 00	
Of that part of the debt called the General Fund debt	350,000 00	
		1,650,000 00
		$100,199 01
Amount set apart under the requirement of the Constitution as a Sinking Fund for the loan of $2,250,000, made during the last fiscal year		
For payment of interest	$18,691 23	
For extinguishment of principal	76,170 49	
		94,861 72
		$5,337 29
Paid into the treasury to defray the necessary expenses of government		200,000 00
Deficiency		$194,662 71

It will be perceived by the preceding statement that the revenues of the canals for the past fiscal year have not been sufficient to meet all the constitutional charges upon them, and that there is a deficiency of $194,662 71, to answer the appropriation made by the constitution of $200,000 to the general fund for the support of government.

Following the custom set by his predecessors for the convenience and accommodation of the general fund, and not anticipating such deficiency, the Auditor has in quarterly instalments already, during the fiscal year, advanced the two hundred thousand dollars to the Comptroller, for the general fund.

The only justification the Auditor can offer for such payment is that it was thus done in obedience to a specific appropriation and in conformity with prior custom, without knowledge or expectation of a deficiency, and that it was impossible for him to ascertain the true state of the accounts, and the fact that there would be a deficiency, until after all the accounts of the year were settled and the balance struck, which must necessarily require some work after the close of such year; fifty thousand dollars of which sum was advanced by the former Auditor before the accession of the present Auditor to office.

It will be necessary, therefore, that the payment of such contribution to the general fund for the support of government be withheld hereafter until the canal fund has been refunded the amount thus overpaid.

It is much to be regretted that the revenues of the canals for the past fiscal year have not been equal to the constitutional charges upon them. They have, however, met all the requirements made upon them for the benefit and protection of the holders of the State stocks issued for their benefit, and the general fund only suffers. With a revenue diminished by untoward causes, arising from the unexampled commercial embarrassments in the country, which no human foresight could anticipate, or knowledge could avoid, with an imperfect navigation and an unfinished canal struggling under every disadvantage, against works and facilities furnished for private corporations and individual enterprise adapted to and keeping pace with the wants and demands of trade and commerce, and burthened with an unusually large expenditure for collection, superintendence and ordinary repairs, the result is not surprising.

It seems to teach us, however, that there is good reason to doubt the wisdom and foresight of that financial policy which governs with a rigid iron rule, unyielding and unaccommodating to any circumstances. In a country such as this, where everything betokens progress, where improvements are constantly being made or demended to meet the exigences of the times, and where, if not made, trade is forced to work out new and other channels, it appears astonishing that public works such as ours should be crippled by a policy which has denied them for years the opportunity and means of developing those resources which alone are wanted for the realization of a golden harvest. But the late amendment of the constitution, however, and the judicious application of the means which are thereby appropriated for the improvement and completion of the canals, these great State works will soon be placed in a situation in which they can compete successfully with their iron bound rivals, and answer with ease all the constitutional demands placed upon them.

IMPROVEMENT OF THE REVENUES—INCREASE OF TOLLS.

In view of the insufficiency of the revenues of the canals to meet the charges imposed upon them, it appears incumbent upon the public agents to see whether such revenues cannot be improved.

Upon an examination of the amount of tolls collected annually, it appears that up to and including the year 1851, there was a steady and gradual increase in the revenue, until in that year it reached the sum of $3,763,969 34. During that year the Legislature released the railroads from the payment of tolls, and the Canal Board, in 1852, made a large reduction of toll upon many articles, which then were and still are largely transported upon the canals, and formed a considerable source of revenue, the result of which has been, that in the next fiscal year the revenues declined over half a million of dollars, and have remained nearly stationary since.

In the season of navigation for 1851 the amount of tonnage upon the canals was 3,582,733 tons, and the tolls the con amounted to $3,329,727. In the same season of 1852 the tonnage amounted to 3,863,441 tons, being an increase of 280,708 tons, while the tolls amounted only to $3,118,244, being a diminution of $211,483, and in 1853, with an increased tonnage over 1851 of 665,120 tons, there was a falling off in the tolls below those of 1851 of $125,009. Upon the tonnage of 1852, at the rate of toll of 1851, the revenues of the canals for 1852 would have been $3,590,612, which exceeds the actual revenues $472,368. The following table shows the reductions and the losses occasioned to the revenues thereby, and it exhibits conclusively that the reduction of tolls at such time practically operated for the benefit of forwarders, to the injury of the State, and was not upon articles which needed the reduction to invite and increase their transportation:—

Between the years 1851 and 1852 the per cent of reduction on all merchandise reduced from 8 and 5 mills to 4 mills was	39.16
Per cent of reduction in total tolls ($3,329,777) for season of navigation	13.20
Per cent of reduction in tolls on down freight	4.515

There can be no doubt that a judicious revision of the rates of toll, and a reasonable increase upon many articles, which are now too low, would add much to the revenues.

And it is perfectly evident that the tolls in 1850 and 1851 were much nearer the most productive revenue standard than they have been at any time since.

TOLLS UPON RAILROADS.

There can be no question that the revenues of the canals are much and seriously affected by the carrying trade of railroads, running through this State or portions of it. These roads have been built and are owned by corporations, the creatures of State legislation, and subject to control.

Under the law of the State they are enjoying extraordinary rights and privileges, and it appear to the Auditor, that, under the present condition of the finances, and the state of the canal revenues, justice and equity demand that those corporations should, until the canal is completed, be required to pay, upon some equitable basis, in the form of tolls, upon the tonnage transported by them, a bonus to the State for such rights and privileges.

It is not right that the people should be taxed to make up a deficiency occasioned, in part at least, by the privileges enjoyed by such corporations. Of the right to impose such toll, there can be no doubt; all such railroad corporations are the creatures of State legislation; they are indebted to the State through the acts of the Legislature for their existence and vitality. By no other power could they have been brought into existence. In their creation it was in the power of the Legislature to vest them with so much or so little power, right and privileges, as might be deemed proper. The Legislature could then have invested them with power to carry freight or prohibit it altogether. Having the right to confer or deny that power as a natural consequence, being sovereign, they could, in conferring it, prescribe the conditions on which it could be exercised.

A right to exclude must and does include the right to tax. By section 1 of article 8 of the constitution of this State, the people have reserved to the Legislature the right, from time to time, to alter or repeal all special acts or general laws, in relation to the creation of such corporations.

The right of regulation or prohibition has not, therefore, been exhausted by the Legislature, and the power still remains with them to prescribe the conditions or restrictions upon which the incorporations may carry freight. As a necessary consequence, the Legislature has now the full right and power in prescribing those conditions to impose such tolls as to them may appear right and proper, and may be demanded by the interests of the State.

It is to be hoped, therefore, that, under the present emergency, the Legislature will take this subject into consideration, and impose such tolls upon the tonnage of the several railroads, diverting trade from the several State canals, as will serve, in a measure at least, to protect and maintain the revenues of the State, and be neither unjust or inequitable towards the railroad corporations.

Such protection is needed now, while the canals are unfinished and, by reason of their incomplete condition, unable to compete successfully with the iron-bound roads. But after the enlargement shall be completed, the necessity for demanding tolls upon railroads will have ceased, and then, without doubt, the canals will be able to maintain themselves successfully, profitably and triumphantly.

The total movement of freight, or the numbers of tons carried one mile upon the New York State canals during the year 1853, (that of 1854 has not as yet been ascertained) was 706,389,953 tons. The amount of tolls collected that year upon all property, exclusive of boats, was $2,955,939. Dividing such amount of toll by the total movement, it gives the average toll per ton per mile in that year at 4.22 mills. By the report of the New York Central railroad for the fiscal year ending Sept. 30, 1854, it appears that the total movement of freight, or number of tons carried one mile, on that road during such year was $1,168,680 tons. Multiplying such total movement by 4.22 mills, the average rate of toll per mile, and it